

Message

From: Rodric Williams [GRO]
on behalf of Rodric Williams [GRO]
Sent: 6/30/2015 5:23:26 PM
To: Martin Smith [GRO]
CC: 'Parsons, Andrew' [GRO]; simon.clarke@[GRO]; Patrick Bourke
Subject: RE: M081 [BD-4A.FID25887446]
Attachments: Draft response to CRR - M081 (RW 30.06.15).docx

Martin,

It is clear following our con last week with Brian Altman that week are not going to have bottomed out the possible disclosure around the "Balancing Transaction" function in the immediate future given the questions we need Fujitsu to answer. However, we cannot delay the progress of the M081 case (or indeed any other case) in the interim.

I have therefore attempted to blend our existing Remote Access/Balancing Transaction statements (principally taken from our Part Two Response) with Simon's Disclosure Note in POL's comments on Second Sight's CRR for M081 (attached), in a way which strives to be consistent with what has previously been said and what might be disclosed (based on our current knowledge) in the criminal law context.

Can you please therefore look at the attached draft response and let me know if you and/or Simon are happy with the drafting. If not, please provide your amendments.

I repeat we cannot delay releasing this response to Second Sight any longer. Please therefore come back to me during the course of tomorrow.

I have copied Andy Parsons in so that he can progress the rest of the clearance once we have received your views.

Kind regards, Rodric



Rodric Williams
Solicitor, Corporate Services

Post Office Ltd
20 Finsbury Street, London EC2Y 9AQ

[GRO]
rodric.williams@ [GRO]

From: Martin Smith [GRO]
Sent: 02 June 2015 15:06
To: Rodric Williams
Subject: RE: M081 [BD-4A.FID25887446]

Rodric,

I have had an opportunity to discuss this with Simon today.

Whilst the collation of this data will of course be of assistance, the Disclosure Note which Simon will prepare will contain the information necessary for POL to discharge its disclosure obligations post-conviction.

It seems to me that the starting point should be Simon's Disclosure Note and once that has been settled, it should be easier to plan the route ahead.

Kind regards,

Martin.

Martin Smith

martin.smith@

martin.smith@

Te GRO

GRO

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From: Rodric Williams [mailto:GRO]

Sent: 02 June 2015 14:24

To: Martin Smith

Subject: RE: M081 [BD-4A.FID25887446]

Martin – I need a reply to this please. It will certainly inform the approach we take to the BBC's questions on remote access and disclosure in prosecution cases.

To assist, I attach a document containing the language we have used on remote access. Please forward this to Simon if necessary.

Thanks

Rodric Williams
Solicitor, Corporate Services



Post Office Ltd
20 Finsbury Street, London EC2Y 9AQ
[REDACTED]
rodric.williams@[REDACTED]

From: Rodric Williams
Sent: 01 June 2015 11:59
To: 'martin.smith@[REDACTED]'; [REDACTED]
Subject: FW: M081 [BD-4A.FID25887446]

Hi – did you respond to this?



Rodric Williams
Solicitor, Corporate Services

Post Office Ltd
20 Finsbury Street, London EC2Y 9AQ
[REDACTED]
rodric.williams@[REDACTED]

From: Rodric Williams
Sent: 26 May 2015 18:16
To: Patrick Bourke; Martin Smith
Cc: Parsons, Andrew
Subject: RE: M081 [BD-4A.FID25887446]

All – here's my proposal for stopping the "drift":

The current block to progressing claims through the Scheme is ensuring consistency in our statements on balancing transactions between what we:

1. have already said publicly (POL's Part Two Response);
2. have already said in individual cases (the CRR responses);
3. are going to say in individual cases (in particular the pending CRR responses for M137 and M081); and
4. are going to say so as to comply with our continuing duty of disclosure in criminal cases.

The most sensitive point is (4). I understand Simon is pulling together a list of cases where disclosure is required, looking at what we have already said publicly (1), then draft a suitable disclosure note (4) which ideally ties into the public disclosures.

