

Witness Name: Michelle Mannion

Statement No: WITN0081001

Dated: 30th October 2025

THE NOTTINGHAM INQUIRY

FIRST WITNESS STATEMENT OF MICHELLE MANNION

I, Michelle Mannion, will say as follows: -

INTRODUCTION

1. I am a qualified solicitor. I am a District Crown Prosecutor at East Midlands Crown Prosecution Service and since 17th July 2023 I have been the Deputy Head of the East Midlands Complex Case Unit.
2. This witness statement is made to assist the Nottingham Inquiry (the '**Inquiry**') with the matters set out in the Rule 9 Request dated 4th August 2025 (the '**Request**').
3. I have been asked to set out a detailed chronological account of my involvement in the case including:
 - i. The charging decision
 - ii. Analysis of reliance upon expert evidence
 - iii. Acceptance of Pleas
 - iv. Communication with survivors and bereaved families.

BACKGROUND

4. In 2000, I completed my degree at Nottingham Trent University and obtained a 2:1 in LLB Law. Following this, I undertook the Legal Practice Course at Nottingham Law School and in 2001 received a Commendation. I completed my Training Contract and qualified as a solicitor in November 2003. I joined the Crown

Prosecution Service the same month. I was a Senior Crown Prosecutor and Domestic Abuse and Stalking specialist in the Magistrates' Court until 2013, when I transferred to the Crown Court Unit. In 2017, I became a District Crown Prosecutor (DCP). I managed the Nottingham Crown Court Unit until I transferred to the East Midlands Complex Casework Unit (CCU) on 17th July 2023. Between 2013 and 2023, I had experience of working on Homicide cases and the application of the Bereaved Family Scheme (BFS) [WITN0080005] as both a reviewing lawyer and manager.

5. My transfer to the CCU was a sideways move. I remained a DCP but was referred to as 'Deputy Head' of the Unit. I was line managed by Senior District Crown Prosecutor and CCU Head, Samantha Shallow ('the SDCP'). Initially, the transfer was for 6 months (the DCP I replaced was on a temporary promotion), but in February 2024 my position was made permanent.
6. Prior to joining the CCU, whilst I knew Alan Murphy, our direct working relationship had been limited. Mr Murphy was a Crown Advocate and before either of us joined the CCU, we had had occasional dealings in respect of general Crown Court matters. Mr Murphy is well known and respected within the Area for his legal knowledge and expertise. He had provided legal advice and assistance to me and lawyers on my team.

CHARGING DECISION

7. My role as Deputy Head of the CCU was to line manage the lawyers on the Unit and report to the SDCP. When I joined the Unit there were five Senior Crown Prosecutors and one Specialist Prosecutor, Mr Murphy.
8. By the time I arrived on the CCU, the case in respect of Valdo Calocane ('the offender') had already been allocated to Mr Murphy ('the reviewing lawyer') and charged. I therefore had no involvement in the charging decision.
9. By that stage, given the seriousness of the offending and national profile of this case, the SDCP had adopted leading managerial responsibility. The SDCP was

significantly involved overseeing and managing the case's progression and directly supporting the reviewing lawyer. This continued throughout the prosecution, thereby reducing my usual level of managerial involvement in the case. I was copied into emails, and I was kept informed about the communications the SDCP was having with the Deputy Chief Crown Prosecutor, Andrew Baxter ('the DCCP') and Chief Crown Prosecutor, Janine McKinney ('the CCP'). Throughout the prosecution, I had an overview of the case's progression and what was happening in respect of our service to the bereaved families. I was copied into emails, but I was not actively involved in the decision-making process. I was not involved in the direct communications with the bereaved families. I did not attend any of the meetings which were held with the bereaved families in advance of the offender's sentencing date. Prior to the 23rd January 2024, I had not met with any of the bereaved families or survivors of the attack. Throughout the lifetime of the case, I acted under the SDCP's instruction, and I provided assistance and support to the SDCP when required. I was a point of contact for the police in the event the SDCP or reviewing lawyer were not at work or were unavailable.

10. The CCU is a small Unit. During the relevant period, in addition to the 6 lawyers mentioned, there were 3 Paralegal Officers, a Paralegal Business Manager and 2 administrative support staff. Communication is key to the effective running of the team. The SDCP and I would speak multiple times a day. We would attend meetings with the police and case conferences with counsel together. Ordinarily, I would deal with the daily management of the lawyers and provide support in respect of general case progression. I would keep the SDCP apprised of progress and identify any specific issues or concerns which required her assistance. However, my role in relation to the prosecution of Valdo Calocane was markedly different to other cases on the Unit. This was due to the significantly higher level of SDCP supervision, involvement and input in the day-to-day management of the case.

11. As DCP, I am required to hold a minimum of a weekly 1:1 meeting with each lawyer on my team to discuss their caseload, any issues, case progression and offer support and assistance as required. In addition, I am required to complete monthly case list updates with each lawyer and complete a quarterly Individual Quality Assessment ('IQA') of one of their cases. This enables me to have oversight of the

work being carried out on the Unit and identify any matters which need to be raised or escalated with the SDCP. There are a series of 12 standards/questions to address during the IQA review process. The questions are open and cover a wide range of work. This is intended to allow managers to take a wider view of the casework quality in each individual case. Managers have to record good practice, areas of improvement and assess whether each standard is met. After an assessment of the case papers, managers are required to discuss the case with the reviewing lawyer before the IQA is finalised. I chose this case to conduct an IQA. In my assessment of the file each relevant IQA standard had been met. The final version of the IQA was completed on the CPS App which only retains documents for 2 years. This was therefore destroyed in accordance with retention periods. I have however retained my draft assessment [WITN0081004] which was completed prior to upload onto the App and before a conversation had been held with the reviewing lawyer.

12. The reviewing lawyer's charging decision had been made in accordance with the Code for Crown Prosecutors [WITN0080003]. He had correctly applied the five conditions of the Threshold Test. Moreover, when he learnt that the police had made an 'emergency' charging decision in respect of the Murder of Grace O'Malley-Kumar, he ratified that decision by adding an addendum to his initial charging advice.
13. The reviewing lawyer's charging review was timely, informed and reasoned. He clearly set out the prosecution strategy. He explained why the circumstances of the offending justified charges of Attempt Murder, rather than Grievous Bodily Harm with Intent (Section 18 Offences Against the Person Act 1861). He also explained his rationale not to charge in relation to the offender's actions at Seeley House prior to Mr Coates' murder or his theft of Mr Coates' vehicle.
14. The reviewing lawyer set out all of the material he had considered when making his decision, including the multi-media evidence available. His review provided a detailed record of the key decisions made which can be easily followed by others. He identified what further lines of enquiry needed to be included in the full file submission. He pre-empted what the issue for trial was likely to be, namely the

offender's mental state at the time and potentially fitness to plead. The reviewing lawyer correctly addressed the issue of obtaining the offender's medical records and the need to retain a psychiatrist for the prosecution in the event of defence reports being served.

15. The rights and interests of victims and witnesses had been considered. I was satisfied there had been timely and effective communication with them in accordance with the Victims' Code [WITN0080006] and our obligations under the Bereaved Family Scheme [WITN0080005]. The CPS policy entitled 'Service to Bereaved Families in Homicide Cases' provides guidance to the service expected of CPS to bereaved families in homicide cases. It confirms the CPS offers an enhanced service to bereaved families and will offer to meet them at key stages of the Criminal Justice Process, commencing with an explanation of the charging decision through to supporting bereaved families where cases progress to the Court of Appeal. As well as meeting a family at important stages of the case, the scheme also requires prosecutors to communicate with a bereaved family by letter, sent via the Family Liaison Officers ("FLOs").

