

WORCESTER CROWN COURT

INDICTMENT TO BE LODGED BY 26TH MAY 2009

PLEA AND CASE MANAGEMENT HEARING - 15TH JUNE 2009

T H E Q U E E N

v

JULIAN WILSON

INSTRUCTIONS TO COUNSEL TO SETTLE INDICTMENT
AND ADVISE ON EVIDENCE AND BRIEF FOR THE PROSECUTION

COUNSEL will receive herewith:-

- 1 Draft Indictment.
- 2 Copy List of Witnesses and copy Witness Statements.
- 3 Copy List of Exhibits and copy Exhibits.
- 4 Copy Form 14A
- 5 Copy Summary of Facts.
- 6 Copy Report of Investigation Officer.
- 7 Copy Schedule of Charges.
- 8 Copy Schedule of Non Sensitive Unused Material.
- 9 Copy Witness Statement in support of an application for a Restraint Order.
- 10 Copy Consent Order to vary Restraint Order.
- 11 Copy TIC Schedule.
- 12 Copy Antecedents.

O B S E R V A T I O N S

The Defendant was the Subpostmaster at the Astwood Bank Post Office. He is **GRO** The allegation is that an audit took place and revealed a shortage of £27,811.98. The Defendant was subsequently interviewed and charged with an alternative offence of theft and offences of false accounting.

The Defendant was summoned for the offences set out on the Schedule of Charges and appeared at Redditch Magistrates Court on 4th March 2009.

On that date the Defendant attended Redditch Magistrates Court. No indication of plea was given and the Magistrates declined jurisdiction setting the case down for committal on 29th April 2009.

On that date the Defendant was committed for trial pursuant to Section 6(2) of the Magistrates Courts Act 1980, to a Plea and Case Management Hearing on the 15th June 2009.

The Defendant was granted unconditional bail.

Your Instructing Solicitor has drafted an Indictment based on the charges. Counsel will however note that no allegation of theft has been added to the draft. Instructing Solicitor would like Counsel to consider whether it is appropriate to draft such a charge based on the current state of the evidence and the almost inevitability that the Defendant will elect to enter pleas in relation to false accounting.

Counsel is requested to advise on evidence, and, in particular, whether he considers any additional evidence is required.

Will Counsel please appear on behalf of the Prosecution at the Plea and Case Management Hearing of this matter on the 15th June 2009 at Worcester Crown Court and at all future hearings. Counsel will be instructed at the hearings by a representative of my Agents Mr John H Dove, Solicitor Advocate, **GRO**

GRO

Confiscation proceedings appear to be in train on the basis that there appears to have been a restraint of assets. Counsel will note the Consent Order varying the Restraint Order. Instructing Solicitor does not have to hand the initial Restraint Order.

Counsel is also asked to seek an order for the Defendant to pay a contribution towards the costs of the Prosecution in a sum to be notified to Counsel at Court. [These costs should include costs of investigation which have been notified to the Defence in accordance with the Court of Appeal decision in Regina v Associated Octel Ltd [1997] 1 CR.APP.R.(S) 435]. In the event that a Confiscation Order is sought the Judge dealing should be specifically asked by Counsel to include as part of the Confiscation Order compensation payable to Royal Mail Group Limited. If compensation is not included as part of the Order any recovery will be paid into Central Funds and will not satisfy the debt owed to Royal Mail.

The prosecution prefers to be represented at all Crown Court hearings so Counsel is requested not to agree to the excusal of prosecution attendance if this arises, unless criticism or embarrassment might arise from such a course.

If Counsel requires any further information or would wish to have a conference in this case could he please contact his Instructing Solicitor.

Mr R G Wilson (Head of Criminal Law)

GRO

DATED this day of May 2009

WORCESTER CROWN COURT

Indictment to be lodged by 26/5/09
Plea and Case Management Hearing 15/6/09

T H E Q U E E N

v

JULIAN WILSON

**INSTRUCTIONS TO COUNSEL TO SETTLE
INDICTMENT AND ADVISE ON EVIDENCE
AND BRIEF FOR THE PROSECUTION**

Mr Anthony Vines
Civitas Law
Global Reach
Celtic Gateway
CARDIFF BAY
CF11 0SN

General Counsel to

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

DRAFT INDICTMENT

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY LIST OF WITNESSES AND
COPY WITNESS STATEMENTS

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY LIST OF EXHIBITS
AND COPY EXHIBITS

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WORCESTER CROWN COURT

T H E Q U E E N

v

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COPY FORM 14A

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY SUMMARY OF FACTS

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY REPORT OF INVESTIGATION
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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY SCHEDULE OF CHARGES

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY SCHEDULE OF NON SENSITIVE
UNUSED MATERIAL

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY WITNESS STATEMENT IN
SUPPORT OF AN APPLICATION FOR
A RESTRAINT ORDER

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WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY CONSENT ORDER TO
VARY RESTRAINT ORDER

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Victoria
LONDON SW1W 9LT

WORCESTER CROWN COURT

T H E Q U E E N

v

JULIAN WILSON

COPY TIC SCHEDULE

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Royal Mail Group Limited
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WORCESTER CROWN COURT

T H E Q U E E N

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JULIAN WILSON

COPY ANTECEDENTS

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