

From: Thompson Laura (Shareholder Executive)[/O=BIS PRODUCTION/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=73D8709345C441479F0D7E2ADCE207C9-LATHOMPS]

Sent: Fri 17/07/2015 10:17:10 AM (UTC)

To: Neville-Rolfe MPST [GRO]

Cc: Javid MPS [GRO]; Callard Richard (ShEx [GRO]); McInnes Tim (ShEx [GRO]); Baugh James (ShEx [GRO]); Dollin Michael (Shareholder Executive [GRO]); Neville-Rolfe MPST Correspondence [GRO]; O'Driscoll, Katie [GRO]; Freeman MPST [GRO]

Subject: RE: Post Office Horizon Meeting

Andrew cc. as before plus George Freeman's office for info.

Thanks for passing on Mr Bridgen's response. His points around the Minister meeting James Arbuthnot are covered in my note I sent up late yesterday.

On the first point, Mr Bridgen appears to have misunderstood the offer – Post Office are not offering this as part of the mediation process, but are offering to meet Mr Bridgen (and his constituent) to discuss the specific details of the constituent's case. However, if Mr Bridgen has asked his constituent and his constituent is unwilling, then there is nothing further we can really do on that. I don't think the Minister would need to reply on that point.

Regarding Second Sight, I have provided a little more background for the Minister, below. We would recommend against the Government (Ministers or officials) meeting Second Sight. Doing so would undermine the position that this matter is independent of Government. Second Sight have not found evidence of systemic problems, so we must let the established legal processes (in which Government has no locus) continue – whether that might be mediation, an appeal, a civil claim, or raising the case with the Criminal Cases Review Commission.

I do not think the Minister needs to reply to Mr Bridgen at this point, as she has said she will be reflecting further. She may choose to address some of these points in her response to Mr Bridgen at a later date once she has reflected. We would recommend no response, other than perhaps an acknowledgement of receipt.

Do let me know if you need any more information

Thanks
Laura

Laura Thompson | Assistant Director | Shareholder Executive

GRO

Second Sight

- Second Sight are a relatively small firm providing a range of investigation services including forensic computer analysis and fraud investigation. They were originally appointed in 2012 to look at a very small number of initial cases; after the issue gathered pace and the mediation scheme was put in place (in 2013) they were, at the request of MPs and the Justice for Subpostmasters Alliance, included as part of the process.
- Second Sight's contract was paid by Post Office and they were appointed to undertake reviews into each individual case that came to the scheme, and also to provide a summary briefing report covering "thematic issues" to be provided to all scheme applicants. The reports from Second Sight were never designed to be published, although both "thematic" reports have been leaked.

- Post Office gave notice of termination to Second Sight in March 2015, and agreed with them a process to complete their final investigation report (which was completed in April) and any outstanding case reviews. Second Sight have now completed all case reviews and their work in this matter is completed. As is standard practice, they remain bound by duties of confidentiality and professional conduct.
- Second Sight were appointed to be independent; however, we have cause to question their conduct throughout the investigation and particularly in the past year or so.
 - The original terms of the investigation were to consider “the Horizon system and associated issues”. However, Second Sight’s reports consider matters outside their remit or areas of professional expertise – for example, commenting on contract law, or Post Office’s approach to prosecutions. Post Office are concerned that they are providing misleading “advice” to individuals on these subjects.
 - Their independence is also called into question – they have been openly critical of Post Office in public and on social media, including openly discussing the mediation scheme. As you heard on Wednesday, Post Office believe strongly that Second Sight have “gone native”, are siding with JFSA and using their purported independence to further the JFSA’s agenda.
 - Perhaps related to that point, the analysis in Second Sight’s thematic reports is in many parts of poor quality, and more worryingly, unsubstantiated assertions are presented as hard evidence. This has led to Post Office having to provide a response to each Second Sight report for correction and clarification.
- Second Sight have performed the role they were appointed to, which is to complete the individual case reviews. They have summarised their findings in two reports, but none of the findings point to systemic flaws with Horizon or any evidence of miscarriages of justice. We do not consider Second Sight to have been “gagged” by Post Office, despite the allegations from MPs that that is the case – their critical reports and evidence to the BIS Select Committee clearly demonstrate that.

From: Neville-Rolfe MPST

Sent: 16 July 2015 18:13

To: Thompson Laura (Shareholder Executive)

Cc: Javid MPST; Callard Richard (ShEx); McInnes Tim (ShEx); Baugh James (ShEx); Dollin Michael (Shareholder Executive); Neville-Rolfe MPST Correspondence; Neville-Rolfe MPST

Subject: FW: Post Office Horizon Meeting

Laura,

Please see the latest response from Andrew Bridgen.

Kind regards



Andrew Smith

Private Secretary to Baroness Neville-Rolfe, Parliamentary Under Secretary of State and Minister for Intellectual Property



Department for Business, Innovation and Skills, 1 Victoria Street, SW1H 0ET

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From: BRIDGEN, Andrew
Sent: 16 July 2015 16:42
To: Neville-Rolfe MPST
Cc: JONES, Kevan
Subject: RE: Post Office Horizon Meeting

GRO

Thank you for coming back to me. My constituent is unwilling to go through the mediation process as he considers it to be a waste of time. What I would request is that Second Sight are brought in and are allowed to be freely questioned about their investigation.

I would also request that you liaise with James Arbuthnot who has a deep understanding of the issue and can lend more background.

Kind Regards,
Andrew

From: Neville-Rolfe MPST
Sent: 16 July 2015 15:33
To: BRIDGEN, Andrew
Cc: JONES, Kevan; Neville-Rolfe MPST
Subject: RE: Post Office Horizon Meeting

GRO

Dear Mr Bridgen,

Baroness Neville-Rolfe has asked me to convey this personal message to you on her behalf in response to your e-mail sent earlier today.

"Thank you for your note, and for attending the meeting yesterday. The Post Office have a legal duty to disclose any information which could undermine a conviction or assist an individual's defence, and they comply with that duty fully. Furthermore, the Post Office have committed publicly on more than one occasion, including the previous BIS Select Committee, that they will not destroy any documentation relating to this matter. They have also repeated that commitment to me today.

I am reflecting further on yesterday's meeting and I will be in touch to follow up. I would like to reiterate what I said yesterday about encouraging you both to take up Post Office's offer to meet you individually to discuss the individual cases you raised. I have asked Post Office to write you to on this."

Kind regards



Department
for Culture
Media & Sport



Department
for Business
Innovation & Skills

Andrew Smith

Private Secretary to Baroness Neville-Rolfe,
Parliamentary Under Secretary of State and
Intellectual Property

GRO

GRO

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From: BRIDGEN, Andrew
Sent: 16 July 2015 09:17
To: Neville-Rolfe MPST
Cc: JONES, Kevan
Subject: Post Office Horizon Meeting

GRO

Dear Baroness Neville-Rolfe,

Further to our meeting yesterday, I remain very concerned about the Post Office's reluctance to allow questioning of Second Sight following their forensic investigation into this matter. I have grave fears that during the summer recess, the Post Office will request that Second Sight destroy documentation which could potentially expose the failings that I and many colleagues believe exist with the Horizon systems and the ensuing prosecutions. I would therefore request that you take whatever steps you can to ensure that the Post Office do not order any action to Second Sight to destroy documents documents, so should for instance the BIS Select Committee choose to investigate this matter, they will be able to do so with all the Second Sight investigation papers available.

Kind Regards,
Andrew Bridgen



Andrew Bridgen MP
Member of Parliament for North West Leicestershire

House of Commons
London
SW1A 0AA

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