

From: Jarnail Singh <[GRO]>
Sent: 03 September 2014 12:27
To: Irvine, Laura
Cc: Martin Smith; Parsons, Andrew; Robert Daily
Subject: RE: Scotland / Gorbals Post Office

Many Thanks Laura. I await to hear from you.
Jarnail

Jarnail Singh | Criminal Lawyer

 148 Old Street, LONDON, EC1V 9HQ
 **GRO** Postline: **GRO**
 Mobex:
 Jarnail.a.singh@**GRO**
 [Post Office stories](#)
 [@postofficeneews](#)



From: Irvine, Laura <[GRO]>
Sent: 03 September 2014 12:24
To: Jarnail Singh
Cc: Martin Smith; Parsons, Andrew; Robert Daily
Subject: RE: Scotland / Gorbals Post Office

Jarnail

Many thanks. As you know, at the end of the day, it is the Crown's decision about whether or not to proceed, but as it appears that this case is fraught with difficulty, I think that the Crown will agree with this approach.

I will let you know how we get on when we meet with Angus Crawford which should be over the next couple of weeks. The Crown will not make a decision in the meantime as they are waiting on Robert providing additional information.

Kind regards
Laura

Laura Irvine
Associate
Solicitor Advocate

bto solicitors
One Edinburgh Quay 133 Fountainbridge Edinburgh EH3 9QG
D: **GRO**
T: **GRO**
F: **GRO**
www.bto.co.uk

Please keep in touch. Follow us on: 

From: Jarnail Singh 
Sent: 03 September 2014 11:14
To: Irvine, Laura
Cc: Martin Smith; Parsons, Andrew; Robert Daily
Subject: RE: Scotland / Gorbals Post Office

Laura

On the basis of the difficulties you have described in this case and in the absence of the expert report . POL would not recommend this case be prosecuted.

Best wishes

Jarnail

Jarnail Singh | Criminal Lawyer

 148 Old Street, LONDON, EC1V 9HQ
  Postline: 
 Mobex:
 Jarnail.a.singh@
 [Post Office stories](#)
 [@postofficenews](#)



From: Irvine, Laura 
Sent: 03 September 2014 10:38
To: Jarnail Singh
Subject: RE: Scotland / Gorbals Post Office

Jarnail

I was just drafting an email to you as follows:-

Robert and I met with another procurator fiscal last week in relation to the Gorbals case (El Kasaby and Stewart). His name is Angus Crawford and he is head of the financial crime unit in Glasgow. He is also considering Carmyle and Pollockshields so is a very useful contact going forward.

In relation to the Gorbals case he was talking about whether we could prove embezzlement although we had agreed with Andy Lazzarin that there wasn't enough evidence to prove that. We talked through a few evidential issues and we also discussed the possibility of using the fraudulent scheme charge. Initially he seemed reluctant to proceed with this because he did not feel it was in the public interest. However I think we talked him round in relation to this issue. He asked Robert for some additional evidence, including the earlier audit report from 2009 and any other monthly balance sheets preferably dating back to 2009.

However he also discussed the issues with Horizon. In this case Mrs Stewart has stated at interview that the system had sent her transaction corrections that she had never made good. I understand that Mr El Kasaby (the SPM) is an applicant for the mediation scheme and may be raising Horizon issues. The potential accused is his sister-in-law and his wife was also investigated and interviewed. Although Robert suspects that she was also involved she did not admit to anything.

From my discussions with Martin, and from the concerns raised by the fiscal himself, I suspect that the Crown would be reluctant to proceed with this prosecution if POL cannot give evidence to say that the Horizon system is robust. I understand from Martin that the report has not been started yet and therefore POL cannot give that assurance yet.

We should be meeting with Angus Crawford again about the Pollockshields case. Do you want me to suggest that the Gorbals case does not proceed? There are several other areas of difficulty with this case and therefore it may be pushing at an open door?

I am happy to discuss further.

Kind regards
Laura

Laura Irvine
Associate
Solicitor Advocate

bto solicitors

One Edinburgh Quay 133 Fountainbridge Edinburgh EH3 9QG

D:

T:

F:

GRO

www.bto.co.uk

Please keep in touch. Follow us on: 

From: Jarnail Singh 

Sent: 03 September 2014 10:31

To: Irvine, Laura

Subject: FW: Scotland / Gorbals Post Office

Morning Laura

I Understand you had a lengthy telephone conversation with Martin Smith of Cartwright King on Monday with regards to the above case. The PF is considering a case which has been submitted by POL for marking. You have discussed with the PF the English offence of False Accounting and whether the Scottish offence of 'fraudulent scheme' could be applied in a similar way.

Martin tells me the suspect clerk has admitted to covering up shortages but denied stealing any money and so there is potential for Horizon to be raised as an issue by the defence should the PF decide to prosecute. It goes without saying that if the PF prosecutes POL will have no control.

However concerns appear to relate in part to the position with regard to the Horizon system (in the absence of expert evidence) and what might be said in evidence should POL's security manager be cross examined.

Martin suggests that this is a case which POL may not wish to have prosecuted. It would appear that the sub-postmaster at Gorbals is mediation applicant and so there may well be implications relating to the mediation application.

Can you please advise before taking any further steps.

Best wishes

Jarnail

Jarnail Singh | Criminal Lawyer

148 Old Street, LONDON, EC1V 9HQ

GRO Postline: **GRO**

Mobex:

Jarnail.a.singh@ **GRO**

Post Office stories

@postofficenews

POST OFFICE

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: 148 OLD STREET, LONDON EC1V 9HQ.

This email (including any attachments) is confidential. Its contents are protected by copyright and may be privileged. If received in error please contact us on **GRO** or at lawyers@**GRO** and delete it from your system. Brechin Tindal Oatts ("bto") does not accept any responsibility for viruses and it is your responsibility to scan this email (and any attachments). bto's email system is subject to random monitoring.

No contract may be concluded by bto by email unless the sender is a partner or associate of bto and the email expressly states that it is intended to create a contract. Views expressed in this email are the views of the sender and may not reflect the views of bto. A list of the partners of bto is available for inspection during office hours at 48 St. Vincent Street, Glasgow, G2 5HS.

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender,

unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: 148 OLD STREET, LONDON EC1V 9HQ.

This email (including any attachments) is confidential. Its contents are protected by copyright and may be privileged. If received in error please contact us on [02030000000](tel:02030000000) or at GRO@postoffice.co.uk and delete it from your system. Brechin Tindal Oatts ("bto") does not accept any responsibility for viruses and it is your responsibility to scan this email (and any attachments). bto's email system is subject to random monitoring.

No contract may be concluded by bto by email unless the sender is a partner or associate of bto and the email expressly states that it is intended to create a contract. Views expressed in this email are the views of the sender and may not reflect the views of bto. A list of the partners of bto is available for inspection during office hours at 48 St. Vincent Street, Glasgow, G2 5HS.

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: 148 OLD STREET, LONDON EC1V 9HQ.