16. Under the enhanced service, CPS are required to send such communications within 24 hours of a decision to charge, discontinue or substantially alter charges in a case. Bereaved Family letters had been drafted by the Chief Crown Prosecutor, Suzanne Llewellyn (who was in post at the time), and dispatched in a timely manner to the FLOs on 16th June 2023. [CPSE0000002], [CPSE0000191], [CPSE0000193], [CPSE0000195].

17. On 17th June 2023, the reviewing lawyer, the SDCP and my predecessor attended the Magistrates' Court for the offender's first court appearance in the Magistrates' Court to meet with bereaved family members. On this occasion, no family members attended court. On 20th June 2023, the reviewing lawyer also attended the offender's Preliminary hearing at Nottingham Crown Court. This hearing was attended by Ian Coates' partner Elaine Newton and his sons. They met with the reviewing lawyer and junior counsel, Peter Ratliff. The outcome of the hearing was explained, including that the case would centre on medical evidence relating to the offender.

18. I was satisfied that the reviewing lawyer had a good grip of the case and its issues, and the matter was being progressed effectively and expeditiously and in accordance with the Bereaved Family Scheme [WITN0080005].

19. This case also appeared on the East Midlands Casework Log, the High-Risk Log and the Sensitive Case List. I am only involved in completion of the East Midlands Casework Log which is updated monthly for the Chief Crown Prosecutor (CCP). This document enables the CCP to monitor cases which need to be brought to the attention of the Director of Legal Services (DLS) via the Monthly High Risk Case Log and Sensitive Case List returns at the end of each month. Therefore, to enable me to update the Casework Log, I kept an overview of what was happening generally, the decisions being made by the reviewing lawyer and the communications with the bereaved families and survivors. I was also aware the SDCP was in regular contact with the CCP, Deputy Chief Crown Prosecutor (DCCP) and DLS team providing updates.

Police Investigation

20. As mentioned, at the time when the case was charged, I was not working on the CCU. However, when I completed the IQA on 27th July 2023, I did not identify any concerns in respect of the police investigation or their management of the offender in custody. Information regarding the offender's detention in custody was on the Custody Record. This had been disclosed to the defence.

21. At no stage during the prosecution did I identify any issues or have any concerns in respect of the quality of the police investigation.

Communication with the Survivors and Bereaved Families

22. The Code of Practice for Victims of Crime ('the Victims' Code') [WITN0080006] sets out victims' rights and the services, and a minimum standard for those services,

that must be provided to victims of crime by organisations, including the police and CPS, in England and Wales. The definition of 'victim' in the Victims' Code [WITN0080006] includes bereaved relatives or partners in homicide cases. The Victim's Code sets out 12 key rights, including, amongst others: the right to be provided with information about the investigation and prosecution, the right to make a victim personal statement, the right to be given information about the court process and the right to be given information about the outcome of the case.

23. Under the Bereaved Family Scheme (BFS), [WITN0080005] the CPS offers an enhanced service to bereaved families in homicide cases. The BFS [WITN0080005] sets out the minimum service expected, although the guidance stresses that prosecutors should not feel constrained from doing more if it is necessary to do so. In this case, although the victims of the attempted murders did not technically qualify under the Scheme (as the scheme relates to offences which have resulted in a death), they had been appointed Family Liaison Officers and were treated as though an enhanced service did apply.

24. The BFS [WITN0080005] provides that prosecutors will offer to meet bereaved families at important stages of the Criminal Justice process commencing with an explanation of the charging decision through to supporting bereaved families where cases progress to the Court of Appeal. Prosecutors will offer to meet bereaved families to explain the anticipated progress of the case, what is expected to happen at each court hearing and the possible sentences available for the offences charged. These are known as Bereaved Family Meetings ("BFM").

25. The purpose of the meeting will vary depending on the circumstances of the case and the stage of the proceedings. At every meeting it will be important to deal with the family's concerns about the process and to instil confidence that the prosecutor is in charge of the case and is dealing with it in a competent and professional manner.

26. The guidance provides that it should be made clear to the family in advance of the meeting (in correspondence) that the purpose of the meeting is not to discuss the detail of the evidence. However, it is recognised that families are likely to ask

questions pertaining to evidential or legal issues. Prosecutors should be alive to such evidential issues and when they arise, have regard to risks of prejudicing proceedings when considering how to deal with them. Some family members may be witnesses and this may substantially limit even further how much can be said in relation to the evidence.

27. If the family has additional queries about the investigation, wherever possible this should be dealt with by the Family Liaison Officer/Senior Investigating Officer (FLO/SIO) at the meeting. If this is not possible, it should be noted and referred to the SIO for a response.
28. In terms of who should attend a meeting with a bereaved family, the guidance states that a police officer (normally the FLO) should attend the meeting. In some cases, it may also be helpful to have the SIO present, for the purposes of continuity for the family as well as for dealing with questions that the prosecutor is not in a position to answer.
29. Depending on the nature of the case and the reason for the meeting, it may be appropriate for the prosecutor to attend alone or with others. In some cases, it may be prudent to ensure that two prosecutors attend, preferably the prosecutor and his/her manager. In other cases, the trial advocate will be required to attend (e.g. meetings prior to plea or sentence).
30. Often it will only be necessary for a nominated family member to attend the meeting. There will, however, be occasions when other family members ask to be present. In these circumstances a full risk assessment must be carried out by the FLO to assess the potential risk. I understand that the purpose of the assessment is to assess the risk to officers/CPS, determine whether a second FLO should be deployed, determine if any specific measures need to be put in place, as well as consider any potential risk of prejudicing the proceedings, if for instance the family member has links to the media. The number of family members attending a meeting should normally not exceed four, although the exact number will depend on the circumstances of the individual case. Names of the proposed attendees should be obtained in advance and the nature of their relationship to the victim should be

established prior to the meeting. There is always a risk that a proposed attendee may be a witness in the case; this need not preclude their attendance, but it may limit what can be said.

31. Supporters may attend the meeting in that capacity only. The prosecutor has discretion to exclude any person from the meeting if, in all the circumstances, he/she deems it appropriate to do so.

32. In multiple homicide cases, the prosecutor should liaise with his/her CCP, DCCP or Head of Division and work with the SIO, the Senior Identification Manager and the Family Liaison Coordinators to resolve the practical challenges of holding meetings with large numbers of families. In this case, the SDCP ensured there was a coordinated approach, so each bereaved family received the same information at the same time. I am aware that the reviewing lawyer and SDCP were working with the SIO, FLO Coordinator and FLOs in respect of offering and arranging meetings with the families. Usually, separate meetings are held, but in this case, we were informed by the FLOs that the O'Malley-Kumar and Webber families wished to meet with CPS/ counsel together on 24th November 2023, 7th December 2023 and 15th January 2024.

33. **HMCP0000311** is a series of emails I exchanged with the FLOs on 21st November 2023 and 22nd November 2023. This was in the lead up to the Bereaved Family Meeting due to take place on 24th November 2023. They related to the Webber family's request to have a Supporter, Julian Hendy, present during the meeting. The Bereaved Family Scheme guidance specifically addresses the attendance of supporters at Bereaved Family Meetings. It states: "Supporters may attend the meeting in that capacity only. The prosecutor has discretion to exclude any person from the meeting if, in all the circumstances, he/she deems it appropriate to do so." I am aware that the reviewing lawyer, SDCP, SIO and prosecution counsel were consulted about the request. Initial concerns about Mr Hendy's attendance centred on the perceived risk to the integrity of the proceedings, the fact he was not a family member, and that he had links to the media. On 21st November 2023, the FLO to the Webber family emailed the family to relay that it was not felt appropriate to have a third party involved in the meeting. In this email, the family were also informed

that the Prosecution psychiatric report had been received, and the prosecution were reviewing it ahead of the meeting.

