

Message

From: Dave Panaech [GRO]
on behalf of Dave Panaech [GRO]
Sent: 02/11/2018 21:17:25
To: Angela Van-Den-Bogerd [GRO]
CC: Beth Hooper [GRO]
Subject: RE: Group Action: steps post witness familiarisation training [WBDUK-AC.FID26896945]
Attachments: _STATEMENT_151533987(3)_Reading note for Post Office_s witness evidencedocx

Dear Angela,

You will receive an additional folder of your Individual Documents on Saturday. These documents have also been uploaded to the data room. If you have had any issues logging on to the data room, please let Beth know.

You do not have to go through all the documents in your bundles in detail. Many are there for reference. Below I highlight the documentation that you should be reviewing and some of the topics that you should be focusing on.

Your statement

Your statement will be your evidence to the Court. Please read and re-read your statement carefully. You should be fully familiar with all the points made in your statement and be confident in answering questions on its content. Whilst reading your statement, please also briefly review the references/exhibits referred to in the footnotes to satisfy yourself that the references are consistent with the content of your statement. All the references/exhibits are in first section of your Individual Documents folder (items 1 – 14).

The focus of challenge by the Claimants barrister, Patrick Green QC, is likely to be around section C of your statement. Be very familiar with that section and be prepared to elaborate further on the points made therein, if questioned.

Other Post Office witness evidence

Your evidence is a broad overview of Post Office business, the role of subpostmasters and the operations of a Post Office Branch. Because of its breadth, there is a measure of overlap between your statement and the other Post Office witness statements. For your ease of reference, I attach the Reading Note we submitted to the Court which summarises the content of the various Post Office statements.

One cross-examination technique is to put questions to you regarding issues you are personally familiar with and therefore should answer but are also commented upon by other Post Office witnesses to try and draw out inconsistencies. Because of the breadth of your experience, I suggest you should review all the other Post Office witness statements. The more important ones are the statement from Nick Beal, John Breeden, Timothy Dance, Sarah Rimmer and Helen Dickinson. If you do see any inconsistency with the content of these statements with yours please let me know.

The Lead Claimant's evidence

It would be worthwhile for you to review the Lead Claimant's evidence as well. You will find in the Core Documents Folder summaries of the Lead Claimant's evidence which would be a good place to start. You will not be expected to be familiar about the Lead Claimant's experiences. However, you should familiarise yourself with this evidence as Mr Green QC may refer you to a specific experience of a Lead Claimant to suggest to you (and show the Court) that your overview evidence is not representative of what happens on the ground. Do consider how you would respond to such a suggestion.

Your individual bundle

We have added various policy documents which Freeths placed in the trial bundle that may be relevant to the evidence you are giving. These are for reference only. If you do not recognise the document, then please ignore it.

Claimant's Opening Statement

You should read the Claimant's Opening Statement. There are many references to your statement and they have highlighted specific areas where they will try to challenge your evidence.

Areas to think around

At paragraphs at paragraphs 64 to 72 of your statement you provide a high level overview of a subpostmaster's business which you state, at paragraph 64, that an applicant (or at least a successful one) ought to be expected to know or find out before appointment. This is an area that Mr Green QC may focus on during cross examination. Do think around why you consider that a subpostmaster applicant ought to be aware of the points made paragraphs 65 – 72 of your statement prior to his appointment.

The last sentence of paragraph 69 of your statement you make the point that applicants will assess the risks of running branch – principally in the form of liabilities for shortfalls if mistakes are made. Mr Green QC may put to you that the business plan does not have a section for anticipated losses for shortfalls. Do consider how you would explain (if given the chance) that applicants should be nevertheless be considering the risk of shortfalls (i.e. shrinkages in the retail context) when making their assessments. This point is made at paragraph 62.4 of the Claimant's Opening.

Paragraphs 91 – 93 of the Claimant's Opening mentions that your evidence regarding shortfalls and transactions corrections will be challenged. Be preparing to justify the Causes of Shortfalls (paragraphs 116 to 125) section of your statement.

Similarly we expect Mr Green QC to try and challenge you on your account in the 'Reliance on Subpostmasters' and 'Responsibilities for Shortfalls' sections of your statement that subpostmasters are best placed to identify the causes for shortfalls and have all the necessary tools to do so.

I hope the above is of assistance. Please do contact me if you have any questions.

I will be in court Wednesday and Thursday next week and thereafter. If Monday does not suit you for a call I am generally available on Tuesday morning and Friday (all day) to discuss your evidence further. Please let me know when would be a good time for you.

Kind regards
Dave

Dave Panaech

Associate
Womble Bond Dickinson (UK) LLP

d: 
m: 
t: 
e: Dave.Panaech@

Stay informed: sign up to our e-alerts



womblebond dickinson.com



From: Mandy Robertson

Sent: 22 October 2018 18:51

To: Angela Van-Den-Bogerd; 'john.breedend@'; Sarah Rimmer; nick.beal@

Cc: Mark Underwood1; Victoria Brooks; Dave Panaech; Beth Hooper

Subject: RE: Group Action: steps post witness familiarisation training [WBDUK-AC.FID26896945]

Dear All

Please find attached a briefing note setting out the context of the litigation.

