

[Salutation]

Post Office Complaint and Mediation Scheme

Thank you for your letter of 2 July 2015.

The Post Office is, of course, willing to attend a meeting to discuss these matters. As you know we have been open and transparent with MPs throughout this important process and have met Mr Bridgen previously with some of his fellow MPs.

Regrettably, it is clear that our engagement has done little to address his concerns: indeed since our last meeting, Mr Bridgen has on three occasions refused our offer of a further meeting, most recently last week.

Therefore, prior to agreeing to a meeting, we would as I am sure you will appreciate like to understand what the specific objective of that meeting might be. It is not immediately clear what, beyond restating the choices available to applicants to the Scheme, the Post Office could offer.

As you know, over the last three years, the Post Office has been trying to address a small number of individual, private, complaints brought to it by (mostly) former subpostmasters about problems they experienced while working in their post offices. Despite the finding of an initial investigation that our computer system did not suffer from systemic flaws, we established a Scheme through which individuals could further articulate and pursue their complaints.

During this time, all cases have been comprehensively reinvestigated and independently reviewed and all of this work has been shared with individual applicants to the Scheme. It is worth reiterating that in none of the cases has our computer system been shown to have caused the losses complained of and in none of the cases has any evidence emerged to suggest convictions are unsafe.

Instead, in a majority of cases, it is clear from the evidence that errors made in branch are responsible for the problems that arose. In some other cases, the Post Office acknowledges it might have done more to support individual subpostmasters, and this is reflected when trying to come to an appropriate resolution with those involved. In a last (and thankfully very small) group of cases, regrettably, subpostmasters have committed criminal offences, either by dishonestly covering up losses, or by stealing money, or both.

We are offering mediation in all cases in the Scheme which do not involve a previous court ruling (such as a conviction). The mediations, independently administered by the Centre for Effective Dispute Resolution, are focused on trying to find a consensual resolution to the issues between the parties on the basis of evidence of what actually happened in a particular case.

In cases involving a criminal conviction, however, mediation is not capable of producing the principal outcome sought by these applicants because only the Courts can overturn a conviction. Our investigations reveal that it is also impossible, in these cases, to distinguish the facts from the convictions to which they gave rise. In any event, as the relevant prosecutor in these cases, the Post Office is already under a duty to disclose any material which is capable of assisting a defence or undermining the prosecution, even after the prosecution has concluded. It has complied with that duty and continues to do so. An applicant can also use the material from Post Office's investigation and independent review to appeal their conviction if they so choose.

Moreover, and as you note, a number of these applicants have asked the Criminal Cases Review Commission to look into their cases and it would be highly inappropriate to do anything which might interfere in its work. Applicants with convictions should therefore look to these established, independent routes, and not to the Post Office, to pursue challenges to a criminal conviction.

In short then, and depending on their individual circumstances, applicants to the Scheme have a choice to sit down and mediate their case with the Post Office, litigate in the civil courts or pursue any claim of miscarriage of justice through the established processes. Given these clear choices, and bearing in mind that we are not able to discuss the detail of cases, you will perhaps understand our difficulty in identifying the specific outcome which is envisaged from the proposed meeting.

As you note in your letter, we have also offered every MP with a constituent in the Scheme the opportunity to discuss the case with us, subject to their constituent giving consent for us to do so. To date, just three MPs have taken up this opportunity and the offer remains open to the others. As noted above, Mr Bridgen has consistently refused to meet on this basis.

Nonetheless, and as you would expect, we do remain open to discussing any aspect of this issue. My colleagues, Mark Davies, our Communications and Corporate Affairs Director, and Patrick Bourke, who leads the Post Office team dealing with the Scheme, will be happy to attend any meeting at the Department. In addition, I think it would be beneficial if we could have a telephone conversation before any meeting takes place. If you agree, perhaps our respective offices could be in touch to make the necessary arrangements?

Lastly, and while you do not mention them in your letter, there have been suggestions that Second Sight should attend a meeting. As Second Sight has no standing in the disputes between the Post Office and applicants to the Scheme, we do not consider their involvement to be necessary or appropriate.

[Salutation]