

IN THE CROWN COURT AT LIVERPOOL

REGINA

- v -

ANGELA SEFTON

and

ANNE NIELD

OPENING

1. Frances Ellis is a Trustee of Animals in Need and she explained that in July or August of 2011 she noticed that the bankings of the charity, made through the Sub-Post Office at Fazakerley, were not being credited on time. She made enquiries of the Bank and by September 2011 she was checking her paying in book against statements. She noticed that the amount paid in did not match what was on the statement for a particular date and she again contacted the Bank.
2. As a result of the poor cash flow caused by these discrepancies, money had to be transferred from a restricted fund to cover the shortages in the account in order to pay bills.
3. Frances Ellis then spoke to Chris Dixon who is the book keeper for the charity. Because of the stress that she was under she asked Mr Dixon to take responsibility for the matter. He noticed a problem with banking by November 2011 and, as a result, carried out analysis of the banking discovering that deposits of approximately £33,000 had not

reached the bank account of Animals in Need. Frances Ellis made a decision to stop banking at Fazakerley Sub-post Office. The last deposit of £870 was made on 2nd December 2011. (see page 42 of the exhibits)

4. As a result of the problems an advance of £5,000 had to be sought to ease cash flow difficulties. Mr Dixon produces an analysis of the banking which demonstrates that there was a delay in crediting the account which rose to three months in length from the period of 21st January 2011 to 16th November 2011. (CDW/1 AE)
5. He also produces a schedule of paying in slips not credited to the bank account at 1st December 2011, totalling £33,442.50 (CWD/2 AE).
6. Angela Sefton and Anne Nield worked at the Sub-Post Office in Fazakerley. The Sub-Postmaster of the Sub-Post Office, Ali Askar, was not involved in the day to day running of the branch and Anne Nield took the role of manager and Angela Sefton the role of clerk. Together they carried out all the functions of the Sub-Post Office. They both have considerable experience as clerks within Sub-Post Offices as each of them has worked as a Post Office Clerk for over 20 years.
7. In 2009, there was a shortage of £4,000 at the Post Office. In other words, £4,000 of money which should have been present at the Post Office was not accounted for. Mr Askar, as Sub-Postmaster, was ultimately responsible for the lost £4,000 but he agreed with Angela Sefton and Anne Nield that half of the amount would be deducted from their holiday pay. He also drew up an agreement that Angela Sefton and Anne Nield would be jointly responsible for any future losses.

8. The Prosecution say that shortages of such size are not normal and could not occur by error. Money does not simply disappear.
9. Towards the end of December 2012 Stephen Bradshaw, a Security Manager with the Post Office was contacted by a member of the Post Office Security team regarding a problem with missing or delayed deposits made at Fazakerley sub-post office. By the 5TH January 2012 he received a list of outstanding and delayed deposits from Santander. He was checking through this information when he received a telephone call from Ann Neild asking if she could speak to him about a matter relating to work outside working hours.
10. As a result of his investigation and Ann Neild's phone call an audit was undertaken at Fazakerley Post Office on 6th January 2012.
11. At the time of the audit, Anne Nield handed to Stephen Bradshaw a letter on behalf of herself and Angela Sefton, explaining that she and Angela Sefton had held back deposits from customers. (page 45 of exhibits)
12. 40 Giro deposit slips and a number of cheque envelopes were recovered from a cupboard in the counter secure area (Kevin Ryan, page 4). The cash and cheques that should have been paid into the charity's account had been used to cover the loss of money that should have been at the Post Office but which had disappeared.
13. The withheld deposits are to be found on pages 4 to 43 of the Exhibit Bundle.
14. At page 44 Mr Bradshaw summarises the deposits that had been made at the Post Office by Animals in Need but were not paid into their bank account.

15. In the letter they gave to Stephen Bradshaw Angela Sefton and Anne Neild explained that they have never before experienced problems of this nature and claimed that they did not know how the cash shortages which caused them to withhold occurred.

16. The Prosecution say that shortages of this size could only occur if money had been dishonestly removed from the Post Office. On their own admission they were the sole custodians of the money that passed through the sub-post office. They claim that their previous experience in 2009 made them scared to report shortages. However had they honestly found shortages of this nature they would have immediately reported the matter and investigations would have uncovered the reasons for the shortages.

17. In any event, by dealing with the matter in this way they have caused loss to the charity whose money they used to cover up the fact that money had disappeared.

18. Indeed, whether or not they are responsible for stealing the lost money, they admit that they have dishonestly withheld the deposits made by Animals in Need and the prosecution say they are therefore guilty of the offences with which they are charged. It was not for them to treat other people's money as their own, whatever the circumstances.

19. It is significant that the deposits of Animals in Need were mostly cash deposits made using a paying in book. By the time their deposits were withheld, as Angela Sefton and Anne Neild explained when interviewed, they were the only significant customers still using a paying in book. Other customers used a system requiring a swipe card to be used to register their deposits therefore making it more difficult for their money to be withheld.

Once Animals in Need stopped depositing their money at the Post Office the game was up and there was no more money to cover up loss of money.

20. The jury will be referred to the Indictment.

Notes : (a)The Jury Bundle will contain pages 42, 44 and 45 and Additional Evidence CDW/1 and CDW/2. (b) Draft Admissions are attached. (c) The evidence of the loss of £4000 has to do with the alleged facts of the offence.(s98 CJA2003) Therefore no bad character application is considered necessary, although, in any event the defendants cite the circumstances of this loss as a reason for not reporting subsequent losses.

John Gibson
21st November 2012

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