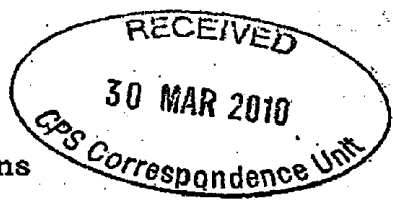


703062



KIER STARMER, QC.
Director of Public Prosecutions
The Crown Prosecution Service
50 Ludgate Hill,
London, EC4M 7EX

10th February 2010

Dear Kier,

First of all I wish to congratulate you to your high position as Director of the Public Prosecution.

I attach our last communication in November 2006.

I know that you will not be able to answer this letter and therefore I will not bore you with all the details, but attach my long chronological list of events and some of my specific complains as to my case.

As you know I always had great respect for the British justice system, but I am chocked as to what has happened to the system since we worked together. It is sad to see that justice has gone out of the window and it is all about politicisation and not the individual's right. The fact that a criminal jury trial was held in my case in absentia, leads me to think that justice in U.K. has gone back to another century, the cradle of habeas corpus.

For your information, I do not know the final charges against me or when the trial was held (some time in January/February 2009), nor have been able to get a transcript from my jury trial in absentia. What I have seen is that the police conduct a case in the media with false accusations , lies and a total contempt for the truth.

I do wish to fight this case, but I have been told, that if I came to UK by myself, I will be kept incarcerated for several years (in the worst condition) without any chance for bail during which I will be awaiting the outcome of an application for retrial from The Court of Appeal. Worst I may not be given a retrial.

I have four specific issues:

1. The Restrain Order based on hearsay, false statements and dishonest representations made by DC Loftus at the time and indeed hearsay claims.

2. My arrest and incarceration in December 2007, despite an agreement with the police to the contrary, at a time my partner-in-life were dying.
3. The EAW for my partner- in- life son Alexander and his arrest in Nice and months of incarceration, despite the police must have known he was totally innocent and as the case later was thrown out of court.
4. My jury trial in absentia ~~without my knowledge~~ and without proper serving the charges and indeed time and place for such trial. Not forgetting that I did not have proper defence at this trial and the defence documentation was never submitted.

This is what your colleague Campbell-Tiech QC wrote about jury trials in absentia:

- i. The likelihood of conviction is high.
- ii. Defending counsel has little credibility in the eyes of the jury.
- iii. Unless mentioned in interview, there is no guarantee that any known defence on the facts may be admitted in evidence.
- iv. Inference of guilt from absence is inevitable.
- v. The lawyer may well conclude that his presence is to provide a 'fig leaf of respectability' for the resulting conviction, in that the proceedings comply with the form if not the substance of Article 6.

6. His Conclusion

Trial in absentia sits uncomfortably within an adversarial process which, unlike inquisitorial jurisdictions, seeks neither certainty nor truth. The problems identified reflect in part the development of the common law as distinct from an inquisitorial system, exacerbated by the politicisation of the means to convict.

Andrew Campbell-Tiech QC

2 Dyers Buildings 21 April 2008

Published by the European Criminal Bar Association (ECBA)

Further, as to the Restrain Order, my former defence lawyer Morag Rea stated:

- (i) The integrity of the prosecution is fatally flawed due to the dishonest representations of DC Loftus. This has tainted the

subsequent prosecution to such a degree that to proceed with it would amount to an abuse of process.

(ii) The integrity of the restraint order is fatally flawed due to the dishonest representations made by DC Loftus in his statement to the court which resulted in restraint orders being granted by HHJ Goymer on 5th February 2007.

I want you to know that I do not want to become a subject to the system, any system, I will never surrender to that, unless that I had respect for system.

Knowing that you today head the Public Prosecution do give some hope for the future of British Justice.

Kind regards



Mogens Hauschildt

Encl.:

- Chronological List of Events as to my legal representation, the police and the Restrain Orders by Mogens Hauschildt
- Statement made by Mogens Hauschildt 22nd November 20009
- Pamela Schutzmann account for 2005 and 2006 from Spazi Foundation and Spazi Properties SA, Panama
- Defence Statement July/August 2008
- Power of Attorney signed by Pamela Schutzmann dated 11th February 2000
- Power of Attorney signed by Pamela Schutzmann dated 8th September 2000
- Copy of email from Louis Charalambous dated the 13th April 2007 confirming for the first time that a Restrain had been issued
- A Background note to Louis Charalambous made on the 22nd January 2007 by Mogens Hauschildt

POWER OF ATTORNEY

Mrs Pamela Schutzmann, hereinafter referred to as PRINCIPAL, of 266 Finchley Road, London NW3, do appoint Mr Mogens Hauschildt of 37 Green Street, London W1, her true and lawful attorney in all matters related to the property Valley Springs, Sherford, Devon, Wytley Properties Limited (Isle of Man) and Mr John Bishop.

