

Note Entry for Case 29560

Account Ref : P00830-40-0

User : FR1 Fernando
Rodrigues

Client Name : Post Office Ltd

Matter Desc : Prosecution of Ennoncel Joseph

Note Category : NONE

Date : 11/01/2013 00:00

Summary

Prep and perusal of advice and statement of fact. part prep

Detail

Prep and perusal of advice and statement of fact. part prep of AD and copying x 4.

Statement of facts and interviews copied. No statements on file and exhibits have not been exhibited in any way.

PREP & PERUSAL	1:48
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Total Time	1:48
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Note Entry for Case 29560

Account Ref : P00830-40-0
Client Name : Post Office Ltd
Matter Desc : Prosecution of Ennoncel Joseph
Note Category : NONE
Date : 10/12/2012 00:00

User : RP2 Rachael Panter

Summary

updating spreadsheet with new info

Detail

updating spreadsheet with new info

PREP & PERUSAL 0:12

Total Time 0:12

Andrea Gignac

To: martin smith; Andrew Bolc
Cc: Rachael Panter
Subject: RE: Post Office Ltd - 29560 - Prosecution of Ennoncel Joseph

Please watch the amounts of time recorded to these "straight forward" cases, we are expected to apply a quick fix to them whilst minimising risk!

From: martin smith
Sent: 22 November 2012 14:39
To: Andrew Bolc
Cc: Rachael Panter; Andy Cash
Subject: Post Office Ltd - 29560 - Prosecution of Ennoncel Joseph

Andrew,

Jarnail has phoned me. John Scott has authorised prosecution in this case. Jarnail therefore proposes to send the green file to Maureen in Salford to arrange for the summons to be issued. In the meantime can we prep the case summary and AD bundle and send copies to him for the court, Probation and Defence. He is aware that he will need to insert a copy of the summons into each bundle in due course. He will deal with the hearing at Chelmsford Magistrates Court.

I anticipate that we will be able to prep the AD bundle from the copy of the green file. Jarnail tells me that no further evidence has been obtained since you advised Andrew. We will need to ensure that he has a list of the investigation costs and details of our charges. Andy Cash and Kat have been working on providing this information for billing purposes in excel format which would be better and quicker than blanking out various columns on the Billing Report.

Martin.

Martin Smith

martin.smith@

martin.smith@

Direct

GRO


GRO

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Andrea Gignac

To: Andrew Bolc
Cc: Rachael Panter; Andy Cash
Subject: Post Office Ltd - 29560 - Prosecution of Ennoncel Joseph

Andrew,

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Direct:

GRO


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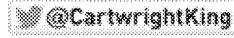
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ROYAL MAIL GROUP LIMITED registered in England and Wales at 100 VICTORIA EMBANKMENT, LONDON EC4Y 0HQ with the registered company number 04138203

POST OFFICE LIMITED registered in England and Wales at 148 OLD STREET, LONDON EC1V 9HQ with the registered company number 02154540

Note Entry for Case 29560

Account Ref : P00830-40-0

User : MS2 Martin J Smith

Client Name : Post Office Ltd

Matter Desc : Prosecution of Ennoncel Joseph

Note Category : NONE

Date : 22/11/2012 00:00

Summary

Call from Jarnail - Please see e-mail to AB for details.

Detail

Call from Jarnail - Please see e-mail to AB for details.

TELEPHONES	1
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Total Time	0:00
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Note Entry for Case 29560

Account Ref : P00830-40-0
Client Name : Post Office Ltd
Matter Desc : Prosecution of Ennoncel Joseph
Note Category : NONE
Date : 19/11/2012 00:00

User : RP2 Rachael Panter

Summary

updating spreadsheet

Detail

updating spreadsheet

PREP & PERUSAL 0:06

Total Time 0:06

Andrea Gignac

To: Andrew Bolc
Subject: RE: Ennoncel Joseph Cold Norton PO POLTD / 1213/0031

Andy your missing the attachment.

Cheers

Rachael

From: Andrew Bolc
Sent: 13 November 2012 10:42
To: 'Jarnail A Singh'
Cc: 'post.office.security@GRO'; 'darrell.kennedy@GRO'; Rachael Panter; Andy Cash
Subject: Ennoncel Joseph Cold Norton PO POLTD / 1213/0031

Dear Sirs,

Please find enclosed Letter of advice, proposed charge and statement of facts prepared in this case.

