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Memo

6th January 2009

Fraud Team Post Office Limited

c.c. Gary Thomas

POST OFFICE LIMITED v JULIAN WILSON
ASTWOOD BANK
CASE NO: POLTD/0809/0126

Read and noted thank you. In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on the charges set out on the attached Schedule. You will note that I have charged him with one offence of theft over a period of 5 years and also specimen charges of false accounting contrary to Section 17(1) of the Theft Act 1968. The remaining offences can be dealt with as matters to be taken into consideration. Kindly let me have a schedule of TIC prior to the first hearing.

If the Defendant offers a Guilty plea to false accounting it is advisable that the prosecution should accept this plea and not proceed with the theft charge. In view of his admissions to false accounting in interview under caution and denial of theft.

This case is, in my opinion, more suitable for trial in the Crown Court. Once the decision has been made please proceed to obtain summons.

The following statements should be obtained:-

If the Defendant should elect trial or if the Magistrates refuse jurisdiction or if a Not Guilty plea is entered, the Investigation Manager should obtain and associate all necessary statements and exhibits. I list below the statements which appear to be necessary in this case, but the Investigation Manager should also consider whether there are any other areas which can usefully be covered and include any such evidence.

- 1 Copy statement giving evidence of access explaining the Subpostmasters duties and period of service.
- 2 Copy statement producing an extract from the accounts. A statement explaining the Horizon system, accounting procedure and the Branch Trading Period. Relevant accounts and documents should be produced.
- 3 Copy statement from the Auditors dealing with findings of the audit.
- 4 Copy statement from Interviewing Officer and Officer present during interview.
- 5 Continuity statements.



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In this event, please prepare one set of typed copies of those statements and exhibits. Please also prepare typed draft lists of statements and exhibits (statements to appear in chronological order and exhibits in the same order in which they are produced by the witnesses). A separate typed list of witnesses, showing their addresses, should also be supplied.

You will be aware of the provisions of the Criminal Procedure and Investigations Act 1996 concerning disclosure. Please confirm whether there is any material which might reasonably be considered capable of undermining the Prosecution case or assisting the Defence case and which has not already been disclosed. Please also let me have Forms CS006C, D and E in any event.

The papers must be sent to this Office at least 14 days before the proposed committal proceedings or summary trial date.

It is intended to make application for compensation. On return of the papers, please advise total loss to the Business. If you wish to make an application for Investigation costs please let me know the amount as soon as possible.

The prosecution will be conducted by my Agent Mr John H Dove, Solicitor Advocate of 9 Apley Mews, Apley Hall, Stockton, Shropshire, WV15 5NE (Telephone No. **GRO**)
GRO Please liaise with Agents before fixing a hearing date.

Please consult our General Office on **GRO** before fixing a date of hearing.

In the meantime if I can be of any further assistance please do not hesitate to contact me.

GRO

Jarnail Singh
Senior Lawyer
Criminal Law Division

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Ref: CRM/260893/JSX