

Post Office Mediation Scheme

Case Review Report

Applicant: Mrs Jane BREWER - M014 – DRAFT 1

Advisor: n/a

February 2014

1. Introduction

1.1. This report should be read in conjunction with the following documents:

- a) The documents submitted by the applicant;
- b) The Post Office Investigations Report prepared by Post Office Limited ("Post Office") including attachments;
- c) Second Sight's *"Thematic Issues Report"*; and
- d) Post Office's *"Glossary of Acronyms"*.

1.2. The Terms of Reference for Second Sight as set by the Mediation Working Group are as follows:

- a) To investigate the specific complaints raised by each Subpostmaster who has been accepted into the Scheme with the aim of providing:
 - i. an assessment of points of common ground between Post Office and that Subpostmaster;
 - ii. an assessment of points of disagreement between Post Office and that Subpostmaster;
 - iii. where there is disagreement, a logical and fully evidenced opinion on the merits of that Subpostmaster's complaint where it is possible to do so;
 - iv. a summary of any points on which it is not possible to offer a fully evidenced opinion due to a lack of evidence / information;
 - v. a view on whether a case is suitable for mediation; and
 - vi. assisting with any reasonable requests made by the Working Group and/or Post Office;

1.3. Second Sight has been provided with the following documents:

- a) The initial application to the mediation scheme submitted by the applicant;
- b) the Case Questionnaire Response submitted by the applicant;
- c) the Post Office Investigation Report, prepared in response to the above mentioned documents.

1.4. The following matters are the key issues raised by the applicant:

- a) Hardware problems that gave rise to various issues; and

b) a support function that was unable to resolve the various issues in a timely manner.

- 1.5. The applicant was in post between approximately 1990 to date. Her total service in a variety of roles at the branch extends over 50 years.
- 1.6. Most of the issues raised by the applicant occurred in the period April 2011 to September 2012 and therefore fall within the normal document retention period of the Post Office. The monetary value of the losses reported is £9,825.61.

2. Points of common ground between the applicant and Post Office Limited

- 2.1. It is common ground that the applicant raised a number of issues concerning hardware problems with the Horizon system between 2009 and 2013. This resulted in various items of equipment being replaced. Communication line testing by BT also established that faults were occurring, but these ceased after a telephone in the back office connected to the same line as the Horizon equipment was removed on 10 October 2012. No further problems were reported after this date.
- 2.2. It is also common ground that the applicant was responsible for a number of procedural errors that gave rise to some losses, e.g. a bounced cheque that resulted in a loss of approximately £2,600 which was made good by the applicant. It is also agreed that other procedural errors such as password sharing occurred.

3. Points of disagreement between Post Office and that Subpostmaster:

- 3.1. The following issues represent points of disagreement between Post Office and the applicant:

Hardware problems that gave rise to various issues

- 3.2. Whilst it is common ground that a number of hardware issues occurred, Post Office do not accept that these events gave rise to losses. Also, Post Office disagree with the alleged opinion of the Fujitsu engineer that communication line problems could give rise to losses.
- 3.3. We note that following the removal of the back office telephone in October 2012, no further line faults or problems have been reported.

A support function that was unable to resolve the various issues in a timely manner.

- 3.4. It is clear that extensive support was provided to the applicant by Post Office / Fujitsu. Notwithstanding this level of support, problems continued to occur. The applicant believes that equipment should have been replaced much earlier and issues such as budgetary constraints within Post Office / Fujitsu contributed to the problems suffered.

4. Where there is disagreement, a logical and fully evidenced opinion on the merits of that Subpostmaster's complaint where it is possible to do so;

- 4.1. The following sections represent the opinions reached by Second Sight as a result of the documents and other evidence provided to it.

Hardware problems that gave rise to various issues

- 4.2. We note that no further allegations of problems occurred after the removal of the back office telephone in October 2012. Arguably, this apparent solution to communication line problems should have been achieved much earlier. Whilst we have seen no technical evidence that links communications line problems to transactional discrepancies, we find the proximity of this solution to the resolution of the alleged problems to be quite compelling.

A support function that was unable to resolve the various issues in a timely manner.

- 4.3. We note that the level of support provided to the applicant throughout the period under review was quite extensive and probably exceeded the level of support provided in many other mediation cases. It is unfortunate that the recommendation to remove the back office telephone was not made much earlier. Also, much of the advice from the Help Desk and other support functions focussed on matters such as more frequent account balancing. In our view, it would have been better if all of the hardware issues had been resolved, prior to recommending these very labour intensive procedures.

5. A summary of any points on which it is not possible to offer a fully evidenced opinion due to a lack of evidence / information;

- 5.1. Whilst we have not been able to establish a direct causal link between communication line problems and the losses reported, we believe that communication line problems did play some part in these losses.

6. Is this case suitable for mediation?

- 6.1. In our opinion, the 2 issues raised by the applicant are suitable for mediation.