
AFFIDAVIT OF KEITH JOHN BARKER

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1. My name is **KEITH JOHN BARKER** and I am a Solicitor of the Supreme Court of Judicature and a Partner in the firm of Forman Welch & Co., 23 London Road, Twickenham, Middlesex, England.

2. In 1986 I was appointed to represent a Mr. Jens Soering who had been arrested in London on cheque fraud charges and I was also appointed to represent Elizabeth Haysom who was arrested on the same charges.

3. They both appeared in Richmond Magistrates' Court on 2nd May 1986 and were remanded into prison custody from time to time until 5th June 1986 when they again appeared in Richmond Magistrates' Court. The Prosecution sought that Mr. Soering and Miss Haysom be remanded into police custody for further questioning. The Prosecution primarily represented that the questioning would be to determine whether further crimes had been committed in the United Kingdom and specifically to investigate whether the

cheque frauds were part of a drug dealing scheme although my recollection is that the killing of Miss Haysom's parents was mentioned by the Prosecution.

4. The application was that the remand be to police custody at Richmond Police Station rather than to a normal remand prison. The Crown represented that the remand should be such for greater ease, speed and convenience. I opposed any remand for further questioning with the full consent and acquiescence of my client Mr. Soering. I argued on behalf of my client that if any remand should be ordered than it should be to a normal remand prison where I knew that if a police officer were to interview my client a prison official would be present even if I was not. I believe also that under the then prison regulations a prisoner can refuse a visit. There was no question in my mind but that a remand to police custody would be more oppressive than a normal remand to a remand prison.

5. I also argued on behalf of my client that the remand for questioning was solely to look into crimes not committed in the United Kingdom, specifically the murder of the Haysom parents and that the application to interview further regarding further offences about cheque frauds was a smokescreen and I believe that later events have proved me correct.

At this stage a witness for the Crown denied that the purpose was to question concerning the murders that took place in the United States but my objections to the remand were over ruled and both clients were remanded until 9th June.

6. After the hearing I asked the Crown for an undertaking that no interview would be held until I could appeal the decision of the Court but the Crown was unwilling to give this undertaking and I did appeal the decision that afternoon but was unsuccessful in getting the remand order overturned. The appeal was before His Honour Judge Ellison at Kingston-upon-Thames Crown Court that same afternoon and we were represented by Miss Wendy Parker of Counsel. At this hearing the Crown opened the case to the Judge by indicating that the grounds for the application were firstly to investigate further cheque offences in the United Kingdom and Europe and secondly to investigate the murder of the Haysom parents in Virginia in April 1985. The Judge took the view that the decision of Richmond Magistrates' Court was perfectly proper.

7. After the initial Magistrates' Court hearing I recollect that I went to the cells where my clients were held before they were taken away and I said to

both of them that they were to answer no questions without me being present.

8. My file indicates that after returning to my office I drafted a letter which was hand delivered to Richmond Police Station to which Mr. Soering had been taken. In this letter I requested that I be present when either of my clients were interviewed and I believe I also telephoned and spoke to the then Chief Superintendent and I asked to be present when he was interviewed and I believe that I was told that Mr. Soering had signed the custody record as not wanting a Solicitor present.

9. I was in the police station on 6th June and 7th June when I was present for interviews with Miss Haysom.

10. So far as I recollect, at no time in my conversations with any police officers, any detectives or interviewing officers or anyone else at Richmond Police Station on those days or at any other time was I told that Mr. Soering had asked to see me or any lawyer or that he had stated he would not answer certain questions without consulting with me or another lawyer or that he had been told by the interviewing officers that they would find a lawyer for him.

11. I was clearly available to see Mr. Soering on 6th or 7th June when I was physically present in the same facility and had I been told that he wished to see me then I would obviously have seen him. I find it unusual procedure that a person being interviewed who refuses to answer certain questions without consulting with his lawyer should be subject to further interview when his lawyer is physically present in the same building. At no time was I contacted by Richmond police or asked to be available to consult with Mr. Soering and I did not see him again until he was brought before Richmond Magistrates' Court on 9th June 1986.

12. At the time Mr. Soering was interviewed in 1986 the practice was for the questions and answers to be written down contemporaneously and at the end of the interview the interviewee would be invited to put his initials against each answer and sign at the bottom of each page. If he refused to sign then the notes of interview were produced by the interviewing officers to the custody officer who would record that they had been produced to him and that the interviewee had refused to sign them.

13. I was not contacted for possible testimony at Mr. Soering's trial in Virginia which, I understand, took place in 1990. To the best of my knowledge I

have never spoken with or corresponded with Mr. Richard Neaton or Mr. William Cleaveland who I understand represented Mr. Soering at his criminal trial in Virginia.

FURTHER THE AFFIANT SAYETH NOT

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KEITH JOHN BARKER

SWORN and subscribed to before me this 24th day of One thousand nine hundred and ninety-five.

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My commission ~~expires:~~ is by Faculty which does not expire

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cary Public
RICHMOND, LONDON, ENGLAND