



Post Office Limited
Postmaster Litigation Subcommittee

MINUTES OF A MEETING OF THE POSTMASTER LITIGATION SUBCOMMITTEE OF POST OFFICE LIMITED (THE "COMPANY" OR "POL") ON MONDAY 26 MARCH 2018 AT 5.00 PM AT 20 FINSBURY SREET, LONDON EC2Y 9AQ

Present:	Tim Parker	Chairman (TP)
	Ken McCall	Senior Independent Director (KM)
	Paula Vennells	Group Chief Executive (CEO)
	Alisdair Cameron	Chief Financial and Operations Officer (CFOO)

In Attendance:	Jane MacLeod	General Counsel & Company Secretary (JM)
	Tom Cooper	UKGI (TC)
	Veronica Branton	Minute Secretary (VB)
	Andy Parsons	Partner, Womble Bond Dickinson (AP)
	Angela Van-Den-Bogerd	Network Change Operations Manager (A VDB)
	Rod Williams	Head of Legal: DR & Brands (RW)
	Mark Underwood	Head of Portfolio: Legal, Risk & Governance (MU)

Apologies: None

ACTION

These minutes contain legally privileged information which was discussed with both internal and external counsel in attendance.

1. Terms of Reference (ToRs)

It was noted that at the meeting of the Post Office Limited Board on 29 January 2018, the Board established a committee to receive advice relating to the Postmaster Litigation. The Company Secretary tabled draft terms of reference for the Committee which were noted and approved for recommendation to the Board at the next Board meeting on 27 March 2018. It was explained that day-to-day decisions on the litigation were taken by the executive but that the Board was consulted in advance of any significant decisions being taken.

2. Litigation timetable and suggested dates for future meetings

The litigation timetable and suggested dates for future meetings were **noted**. It was reported that the Common Issues Trial would be in November 2018 and the Horizon Trial would be in March 2019. The timing for the Committee meetings had been scheduled around the key dates in the litigation, as well as also being as close to Board meetings as possible.

3. Update on developments since January board meeting:

3.1 Scope of disclosure

Mr Parsons noted that to date the Court supported a narrower approach to the disclosure of documents, however this still amounted to hundreds of thousands of documents being identified for disclosure, and provision of these documents to the solicitors for the applicants was underway to support the first hearing in November regarding the proper construction of the contracts between Post Office and the applicant postmasters.



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3.2 Scope of Horizon hearing

It was noted that the Horizon hearing (to be held in March 2019) was limited to technical questions about how the system operated in branch.

3.3 Appointment of IT expert

The appointment of IT experts by both sides to support the Horizon trial was noted. The quality of the opinion provided by the expert would be critical. The Committee noted that Dr Robert Worden had been appointed by Post Office Limited and a summary of his previous experience as an expert witness was discussed.

3.4 Application for security for costs

The proposed application for security for costs was noted. Mr Parsons advised that an application for security for costs was not unusual and that based on the ongoing discussions, he believed that a consensual agreement could be reached without the requirement for a court order.

4. Protocol for engagement with UKGI

The request from UKGI for regular briefings on the progress and status of the litigation was discussed and it was noted that UKGI and Post Office were discussing a draft protocol to enable such information to be shared. The Committee noted that such briefings could involve legally privileged information and that it was important for such privilege to be maintained.

5. Contingency planning

The Committee requested work to be undertaken on contingency plans should the outcome of either or both of the two trials be adverse to Post Office Limited.

It was reported that A VDB was leading on this work and that the Committee would receive regular updates.

6. CCRC

It was noted that 33 former Postmasters had applied to the Criminal Cases Review Commission ('CCRC') to review the terms of their convictions. Mr Williams noted that Post Office was cooperating fully with the CCRC and we believed that they were nearing the end of their investigations. Nevertheless, Post Office considered it unlikely that a decision would be made public before the conclusion of the Horizon trial. The Committee noted that the outcome of the CCRC work could be that cases were referred to the Court of Appeal.



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7. AOB

Next meeting.

It was noted that at the next meeting on 15 May 2018, Post Office's appointed QCs would attend to discuss the progress of the case.

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Chairman

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Date

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