
From: Zoe Topham [GRO]
Sent: Tue 25/05/2010 10:12:00 AM (UTC)
To: Robert Daily [GRO]
Cc: Mandy Talbot [GRO]
Subject: Re: Fw: Paible - Branch code 147869 - William John Quarm
Attachment: pic06030.gif

Robert

French Duncan is the Trustee who are dealing with Mr Quarm's bankruptcy, sorry I though you had heard of them as they deal with most of the Scottish cases. Yesterday I gave Mr Kennedy a ring to speak to him about the form & explained the situation with the PF. Mr Kennedy advised me to fill in the form anyway as he stated Mr Quarm has no money/assets to pay the £27,000.00 , he has some property to sell (which has been for sale since he filed for bankruptcy) no interest has been forthcoming as it is in a remote place (North of Scotland).

I filled in the creditors form yesterday & sent it to Mr Kennedy, let me know if you want his number to contact him regarding the information he told me regarding the repayment of £27,000.00.

kind regards

Zoe

 Robert Daily

Robert Daily

25/05/2010 09:39

To: Zoe Topham/e/POSTOFFICE [GRO]
cc: Mandy Talbot/e/POSTOFFICE [GRO]
Subject: Re: Fw: Paible - Branch code 147869 - William John Quarm

Zoe

I'm at a loss who Barry Kennedy or what the form is. Can you scan it and email it to me?

The Lead Team were copied in to inform them of the progress, ultimately the final decision rests with the PF. The last communication I had with Mr Teale was that Mr Quarm's Solicitors had come back with an offer of £27,000. Mr Teale indicated that he was inclined to accept it even though I did stress that we were looking for a full recovery.

The case has been adjourned again until June and no PO Ltd personnel have been called. As such it looks as though we will be receiving £27,000 only.

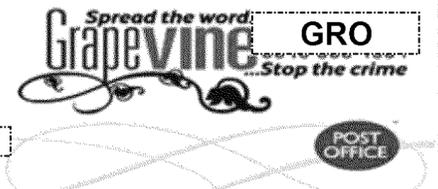
Regards

Robert

Fraud Investigator – Fraud Strand

Post Office Ltd Security Team, Security Room, Paisley Delivery Office, 62 Underwood Road,
Paisley, PA3 1TN

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Zoe Topham

Zoe Topham

24/05/2010 15:16

To: Robert Daily/e/POSTOFFICE GRO
cc: Mandy Talbot/e/POSTOFFICE
Subject: Fw: Paible - Branch code 147869 - William John Quarm

Robert

I was sent a claims form from a Barry Kennedy (French Duncan) to fill in regarding the above, I did forward a copy to Mandy for her advise because apparently someone has put a claim in on behalf of POCL and I wasn't aware who (on behalf of POCL) had been dealing with this.

The question is do we fill in the form when you are dealing with this already with the PF Mr Teale?

Also could you update me on the latest progress on what the Lead Team decided.

Kind regards

Zoe

----- Forwarded by Zoe Topham/e/POSTOFFICE on 24/05/2010 15:04 -----

Robert Daily

14/04/2010 14:54

To: Mandy Talbot/e/POSTOFFICE GRO
cc: Jacqueline Whitham/e/POSTOFFICE GRO Zoe Topham/e/POSTOFFICE GRO
Subject: Re: Paible - Branch code 147869 - William John Quarm

Mandy

Mr Quarm was reported to the PF in April 2009 and the debt emerged prior to the bankruptcy. He went into bankruptcy the month after he was originally interviewed (07/08/08).

I am just off the phone with Mr Teale (PF) and has stated that the original amount may be due to was is left after the assets have been liquidated. He also said ultimately the final decision is his and he can accept the original

amount, however he has agreed to go back to Mr Quarm's solicitor and request an increased amount.

I think it is now time to put this forward to the Lead Team to discuss.

