



R. v. ANDREW BREEZE and DOMINIC WILSON

CLOSING REMARKS

*1. to the Defendants*

The jury have formally acquitted you this morning after the prosecution, with their customary fairness, yesterday took a measured and realistic view of the emergent state of the case and accordingly decided to offer no further evidence on this charge alleging a closed conspiracy to defraud NHS primary care trusts.

You entered this courtroom on 20<sup>th</sup> April respectively as a clinician and accountant of exemplary character. You leave it vindicated with your good names intact and your heads held high, after an exhaustive trial process in which the evidence was skilfully presented and tested by three teams of experienced counsel. You have each maintained a dignified composure throughout the 26 effective days we have sat with the jury, save that I saw that Mr. Breeze was visibly moved by the tribute paid to him last Thursday by Gary Cooper, which that impressively independent and authoritative witness expressed with the frankness typical of his native Yorkshire.

I hope that no professional or other obstacle will remain to hinder your early return to work in the field of psychiatric healthcare, should you wish to do so. You are both talented men, with much still to offer your peers and patients.

*2. to counsel*

I am indebted to all counsel for their unstinting assistance before and during this trial. It is a mark of their careful and co-operative forensic approach that, despite there being over 20,000 pages of served exhibits (plus unused material in the evidential hinterland beyond) I have not been called on to make any rulings on issues of disclosure or admissibility. All such matters have been resolved without troubling the Court.

*3. to the jury*

The week-long task of jury selection in April established your willingness to sit until the end of next month and that you came to the case without any special knowledge of or expertise in psychiatric nursing. I expect, like me, you have learned much about how people with challenging mental health conditions are treated with compassion and insight in hospitals such as Cawston Park. Nurses who follow this specialist calling deserve the respect of us all.

Finally, I thank you all for the attention you have given to this case and the patience you have shown when practical or other points have had to be sorted out in your absence. We have kept you waiting from time to time, but your attendance has been consistently prompt and good-humoured. I have written letters to each of you, recording our thanks on behalf of the county of Suffolk and excusing you from jury service for the next seven years.

HH Judge Anthony Bate

16<sup>th</sup> June, 2009.