

Prisoner Rule 39

Mr Micheal Burdette-Deakin
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Our Ref: 126189.001
Please ask for: Daniel Knowles
Email: Daniel@satchellmoransolicitors.com
Date: 6th April 2023

Dear Mr Burdette-Deakin,

Re: Mr Micheal Burdette-Deakin -v- Chief Constable for Suffolk Police
Incident Date: 27th September 2020

I write further to your recent email of the 30th March 2023 and our telephone conversation of the 31st March 2023.

I understand from the same that you have two immediate concerns that relate to the Particulars of Claim as drafted by your Barrister and the Medical Report produced by the consultant clinical psychiatrist, Dr Singh. My understanding is that these concerns are as follows:

1. At paragraph 12 of the Particulars of Claim is stated that *"On 5th January 2021 the Claimant was found not guilty at Ipswich Magistrates Court"*. You have indicated that as no trial took place, and the CPS presented no evidence at Court the matters that were to be heard were dismissed with no verdict either way.
2. You strongly disagree with the diagnosis provided by Dr Singh within the medical report dated 16/11/2022 that you have suffered as a result of your arrest an aggravation of a delusional disorder and would either like this expert to amend his opinion accordingly or for you to be examined by an alternative medical expert.

I will address each of these points within this correspondence in turn.

Point 1

Although we are of the opinion that a dismissed case is for all intents and purposes a finding that you are "not guilty" I would be more than content to revert to the Barrister who has drafted these proceedings on the basis of the case file and request if he would be willing to amend the same accordingly in light of your comments.

You will appreciate that this is a document drafted in Mr Murray's name and therefore although you wished for me to confirm verbally on the phone that I would 100% amend this it is not a decision I can take without reverting to your Barrister, Mr Murray. I do not however, foresee this being a problem and more to the point I do not consider it changes your prospects in the case in any way.

Point 2

This point appears, from my understanding, to be the central crux of your grievance with the pleadings. I am of course not medically qualified and as such I am unable to make any personal comment on the medical experts' professional opinion. As a matter of legal procedure, we are only allowed to ask a medical expert to amend factual inaccuracies in their report. As the prognosis of an aggravation of a delusional disorder is not a factual matter but a case of the expert's professional medical opinion, we cannot ask for this to be amended.

I understand and fully appreciate that you disagree with this prognosis however, the prognosis does in fact support your claim and in fact increases the potential value of the same given that Dr Singh has diagnosed you with a recognised psychological condition. Neither me nor your Barrister have any concerns that this report in its current format would adversely affect your chances of success in your claim in any way and as I have said above if the expert had not given this diagnosis, I would be of the opinion that your claim would be worth less money.

I respectfully repeat that I consider the element of the report that you dispute, actually makes your claim potentially worth more money than it would be otherwise. I cannot get an independent expert to amend a report, and to be frank, if I were you, I wouldn't want him to amend it how you have suggested you would like it to be.

If you do not wish to rely upon this report and as indicated within our telephone call on the 31st March 2023, you wish to be re-examined by an alternate medical expert, this will be required to come at your own personal expense. The cost of an examination by a Court approved psychiatrist will be in the region of £4,050.00, and we would require this to be paid upfront prior to arranging a fresh examination.

I am of course extremely saddened to read in your letter of the 26th March 2023 that you do not consider that I have your best interests at heart, this could not be further from the truth. My role as your legal advisor is to assist you through the claim process and provide you with accurate legal advice that is in interest of reaching a successful settlement for as high a figure as possible. All advice I have provided you to date has been given with this one aim at the forefront of my mind.

As an experienced legal advisor, I am aware that the advice given is not always what a client will want to hear however, my concern is ensuring you are correctly advised at all stages.

You have indicated that you wish to consider seeking alternative representation in this case and this is of course entirely your prerogative. If you do take this position your new provider will need

to write to us with a mandate of authority and we will seek to send them our full file of papers subject to their agreement to preserve our lien.

I do hope the same will not be necessary as both myself and your barrister are of the opinion that you have a good case and one which does carry prospects of success should the matter be litigated.

I look forward to hearing from you in any event.

Yours sincerely,

Satchell Moran Solicitors

Daniel Knowles
Satchell Moran Solicitors Limited