

**MINUTE**

**Working Group for the Initial Complaint Review and Case Mediation Scheme**

**11 September 2014**

**Teleconference details:**

Dial **GRO**  
Participant's code **GRO**

**Attendees**

Sir Anthony Hooper (Chair)  
Alan Bates (JFSA)  
Kay Linnell (JFSA)  
Ron Warmington (Second Sight)  
Chris Holyoak (Second Sight)  
Kim Evans (Second Sight)  
Chris Aujard (Post Office)  
David Oliver (Post Office)  
Andy Parsons (Bond Dickinson)

**Apologies**

Angela Van Den Bogerd (Post Office)  
Belinda Crowe (Post Office)  
Ian Henderson (Second Sight)

**Agenda**

**Standing agenda items**

1. New Questionnaire Responses
2. Priority cases
3. Bankruptcy cases
4. Post Office Investigation Progress
5. Cases with Second Sight to review PO investigation reports
6. Cases that Second Sight have reported on
7. Any other queries raised by Applicants / Advisors
8. AOB

## 1. New Case Questionnaire Responses

- None yet received from SS.

Case No.	Status
M137	PO to confirm due date at next WG Call on 18 September.

## 2. Priority cases

Case No.	Status
M006	Approved for mediation 19 August.
M052	Part Two sent to applicant 26 August. SS Final report due 11 September.
M073	See agenda item 5(ii).
M119	Investigation has been prioritised – report due by 9 October.
M143	Part Two sent to applicant 26 August. SS Final report due 11 September.

**ACTION: Secretariat to add M086 to the priority list going forward.**

## 3. Bankruptcy cases

Case No.	Status
M001	Part Two sent to applicant 26 August. SS Final report due 11 September.
M015	Final report received 05 September. With WG to decide whether it goes to mediation.
M019	Part Two sent to applicant 26 August. SS Final report due 11 September.
M029	Draft CRR & Part Two sent to applicant 02 September. Deadline for comments 10 September.
M030	Part Two sent to applicant 26 August. SS Final report due 11 September.
M032	Passed to SS 28 August, Draft CRR due 17 October
M036	PO investigation on-going, report due by 22 September.
M069	PO investigation on-going, report due by 10 November.
M081	PO investigation on-going, report due by 8 December.
M089	PO investigation on-going, report due by 10 November.

Case No.	Status
M100	PO investigation on-going, report due by 20 October.
M118	PO investigation on-going, report due by 13 October.
M122	PO investigation on-going, report due by 6 October.
M128	PO investigation on-going, report due by 22 December
M150	PO investigation on-going, report due by 8 December.

**ACTION – DO to contact Howe & Co to obtain advisor contact details to pass on to KL to discuss what is happening with case M036 as she is unable to reach applicant.**

#### **4. Post Office Investigation Progress**

##### **i) New scheduling to note**

POL to update on call

Case No.	Date passed to POL	POL planned scheduled delivery date
M070	04 September	01 December
M094	04 September	24 November
M142	04 September	17 November

##### **ii) Overdue cases**

No cases overdue.

#### **5. Cases with Second Sight to review Post Office Investigation Reports**

##### **i) New scheduling to note**

Case No.	Date passed to SS	SS planned scheduled delivery date
M059	02 September	24 October
M051	03 September	24 October
M093	03 September	24 October
M071	04 September	31 October
M091	05 September	31 October
M040	05 September	31 October
M034	08 September	07 November

SS confirmed that these dates have been agreed in accordance with their planned delivery schedule of three Draft CRRs per week.

ii) **Overdue cases**

Case No.	Date passed to SS	SS planned scheduled delivery date	SS revised scheduled delivery date
M003	8 July	05 September	
M017	12 May	05 September	
M018	27 May	05 September	
M021	8 May	05 September	
M073	1 August	05 September	
M126	6 June	05 September	

- SS confirmed that they got off to a slow start and that the delivery of reports had been impacted by various decisions relating to Part 2 but that they were delivering 3 reports a week. Now that they have additional resources they are confident that they can continue to meet the three Draft CRRs per week. They aim to deliver all of the above overdue cases before the beginning of next week.

