

Message

**From:** Parsons, Andrew [GRO]  
**Sent:** 15/02/2016 14:48:15  
**To:** Patrick Bourke [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7ba264a5565445f7ac8ef1d16b512067-Patrick Bou]; Mark Underwood [GRO] [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=805c109119d343eb8095dae62dbdc602-Mark Underw]; Rodric Williams [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a59054625a3146ffb391c2d83db6a9fd-Rodric Will]  
**CC:** Fawcett, Daniel [GRO]  
**Subject:** RE: POL DSARs - SS Docs [BD-4A.FID20472253]  
**Attachments:** FW: McCormack

**Sensitivity:** Private

All – attached is another interesting email chain between Ron and Alan – this time involving Tim McCormack who you may recall is serial writer of complaints to Paula.

A

**Andrew Parsons**  
Managing Associate



**Direct:** GRO  
**Mobile:** GRO

Follow Bond Dickinson:



---

**From:** Parsons, Andrew  
**Sent:** 15 February 2016 09:10  
**To:** Patrick Bourke [GRO]; Mark Underwood [GRO]; Rodric Williams [GRO]  
**Cc:** Fawcett, Daniel  
**Subject:** FW: POL DSARs - SS Docs [BD-4A.FID20472253]  
**Sensitivity:** Private

Patrick, Mark, Rodric

FYI below. Dan found this in the SS emails. It looks like SS feeding questions to Alan for use with MPs.

A

**Andrew Parsons**  
Managing Associate

<< OLE Object: Picture (Device Independent Bitmap) >>

**Direct:** GRO  
**Mobile:** GRO

Follow Bond Dickinson:

<< OLE Object: Picture (Device Independent Bitmap) >> << OLE Object: Picture (Device Independent Bitmap) >>

GRO

---

**From:** Chris Holyoak [mailto:GRO]  
**Sent:** 13 November 2014 18:01  
**To:** 'Ian Henderson'; rjw [mailto:GRO]  
**Subject:** RE: Monday Meeting - MPs, Paula and Alan  
**Sensitivity:** Private

Agree with Ian.

What could be added to his point (1) is the now constant challenge, even as early as in their comments on our Draft CRRs, to every recommendation that we have made that the case is suitable for mediation.

There is also significant 'boiler plate' text in almost every response that consequential losses are outside the scope of mediation.

Need to be a bit careful with point (3) as POL would argue that, in the main, an SPMR has access to (at least some) data to allow investigation to take place - even if they don't know how to get it.

Agree - something for our breakfast discussion tomorrow.

Chris

---

**From:** Ian Henderson [mailto:GRO]  
**Sent:** 13 November 2014 15:38  
**To:** rjw [mailto:GRO]; 'Chris Holyoak'  
**Subject:** RE: Monday Meeting - MPs, Paula and Alan  
**Sensitivity:** Private

But in fact Alan will not be attributing these points to us? (I hope not anyway...)

It's an important strategic point that needs to be top of the list

--Ian

---

**From:** Ron Warmington [mailto:GRO]  
**Sent:** 13 November 2014 15:32  
**To:** irh [mailto:GRO]; 'Chris Holyoak'  
**Subject:** RE: Monday Meeting - MPs, Paula and Alan  
**Sensitivity:** Private

Good stuff. I like them... Point 1, though hardly new news to anyone, does need to be endorsed by us.

---

**From:** 2ndsight [mailto:GRO]  
**Sent:** Thursday, November 13, 2014 3:26 PM  
**To:** rjw [mailto:GRO]; 'Chris Holyoak'

**Subject:** RE: Monday Meeting - MPs, Paula and Alan  
**Sensitivity:** Private

I think we need to respond at the strategic level – not down in the weeds....

My top 3 would be:

1. POL does not seem to be serious about achieving closure with Applicants – contrary to undertakings given. Very limited information available about actual mediation – but POL does not appear to be making meaningful offers. Seems to be doubt as to the authority of the POL representative to negotiate.
2. There is compelling evidence that POL has not supported SPMRs who find themselves with a problem, despite POL having all the data and resources. This alone should result in compensation.
3. POL's investigation and prosecution policy is inherently unfair. SPMR is not allowed access to the data and cannot investigate (similar issues apply to evidence submitted to the mediation scheme). POL often brings charges but ultimately offers no evidence or accepts "false accounting" admission without any effective investigation.

