
From: "Duncan.Tait" [GRO]
Sent: Thur 21/03/2019 5:30:07 PM (UTC)
To: "Rachel.Roberts" [GRO]
Cc: "Rob.Putland" [GRO]
"Wendy.Warham" [GRO]
"Paul.Patterson" [GRO]
Subject: Re: POL - Horizon
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Attachment: image003.gif
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Attachment: image006.gif
Attachment: image007.jpg

Thanks Rachel.
Fascinating

Best regards. . . Duncan
Duncan Tait

Corporate Executive Officer
SEVP

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On 21 Mar 2019, at 15:49, Roberts, Rachel <[GRO]> wrote:

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Dear Duncan, Rob

The PO have made an application to have the Judge recused on the basis that he is biased. If successful this will result in the removal of the Judge from managing the litigation and to adjourn the current trial.

This is a highly unusual step, although perhaps not surprising as the PO are in a very difficult position. They are locked into a series of trials with this Judge and he appears to have a negative view of PO; his judgement in trial 1 took a very dim view of the PO and even went so far as to describe "a culture of secrecy at PO". However, it does not follow that he is biased.

We are not yet clear whether the Judge will stop the current trial pending the outcome of this application. If not then Fujitsu's witnesses should carry on as they were giving evidence this week.

We will be confirming with the team that Fujitsu should not be offering any public comment on this.

Regards,
Rachel

From: Roberts, Rachel
Sent: Friday, March 15, 2019 2:14 PM
To: Tait, Duncan <[REDACTED]> Putland, Rob <[REDACTED]>
Cc: Warham, Wendy <[REDACTED]> Patterson, Paul
<[REDACTED]>
Subject: POL - Horizon

Legally Privileged and Confidential

Dear Duncan, Rob

We have just had a call with the POL lawyers following the judgment for the first trial in the postmasters class action. This first trial focussed on POL's contractual terms with the post masters, owed fiduciary duties and matters which did not directly relate to the Horizon system.

In summary, POL lost on all substantial grounds. They were criticised in a number of areas by the Judge, for example in the way they run their business, the way they dealt with postmasters and the way they approached the trial. The judgment also includes some far reaching legal arguments. POL do not agree with the judgment and are considering options and we think it is likely they will seek to appeal the judgement.

We are currently in the middle of the second trial which relates to the Horizon system. There are 4 Fujitsu witnesses due to give evidence next week. The request from POL is that these witnesses keep calm and continue to engage positively with the trial. We have Pinsents at the trial and their view is that POL are doing well and there are no concerns with the way POL are presenting in court. Our witnesses have put in their evidence and therefore, need to continue as planned.

Next steps:

- We are analysing the judgment and looking for any reference to the Horizon system. We will consider how we proceed once we have completed the review.
- We expect some press and therefore, we have aligned with the Comms team. We will maintain our position that we do not comment on ongoing litigation and that queries should be redirected to POL.
- Wendy has sent a note to the team forwarding POL's press release and asking that they redirect any queries on the judgment to the Comms team.

Please let me know if you need any further information,

Rachel

Rachel Roberts
Head of Legal and Commercial, UK&I

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