34. On 22nd November 2023, Mrs Webber responded to the FLO indicating that she was not prepared to accept this decision. I discussed the matter with the SDCP and was instructed to contact Detective Superintendent Sanders and advise the FLO to not have any further contact with the Webber family until we had agreed a coordinated approach. Later that day, I spoke to DSI Sanders. The SDCP liaised with the CCP about the matter. After this happened, I was asked by the SDCP to write to the FLOs for both the Webber and O'Malley-Kumar families, copying in the FLO co-ordinator, and inform them that CCP had agreed Mr Hendy could attend the meeting. I was asked to ensure the FLO for the Webber family sensitively convey to the family the only reason CPS did not initially agree with Mr Hendy's attendance at the meeting was because of concerns around privacy and the risk that anything discussed could potentially jeopardise the proceedings. Mrs Webber's expressed views had been considered, and in the circumstances, the CCP had agreed to Mr Hendy's attendance.

35. I was also asked to include in the email an instruction that the O'Malley-Kumar family were updated about Mr Hendy's presence and given the opportunity to confirm whether they were still content for the meeting to go ahead as planned, or if they would prefer to attend a separate meeting instead. I asked for the position to be confirmed as soon as possible so the necessary remote meeting links could be sent out. My email also includes reference to the fact that DSI Sanders had confirmed that the Coates family did not wish to meet with CPS specifically, but they had asked to meet with DSI Sanders. They would be at court for the PTPH, so this was suggested as an opportunity for CPS and counsel to speak to them. Later that day, I was copied into the email from the Webber's FLO which said the news had been received positively by Mrs Webber. [CPSE0004509].

36. It is important that information provided by CPS to one family is also shared with the other families, even if they decline to meet with us. On 24th November 2023, whilst the joint meeting was taking place with the Webber and O'Malley-Kumar

families, the FLO for Ian Coates' partner and sons contacted them and explained the outcome of the psychiatric assessments and that CPS intended to accept pleas to manslaughter for the killings of Mr Coates, Grace O'Malley-Kumar and Barnaby Webber.

37. Following the BFM held on 24th November 2023, the SDCP was contacted by DSI Sanders. This call was followed up by an email from DSI Sanders [CPSE0000039]. On Saturday 25th November 2023 the SDCP emailed [CPSE0000039] the CPS team and relayed to us the contents of their discussion. We were informed Dr Kumar and Dr O'Malley-Kumar were not content to accept the psychiatric reports which raised the partial defence to murder by way of diminished responsibility. In essence, their concern was that the reports were too focused on the offender's mental state some considerable time after the offences took place. Dr Kumar said he would like a further report to address the offender's mental state at the time. If the CPS did not accede to that request, the families would look at avenues to prevent us accepting guilty pleas to manslaughter at the PTPH on 28th November 2023. In response to this, the SDCP provided a number of instructions for the reviewing lawyer, DCCP, CCP and me.

38. I was asked to review the BFS guidance [WITN0080005] to ensure we had taken all steps prior to the hearing. The SDCP explained that she was conscious that whilst CPS had met with the families of Grace and Barnaby, we had not met with the Coates family (although the police had advised them at the same time as the BFM was held). The SDCP pointed out that there was no change to the attempted murder charges, so she did not think we needed to hold a meeting with the survivors, but that we could (again each of the three victims had been made aware of the prosecution position). [CPSE0000039].

39. As requested, I reviewed the legal guidance and responded to the SDCP setting out the relevant provisions contained within the guidance [CPSE0007612]. Regarding the Coates family, in my response to the SDCP, I reiterated that I had specifically addressed their position when I had spoken to DSI Sanders on 22nd November 2023. At that stage, the Coates family were not requesting a meeting with CPS in advance of the PTPH. However, following the BFM, DSI Sanders was

going to update them. If they changed their mind about meeting with CPS, DSI Sanders would let us know.

40. With regards the victims of the attempted murders, I confirmed that the offence was not a qualifying offence under the BFS [WITN0080005]. As there was no proposed change to their charge, there was no obligation for us to meet with them, and we had not been notified by the police that they did wish to meet with CPS at that stage.

41. Following the concerns raised by the Webber and O'Malley-Kumar families at the 24th November meeting and in subsequent correspondence, it was agreed that the CPS would not accept the pleas to manslaughter at the PTPH and would instead instruct a fourth psychiatric expert. An internal meeting was held on 27th November 2023 at which the CCP, the DCCP, the SDCP, reviewing lawyer, communications manager and I were present. The primary focus of the meeting was to discuss the concerns raised by Dr Kumar following the BFM and the instruction of a fourth expert report, but other matters, such as media handling were also discussed. [CPSE0000405]

42. According to the chronology of contact contained within the HMCPSI report, [HMCP0000625], on the 1st December 2023, arrangements were made for a further meeting with the Webber family to be held in Bristol with the SIO on 7th December 2023. On 4th December 2023, arrangements were made for the SIO to attend the home address of Mr Coates' sons on 17th December 2023 to also go through the evidence.

43. On the 4th December 2023, CPS were informed by the FLO that the Webber and O'Malley-Kumar families had requested a joint in-person meeting [CPSE0002102]. On 5th December 2023, the SDCP arranged to attend Bristol to take those families through the psychiatric reports and explain the process to them [CPSE0000362]. The meeting was fixed for 7th December 2023. In the meeting, the police would provide further details about the events of the incident and go through further evidence with them.

44. On 17th December 2023, the meeting with the SIO and Mr Coates' sons took place. Whilst I was not present, I understand from the chronology of contact [HMCP0000625] that they were taken through the evidence and psychiatric reports. They were informed the police had a meeting scheduled with CPS on 18th December 2023, when they expected to be informed that CPS had decided to accept pleas to manslaughter. The Coates family were informed they could meet with CPS in the New Year if they wished.
45. On 18th December 2023, I attended a meeting with the SDCP, reviewing lawyer, SIO and the FLOs for the O'Malley-Kumar and Webber families [CPSE0000265]. The SDCP led the meeting. The police were informed that CPS would be accepting guilty pleas to manslaughter on the ground of diminished responsibility. It was agreed that CPS would prepare bereaved family letters to explain this decision, and these would be hand delivered by the FLOs. Once the reviewing lawyer received confirmation the letters had been delivered, he would write to the court and defence.
46. A further joint meeting was held on 15th January 2024 [CPSE0000212] at the request of the Webber and O'Malley-Kumar families. Prosecution counsel, the reviewing lawyer, SDCP, SIOs and FLOs were present. I was not present, but I understand that the meeting focussed on the sentencing regimes.
47. Thereafter, on 15th and 17th January 2024 I am aware the reviewing lawyer provided the FLOs with a copy of prosecution counsel's sentencing note and the addendum reports from the psychiatric experts which had been prepared to consider sentencing of the offender and suggested they take the families through each document. [CPSE0000567] and [CPSE0001647]. On 29th January 2024, I am aware that a letter was sent to all the bereaved families inviting them to attend a meeting with CPS on 7th February 2024, but none of the families took up the offer [see for example, CPSE0000215].
48. For the purposes of consistency, the intention had been for the reviewing lawyer and SDCP to attend the Sentencing hearing on 23rd January 2024. However, on day one of the hearing, the SDCP was too ill to attend so I attended in her stead. That morning, initially with DSI Sanders (as the reviewing lawyer was engaged in

court preparation) I attended the Witness Service and met with Elaine Newton, her sister and Wayne Birkett and his family. Ms Newton had attended court previously and met with my colleagues. It was the first time Wayne Birkett had attended court or met with CPS.

