

Financial Investigation Policy Log**Case Number: POLTD 0506/0401**

Date	Text
11 Sep 06	I have commenced an investigation into Mr Hughie Noel Thomas ex subpostmaster of Gaerwen Post Office. He is under investigation for the suspected theft of £48,454.87 whilst he was employed as subpostmaster. This investigation is for the purpose of confiscation. The investigation will be proportionate, have a legal framework, accountable and necessary. It will follow the legal requirements of the Proceeds of Crime Act The Police & Criminal Evidence Act, Criminal Procedures & Investigations Act and the Regulation of Investigatory Powers Act. It will also be European Convention on Human Rights Compliant. Mr T Utting is my supervising officer and he will be kept aware of the investigation and where necessary direct the investigation in accordance with the above legislation..
5 th Nov 06	Informed by Dianne Matthews that Mr Thomas had been sentenced to 9 months imprisonment. Additionally he had been order to disclose his assets in accordance with section 18 of POCA. Dianne also informed me that the defence had stated that Mr Thomas is in the process of selling his house at the much-reduced price of £100K to his son leaving Mr Thomas with nothing. Asked Dianne to forward full details in writing.
5 th Nov 06	Discussed the above with Tony Utting as to whether the best course of action we would precede with a restraint order or under tainted gift. I was decided that we would seek Legal advice on the matter
5 Nov 06	Spoke with Juliet who advised that as we know in advance we should try to prevent the dissipation of assets as that was what restraint orders were designed for. Decision taken to apply for restraint order
7 th Nov 06	Granted a Restraint order against Mr & Mrs Thomas by His Honour Judge Macrae at Croydon Crown Court
12 Dec 06	Sent e-mail to Juliet to chase up the Provision of Financial Information Order.

19 Dec 06	Spoke with Juliet about the section 18 Statement she will write to the defence team to chase them up. As they have caused the delay then she will write to the court to get an extension if required
19 Dec 06	Spoke with Tony Utting about the necessity of doing further enquiries should Mr Thomas say that the property is not valued at £188k as it is no longer a going concern. Tony said we will cross that bridge if the argument is put forward and for now do not pursue further enquiries at this stage.
20 Dec 06	Received a call from Richard Poole Senior Lawyer. He understood that pensions could be confiscated under the Proceeds of Crime Act and that he would like my assistance in obtaining the process of doing so I agreed to phone the pensions regulator
20 Dec 06	Spoke with Simon Marshall of the Pensions Regulator he said that he thought that could confiscate pensions and the pension value should be based on a transfer value. He went on to say that he understood Surrey Police had done such a confiscation recently
20 Dec 06	Spoke with Paul Chrome from the CPS Confiscation Branch. He said that the pension could only be confiscated if it was a realisable asset as no order could be made against the Pension Trustees. Whilst discussing the case he said that it may be easier to go for other assets in particular the tainted gift of the house
20 Dec 06	Spoke with Roger Wybrow from ARA. He was not able to add anything to what Paul Chrome had said
20 Dec 06	Spoke with Robert Scott at Surrey Police FIU He thought that one of his colleagues (Gary) had confiscated someone's pension recently unfortunately he is out of the office until the 28 Dec 06. He will however send an e mail to his team to see if anyone can help me.
20 Dec 06	Peter Marshal from the Pensions agency telephone and said that The forcible recovery of "unavailable" Pensions from Trustees can only be done under the Civil Recovery Powers in Part 5 of POCA . He did however state there was legislation in sections 91-93 of the 1995 Pensions Act that may help. Additionally he had advice on a pensions case which we may find useful and he would forward them to me on E mail
21 Dec	E mail received from Peter Marshal and forwarded to

06	Richard Poole. I also asked him if the question could be posed to the Pension Trustees is any of Mr Thomas's Pension available
27 Dec 06	Spoke with Diane Matthews about the domestic circumstances of Mr Thomas. GRO GRO
27 Dec 06	Discussed the further conduct of this case with Tony Utting. GRO GRO
21 Feb 07	GRO GRO . To discuss the matter with Tony.
22 Feb 07	GRO He thought that the likely hood of a conviction in the case and as such the return for the business did not make the case a higher enough priority to use the resources. He told me to let it go
22 Feb 07	After further consideration if his daughter had £30k in cash to purchase her property then this would be very good evidence. Decided to put the case to Tony again
22 Feb 07	Spoke with Tony re the above. As nothing will happen on my trip we will discuss it on my return
22 Feb 07	Spoke with Jack McGarva re my lack of confidence in the valuation and said that perhaps we should not serve our second statement. He said we would discuss the matter with the barrister in the morning. He did say however that we would probably use it as a negotiation tool only.
23 Feb 07	Informed the barrister of the conversation about value. He said that we would we would probably adjourn for and independent valuation.
28 Feb	Discussed this case with Tony at my one to one. GRO

07	GRO
2 Apr 07	GRO GRO In the circumstances can continue with the confiscation for false accounting.
2 Apr 07	Money from the house of Mr Thomas GRO came from Housing Association
17 Apr 07	Discussed that case with Tony Utting I was concerned that we may not have been getting the appropriate value for the property at Gaerwen Tony was of the view that he did not want me to expend further resources on this case when they could be better expended on other matters, in view of the likely outcome.
18 Apr 07	Spoke with Tony again as I thought it would be worth spending on a further survey. Tony was happy with his first decision. We would accept the surveyors report

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