

**Working Group
Initial Complaint Review and Mediation**

Ms Jo Swinson MP

Minister for Employment, Consumer Affairs
and Equalities

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By Email

Dear Ms Swinson

Initial Complaint Review and Mediation Scheme

I understand that you have requested some information about the Scheme in advance of a Parliamentary debate on the subject. I am limited in the information which I can give because the Scheme requires the cases to be treated confidentially. I can however give you a general update.

The progress of cases at every stage of the Scheme has taken longer than the Working Group would have wanted. This includes the submission of case questionnaires by the applicants (or their advisors), Post Office's investigations, Second Sight's reviews and applicant responses to Second Sight draft case reviews. In addition disagreements within the Working Group as to whether individual cases should proceed to mediation has led to further delays because such disagreements can only, for reasons of fairness, be resolved at face to face meetings. The Working Group also awaits Second Sight's review of, and views on, the many generic issues raised by the applicants. That review will not be ready before about March 2015 and a number of cases will not be mediated until it has been produced.

I should add that the Working Group meets regularly to review progress and I have made it a priority to push the Scheme ahead as quickly as possible. The cases have proved to be far more complex than originally envisaged.

I attach an appendix setting out the progress of cases within the Scheme. I am unable to tell you how many cases have been resolved at mediation. Neither I nor JFSA have access to this information. I attach a letter (with permission) from CEDR which sets out why that is so and the arrangements for updating the Working Group. CEDR has subsequently agreed to provide its first update after 15 cases have been mediated.

I hope this information is helpful to you.

Yours sincerely

GRO

Sir Anthony Hooper
Chair of the Working Group

Appendix 1

Case progress as at 12 December 2014

Applications to the Scheme	150
Applications rejected (ineligible)	4
Cases resolved prior to entry into the Scheme	10
Case resolved during investigation	2
Cases awaiting Working Group recommendation pending further information/review by either Post Office or Second Sight	23
Cases recommended for mediation by the Working Group	24
Cases passed to CEDR to arrange mediation	20
Cases not recommended for mediation by the Working Group	2
Cases mediated	7
Cases where Post Office declined to mediate	2
Cases resolved prior to the mediation meeting	2
Cases with CEDR* awaiting mediation (of which 3 are scheduled to take place before Christmas)	9
Cases remaining in the Scheme	110

*Centre for Effective Dispute Resolution – the external mediation provider