

14-09-'12 10:39 FROM-

T-223 P0005/0013 F-527

IN THE CROWN COURT AT LIVERPOOL

REGINA

-v-

ANNE NIELD

DEFENCE STATEMENT

Charge: False Accounting, contrary to s.17 of the Theft act 1968.

Date of PCMH: 9<sup>th</sup> August 2012

Solicitors: Lawrence Lee & Co  
529 West Derby Road  
Liverpool  
L13 8AA

General Nature of the Defence

1. The defendant denies:

- (a) that she acted dishonestly; or
- (b) that she had an intention to gain or cause loss to any person.

Matters upon which the defendant takes issue with the Prosecution case

2. The defendant takes issue with the prosecution case in the following ways:

- (a) The defendant accepts that losses were shown on the Horizon computer system from 2005. The defendant does not know how the losses were incurred. The defendant now believes that such

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losses may have shown as a result of failures in the Horizon computer system;

- (b) Initially the defendant and Angela Sefton repaid the apparent losses from their own money;
- (c) The defendant accepts that as time progressed she was unable to maintain the repayment of the apparent losses. At this stage, the defendant accepts that she delayed entering the value of some cash or cheques onto the Horizon system. Latterly, the defendant admits that she delayed crediting payments in by Animals in Need. However, this was not done with a dishonest intent or with any intention to make a gain or cause the complainant any loss. Rather, it was a desperate attempt to make good the apparent losses on the system. At no stage were Animals in Need ever deprived of any money they paid in, rather, the crediting of it to their account would be delayed.
- (d) When the first shortfall showed on the Horizon system (£4000), Anne Nield immediately notified Ali Asker, the Sub-Post master. The Post Office was contacted and a representative attended but was unable to locate where the shortfall had arisen. Mr Ali Asker became very angry about the situation. The defendant found Mr Asker very intimidating. She lives on her own. She became aware that Mr Asker had been suspended for a number of months following an allegation assault. As a result of her fear of Mr Asker, the defendant was too afraid to tell him of the difficulties with the apparent losses. The defendant was also

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afraid to notify the Post Office as a result of the scale of the problem.

3. The defendant requests disclosure of the following items:

- (a) Any material that points towards other suspects in this case;
- (b) Details of any bad character of any prosecution witness;
- (c) Details of complaints and investigations into the Horizon computer system.

4. The defendant takes issue with all evidence that is inconsistent with the terms of this defence statement.

SIGNED .....

ANNE NIELD

DATED.....