In principal's name, and for principal's use and benefit, said attorney is authorized hereby;

- (1) To demand, sue for, collect, and receive all money, debts, accounts, legacies, bequests, interest, dividends, annuities, and demands as are now or shall hereafter become due, payable, or belonging to principal, and take all lawful means, for the recovery thereof and to compromise the same and give discharges for the same;
- (2) To buy and sell land, make contracts of every kind relative to land, any interest therein or the possession thereof, and to take possession and exercise control over the use thereof;
- (3) To buy, sell, mortgage, hypothecate, assign, transfer, and in any manner deal with goods, wares and merchandise, in action, certificates or shares of capital stock, and other property in possession or in action, and to make, do, and transact all and every kind of business of whatever nature;
- (4) To execute, acknowledge, and deliver contracts of sale, escrow instructions, deeds, leases including leases for minerals and hydrocarbon substances and assignments of leases, covenants, agreements and assignments of agreements, mortgages and assignments of mortgages, conveyances in trust, to secure indebtedness or other obligations, and assign the beneficial interest thereunder, subordination of liens or encumbrances, bills of lading, receipts, evidences of debt, releases, bonds, notes, bills, requests to reconvey deeds of trust, partial or full judgments, satisfactions of mortgages, and other debts, and other written instruments of whatever kind and nature, all upon such terms and conditions as said attorney shall approve.

Giving and granting to said attorney full power and authority to do all and every act and thing whatsoever requisite and necessary to be done relative to any of the foregoing as fully to all intents and purposes as principal might or could do if personally present.

All that said attorney shall lawfully do or cause to be done under the authority of this power of attorney is expressly approved.

London Dated: 8th September 2000


Mrs Pamela Schutzmann

Witnessed by:

POWER OF ATTORNEY

Mrs Pamela M. Schutzmann, hereinafter referred to as PRINCIPAL, of 266 Finchley Road, London NW3, do appoint Mr Mogens Hauschildt of Le Bois Jolie, 9 Avenue De la Gare, 06320 Cap D'Ail her true and lawful attorney in all matters related to her investments and funds under the control of the attorney.

In principal's name, and for principal's use and benefit, said attorney is authorized hereby;

(1) To demand, sue for, collect, and receive all money, debts, accounts, legacies, bequests, interest, dividends, annuities, and demands as are now or shall hereafter become due, payable, or belonging to principal, and take all lawful means, for the recovery thereof and to compromise the same and give discharges for the same;

(2) To buy and sell land, make contracts of every kind relative to land, any interest therein or the possession thereof, and to take possession and exercise control over the use thereof;

(3) To buy, sell, mortgage, hypothecate, assign, transfer, and in any manner deal with goods, wares and merchandise, in action, certificates or shares of capital stock, and other property in possession or in action, and to make, do, and transact all and every kind of business of whatever nature;

(4) To execute, acknowledge, and deliver contracts of sale, escrow instructions, deeds, leases including leases for minerals and hydrocarbon substances and assignments of leases, covenants, agreements and assignments of agreements, mortgages and assignments of mortgages, conveyances in trust, to secure indebtedness or other obligations, and assign the beneficial interest thereunder, subordination of liens or encumbrances, bills of lading, receipts, evidences of debt, releases, bonds, notes, bills, requests to reconvey deeds of trust, partial or full judgments, satisfactions of mortgages, and other debts, and other written instruments of whatever kind and nature, all upon such terms and conditions as said attorney shall approve.

Giving and granting to said attorney full power and authority to do all and every act and thing whatsoever requisite and necessary to be done relative to any of the foregoing as fully to all intents and purposes as principal might or could do if personally present.

All that said attorney shall lawfully do or cause to be done under the authority of this power of attorney is expressly approved.

London Friday, 11th February 2000

Pamela Schutzmann

Pamela Schutzmann

Re.: 266 Finchley Road, London NW3

Statement made by Mogens Hauschildt on the 22nd November 2009

Note! I do not have access to more than some of the defence documentation at this time, my former defence lawyer Morag Rea from Byrne & Partners, 77 St John Street, London EC1M 4NN holds all the documentations.

I believe strongly that Halifax/Bank of Scotland PLC should not make any form of compensation, nor take notice of the criminal trial in absentia and change of security as to the mortgage issued on 266 Finchley Road, London NW3 to Spazi Properties S.A, because:

1. All documentation was correct as to the loan and all proper signed by the directors of Spazi Properties S.A. There has been no deception, the loan may have been granted on wrong assertion, but all documentation, in U.K. and Panama was correct.
2. My Powers of Attorneys (11th February 2000 and 8th September 2000) and others prior to this time clearly give me full authority as to all transactions on behalf of Mrs P Schutzmann (PS). None of these Powers of Attorneys was ever cancelled.
1. PS was fully aware of all the details of the mortgage from HBOS and went through all the documentation with Romana Labunski (RL) and I prior to us signing for the mortgage in late January 2005. Romana even spoke to Mr Peter Alis as to her concern about the mortgage. All the steps that I took in respect of PS property were done with her full authority and total agreement. Exhibit at page 694, an attendance note dated 30th May 2006 made by a solicitor Carol Cooke sets out PS understanding and recollection at that point. PS told that solicitor that her house was in a Panamanian Company, that she was supposed to owe a debt to a company called Spazi Foundation but that there was no debt PS had made it up. PS said that the Spazi Foundation owns the shares in the Panamanian Company for the benefit of PS family. PS made it clear to the solicitor that MH paid her debts and her credit card bills. She later made different statements to the police.
2. Since 8 years prior to taking out this mortgage I had been looking after PS affairs, getting her property back in Barbados, redeveloping her house,

