

STATEMENT IN OPEN COURT

Claimant's Counsel: My Lord, in this action I appear for the Claimant, who is an honorary chairman, trustee, and a co-founder of the Oriental Fine Arts Academy of London (known as OFAAL), which is a registered charity and examination board which offers education, examinations and qualifications in South Asian Fine Arts.

[Mr/Ms] appears for the Defendant, the head of the Metropolitan Police Service.

On 5 December 2014 the Metropolitan Police Service (MPS) published an email in the course of an investigation concerning an allegation of Fraud. The email was sent to Ms Susan Carlton and other members of the Operations team at the Charity Commission, and to three persons who had made a complaint to the MPS about the Claimant, namely Mr Abdul Samad, Mr Marshal Amutharasan and Mr Amirthalingam Nagarajah of the West London Tamil School. The email included statements to the effect that there were reasonable grounds to suspect that the Claimant had abused his position as Chairman of OFAAL by:

- (a) engaging in financial fraud within OFAAL over a number of years and across a number of countries to the detriment of the charity and the beneficiaries of its activities and work; and
- (b) fraudulently and illegally altering OFAAL's Constitution with the aim of committing financial fraud.

These allegations were entirely untrue and without foundation and the Defendant has subsequently confirmed that it had no evidence to support them. The allegations represent a grave slur on the Claimant's personal and professional integrity, and have caused him severe distress.

The Defendant accepts that these allegations are wholly untrue, and accepts the serious error made in publishing this libel in the Email. The Defendant recognises the considerable damage it has done to the Claimant's reputation. The Defendant is here today by its Counsel to withdraw the imputations unreservedly and to apologise publicly to the Claimant. The Defendant has also agreed to pay the Claimant damages and to reimburse him for his legal costs.

Defendant's Counsel: I wish to associate myself on behalf of the Defendant with all that has been said by Counsel for the Claimant and repeat that the Defendant withdraws the allegations and apologises to the Claimant for having published them.

Claimant's Counsel: I ask for leave to withdraw the record.

Dear Mr Suresh

An Apology

I write to you following settlement of your claim against the Metropolitan Police Service (MPS) arising from an email sent, during the course of an investigation regarding an allegation of Fraud.

The email was sent to a Ms Susan Carlton and other members of the Operations team at the Charity Commission, and to Mr Abdul Samad, Mr Marshal Amutharasan and Mr Amirthalingam Nagarajah of the West London Tamil School on 5 December 2014.

The email contained seriously defamatory statements about you namely that you had abused your position as Chairman of OFAAL by:

- (c) engaging in financial fraud within OFAAL over a number of years and across a number of countries to the detriment of the charity and the beneficiaries of its activities and work; and
- (d) fraudulently and illegally altering OFAAL's Constitution with the aim of committing financial fraud.

The MPS is committed to ensuring it provides the highest quality of service from its officers. It is plain this incident fell below that high standard. The statements referred to above were both untrue and defamatory and the email should not have been sent in the course of that investigation and I deeply regret the damage and distress which they have caused you.

I am very pleased that we have been able to agree a settlement of your claim. As part of that settlement a statement will be read in open court and a letter has been prepared which will be sent to the recipients of the original email to address the allegations made against you.

Yours sincerely,

Inspector Nick Lockyear

Dear []

Selvaratnam Suresh - Honourary Chairman and a co-founder of the Oriental Fine Arts Academy of London (OFAAL): An Apology

I write to you on behalf of the Metropolitan Police Service (MPS) in relation to an email which was sent to you and other recipients on 5 December 2014 during the course of an investigation whereby defamatory statements were made about Mr Selvaratnam Suresh. The statements were to the effect that there were reasonable grounds to suspect that Mr Suresh had abused his position as Chairman of OFAAL by:

- (e) engaging in financial fraud within OFAAL over a number of years and across a number of countries to the detriment of the charity and the beneficiaries of its activities and work; and
- (f) fraudulently and illegally altering OFAAL's Constitution with the aim of committing financial fraud.

The MPS accepts that these statements were both defamatory and unfounded, and deeply regret the damage and distress which they caused to Mr Suresh. I am pleased to take this opportunity to apologise unreservedly to Mr Suresh and to withdraw the false and unfounded accusations unconditionally.

To indicate the sincerity of this apology, the MPS has agreed to pay Mr Suresh a significant sum in compensation for the harm caused to his reputation, together with his legal costs, and to repeat this apology and withdrawal in a statement in open court.

I would be grateful if you could kindly forward this apology to anyone to whom you forwarded the officer's email of 5 December 2014.

Yours sincerely

Inspector Nick Lockyear