

# Memo



6<sup>th</sup> July 2010

Post Office Security

c.c: Jon Longman  
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**POST OFFICE LIMITED -v- JENNIFER O'DELL**  
**CASE: POLTD/0910/0149**

Having read the papers and also having spoken to Jon Longman, the evidence gives rise to an offence of fraud/false accounting.

Briefly, following an audit on 6<sup>th</sup> January 2010, a loss of £9,616.66 was discovered at Great Staughton Post Office. The Defendant, sub-Postmistress Mrs O'Dell, admits that she had been inflating the monthly branch trading accounts since May 2009 to 30<sup>th</sup> December 2009 to show a balance. However, she claims that the losses were the result of discrepancies on the Horizon system.

It is well documented that Mrs O'Dell had contacted the Helpline on a number of occasions informing them of the losses and also that she had been inflating the cash on hand figure to cover these losses. The Defendant had been notifying the Helpline of her concerns since August 2009, five months before she was audited in December 2009. I understand that two weeks before the audit, she had written to her contracts manager, Sue Mudden, highlighting her concerns.

The circumstances of the facts will cause difficulties in prosecuting this case and the Business will come under grave criticism which the Defence will exploit as can be seen in recent prosecution cases.

# Memo

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I also understand that the losses fall short of the £15,000 threshold and therefore this will not be recovered by means of confiscation. I would therefore suggest that the losses are recovered by means of civil recovery and the file sent to Mandy Talbot in the Civil Litigation department.

In the circumstances, my view is that a caution should be administered in this case. Should you agree with this course of action, I list below the offence for which Mrs O'Dell could be cautioned.

“FOR THAT YOU JENNIFER O’DELL between 1<sup>st</sup> April 2009 and 30<sup>th</sup> December 2009 at Great Staughton Post Office, Huntingdon dishonestly made false representations in the final branch trading accounts in the sum of £9,616.66 when you had intended to make a gain for yourself or another or to expose Post Office Limited to the risk of loss.”

(Contrary to Section 1 of the Fraud Act 2006).

Should you wish to discuss this advice, please do not hesitate to contact me.

Jarnail A Singh  
Senior Lawyer  
Criminal Law Division

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CRM/265183/[ ]JS