

Memo

23rd June 2004

S & A Casework

c.c. Paul Whitaker



The Real Network

Legal Services
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POST OFFICE LIMITED v DAVID CHARLES BLAKEY
SUB POST OFFICE ASSISTANT, RIBY SQUARE SPSO
CASE NO: 0405/0172

Read and noted, thank you.

In my opinion there is sufficient evidence to afford a realistic prospect of conviction of Mr Blakey for an offence of theft with a low prospect of success and for false accounting with a high prospect of success. Clearly in the absence of any admissions from Mr Blakey for theft of the £64,435.24, then we will need to eliminate the involvement of Mrs Blakey and other members of staff, and they will need to give evidence (if they can do so) to implicate Mr Blakey in the preparation of the inputs of all the daily figures for the Office on the Horizon system and that each week he completes the Office balance and subsequently produces and signs the weekly cash account and the other members of staff do not perform any of the accounting procedures at the Office. This has been accepted by David Blakey. This fact needs to be confirmed in witness statements. The witnesses will need to confirm that they did not steal cash or falsify the accounts. Once we can get these statements, then I would confirm that there would be a good prospect of success to prosecute Mr Blakey for theft. The case will further be strengthened by the further enquiries which are in hand in relation to his finances.

As stated above, once the evidence is forthcoming from other members of staff then I consider it would be appropriate to proceed by way of summons in this case.

This case is, in my opinion, more suitable for trial in the Crown Court. When the decision has been taken please obtain summonses.

No further statements need be obtained at this stage.

If the Defendant should elect trial or if the Magistrates refuse jurisdiction or if a Not Guilty plea is entered the Officer should obtain and associate all necessary statements and exhibits. I list below the statements which appear to be necessary in this case, but the Officer should also consider whether there are any other areas which can usefully be covered and include any other evidence.

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- 1 Statements from the Auditors.
- 2 A statement from the Retail Network Manager concerning the appointment of the Subpostmaster and identifying Mrs Blakey the Subpostmistress and producing a copy of the relevant extract of the contract showing that it is not permitted to use Post Office funds.
- 3 Statements from other members of staff as discussed above.
- 4 A statement from Paul Graham Whitaker and Helen Dickinson outlining their total involvement in the matter and producing all relevant exhibits including the interviews.
- 5 Any other statements the Officers consider relevant.

It is intended to make application for compensation in the sum of £64,435.24.

The prosecution will be conducted by my Agents Messrs Messrs Frank Allen Pennington, Solicitors of Hill House Chambers, 6/7 Regent Terrace, South Parade, Doncaster DN1 2EE (Tel.No. **GRO**). Please liaise with Agents before fixing a hearing date.

The file should be returned to this Office four weeks prior to the hearing date so that I may send instructions to Agents.

Jarnail A Singh
Senior Lawyer
Criminal Law Division

GRO

Ref: CRM/243869/JSX