
From: Jarnail A Singh [/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JARNAIL.A.SINGH6CEADABD-67E9-4ECA-94F2-005716658847]
Sent: Tue 05/11/2013 2:50:42 PM (UTC)
To: Hugh Flemington
Cc: Rodric Williams [REDACTED]
Subject: RE: Decision taker in POL prosecution

GRO

Hugh

Brian doesn't mention this in any of his reviews. However as mentioned previously Counsel Simon Clarke of Cartwright King on page 6 of the Draft Prosecution policy recommends the in POL prosecutions decision-taker should be:

- i. A qualified lawyer
- ii. Independent of any Post Office Ltd. department having a direct financial or other interest in prosecution.

This practice mirrors the approach of the Crown Prosecution Service, and is designed to ensure that the decision to prosecute is taken by someone who is independent of the victim/loser and of the investigation.
Jarnail Singh | Criminal Lawyer



148 Old Street, LONDON, EC1V 9HQ



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From: Hugh Flemington
Sent: 05 November 2013 14:34
To: Jarnail A Singh
Cc: Rodric Williams
Subject: Re: Decision taker in POL prosecution

What did Brian recommend in his review of it?

From: Jarnail A Singh
Sent: Tuesday, November 05, 2013 02:12 PM
To: Hugh Flemington
Cc: Rodric Williams

Subject: RE: Decision taker in POL prosecution

Hugh

We discussed this some while ago see below. Have we decision maker in place!

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From: Jarnail A Singh

Sent: 16 October 2013 14:39

To: Hugh Flemington

Cc: Rodric Williams

Subject: Decision taker in POL prosecution

Hugh

The Crown Prosecution Service is the principal prosecuting authority in England and Wales. It is responsible for prosecuting criminal cases investigated by the police but is independent from the police. By applying the Code for Crown Prosecutors which gives guidance on the general principals to apply when making decisions about prosecutions, the CPS can be seen to prosecute cases independently without bias, from the police or other agencies, whilst still being in a position to work closely with them.

Counsel Simon Clarke of Cartwright King on page 6 of the Draft Prosecution policy recommends the in POL prosecutions decision-taker should be:

- i. A qualified lawyer
- ii. Independent of any Post Office Ltd. department having a direct financial or other interest in prosecution.

This practice mirrors the approach of the Crown Prosecution Service, and is designed to ensure that the decision to prosecute is taken by someone who is independent of the victim/loser and of the investigation. The decision maker would have overview of the whole business. He would be acting on the advice of specialist qualified lawyers, in the circumstances the risk to individual or business is negligible.

a). POL seeks independent advice in respect of its prosecutions from specialist qualified criminal lawyers Cartwright King.

b). They provide advice on charging decisions in respect of cases investigated by POL by reference to the Code for Crown Prosecutors.

c). Any prosecution undertaken by POL will therefore have been independently reviewed by lawyers who have considered that there is sufficient evidence to afford a realistic prospect of conviction and if so that it is in the public interest to prosecute.

d). CK act as a fire"wall " this avoids criticism and risk to POL.

I recommend the decision-taker should be a qualified lawyer .

Jarnail Singh | Criminal Lawyer



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