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From: Martin Edwards[/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MARTIN EDWARDS1F838E9D3-CC99-4040-B432-33552E99ED2DDD]
Sent: Fri 19/07/2013 3:04:41 PM (UTC)
To: Mark R Davies GRO
Subject: Re: briefing note for Paula / JA meeting

Susan already had a call with her at 430 so I guess she wanted some back up.

From: Mark R Davies
Sent: Friday, July 19, 2013 02:45 PM
To: Martin Edwards
Subject: Re: briefing note for Paula / JA meeting

Yep a civil servant might work

Do you know what has prompted the Paula call at 430pm?

Sent from my iPhone

On 19 Jul 2013, at 15:16, "Martin Edwards" GRO wrote:

> It was more a comment on my own stereotype than yours!
>
> Yes, an ex MP might be an option, but can you think of anyone who would be mad enough to do the job and have widespread support from existing MPs? Would it be better than the alternative of an establishment type figure, one of those retired senior civil servants who end up doing this kind of thing? Cheaper than a QC, although does again look a bit like a public enquiry.
>
> Horribly difficult as you say...
>
> ---
>
> **From**: Mark R Davies
> **Sent**: Friday, July 19, 2013 01:16 PM
> **To**: Martin Edwards
> **Subject**: Re: briefing note for Paula / JA meeting
>
> You just made me laugh out loud! (Though not a little ashamed at my sometimes simplistic and crass SPAD approach!)
>
> It's all horribly difficult. I just had a call with lawyers who warn that a QC taking it all on will cost a fortune and essentially create a public inquiry.
>
> My worry, apart from the obvious re SS, is the MPs who I don't think will like our plans and see them as us trying to fix things for ourselves.
>
> So it may be mad, but what about asking an ex-MP to oversee the MP element of the process - in that way, they and SS would be in the room (it could be chaired by the ex MP).
>
> Sent from my iPhone
> On 19 Jul 2013, at 13:34, "Martin Edwards" GRO wrote:

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Anyhow, I think I agree with you, provided we can get the right individual quickly enough

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From: Martin Edwards
Sent: 19 July 2013 13:33
To: Mark R Davies
Subject: RE: briefing note for Paula / JA meeting

You can tell which of us was the nerdy civil servant wanting to document all the options with pros/cons, and which was the spad wanting to cut to the chase!

From: Mark R Davies
Sent: 19 July 2013 13:29
To: Martin Edwards
Cc: Susan Crichton; Alwen Lyons; Simon Baker
Subject: Re: briefing note for Paula / JA meeting

All

Thanks for this.

I have a preference for a position where we appoint a QC to oversee whole process from now, including marshalling SS.

I think this helps board positioning, would manage MP expectations and helps to provide over-arching oversight.

Mark

Sent from my iPhone
On 19 Jul 2013, at 13:24, "Martin Edwards" GRO wrote:

> Susan, Alwen
>
> We discussed a number of options on the call in relation to the MPs cases:
>
> - SS to lead the overall process, but with us working closely in partnership with them to ensure they take an orderly and impartial approach - this is probably closest to what MPs are expecting, but carries the risk of repeating the issues we've experienced with SS to date;
>
> - PO to lead the case reviews, but with SS providing independent support in terms of reviewing the evidence - gives us more control, but might not wash with MPs;
>
> - An independent third party such as a QC to chair the process, directing us and SS how to marshal the evidence etc. This then also leads into the linked option Simon mentions below that we might have the sam individual chairing the overall process, i.e. including the thematic review.
>
> We didn't reach firm conclusions on these options, but agreed we needed to document each of them with pros/cons to arrive at a carefully considered recommendation.

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We then discussed the linked question of how do we manage other cases which come out of the woodwork over the coming months. Do these go to the new independent adjudicator/mediator (as suggested in Simon's original email below), or do we want to give that a blank slate and keep it focussed only on new live cases? If so, what's the process these for 'new historical' cases?

In terms of the briefing for the JA meeting, I'm happy to review/input as required, but not sure I can hold the pen at this stage - need advice from you on how we're tackling the above questions and also the meeting handling questions set out below.

I'm going to be tied up until 3.30, but happy to review anything then if that would be helpful. Also happy for you to send direct to Paula if you prefer, whatever works for you.