49. Shortly afterwards, I was present with the reviewing lawyer and junior counsel, Peter Ratliff, in the Witness Service suite where we met with Elaine Newton and her sister, Mr Coates' sons, as well as Wayne Birkett and his family before the case was called on. All parties agreed to be addressed together in the same room. [CPSE0000214]. The intention had been to have a similar conversation with the O'Malley-Kumar and Webber families. We had initially been informed that the Webber and O'Malley-Kumar families were going to enter via the front of the court. We were later informed they were going to enter via the rear entrance in the Witness Service, however by the time we had come down to speak to the other families, they had already been taken upstairs to court.

50. The court was exceptionally busy. I was mindful of how upsetting the experience would be for the families and I did not wish to overwhelm them. In my view, there was not an appropriate opportunity for me to introduce myself before the case was called on. At lunchtime, junior counsel wished to discuss the Victim Impact Statements with the Webber and O'Malley-Kumar families, but they had left the building and given how upsetting the morning had been for them, we were advised by the FLOs not to disturb them. Unfortunately, that afternoon, the court equipment was not working properly, and it was not possible to hear Charlie Webber's video recorded Victim Personal Statement. Understandably, this upset the Webber family. The Judge said that it could be played the following morning instead. After the case was adjourned, Mr Webber approached the reviewing lawyer and asked if he could ensure that the equipment was working properly the next day.

51. On the morning of the 24th January 2024, the FLO brought a Bluetooth speaker from home. Together with the reviewing lawyer, we tested it to ensure everything was working correctly. However, by the time it came to play the video, the speaker had turned itself off and it was not possible to hear the audio. The Webber family were clearly upset by this. Fortunately, the issue was quickly rectified, and the video was played. After the sentence was delivered on 25th January 2024, only Elaine

Newton was still engaging with the FLOs, and due to her distress at the time, she declined a further meeting. It was apparent that she had found the experience of being in court and in the presence of the offender, immensely difficult. Mr Birkett and his family returned to the Witness Service suite, and we were informed by his FLO that he would like to meet with us. I attended the meeting in the Witness Service with lead counsel, Karim Khalil KC, junior counsel, DSI Sanders, the reviewing lawyer, and the FLO. Lead counsel explained to Wayne Birkett the effect of the sentence the offender had received. I understood that the Webber and O'Malley-Kumar families did not wish to meet with CPS at the sentencing hearing.

52. On 30th January 2024, the CCP forwarded an email from Elaine Newton declining the meeting which had been suggested to take place on 7th February 2024. It concluded by saying: "Thank you for your support and compassion during this difficult time and the opportunity." **[CPSE0010001]**.

53. I have been asked by the Inquiry if I was involved in providing wording to the police which could be passed on to the bereaved families/survivors in respect of the concept of diminished responsibility. I was not involved in this. As detailed above, the only wording I provided to the FLOs was in relation to the attendance of Mr Hendy at the BFM.

54. I am asked if I consider that my conduct complied with applicable guidelines and good practice, in particular under the Victim's Code **[WITN0080006]** and BFS **[WITN0080005]**. As set out above, I did not have direct contact with any of the bereaved families. But in my view, from the outset of the case, the BFS **[WITN0080005]** and Victims' Code **[WITN0080006]** were carefully considered and applied by the CPS team in respect of each of the bereaved family groups involved in the case. The BFS **[WITN0080005]** sets out the minimum service expected, but stresses that 'prosecutors should not feel constrained from doing more if it is necessary to do so'. In this case, everyone involved at CPS was acutely aware of and sensitive to the extreme trauma, loss and grief experienced by each of the bereaved families. It was paramount to all of us that their needs and views were handled sensitively and appropriately. At each stage of the case, great care was taken to ensure that each family were updated and provided with timely, accurate

and consistent information. Each were offered the same level of support and opportunity to meet with us. Their response to each offer to meet was respected.

55. Although the Webber and O'Malley-Kumar families took the opportunity to meet the CPS in advance of Court hearings, the Chronology at **[CPSE0001024]** demonstrates that Mr Coates' family members met with CPS at every Court hearing they attended. In my view, it would have been inappropriate to insist any of the bereaved families should meet with us if our invitation had been declined.

56. From the introductory letter sent on 16th June 2023 [see for example **[CPSE0000002]**]. and throughout the case, each set of bereaved families were regularly made aware by the FLOs that they could meet with the CPS. The main content of each CPS Bereaved Family Letter was the same and each letter was dispatched at the same time.

57. In my view, throughout the prosecution of Valdo Calocane, my conduct and that of my CPS colleagues complied with applicable guidelines and good practice, in particular the Victims' Code **[WITN0080006]** and the BFS **[WITN0080005]**. At every stage, great care was taken to ensure that the guidance was being adhered to. The guidance was regularly revisited to ensure that it was being applied correctly. This is evidenced by the email trail at **[CPSE0007625]**.

58. In addition to the Victim's Code **[WITN0080006]** and the BFS **[WITN0080005]**, the Victim Communication and Liaison Scheme (VCL) legal guidance provides further guidance on arranging/holding meetings with victims or their families. **[WITN0081002]**. The guidance provides that where a family live a considerable distance from the CPS office, or it is otherwise difficult for them to travel, prosecutors should consider holding the meeting at a location in England and Wales that is more convenient to the family. This would usually be at a local CPS office or police station. It is important that a contemporaneous note is taken of every meeting held. This applies to both formal and informal meetings, including those held at court.

59. A letter explaining a decision to charge should, wherever possible, be sent within a period no longer than 10 days from the date of the decision. The letter should explain the purpose of the Victim Personal Statement (VPS) scheme and that bereaved families are entitled to make a VPS. The FLO will provide the family with the leaflet and outline the service to the appropriate family member, explaining the contents of the leaflet which includes an explanation of the CPS role. The FLO will also confirm with the prosecutor that the letter has been delivered to the family. The family may provide an indication to the FLO at this stage as to whether they wish to meet the prosecutor. Where the family does not wish to meet the prosecutor, the FLO will indicate the reasons to the prosecutor. An initial refusal does not preclude the family from requesting a meeting at a later stage.

60. In Crown Court cases, the meeting may take place at any time before the Plea and Trial Preparation Hearing. Depending on the circumstances of the case, this may be immediately before or after charge, or after service of the prosecution case. The prosecutor should have had an opportunity to review the full file so that he/she fully understands the case before the meeting takes place. Undue delay should be avoided.

61. At the meeting, the prosecutor will:

- i. Explain the role of the CPS and the legal basis of the charges;
- ii. Explain why it is necessary to use particular evidence, how the prosecution, defence and the judge will deal with it, and what the likely lines of cross examination could be;
- iii. Outline the court process and anticipated progress of the case, including what is expected to happen at each court hearing;
- iv. Explain Special Measures where relevant if family members are also witnesses, and practical considerations in relation to child witnesses;
- v. Explain the different position of those who are not witnesses i.e. who will be able to sit in court and hear all the evidence, and who will not;
- vi. Explain the VPS and its purpose and disclosure;
- vii. Explain possible sentences, including an explanation of life sentences and tariffs in relevant cases;

- viii. Explain the legal position if the defendant were to be acquitted i.e. there are very limited circumstances when the prosecution can challenge a verdict;
- ix. Answer any questions that the family may have;
- x. The purpose of the VPS scheme - Prosecutors should consult the guidance on the VPS scheme as to the content of statements and the operation of the scheme when advising the FLO in preparation of the VPS.

