

29

Memo



21st May 2010

Christopher G Knight

c.c: Maureen Moors

Legal Services
3rd Floor
6a Eccleston Street
LONDON
SW1W 9LT

Tel:	GRO
Postline:	GRO
Fax:	GRO
www.royalmail.com	

POST OFFICE LIMITED -v- ALISON HENDERSON
CASE: POLTD/0910/0167

In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on a charge of theft as set out on the attached Schedule. I have not drafted a commencement date in the theft as I am not clear when we are saying that the losses started. Can you fill in such a date and explain to me your rationale for relying on this particular date.

Bearing in mind Mrs Henderson's explanation in relation to the loss, it does not seem appropriate to consider false accounting charges. It would be helpful if we could obtain some evidence to refute the possibility that the money she alleges must have gone missing was not, in fact, in the account during the last accounting period prior to the audit.

In view of the serious nature of the alleged offence involving a large amount of money this case is not in my opinion 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.

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:-

- 1 Statements concerning the audit producing the audit report
- 2 Statements concerning the interview producing the tapes and the transcripts of interview.
- 3 Reference is made at page 27 of the file to a discrepancy which is shown in the Horizon Event Logs. Could you highlight this discrepancy in a witness statement and produce any documents that prove it.

36

Memo

Cont...

4 Reference is also made in the report at page 27 to the initial entry for £6,967.28. The paragraph goes on to explain that the other cash figure of £11,970.69 was probably a discrepancy shown which has been re-input to achieve a zero balance. Could this theory also be explained in the form of a witness statement producing all documents that establish the theory. In other words, the Prosecution really need to try and prove that the thefts in this case took place over a period of time in circumstances where the Defendant must be the thief as she is the only person who had access to the cash at the Post Office.

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 noted that compensation in this case should be applied for in the sum of £11,957.78. Please advise whether a financial investigation has been commenced in this case and confirm whether or not in the event of a conviction confiscation proceedings will be pursued.

The prosecution will be conducted by my Agent, Hugh Cauthery, Esq, LLB, Solicitor, 6 Queens Road, Wisbech PE13 2PB (Tel/fax: **GRO**). Please liaise with the Agent before fixing a hearing date.

GRO

The papers should be returned to this Office by at least four weeks before the hearing date in order that I may send the instructions to Agents.

GRO

Rob G Wilson

Head of Criminal Law
Criminal Law Division

GRO

CRM/264657/RGW/hl