

---

**From:** Patrick Bourke [GRO]  
**Sent:** Thur 29/10/2015 9:14:45 AM (UTC)  
**To:** Christopher Knight [GRO]; Jonathan Swift [GRO]  
**Cc:** Jane MacLeod [GRO]; Mark Underwood1 [GRO]; Steve Allchorn [GRO]; Rodric Williams [GRO]  
**Subject:** RE: Post Office Matter

Dear Chris

Thanks for this.

1. As I indicated, the legal advice will come to you today.
2. The spreadsheet of all the cases will certainly help you – however, preparing summaries for each of the 136 may be a tall order. What we can do is give you a spreadsheet with sufficient detail to enable you to request more detail in relation to those which you wish to delve down into the detail of. As discussed, each has an Complaint from the Applicant, the Post office's Investigation Report, a Second Sight Review of the investigation and its findings and, in some cases, we have also prepared mediation statements. We would draw on these source documents to produce the summaries.
3. The Hamilton file I sent across is different in that its content relate only to documentation to show the sufficiency of evidence to underpin a theft charge. As such, it does not represent the 'full' Hamilton case file in the sense outlined at 2 above.
4. The ZIP files do, however, contain precisely the information at 2 above, together with summaries, and these will give you the best flavour of what a case 'looks like' from the documents now in your possession. These were prepared to provide our CEO with a flavour of the range of issues the Post Office was dealing with under the Scheme and is a pretty random collection at that.
5. I agree that an early visit to our model office to be taken through the system as it works in Post Offices up and down the country should be a priority. I will come back to you later today with some suggested dates and times.
6. John Davitt left me a voicemail yesterday, so I will ring him this morning. Thank you.

Kind regards

Patrick

---

**From:** Christopher Knight [GRO]  
**Sent:** 28 October 2015 17:12  
**To:** Patrick Bourke; Jonathan Swift  
**Cc:** Jane MacLeod; Mark Underwood1; Steve Allchorn; Rodric Williams  
**Subject:** RE: Post Office Matter

Dear Patrick,

Many thanks for this. That all looks very helpful. I have received the file cabbed over this afternoon with most of the documents referred to in Jonathan's instructions (and an additional copy for Jonathan). I think it is chiefly the previous legal advice which is outstanding, which will doubtless follow relatively shortly.

It seems to me that the spreadsheet of summaries of the various Scheme cases (and within that, the criminal cases) might usefully be the priority so we can work out a way of most sensibly sampling. I have the Hamilton file you also cabbed over as an example to get my head round what they look like.

Can I check what the three zipped email files are of?

I also have separately the email with the s17 notices from the CCRC, which will be a helpful intro to those types of case.

I've spoken to the clerks who will hopefully get back to you today on fees (at least for me). I will also ask them to do so re Tuesdays so we can begin diary liaison. I should probably do some of the further reading in before planning who to speak to next; it may well be that the Horizon intro should be sooner rather than later, so we know what we are reading about.

Best wishes,

Chris

---

**From:** Patrick Bourke GRO  
**Sent:** 28 October 2015 12:29  
**To:** Christopher Knight  
**Cc:** Jane MacLeod; Mark Underwood1; Steve Allchorn; Rodric Williams  
**Subject:** Post Office Matter

Dear Christopher

Many thanks for coming to see us at our offices yesterday.

I thought it would be helpful to offer up a summary of where I think our discussions concluded on the various points raised. I would be grateful for your view on whether they accurately reflect where we got to and we do, of course, understand that the nature of this project may necessitate some (hopefully) limited revisiting as you conduct your work.

### ***Scope of Enquiries***

We agreed that the broad territory to be covered was encapsulated in the four principal areas of contention identified by Jonathan in his meeting with Tim and Jane on 20 October. These are:

1. Whether individual charges brought against relevant Applicants to the Scheme were underpinned by a sufficiency of evidence;
2. Establishing, in so far as possible, whether the Horizon system was or was not the underlying cause of discrepancies in the branch accounts of Applicants to the Scheme;
3. Whether the advice provided to Applicants to the Scheme by the Helpdesk was appropriate and, in particular, whether the advice provided caused Applicants to commit false accounting; and
4. Whether the investigations into the cases in Scheme were appropriate and reasonable in scope and depth and, in particular, whether anything was missed which could, and ought, now to be looked at.