However, that might take some time during which we need to keep moving cases through the Scheme (3).

To keep the individual Scheme cases moving, I suggest Simon looks at what we have already said (1 and 2) to confirm whether or not that is sufficient for criminal disclosure purposes. If so, we will be able to provide a consistent position going forward in both the CRRs (3) and criminal disclosure (4), because both will simply be referring to the same public statement (1). In that regard, I note Dan Fawcett has advised that our CRR response for M137 as currently drafted is consistent with POL's Part Two Response.

It should be relatively easy to provide 1 and 2 to Simon, as as far as I am aware (but please correct me if I'm wrong) we have only publicly discussed balancing transactions in our Part Two Response, and used stock language when commenting on individual CRRs (which language has already been the subject of a discussion between BD, CK and POL).

Andy – can you have someone pull together the balancing transaction language we have used to date asap?

Simon/Martin – can you let me know whether you are happy with this approach?

Kind regards, Rodric



Rodric Williams

Solicitor, Corporate Services

Post Office Ltd
20 Finsbury Street, London EC2Y 9AQ

GRO

rodric.williams@

GRO

From: Patrick Bourke
Sent: 26 May 2015 10:50
To: Martin Smith; Rodric Williams
Cc: Parsons, Andrew
Subject: RE: M081 [BD-4A.FID25887446]
Importance: High

Martin, Rod, Andy

Could I ask for an update please ?

This is one of those cases which is drifting and I would very much like to close it down before it drifts any further.

Many thanks

Patrick

From: Martin Smith [GRO]
Sent: 19 May 2015 12:08
To: Rodric Williams
Cc: Patrick Bourke; Parsons, Andrew
Subject: RE: M081 [BD-4A.FID25887446]

Rodric,

Following our meeting it occurred to me that there were two options here:-

1. Given the wider PR issues which will be of concern to POL and BD, it may be best for BD to redraft the CRR Response before resubmitting it to us;
2. Await the Disclosure Note which Simon Clarke will draft to ensure that anything said in a CRR response is consistent;

There may be a third option, namely a combination of the two.

Kind regards,

Martin.

Martin Smith

martin.smith@

martin.smith@

Tel: GRO

GRO

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From: Rodric Williams [m]
Sent: 19 May 2015 10:36
To: Martin Smith
Cc: Patrick Bourke; Parsons, Andrew
Subject: FW: M081 [BD-4A.FID25887446]
Importance: High

GRO

Martin – following our meeting last week, are you now able to conduct your review of the CRR on M081?

Kind regards, Rodric



Rodric Williams

Solicitor, Corporate Services

Post Office Ltd
20 Finsbury Street, London EC2Y 9AQ

GRO

GRO

From: Martin Smith [r]
Sent: 08 May 2015 11:05
To: Pheasant, Andrew
Cc: Parsons, Andrew; Rodric Williams
Subject: RE: M081 [BD-4A.FID25887446]

GRO

Andy,

I regret that it will not be possible for us to respond to this prior to the end of the day. As in the case of Misra M012, there are a number of issues which will require very careful consideration, and possibly a conference call next week.

Kind regards,

Martin.

Martin Smith

martin.smith@

martin.smith@

Tel: GRO

GRO

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From: Pheasant, Andrew

GRO

Sent: 08 May 2015 09:09

To: Martin Smith

Subject: M081 [BD-4A.FID25887446]

Martin,

Please find attached the CRR for M081 and the draft response. In addition to providing your usual review, can you have a look at paragraphs 1.9 and 2.2 in particular where they SS refer to the theft charge being "dropped" – I seem to recall from other matters this was not the correct wording.

The response is due to go by close today so can you let me know if it will not be possible for someone to look at this before the end of the day?

Best regards
Andy

Andrew Pheasant

Associate

for and on behalf of Bond Dickinson LLP



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