
From: Melanie Corfield[/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MELANIE CORFI1DE623C2-38B2-49FB-AE9A-12E4B20D626720C]
Sent: Thur 09/04/2015 9:20:28 PM (UTC)
To: Patrick Bourke[**GRO**]; Mark R Davies[**GRO**]; Ruth X Barker[**GRO**]
Subject: Re: Second Sight's final report

The more I think about it the more I feel that it will be a mistake (whatever the legal view tbh) to go back again to SS. They would love that and it won't change a single story in my view, but will fuel the "PO tries to suppress" allegations. Our approach of cool and measured dismissal has worked reasonably well in keeping this contained and in context AND we must not look panicked or unsettled. Confidence is all. I share the frustration and fury, but our opponents have been provoking to wrong-foot us for two years. This is their last throw outside the courts so we must rise above. I will sleep on suggestion we just publish damn thing (with our response)! But can't see a reason to justify it given we have said it is a document for confidential mediation etc etc and nothing to do with the SS interim report? And publishing would give it some kind of credibility, even with our response? Bottom line - it's based on a few disgruntled former postmasters and nothing in it supports the original and central allegation of flaws in Horizon or puts forward any new evidence re convictions. Yes, it will be sensationalised by some but if we go back with a "so what? see you in court" style response (underlining that areas SS has chosen to comment on are in fact subject to numerous independent audit, compliance, legal etc checks thanks v much and sod all to do with this investigation) we can keep it under control. We could consider breaking the story ourselves though so we can control its timing - will think that through, although my instinct is not to (this is a side show and not important enough).
Mel

Mel Corfield
Communications Team
Mobile[**GRO**]

From: Patrick Bourke
Sent: Thursday, April 09, 2015 09:43 PM
To: Mark R Davies; Ruth X Barker
Cc: Melanie Corfield
Subject: RE: Second Sight's final report

Cheers Mark

Mel is kindly working up a first draft summary which she and I will then work on together before getting to you. I'll also ask BD re what action we could take but need to manage expectations here - think it will be limited or a false option because of practical downsides. Comms almost certainly our best weapon.

Whole thing is infuriating but we knew it would be, I guess. And it will pass (it better!).

Patrick

From: Mark R Davies
Sent: 09/04/2015 21:17
To: Ruth X Barker
Cc: Melanie Corfield; Patrick Bourke
Subject: Re: Second Sight's final report

Thanks all - my phone ran out of battery.

I think - having calmed down a bit! - that we do need the answers from Bond Dickinson as I am certain that the likes of Neil and Al will want to explore a firm position - so I suppose even if we don't do anything we need to understand what if any options we do have.

I was alarmed about the suspense accounts thing and the questioning of prosecutions. And it just winds me up too.

But I broadly agree as long as we can take colleagues with us hence need for a summary.

I did muse on completely wrong footing them by proactively publishing it alongside a statement making clear how inaccurate it is but I guess that doesn't work?

My currently favoured line would be:

"It is very disappointing that yet again a confidential report has been leaked. It is staggeringly inaccurate and we have prepared a comprehensive document setting out why, as well our 187 page report issued (which has not been reported on by any news media.

"We note that one of the writers of the newly leaked report has been using social media to further the unfounded claims of some of the applicants to the scheme. This is very regrettable and unusual."

Mark Davies
Communications and Corporate Affairs Director

GRO

On 9 Apr 2015, at 18:43, Ruth X Barker <GRO> wrote:

Feels like a lot of it written as a briefing to give context to their next push to the media and as usual a lot of speculation/inaccuracies rather than fact.

As Mel says though nothing really new in there but suspect there is another day to come at some point where they bring out some of the cases to support the "points" they raise.

From: Melanie Corfield
Sent: 09 April 2015 17:16
To: Patrick Bourke; Mark R Davies
Cc: Ruth X Barker
Subject: RE: Second Sight's final report

Yes, apologies, they probably just need summary, happy to craft from below.
SS have toned down the prosecutions stuff but they have left sufficient for media to run with 'investigators say may be miscarriages of justice'. We do of course have a strong rebuttal because external lawyers – as opposed to accountants - have reviewed!
The key thing will be for us to keep our cool stance to avoid any revivals of interest, now that interest has been whittled away. But it's possible that we could see a day with some stories in wider media – I think that would be the worst scenario, no legs to take it further.
Mel

From: Patrick Bourke
Sent: 09 April 2015 17:01
To: Melanie Corfield; Mark R Davies

Cc: Ruth X Barker
Subject: RE: Second Sight's final report

Mel

Many thanks.

I do just wonder whether AP and PV actually need the report itself or whether the heads up from Mark would be sufficient ? Mark – views ?

Also, they have toned down the language on prosecutions.

All the best

Patrick

From: Melanie Corfield
Sent: 09 April 2015 16:54
To: Mark R Davies
Cc: Ruth X Barker; Patrick Bourke
Subject: Second Sight's final report

Hi Mark

I attach Second Sight's final P2 report. I have highlighted the key paras that I think will form the media narrative. The report is clearly written with other audiences in mind and there are several carefully crafted phrases to undermine our statements that there are no systemic flaws and that our prosecutions have been carried out correctly. There is also an angle we have not previously faced externally – the suspense account and the suggestion that Post Office could be profiting from money that might have been due to postmasters (they have used some big numbers).

As discussed yesterday, the report is still planned to go out to applicants on Tuesday together with a full Post Office response. ***Can you let me know how you want to get the report to Paula and Alice (I can draft a note for you, giving the flavour and likely media when this leaks)? We think they should have it asap and then note to Board & Exco next week as discussed (will send you draft note for that). Our approach re media will be as discussed – measured reactive statement on reality re continuing mediations etc and not getting into point by point (I will be circulating latest draft material tomorrow).*** I am not in the office tomorrow but working from home if need to speak.

Key points of Report(not all as explicit in the report as I have described below, but how I think media will use content):

- POL has been obstructive – closure of working group, deadline for report before investigations complete and refusal to hand over important documents & information
- New information might come to light through cases they have not yet reviewed – SS suggest a potential supplementary report (not going to happen)
- Underlying issues in the report **could apply to much wider group of postmasters**
- Prosecution process focussed on debt recovery not justice - could be misconduct by prosecutors
- Charges not always supported by necessary degree of evidence/ **decisions to prosecute may have been contrary to Code for Crown Prosecutors**
- Agreements whereby no mention was to be made in Court, by the defendant, of any criticism of the Horizon system
- Post Office/ Fujitsu did have and might still have ability to alter branch records without knowledge of postmasters
- Post Office potentially profiting through money in suspense account that could due to postmasters (big numbers quoted that could make headlines)

- **Horizon's failure to record transactions correctly**
- Horizon not universally fit for purpose and **"can be systemically flawed from a user's perspective"**
- Unfair postmaster contracts that have been increasingly transferring risk
- No incentive for Post Office to improve because postmasters have to pay

On the (rather limited) plus side:

- Investigations have shown that the majority of branch losses were caused by errors at the counter
- The most commonly reported issue was complaints about Training and Support (some concerns in report were raised by fewer than 15 people)

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