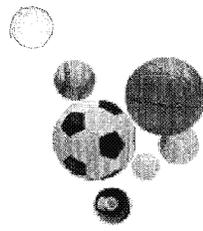


as



Graham Brander

19/11/2007 11:31

To: Juliet McFarlane/e/POSTOFFICE [GRO]
cc: Ged Harbinson/e/POSTOFFICE [GRO] Paul
Dawkins/e/POSTOFFICE [GRO]
Subject: Re: REGINA v JOSEPHINE HAMILTON - CRM/253367/JMcF
(SOUTH WARNBOROUGH)
WINCHESTER CROWN COURT
MENTION - 19TH NOVEMBER 2007
CASE NO: POLTD/0506/0685

Juliet

REF: Hamilton Mention Hearing 19 November 2007 - Wichester Crown Court.

Richard Jory advised me earlier today that he hadn't received this e-mail. Any chance you could forward it to him again.

Hamilton pleaded guilty to the 14 FA charges.

Agreement by both counsels that provided full amount (i advised Richard of increase in value of money) is repaid by sentencing date (25/01/08) then the single theft charge would be dropped.

Richard stipulated that if the full amount wasn't repaid by that time, we would go to trial in respect of the theft charge, unless it could be shown that payment would soon be forthcoming; in which case sentencing would be adjourned.

K/Regards

Graham Brander
Investigator
Post Office Ltd
14 High Street
Eastleigh
Hants

SO50 5TA

STD Ph

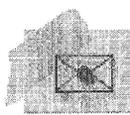
Mobex:

External Email:

[GRO]

[GRO]

----- Forwarded by Graham Brander/e/POSTOFFICE on 19/11/2007 11:20 -----



Juliet McFarlane

16/11/2007 16:36

To: Graham Brander/e/POSTOFFICE [GRO]
cc: Ged Harbinson/e/POSTOFFICE [GRO] Dave
Pardoe/e/POSTOFFICE [GRO]
Subject: Re: REGINA v JOSEPHINE HAMILTON - CRM/253367/JMcF
(SOUTH WARNBOROUGH)
WINCHESTER CROWN COURT
MENTION - 19TH NOVEMBER 2007
CASE NO: POLTD/0506/0685

Graham

I have forwarded Ged's memo to Counsel, Richard Jory. I have informed him that whilst there is no outright objection to proceeding with False Accounting, there is a concern as to recovery of Money. We have to date been able to recover where False Accounting only is charged though on one or two cases the Defence will argue against. Whilst a plea to Theft would be preferable, in the event of non-payment the intent would be to proceed to confiscation

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I have made Richard aware that you will be attending Court on Monday the 19th.

I will be in the Office should you need to contact me

Juliet
Juliet McFarlane
Principal Lawyer
Criminal Law Team
Ged Harbinson

 **Ged Harbinson**
16/11/2007 13:01

To: Juliet McFarlane/e/POSTOFFICE: **GRO**
cc: Graham Brander/e/POSTOFFICE:
Subject: Re: REGINA v JOSEPHINE HAMILTON - CRM/253367/JMcF
(SOUTH WARNBOROUGH)
WINCHESTER CROWN COURT
MENTION - 19TH NOVEMBER 2007
CASE NO: POLTD/0506/0685

Juliet

Thank you for your memo.

I am never confident with False accounting charges in relation to recovery under POCA 2002 and the theft charge makes life so much easier. The defendant has General Criminal Conduct under the proposed charges and this would be so with just the false accounting however we have been challenged once before when proceeding to POCA where only false accounting was charged, and I would probable be more inclined to except Particular Criminal Conduct when dealing with confiscation in that scenario. I fully understand the balance of cost in court time against recovery and if the charge of theft was dropped for a guilty plea then I would still believe it appropriate to follow to confiscation and ask for a "Benefit Figure" of **£40,201.58**. (increase in the value of money) The defendant has three assets that I have identified to date and the section "18 Provision of Information" (already forwarded) should assist in identifying others

1. **South Warnborough Post Office Alton Road Hook Hampshire RG29 1RS**
2. **GRO**
3. **GRO Mercedes Sprinter**

The main asset is shared between herself, her husband and her parents with equity of £200,000 leaving a disposable asset for her of £50,000 or there about. They would be forced to sell or produce the monies from the equity and given time to realise the figure say 6 months.

My opinion

1. Charge her with theft and go to confiscation. or
2. Accept a plea of false accounting and go to confiscation
3. If she pays us before we can always draw back out of the case but we need minimum **£40,201.58**.

Regards Ged

TAKING THE CASH OUT OF CRIME
Juliet McFarlane