

Message

From: Hugh Flemington [IMCEAEX-
_O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=HUGH+2EFLEMINGTON
9886-403D-BF5B-E08821F432B3@C72A47.ingest.local]
on Hugh Flemington <IMCEAEX-
behalf _O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=HUGH+2EFLEMINGTON
of 9886-403D-BF5B-E08821F432B3@C72A47.ingest.local> [IMCEAEX-
_O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=HUGH+2EFLEMINGTON
9886-403D-BF5B-E08821F432B3@C72A47.ingest.local]
Sent: 09/07/2013 11:21:56
To: Gibson Will \(\ShEx\) [GRO]
CC: Susan Crichton [GRO]; Alwen Lyons [GRO]; Jarnail A Singh
[GRO]
Subject: RE: URGENT - Will - intel on MP cases - JFSA case intel to follow

Legally privileged and confidential

1. If a person thinks they have been wrongly convicted they can seek to apply for permission to leave to appeal -- they do this by going to the Crown Court
2. If leave is given they can then take their case to the Court of Appeal
3. Def has to show that new evidence exists which casts doubt on the conviction
4. Court of Appeal then review the case
5. They look to see what the defendant was convicted on -- e.g. was it only on the evidence that is now being called in to question OR was there other evidence as well. If there is other evidence as well then the Court of Appeal may very well let the conviction stand, even in the light of new evidence undermining the other original evidence.
6. Court of Appeal may quash the conviction. They can also order a retrial. If they don't order a retrial, we can't ask for one. If they do, we can say we don't want one.

After that you are also looking at civil actions against us for wrongful prosecution (if the conviction is quashed I guess).

Hugh Flemington I Head of Legal



From: Gibson Will (ShEx) [GRO]
Sent: 09 July 2013 12:15
To: Hugh Flemington
Cc: Susan Crichton; Alwen Lyons; Jarnail A Singh
Subject: Re: URGENT - Will - intel on MP cases - JFSA case intel to follow

Thanks - what wd legal process be for an SPM who was found guilty (or pleaded guilty) to review/appeal case?

From: Hugh Flemington [GRO]
Sent: Tuesday, July 09, 2013 12:11 PM
To: Gibson Will (ShEx)
Cc: Susan Crichton [GRO]; Alwen Lyons [GRO]; Jarnail A Singh [GRO]
Subject: RE: URGENT - Will - intel on MP cases - JFSA case intel to follow

MISRA case

- Def pleaded not guilty to theft (but pleaded guilty to FA)
- Def produced computer expert to argue Horizon issues
- PO used Fujitsu expert to argue Horizon issues
- Outcome – found guilty by jury of theft after a 7 day trial
- Evidence relied to convict –
 - o She alleged it was either Horizon computer or her employees
 - o She said after she had got rid of employees the losses got worse
 - o Therefore she blamed Horizon (at a late stage in the proceedings – after it was listed for trial – so this trial got adjourned whilst each side got Horizon evidence together)
 - o It was a jury trial – so no explanation as to what evidence was relied on by them re conviction

Hugh Flemington I Head of Legal



From: Gibson Will (ShEx) [GRO]
Sent: 09 July 2013 12:03
To: Hugh Flemington
Cc: Susan Crichton; Alwen Lyons
Subject: Re: URGENT - Will - intel on MP cases - JFSA case intel to follow

Hugh,

Looking at the stats, one theft case was found guilty after pleading not guilty. What evidence was relied on to convict?

Will.

From: Hugh Flemington [GRO]
Sent: Tuesday, July 09, 2013 11:29 AM
To: Gibson Will (ShEx)
Cc: Susan Crichton [GRO]; Alwen Lyons [GRO]
Subject: URGENT - Will - intel on MP cases - JFSA case intel to follow

Legally privileged and confidential

MP cases first:

What we need in particular, and very urgently, is a breakdown of the 47 cases showing:

1. How many of the SPMs had their contracts terminated?

AWAITING INTEL

2. How many of the SPMs were convicted of respectively, fraud, theft and false accounting?

Theft – 3

Fraud – 2

False Accounting – 4

(Note - 2 CASES where we haven't yet been able to confirm the charge)

3. In each category, how many of those convicted pled guilty?

Th - 2

Fr – 2

Fa - 4

4. How many (if any) were prosecuted but found not guilty?

1 (we ended up offering no evidence and where the defendant paid back the sums)

Note:

- On Rudkin, husband NOT prosecuted but wife was prosecuted and convicted.
- On GRO

Hugh Flemington I Head of Legal

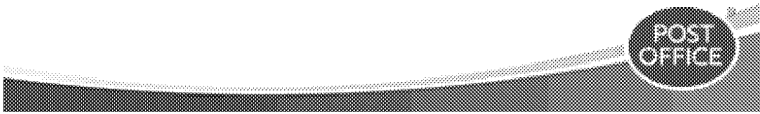


148 Old Street, LONDON, EC1V 9HQ

GRO

Post Office stories

@postofficenews



This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender and then delete this email from your system.

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

This email was received from the INTERNET.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender and then delete this email from your system.

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

This email was received from the INTERNET.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes