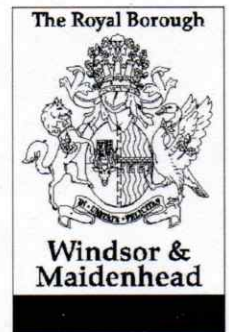


Please reply to: Christabel Shawcross
Direct Line: 01628 796222
Email: christabel.shawcross@rbwm.gov.uk
My ref: MD/DR

Managing Director



22nd April, 2015

Mike Thornton MP
Via e-mail: mike@mikethornton.org.uk

Dear Mr Thornton,

Thank you for your letter dated 2nd April 2015. I am sorry that Mr Affleck was dissatisfied with our earlier reply.

Mr Affleck makes a number of allegations further to our reply. There seem to be four specific points:

1. That RBWM accused Mr Gilbert-Smith of raping children in the care of Berkshire County Council (BCC).
 2. That as part of the criminal trial, counsel made representations to the judge with the aim of not disclosing confidential information without a court order which meant potentially decisive facts were not available to the CPS.
 3. That RBWM accepted a sum of money from Mr Gilbert-Smith to keep the matter out of the public arena.
 4. That this sum was seven figures albeit because this included legal fees, the amount actually paid to RBWM was a six figure sum.
-
1. RBWM did not accuse Mr Gilbert-Smith of child abuse – all allegations came from the former residents of the home who brought a civil action.
 2. The CPS made an application for disclosure of all facts to do with the civil proceedings. This application specifically included documents relating to the out of court settlement. All the documentation was made available to the Court and it was therefore up to the Judge to decide what documentation was relevant and what would be disclosed for the criminal trial. In the event, all the material requested in the Court Order was delivered to the CPS. No documentation was withheld. At trial, Mr Gilbert-Smith was cleared of fifteen charges with the CPS electing not to pursue a retrial on the two charges which the jury were unable to reach a verdict on.
 3. On legal advice, the claimants settled their claims against the County Council and Mr Gilbert-Smith elected to settle the proceedings where he was named as a Defendant out of court. Because these were civil proceedings, the police were not involved. The out of court settlement was an arrangement made between solicitors representing Mr Gilbert-Smith and those representing BBC. I am sorry that Mr Affleck considers this arrangement unsatisfactory to the point of being immoral but it must be noted that Mr Gilbert-Smith has never been found guilty of such offences. This is despite the later full involvement of the CPS and the documentation as detailed in point 3 above.
 4. BCC did not receive a six figure sum from Mr Gilbert-Smith. We do not know where Mr Affleck obtained information to the contrary.