

Hugh A. Cauthery LLB
Solicitor – Advocate (H.C.C.)
6 Queens Road, Wisbech, Cambridgeshire PE13 2PB
Tel/Fax: GRO **Mobile** GRO
Email: *hughcauthery* GRO

Mr. R.G. Wilson
Head of Criminal Division
Royal Mail Legal Services
3rd Floor 6a Eccleston Street
London SW1W 9LT

12 August 2010

Your ref: CRM/264657/RGW

Dear Mr. Wilson

Post Office Ltd v. A. Henderson - Norwich Magistrates' Court – 7 October 2010 at 10am

Further to our telephone call this morning, the defendant indicated a not guilty plea and all were agreed that the case was not suitable for summary trial. The matter was therefore adjourned until 7 October at 10am for committal proceedings. The court would expect us to serve the defence with the papers within 6 weeks. The defendant was remanded on unconditional bail.

It may be that you would wish to wait for counsel to advise in due course but it occurs to me that we need to know why the audit on 10 February took place. The interviewing officer did not know (see tape counter 28.39 in the ROTI). If suspicions were harboured, there may well have been reasonable grounds for them. That evidence could assist.

Also, I had to amend the charge because there was no commencement date. I played safe and made it 1 January 1997 (Henderson had been engaged as sub-postmistress for 13 years, we are told). Equally, the date of the last clear audit (if there was one) could be used.

It seems to me that, if we can show that, when preparing her branch trading statement in early January 2010, Henderson would have seen discrepancies thrown up by the Horizon system, then it raises the question why did she not query it with the help line? In addition, if she really was "not very good with figures" (as she suggests in interview at 22.56) it is reasonable to suppose that she would have been in touch with the help line on a regular basis. Any absence of such contacts would tend to refute her point on that.

I look forward to receiving a copy of the committal papers in due course. The defending solicitors are Belmores of 40 Crown Road, Norwich NR1 3DX (telephone GRO fax GRO and their reference is JAS/dm/HEN/50664.

Yours sincerely,

GRO

Hugh/Cauthery



ACCREDITED
Criminal
Litigation

Regulated by the Solicitors Regulation Authority