

IN THE CROWN COURT
AT HULL

INDICTMENT
TRIAL NO.

STATEMENT OF INFORMATION RELEVANT IN ACCORDANCE
WITH SECTION 16 (6)

OF THE PROCEEDS OF CRIME ACT 2002

REGINA

V

JANET LOUISE SKINNER

STATEMENT DETAILS

Prepared By : Michael Francis MATTHEWS
Address : Post Office Ltd Investigation Team
PO Box1
Croydon
CR9 1WN

Signature :

GRO

Date : 28 Aug 2007

Prosecutor : Juliet McFARLANE
Solicitor

Address : Royal Mail Group Ltd
Legal Services
6A Ecclestone Street
London
SW1W 9LT

1 Statement of Information

- 1.1 I, Michael Francis Matthews am accredited as a financial investigator under Part 2 and Part 8 of the Proceeds of Crime Act 2002. This statement of information is further to the statements of information prepared by me, dated the 26 March 2007 and the 17 May 2007 and tendered by Juliet McFarlane, Solicitor in this matter, in accordance with Section 16(3) and 16(6) of the Proceeds of Crime Act 2002. I say as follows:-
- 1.2 I am employed by Post Office Ltd and am duly authorised to make this statement of information on behalf of the prosecutor, who is The Solicitor to Royal Mail Group Ltd, Criminal Law Team and who has conduct of the proceedings in this matter. I make this statement of information in accordance with Section 16 (6) of the Proceeds of Crime Act 2002.
- 1.3 Janet Louise Skinner is the defendant in this matter

2 Extent of Benefit

Particular Criminal Conduct

- 2.1 On the 5th January 2007 at Hull Crown Court the defendant pleaded guilty to one count of False Accounting contrary to Section 17 (1)(a) of the Theft Act 1968.
- 2.2 This statement is submitted to bring up to date the increase in the value of money since my last statement and the changes to the available amount in respect of the equity in the home address of the defendant, GRO
- 2.3 Accordingly I now calculate the benefit to the defendant from her particular criminal conduct in this case as **£61,724.99**. This figure is calculated from the Retail Price Index (RPI) figures up until Jul 2007, the latest date for which RPI figures are available. This figure is calculated as follows.
- 2.4 The audit shortage in this case was **£59,175.39** from the Post Office® account. Subpostmasters are liable to pay back for losses in their branch account immediately. As a result of the false accounting the defendant obtained pecuniary advantage by failing to repay the loss as they were identified. The defendant is liable to pay the Post Office Ltd for the shortage at her branch and by not paying the amount owed, which accumulated through this fraud, she has benefited to that amount
- 2.5 In accordance with Section 80(2(a)) of the Proceeds of Crime Act 2002, the value of monies should be adjusted to take account of the changes in the value of money. Using the RPI figures the increase in the value of this money as the false accounting was continuing during the period of offending between, January 2006 and May 2006 is **£283.95**

Notes to 2.5 *The figure is worked out as using the "Cash Declared" figures in the "CC" Stock unit during the material time, as the defendant intimated during the interview that the figures declared in CC stock units were the amount of the shortage. A schedule detailing the figures involved and the calculations to arrive*

at the increase in the value of money was associated with my previous statement as Appendix 2 and is copied with this statement for information.

- 2.6 The increase in the value money of **£59,175.39** from the end of offending, June 2006 until July 2007 is **£2,265.65**

Note to 2.6 Period from end of offending to July 2007 (RPI figure for Jul 2007) minus (RPI figure for June 2006), divided by (RPI figure for June 2006), multiplied by £59,175.39. Therefore $206.1 - 198.5 \div 198.5 = 0.0382871 \times £59,175.39 = £2,265.65$

- 2.7 A copy of the latest RPI Table is associated as Appendix 8

3 Summary of Benefit

- 3.1 Table of Benefit

Source	Detail	Amount
Particular Criminal Conduct	Money short on audit	£59,175.39
	Increase in the value of money short during the offending	£283.95
	Increase in the value of money since end of offending	£2,265.65
Total Benefit		£61,724.99

4 Available Amount

- 4.1 The onus is on the defendant to provide the Court with full details of all her realisable property, including full internal valuations (carried out by a professional valuer) for any houses she has an interest in. She will also need to supply the Court with details of the likely costs that will be incurred in realising the property. The defendant has not provided any such valuation to the prosecutor to date.
- 4.2 In paragraph 9.3 of the defence response dated the 14 May 2007 the defendant accepts that Kensington Mortgage Company Ltd carried out an internal and external inspection of the property prior to lending the money on it and valued the property at £135,000 in July 2006.
- 4.3 According to the Nationwide Building Society House Price Calculator a property located in Yorkshire & Humberside, which was valued at £135,000.00 in quarter three of 2006, would be worth approximately £140,973.00 in quarter two of 2007. A copy of the Internet printout is associated as Appendix 9. The prosecutor however accepts that the market may have fluctuated in Hull over the past few months due to flooding and as such the defendant should provide a professional valuation.
- 4.4 On the 28 Aug 2007 Kensington Mortgage Company Ltd detailed that currently £100,792.33 is owed on the Mortgage and £18,730.58 is owed on the secured loan. These total £119,522.91

4.5 Approximate amount available in GRO - £ 21,450.00

5 Confiscation Order

5.1 If the Court accepts that the Defendant has benefited from the proceeds of crime to the extent of £61,724.99 the Court should declare the benefit in that amount, or in any other amount in respect of which the Court finds the defendant has benefited.

5.2 The recoverable amount is an amount equal to the defendant's benefit from the conduct concerned. If the Defendant shows that the available amount is less than the benefit, the court should make a confiscation order in that sum.

6 Effect of Compensation on Confiscation

6.1 The effect of Section 13(5) of the Act permits the Court to make a compensation order under section 130 of the Sentencing Act as if a confiscation order had not been made.

6.2.1 If the defendant cannot pay both, compensation can be recovered from sums paid in satisfaction of the confiscation order.

7 Royal Mail Group Ltd request compensation in this case as follows:

Detail	Amount
Money short on audit	£59,175.39
Increase in the value of money during the offending	£283.95
Increase in the value of money since end of offending	£2,265.65
Total	£61,724.99

Any reply to this statement made under the Proceeds of Crime Act 2002 should be served on Hull Crown Court, and a copy sent to Royal Mail Group Ltd, Legal Services, 6A Eccleston Street, LONDON, SW1W 9LT

*Benefit figure £59,175.39.
Recoverable assets. £11,000 - Royal Mail Group.
Comp. £11,000 - s13(5) POCA. 2002 - 12 mths in default.
six mths to pay.*