- paying out on average £90-120,000 p.a. to her directly (cash, cheques, bank transfers and payment of bills), plus buying various items such as a BMW, a car for her sister, paying her son and sister monthly and paying for the refurbishment of her property at a cost in excess of £175,000.00
3. Romana Labunski spoke to PS many times prior to taking out the mortgage, before Romana was totally convinced that PS needed this mortgage. PS spend the Christmas period with us in South of France and during that time RL and PS discussed the implications as to PS finances and indeed Romana's great concern about Pamela's spending and status quo.
 4. PS received immediately £20,000 on the day the mortgage was paid out by Bank of Scotland in January 2005, thereafter more than £163,000 the following 16 months directly (cash, cheques, bank transfers and expenses) in addition to settling debts for £84,000 and buying shares for US\$ 80,000.00 (£43,000.00).
 5. PS was driving a car up until late 2005 (see her car insurance in 2005, cost nearly £2000 p.a.), up until my arrest in August 2006 we communicated via emails (PS used AOL, it should be possible to get this confirmed from AOL). Furthermore, she walked every day for 2 hours in Hampstead Heath with her dog alone and read Daily Mail from cover to cover every day, apart from watching television at night. We knew that her eye sight would become worse by the years; however, she had no problem travelling alone abroad to Barbados (shortly after the mortgage was granted from HBOS) in 2005, later on to Cyprus and South of France. PS applied for being a registered blind in order to get further state benefits and an easy parking facility when driving around (telling the doctor that her son would drive her) and when she went shopping in London West End. Her son Vivian lost his right to drive for some year plus as his license was taken after a drunk and driving offence.
 6. PS has taken her stand in this criminal case, entirely due to the fact that she lied to her son and grand children for years and did not want them to know about this mortgage on her property and financial situation in general. Her son Vivian has never worked and been a drug addict for nearly 45 years, despite receiving at times up to £1000 per month (never less than £500 per

month) from his mother (from the cash I paid her each month). Vivian still received social security and benefits for all those years.

7. PS is a liar, when she makes out that the money which her husband left in Switzerland was from her husband's family prior to the second World War. This can easily be confirmed by Swiss Bankers Association's Special Committee as to Holocaust Victim Assets in Swiss Banks as of 1945. The truth, the money that Pamela Schutzmann inherited from her husband was all made by him by double invoicing and profits from dealings in precious metals during 25 years (1955-1980) and not declared to the U.K. Inland Revenue. Therefore PS always made sure not to make any bank transfer from Switzerland to her U.K. accounts, only going to Switzerland for cash and later only getting cash from me and the Swiss bankers coming to London.
8. PS was fully aware of the transfer of her (266 Finchley Road) property to Spazi Properties SA, she went to her lawyer herself (Messrs Manuel Swaden in West End Lane, corner of Finchley Road), and meet with David Nathan as she signed the transfer document in December 2003, thereafter she mailed the document herself to another lawyer Mr. Ralph Dickerson of Lattey and Dawe Solicitors (see statement made by the lawyer). That she later makes out that she did not know the lawyer David Nathan and did not ever see him is entirely another matter, which reflect her lies, as she did sign the transfer in front of him, reference my defence lawyer's note below as to this question.
9. I have never falsified Pamela Schutzmann signature on any document, PS has signed all relevant document related to Spazi Properties S.A., Spazi Foundation and as to my involvement in her affairs such as the Power of Attorneys. It was PS who wanted me to go after Mr John Bishop and the £1.5 million she claimed he had stolen, but in reality she had given him. She told me that she wanted to use the same method as we did in Barbados to get her property back, this involved creating a claim based on a fake loan agreement. I had nothing to benefit from helping her.
10. Because PS husband came from Austria, I introduced PS to the Austrian Ambassador back in 1997 in order for her to be given a special pension from

Austria, this pension she receives every month in addition to other benefits from the state.

11. My defence lawyer Morag Rea's notes:

The prosecution case that Pamela Schutzmann (PS) cannot remember signing the transfer or having a lawyer witness it is not accepted. PS statement at page 5 confirms

"I did sign the transfer document"

David Nathan confirms that it is his signature witnessing PS signature on the transfer at statements page 53. The prosecution evidence indicates that the deed of transfer contained in the letter of the 17th December 2003 was sent by courier to PS. PS then attended Manuel Swaden solicitors who had acted for her previously [eg in 2000 when they had prepared her will]. There she signed the deed and her signature was witnessed by David Nathan. It is correct to say that PS changes her version of events during the video taped interview with the police. This appears to be after the moment at which DC Loftus intervenes and says

"unfortunate thing is of course is that it has been witnessed by David Nathan" [sic]

After this point PS changes her version and says that she signed the deed in the house and doesn't know if David Nathan signed it. This is not borne out by the prosecution evidence. Ralph Dickerson clearly advised PS to take independent legal advice setting out the information she needed, so that she could cancel the deed if she wanted to.

PS refers to having had her signature witnessed by David Nathan when she signed the transfer in emails to MH during 2004. David Nathan accepts he has signed as a witness to her signature but cannot recall advising her as to the contents of the transfer. David Nathan would not have been able to sign it as a witness to the signature if PS had already signed it.