62. Under the Victims' Code, bereaved close relatives are entitled to decide whether they would like to read the VPS aloud in court, or whether they would like it read for them. The decision on the VPS being read (in whole or in part) is at the discretion of the court, but the court will take account of the victim's preferences and follow them unless there is good reason not to do so.

63. Following a decision to discontinue or substantially alter charges - the CPS will write to the bereaved family within one working day of the decision to explain the decision. Within that letter the family will be offered the opportunity to meet with the CPS prosecutor to receive an explanation of that decision and to ask any questions they may have.

64. I believe that the CPS team met all of its obligations under the various guidance and schemes. We were always sensitive to the horrific nature of the offender's actions and the impact this had on the bereaved families and the survivors. This had to be balanced against the court process, the Custody Time Limit and requirement to meet the directions set by the court. As the offender was remanded in custody, we were required to act with all due diligence and expedition at every stage of the process. This was achieved. The case was a priority for all those involved. We were very conscious of the importance of sensitivity in respect of the bereaved families given the horrific nature of the incident. Initially, they had asked not to be provided with any details of the attack. The first time they felt ready to discuss information about the facts of the case was in December 2023.

65. The Inquiry has specifically asked me about a comment made during my meeting with HMCPSI on 14th February 2024, when I was asked about arrangements in

place to meet with the bereaved families and the victims of the attempted murder. I did not take any notes in that meeting. I explained to the Inspectors what had happened at court at the sentencing hearing and how I had met with Elaine Newton, Mr Coates' sons and Wayne Birkett. I was then specially asked about, "my understanding of [having a meeting with] the Webber and the O'Malley-Kumar families". I replied by saying, "by that stage, relations had broken down. They had broken down with the FLOs and the families." The FLOs had been in court throughout the Sentencing exercise. We had liaised with them. However, after sentence, I became aware that the families had disengaged with them. A huge number of press were at court and the Webber, O'Malley-Kumar and Coates families (excluding Elaine Newton who had left court with her sister after the Sentencing exercise concluded) left court to give statements to the press on the steps of the court. It appeared that they did not wish to meet with the prosecution team. In my Inspectorate interview, I reiterated that at this stage, 'relations had completely broken down,' with the Webber and O'Malley-Kumar families and Mr Coates' sons. I believe they had broken down because the families were extremely unhappy with the outcome of the case.

66. I have been asked if I experienced any issues with respect to the handling of communications, whether with bereaved families or more widely with the media and others. I did not experience anything that I would describe as an "issue." Meetings were held, at which I was present, to discuss media handling, but I do not recall any particular issues.

Dr Blackwood

67. I was not involved in the decision to instruct Dr Blackwood. Dr Blackwood's services were retained on 14th June 2023; this was before I joined the Unit.

68. On 4th October 2023, I was copied into an email from the SDCP, which stated that the DCCP had asked for sight of the letter of instruction to Dr Blackwood. The DCCP was concerned about consideration of the incongruous factual elements of the offender's behaviour including the call to his brother and his behaviour at Seeley House. [CPSE0002465].

69. The reviewing lawyer drafted the letter of instruction and invited comment upon the same. [CPSE0008370]. The draft was approved by the DCCP at 20:32 hours on the same date. I had not had an opportunity to read the draft. It was sent to Dr Blackwood at 20:50 hours that night. In acknowledging receipt of the same, Dr Blackwood said to the reviewing lawyer it was, "unusual to receive this helpful degree of instruction." [CPSE0000790]. On 5th October 2023, the reviewing lawyer sent an amended version of the instruction to Dr Blackwood, specifying 5 additional questions. [CPSE0000153].

70. When I worked on the Crown Court Unit, it would be unusual for the SDCP to be involved in the selection and instruction of experts. The process would generally be considered by the reviewing lawyer, counsel and, if necessary, the DCP. In my meeting with the Inspectorate, I explained that whilst I was involved in Dr Blackwood's instruction, "it wasn't the same level of oversight I would normally have," because in this case, my function was being performed by the SDCP. My involvement was limited to a conversation in the office with the reviewing lawyer and SDCP about the contents of Dr Blackwood's letter of instruction (in particular the offender's behaviours which appeared to be suggestive of rational judgement and self-control) and being copied into the draft instruction. The DCCP approved the draft.

71. When I reviewed Dr Blackwood's report [CPSE0000011], I agreed with the reviewing lawyer that Dr Blackwood had comprehensively addressed the instructions which had been provided to him. His report was detailed and balanced. The rationale for his conclusion was clearly explained. Dr Blackwood referred to the offender's 4-year history of paranoid schizophrenia, which was evidenced by the history of hospital admissions and the behaviour which led to them. He detailed how the offender was intelligent and how he tried to conceal his symptomology from clinicians, was unmedicated and out of touch with psychiatric services for almost 12 months before the attacks had occurred. Dr Blackwood found that the offences occurred in the context of the offender's experiences of command auditory hallucinations, delusions of control persecutory delusions, fear and anger. Dr Blackwood noted that following his arrest and remand into custody, he was found

to be psychotic in prison and that he had been transferred to a secure psychiatric unit. Dr Blackwood concluded that the offender was fit to plead. Furthermore, that the defence of diminished responsibility was available to him in respect of the counts of murder.

72. In addition, in accordance with his letter of instruction, Dr Blackwood specifically addressed the features of the evidence which were thought to be inconsistent with a finding of diminished responsibility. These acts included sufficient awareness to stop what he was doing when cars passed Seeley-House and slowing down for speed bumps in Mr Coates's van. At paragraph 103 of his report, Dr Blackwood explained that, "Those in the grip of psychotic episode do not necessarily lose all aspects of their rationality: thus, despite the psychosis, he remained capable of seemingly rational behaviours such as slowing down for speed bumps or even modifying his entering and breaking behaviours when he considered he may be observed by others."

Dr Latham

73. In advance of 24th November 2023, it was decided that only the reviewing lawyer, the SDCP, Prosecution counsel together with the Paralegal Officer (as notetaker) would attend the BFM. I did not work that day, but I was copied into the subsequent emails which followed the meeting, therefore I was aware of the concerns which Dr Kumar had raised with DSI Sanders **[CPSE0000039]**.

74. On the morning of Monday 27th November 2023, I attended a meeting with the CCP, DCCP, SDCP, reviewing lawyer and Communications Manager **[CPSE0000405]**. The concerns expressed by the family were addressed and the options available discussed. The SDCP informed the group that following a long conversation between DSI Sanders and Dr Kumar after the BFM, it was clear that the family were concerned that the experts did not make an assessment of the offender at the time of the index offence. The SDCP explained the reviewing lawyer's initial advice had been prepared prior to the BFM and therefore before these specific concerns were known. However, on 26th November 2023, the reviewing lawyer had prepared a further, consolidated advice which dealt with the offender's detention in custody on

the day of the attacks. The reviewing lawyer confirmed the information on file regarding the offender's detention had come from the custody record; no statements had been obtained.

75. As concerns had only been received from the O'Malley-Kumar family, the CCP enquired what the Webber family's views were. The SDCP explained that whilst the concerns had only come from the O'Malley-Kumar family, the families were close, and the views expressed were likely to be mirrored by the Webber family.