Thanks,
Martin

From: Simon Baker
Sent: 19 July 2013 13:07
To: Mark R Davies; Martin Edwards; Susan Crichton
Cc: Alwen Lyons; Lesley J Sewell; Andy Holt; Angela Van-Den-Bogerd; Ruth X Barker; Sophie Bialaszewski
Subject: RE: briefing note for Paula / JA meeting

Susan

At our update call today we discussed the need to clarify the role of Second Sight for both the October thematic report and the MP case review.

Although the POL board have given a strong steer to minimise the involvement of Second Sight, it is not realistic to remove them, as they have the trust of the MPs.

The proposal is that we counter balance Second Sight by having the Independent Adjudicator, presumably a QC, take an overarching role in both reviewing the MPs cases and the thematic report, with Second Sight providing input into these. Obviously it will depend on the timing on getting Adjudicator in, but if you agree to this approach we should raise it with Paula as an item to cover with JA on Monday.

Regards, Simon

From: Mark R Davies
Sent: 19 July 2013 11:30
To: Martin Edwards
Cc: Simon Baker; Alwen Lyons; Susan Crichton; Lesley J Sewell; Andy Holt; Angela Van-Den-Bogerd
Subject: Re: briefing note for Paula / JA meeting

Ahead of the call it is worth reminding ourselves of commitments the

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minister made in the House relating to this and testing whether we are meeting them;

- any further work must be independent and seen to be so

- imperative that cases are looked at speedily

- the working party will be independent (in response to request for independent chair of working party)

- must be a procedure for new cases

Mark
Sent from my iPhone
On 19 Jul 2013, at 10:42, "Martin Edwards"
GRO wrote:

> Thanks Simon, looks good.
>
> I think it would be helpful to discuss the process for MPs' cases in further detail on the call, as this is still sounding a bit woolly and potentially unconvincing. Realise we need to retain a degree of case-by-case flexibility, but if we could come up with a unifying mechanism which provides reassurance on impartiality in all cases I think that would be helpful in getting this agreed upfront.
>
> My only other question on the substance below is whether we want to commit now to putting new MPs' cases through the adjudicator. Do we need to do more work first on the gateway and terms of reference for the adjudicator? Again, let's pick up on the call.
>
> Alwen (and Susan) - anything else to add to the brief? Would be good to have a few lines on handling upfront, i.e. what are JA and SS expecting from the meeting (how was it left last time), and what approach should Paula take? Is she initiating the conversation along the lines of the script below, or does she start with listening/ open questions etc?
>
> Thanks,
> Martin
>
> Martin Edwards
> Chief of Staff to the Chief Executive
> Post Office
> GRO
> On 17 Jul 2013, at 19:19, "Simon Baker"
> GRO wrote:
>
> > Martin, Alwen

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I think you picked up the action to pull together the briefing note for the Paula / JA meeting.

My thoughts on content for the briefing:

Key Points:

1. Following the meeting on the 8th July Post Office has already implemented many changes and is serious about fully addressing all the issues raised in both the interim and final reports [some examples might be useful]

2. To ensure we make this investigation a triumph, we need to agree the best way of conducting the rest of investigation. There are two main objectives and we need to agree how best to deliver both of them. The two main objectives are:

    a. "getting to the truth" on the key problem themes identified by JFSA and Second Sight

    b. Provide an independent review of the cases submitted by MPs

3. We propose that the Second Sight report, due in October, should focus on "getting to the truth" on the themes that Second Sight have heard from subpostmasters. Second Sight believe is the best use of their time. We have also discussed this with JFSA [Alwen I think you should include this in you conversation's with Alan]. This will also allow Post Office to get to the bottom of what we need to do to improve quickly.

4. We propose that we provide each MP and independent review of their case. This will need to be after the October report, as those finding will be an important factor in the MPs cases. The exact nature of each review with vary depending on the nature of the case (eg evidence availability, alignment to key themes, nature of the problem). In essence each review will be tailored to the requirements of the MP and their case. Second Sight will be involved in these. We propose that we meet with every MP during the summer and agree with them how we will best provide an independent review of their case.

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5. Post Office is defining the independent adjudication process. This will provide sub postmasters the facility for an independent party to examine their cases going forward. We propose that those MP cases that were submitted after the cut off are submitted to the independent adjudicator.

Regards, Simon

Simon Baker Head of Business Change and Assurance
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