

pjh **GRO**

Prep → AV

Peter Hampton
Freemasons House, Bradford
WORCESTER CROWN COURT

Indictment to be lodged by 26/5/09
Plea and Case Management Hearing
15/6/09

For POCA Hearing
Coram HHJ Rundell

For PCMH

Coram HHJ McCreath, the Recorder of Worcester

Prep: 2 1/2 hours

Travel - claimed on case of Singh in RC's name

Con/Negotiation - 1/2 hour

Hearing Fixed

Counts 1 NG
2 NG
3 NG
4 G } Acceptance & loss £27,811.98.
5 G

9 pleas to counts 4+5 on basis

Acceptable to RDB Wilson.

See E-mail post hearing

Adj to 3/8/09 for sentence

Def to try and re-pay monies by that date

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15.6.09

Prep: 1 1/2 hours

Travel: 3 3/4 hours

Con/Neg / Waiting 2 hours

Hearing Fixed

Confiscation / Compensation

Order agreed. Copy attached and

a further copy with

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

GRO

Mr Anthony Vines
Civitas Law
Global Reach
Celtic Gateway
CARDIFF BAY
CF11 0SN

17.12.2009

For Sentencing

Coram Mr Recorder Cliff

Prep: 1 hour + 1/2 hour post hearing

Travel: 3 1/2 hours

Con/Neg: -

Hearing fixed

Counts 4+5 200 hours unpaid work 11/6/09

Costs £3500 - 12 months

Def to pay a cont. to def costs incurred

Counts 1-3 to be on file

* POCA →

8/8/11/09

8/6/16/10/09

5/7/30/10/09

Pros response 13/11/09

Hearing thereafter

NB the monies are going to
be re-paid in full + POCA
unlikely to be agreed, particularly
in the light of Morgan (2009)

General Counsel to
Royal Mail Group Limited
Legal Services
3rd Floor
6a Eccleston Street
Victoria
LONDON SW1W 9LT

GRO 21/8/09

WORCESTER CROWN COURT

INDICTMENT TO BE LODGED BY 26TH MAY 2009

PLEA AND CASE MANAGEMENT HEARING – 15TH JUNE 2009

THE QUEEN

v

JULIAN WILSON

**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.
- 6 Copy Report of Investigation Officer.
- 7 Copy Schedule of Charges.
- 8 Copy Schedule of Non Sensitive Unused Material.
- 9 Copy Witness Statement in support of an application for a Restraint Order.
- 10 Copy Consent Order to vary Restraint Order.
- 11 Copy TIC Schedule.
- 12 Copy Antecedents.

OBSERVATIONS

The Defendant was the Subpostmaster at the Astwood Bank Post Office. He is 59 years of age. The allegation is that an audit took place and revealed a shortage of £27,811.98. The Defendant was subsequently interviewed and charged with an alternative offence of theft and offences of false accounting.

The Defendant was summoned for the offences set out on the Schedule of Charges and appeared at Redditch Magistrates Court on 4th March 2009.

On that date the Defendant attended Redditch Magistrates Court. No indication of plea was given and the Magistrates declined jurisdiction setting the case down for committal on 29th April 2009.

On that date the Defendant was committed for trial pursuant to Section 6(2) of the Magistrates Courts Act 1980, to a Plea and Case Management Hearing on the 15th June 2009.

The Defendant was granted unconditional bail.

Your Instructing Solicitor has drafted an Indictment based on the charges. Counsel will however note that no allegation of theft has been added to the draft. Instructing Solicitor would like Counsel to consider whether it is appropriate to draft such a charge based on the current state of the evidence and the almost inevitability that the Defendant will elect to enter pleas in relation to false accounting.

Counsel is requested to advise on evidence, and, in particular, whether he considers any additional evidence is required.

Will Counsel please appear on behalf of the Prosecution at the Plea and Case Management Hearing of this matter on the 15th June 2009 at Worcester Crown Court and at all future hearings. Counsel will be instructed at the hearings by a representative of my Agents Mr John H Dove, Solicitor Advocate, 9 Apley Mews, Apley Hall, Stockton, Shropshire, WV15 5NE (Telephone No. [REDACTED] GRO [REDACTED])

Confiscation proceedings appear to be in train on the basis that there appears to have been a restraint of assets. Counsel will note the Consent Order varying the Restraint Order. Instructing Solicitor does not have to hand the initial Restraint Order.

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 CRAPP.R.(S) 435*]. In the event that a Confiscation Order is sought the Judge dealing should be specifically asked by Counsel to include as part of the Confiscation Order compensation payable to Royal Mail Group Limited. If compensation is not included as part of the Order any recovery will be paid into Central Funds and will not satisfy the debt owed to Royal Mail.

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.

GRO

Mr R G Wilson (Head of Criminal Law)

GRO

DATED this 14th day of May 2009