76. The reviewing lawyer explained he had spoken to junior counsel the night before and they had discussed asking Dr Richard Latham to prepare a report, with instructions to review the three reports prepared so far and address concerns that there had been insufficient regard to evidence of the offender's presentation on the day of the offence, and specifically his presentation whilst in police custody following his arrest. It was felt that this was the most suitable option, as a further full psychiatric report would involve Dr Latham having to see the defendant in prison, and therefore it may be suggested by the family that he was similarly influenced by his current state, rather than his mental state on the day of the offences.

77. The CCP queried what would happen if Dr Latham disagreed with the other 3 experts. The reviewing lawyer confirmed that if that happened, we would have to ask him to complete a full report, which would include an assessment of the offender. The SDCP recognised it was important to convey to the families that by instructing a further expert, CPS were acknowledging their concerns, and it was hoped that this would provide them with reassurance that the proposed acceptance of pleas to diminished responsibility was being properly scrutinised.

78. It was confirmed that Dr Latham was sufficiently experienced to be instructed in the case. The following actions were agreed: Subject to Dr Latham's availability, he was to be instructed to prepare a report. On 28th November 2023, pleas could be entered and the prosecution would ask the court for further time to consider our position. The families could be informed that CPS had listened to their concerns and, whilst Dr Blackwood's report [CPSE0000011] did cover the issues they had

raised, the CPS would make some further enquiries in respect of a further report. However, it was felt important to try and manage the families' expectations about what this would achieve. DSI Sanders was to meet the families of Grace and Barnaby on 30th November 2023 and 1st December 2023, to introduce some of the facts of the case. (This meeting was subsequently cancelled by the families as they needed time to process what had happened at court on 28th November 2023. It was rearranged for 7th December 2023.)

79. Regarding the other victims, the CCP was keen that they should all be treated the same. It was confirmed that Mr Coates' three sons were intending to be at court the following day and the reviewing lawyer and SDCP would attend to meet them.

80. The DCCP said that once Dr Latham's report had been received, he expected counsel to prepare a full advice.

81. The SDCP confirmed she would update the SIO of the CPS decision not to accept pleas to manslaughter at that stage, but to commission a second prosecution psychiatric expert's report. The SDCP said she was due to meet with the O'Malley-Kumar family later that day. However, I understand that when the O'Malley-Kumar family were informed about the decision, they indicated they did not require a meeting with CPS on 27th November 2023 but if they attended the PTPH on 28th November 2023, they would like to meet with leading counsel after the hearing.

82. Therefore, the decision to instruct Dr Latham was made following the BFM held on 24th November 2023, a discussion between the reviewing lawyer and junior counsel on 26th November 2023 and the internal meeting held on 27th November 2023 as outlined above. The purpose of the instruction was to allay the concerns expressed by Dr Kumar to DSI Sanders on 24th November 2023 and offer reassurance to the families about the work undertaken by the psychiatrists and the conclusions they had reached. The instructions to Dr Latham were drafted by the reviewing lawyer and sent on 27th November 2023. [CPSE0000016].

83. Dr Latham was specifically instructed to do the following:

- i. Review the three psychiatric reports prepared in this case;

- ii. Review the available evidence in the case (as set out in the schedule below) or as much of it as he in his expert opinion felt was appropriate, with particular regard to the evidence of the defendant's presentation on 12-13 June 2023;
- iii. Provide an expert opinion on whether the conclusions reached by the psychiatrists on the issue of diminished responsibility have been properly reached by them;
- iv. (If he was able to in the absence of his own interview with the defendant) provide an expert opinion on whether, at the time of the offences, the defendant's mental health was such that he has available to him the partial defence of diminished responsibility.

84. Dr Latham was informed it was not intended at this stage that he interview the offender. The rationale for this was primarily to avoid the same potential concern being raised about any expert opinion he may be able to give. Dr Latham was advised, if he would not be able to give the opinion requested in point 4 above without interviewing the offender, then he was invited to deal with points 1-3 only.

85. It was clear from the emails I read following the BFM held on 24th November 2023 [CPSE0000039] and the urgent internal meeting which was convened on 27th November 2023 [CPSE0000405] that the concerns raised by Dr Kumar (as detailed by DSI Sanders) were being considered when the decision was taken to instruct Dr Latham. It was anticipated that pursuing this course of action would assist the families in their understanding of the Prosecution's position. In the event that Dr Latham's review provided any basis for suggesting that the conclusions of the other three experts might be in question, then the Prosecution would instruct him to carry out a full assessment, to include an interview with the offender.

86. It was therefore agreed that on 28th November 2023 the Prosecution would not accept the pleas to Manslaughter. On that occasion, the Court directed the prosecution to serve the second report by 15th December 2023 and inform the defence and court by 22nd December 2023 whether the pleas were accepted or not [CPSE0000224].

87. I am aware of emails sent by the FLOs in respect of concerns raised by Dr Kumar on 27th November 2023 and 1st December 2023 (after the family were provided with the rationale for instructing Dr Latham). [CPSE0000784]. I was not present during the BFM held on 7th December 2023, but I was provided with a copy of the Notes. On 8th December 2023, a further instruction was given to Dr Blackwood and Dr Latham in respect of the offender's interaction with two named witnesses [CPSE0008432] and [CPSE0000166]. They were asked whether it was necessary to interview them as part of their assessment. On 11th December 2023, the SDCP emailed the reviewing lawyer and me attaching a document from Dr Kumar entitled Important Considerations for CPS and an email from Emma Webber. [CPSE0001336].

88. The reviewing lawyer initially provided Dr Latham with the following material:

- i. Police case summary
- ii. Counsel's brief case summary (20 June 2023)
- iii. All served prosecution evidence. This includes the CCTV compilation which shows the majority of the offending and a Sequence of Events Chart which contains a timeline of relevant movements and activity.
- iv. All disclosed unused material, including the custody record and a summary of the healthcare records whilst in custody.
- v. The disclosed unused material also includes extensive disclosures of police reports relating to material obtained from a download of his mobile phone which would be indicative of previous mental health issues (he has fixations on mind control).
- vi. The disclosed unused material also includes a significant amount of medical information obtained from the Local Authority which references his previous involvement with the mental health services.
- vii. The disclosed unused material also includes the content of the messages the defendant sent to his brother at 11.52pm the night before the attacks (EAMC1 contained in folders SL1, AI1 and AI2) and material provided by his family to doctors in 2020 (EAMC2).
- viii. Police summary of the defendant's mental health records together with a timeline document also prepared by the police.

89. I am also aware that the reviewing lawyer sent additional information and material to Dr Latham on 28th November 2023, [CPSE0003323] 5th December 2023 [CPSE0003596] and 8th December 2023 (the additional instruction raised on 8th December 2023 [CPSE0008432] was also sent to Dr Blackwood) arising out of correspondence received from Dr Kumar on 1st December 2023 and 7th December 2023 [CPSE0000166].

90. When Dr Latham's report [CPSE0000017] was received, I was copied in. When I reviewed the report, I was satisfied that Dr Latham had adequately addressed each of the instructions he was given. Furthermore, he had addressed each of the issues/concerns which had been identified by the O'Malley-Kumar and Webber families in terms of addressing the opinions and conclusions of the other three expert reports, the mental state of the offender at the relevant time, aspects of the offender's behaviour and mental state which might appear to contradict the formulation of the link between his mental disorder and the offences and why certain witnesses had not been spoken to. [CPSE0003325].

Acceptance of Pleas

91. In respect of the process by which the prosecution accepted Valdo Calocane's pleas to three counts of manslaughter by way of diminished responsibility, there was a staged approach. The decision to accept pleas was made by the reviewing lawyer, after advice from counsel dated 17th December 2023, [CPSE0001289 relates] and consultation with the SDCP, ACCP, CCP and DLS team. The reviewing lawyer's decision-making is detailed in his reviews dated 24th November 2023, 26th November 2023 and 17th December 2023. I was copied into the SDCP's email to the Director of Legal Services team on 13th December 2023, attaching a copy of the Briefing Note. CPSE0002704, CPSE0007616, CPSE0004693.

