

91.17 *Offer to assist rejected/Information not used*

R v J 2014 EWCA Crim 1264 D pleaded to Class A supply conspiracies. During the investigation D made an offer to the police to provide information which was declined. Prosecution counsel told the Judge that there were ‘good reasons’ the offer was declined. Held. The court will not normally engage in an investigation into the value of the assistance which has been provided. There are many practical difficulties for the court to overcome when confronted with an offer of information that has not been accepted. The information may be unreliable, unverifiable, untruthful or unusable. The police may already be in possession of this information. Would the police have to give evidence as to their view? Would the interests of justice require J’s attendance at this hearing? This was not a case in which D was able to show that the police have acted perversely or have misconducted themselves. The offer could be relied upon in mitigation but nothing else. Here no credit would be given.