



Our Ref: AC/DM/2008-6262CF

Your Ref:

Date: 16<sup>th</sup> June 2010

Worcester Crown Court  
The Shirehall  
Foregate Street  
WORCESTER  
Worcestershire  
WR1 1EQ

By Post & Fax: GRO

Dear Sirs,

**RE: Julian Wilson – Confiscation Proceedings at Worcester Crown Court**

This case was last before the Court on 17<sup>th</sup> December 2009 for the Final Confiscation Hearing in respect of the Confiscation Proceedings.

For background information, Mr Wilson pleaded guilty to two counts of False Accounting at his PCMH on 15<sup>th</sup> June 2009. He was sentenced on 3<sup>rd</sup> August 2009 to a Community Order and was ordered to complete 200 hours unpaid work. Mr Wilson was also ordered to pay the Prosecution's costs of £3500 but the order was postponed for a period of 12 months.

The Final Confiscation hearing took place on 17<sup>th</sup> December 2009. The Confiscation Order was agreed with a particular benefit figure of £28,434.95. Mr Wilson's realisable assets were agreed at £40,497 and as this exceeded the particular benefit figure, then the final order was made in the sum of **£28,434.95**. The court allowed 6 months to satisfy the Order with the deadline for payment being 17<sup>th</sup> June 2010.

Mr Wilson has been relying upon the sale of his Post Office in order to satisfy his Confiscation Order. The Post Office was placed on the market on 30<sup>th</sup> September 2008 for a value of £95,000. The Property is currently being marketed with Humberstones Estate Agents and I enclose a copy of the Particulars of Sale as evidence of this. I also enclose a copy of the Estate Agent's log detailing the interest that the business generated.

In February 2009, Mr and Mrs Taylor offered £79,000 and then raised this to £84,000. However, these offers were not accepted by the Post Office. They then increased their offer to £90,000 which was accepted by the Post Office. However, they were subsequently unable to raise the required finance and the purchase therefore fell through.



A Further offer was made in February 2009 by Mr Bharat Mistry. He was a sub postmaster with 30 years of experience at the time and made an offer for £90,000 which was accepted by the Post Office. He obtained an interview but was turned down by the Post Office. He has been given no reason for being turned down, despite requesting this from the Post Office.

The Post Office therefore retains a vast element of control over the sale of Mr Wilson's Post Office. They are at liberty to decide at what price the business can be sold for and turn down potential purchasers who not only have the requisite experience to run the Post Office but also the available funds.

In order to attempt to make the business more marketable, Mr Wilson has arranged for the sale price to be lowered to £90,000. Please find enclosed an amended particulars of sale to evidence this reduction.

However, Mr Wilson also faces further difficulties in selling this business. His financial situation is grave and he is struggling to meet his living expenses and the operation costs of running the retail side of the Post Office. He is currently operating the retail side without receiving any income in order to keep the business in operation and thus making the business a more marketable asset. The only income that is received is from his wife, Karen Wilson but this is not even sufficient to cover the mortgage. They have therefore been reliant upon credit cards to maintain their basis living expenses and to purchase the stock for the business needed to keep that going.

He has therefore ran out of funds needed to pay his accountants for providing the business' accounts. His accountant's are refusing to release the accounts without payment for their fees, which in turn, is hindering any sale of the Post Office. His Estate Agents have stated that the business is unlikely to be sold without these accounts.

Mr Wilson understands the seriousness of the consequences facing him should he fail to satisfy the Confiscation Order and he had firmly believed that the Post Office would be sold by the current deadline. However, he has realised that this may not happen in the immediate future and has therefore placed his matrimonial home of **GRO** **GRO** on the market for sale and realises that he must do anything to raise the funds needed to satisfy the Order.

However, the sale of the business and/or the matrimonial home will not be completed by 17<sup>th</sup> June 2010 and we therefore write to request an extension to the time for payment, for a **further 6 months** up to the statutory maximum. This will allow Mr Wilson to continue with his efforts to sell the above named assets.

In support of this application, we enclose the following documentation:

- Estate Agent's log
- Estate Agents Particulars of Sale
- Amended particulars of Sale to confirm reduced sale price
- Letter from Mr Mistry confirming his rejection after interview
- Evidence of Mr Wilson's financial difficulties

Mr Wilson has faced increasing financial difficulties which have in turn have caused problems with the sale of the business. Mr Wilson has a unique financial situation in that one of his assets is a business over which he does not have total control of the



sale. It must be highlighted, that had the Post Office accepted Mr Mistry's offer then Mr Wilson would not be placed in this situation.

He therefore requires a further 6 months to continue with his efforts to sell the realisable assets and we are grateful for the Court's consideration in this matter.

I can confirm that the Prosecution have been provided with a copy of this letter. I have asked the Prosecution to confirm, to us and the Court, whether or not they agree to this application. If it is agreed, can the Court please deal with this application on an ex parte basis to limit the costs to the public purse?

Many thanks for your assistance.

Yours faithfully

**GRO**

**Amy Cheunviratsakul**  
**Solicitor**  
**Richard Nelson Solicitors**

c.c. Prosecution

Enc: Estate Agent's log  
Estate Agents Particulars of Sale  
Amended particulars of Sale to confirm reduced sale price  
Letter from Mr Mistry confirming his rejection after interview  
Evidence of Mr Wilson's financial difficulties