92. Within his reviews, the reviewing lawyer clearly sets out what he has considered and taken into account in respect of this decision.

HMCPSI Review

93. In my view, the HMCPSP report dated March 2024 appearing at **HMCP0000625**, accurately and adequately sets out the history of the case and the basis of the CPS decision-making process. The only matter I take issue with is at paragraph 9.58 of the report, it references that: "Although the CPS were informed by the SIO on 22 November 2023 that Ian's sons did not want a meeting, we found no record that they had been made aware of the issues being raised by the other families or the meeting that had been arranged for the 24 November. Consequently, Ian's sons had not been in a position to make an informed decision on whether to accept the offer of a meeting that had previously been made by CPS. Indeed, we were told by Ian's son that had he known of the meeting he would have attended."

94. The Victim's Code **[WITN0080006]** provides that we should communicate with empathy. In my view, informing the Coates' family that we were having a meeting with the others, after their invitation had been declined, may have been construed as insensitive and disrespectful. At court on the 20th June 2023, the Coates family had been made aware the case would centre on medical evidence relating to the offender. **[CPSE0000186]**. On 2nd October 2023, the reviewing lawyer informed the FLO that we had received the first defence psychiatric report, and it raised the partial defence of diminished responsibility. The reviewing lawyer suggested the FLOs speak to their colleagues regarding a strategy for communicating the contents of the report with the bereaved families **[CPSE0000213]**. On 2nd October 2023, the reviewing lawyer emailed Nottingham Crown Court to ask that the PTPH was put back to allow time for the prosecution psychiatric expert to prepare his report and for CPS to consider it and liaise with the bereaved families. **[CPSE0000023]**. The court moved the PTPH to 28th November 2023. On 9th October 2023, the FLOs for the Coates family relayed to Elaine Newton and Mr Coates' sons that the first defence psychiatric report had raised the partial defence of diminished responsibility and what would happen next. Mr Coates' son was asked if he would like a home visit from the SIO, which he declined, but indicated he would be happy to meet and get an update from the SIO at the PTPH. Mr Coates' partner also declined the offer of a visit from the SIO **[HMCP0000625]**. On 22nd November 2023, the SIO confirmed that the Coates family did not want to meet with CPS, but that they would be attending court on 28th November 2023, and suggested CPS could speak to them then.

95. On 24th November 2023, the FLO for the Coates family contacted them to relay the conclusions of all three psychiatric experts' reports and the CPS' intention to accept pleas to manslaughter by reason of diminished responsibility [HMCP0000625]. Sentencing options were also discussed. The Coates family attended court on 28th November 2023 and were present when pleas were entered. On that occasion the prosecution confirmed the pleas to manslaughter by reason of diminished responsibility were not accepted and that the CPS had instructed a second expert to prepare a report. On 30th November 2023, the SDCP and SIO agreed a form of words to be provided to the bereaved families in respect of the instruction of the fourth expert [CPSE0001534]. The CPS's offer to meet was repeated at this stage. On 17th December 2023, the SIO and FLO visited Mr Coates' sons to discuss the evidence in more detail and the psychiatric expert reports [HMCP0000625]. They were told the police were due to meet with the CPS the following day, when it was anticipated the CPS would confirm they had decided to accept pleas to the manslaughter. They were informed they could have a meeting with CPS. They declined but indicated they may wish to meet in the New Year. On 19th December 2023, the Bereaved Family letter from the CCP was hand delivered to Elaine Newton and Mr Coates' sons explaining the decision to accept guilty pleas to manslaughter by reason of diminished responsibility. The CCP offered a further meeting to discuss the decision.

Lessons Learned

96. I am asked to consider whether having a Local Case Management Panel would have "made a difference." A Local Case Management Panel (LCMP) is a meeting of the CPS team to review and discuss the ongoing management of a case. The purpose of holding a LCMP is to ensure robust strategies are in place for the effective preparation and presentation of a case and ensure effective case management. A LCMP can be held at any point during the life of the case to ensure that all aspects of case progression are being considered and to address any case progression issues. A LCMP is usually chaired by the SDCP. Depending on the nature, sensitivity or risks involved, they may also be referred to the DCCP or CCP to chair. [WITN0081003].

97. In this case, a formal LCMP would have served no purpose given the level of senior management oversight the case was subject to. The SDCP, DCCP and CCP were all fully sighted on the issues and complexities. Updates were exchanged as the case developed. The case received an extremely high level of scrutiny and support. Therefore, in my view formally holding a LCMP would have made no difference to the case's progression or outcome.
98. The prosecution team involved in this case were all highly experienced criminal lawyers, with previous experience of conducting Homicide cases. In my view, the relevant CPS guidelines and policies pertaining to Homicide and the BFS **[WITN0080005]** were all carefully considered and adhered to at each stage of the process. In addition to his Threshold Test decision and subsequent Full Code Test decision, the reviewing lawyer prepared significant event reviews addressing the issue of diminished responsibility and acceptability of pleas **[CPSE0007616]** and **[CPSE0000012]**.
99. The DLS team were updated and a Briefing Note provided on 13th December 2023 **[CPSE0004694]** in advance of the pleas being accepted and communicated. No issues were identified or raised in respect of the basis or accuracy of the decision the reviewing lawyer made.
100. Looking back, in terms of my involvement in the case, I am satisfied that the instructions I acted upon were in accordance with the CPS guidance and policy. I remain satisfied with the basis and accuracy of the reviewing lawyer's decision-making. Everyone involved in this case was committed to achieving justice for the victims and their families. We had an appreciation for how difficult it was for them to lose a loved one in such circumstances and then have to cope with the enormity of their grief, whilst also dealing with the court process. However, their voice was always central to the prosecution team. Their views and concerns were taken seriously and acted upon. This is illustrated by the instruction of Dr Latham. It was paramount to the prosecution that the correct legal decision was taken in accordance with the Code for Crown Prosecutors **[WITN0080003]**. The reviewing lawyer had a duty to apply the law correctly. The evidence and conclusions of the

psychiatrists meant that pleas to Manslaughter by reason of Diminished Responsibility had to be accepted. We understood this did not correspond with their definition of 'justice' for their children and father and that was the reason for their disappointment in the CPS and the service they received. Looking back to my involvement at court on 23rd January 2023 and what I could have done differently - I could have specifically asked the FLOs for the Webber and O'Malley-Kumar families if they wished to meet either when they returned from their lunch or after the court session ended. However, in reality this was unlikely to affect their overall view of the prosecution.

101. With regards ensuring a good service is provided to all bereaved families in the future, on the CCU we have implemented a Bereaved Family Log. This document will be a central record of all communications with bereaved families (by letter or in person). The aim of this is to ensure that there is one accurate record and that in the event of multiple bereaved families we ensure our communications are consistent.

102. I am aware that following the publication of the HMCPSI report [HMCP0000625], the CPS began a review of the BFS [WITN0080005]. An Internal Working Group was established to understand how the Scheme was working in practice, challenges faced in delivering the Scheme, best practice across Areas and a review the scope of the current Scheme and our communications with bereaved families. I was selected as an area representative for this Group. This review is ongoing.

