

WITNESS STATEMENT  
IN SUPPORT OF AN APPLICATION FOR A RESTRAINT ORDER  
(SECTION 41 PROCEEDS OF CRIME ACT 2002)

This statement (consisting of 4 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated anything, which I know to be false, or do not believe to be true.

Dated: 16<sup>th</sup> December 2008

Signature: **GRO**

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IN THE CROWN COURT AT CROYDON

17<sup>th</sup> Dec 2008

Julian WILSON

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WITNESS STATEMENT

1. I am Graham Ward an Accredited Financial Investigator currently employed by Post Office Ltd, Royal Mail Group Ltd, at PO BOX 1, Croydon, CR9 1WN.
2. The Director of the National Policing Improvement Agency accredits me with the Powers under Part 2 and Part 8 of the Proceeds of Crime Act 2002. I can say as follows:
3. I am duly authorised to make this witness statement on behalf of the solicitor to Royal Mail Group Ltd who will prosecute in this case and I make this witness statement in support of an application for a restraint order pursuant to section 41 of the Proceeds of Crime Act 2002.
4. I am also authorised by Ged Harbinson, senior authorizing officer, Royal Mail Group Ltd under section 68 of the Proceeds of Crime Act 2002 to make this application.
5. I have the conduct of a financial investigation into the financial affairs of Julian WILSON, hereinafter called the defendant.

Signed: **GRO**

Date: 16<sup>th</sup> Dec 2008

#### SUMMARY OF INVESTIGATION

6. On Thursday the 11<sup>th</sup> September 2008, a criminal investigation was started in England and Wales into offences of theft and false accounting. In connection with the investigation, I have been informed by Gary Thomas, the officer in charge of the criminal investigation, and believe that: -
- a) The defendant was the Subpostmaster at Astwood Bank Sub Post Office, 1248 Evesham Road, Redditch, B96 6AD. The defendant had been in post since the 7<sup>th</sup> November 2002.
  - b) An audit of the office accounts on the 11<sup>th</sup> September 2008 revealed a cash shortage of £27,811.28. As a result of the audit shortage, the defendant was precautionary suspended from his position as Subpostmaster.
  - c) On the 15<sup>th</sup> September 2008, Post Office Investigators interviewed the defendant under caution.
  - d) During that interview the defendant made admissions to inflating his cash figures and false accounting at the end of each accounting period to cover up shortfalls in the office accounts.
  - e) The defendant stated he had been falsifying the office accounts for approximately 5 years.
  - f) Gary Thomas is still carrying out further investigations.
7. I believe that there is reasonable cause to believe that the defendant has benefited from his particular criminal conduct to at least £27,811.28.

#### REALISABLE PROPERTY

8. I have made preliminary enquires into the financial affairs of the defendant and it is to my knowledge that:-
- a) The defendant is a 58 year old male residing with his wife at [GRO] The registered title number of this property is [GRO] and is in the joint names of the defendant and his wife, Karen Lynette WILSON.
  - b) The property, which is believed to be valued in the region of £245,000.00, is mortgaged with the GE Money Home Finance Ltd. The outstanding balance is approximately £109,600.00.
  - c) It is believed that the defendant owns the lease on the business premises at 1248 Evesham Road, Redditch, B96 6AD, which is the site of the Post Office and retail store. The value of the lease is unknown.

Signed.....

**GRO**

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Date: 16<sup>th</sup> Dec 2008

d) Enquiries have revealed that the defendant has access to the following bank accounts:

- I. [GRO] sort code [GRO] account number [GRO] in the joint names of Mr & Mrs Wilson (Platinum A/C), the current balance is approximately £1,047.00 in credit.
- II. [GRO] sort code [GRO] account number [GRO] also in the joint names of Mr and Mrs Wilson; [GRO] the current balance is approximately £3,700.00 in credit.
- III. [GRO] in the joint names of Mrs K L & Mr J Wilson, account number [GRO] current balance is approximately £129.00.

e) The defendant has a personal loan with Lloyds TSB and the outstanding balance is approximately £14,700.00.

f) The defendant has a business loan agreement for £60,000.00 with [GRO] the account number is [GRO] sort code [GRO]

g) The defendant is the registered keeper of a vehicle. Volvo V70 Classic Auto, Registration number [GRO] which has an approximate value of £2,500.00.

#### EXTENT OF BENEFIT

9. I believe that the defendant has a criminal lifestyle through having committed a criminal lifestyle offence. This is because:

I believe that the defendant has committed an offence(s) over a period of at least six months and has benefited from this offence in total of not less than £5,000. (During interview the defendant admitted to false accounting for 5 years to cover a shortage in the office accounts of £27,811.28)

10. The enquiry is at an early stage and the extent of benefit is not yet known.

11. It is, therefore, my opinion that this is a case in which the court may apply the assumptions under section 10 of the Proceeds of Crime Act 2002 when assessing the extent of the benefit from criminal conduct.

12. In so far as I am aware, no civil proceedings have been commenced on behalf of any person that might be said to have sustained loss arising out of the commission of the alleged offence(s).

13. I believe that if a restraint order is not made there is a real risk that the assets listed below will be dissipated. This is because of the serious nature of the alleged offences and the amount of public money involved. The defendant has a mortgage debt of over £109,000.00, as well as business and personal loans that total

Signed: [GRO]

approximately £74,000.00. Further to this the defendant could reduce the equity in his assets by securing further charges against them and I am not convinced that any such funds would be held to service any future confiscation order.

ORDERS SOUGHT

Restraint Order

14. I therefore seek a Restraint Order against Julian WILSON in respect of the following assets which, to the best of my ability, I am able to particularise as follows: -

- a) The lease on the business premises at 1248 Evesham Road, Redditch, B96 6AD.
- b) The property known as GRO The registered title number of this property is GRO.
- c) Vehicle, Volvo V70 Classic Auto, Registration number GRO
- d) GRO sort code GRO account number GRO in the joint names of Mr & Mrs Wilson (Platinum A/C), the current balance is approximately £1,047.00 in credit.
- e) GRO sort code GRO account number GRO, also in the joint names of Mr and Mrs Wilson GRO the current balance is approximately £3,700.00 in credit.

I believe that the facts stated in this witness statement are true.

GRO

Name of Witness -- Graham Ward

Date: 16<sup>th</sup> December 2008

Signed... GRO .....

Date: 16<sup>th</sup> Dec 2008