PS received the letter of the 17th December 2003 from Lattey and Dawe because it enclose the transfer deed which she signed. She also took the letter to Michael Swaden on 30th September 2004, statements page

55. She also wrote to Lattey and Dawe correcting her postcode in the address on the letter.

As to the jury trial in absentia

- A. I did not know that the trial would take place without me and I was not formally notified as to time and place. During that time I was subject to medical treatment and under strong medication and still in deep grief over the lost of my partner Romana.
- B. I had not been informed about the final charges and indictment. The prosecution presented several different indictments during 2008, the last indictment I saw with my lawyers and Q.C. in late August 2008.
- C. None of the defence documentations had been presented to the Prosecution or Court, neither my Defence Case Statement. On advise from my defence lawyers I have never made any statement or answered any questions to the police or prosecution.
- D. I did not have my defence lawyers at the jury trial "in absentia". My defence lawyer during 2.5 years, were forced to step down more than a month before the conducted jury trial in absentia. I understand now the professional rules of solicitors make the lawyer 'an officer of the Court' and that means the lawyer owes twin duties: to his client, and to the Court. My defence had therefore to step down, when I did not comply with their advice.
- E. I believe that I where represented by a lawyer (from the prosecuting lawyer's office or the prosecuting barrister's office), who was not given any time to prepare, considering the 8000 pages documentation presented by the prosecution, basically copies from my lap-top computers. According to my defence lawyer it would take many months, possible over a year to prepare the defence, since the Prosecution had introduced so much documentation and changed their indictment several times.

- F. The lawyer/barrister which the prosecution instructed to "defend" me had not been instructed by me or meet with me before the trial, or made any effort to contact me before the trial. It is a fundamental right of the defendant in criminal proceedings to be present in court and to be able to instruct a lawyer of their choosing. It is imperative that the defendant has the opportunity to communicate with their lawyer throughout the proceedings.
- G. Prior to 2001, trial by jury in absentia did not exist, save where a defendant absconded during the trial process. Even then, it was rare that the trial would continue. In 2001, the House of Lords decided that such trials were both part of the common law and compatible with a defendant's Convention rights: *Jones (Anthony)* [2003] 1 AC. However, 'the discretion to commence a trial in the absence of a defendant should be exercised with the utmost care and caution' per Lord Bingham, para 13, *ibid*.
- H. As of this date, I have not seen any transcript, nor judgment from the jury trial in absentia. I attach Andrew Campbell-Tiech QC Opinion as to Trial in absentia and more

Applied to jury trials in absentia:

- i. The likelihood of conviction is high.
- ii. Defending counsel has little credibility in the eyes of the jury.
- iii. Unless mentioned in interview, there is no guarantee that any known defence on the facts may be admitted in evidence.
- iv. Inference of guilt from absence is inevitable.
- v. The lawyer may well conclude that his presence is to provide a 'fig leaf of respectability' for the resulting conviction, in that the proceedings comply with the form if not the substance of Article 6.

6. Conclusion

Trial in absentia sits uncomfortably within an adversarial process which, unlike inquisitorial jurisdictions, seeks neither certainty nor truth. The problems identified reflect in part the development of the common law as distinct from an inquisitorial system, exacerbated by the politicisation of the means to convict.

Andrew Campbell-Tiech QC

2 Dyers Buildings 21 April 2008

Published by the European Criminal Bar Association (ECBA)

Note as to the European Arrest Warrant (EAW)

Mr Philip Bradbourn MEP, and the Conservative Justice and Home Affairs Spokesman, said in 2008: "The European Arrest Warrant, first enacted as an anti-terrorism measure, has already been abused by governments as a catch-all device to detain citizens. I call on David Miliband to come clean on the Government's real position on this proposal which will oblige the UK to extradite its citizens to other member states after in absentia trials in other EU countries. "We are innocent until proven guilty in this country. We do not recognise in absentia judgments. If Labour forces British people to plead their innocence after foreign courts declare them guilty, it is the end of habeas corpus and the end of Labour's credibility in the debate on the Reform Treaty."

Encl.:

- Letter to Kier Starmer QC Director of Public Prosecutions
- Emails Kier Starmer QC and Mogens Hauschildt November 2006
- Chronological List of Events as to my legal representation, the police and the Restrain Orders and more by Mogens Hauschildt
- Pamela Schutzmann account for 2005 and 2006 from Spazi Foundation and Spazi Properties SA, Panama
- Defence Statement July/August 2008
- Power of Attorney signed by Pamela Schutzmann dated 11th February 2000
- Power of Attorney signed by Pamela Schutzmann dated 8th September 2000

Chronological List of Events as to my legal representation, the police and the Restrain Orders and more by Mogens Hauschildt

Note! when writing this I do not have access to my emails and some correspondence from the period and therefore write from recollection only

Considering that this criminal case, came and hit me from nowhere, I did not have contact with any criminal lawyers in UK, prior to this. After being arrested in late August 2006 and spending ~~four~~^{seven} days in the St. Mary's Hospital Special Cardiac Unit, I was referred by a friend to lawyers in Hatton Garden, Henry Milner & Company which I spoke to after returning to South of France. They seemed to start dealing with my case by contacting DC Loftus.

I had agreed with the police to come back to London on the 10th November 2006 to be interviewed. When this date was arranged, I really wanted to make a date earlier, but was told that this was not possible.

Upon my return to South of France, my doctor immediately wanted me under treatment and to take various strong medications, including for my hypertension and blood pressure. Considering that my doctor told me that I could not travel to London on the 10th November, I informed the lawyers in early November, so they could contact the police. They asked me to get a written confirmation from my doctor, which I did and faxed them.

