

WINCHESTER CROWN COURT

INDICTMENT TO BE LODGED BY 6TH MARCH 2007

PLEA AND CASE MANAGEMENT HEARING – 12TH MARCH 2007

THE QUEEN

v

JOSEPHINE HAMILTON

**INSTRUCTIONS TO COUNSEL TO SETTLE INDICTMENT
AND ADVISE ON EVIDENCE AND BRIEF FOR THE PROSECUTION**

COUNSEL will receive herewith:-

- 1 Draft Indictment.
- 2 Copy List of Witnesses and copy Witness Statements.
- 3 Copy List of Exhibits and copy Exhibits.
- 4 Copy Form 14A
- 5 Copy Summary of Facts and enclosures, (5 - 9)
- 6 Copy Cash On Hand Reports.
- 7 Copy Cash Accounts.
- 8 Copy Trading Statements.
- 9 Copy Call Logs.
- 10 Copy Report of Investigation Officer – 11th August 2006 and 17th May 2006.
- 11 Copy Schedule of Charges.
- 12 Copy Antecedents.

OBSERVATIONS

The Defendant is a former Subpostmistress aged 49 born on the GRO The charges concern the theft of monies from Post Office which came to light following an audit of the Office on the 9th March 2006.

A description of the case against the Defendant is set out in the Summary of Facts to which Counsel is referred. Further details of the enquiry are contained in the Investigation Officer's report.

The Defendant was summoned for the offences set out on the Schedule of Charges and appeared at Aldershot Magistrates Court on 6th December 2006.

On that date no indication was given as to plea. The Magistrates declined jurisdiction and the case was adjourned until the 31st January 2007 for committal, due to issues at the Court the case was taken out of the list and re-listed for the 7th February 2007.

On that date the Defendant was committed for trial under Section 6(2) of the Magistrates Courts Act 1980, to a Plea and Case Management Hearing on the 12th March 2007.

No request was made for the attendance of witnesses.

A Not Guilty plea is anticipated.

Your Instructing Solicitor has drafted an Indictment based on the schedule of charges.

Counsel is requested to settle the Indictment which is due to be lodged by the 6th March 2007.

Counsel is requested to advise on evidence, and, in particular, whether he considers any additional evidence is required. Your Instructing Solicitor has requested that the cash accounts be produced as Notice of Additional Evidence which will be served in due course, specimens are available within the Advance Disclosure.

Will Counsel please appear on behalf of the Prosecution at the Plea and Case Management Hearing of this matter on 12th March 2007 at Winchester Crown Court and at all future hearings. Counsel will be instructed at the hearings by a member of this Office.

In the event of a conviction Counsel is requested to seek an order for compensation in a sum to be notified in due course. Counsel is also asked to seek an order for the Defendant to pay a contribution towards the costs of the Prosecution in a sum to be notified to Counsel at Court. [These costs should include costs of investigation which have been notified to the Defence in accordance with the Court of Appeal decision in Regina v Associated Octel Ltd [1997] 1 CR.APP.R.(S) 435]

The Officer in the case has been asked to arrange for Antecedents to be produced, and to supply dates to avoid for the relevant witnesses.

The prosecution prefers to be represented at all Crown Court hearings so Counsel is requested not to agree to the excusal of prosecution attendance if this arises, unless criticism or embarrassment might arise from such a course.

If Counsel requires any further information or would wish to have a conference in this case could he please contact his Instructing Solicitor.

Ms J A McFarlane (Principal Lawyer)

Ms J S Andrews

GRO

GRO

DATED this

13th

day of February 2007