**ACTION – SS to prepare a report to show that they have been delivering their target of three Draft CRRs per week and how this will happen going forward at the F2F WG meeting next week.**

**6. Cases that Second Sight have reported on**

Case No.	SS draft report issued	Deadline for comments	SS final report completed / due	WG decision	Sent to CEDR
M001	17 July 2014	04 September 2014	11 September 2014	-	-
M002	18 July 2014	04 September 2014	11 September 2014	-	-
M006	30 June 2014	05 July 2014	04 August 2014	Mediate	19 August 2014
M009	28 July 2014	06 August 2014	20 August 2014	To be discussed at the next face-to-face WG meeting	-
M014	28 July 2014	7 August (Applicant has until 27 August)	05 September 2014	To be discussed at the next face-to-face WG meeting	-
M015	28 July 2014	6 August (Applicant has until 27 August)	05 September 2014	To be discussed at the next face-to-face WG meeting	-
M019	08 August 2014	04 September 2014	11 September 2014	-	-
M029	27 August 2014	10 September 2014	17 September 2014	-	-

M030	31 July 2014	04 September 2014	<i>11 September 2014</i>	-	-
M035	11 August 2014	04 September 2014	<i>11 September 2014</i>	-	-
M039	27 August 2014	05 September 2014	<i>12 September 2014</i>	-	-
M052	28 July 2014	04 September 2014	<i>11 September 2014</i>	-	-
M054	29 May 2014	06 June 2014	11 June 2014	Mediate – WG agreed by applying chair's new test	-
M057	04 July 2014	01 August 2014	08 August 2014	To be discussed at the next face-to-face WG meeting	-
M062	20 June 2014	22 July 2014	31 July 2014	To be discussed at the next face-to-face WG meeting	-
M066	11 August 2014	04 September 2014	<i>11 September 2014</i>	-	-
M076	06 June 2014	17 June 2014	20 June 2014	To be discussed at the next face-to-face WG meeting	-
M079	20 August 2014	04 September 2014	<i>11 September 2014</i>	-	-
M143	29 July 2014	04 September 2014	<i>11 September 2014</i>	-	-

M054 – Made decision for mediation applying the new test.

- SS state that they will aim to complete the Final CRRs for all those that are due before next week's Face to Face WG meeting.
- There are potentially 16 cases to be discussed in relation to mediation at next week's Face to Face WG meeting. In order to reduce this number SAH requests that POL review the cases prior to the meeting and give their opinion on which of those should be mediated.

**ACTION: POL to review all 16 cases by midday on Monday and provide the WG with their views. POL to provide hard copies of the CQR, Final CRR, POIR and POL comments for each case they do not recommend for mediation and take to the meeting.**

## 7. Any other queries raised by Applicants / Advisors

- Email from Aver re: M119 – was added to priority list last week due to bank interest in outcome of mediation. Aver state that it would be helpful if SAH could write a projected time line for the case and write each month to give a progress update.

**ACTION – DO to provide updates to Aver for M119 on behalf of SAH.**

## 8. AOB

Mediation scheme breach of confidentiality – press coverage

- CA discussed his email of 10 September in relation to the press coverage on the Part Two report. He stated that in his view there are two groups of people who could be responsible for the leak, the applicants or the advisors. CA suggests that if it comes to light that an advisor has leaked the report then this breach should be reported to their professional body and no funding should be paid to them in relation to mediation. If it turns out to be an applicant who has leaked the report then we should reconsider their case in relation to the mediation decision or withdraw their case from the scheme. CA asked for WG's feedback the WG agreed this position.
- SAH suggested that a letter is written to all applicants and advisors to outline the seriousness of a breach of confidentiality in relation to the scheme.

ACTION – JFSA to draft a letter which they deem appropriate to be sent to all applicants and advisors in relation to confidentiality which will be discussed at the F2F WG meeting next week.

JFSA reported rumours from Scheme applicants that Post Office had leaked the Report. CA stated for the record that Post Office had not leaked the Report.

- SS asked if POL's response to Part 2 is still on track for F2F WG meeting next week. DO confirms in AVDB's absence that the intention is to issue the response to the WG before next week.
- SAH requested that the topic of surpluses on Horizon is added to the F2F WG meeting next week.

**ACTION POL to circulate notes on this beforehand.**