

# Memo

27<sup>th</sup> May 2005

S & A Casework

c.c. Colin Price



The Real Network

Legal Services  
Impact House  
2 Edridge Road  
CROYDON  
CR9 1PJ



**ROYAL MAIL GROUP plc v TAHIR MAHMOOD**  
**CASE NO: 0506/0061**

In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on the charges set out on the attached Schedule.

I had considered charging theft on the basis that there is no explanation for such a large loss which is alleged to have occurred over 2 years. Clearly the error notices obtained do not support the Defendant's claims that the loss occurred as a result of mistakes. I have however preferred charges of false accounting on the basis that the Defendant will no doubt continue to deny theft and could escape conviction on the basis that he was not the only one who had access to the Office thus casting suspicion on his father. Whilst the Defendant's father officially had little access to the Office, his interest in the premises suggests that he was no doubt free to come and go as he wished.

The remaining admitted offences namely similar offences of false accounting for the weeks not charged, can be dealt with as offences to be taken into consideration after conviction. Please ensure the schedule is available for the first hearing.

In view of the serious and systematic nature of the alleged offences and the large amount of money involved this offender should be prosecuted.

This case is, in my opinion, more suitable for trial in the Crown Court.

In order to comply with Guidelines issued by the Home Office which restrict the time between completion of investigation and laying of information, I would ask that you ensure that the decision is made within 5 working days of receipt of the papers by you.

When the decision has been taken please return the papers to obtain summonses.

No further statements need be obtained at this stage.

# Memo

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If the Defendant should elect trial or if the Magistrates refuse jurisdiction or if a Not Guilty plea is entered, the Officer should obtain and associate all necessary statements and exhibits. I list below the statements which appear to be necessary in this case, but the Officer should also consider whether there are any other areas which can usefully be covered and include any such evidence.

- 1 Copy statement giving evidence of access.
- 2 Copy statement explaining how the accounts are produced and balanced.
- 3 A statement explaining how losses should be accounted for and how error notices are produced.
- 4 Copy statement dealing with audits in March 2003 and April 2004.
- 5 Copy statement from Interviewing Officer and Officer present during interview.

In this event, please prepare one set of typed copies of those statements and exhibits. Please also prepare typed draft lists of statements and exhibits (statements to appear in chronological order and exhibits in the same order in which they are produced by the witnesses). A separate typed list of witnesses, showing their addresses, should also be supplied.

You will be aware of the provisions of the Criminal Procedure and Investigations Act 1996 concerning disclosure. I would refer you particularly to paragraph 4.10 of the Security Community Codes of Practice and also to paragraph 5 (5.1 - 5.3) of the Codes. Please let me have the necessary information on Forms CS006C, D and E in that event. The schedules must be signed. If you need any assistance in this respect please contact me.

As we are now required to serve the prosecution papers on the Defence at least 14 days prior to committal, it is essential that we receive them at least 21 days before the proposed committal proceedings or summary trial date. If we are not in a position to proceed on that hearing date, we may face a wasted costs order.

It is intended to make application for compensation. On return of the papers, please advise cost of special delivery / total loss to the Business.

The prosecution will be conducted by my Agent Mr John H Dove, Solicitor Advocate of Central Solicitors Chambers, P O Box 10993, Birmingham, B13 0ZW (Telephone No. GRO) Please liaise with Agents before fixing a hearing date.

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The papers should be returned to this Office by at least four weeks before the hearing date in order that I may send the instructions to Agents.

J A McFarlane  
Principal Lawyer  
Criminal Law Division



Ref: CRM/249106/JMcF