Regards

Andrew Bolc

andrew.bolc@GRO

andrew.bolc@GRO

Direct: @GRO

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Andrea Gignac

To: Jarnail A Singh
Cc: 'post.office.security@[GRO]'; darrell.kennedy@[GRO] Rachael Panter; Andy Cash
Subject: Enonsel Joseph Cold Norton PO POLTD / 1213/0031

Dear Sirs,

Please find enclosed Letter of advice, proposed charge and statement of facts prepared in this case.

Regards

Andrew Bolc

andrew.bolc@[GRO]

andrew.bolc@[GRO]

Direct: [GRO]

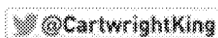
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Note Entry for Case 29560

Account Ref : P00830-40-0
Client Name : Post Office Ltd
Matter Desc : Prosecution of Ennoncel Joseph
Note Category : NONE
Date : 13/11/2012 00:00

User : RP2 Rachael Panter

Summary

updating spreadsheet

Detail

updating spreadsheet

PREP & PERUSAL 0:06

Total Time 0:06

Private and Confidential

Jarnail Singh
Legal & Compliance
148 Old Street
London
EC1V 9HQ

Permanent House
31 Horsefair Street
Leicester
LE1 5BU

Fax: GRO

Date: 12 November 2012
Our Ref: AB2/29560
Your Ref: POLTD /1213 / 0031

Dear Sir,

Post Office Limited v Ennoncel Joseph

In my opinion there is sufficient evidence to afford a realistic prospect of conviction of the above named on the charge set out on the attached schedule. In light of the admissions in interview relating to the creation of false accounts, the prospects of success are good. Although Mr Joseph did not accept that his actions were dishonest, the inescapable inference to be drawn from the facts is that in trying to hide the true financial picture at the branch from the Post Office, he knew that he was acting dishonestly.

In view of the serious nature of the offence, and the sum involved, some of which I understand remains outstanding, this matter is not suitable for caution and therefore should be prosecuted.

Given a maximum sentence of 6 months in the Magistrates Court for a single offence this case is not suitable for summary trial.

Following discussion with the Post Office investigator in this matter I am aware that there are considerable concerns about the manner in which the audit was conducted and the lack of integrity around the exhibits arising, particularly the remittance pouches. Given the admissions above, it may be that this does not become an issue in the case. Having said that, if this aspect of the case is challenged specifically then the matter may need to be reviewed again. In the meantime, I would recommend that a full statement from the investigator dealing with his enquiries be prepared, exhibiting the record of interviews and setting out in layman's terms the procedure for the remittances of cash from a branch. In the event that the matter is contested, I would advise an additional statement be obtained from the Contracts Manager regarding the accounting procedures to be followed.

at a Post Office branch, and exhibiting the relevant section of the sub postmasters contract relating to losses and the maintenance of accounts.

Please feel free to contact me if there are any queries in relation to the above.

I return the original file for your attention.

Yours sincerely

Andrew Bolc

Solicitor

Direct Dial:

GRO

andrew.bolc:

GRO

POST OFFICE LIMITED

V

ENNONSEL DOMINIC SAVIO JOSEPH

PROPOSED CHARGE

1. Fraud, contrary to section 1 of the Fraud Act 2006

Ennoncel Dominic Savio Joseph between 17th September 2011 and 31st May 2012, dishonestly and intending thereby to make a gain for himself or another or expose another to a risk of loss, made representations to Post Office Limited, which were and which you knew were or might be untrue or misleading, namely by inflating the cash on hand and stock figures on Post Office Limited accounting systems and documents to conceal a shortfall of £77905.02, in breach of section 2 of the Fraud Act 2006

POST OFFICE LIMITED

V

ENNONSEL DOMINIC SAVIO JOSEPH

SUMMARY OF FACTS PREPARED IN ACCORDANCE WITH THE CRIMINAL PROCEDURE RULES 2011

The defendant (DOB GRO) aged 34, was the sub postmaster at the Cold Norton Post Office, Chelmsford. He had been in service with Post Office Limited since June 2009. The office is a small sub post office inside a convenience store also owned by the defendant. A routine audit was conducted on the 31st May 2012, which identified a short fall of cash and stock of £77905.02.

