



## POST OFFICE LIMITED

### AUDIT, RISK AND COMPLIANCE COMMITTEE REPORT

<b>Title:</b>	Cooperation with Law Enforcement Agencies and Addressing Suspected Criminal Misconduct – Annual Review/ Implementation Update	<b>Meeting Date:</b>	28 September 2021
<b>Author:</b>	Sarah Gray: Group Legal Director	<b>Sponsor:</b>	Ben Foat: Group General Counsel

#### Input Sought: Noting & Approval

The ARC is asked to **note** the steps taken to implement the Cooperation with Law Enforcement Agencies and Addressing Suspected Criminal Misconduct policy ("the Policy").

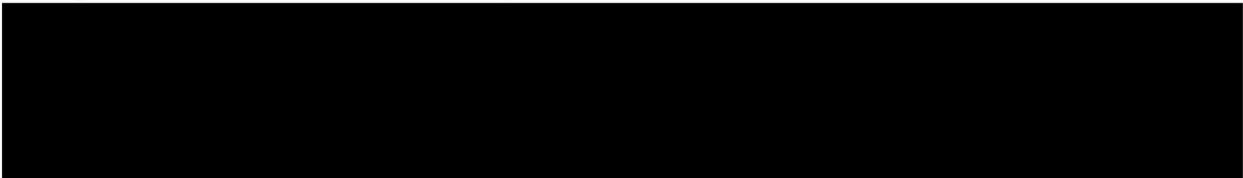
The ARC is asked to **approve**:

- The revised version of the Policy, following annual review, at Annex A.

#### Previous Governance Oversight

- Post Office GE approval of the Policy on 12 August 2020.
- Post Office Board approval of the Policy on 22 September 2020.
- Post Office RCC approval of the revised Policy on 14 September 2021.

#### Executive Summary

1. The Policy was introduced in September 2020 to control the provision of information and evidence to law enforcement agencies.
2. The steps taken to implement the Policy across Post Office thus far are listed in paragraph 2 below. Importantly, these include: communications across Post Office to introduce the Policy; high level and more detailed training to key operational employees most impacted by the Policy.
3. Following the annual review, a revised version of the Policy has been produced. The recommended amendments are mainly clarificatory in nature or for consistency. A tracked change and clean version of the Policy are attached at Annex A.
4. 

#### Questions addressed

1. How has the Policy been implemented since the Board approval on 22 September 2020?
2. What revisions have been made to the Policy following the annual review?
3. What further work should be done to embed the Policy across the Post Office Group?

#### Report

1. This Policy was introduced in September 2020 to control the provision of information and evidence to law enforcement agencies.



## How has the Policy been implemented since the Board approval on 22 September 2020?

2. Since approval of the Policy on 22 September 2020, the following steps have been taken to implement the Policy across Post Office's group<sup>1</sup> ("the Group"):
  - a. In February 2021, a dedicated working group was established to support the implementation of the Policy.
  - b. The Policy has been published on The Hub.
  - c. A dedicated inbox has been set-up for Policy related queries ([ HYPERLINK "mailto:Legal.Law.Enforcement.Queries@**GRO**").
  - d. Business-wide communications were circulated within Post Office on 24 February 2021 introducing the Policy.
  - e. In March 2021, a dedicated criminal lawyer ("Post Office's Criminal Lawyer") was hired to assist with criminal law related matters, including implementation of the Policy.
  - f. Peters & Peters Solicitors LLP ("Peters & Peters") (Post Office's external criminal law advisors) provided high-level overview training on the Policy on 8 March 2021, with six more detailed follow-up modular training sessions delivered on 21 and 29 April, and 12 May 2021. Relevant modules of training were provided to Legal, Security, Compliance, Data Protection, IT and Postmaster Experience. The training sessions have been recorded to facilitate continued awareness/training.
  - g. Peters & Peters, together with Post Office's Criminal Lawyer, engaged in communications with the Crown Prosecution Service's ("the CPS") Head of Legal Services. The aim of these communications was to reiterate Post Office's commitment to assisting LEAs in relation to criminal cases where Post Office, its employees, operators or customers are the victim, to rebuild confidence in Post Office's ability to assist investigations and to demonstrate effective procedures for assessing the reliability of data provided to LEAs. The CPS have confirmed that they have disseminated information to various CPS areas to share Post Office's approach under the Policy to cooperating with law enforcement.
  - h. At Post Office's request, the CPS identified senior points of contact in the police. Post Office will undertake a similar form of targeted engagement with the police in Q3 2021 to ensure that Post Office's approach under the Policy is understood and considered by day-to-day law enforcement, as appropriate.
  - i. Post Office's criminal lawyer has a standing invitation to attend twice weekly forums with Horizon IT. These forums are to identify and escalate issues regarding Horizon,

<sup>1</sup> Post Office Limited, Payzone Bill Payments Limited, Post Office Management Services.



which are related to overall compliance with the Policy. Post Office Horizon IT are aware of the need to proactively notify Post Office Legal of any issues with Horizon that may impact on branch accounts.

- j. Bespoke communications are in the process of being prepared to share with Post Office's strategic partners in Q3 2021. The communications provide an overview of Post Office's approach to cooperating with law enforcement under the Policy. A briefing session to strategic partners is planned to follow the bespoke communications.
- k. In June 2021, a Live Cases Review forum was established to consider and take action in respect of ongoing criminal cases that Post Office was aware of. The focus of this forum is to (1) identify/remedy SPM detriment; (2) ensure that the Policy's requirements are met; (3) track cases with upcoming court dates.<sup>2</sup> These will now take place quarterly.

l. [REDACTED]

- m. In July 2021, Payzone Bill Payments Limited formally adopted the Policy. The Policy will be formally adopted by Post Office Management Services in October 2021.

#### **What revisions have been made to the Policy following the annual review?**

- 3. Following annual review, an updated version of the Policy has been produced by Peters & Peters. [REDACTED]

[REDACTED] The updated version of the Policy is available at Annex A.

#### **What further work should be done to embed the Policy across the Post Office Group?**

- 4. [REDACTED]
- 5. Primary responsibility for implementing the Policy remains with Post Office. However, in the course of its collaboration with the business in relation to the Policy, Post Office has identified a number of areas where additional steps are likely to be required to ensure that the Policy is implemented and/or embedded effectively. Peters & Peters set these out in a note with recommendations and these are outlined below. [REDACTED]

<sup>2</sup> Regular attendees include Tim Perkins, Sarah Gray, Stuart Lill, Mark Underwood, and Peters & Peters.



6.