Due to your witness statements being more detailed than those who address their dealings with specific lead claimants, it is taking us longer than anticipated to trim down the core court documents to what you absolutely should be aware of.

These documents will support your background knowledge about the legal context of this claim. You will not be asked questions about the legal arguments. You will be confined to giving factual evidence (as opposed to giving your views on the legal arguments). As you can appreciate, there is a balance to be struck and we do not want to waste your time with unnecessary reading.

That said, we are aiming to be in a position to send you a list of which sections of the core court documents you should review by close of play tomorrow.

Kind regards

Mandy

Mandy Robertson

Solicitor

Womble Bond Dickinson (UK) LLP

d: [REDACTED]
m: [REDACTED]
t: [REDACTED]
e: mandy.robertson@[REDACTED]

Stay informed: sign up to our e-alerts

Proud supporter of the Global Parliament of Mayors Summit, Bristol, October 2018



wombledonddickinson.com



From: Mandy Robertson

Sent: 19 October 2018 18:09

To: 'Angela Van-Den-Bogerd'; 'john.breedon@[REDACTED]'; 'Sarah Rimmer'; 'nick.beal@[REDACTED]'; 'helen.dickinson@[REDACTED]'; 'Paul F Williams'; 'Michael Z Shields'; 'Michael R Haworth'; 'Mike X Webb'; 'Elaine Ridge'; 'andrew.carpenter@[REDACTED]'; 'Brian Trotter'; 'tim.dance@[REDACTED]'; 'david.longbottom@[REDACTED]';

Cc: 'Mark Underwood1'; Victoria Brooks; Dave Panaech; Andrew Parsons; Beth Hooper

Subject: Group Action: steps post witness familiarisation training [WBDUK-AC.FID26896945]

Good afternoon all

I am grateful for the feedback on the witness familiarisation training. I hope it was a useful day.

Briefing note

The training will have given you some idea on what to expect at court next month. To assist in your preparation to give evidence, please read the attached briefing note. Post Office is expected to give its evidence in the third and fourth week of trial, starting on or around 19th November.

Royal Courts of Justice

Some of you may have seen this video already. For those that haven't, it is a 2 minute tour of the building the trial will be heard in, which may be of interest. <https://www.youtube.com/watch?v=VpvaqYm9es>

Next Steps

We have sent you login details to a data room which contains the core court documents. You do not need to read all of them. They mainly contain the legal arguments which the barristers on both sides will be putting forward. We will send you an email on Monday to direct you to which sections of the documents we think will be useful for you to review.

The starting point for you all will be your witness statement and exhibits, which are available to access at any time in the data room (login details as sent to you earlier today). Please could you all start your reading as set out below:

- a) Angela, John, Sarah, Nick, Helen and Paul - please could you read all six of the Lead Claimants' witness statements and:
 - i. Nick – Angela's witness statement
- b) Please could those below read the following witness statements:
 - i. Michael Haworth – Mr Sabir
 - ii. Mike Webb – Mr Sabir and David's witness statement
 - iii. David – Mrs Stockdale
 - iv. Andrew – Mrs Stockdale
 - v. Tim – Mrs Stockdale, Mrs Dar and Sarah and John's witness statements
 - vi. Elaine – Mr Abdulla
 - vii. Michael Shields – Mrs Stubbs
 - viii. Brian – Mrs Dar

The data room also contains one page summaries about the key arguments the Lead Claimants are reading. Please read all six of these to give you a flavour of the individuals who will be giving evidence before you. Please do not show these one page summaries to anyone else as these are not public court documents.

Action plan

- Monday 22nd: we will send you an overview of the legal case being made against POL and directions on which sections of the core court documents to review
- Friday 26th: we will send you documents in your name/ relating to the Lead Claimant on whom your statement relates to and related to the topic(s) your statement is on, together with some guidance on the areas you should think about when reviewing these documents
- Wednesday 31st to Friday 2nd November: we will set up calls with each of you to run through any questions you may have on your reading and what to expect at court

Do let me know if you have any questions in the meantime.

Kind regards

Mandy

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. angela.van-den-bogerd{GRO} only is authorised to access this e-mail and any attachments. If you are not angela.van-den-bogerd{GRO} please notify dave.panaechi{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. Information about how we use personal data is in our [Privacy Policy](#) on our website.

Any files attached to this e-mail will have been checked by us with virus detection software before transmission. Womble Bond Dickinson (UK) 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 Womble Bond Dickinson (UK) LLP, is neither given nor endorsed by it.

This email is sent by Womble Bond Dickinson (UK) LLP which is a limited liability partnership registered in England and Wales under number OC317661. Our registered office is 4 More London Riverside, London, SE1 2AU, 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.

Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practice law. Please see www.womblebond dickinson.com/legal notices for further details.

Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority.