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**From:** Nick Wallis [GRO]  
**Sent:** Fri 09/02/2024 4:43:20 PM (UTC)  
**To:** James Arbuthnot [GRO]  
**Subject:** From my book re the CCRC referrals - hope this helps  
**Attachment:** 20181121 0640 NW to CCRC Urgent re Postmasters under CCRC review.pdf  
**Attachment:** 20181121 1021 Lord Arbuthnot to CCRC re Postmasters review.pdf

See passages below from my book.

Also attached:

Letter from CCRC to Jo Hamilton 31 August 2018  
Email from me to the CCRC dated 21 November 2018 0640  
Email from you to the CCRC dated 21 November 2018 1021  
Letter from CCRC to Jo Hamilton dated 28 November 2018 telling her something very different to their letter of 31 August.

Passages from book as follows

p311 (Hardback edition)

"On 31 August I pressed the button on a six-week crowdfunding campaign – hustling hard on social media and begging every friend, family member and contact I had to stump up some cash and spread the word. The same day I launched my crowdfunder, the Criminal Cases Review Commission, which had been looking at more than two dozen Subpostmaster cases for more than three years, issued a bizarre letter. ‘Apart from a small number of points of clarification,’ it told applicants, ‘the investigation phase of the CCRC’s review is complete. We are now in a position to move into the decision-making phase of the cases this autumn.’ I was astonished. I knew that civil and criminal law ran along separate tracks, but could it be possible the CCRC was proposing to ignore the wealth of evidence that was surely going to come out of the litigation? Was it some- how inadmissible to its criminal deliberations? I assumed either the CCRC already had enough to refer the Subpostmaster applicants to the Court of Appeal, or it was legally unable to consider any evidence which the litigation was going to produce. There was, of course, the insane possibility the CCRC was just about to tell its Subpostmaster applicants there was not enough evidence to quash their convictions days before a month-long trial which would almost certainly reveal valuable information directly or indirectly relevant to their cases."

p333 (Hardback again)

"But it was Patrick Green’s final question which sent a chill down my spine. He wanted to know about Ms Dickinson’s experience of tracking down and seizing Postmasters’ assets under the Proceeds of Crime Act. POCA confiscation orders can only be made if a Subpostmaster has been convicted. Green wondered if suspended Subpostmaster cases were sometimes referred to Ms Dickinson’s team ‘so that POCA could be used to trace the assets?’ ‘In some cases,’ replied Ms Dickinson, ‘yes.’ There were two ways of reading the above exchange. The more obvious (and I admit in retrospect, likely) meaning is that when the Post Office wanted to trace Subpostmaster assets through POCA, the cases were referred to Ms Dickinson. At the time I understood Ms Dickinson to be admitting that the Post Office might try to prosecute suspended Postmasters so the Post Office could use POCA to go after their assets.<sup>3</sup> Either way, I was alarmed enough to put aside my squeamishness about getting involved in the story. That evening I wrote to the Criminal Cases Review Commission suggesting it was clearly bonkers (I paraphrase) to be making any decisions about the Subpostmaster cases they were reviewing without taking into account the abundance of evidence now pouring out of *Bates v Post Office*. Vaguely remembering James Arbuthnot had a hand in making sure the CCRC took any Subpostmaster applicants seriously, I forwarded the now-en-nobled politician my email. I am still sufficiently deferential to never dream of suggesting a course of action to a peer of the realm – but I very much hoped he would do something. Ninety-five minutes later, I was cc’d in an email to the CCRC from The Right Honourable Lord Arbuthnot of Edrom which suggested that if the CCRC didn’t take

into account what was happening in *Bates v Post Office*, it might very well open its decision-making process to judicial review.

Exactly a week later, the CCRC wrote to all its Subpostmaster applicants, telling them that, before progressing their cases, the commissioners were going to discuss waiting for the outcome of the Common Issues trial before making any decisions. Good.”



# CCRC

Criminal • Cases • Review • Commission

**Private and Confidential**  
Mrs Josephine Hamilton

**GRO**

Your ref:  
Our ref: 00357/2015

28 November 2018

Dear Mrs Hamilton,

**Re: Your application to the CCRC**

I am writing to provide an update on the CCRC's review of the Post Office Horizon cases.

In my last update I explained that, apart from a small number of points of clarification, the investigation phase of the CCRC's review was complete. I added that the CCRC had entered the decision making phase of the cases, which meant that we had begun briefing the Commissioners who will decide whether any of the Post Office cases will be referred to the Court of Appeal.

The current position is that the Commissioners are being comprehensively briefed on the results of the CCRC's enquiries to date. The Commissioners are due to meet in December to discuss the cases. A key point for the Commissioners to decide in the first instance, will be whether or not the CCRC must wait for the judgment(s) of the High Court in the Post Office Group Litigation which is currently being heard, before any decisions can be issued in the CCRC cases which are under review.

We will, of course, keep you informed of developments. In particular, we will let you know once it is decided whether or not we will wait for the High Court judgment(s) before issuing any CCRC decision. You can expect to hear from us on that point before the end of December 2018.

Yours sincerely,

**GRO**

Anona Bisping  
Case Review Manager





Private and Confidential  
Mrs Josephine Hamilton

**GRO**

Your ref: 00357/2015  
Our ref:

31 August 2018

Dear Mrs Hamilton,

**Re: Your application to the CCRC**

I am writing to provide an update on the CCRC's review of the Post Office Horizon cases.

In my last update I explained that we were reaching the end of the investigation phase of the CCRC's review of the Post Office cases, and that we anticipated that the investigation phase would be complete by the end of August 2018.

The current position is that, apart from a small number of points of clarification, the investigation phase of the CCRC's review is complete. We are now in a position to move into the decision making phase of the cases this autumn. This means that we will begin the process of briefing the Commissioners who will ultimately decide whether any of the Post Office cases will be referred to the Court of Appeal. The Commissioners will be comprehensively briefed on the results of the CCRC's enquiries throughout its review of these cases.

We will, of course, keep you informed of developments. I will write to you again before the end of November 2018 with a further update.

Yours sincerely,

**GRO**

*pp*  
Anona Bisping  
Case Review Manager