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Ms Karen Wightman
Acting Editor
BBC Panorama
London

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Dear Karen

Thank you for your email.

I am disappointed that you are still not providing evidence to support the allegations you intend to include in your programme. Given your areas of questioning presumably remain unchanged, I cannot see how we can be expected to provide meaningful comment on bald, unsubstantiated and highly generalised assertions. This remains of extreme concern to me regarding the fairness and balance of the programme you intend to run.

Just to be clear about a point I made in my previous letter – I was not questioning Panorama's motive for its investigation but that of contributors taking part who have very clear vested interests. I would also underline again in the strongest possible terms that any examination of cases by Panorama cannot be full and fair because, necessarily, you clearly have extremely limited, acontextual information about them in the way they were conducted through the courts.

It is also extremely important that the programme takes full account of the fact the independent inquiry and the process we undertook to investigate each and every complaint put forward it was not and has never been a criminal case review, but rather an investigation into whether Horizon operated as it should in a small number of isolated cases, a minority of which involved a prosecution. A criminal case review is one for specialist criminal lawyers, the Courts or the CCRC. Second Sight, which is none of these, was engaged as experienced accountants and expressly acknowledged that they are not experts in criminal law or procedure. This must be reflected in the programme. Second Sight were not therefore provided with the legally privileged information concerning prosecutions, a matter which reflects the role they were to perform and was agreed by the working group of the mediation scheme in 2014.

You have also raised what I find to be an extraordinary rationale for considering including highly damaging allegations from a contributor that Paula Vennells is implicated in miscarriages of justice and that the Post Office is a bullying organisation. I will certainly want to provide a very full response to this matter.

Given your focus on individual cases, that you will not provide an assurance that we will not be asked about the specifics of those cases in interview, and that you will not provide evidence for the assertions being made I believe Panorama is unfairly preventing the Post Office from exercising its right to provide a fair and meaningful reply.

You have said that the programme is not now due to air until 17 August. You have only just responded to my letter of Tuesday and you have raised points that we need

to additionally consider. I do not therefore think it reasonable to demand that we respond to you by the end of today and request that we discuss the Post Office's response in person or by phone on Monday.

Yours sincerely

M. Davies

Mark Davies
Communications and Corporate Affairs Director