A letter was send by the lawyer representing Pamela Schutzmann to my lawyers Henry Milner. I instructed Henry Miller & Co to respond in a positive manner to this letter, by agreeing to hand over all the relevant documentations from Spazi Foundation and Spazi Properties SA to Pamela Schutzmann lawyer. I had great difficulty to speak to the lawyers (Henry Milner) and become most concerned in November, after I heard that the police was making out that I absconded an interview with the police the 10th November, despite that I had produced a letter from my doctor and informed them a week before the interview.

Late November 2006

I become more and more concerned as to my legal representation, I therefore wrote an email to Kier Starmer QC who I had worked with when he assisted Geoffrey Robertson QC in my case at the ECHR in 1988/89.

Kier Starmer recommended Louis Charalambous as a solicitor, his firm Simons Muirhead and Burton. I had previously worked with this firm back in 1992/93, when my son Hans Christian and I had a commercial case against a Russian company.

I wrote an email to Louis Charalambous followed up by a telephone call. Considering that the first question was payment of fees, I told him that I would arrange for a payment from Citibank London. Although, I sent a fax to Citibank instructing payment in late November, they did not comply and every time I contacted them told me that they had "some problems" with my account and could

not tell me more. This all resulted in delay for Louis Charalambous to act, moreover, it became a main issue, as I had promised to make payment to his firm.

I agreed with Louis Charalambous to come to London with Romana on the 10th January 2007 to be interviewed by the police. He however, insisted that payments to his firm should be with them before; otherwise he could not represent me and Romana.

January 2007

What happened after this is difficult to recollect, since Romana Labunski on the 3rd January 2007 had a series of massive brain seizures. This seizure was caused by brain tumours, which Romana previous had no idea about as she had not suffered pain in any way. I had been sharing my life with Romana since 1989 and she was the love of my life.

I do recall making telephone call to Louis Charalambous on the 4th January informing him about what had happened, in addition sending him emails. Considering that it would not be possible to go to London on the 10th January, I asked the Professor at the hospital (Pasteur, Nice University Hospital) treating Romana to confirm to the British police the state of Romana's health and what had happen. I know the Professor Philippe Paquis spoke to the police a few days before Romana's operation on the 12th of January, as he later confirmed this to me and my defence lawyer Morag Rea.

After Romana's operation she needed all my attention, moreover, we had to completely change everything. We had plans to re-develop our home and move out in January, now I had to prepare everything to make it a place where Romana could rest and being looked after by a private nurse.

During this time, I did regularly speak to Louis, however, mostly about money, which I arranged to transfer from Credit Lyonnais in Monte-Carlo. Louis told me that the police did not believe that Romana was ill, despite having been in contact with Professor Paquis, they thought that I had paid someone for making it all up.

Considering the seriousness of Romana illness, I did at the time feel most upset to hear about the police not believing the facts.

In late February, I took Romana to Paris to see one of the foremost respected professors in brain tumours Prof. Jean Yves Delattre at Clinique Neurologique Hospital de la Salpetriere. It becomes clear that Romana had lost her movements in her left side. This resulted in an immediate remit to the Nice hospital where they found a near 6 cm (in diameter) brain tumour. Romana was operated on the 14th March, after the operation I was told that Romana would not see the Spring a few weeks later.

Romana fought on and attended chemo therapy in April and May in Monaco, where I took Romana five days a week.

April 2007

On the 13th April I received an email from Louis Charalambous informing me that a Restrain Order had been issued, without giving the details as to the Restrain. Since his firm required more money, I arranged for a transfer from Credit Lyonnais Monaco. When receiving this money, Louis contacted me and told me that they had escrowed this money since it came from a bank subject to the Restrain Order. I did not have any knowledge of the content of the Restrain Orders, therefore not able to see what they contained (the date of transfer is important to register).

Considering that Louis escrowed this money which was meant to cover fees he could not act for me before a third person had given guarantees to his firm for their costs.

During the following weeks I tried to contact my son Mark Anthony who was in Brazil at the time, however, it took some time to get hold of him. In the meantime, Louis contacted me and told me that he did not consider this "a large case" and I would be better off with another lawyer he knew Ms Morag Rea. Apparently she previously had worked for his firm and was a good criminal lawyer.

May 2007

In early May, I did received a mailed copy from Louis of the 3 Restrain Orders. He had tried to fax me copies, but my fax did not work as it had run out of paper and I had been too occupied with Romana to go and get new paper to the fax.

First in late May, early June returning from a Swiss Clinic with Romana, did we received a letter from the police with the Restrain Orders.

I contacted Morag Rea and arranged for a friend to pay her firm £20,000, which he did. She told me that the police still did not believe that Romana was ill and they wanted me to go to London for an interview right away.

Since I took Romana to a Swiss Clinic (Paracelcus Clinic near St.Gallen) every month for weeks, it was most difficult for me to travel away from Romana. Romana was extremely weak and needed me around on a daily basis to supervise all her medications, as she had difficulty with other people being around her, including our staff and the nurse.

Morag Rea came to our Villa (in South of France) together with a barrister in early July to discuss the case. They were both very confident and made me feel comfortable with their professional expertise. I arranged for further money to be paid to Morag Rea's firm (£20,000).

Morag arranged with the police that I would come to London in the beginning of October for an interview. This was on the clear understanding that I would again be granted bail and be able to travel immediately back to South of France to take care of Romana, who dependent on me everyday. We did have a private nurse and staff at the villa, however, I had to personally oversee everything, since Romana was very ill all the time, moreover, I had to take her for the various treatment.