Regards

Robert

Fraud Investigator - Fraud Strand

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Mandy Talbot

Mandy Talbot

14/04/2010 11:51

To: Robert Daily/e/POSTOFFICE GRO
cc: Jacqueline Whitham/e/POSTOFFICE GRO Zoe
Topham/e/POSTOFFICE GRO
Subject: Re: Paible - Branch code 147869 - William John Quarm

Robert

Ordinarily with a civil bankruptcy the Trustee tries to liquidate what he can in that year to pay off the secured creditors and if there is anything left distribute it pro rata amongst the unsecured creditors. I assume that the debts owed to POL were created prior to the date of the bankruptcy. Any debt which emerged before the bankruptcy cannot be pursued after the bankruptcy is discharged because it wipes the slate clean. It may be that there are different rules in place in Scotland and for this reason we will need to obtain an advice from Scottish Lawyers on these points before you can respond. I know that Zoe has a number of questions surrounding the affect of bankruptcy in Scotland on our ability to recover money and is compiling a list of questions which shoe would like answered in any advice provided.

Usually the cost of litigation in Scotland is much more expensive that in England & Wales. We do not have statistic on the number of civil cases which result in recovery. They are comparatively rare.

If you can agree between you that we are authorised to incur the cost of going to externals for a brief advice I would be happy to arrange the same. Can you advise if our own legal services prosecution team is aware of this case.

The exchange puzzles me somewhat because Quarm if not I believe offering to pay the lesser sum of money back to the business? As such if he claims to have no assets why does he care what the sum of the charge is to be for. Of course if the loss arose after the bankruptcy was discharged then he has a motive in trying to reduce the value of the charge as much as possible because you will presumably be seeking a compensation order for the sum of the charge. Even if you are not should the matter then be referred to LS to take civil proceedings we will use the certificate of conviction with the sum of the charge on it as part of our evidence.

Regards

Mandy Talbot
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Company Secretary's Office
Royal Mail Legal Services
100 Victoria Embankment
London
EC4Y 0HQ

Postline: STD Phone: Fax: Mobile:

External Email: mandy.talbot@

Robert Daily

Robert Daily

14/04/2010 09:51

To: Mandy Talbot/e/POSTOFFICE@
cc: Jacqueline
Whitham/e/POSTOFFICE@, Zoe
Topham/e/POSTOFFICE@
Subject: Paible - Branch code 147869 - William John
Quarm

Mandy

I have received correspondence from David Teale, Procurator Fiscal, Lochmaddy. He has been approached by the defence solicitor acting for Mr Quarm offering, on behalf of his client, to plead guilty to the charge but with the sum embezzled restricted to £24,000. The sum charged was £40,277.76.

I contacted Mr Teale and discussed the matter. He is inclined to accept the plea, citing Mr Quarm's age and health. However in fairness he wanted to give the business the opportunity to discuss the situation. He is also aware that Mr Quarm had been granted sequestration. This was granted on 19/09/2008 as was his wife Anne's. (links below).

Before I approach the Security Senior Lead Team with this I was hoping you may assist with some information.

When someone enters sequestration, they do so for a year then are 'released'. What then happens with their assets? At interview Mr Quarm declared he had assets of around £300k, including two plots of land beside his home address value £50k (on market for £25k each at time) and two building areas and agricultural areas value £80k.

The final say will rest with the Procurator Fiscal and his approach to ourselves is welcome, as there are a few who would make the decision without consulting us.

What would be the approximated cost if we took civil action against Mr Quarm for the full amount, if contested and how often are we successful?

My thoughts are to go back to Mr Teale and ask Mr Quarm's solicitors to up the 'offer' to £30,000. Your opinion on this would be appreciated.

<http://www.edinburgh-gazette.co.uk/issues/26528/notices/2518-310/all=quarm>

<http://www.edinburgh-gazette.co.uk/issues/26528/notices/2518-307/all=quarm>

I've copied Jacqui and Zoe in for information.

Regards

Robert

Fraud Investigator – Fraud Strand

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