

STAFFORD CROWN COURT

CONFISCATION HEARING – 21ST AUGUST 2009

THE QUEEN

v

SUSAN JANE RUDKIN

BRIEF TO COUNSEL FOR THE PROSECUTION

COUNSEL will receive herewith:-

- 1 Copy Schedule of Charge.
- 2 Copy Summary of Facts and documentation referred to therein.
- 3 Copy Report of Investigation Officer.
- 4 Copy Section 18 Proceeds of Crime Act 2002 Request for Financial Information to statement of Susan Rudkin and enclosures.
- 5 Copy Prosecution Statement of Information relevant in accordance with Section 16(3) of the Proceeds of Crime Act 2002.
- 6 Copy Correspondence.

OBSERVATIONS

The Defendant is GRO of age (Date of Birth: GRO) and was employed as a Post Office Assistant at Ibstock Post Office for a period of 7 years and 10 months prior to her suspension from duty on the 20th August 2008. The charge concerns theft of £43,894.15 which was discovered after an audit of the Office which discovered a deficiency in the account mainly due to the shortage in cash of £43,894.15.

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 charge set out on the Schedule of Charges and appeared at Coalville Magistrates Court on the 13th March 2009 under Section 27A of the Magistrates Courts Act 2008. By agreement the case was transferred to the neighbouring Burton-on-Trent Magistrates Court on the 23rd March 2009. On that date the Defendant pleaded Guilty to the single count of theft.

On hearing an outline of the facts of the case the Magistrates committed the case for Sentence to Stafford Crown Court where she attended on the 1st May 2009 for Sentence. The case was listed before His Honour Judge Glenn. The Defendant appeared for the single count of theft of £43,894.15 where she was sentenced to 12 months imprisonment suspended for 2 years. Two requirements were imposed namely that she performed a maximum of 300 hours unpaid work and submitted to an electronically monitored curfew for 6 months requiring her to be at her home between the hours of 10pm and 5am. There was no order for costs.

As to the Confiscation Order the Judge set the following timetable:-

- 1 Having served the Section 18 Proceeds of Crime Act request on the Defendant on the 1st May 2009 she was ordered to file her own Affidavit within 4 weeks ie not later than the 29th May 2009.
(Counsel please see copy enclosed.)
- 2 Copy Prosecution Statement is to be served within 6 weeks ie not later than the 10th July 2009.
(Counsel please find copy enclosed.)
- 3 The Defence response to the Prosecution Statement is to be served within 2 weeks thereafter ie by no later than the 24th July 2009. The prosecution await in anticipation.

The hearing was fixed for the 21st August 2009 at 10am.

Counsel is requested to appear on behalf of the prosecution at the Confiscation Hearing at Stafford Crown Court on the 21st August 2009. Counsel will be instructed at the hearing by a representative of my Agents Mr John H Dove, Solicitor Advocate, 9 Apley Mews, Apley Hall, Stockton, Shropshire, WV15 5NE
(Telephone No. **GRO**)

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 discuss any aspects of the above please do not hesitate to contact her Instructing Solicitor.

Mr J Singh (Senior Laywer)

GRO

DATED this 24 day of July 2009

Consideration of paper. Brief advisory
e-mail.

3/8 + 14/8/09 1 1/2 hrs.

GRO

19/8/09

Comm. Acc Sec Thomas

Confiscation proceeding, resolved.

Confiscation order in sum of

£35,894.15. 6 months to pay.

15 months in default.

Confiscation order in sum sum.

Acc order that this should

be paid from money obtained

via confiscation order.

Restraint order discharged.

Wendy Telford

Prag - 2 hours

Travel - £164 train.

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Confiscation Hearing - 21st August 2009

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BRIEF TO COUNSEL FOR THE
PROSECUTION

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General Counsel to
Royal Mail Group Limited
Legal Services

GRO