

Jarnail A Singh  
Sent by: Marilyn  
Benjamin

05/02/2010 16:21

To: "Jones David M" [GRO]  
cc:  
Subject: REGINA v SEEMA MISRA  
GUILDFORD CROWN COURT  
TRIAL - 15TH MARCH 2010

Dear David,

Please also get Gareth Jenkins to comment on the enclosed report. Please note the deadline is Monday 8th February 2010 at 4pm.



3rd interim technical expert's report to the Court 2010-02-03 v01.doc

Regards.

Jarnail A Singh  
Senior Lawyer  
Criminal Law Team

Tel.No: [GRO]  
Fax.No:





Juliet McFarlane  
05/02/2010 16:06

To: "Jones David M" [GRO]  
cc: "Thomas Penny" [GRO] → Jane M  
Owen/e/POSTOFFICE  
cc: Jane M Owen/e/POSTOFFICE  
Subject: Re: Fw: Requests for access re: Jerry Kwami Hosi - Porters Avenue

Dear Mr Jones

Your 'e-mail in respect of Jerry Hosi -Porters Avenue has been forwarded to me.

Please note that I am the Solicitor dealing with the case of Hosi which is being dealt with separately. As such information regarding the case of Hosi should not be supplied to Mr Misra's (West Byfleet) Expert. Indeed Hosi's case should not be discussed with Misra's Expert in any way without reference to me.

The proper course is for Misra's Solicitors to make representations to the relevant Solicitor at Legal Services who will consider any request.

I reiterate that information supplied to the Defence experts should be specific to the case referred.

Yours sincerely

Juliet McFarlane  
Principal Lawyer  
Company Secretary's Office  
Legal Services  
Criminal Law Team



Jarnail A Singh  
Sent by: Marilyn  
Benjamin

To: "Jones David M" [GRO]  
cc: "Jenkins Gareth G" [GRO], "Thomas  
Penny" [GRO]  
Subject: WEST BYFLEET ISSUES - SEEMA MISRA - Legally Privileged

05/02/2010 15:47

Dear David and Penny,

On first glance points 2 - 4 have not been answered which I reproduce below.

2) My barrister telephoned me yesterday evening and requested that I find out any information that Fujitsu may hold in relation to an office called Callender Square in Falkirk. Apparently, Anne Chambers a Systems Specialist employed by Fujitsu was cross examined and it is said that she had full knowledge of an error in the Horizon system at this Post Office. Our barrister would like Gareth to deal with this matter and expand upon whatever issue Anne Chambers raised at court within his witness statement.

3) When Gareth completes his statement could he also mention whether there are any known problems with the Horizon system that Fujitsu are aware of. If none could this be clarified in the statement.

4) Could Gareth read the statement from Eleanor Nixon attached below and respond in his statement to the points raised by Eleanor Nixon about Horizon.



Eleanor Nixon Statement.rtf

Could you please give this matter your urgent attention and look forward to hearing from you.

Jarnail A Singh  
Senior Lawyer  
Criminal Law Team

Tel.No: [GRO]  
Fax.No: [GRO]





"Jones David M"  
GRO  
GRO

05/02/2010 14:46

To: <jarnail.a.singh@GRO>  
cc: "Jenkins Gareth G1"@GRO; "Thomas Penny"@GRO  
Subject: RE: WEST BYFLEET ISSUES - SEEMA MISRA - Legally Privileged

Jarnail,

Thank you for your attached email - which I have now received!

I met this morning with Gareth Jenkins who came into the office briefly to meet with me. Gareth will help with this matter. Although Gareth @GRO should be back to normal working next week. His input will be coordinated by Penny who is responsible for delivery to POL of support in this Security area.

Attached is a first draft of a statement from Gareth. I would like you to review it and indicate if it answers the questions in the detail you require.

You will see that there are some areas where Fujitsu cannot deal with the Defendant's expert's criticisms as they are about POL procedures or requirements and it seems evident that there will need to be a POL internal "expert" who can work with Gareth to deal with these areas.

One concern is that POL have not apparently requested transaction data for West Byfleet for the period and transactions in question. This would normally be provided in previous cases and would include Fujitsu extracting log files from the system to enable us to provide details of transactions. Surprisingly this has not been requested in this case. Perhaps you would consider the need for this.

Please copy me for information on key developments on this case.

Best wishes

David

David M Jones, Head of Legal  
UK Private Sector Division

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-----Original Message-----

From: jarnail.a.singh@GRO [mailto:@GRO]  
Sent: 05 February 2010 12:34  
To: Jones David M  
Subject: Fw: WEST BYFLEET ISSUES - SEEMA MISRA  
Importance: High

Dear Mr Jones,

I refer to our telephone conversations of 4th and 5th February 2010 with regards to obtaining a witness statement of the Defence challenging the



reliability of Horizon. I understand that Mr Jenkins has been identified as an experienced person to give this statement. I would be grateful, after your meeting this morning, if you could confirm to me when Mr Jenkins would be back to return to duty [GRO] as I need to apply to Guildford Crown Court to get an extension to serve his evidence. As you are aware there is a Court Order for this evidence to be served by Monday 8th February 2010 at 4pm.

