

From: James Arbuthnot GRO
Sent: Saturday, November 21, 2020 4:45 pm
To: ARBUTHNOT OF EDROM, Lord
Subject: RE: The Clarke Advice to the Post Office

Dear Ms Craig,

Thank you for this. Further to my request yesterday that the Minister should place a copy of the advice of Mr Clarke in the Library of both Houses, I have a further request, and you will note that as a result of this request I am copying this email to the Speaker of the House of Commons, to the Lord Speaker and to other interested parties.

On 3rd February 2015 the BIS Select Committee took evidence in their inquiry into the Post Office Mediation scheme. Part of that evidence was a written submission from the Post Office, although they also received oral evidence from amongst others the Chief Executive of the Post Office. Paragraph 11 of that written evidence (<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/business-innovation-and-skills-committee/post-office-mediation/written/17827.pdf>) reads as follows:

“At the start of the Scheme, both Post Office and the Justice for Subpostmasters Alliance made clear that mediation cannot overturn a conviction. This can only be done through established Court procedures. Post Office is under an absolute duty to disclose any evidence that might undermine a prosecution case or support the case of a defendant. It takes its responsibilities in this regard very seriously and Post Office’s investigations have been carried out with this important duty firmly in mind. Post Office writes to everyone who has suggested they have or have seen evidence that a conviction is unsafe and asked them to disclose this so that it can be acted on. To date no such evidence has been provided.”

I suggest that the contemptibly late disclosure of the advice of Mr Clarke – something that should have been in the public domain in 2013 – establishes that the Post Office lied to, and was in contempt of, Parliament. The above quoted paragraph of the Post Office’s written advice was only one of many instances of this. I should be grateful if you would consider my request for the immediate publication of the advice in the light of this.

Yours sincerely,

James Arbuthnot

From: The Rt Hon the Lord Arbuthnot of Edrom
GRO