September 2007

In late September, I had a bad accident and fell badly down the mountain and broke my right shoulder and was taken by ambulance to Princess Grace Hospital in Monaco where I stayed for some days. Considering the broken shoulder, I informed Morag Rea to immediately contact the police and cancel the interview for early October. Again the police did not believe that I had broken my shoulder so we had to send all the medical records to London and have them translated from French.

Morag arranged for an interview in December, when I should be able to travel to London.

December 2007

Despite that Romana became more and more frail and I had to be there 24 hours a day to see to her, I arranged for her sister to come from Poland, so I could go to London for the interview. Morag Rea and my barrister had obtained an agreement with the police that I would be free to go back to South of France after my interview with them at Holborn Police Station. Instead, the police arrested me and kept me overnight and the next day I was taken in front of a judge without permission of bail and later transported to Pentonville prison where I stayed for one night.

Next evening, my lawyer telephoned me and told me that I would be released from prison at 8-9 in the evening, which I was. My lawyer had taken my imprisonment to a High Court Judge.

I had been released on bail, having to come back one month later in January 2008 and show up at Holborn Police Station. In late January I did travel to London, just to record to Holborn Police Station. I did the same in February, however this time no one at the police station knew anything as to me calling in, despite I have travelled from South of France. My lawyer therefore asked the Court the next day to change the requirement so that I did not have to travel to London every month, just to show up at Holborn Police Station.

There were two main concerns that I had as to my bail, first one issue that I did not know about before later, that I had been bailed on two addresses, one in London, the address of my friend Bernard Gentle and the second at the villa in South of France. Because I travelled with Romana to Switzerland every month to the clinic, I was supposed to apply to the Court for permission, which I did not. Worst when I came to London in May and August of 2008, I stayed at a hotel, which I believe the police knew, but did not want to let me know. After speaking to Morag, where she pointed out the strict terms of my bail condition, it became clear to me that the police would bring this to the judge's attention and seek not to grant me bail any longer. Therefore, knowing that I had in fact broken the bail, I was certain that the police would bring this matter to the attention of the judge and not allow me bail.

Worst, the Restrain Order which had been issued in 2007. Both my lawyer and barrister believed that the integrity of the restraint order is fatally flawed due to the dishonest representations made by DC Loftus in his statement to the court which

resulted in restraint orders being granted by HHJ Goymer on 5th February 2007. DC Loftus made out to the court that both Romana and I did not want to go to London, despite he knew of Romana's serious illness. He also claimed that we had committed crimes against Pamela Schutzmann which he must have known was lies.

The Restrain Order included a number of banks, one of them Credit Lyonnais in Monaco, where Romana and I had joint account. When Romana become ill, it was most important to use a bank account because of the considerable expenses involved and payments. As we did not know anything about these restrains orders before the end of April/early May 2007, I was told by the bank in June 2007 that everything was fine and the bank did not recognise the Restrain Order. Therefore I continued using this account.

The real issue, which I first understood later, I and Romana was not suppose to use this account at all and it was a contempt of court to break the Restrain Order.

Morag Rea wrote: The integrity of the prosecution is fatally flawed due to the dishonest representations of DC Loftus. This has tainted the subsequent prosecution to such a degree that to proceed with it would amount to an abuse of process.

For months after receiving the Restrain Orders, Morag and my council considered to make an application to the Court as to the restrain and the dishonest representations made by DC Loftus in his statement to the court. However, they told me that this would provoke the police and they would issue an arrest warrant for me and Romana instead.

In the beginning of 2008 it became apparent the legal cost of my defence, alone the cost during the time I was arrested in December amounted to in excess of £10,000, my lawyers did win back some of the money from the police, since they was at fault. I do not have the judgement (at this time) however, it make interest reading and did give me at the time some faith in British justice.

We had spend over £75,000 on my defence and the case had not even started, moreover we received new or changed indictment regularly from the prosecution. Morag and my council had given me an estimate as the total cost for the defence amount to £400,000 plus. Considering my financial situation and such a huge amount which could even go the £5-600,000, I had to make a decision because I have no way to pay such amount, moreover I did not want my son Mark to pay such a large amount, really as I looked at it - for nothing, since I considered myself innocent. Therefore, I decided to apply for legal aid in May 2008. Morag Rea agreed to work with legal aid, but my barrister did not as he did not work on legal aid.

Romana died on the 26th March 2008, considering that she had been my life for near 19 years and the love of my life and a true soulmate, it was very hard for me to cope with and I became more and more depressed, wanting not to live any longer. My doctor tried many times to have me admitted to a clinic in Monte-Carlo, but I refused and lived on by the hours and by the days.

Whereas my old barrister who Morag Rea worked with for one year wanted to go into court and ridicule the prosecution, only giving as little as possible away to the prosecution prior to trial, the new barrister which Morag Rea had agreed to work with on legal aid, did not agree with this and wanted a more detailed Defence Statement than the one that Morag had drafted previously.

August 2008

I went to meet with Morag and the new barrister team in late August in London. I found myself in a very depressed state, although my defence team was very optimistic as to the trial.

After getting back from London, Morag informed me that the police wanted me to go back to London the following week as they wanted to bring new charges and object to bail. This totally devastated me and I just said to Morag that I am going sailing and can't come to London the next weeks. I knew well that the police had knowledge as to me breaking the terms of the bail, worst that I have been using a bank account for 18 months subject to the Restraining Order.

