

Memo



Royal Mail

The Real Network

11th October 2006

Investigation Team Post Office Limited

c.c. Graham Brander

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ROYAL MAIL GROUP plc v JOSEPHINE HAMILTON
CASE NO: POLTD/0506/0685

Please see minute from Graham Brander. 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. In my opinion there is a low/medium prospect of success. The Defendant will no doubt argue that she got into a muddle due to confusion with the Post Office system and lack of training. The prosecution will need to refute this. Details of training given will need to be presented and the prosecution will need to illustrate that the Defendant had a good understanding of the accounts. A statement will be needed to confirm confirm this.

In due course an approached may be made by the defence regarding consideration of false accounting charges. If this happens I will need to review the file.

In view of nature of the alleged offence this case is not suitable for a caution.

This case is, in my opinion, more suitable for trial in the Crown Court.

In the event that the prosecution is authorised, please obtain summonses.

When the decision has been taken please return the papers to obtain summonses.

The matters which follow are for the Investigation Manager to deal with.

No further statements need be obtained at this stage.

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 confirming the Defendant's employment with the Post Office.

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- 2 Copy statement explaining the accounts and procedures for balancing both cash accounts and the Branch Trading Statements.
- 3 The procedure for implementation of Branch Trading should be explained.
- 4 The issue the Defendant raises with training is not whether she received it but whether it was adequate. I would appreciate it if the Officer could get a statement highlighting the training offered to Subpostmasters both initially and the procedure adopted for Branch Trading. I have noted an E-Mail which suggests that Miss Hamilton was not trained, why was this, is this because she refused training or left before it could be given, if the training was offered, was this to be taken up within a particular period of time following introduction of Branch Trading Statements, or was it be taken up on implementation.
- 5 Copy statement dealing with the Horizon system and confirming that the calls could not have attributed to the discrepancy in the accounts.
- 6 It may be necessary to obtain statements from other staff working at the Office.
- 7 Copy statement of Interviewing Officer and Officer present during interview.
- 8 Copy statement from Mr Woodbridge confirming that he had a conversation with Mrs Mataru and its nature.

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 in the sum of £36,644.89, please confirm this amount. Presumably the matter will be referred for confiscation. On return of the papers, please advise cost of Special Delivery / total loss to the Business.

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Please consult our General Office on **GRO** as soon as a date of hearing is fixed.

J A McFarlane
Principal Lawyer
Criminal Law Division

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Ref: CRM/253367/JMcF