

# Frisby & Co solicitors

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Our ref: AB/TC/LJB

Your ref: CRM/239850

Date: 25<sup>th</sup> January 2005

For the attention of: Debbie Helszajn

Royal Mail  
Legal Services  
Impact House  
2 Edridge Road  
Croydon  
CR9 1PJ

Dear Ms Helszajn

**RE: R v CARL PAGE  
STAFFORD CROWN COURT**

We refer to previous correspondence in this matter. Thank you for all the disclosure and, in particular, the documents provided with your letter dated 7<sup>th</sup> October 2004. We also note the contents of your letter dated 8<sup>th</sup> October 2004 regarding unused material held by HM Customs and Excise.

In response to your letter dated 30 December 2004, we confirm that we have instructed a financial expert who will provide us with a report in due course. It was due to be issued at the beginning of December, but following the change of date of trial, we have permitted further time for completion. We will, of course, serve this report in due course if our expert is subsequently able to allude to matters of an expert nature upon which we intend to rely.

We recently received correspondence from this expert in which he seeks clarification on two matters to assist him in his analysis of the evidence disclosed by the prosecution.

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We have already sought documentation in relation to one of these areas, namely the clarification of Mr Hutchins exhibit LH04. Our expert is keen to obtain the raw data that went to the production of this exhibit because of its importance in proper analysis, particularly, in relation to the charge of theft against our client. Therefore, our expert believes it to be of utmost importance that he is able check the ordering and delivery of Euros to Rugeley Post Office. With respect, LH/04 is an untitled computer printout and even Mr. Hutchins concedes in his supplemental statement that although the volume of Euros is correct, the sterling equivalent is incorrect and the expected date of delivery may not match exactly with when delivery was so affected.

You have replied by stating that the volume and amount of currency sent to any particular post office is keyed into a computerised access programme on a daily basis and that the hard copy documents are destroyed when this is complete. Mr Hutchins keying into the system produced LGH/04. We wonder how you can rely on them as being the correct figures input onto the system without raw data to support that supposition. Therefore, we would ask you to confirm that you are in possession of no materials/documents that assisted with the production of Exhibit LGH/04.

Quite separately, it would appear that you have provided us with a list (16 pages) compiled by Mr. Patel, which shows all currency types, sent to Rugeley Post Office between 3/01/02 – 1/01/04. Can you please confirm what data was used to compile this list?

Our expert's second area of concern is with regard to the COMMAND 10 printout of the Forde Moneychanger. Our expert would like a fuller explanation of the "Revalue" figure that appears just below the "cash held" figure. The only description of this "revalue" figure we can find is in the statement of Mr. Kalsi. He states that his basic understanding of this revaluation figure is the profit or loss made by buying or selling of currencies at different exchange rates and the fluctuations in exchange rates during the week. It is possible to provide our expert with a fuller explanation as to the meaning of this figure and or the Operators Manual for the Money Changer assuming it provides a description.

#### **Other matters**

We note your contention regarding the role of Customs and Excise in the investigation, yet we receive a schedule listing Euro note buy backs from [GRO] at Thomas Cook Birmingham New Street, Lichfield, Cannock and Tamworth. Can you please confirm who produced this schedule and from what materials? We ask this question in case there is relevant material we have not seen.

Also, we have not received information concerning the remaining Customs and Excise as indicated in paragraph 13 of your letter dated 7 October 2004. We are currently considering our position in relation to disclosure from Custom and Excise.

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Can Mr Coney expand on exactly what arrangement he made with Cannock Post Office for the facility to be made available for our client to shadow a Branch Manager? Our client had no knowledge of such arrangements being made or indeed being told that such arrangements had been made?

Can you please confirm when the Counter Operations Manual 2002, exhibit RK/01 was issued to branches?

Can you confirm that a publication providing instructions and procedures to be followed in relation to money laundering sent out to all post offices in September 2002 was "Keep us clean – your guide to money laundering – important information about Money Laundering and your responsibility"? Can you also confirm that the form you refer to is the money laundering suspicion report (P4677)?

In your letter dated 7<sup>th</sup> October 2004, at paragraph 2 on page 4, you state that no records were passed to the Post Office Investigation Department advising them of the extent of the police enquiries. We therefore wonder how you have complied with your duties regarding secondary disclosure in respect of any materials the police may hold.

As you know, our client instructed another firm of solicitors, Hand Morgan & Owen, during his early dealings with you. We were informed by our client that considerable documentation passed between you and this firm regarding the freezing of our client's bank accounts and the instigation of civil proceedings. Unfortunately, our client does not hold personal copies. We requested that Messrs Hand Morgan and Owen release this information to us; however, as they are unsecured creditors in our client's bankruptcy, they have refused to release the papers. We considered that documentation relating to both freezing of bank accounts and civil proceedings fall into the category of primary disclosure. We therefore request that you provide us with all the documentation the Post Office hold and not previously provided in relation to both these matters.

Finally, it is possible that we may need to speak to Margaret Pearce. Obviously, the normal rules apply and as a Crown witness, we would seek to confirm such arrangements through yourselves.

Yours sincerely

**GRO**

**Andrew Broome**  
**FRISBY & CO SOLICITORS**