

## **UPDATE FOR THE BOARD SUB COMMITTEE**

### **Working Group Read Out**

At its last meeting, the Sub Committee asked for a brief update to be circulated following the Working Group of 1 May. This is set out below:

1. The JFSA letter was discussed and Tony Hooper indicated he would write to the minister rectifying any factual inaccuracies.
2. In relation to the factual report (that is, the report prepared for mediators setting out what Horizon does, and how it operates) the Working Group agreed (as Post Office requested) that any opinion or unsubstantiated comments should be removed.
3. On the case report that had been prepared and submitted by SS (the only one they have produced so far), Tony Hooper directed that the Working Group should limit its comments specifically to ones of style, and no discussions of the merits of the case were allowed.
4. Tony was at pains to ensure that his Chairing of the Working Group was seen to be impartial, not favouring one side over the other.
5. We logged our deep concerns over the CFA arrangements and their impact on an applicant's willingness and ability to settle. Tony has commissioned further advice on this issue.
6. It was clear that JFSA remain convinced that Post Office is not reviewing cases with an open mind (with implications this has for good faith). They seem to be seeking a blanket apology (with financial implications) with respect of Post Office's behaviour towards SPMR generally.
7. Tony's behaviour indicated that, for the time being at least, he thought it was sensible to continue with the Scheme.
8. Tony referred to the fact that he was under some pressure to report progress on the Scheme to a third party (query the minister).

### **Implications**

9. It looks likely that the case report referred to above (M022) will be released to the applicant several weeks sooner than was originally anticipated, possibly as early as the w/c 12 May (in any event it will be released then in draft form only and in confidence). NB a mediation date is still up to 10 weeks away.
10. We are now assessing the impact of the above in terms of the potential timescales and practicalities of implementing "option 2".

### **Other Issues**

11. The Deloitte work continues apace.
12. James Arbuthnot has written to Paula to press further for more feedback on the Scheme. We are working on a response to be agreed with Paula.

13. We are developing implementation plans – a key part of which is the Deloitte assurance work – which we are accelerating. Therefore we will suggest a date(s) for the next Sub Committee as soon as possible, it will though be no later than the evening of 20 May.