

From: Jarnail Singh[/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JARNAIL.A.SINGH6CEADABD-67E9-4ECA-94F2-005716658847]
Sent: Wed 22/01/2014 3:29:10 PM (UTC)
To: 'Parsons, Andrew' [GRO]
Cc: Rodric Williams [GRO]; Hugh Flemington [GRO]
Subject: RE: M141 /Rees - Summary for Mediation Process - Furnace - FAD363642 [BD-4A.FID20472253]

Andrew

We have discussed this previously. This is a very difficult area to address .I agree with Harrys advice we should only include facts in summary of these cases to Tony Hooper for the reasons outlined in Harrys email below.

Jarnail Singh I Criminal Lawyer



148 Old Street, LONDON, EC1V 9HQ



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From: Harry Bowyer [GRO]
Sent: 22 January 2014 13:21
To: 'Parsons, Andrew'
Cc: Jarnail Singh
Subject: RE: M141 /Rees - Summary for Mediation Process - Furnace - FAD363642 [BD-4A.FID20472253]

Andy,

Further to my earlier email I have had a chance to consider the position.

Our brief was to make the case summaries as neutral as possible and keep them free of the taint of our opinion – a straight reporting of the facts as alleged. I have been careful only to directly quote what was said in interview and have been at some pains to avoid any comment on the strength or otherwise of the case or the tactics that Post Office might employ.

It would be possible to amend the documents, as you suggest, but that is not something that we would advise because these documents may end up in the public domain with certain foreseeable and unattractive consequences:

- i. There is a substantial waiver of privilege.
- ii. The views of the prosecuting lawyers, at an early stage of the proceedings, on the strengths/weaknesses of our case being exposed to defendants and their defence teams. This could create problems should we recommence prosecutions. In extreme instances we could become witnesses in our own cases. (An obvious example is the case of Choudry (Wasim Abbass) in which neither the Post Office investigators nor the POL systems cover themselves in glory – I am sure that our mutual client, POL, does not want a document in the public domain that provides a route map to how to attack us where we are most sensitive.)
- iii. We reveal the working practices of POL prosecutions at their early stages.
- iv. We cannot address the issue of the expert as that is not entirely within our bailiwick. We have advised that in a number of cases we would be reluctant to prosecute without an expert but the whole issue of funding and timescales is a matter entirely within the control of POL and the stage that we have reached is a matter of some sensitivity – certainly not something that we need published.

If you need any more help please get in touch.

Kind Regards

Harry Bowyer

GRO

Direct **GRO** 6

From: Parsons, Andrew

GRO

Sent: 22 January 2014 09:45

To: Harry Bowyer

Cc: martin smith; Jarnail A Singh

GRO

Subject: RE: M141 /Rees - Summary for Mediation Process - Furnace - FAD363642 [BD-4A.FID20472253]

Harry

Do you think bits below will be completed this week?

I'd like to fix a date in the diary for Tony to review the documents.

Kind regards
Andy

Andrew Parsons

Senior Associate

for and on behalf of Bond Dickinson LLP

Bond Dickinson

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From: Parsons, Andrew

Sent: 21 January 2014 12:46

To: 'Harry Bowyer'

Cc: martin smith; Jarnail A Singh **GRO**

Subject: RE: M141 /Rees - Summary for Mediation Process - Furnace - FAD363642 [BD-4A.FID20472253]

Harry

Thanks for the below. Would it be possible to incorporate these comments into the case summaries so that this information can be passed to Tony Hooper? This will probably need a little re-wording / bit more contextual information given that Tony is not aware of the issue with the Horizon expert as yet.

Jarnail – did you bottom out whether Rees is to be charged or dropped?

Kind regards
Andy

Andrew Parsons

Senior Associate

for and on behalf of Bond Dickinson LLP

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From: Harry Bowyer [GRO]
Sent: 16 January 2014 11:21
To: Parsons, Andrew
Cc: martin smith
Subject: RE: M141 /Rees - Summary for Mediation Process - Furnace - FAD363642

Andy,

Martin is out of the office and has asked me to respond to you

In the case of Rees we have advised against prosecution as his version of events, whilst fishy, would be difficult to rebut and his subsequent reinstatement would embarrass any future prosecution. If this advice is acted upon by POL then there is no bar to his joining the mediation scheme.

In regard to the other four cases

El Kasaby: This is a Scottish case with BTO solicitors. The SPMR himself is not under investigation but his wife was interviewed along with their manager, Rosemary Stewart. The progress would depend on the decisions as to who was charged and what the charges were – usual position of admissions to covering loss but denying theft. Were this an English case and I were prosecuting I would probably be happier with an expert instructed.

Haji Nadeem Choudry: The SPMR is not as yet under investigation. His brother, Wasim Abbas, and one of the counter staff, William Daw were interviewed. This case has a number of difficulties attached to it and whilst we have admissions from both to false accounting we do not have admissions to theft. Again we would want to have an expert in the background as there would be sure to be an attack on Horizon. This case may well cause the Post Office some embarrassment in that Wasim Abbass passed himself off in interview as the SPMR in circumstances that our investigators might have been expected to spot. This was a “self funding” Post Office and some of our systems in place at the time may be open to criticism.

Nachhatro Kaur: The SPMR is the potential defendant. This is a recent case dateing back to October 2013. The defendant admits false accounting not theft. In my view a very strong case – the defendant gives different versions to auditors and in interview none of which seem to be sustainable. The only way out is an attack on Horizon for which we will need to instruct an expert.

Darren King: The SPMR and one of his staff were interviewed. Both admit to false accounting but not theft. Again the obvious way out is an attack on Horizon and an expert will be necessary.

In each of the four cases we have admissions to false accounting or its equivalent but in each case there is a strong inference that the defendant took the money. Each of these cases is dependant on expert evidence to show that the discrepancy was not down to Horizon.

If you need any more information please get in touch.

Harry

Harry Bowyer

GRO

Direct: **GRO**

Martin

Thanks for the case summaries which look good. A couple of questions:

- In the case of Rees, the conclusion appears to suggest that Mr Rees is now not going to be prosecuted (particularly as he has been re-instated). Is that correct? If so, can we now accept Mr Rees application to the Scheme?
- On the 4 other cases, it would be useful to set out (a) the next steps in the investigation process and (b) when we expect a summons to be issued. If these cases are being held up by the need for the Horizon expert, then we will need to address this point. The pressure from the WG is that they want Tony to confirm that progress is being made on these cases or that there is good cause for delay.

Kind regards
Andy

From: martin smith **GRO**
Sent: 15 January 2014 14:41
To: Parsons, Andrew
Cc: Jarnail A Singh **GRO**
Subject: M141 /Rees - Summary for Mediation Process - Furnace - FAD363642

Andrew,

Please find attached the Case Summary for Sir Anthony Hooper in relation to the applicant Rees.

Kind regards,

Martin.

Martin Smith

GRO

Direct: **GRO**

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