

12 March 2015

Richard Foster
Chair
Criminal Cases Review Commission
5 St Philip's Place
Birmingham B3 2PW

Application to CCRC from my constituent, Jo Hamilton

When we met on 4 March you said that the CCRC would welcome applications from SubPostmasters who had been found guilty or who had pleaded guilty to a criminal conviction. I now enclose an application from my constituent, Jo Hamilton, whom I mentioned to you and Sally when we met.

The reason for my approaching you directly is that I am concerned that the Post Office are about to begin destroying documents pertinent not just to Jo's case but to all the others that come under the same rubric. I wonder if there is anything the CCRC can do to forestall this?

With no notice given, on Tuesday 10 March 2015 the Post Office closed the mediation scheme that was set up with the express purpose of offering individuals like Jo some kind of redress. The independent investigators, Second Sight, who were appointed by the Post Office, have been put on 30 days' notice on Tuesday which was not coincidentally, I suspect, the day before they were due to issue their final report (formally called the Second Sight Briefing Report – Part 2) into all cases they investigated to the working group administering the mediation scheme. This of course means that the report will only be seen by Post Office. I have requested a copy under Freedom of Information but fully expect to receive a negative response. I have asked the Prime Minister at Prime Minister's Questions in the House of Commons this week to ensure the Report is made available to the BIS Select Committee who conducted a formal inquiry into the mediation scheme very recently. Would it be helpful for the CCRC to request a copy of this report, under your own investigative powers, I wonder? It would certainly be pertinent to any future investigations your Commission might wish to undertake.

The investigators have also been told that they must destroy all relevant communications and return all relevant documents to the Post Office, on 17 April 2015. My fear is that this signals the beginning of relevant documents disappearing. Is there any action the CCRC can take to stop this happening?

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You will read from the enclosed Briefing Note to BIS Select Committee, which is from Ian Henderson of Second Sight, the difficulties he and his team have faced in gaining access to documents they deem indispensable for thorough investigation to occur. Now Post Office has rescinded Second Sight's permission to speak to me and all other MPs, thus our avenues for discovering the facts about our constituents' cases and therefore helping them are now closed.

If there is anything the Commission can do at this stage to stop the destruction of potentially relevant documents and to gain access to the Second Sight Part 2 Report, I would be most grateful.