We should discuss tomorrow

--lan

---

**From:** Ron Warmington [mailto:.....GRO.....]  
**Sent:** 13 November 2014 14:05  
**To:** irh[.....GRO.....] 'Chris Holyoak'  
**Subject:** Monday Meeting - MPs, Paula and Alan  
**Sensitivity:** Private

Alan has offered us the opportunity to list 3 short bullet points that he will factor into his pre-Paula-meeting discussion with the MPs.

I'm thinking that, if we take him up on this, our bullets might be:

- *Post Office is now constantly referring to the greatest likelihood of unexplained losses as being "errors made, at the counter, by branch staff" where it says: "there is no evidence that those errors are attributable to Horizon". For example, in its response to the M132 CRR, Post Office said: "The Applicant has failed to provide any evidence that indicates that Horizon is at all accountable for the losses suffered in the branch. The CRR agrees at paragraph 4.9 with Post Office's view that the cause of the losses is probably due to errors made at the counter or theft". We think that Post Office's constant references, in this context, to HORIZON means that it fails to acknowledge that there does exist compelling evidence that POST OFFICE is accountable for some of the losses. We are unable to determine*



whether more or fewer errors are being made at the counter than in earlier years, but it is obvious that SPMRs are less well able to investigate and mitigate errors than they previously were.

- Post Office's reliance on its apparent right of recourse to SPMRs, under clause 12 of the Standard Contract, has meant that it has had no financial incentive to seek out the underlying root causes of seemingly 'mysterious' shortfalls, nor to improve its systems and SOPs in order to reduce the frequency and severity of the future impact of systematically-occurring errors. This has led, in our view, to a progressive degradation of the system's robustness and error-repellency (as evidenced by the errors that have arisen following the replacement of trouble-free serviced ATMs with BoI ones that have clearly caused substantial problems; the rollout of Lottery and Scratchcard procedures that were for many years (until Feb 2012) probably unfit for purpose; the transition from weekly balancing to Monthly Trading; the removal of branch Suspense Accounts; the phasing out of two-part Paying In slips; the removal of experienced Helpline staff and their replacement with the 'Knowledge Base'; etc, etc.). We are minded to describe the Horizon system as being unfit for purpose in our updated Briefing Report - Part Two.
- Post Office has objected, in its response to our Briefing Report - Part Two, to our comments on The Contract; on Error Repellency; and on its Investigations Process. It regards those topics as being out of scope or outside our professional competency. Needless to say, we disagree. What is more important is that there are now many cases where we have as yet to be shown material from Post Office's Legal, Investigative and Prosecution Files that we have requested. Absent access to those files, we are as yet, and will be, unable to comment on the seven cases (so far received) where Post Office charged SPMRs with theft but withdrew that charge after many months, sometimes 'on the courtroom steps'. We are anxious to determine whether adequate evidence of theft had been gathered PRIOR TO THE CHARGE BEING BROUGHT. In some instances, Post Office persevered with a theft charge in the face of police investigators' reports that insufficient evidence, or no evidence, had been found to support such a charge.

Thoughts?

**Ron Warmington CFE, FCA**  
Managing Director  
**Second Sight** Support Services Ltd



Phone: **GRO**  
Mobile: **GRO**  
Email: **GRO**  
Website: **GRO**

**Please consider the environment! Do you need to print this email?**

---

The information in this e-mail and any attachments is confidential and may be legally privileged and protected by law. mark.underwood1@**GRO** only is authorised to access this e-mail and any attachments. If you are not mark.underwood1@**GRO** please notify [andrew.parsons@\*\*GRO\*\*](#) as soon as possible and delete any copies. Unauthorised use, dissemination, distribution, publication or copying of this communication or attachments is prohibited and may be unlawful.

Any files attached to this e-mail will have been checked by us with virus detection software before transmission. Bond Dickinson LLP accepts no liability for any loss or damage which may be caused by software viruses and you should carry out your own virus checks before opening any attachment.

Content of this email which does not relate to the official business of Bond Dickinson LLP, is neither given nor endorsed by it.

This email is sent by Bond Dickinson LLP which is a limited liability partnership registered in England and Wales under number OC317661. Our registered office is **GRO** **GRO** where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Our VAT registration number is GB123393627.

Bond Dickinson LLP is authorised and regulated by the Solicitors Regulation Authority.