I did travel away with my dog, living from day to day and taking my medication, possibly also drinking too much from time to time. I suffer from high blood pressure combined with high glucose and high cholesterol, all of which I am still under treatment for. Further I could only sleep with strong medication. I also suffered from kidney stones, hypertension, migraine, colon pain, circulations in the body (numbness in various parts), bad back, and bronchitis. My fear for being incarcerated haunted me daily as I suffer from claustrophobia.

The fact that I did not stay in the villa, ^{after January 2009} became an issue which Morag did mention to me, however, my greater concern was the possible contempt as to the Restraining Order in addition to the issue of the bail conditions. All this led me to believe as Morag confirmed that if I went to London I would not be granted bail and just be locked up immediately, not allowing me to work with the defence, worst I would be locked up during the trial. This was a nightmare scenario for me as I suffer from claustrophobia and because of medication.

From documentation the police had initially found and the details from my laptop the police could see that I suffered Post Traumatic Stress Disorder for years and Post Incarceration Syndrome after the ordeal in Denmark and feared incarceration due to my suffering from claustrophobia.

This is why, I did not go to London in September/October, the fact that I knew the prosecution would not allow me bail. I tried to repress the situation, I had inability to concentrate and did not read or attend to important issues which my defence lawyer had instructed me to. Moreover I had an inability to anticipate logical consequences of behaviour, mostly believing that I soon would be dead, so it did not matter what happened in UK, also they could not hold a trial without me.

In December, I heard about Alexander's (Romana's son) arrest in Nice, from an EAW issued by the police dealing with my case. Considering that Alexander was

totally innocent of anything wrong related to my case, I was truly devastated and everything just broke down for me and I immediately become ill with bronchitis and later pneumonia. I had been looking after Alexander since he was nine years old and educated him privately with him taken a degree at Durham University. Alexander lived and worked in China. In view that the police would act so dramatically an arrest someone, who they knew had not committed any crime and indeed was in sorrow after the loss of his mother some months earlier, it was clear to me that the police was prepared to used maximum power against me. Alexander was incarcerated under terrible conditions in France for 5 weeks over Christmas and New Year 2008, thereafter transferred to London where he remained incarcerated for another 4-6 weeks, until my son Mark Anthony arranged to put up a bail for him.

January 2009

When I heard in January about the possibility that a jury trial in absentia was taking place, I send a friend Bernard Gentle to attend the court and find out if this really was true. He was unable for two days to find out anything and where the case was taking place, since there was no records of any case with my name, nor records of the Court room or listing of any kind. He decided however, in the end to go to each court room and there he did find that my case was been dealt with. He meet Pamela Schutzmann outside, Bernard Gentle had known her for 15 years and escorted her many times out to events including her grand daughter's wedding at the Savoy. He also regularly went to her house just to check if she was alright on instruction by Romana and I, as Pamela was very alone and tended to drink too much from time, having many falls. When Pamela saw Bernard Gentle, she immediately said that she did not know him nor had ever seen him before, which surprised Bernard very much. He went into the court room where he did not see any jury members, but only barristers and DC Loftus, who had previously interviewed him. Bernard Gentle was told to leave the court as "the case would be dealt *in camera*"; outside he was arrested by DC Loftus and taken to the police station, where he was kept for 3 hours. They police took his mobile phone and told him that he will be charged with obstruction of justice, since he was in contact with me.

When I contacted Morag, she told me that she could not speak to me and I just should come to UK. She told me and later confirm this to my son Mark Hauschildt in July 2009, that the police would keep me incarcerated for a long time during my case and appeals, without any chance of bail, irrelevant how much my son would put up (even £5-10 million). My son Mark put up £500,000 for Alexander's bail in February 2009. My son Mark was also told that even if I came to London, the case against Alexander would continue and he would stand trial in December.

Alexander lived with his girlfriend in China where they both worked and at the same time studied Mandarin.

Alexander's was totally devastated over the events and incarceration because he was innocent. When he originally was asked to come to an interview in London

(June 2008) he informed his lawyer (Morag Rea) that he was unable to leave China, since China had changed their visa procedures due to the coming Olympic. I do understand now that Alexander had an opportunity in November 2008 to have gone to London for an interview.

When Alexander was granted bail in February 2008, this was based on that he daily attended a local police station unable to work. Alexander had to stay in London and lost his job in China. He lived with great strain on his freedom and the scars from being locked up for more than 2.5 month. Worst he had to endure this for 9 months.

Alexander's trial took place in early December 2009, where I understand that the judge stopped the case and throw it out of Court.

Statement by Mogens Hauschildt

10th February 2010

BACKGROUND

I was arrested on a Thursday evening of the 24th August 2006 by a DC Loftus (from Holborn Police Station) at 266 Finchley Road and taken to Holborn Police Station. At the time of my arrest I was just arriving after visiting a dying friend at Wellington Hospital North. Shortly before arriving, I had telephoned Pamela Schutzmann who lives at 266 Finchley Road. At the time of my arrest I had a large amount of cash on my person (destined to be given to Pamela who I realised must have been part of the complaint to the police which instigated my arrest).