103. This case reinforces the necessity and importance of ensuring that in all Homicide cases, prosecutors comply with their obligations under the legal guidance, Victims' Code [WITN0080006] and BFS [WITN0080005] and that all communications are accurately recorded. I can suggest no specific recommendations in respect of the handling or conduct of this case which would address the issues that have been identified by the families' concerns to accept guilty pleas to manslaughter and public disquiet about the case. The HMCPSI report [HMCP0000625] confirmed that we had properly complied with the law and our obligations. The reviewing lawyer's decision to accept pleas to Manslaughter

was correct. The BFS [WITN0080005] was adhered to correctly. The level and quality of communications between the FLOs and CPS was exceptional. The Inspectorate Report at paragraph 1.12 acknowledges that CPS had met their obligations to the bereaved families under the Victim's Code of Practice [WITN0080006] and the BFS [WITN0080005] and were, "committed to providing a good service to the families."

104. A consistent approach was adopted across all of the bereaved families and survivors. Their concerns and issues were addressed promptly and within the constraints of the law, legal guidance and policies which were applicable to this case.

105. The case was a priority for CPS and the police. It was progressed diligently, effectively and expeditiously. Every stage of the process and development was given careful consideration. Within the organisation, the case was subject to the highest level of senior oversight and scrutiny.

Statement of Truth

I believe the content of this statement to be true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signer

GRO-B

Michelle Mannion

Dated: 30th October 2025

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2	WITN0081004	IQA assessment
3	WITN0080003	Code for Crown Prosecutors
4	WITN0080006	The Code of Practice for Victims of Crime (the Victims' Code)
5	CPSE0000002	Letter from Suzanne Llewellyn to Dr Sanjoy re: describing the role of the CPS in the current criminal proceedings
6	CPSE0000191	Letter from Suzanne Llewellyn to Mr and Mrs Webber Re: explaining the court process in the case of Valdo Calocane
7	CPSE0000193	Letter from Suzanne Llewellyn to Elaine Newton re: CPS update/plan of action re: criminal investigation and court proceedings
8	CPSE0000195	Letter from Suzanne Llewellyn to James Coates, Lee Coates and Darren Coates Re: explaining the court process in the case of Valdo Calocane
9	HMCP0000311	Email from Michelle Mannion to Gina Farrell, Leigh Sanders, Alan Murphy and others, re: RE: The meeting on Friday 24th Nov
10	CPSE0004509	Email from Gina Farrell to Samantha Shallow, Kessie Pochin, Michelle Mannion and others, re: Family Update - Grace O'Malley-Kumar
11	CPSE0000039	Email from Samantha Shallow to Alan Murphy, Andrew Baxter, Janine McKinney and others, re: URGENT - Op Hendrix
12	CPSE0007612	Email from Alan Murphy to Samantha Shallow, Michelle Mannion, Andrew Baxter and others Re: URGENT - Op Hendrix
13	CPSE0000405	Minutes of Meeting regarding the BFM, the bereaved families and Valdo Calocane's plea
14	HMCP0000625	Report dated March 2024 compiled by HMCPSP re: An inspection of Crown Prosecution Service actions in the Valdo Calocane case - The events in Nottingham on 13 June 2023
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16	CPSE0000362	Email from Samantha Shallow to Karim Khalil, Peter Ratliff, Alan Murphy and others, re: Bereaved family meeting
17	CPSE0000265	Meeting Notes, Re Operation Hendrix
18	CPSE0000212	Minute of Meeting re Op Hendrix, dated 15/01/2024
19	CPSE0000567	Email from Alan Murphy to Leigh Sanders, Clare Dean and Claire Gould and others Re: Calocane /Mendes - Sentencing notes
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22	CPSE0000214	Minutes of meeting re: East Midlands CCU Meetings 23/1/2024 to 25/1/2024, Operation Hendrix
23	CPSE0010001	Email from Janine McKinney to Alan Murphy, Samantha Shallow, Michelle Mannion and others, re: FW: External Email - CPS case reference number 31CF0944023
24	CPSE0001024	Report dated 29/01/2024, compiled by Janine McKinney (CPS), re Chronology of engagement with bereaved families - Op Hendrix
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26	CPSE0007625	Email from Michelle Mannion [CPS] to Samantha Shallow [CPS], Alan Murphy [CPS], Andrew Baxter [CPS] and others Re: URGENT - Op Hendrix
27	WITN0081002	Victim Communications and Liaison Scheme (VCL) legal guidance
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29	CPSE0008370	Email from Andrew Baxter to Alan Murphy, Samantha Shallow, Michelle Manion and others, re: Hendrix
30	CPSE0000790	Email from Nigel Blackwood to Alan Murphy, re: External Email - Re: Op Hendrix - Instruction Letter

31	CPSE0000153	Letter from A. Murphy to Dr Nigel Blackwood re: DEFENDANT(S): Valdo CALOCANE aka Adam MENDES, URN: 31CF0944023, COURT AND HEARING DATE: Nottingham Crown Court 31st October, 2023 (likely to be varied to w/c 27 November 2023)
32	CPSE0000011	Medical Report of Professor of Forensic Psychiatry, Nigel Blackwood, King's College London, re: Psychiatric Report on Valdo Calocane
33	CPSE0000016	Letter from A. Murphy, CPS to Dr Richard Latham, Consultant Forensic Psychiatrist, Re: Court and Hearing Date: Nottingham Crown Court 28 November 2023
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36	CPSE0008432	Email from Richard Latham (East London NHS Foundation Trust) to Alan Murphy (CPS), Kessie Pochin (CPS) and Alan Murphy (CPS), re: Re: R v Calocane / Mendes
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41	CPSE0008432	Email from Richard Latham (East London NHS Foundation Trust) to Alan Murphy (CPS), Kessie Pochin (CPS) and Alan Murphy (CPS), re: Re: R v Calocane / Mendes
42	CPSE0000017	Expert report from Dr Richard Latham, Consultant Psychiatrist, Re: Psychiatric Report of Valdo Calocane aka Adam Mendes
43	CPSE0003325	Email from Michelle Mannion to Janine McKinney, Andrew Baxter and Samantha Shallow Re: R v Calocane / Mendes
44	CPSE0001289	Advice on Acceptability of Pleas dated 27/11/2023 by Karim S. Khalil KC, Drystone

		Chambers and Peter Ratliff, 6KBW College Hill
45	CPSE0002704	Report by Alan Murphy, re: Review as to the acceptability of pleas to manslaughter on the grounds of diminished responsibility
46	CPSE0007616	Expert Report from Alan Murphy, re: Review at to the material considered by the psychiatrists, East Midland Complex Casework Unit
47	CPSE0004693	Email from Samantha Shallow to Janine McKinney, Alan Murphy, Andrew Baxter and others, re: RE: Hendrix - draft briefing
48	CPSE0000186	Conference Note by East Midlands Complex Casework Unit re Op Hendrix (Calocane)
49	CPSE0000213	Chronology of engagement with the bereaved families
50	CPSE0000023	Email from Alan Murphy [CPS] to Nigel Blackwood [KCL], Alan Murphy [CPS] and Kessie Pochin [CPS], re: FW: External Email - RE: [CJSM] RE: R v Valdo Calocane / Adam Mendes U20231322 / 31CF0944023 - email chain between prosecution and defence lawyers to agree directions and to obtain VC's medical records
51	CPSE0001534	Email from Samantha Shallow to Alan Murphy and Michelle Mannion Re: FW; FORM OF WORDS
52	WITN0081003	CPS East Midlands – Case Management Panel Briefing Focus
53	CPSE0000012	Report by East Midland Complex Casework Unit, Re Review as to the acceptability of pleas to manslaughter on the grounds of diminished responsibility
54	CPSE0004694	Report dated 13/12/2023 compiled by Samantha Shallow, Re Op Hendrix update