We had an initial discussion about how this ground might best be captured in your report and tentatively envisaged a thematic treatment, with specific examples drawn upon under each to support the overall finding. However, we were all agreed that this would need further consideration as time goes on.

### ***Approach to Enquiries***

We went onto discuss how you and Jonathan might approach these enquiries, mindful of the fact that a) their focus is on the Post Office's responses to the complaints, rather than a review and judgment of the merits of each, and b) of

the time within which Tim wishes this work to be concluded.

The emerging thinking is relation to each of the four strands was:

1. We would identify all those cases in which multiple charges were in play against Applicants to the Scheme (usually theft and false accounting). You would choose a sample of cases from that list in order that you might come to a view, having reviewed the relevant material, about whether or not the appropriate evidential test was met. We agreed that we would sign post you to the relevant material through discussions with Cartwright King, who have conducted our prosecutions work for a number of years, as well as discussions with Brian Altman's junior who is in the process of reviewing the material in the cases being looked at by the CCRC. We agreed with your view that the CCRC cases are out of scope but nonetheless thought a conversation with Brian Altman's junior would be beneficial given her familiarity with Post Office prosecutions material generally.
2. In relation to the Horizon system, Jane outlined the very real difficulties involved in what is, at its heart, an exercise in proving a negative, only made more complicated by the age of the system. However, in addition to supplying you with all the documentation we have which contributes to an answer to the question, we would arrange for you to meet with the authors of the Deloitte report (now at Ernst & Young), Gareth Jenkins who used to act as our expert witness in relation to Horizon, and someone currently at Fujitsu with expert knowledge of the system. You would also consider whether UCL, in addition to these other experts, might answer some the specific allegations made about the system, for instance the notion that it is/was possible to manipulate live branch data remotely and without leaving an audit trail.
3. The Helpdesk issues are likely to be more straightforward. We can supply the documentation which covers off the processes and protocols which underpin the Helpdesk. In addition, we agreed to identify those cases in the Scheme in which accusations about the Helpdesk were particularly prominent, from which you would again select a sample so as to enable you to form a view as to the appropriateness of the support it provided. In addition, we are happy to arrange a meeting for you/Jonathan with those operating the Helpdesk.
4. On the question of the adequacy of the investigations undertaken as part of the Scheme, we agreed that we would again provide you with the documentation prepared at their outset, so that you are able to see what the intended scope and methodology was. You would also meet with Angela Van Den Bogerd who was ultimately responsible for the investigations as a whole. Finally, by reference to a sample of cases of your choosing, the relevant investigator(s) could walk you through specific investigations in practice. In each of the sample cases, you would also review all of the outputs of the investigation including Post Office's Investigation Reports, Second Sight's Case Review Reports and Post Office's Mediation Statements where relevant.

### **Ways of Working and Action Points**

Finally, we had a discussion about ways of working, most of which we agreed would become apparent as we take the work forward. We did, however, agree a number of specific actions which are listed in the document I attach, some of which are already underway, and some of which we will need to agree dates and times for when you have had a chance to determine how you want to take the work forward.

I am sending you, under separate cover, the s17 notices we have received from the CCRC and which Jane told Jonathan she would get across to Chambers.

You should use me as your primary point of contact but my colleagues Mark Underwood and Steve Allchorn, both of whom you met and are copied into this email, are also available to you and Jonathan for anything you might need.

I trust this cover everything but please contact me if you feel anything is missing or misunderstood. I also look forward to hearing from John Davitt on the question of fees as soon as practicable.

Kind regards

Patrick

**Patrick Bourke**

**GRO**

---

\*\*\*\*\*

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: Finsbury Dials, 20 Finsbury Street, London EC2Y 9AQ.

\*\*\*\*\*