

Good Morning Mr Knight

The consideration to use Mr Danikas as a witness in the ensuing trial was a real one earlier in our investigation, we have even drafted the MLA documents asking authorities in Greece to assist to have the documents signed in accordance with the prescripts. There are however a number of challenges which remain unresolved, which I will elaborate on formally in a letter. Some of the challenges are the following:-

The incidents that Mr Danikas refer to in his draft statement started in 2001 to 2007, a period which is not covered in the indictment. Most of those incidents are not referred to in the indictment and do not have dockets which relate to them. The concerns and fears that the witness has which prevents him from coming to the country even though they may be real, will make it very difficult for the state to secure his evidence, considering that evidence on commission is used rarely.

The real possibility of other offences unrelated to Cato Manor that the witness may be involved in, makes it a very risky consideration to expect him to come to the RSA for the purpose of testifying.

The tendency of material that should be used in court just being flashed in the media is a great concern. It draws unnecessary attention of the media to the case.

Section 204 requires a witness who expects indemnity from prosecution to testify openly and answer questions frankly and honestly, even those questions that may expose him or incriminate him.

We are not sure that the witness is telling us everything, the chances of surprises in court are very real.

Remember that we are still busy with a number of preliminary issues before a trial date is set and we are just pre-occupied with getting the case trial ready. We did not include Mr Danikas in the list of witnesses until we have a signed statement from him. We have to date not been able to convince our prosecution authorities that Mr Danikas' evidence will assist the state case in any way.

Kind regards.  
G S Maema

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