



The Crown Court at Guildford

Court Location Code 0474

Case Number T20090070

Pre Trial Issues Unique
Reference Number

Confiscation Order

Order made under
*If the Court amends an order under
 Section 155 Powers of Criminal Courts
 (Sentencing) Act 2000, the order takes
 effect from the date of the original order
 unless the Court directs otherwise
 (section 155(5) Powers of Criminal
 Courts (Sentencing) Act 2000).*

section 6 Proceeds of Crime Act 2002

Date order made

8th JULY 2011

This order varies an order made on

Defendant

Surname or Family name

MISRA

Forenames or other names

Seema

Date of birth

GRO

Hc

*CONFISCATION
ORDER.*

Ir

Date o

Conv

Offence of which

1 and 6 Counts of
a) Theft Act 1968)

Order

*The amount to be paid is
 the amount confiscated
 following the Court's
 decision on
 the recoverable amount.*

The defendant is ordered to pay
**Assets which belong to the defendant
 but are held by someone else:**
*If the defendant uses such an asset to
 pay the order, the defendant should
 authorise the person who holds the
 asset to transfer it to the Regional
 Confiscation Unit.*

Payment to be made

£ 40,000

of which part, namely £ 40,000
 is to be paid as **compensation** according to
 the compensation order that is sent to the Regional
 Confiscation Unit with this order.

*(this is to be paid from the**(confiscation proceedings once
 they are recovered)*



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(Sentencing) Act 2000, the order takes
effect from the date of the original order
unless the Court directs otherwise
(section 155(5) Powers of Criminal
Courts (Sentencing) Act 2000).*

Date order made

21 JULY 2011

This order varies an order made on

Defendant

Surname or Family name

MISRA

Forenames or other names

Seema

Date of birth

[Redacted]
GRO

Home address

In custody at

[Redacted]

Date of conviction

11/11/10

Convicting court

Crown Court at Guildford

Offence of which convicted

Theft (Contrary to Section 1 Theft Act 1968) and 6 Counts of
false accounting (Contrary to Section 17(1)(a) Theft Act 1968)

Order

*The amount to be paid is
the amount confiscated
following the Court's
decision on
the recoverable amount.*

The defendant is ordered to pay
**Assets which belong to the defendant
but are held by someone else:**
*If the defendant uses such an asset to
pay the order, the defendant should
authorise the person who holds the
asset to transfer it to the Regional
Confiscation Unit.*

£ 40,600

of which part, namely £ 40,600
is to be paid as **compensation** according to
the compensation order that is sent to the Regional
Confiscation Unit with this order.

*(this is to be paid from the
Confiscation proceedings once
they are recovered)*

Payment to be made



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Order
Continued

Address for payment Her Majesty's Courts Service, Regional Confiscation Unit,

In default of payment, the defendant
is liable to serve a period of

15 MONTHS. This period is to run consecutively to any
other period of imprisonment or detention that the defendant is
liable to serve for the offence referred to in this order.

The prosecutor is

- Chief Crown Prosecutor, Crown Prosecution Service
- The Director, Revenue and Customs Prosecutions Office
- The Director, Serious Fraud Office
- Royal Mail Group Ltd

Enforcement of this order is by

The Area / Regional Director, Her Majesty's Courts Service,
Regional Confiscation Unit,

*Dover & East Kent
Magistrates Court,
The Law Courts,
Castle Hill Avenue
Folkestone. KENT. CT20 2DH*

**Decisions of
the Court about
benefit**

The defendant has benefited from

crime other than drug trafficking



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Decisions of the Court about benefit

Continued

Within 6 years of the date of conviction, the prosecutor may apply to the Court for the value of the benefit to be considered again.

The benefit is the result of
Proceeds of Crime Act 2002

general criminal conduct, the Court having decided that the defendant has a criminal lifestyle.

particular criminal conduct, the Court having decided that the defendant does **not** have a criminal lifestyle.

Does not apply: proceedings are not under *Proceeds of Crime Act 2002*.

£ 83,469.59

Decisions of the Court about the available amount (the amount that may be realised)

The available amount (amount that may be realised) is

States (Certificates): see section 7(5) *Proceeds of Crime Act 2002* (section 5(2) *Drug Trafficking Act 1994* or section 73(6) *Criminal Justice Act 1988*).

[**Terms in brackets** () are references to terms used in the *Drug Trafficking Act 1994* or the *Criminal Justice Act 1988*.]

