

POSTOFFICELTD

V

FARZANA AKHTER

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INITIAL ADVICE

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**Prosecution Case**

1. Analysis of Post Office Card Account transactions at Darnhill Post Office highlighted a number of double cash withdrawal transactions between 18 October 2012 and 14 January 2013. The user identification for the majority of these transactions were FAK001 and FAK 002, which both belonged to Farzana Akhter. The sub postmaster, Samira Ansari confirmed that Ms. Akhter who had been a counter assistant at the branch, had left in February 2013; the date when these transactions ceased.
2. The customers who were affected by these transactions, were contacted and 8 of these confirmed that they had been unauthorised. There were 16 confirmed unauthorised transactions amounting to £3105. All of these customers were elderly.

3. Ms. Akhtar was located working at another Post Office, the Townhead branch and on the 15<sup>th</sup> May 2013 she was spoken to by POL investigators and invited for interview.
4. On 25<sup>th</sup> June 2013 she said in interview:-
  - that she did not make any unauthorised transactions and only ever gave the customers what they asked for
  - she did not take any money belonging to POL
  - she recalled having a surplus in her share stock unit only once in the sum of £43
  - claimed that others served under her user ID
  - that her sub postmaster would give her ID code to others to use
  - because "the other girl didn't have the ID"
  - could not recall how many times customers came in and took money out twice
  - when put to her that some transactions occurred on Saturdays when she worked alone, she said later in the interview that the sub postmaster did come in on some Saturdays when they were busy. This was to help out and he served under her ID and that the others were aware of her password.

### **Defence Case**

5. The defendant maintains that she only ever gave the customers what they requested. Her defence will presumably be based on the suggestion that the customers

are either lying or all mistaken and have due to their age forgotten or become confused about making duplicate withdrawals.

### **Statements**

6. I have seen a number of statements all of which need to be signed. The statement of Steve Bradshaw, Investigator, suggests he is retired. Kevin Ryan should provide a further statement setting out what a Post Office Card Account is, what it can be used for and the exact procedure for making a cash withdrawal. The receipts that are generated as a result and who these are handed to. His exhibits KR/1 to KR/ 8 do not make reference to the particular customers by name and this needs to be clarified, along with amounts stolen from each. Has the possibility of special measures been discussed with victims? Can it be established by reference to the complainants accounts that they were not in the habit of making duplicate withdrawals from their accounts. Kevin Ryan or someone else needs to clarify the dates when the defendant, the sub postmaster and the two other counter clerks referred to worked at the branch. Did anyone else work at the branch during the relevant period. What is the correlation between the defendants employment at the branch and the occurrence of duplicate transactions. When did they start and when did they stop. The defendant seeks to shift blame upon the other members of staff in interview. Zak and Kumal are referred to in interview. Statements

ought to be obtained from them if possible confirming what they knew if anything about the defendants password, sharing passwords generally, working on the defendant's terminal when she was logged on. At one point in interview the defendant seeks to suggest that another female member of staff, (query Kumal) did not have her own ID. Can Kumal or the Sub postmaster state that this is not correct. Enquiry should be made to confirm what calls if any were placed from the branch to the helpdesk regarding any faulty equipment particularly pinpads, and clarification of why these were changed in October.

### **Horizon Issues**

7. The case is based on data provided by the Horizon system. Given the defendant's denial of any wrongdoing, the inference that could be drawn is that if she and the complainants are both telling the truth that the system is at fault. One would therefore expect the defence to jump on the Horizon bandwagon.

### **Discussion**

8. This case could properly be charged with individual charges of theft against the defendant in relation to each complainant, and I will be able to draft the charges once I have information regarding the amounts stolen from each of them and the relevant dates to hand.

9. The case could be prosecuted once the further evidence has been obtained and the statements signed. Disclosure of the interim Second Sight and Helen Rose reports will need to be made in due course
10. In the light of the Second Sight Report I would suggest that a suitable expert is identified and able to prepare a report as to the integrity of the Horizon system and the data it provides, before a summons is issued in this case.

Andrew Bolc

Cartwright King Solicitors

31<sup>st</sup> August 2013