

From: Jarnail A Singh[IMCEAEX-
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_CN=RECIPIENTS_CN=JARNAIL+2EA+2ESINGH6CEADABD-67E9-4ECA-94F2-
005716658847@C72A47.ingest.local]
Sent: Tue 29/10/2013 10:11:04 AM (UTC)
To: Andy Holt[**GRO**]; Chris Aujard[**GRO**];
Belinda Crowe[**GRO**]; Angela Van-Den-Bogerd[**GRO**];
[**GRO**]; Rodric Williams[**GRO**]; Sophie
Bialaszewski[**GRO**]
Cc: Hugh Flemington[**GRO**]
Subject: RE: Post Office Ltd - Draft Prosecution Policy

Dear All

I refer to our meeting of last Thursday and my meeting with Chris on Friday. A couple of matters to be taken into account when deciding whether POL will continue to prosecute:

1. Freedom of Information Act. Anyone may make a FoA request to a public body (POL) for information relating to matters of public interest. Banks and other private institutions are not susceptible to such requests and so it is possible to 'hide' information as being commercial sensitive. This is not true of public institutions such as POL: I would expect the red banner press to make such requests relating to the number of person suspected of theft/fraud who had not been prosecuted.
2. If POL adopts a non-prosecution policy but, a very high profile/serious case decides to prosecute or call in the police in, any such prosecution would be susceptible to Judicial Review on the basis that POL had breached its own non-prosecution policy.
3. A non-prosecution policy would undoubtedly devalue the trust of those honest SPMR's, for they would know that those committing offences do so with, at least in the criminal sense, impunity.
4. The dishonest will also know that, at worst, they will lose their contracts and be required to make good any monies taken by them. It may properly be said that such a policy might encourage those tempted to steal/defraud POL who otherwise would not. Similarly, those who in any event would commit offences know that they will not be prosecuted for doing so – a clearer signal to offend is difficult to imagine.

Jarnail Singh | Criminal Lawyer



148 Old Street, LONDON, EC1V 9HQ



GRO

Postline: **GRO**



Mobex:



GRO



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From: Jarnail A Singh

Sent: 24 October 2013 17:23

To: Andy Holt; Chris Aujard; Belinda Crowe; Angela Van-Den-Bogerd; Rodric Williams; Sophie Bialaszewski

Subject: FW: Post Office Ltd - Draft Prosecution Policy

All

Please see attached prosecution policy.

Jarnail Singh | Criminal Lawyer



148 Old Street, LONDON, EC1V 9HQ



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