

From: Simon Henderson [GRO]
To: 'Amy Prime' [GRO]
Cc: Andrew Parsons [GRO], Jonathan Gribben [GRO], Lucy Bremner [GRO]
Subject: RE: Horizon Issues Trial - KEL disclosure [WBDUK-AC.FID27103746]
Date: Tue, 1 Oct 2019 15:17:25 +0000
Importance: Normal
Inline-Images: image001.png; image002.png; image003.png

Amy

I have left you a vm: please call when convenient.

This is a very concerning development and while I of course recognise the need for damage control, I think we need to address this as a matter of urgency. Where did we first get the information that earlier entries were not kept?

Best

Simon

From: Amy Prime [mailto:[GRO]]
Sent: 01 October 2019 16:10
To: Simon Henderson [GRO]
Cc: Andrew Parsons [GRO], Jonathan Gribben [GRO], Lucy Bremner [GRO]
Subject: Horizon Issues Trial - KEL disclosure [WBDUK-AC.FID27103746]

External Email

Simon

Further to my voicemail, and following on from the discussions about the disclosure of the Horizon adverse documents, we have received the attached letter from Freeths. In the paragraph named "Previously disclosed KELs", on page 4/5, Freeths have raised a number of points about the disclosure of previous versions and amendments made to the KEL entries. In drafting a response to this letter we intended to rely upon Post Office's EDQ which stated:

*"The KEL only contains the current database entries and is constantly updated and so the current version will not necessarily reflect the version that was in place at the relevant time. **The previous entries / versions of the current entries are no longer available.**" (emphasis added)*

We have this morning learnt from FJ that this statement is incorrect and that when FJ revise the contents of an existing KEL they would not overwrite the KEL (and lose the previous version) but take a copy of the KEL, make the changes and save as a new document. The previous versions of the KEL would then be kept for version control and are still held in the KEL database.

There is some urgency to respond to the attached letter since Freeths are due to file at 4:30pm on Thursday, 3 October a document (a) identifying any challenges as to the source or basis of assertions made in the new 3 pages of submissions; and (b) in no more than 5 pages, identify any points arising in relation to the late disclosed documents (although there has been no response from Fraser J on this request to file submissions).

We are therefore proposing to respond to the remainder of the letter but include a holding response in relation to the disclosure of the previous versions of KELs. It would however be helpful to discuss with you how to best tackle the requirement/or not to disclose these documents and the approaches which could be adopted.

If you are free today, please could you give me a call to discuss?

Kind regards

Amy

Amy Prime

Associate

Womble Bond Dickinson (UK) LLP

d:
m:
t:
e:

GRO

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