

Confidential and legally privileged advice

Bond Dickinson

Post Office – Initial Complaint Review and Mediation Scheme

Criminal risk management

Second Sight's report

Second Sight's ("SS") Interim Report has been reviewed by Cartwright King ("CK"). They identified a risk that information highlighted in the Interim Report may not have been disclosed in historic criminal prosecutions (ie. the Gareth Jenkins / Helen Rose issue).

Consequently, CK reviewed all prosecution cases since 1 Jan 2010 (when Horizon Online was implemented) to determine whether further disclosures were required. This review resulted in a number of additional disclosures to defendants.

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|----------------------------------|----------------|
| Cases reviewed | CK TO COMPLETE |
| Number of additional disclosures | CK TO COMPLETE |

This review process has been audited by Brian Altman QC and confirmed as being "*fundamentally sound*".

Monitoring the Scheme

Disclosure duty compliance

- Every Application Form, Case Questionnaire Response, Post Office's investigation report and SS' investigation report (the "**Core Documents**") and any other major document related to the Scheme (such as any further reports that may be produced by SS) shall be reviewed by CK to determine whether any information in those documents needs to be disclosed in accordance with prosecution disclosure duties.
- If CK identifies the potential need for disclosure, it may as appropriate also review any related documents (eg. the underlying evidence that has been considered by POL or SS).
- Post Office could review all related documents in all cases, however Brian Altman QC has advised that this is unnecessary in order to comply with Post Office's duties.
- As necessary, CK will advise POL on and assist POL in making further disclosures to Defendants.

Criminal cases

- 62 of the 147 Applications to the Scheme involve an Applicant (or a person connected to an Applicant) who has been convicted (the "**Criminal Cases**"). In the Criminal Cases, CK shall :
 - Review Post Office's draft investigation and SS' investigation report in order to advise on whether either report raises any criminal law risk (eg. safety of conviction; further disclosure; etc.).
 - Review any proposed settlement in a Criminal case in order to advise on whether either report raises any criminal law risk.
- As required, any other issue that potentially indicates a criminal risk will be escalated by POL to CK for review and advice.