Thank you for your kind assistance and look forward to hearing from you.

Jarnail A Singh  
Senior Lawyer  
Criminal Law Team

Tel.No: [GRO]  
Fax.No: [GRO]

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0202 Gareth draft - West Byfleet.doc



Jarnail A Singh  
Sent by: Marilyn  
Benjamin

05/02/2010 11:48

To: "Jones David-M" [GRO]  
cc: [GRO]  
cc: "Jones David M" [GRO], "Thomas Penny" [GRO], "Wilkerson Guy" [GRO], Jarnail A [GRO]  
Subject: Re: FW: WEST BYFLEET ISSUES [GRO]

Dear Mr Jones,

I refer to our telephone conversations of 4th and 5th February 2010 with regards to obtaining a witness statement of the Defence challenging the reliability of Horizon. I understand that Mr Jenkins has been identified as an experienced person to give this statement. I would be grateful, after your meeting this morning, if you could confirm to me when Mr Jenkins would be back [GRO] as I need to apply to Guildford Crown Court to get an extension to serve his evidence. As you are aware there is a Court Order for this evidence to be served by Monday 8th February 2010 at 4pm.

Thank you for your kind assistance and look forward to hearing from you.

Jarnail A Singh  
Senior Lawyer  
Criminal Law Team

Tel.No: [GRO]  
Fax.No: [GRO]





Issy Hogg  
GRO  
GRO

03/02/2010 23:41

To: "jarnail.a.singh" GRO GRO  
cc: Keith Hadrill GRO  
Warwick Tatford GRO  
Subject: RE: REGINA v SEEMA MISRA - CRM/258932/JSX GUILDFORD  
CROWN COURT MENTION - 1ST FEBRUARY 2010

Dear Sirs,

R V Misra

We refer to HHJ Critchlow's order on 01/02/10 to serve a further disclosure request by 4pm today.

Due to an office system failure causing our email and case management to go down, we contacted the court who, effectively, gave us an extension of time until midnight tonight. This extension was communicated by defence counsel to prosecution counsel earlier this evening.

We now enclose our third request for disclosure together with our expert's third interim report.

We note that your response of 27/01/10 makes suggestion that our Expert meets with your investigating officer and representatives of Fujitsu. Can we endorse that and emphasise that, we have, since July last year, been requesting that our expert has access to data records, a request that has been repeatedly rebuffed on grounds of cost and work involved.

You have indicated that you do not propose to rely on an expert but on the employees of Fujitsu. For the first time, at the hearing on 01/02/10, you identified that witness as an employee named Jenkins. However, not only have you not served his evidence prior to suggesting a meeting, you accept that you haven't even yet taken a statement.

We very much doubt that our expert will now be able to carry out the testing required and then report in time for the trial. However this is dependant on further disclosure and possible discussions between experts. If we cannot prepare the report we will, in these circumstances, as already notified to the court on 01/02/10, seek to make application for the indictment/count to be stayed for abuse of process.

Even if we our ready for trial, we would point out that our expert has now provided three interim reports which would have been avoided had you provided us with access to the data records as first raised in July last year. In addition we have also had an aborted s8 hearing on 20/11/09/ a mention hearing on 01/02/10 through lack of disclosure and the production of a third request of disclosure tonight, much of which is requesting that you comply with the requests raised in our document of 30/11/09.

We put you on notice that we will, in any event, be applying for wasted costs against the Post Office for the work involved by Counsel, Expert and ourselves in the above hearings, reports and requests.

As you can see, we have copied this message to both Prosecution and Defence Counsel and have faxed this message together with enclosures to the Court.

Yours faithfully

Issy Hogg  
Coomber Rich

Issy Hogg



Coomber Rich Solicitors  
Yard House, Basingstoke, RG21 7NX  
SRA 308901

Tel. [GRO]  
Mobile. [GRO]  
Email. [GRO]

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-----Original Message-----

From: marilyn.benjamin [GRO]  
[mailto:[GRO]] On Behalf Of  
jarnail.a.singh [GRO]  
Sent: 27 January 2010 16:59  
To: Issy Hogg  
Subject: REGINA v SEEMA MISRA - CRM/258932/JSX GUILDFORD CROWN COURT MENTION - 1ST FEBRUARY 2010

Please see the attached letter in the above case. A hard copy together with enclosures is in the post.

(See attached file: 258932L21.doc)

Jarnail A Singh  
Senior Lawyer  
Criminal Law Team

Tel.No: [GRO]  
Fax.No: [GRO]

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Third request for disclosure.doc 3rd interim technical expert's report to the Court 2010-02-03 v01.doc

