

**WHAT HAPPENED AT THE HEARING.**

Before the hearing there were discussions between Mr. Tatford and the Post Office investigators, Ged Harbinson and Graham Ward, and also with Defence Counsel Peter Hampton.

At the hearing Warwick Tatford advised the Recorder that agreement had been reached with the Defence to apply for a confiscation order and also a compensation order in the amount of £43,894.15 being the figure misappropriated. So far £8,000 has been repaid by Mr. Rudkin to the Post Office resulting in an outstanding amount of £35,895.15. The compensation order is to ensure payment to the Post Office.

The Recorder was concerned that this did not result in the defendant being placed in double-jeopardy. Mr. Tatford referred the court to Archbold, section 13/subsections 5 & 6 which clarifies that compensation to the Post Office would be made under the confiscation order.

The Recorder said that the benefit figure was £43,894.15 and the recovery figure is £35,894.15. He agreed to a confiscation order and compensation order saying that the defendant will not have sufficient funds for both so the compensation order will be paid from the confiscation order. He said payment should be completed within 6 months, with a 15 month default judgement.

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Ref. SC088