Considering that I had just arrived in a taxi from visiting a friend who was dying in Wellington North Hospital, I was very shaken by this arrest and somewhat totally disoriented at the time. So much so that when we arrived at Holborn Police Station, the police doctor told me to await further tests and later instigated that I by ambulance were taken to University College Hospital Emergency Ward for further examination. I was told that I had abnormal high blood pressure and an "in large" heart. In the morning they "released" me from hospital on the condition that I would immediately contact my doctor and seek treatment, at the time the police told me to come to an interview on the 10th November 2006. Considering that that seemed a long way, I asked if I possibly could have an interview before that date to the DC Loftus, I was eager to deal with this matter as soon as possible, apparently, this was not possible.

I did go to my doctor in London (Wood Mews, Mayfair) however, he was first available to see me in the afternoon, therefore I went to a local hotel nearby and had a bite to eat and a glass of wine, later the manager told me that I did not look too well and that I should stay for the night (Connaught Hotel). Therefore, I got a room and immediately went to sleep. Next morning I went to the apartment I stayed in Portman Square, which at the night of my arrest had been raided for all my personal belongings including my laptop and personal and business documentation.

Shortly after arriving in the morning at Portman Square I went out to buy some items, crossing the square, I certainly felt very bad and short of breath and had some strong pain above my heart on my left arm this made me go back to the apartment block, entering the reception I told the porter to call an ambulance and that I felt very ill and dying. An ambulance later took me to St. Mary's Hospital Special Cardiac Unit where I stayed for ~~4~~ days.

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The reason of my arrest is somewhat difficult to neither comprehend nor understand. The officer DC Loftus told me that I was arrested because I fraudulently had stolen a property worth millions (266 Finchley Road) and a bond worth hundreds of thousands.

The person Pamela Schutzmann, a friend and benefactor of much of my time, had apparently been part of a complaint against me for criminal fraud stealing her property and assets. The instigators must have been her son Viv Schutzmann and his daughter's husband James. Pamela's only son Viv had never worked in his life

and was for many years a hard drug user and all his life he has been financially dependent on his mother.

As to the criminal complain against me I am not guilty, the reality, I had "stolen" back in 1997 a Barbados property for Pamela, a property she purchased in Barbados and gave to her boy friend John Bishop (who held the Deed of the property). By the fact that we were feeling sorry for Pamela I did everything in my power to take this property back allowing her to sell the property and spend the money (£300,000) during 3 years (1998, 1999 and 2000). Because, I did actively trade in the foreign exchange market and derivatives and made investments with some of Pamela's funds during this time and indeed did this very successful, Pamela became somewhat greedy and asked me to be more active.

I later worked for several years (unpaid) to pursue the former boyfriend (John Bishop) who had extracted from Pamela a large amount of money in addition to a valuable property in Devon, a property now worth more than £5M. During that process I had to lie and cheat for Pamela creating a picture of Pamela being without money and destitute, despite giving her on average £9-10,000 per month (in cash, in addition to other specific payments) for many years to use and to hand over to her son, sister and grand children. Her son and daughter-in-law literary blackmailed Pamela for years as her money was undeclared and kept outside U.K.

Pamela, a dear friend of both Romana (my partner) and myself, had finally surrendered to her son and grand daughters husband's blackmail to "get hold of her money" and accused me of fraud. I did have inkling two years earlier, when the son and her granddaughter's husband tried to get hold of the property, furthermore, a year later, after we had a terrible robbery at our villa during Pamela's visit, accusing us of creating an "inside job". Pamela lost at the robbery some valuable jewellery.

The most serious consequences of all this is that possibly the British fiscal authorities will ask for ALL the assets left in UK appearing to be owned by Pamela, considering the millions of back taxes and estate duty liable upon the estate and the millions taken out without reporting to the fiscal authorities. In view that practically no assets are left apart from the property in Hampstead I do not believe the accusers understand the consequences of their action.

I am the sole trustee of Pamela's Foundation in Panama which owns the shares in Spazi Properties SA the owner of 266 Finchley Road London NW3 7AA. Pamela own Spazi Foundation, initially established in Liechtenstein and later moved to Panama on her request.

Considering Pamela's high spending (and some investment losses) it becomes important to raise a mortgage in January 2005 for £310,000 in the property with Bank of Scotland. The property was valued back in 2003 at £575,000, due to potential redevelopment project (I was working on) of the property and adjoining four other properties this value could increase considerable. In order to raise the mortgage, I had to make out that I owned the shares of Spazi Properties SA and provide personal guarantees; moreover, Pamela was well aware of the difficulties of

raising money on the property. As a trustee and "protector" (under Panama law) of her private foundation I had the obligation to act as the owner of the property.

My partner Romana has been warning me for years against Pamela who she has known for 35 years. Despite being a friend who Romana spoke to every week, Romana always told me that Pamela was very coning person and constantly lied, worst that she always had a habit to act according to the last person she spoke to. During the years, I have known Pamela; I did find that she lied constantly about her past relationship with John Bishop, the finances and past events. Moreover, she always tried to put down to her been drunk and having bad eyesight, when I confronted her with the facts from time to time. She loved to portray herself as innocent victim of circumstances; despite she always planned and schemed in a very selfish manner.

The undersigned a Danish National (born 7 June 1941) lives in Monaco and South of France. I have lived here most of my time together with Romana, my partner of Life, the last 19 years. Back in 2000 my partner Romana sold her maisonette in Mayfair which I shared with her after selling my place in Berkeley Square in 1993.

I have 4 sons (45, 43, 40 and 27) the youngest son is Romana's which I now have adopted. I have 9 grand children.