The defendant was present from the outset of the audit, when he was asked to place all the cash and stock for audit on the counter, and confirm that the safe was empty. However during the subsequent procedure, the defendant introduced a further £5000 in £20 notes, which he stated had been in the inner safe. This was added to the cash for audit. Empty remittance pouches (normally used to send excess cash held at the office back to the cash centre) to the value of £50000 were recovered. System analysis showed another £15000 to have been sent but not received. Later during interview the defendant admitted that these had been created and scanned into the computerised accounting system to help create a false account. Together with further discrepancy shortfalls in the cash on hand, foreign currency and stock figures the total came to £77905.02.

Interview

As a consequence of the audit, Post Office investigators were assigned to the case and invited the defendant for interview under caution on the 6th June 2012.

The defendant stated that between November 2011 and May 2012 he [GRO] to the extent that it was affecting his ability to work. He had [GRO] and so in his absence he had entrusted the running of the Post Office at Cold Norton to his sister [GRO] and father [GRO]. [GRO] handled the day to day transactions and his father was responsible for the cash in the safe, although he was not a Post Office employee. Approximately one week before the audit (at least before 23rd May 2012 by the date on the pouches) he had checked the cash at Cold Norton following a call from the cash management centre re a cash shortage. He discovered a shortage of £80-85K. He spoke to his father about the matter who admitted taking the money which he stated was owed to him.

The defendant admitted that he attempted to cover up the loss by instructing his sister to enter inflated amounts of money onto the daily and weekly cash declarations. He stated she was unaware of what or why he was doing this. He admitted creating the false cash remittance pouches, which he left empty in the safe, in order to buy him time to repay the money to the Post Office. When collection staff arrived to pick up the pouches he invented excuses for why the cash was not available, like there had been a power failure preventing the safe from opening. Whilst admitting to making false entries on the system he nevertheless refused to accept that he had done anything wrong. He was no longer in contact with his father or aware of his whereabouts.

In addition to the Post Office at Cold Norton, he was also the sub postmaster at the Tye Green Post Office. He owned another grocery store in Clacton on Sea and a small property portfolio of properties which were mortgaged and let out. He claimed to have assets over £2.5 million and no reason to steal the money. He provided a post dated cheque for the full amount and although this did not clear, to date £55009.05 has been repaid. The remaining £22,000 is expected in due course.

The defendant [GRO]

In the event of conviction there will be an application for compensation/ confiscation of any outstanding amount and costs towards the investigation and prosecution.

Note Entry for Case 29560

Account Ref : P00830-40-0

User : AB2 Andrew Bolc

Client Name : Post Office Ltd

Matter Desc : Prosecution of Ennoncel Joseph

Note Category : FILE NOTE

Date : 31/10/2012 00:00

Summary

draft statemetn of facts

Detail

draft statemetn of facts

PREP & PERUSAL 1:00

Total Time 1:00

Andrea Gignac

To: Rachael Panter
Subject: Post Office Ltd - 29560 - Prosecution of Ennoncel Joseph

Hi Rachael,

I have opened this matter on the system. It came in yesterday. Please allocate on spreadsheet to me. Many thanks, Martin.

Martin Smith

martin.smith@

GRO

Direct: GRO

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Client: Post Office Ltd

Case No.: 29560

Account Ref: P00830-40-0

IFN:

Fee Earner: MS2Matter: Prosecution of
Counsel Joseph

Investigation Case Details

CartwrightKing
SOLICITORS

Full name	Post Office Ltd
Case Number	29560
DSCC number	00000000000000000000

Police station	
Telephone number	
Officer in case	
Officer's contact number	
Custody record number	

Bail back date and time	30th day of December 1899 at 12:00 am
--------------------------------	---------------------------------------

Offence	Prosecution of E. Joseph
Date of offence	31 May 2012
Anticipated plea	To be advised

Client Details



Full name	Post Office Ltd
Greeting	Sir
Case Number	29560
Account Ref	P00830-40-0
UFN Number	Not a Legal Aid Matter

Supervisor	Andy Cash
Fee earner	Martin J Smith

Address	1st Floor, Banner Street Wing 148 Old Street LONDON EC1 9HQ
Date of birth	
Home telephone number	
Work telephone number	GRO
Mobile number	
Email address	
NINO	

Ethnicity	
Disability	
Gender	Unknown

Source	EXISTING
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Note Entry for Case 29560

Account Ref : P00830-40-0
Client Name : Post Office Ltd
Matter Desc : Prosecution of Ennoncel Joseph
Note Category : NONE
Date : 13/09/2012 00:00

User : RP2 Rachael Panter

Summary

updating spreadsheet with new case

Detail

updating spreadsheet with new case

PREP & PERUSAL 0:06

Total Time 0:06