

From: Mike Granville
Sent: 02 December 2010 14:11
To: Whitehead Mike (ShEx)
Subject: Information requested
Mike,

Further to your query.

The position is that POL acts as a private prosecutor in relation to the specific criminal case - adhering to the Code for Crown Prosecutors and all statutory or other rules in relation to prosecuting offenders. It should be noted that legislation gives the Director of Public Prosecutions the right to take over and close down a case if they regard that as appropriate.

I hope that this assists. Thanks Mike

From: Michele Graves
Sent: 30 November 2010 12:10
To: David Simpson; Mike Granville
Subject: RE: SAVE MY WIFE
Importance: High

Hi David

At the end of this email is a brief I prepared for Paula following the first email. However, Mike has recently responded to BIS in respect of an enquiry raised by Jonathan Lord MP – who is the Misra's MP & to whom I believe he addressed his latest email.

Mike: Can you input any further in respect of the information supplied to BIS for Jonathan Lord.

Ms Seema Misra – West Byfleet (126023)

Mrs Misra was the subpostmaster at West Byfleet.

An audit was carried out on 14 January 2008 and Mrs Misra was suspended the same day

Audit was £77,643.87 short, which included a loss settled centrally of £3,034.03

Audit report: cash & stock left in counter drawers over night which included date stamps and MVL's

Mrs Misra told the audit team that the account would be £50-£60K short and that this had been going on for about a year prior to the audit. She said staff had taken £89k and that she had not informed anyone in the Post Office as she was worried she would lose the branch. She stated

she had made good some of the losses and was looking at ways to make the rest good. She admitted she had been adjusting the branch trading to make it balance. There was an amount in the suspense account £27K + £3k; Mrs Misra showed the auditors the grey pouches & rem slips but there was no money in the pouches.

Mrs Misra was charged by Elaine Ridge, contacts manager, on 12 March 2008 of misuse of PO funds & false accounting

Mrs Misra attended interview and more or less repeated the statement she made to the auditors

The decision was taken to terminate her contract for services on 1 April 2008; Mrs Misra sent in her resignation on 7 April

She was interviewed by POID and again admitted the account had been short for a long period and that she had been falsifying her account to cover it up. She blamed it on staff theft.

The case has now been before the Courts, and Mrs Misra was found guilty after a full jury trial. She has subsequently been sentenced to 15 months by the Judge taking all due regard to Judicial guidelines. It is probably inappropriate to comment about the detail of the trial – although it is worth pointing out that the Defence for Mrs Misra did utilise an IT expert with regard comments on the Horizon system and a clear decision was arrived at by the Court.

Jamail Singh, who was the RMG lawyer on the case, explains that the charges were one of theft of £74,000 and five charges of false accounting. There was a 7 day Jury trial at Guildford Crown Court between 11 October and 21 October 2010 where she was found guilty. The sentencing hearing took place at Guildford Crown Court on 11 November 2010.

A hearing is being arranged for a confiscation order to seize Mrs Misra's assets.

Please note that this was a criminal not a civil case. With a criminal case there is higher of proof and beyond reasonable doubt - civil cases are decided on a balance on probabilities. Issy Hogg was her criminal barrister & is closely associated with JFSA. There were also lots of adjournments, whilst Mrs Misra's solicitors kept asking for more & more evidence, which was supplied.

Finally, Mrs Misra's MP, Jonathan Lord, has taken up the Horizon issue via BIS, to which Mike is responding back to BIS. Our lawyers are seeking a copy of the court transcript.