£ 140,000.00

an amount that has been decided (determined) by the Court. The Court **states (certifies)** that it has decided (determined) the amount after finding (being of the opinion) that certain matters are relevant to the decision (determination). Those matters are:

that the defendant's assets are those described in the 'Schedule of available or realisable assets' (form 5050A issued by the Court). The total value of the assets presented to the Court is:

£ 140,000.00 (equity reduced once house sold)

and the total value decided by the Court is:

£ 40,000.00

matters in a statement of the prosecutor.

matters in the defendant's response to the statement of the prosecutor.

matters in the defendant's response to a court order requiring the defendant to give information specified in the order.

in particular, the following matters:



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**Decisions of
the Court about
the recoverable
amount**

The amount which the defendant is
ordered to pay is

£40,000.00

being the amount of benefit
 being the available amount (amount that may be realised).
 being a nominal amount because the available amount
(amount that may be realised) is nil.
 being an amount that the Court believes just or thinks fit in
the light of the victim's related proceedings.

Issued by

An officer of the Crown Court

GRO

Recipients

Issued to

- Defendant
- Prosecutor
- Her Majesty's Courts Service, Regional Confiscation Unit
- Financial Investigator
- Governor of HM Prison or HM Young Offender Institution



The Crown Court at Guildford

Seema MISRA
14 Station Approach,
West Byfleet,
Surrey
KT14 6NG

About the confiscation order: what you must do next

The Court made a confiscation order against you. A copy of the order is enclosed.

The Court ordered you to pay a sum of money. This form tells you how to pay that sum, and what may happen if you do not pay.

You must pay	£ 40,000
	This sum will increase if you have to pay interest – see 'If you do not pay as required' on this page.
When to pay	within 6 months, that is by 7/1/2012
Where to pay	Her Majesty's Courts Service, Regional Confiscation Unit,

How to pay	You may pay:
	■ with cash.
	■ with a cheque, postal order or banker's draft (this is a cheque which a bank draws on itself). Please make it payable to: HMCS
	The Regional Confiscation Unit may allow you to pay by other ways. For instance, by using a credit card, debit card, or by allowing someone else to pay for you (called a 'third party payment'). If you cannot use any of these methods, please ask the Regional Confiscation Unit whether there are other ways you may pay.

If you do not pay as required	■ a court may send you to prison or detention.
	But if that happens, you still must pay all the money you owe because the confiscation order will remain in force. So, if you do not pay as required, the Regional Confiscation Unit will obtain the money from you by other means.
	■ you will be required to pay more than the amount ordered by the Court.

Continued on page 2 ➞

**If someone has
your money or
property**

If someone has money or property which belongs to you and which you will use to pay the Court order, you must authorise the person to deal with the money or property for you. For instance, if the police have money which belongs to you, you must sign a form or send a letter to ask the police to send the money to the Regional Confiscation Unit. Please keep a copy of the form or letter in a safe place.

**If you have a
question**

About payment

Contact the Regional Confiscation Unit. Telephone number:

About the order

Contact a solicitor. Please do not contact the Court (the staff are not allowed to give legal advice).

Issued by
An officer of
the Crown Court

Date

Case number

GRO

8th July 2011

T20090070



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Pre Trial Issues Unique
Reference Number

Name of defendant Seema MISRA

Schedule of available or
realisable assetsThe Financial Investigator should complete **parts 1 and 2** of this form on behalf of the prosecutor.**If the defendant's consent is required for the release or sale of an asset shown in the Schedule:**

- ensure that the necessary 'consent' form is given to the defendant - the defendant must sign a 'consent form'.
- encourage the defendant to sign the 'consent' form before he or she leaves the confiscation hearing.

1 If the confiscation order is granted, under which statute will it be made? Proceeds of Crime Act 2002Insert a check X in one box Drug Trafficking Act 1994 Criminal Justice Act 1988**2** The prosecutor considers that the assets below are available or may be realised.

Description of asset	Current location	Notes	Value (£)	The Court's value (£)
<i>Include the type of asset – for example, whether it is cash - and identification details, as appropriate. Put each asset in a separate row and the asset number in the column to the left.</i>	<i>Please say whether the asset is inside or outside the United Kingdom, or hidden (location not known).</i>	<i>State here whether under restraint or a charging order.</i>	<i>For every asset, the value presented by the prosecutor. Give the value in sterling (GBP) only.</i>	<i>To be completed by the Court. For every asset, give a value, even if it is unchanged. Note any asset not available for enforcement.</i>
1 GRO	Inside UK	Not under restraint	£40,000.00	£40,000.00
2				
3				
4				

For the Court's use

Total value of available or realisable assets decided by the Court (£)

£40,000.00

If any value decided by the Court is different from the value presented to the Court, the reason is given on the Confiscation Order, form 5050: see the section 'Decisions of the Court about the available amount (the amount that may be realised)'.

Signed
An officer of
the Crown Court

Date

GRO

8th July 2011