

Robert Wardle
Third
For the Appellant
Dated: 9 June 2008

IN THE HOUSE OF LORDS

ON APPEAL FROM THE DIVISIONAL COURT

R (on the application of)

(1) CORNER HOUSE RESEARCH
(2) CAMPAIGN AGAINST ARMS TRADE

Respondents

- and -

DIRECTOR OF THE SERIOUS FRAUD OFFICE

Appellant

- and -

BAE SYSTEMS PLC

Interested Party

ROBERT WARDLE

I, Robert Wardle, c/o the Serious Fraud Office, Elm House, 10-16 Elm Street, London WC1X 0BJ, SAY AS FOLLOWS:

1. I was the Director of the Serious Fraud Office (“the SFO”) from 21 April 2003 until 20 April 2008. I make this statement further to my witness statements in these proceedings dated 17 December 2007 and 31 January 2008. I refer to the second witness statement of Helen Garlick, which I have read in final draft. I make this statement to confirm my agreement with the account of events Helen Garlick sets out in that statement. The contents of this witness statement are within my knowledge or belief unless otherwise stated, and are true to the best of my knowledge and belief.

2. In paragraph 3 of Helen Garlick's second witness statement, she refers to meetings in late 2006 with the Attorney General, and his staff and me regarding the question whether the Al Yamamah investigation should continue or not. I confirm that my recollection of this meeting accords with that of Helen Garlick as set out in that paragraph.

3. In paragraph 5 of Helen Garlick's second witness statement, she refers to three meetings that she and I attended with HM Ambassador to Saudi Arabia during late November and early December 2006. I confirm that my recollection of those meetings accords with that of Helen Garlick as set out in that paragraph. As she says, we together tested the Ambassador on whether it would be possible to dissuade the Saudi Arabian authorities from persisting in their threat, and he explained his view that it would not be. I accepted his view, which was based on his own direct knowledge and experience of the workings of government in Saudi Arabia and of the persons involved on the Saudi Arabian side.

4. I confirm that the decision I took to discontinue the Al Yamamah investigation was taken because I believed that, if the investigation continued the Saudi Arabian Government would have carried out their threat to cease counter-terrorism cooperation with the UK, and I did not believe that there was any viable alternative means of avoiding or deflecting that threat.

Statement of Truth

I believe that the facts set out in this statement are true.

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Robert Wardle

Date: