

Stephen Dilley

From: Stephen Dilley
Sent: 24 August 2006 13:08
To: 'Richard Morgan'
Cc: Tom Beezer
Subject: Witness update: Post Office Limited -v- Mr Lee Castleton
Attachments: eCopy scanned document.pdf

Dear Richard,

1. I've received clarification from our main witnesses **Helen Rose, Cath Oglesby** and **John Jones** on the points we raised about their earlier statements and will amend accordingly.

2. I've spoken to **Greg Booth** (temporary subpostmaster of Marine Drive from 21 April to 28 May 2004) and have agreed to meet him on Wednesday next week to take a statement. The gist of what he will say is that he didn't have any problems balancing or experience any I.T issues. However, he also made 2 other comments which were not especially helpful:

(a) Lee Castleton told him that it was only when he transferred cash into the suspense account that the problems seemed to multiply. Lee told Greg he hadn't taken any money and Greg believes him;

(b) Greg believes that Lee Castleton was an inexperienced subpostmaster and before he was suspended he sought support and help from the P.O, but didn't get it. He knows of another case (no names mentioned) where another branch lost money and a different RLM gave the subpostmaster much more support in marked contrast to this case. He also knows LC is speaking to other subpostmasters.

I assured Greg that LC did get support, but perhaps the issue was that LC didn't actually see all of that because work was done in other places such as NBSC. In any case, Greg's comments are unhelpful which LC's Castleton might fish for in cross examination or I fear Greg may volunteer.

3. **Ruth Simpson** (the other subpostmaster that took over temporarily immediately following LC's suspension) is off sick for several weeks. I am trying to make contact with her and have asked her to call. She is based in Hull so if I can interview her when I'm doing the rounds next week I will.

4. I've spoken to **Anita Turner** (see email below). She's the potential witness who John Jones (Appeals Manager) gave the Horizon final account declarations to and asked to conduct her own independent analysis which John in turn sent to Mr Castleton. Anita has zero recollection whatsoever of this and whilst she's not denying that she looked at some paperwork from John, just cannot remember what it was about. This is obviously going to be an issue with some witnesses particularly those whose involvement was brief, given it was over 2 years ago. I think in the circumstances she will not add anything as a witness and it would be pointless calling her unless you say otherwise.

5. **Liz Morgan** and **Davlyn Cumberland**. (They are the people to whom the RLM Cath Oglesby sent information and independently verified the figures). I've spoken to Davlyn who doesn't remember much but does recall that Liz agreed to have a look at some accounts (possibly cash and suspense accounts), that they both looked at them and couldn't see anything wrong with them. Liz is away this week, but I'm going to meet them both Thursday of next week. Davlyn thinks Liz will remember more, but I anticipate these will be relatively short statements as they had a minor role.

24/08/2006

6. **Ken Crawley** - he works in the Current Agent Debt Team and his role includes dealing with cases remaining from the Pensions & Allowances work carried out for the (now) Department for Work & Pensions. He or one of his team should be able to give a statement about how P&A error notices are processed. I have asked Cheryl for the identity of similar people in the cheques team and at girobank, so I can interview them asap. I am told that due to resourcing issues girobank aren't likely to be co-operative.

7. **Andrew Wise** - he was based at NBSC at the time and reviewed the cash account info from the subpostmaster but was unable to find any errors. He will also help clarify what the NBSC call logs say. I have received a revised statement from him and am amending it. (**Sarah Pennington** who was at NBSC and who also looked at the info has since left the P.O).

8. **Anne Chambers** - she was at Fujitsu and looked at IT info at the time and concluded nothing was wrong. I have received a revised statement for her and am amending.

9. **Andrew Dunks** - he is at Fujitsu, had no involvement at the time, but has agreed just to help explain the HSH call logs for the Court. I've sent him a statement for comment, but he is away until 4 September.

10. **Christine Train** - Lee Castleton's assistant I have written to her asking to interview her but am not expecting a positive response.

I will keep you updated. I will be out of the office next week meeting witnesses and will only have intermittent email access. My mobile number is: [GRO] if you need to call during that time.

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

[GRO]

www.bondpearce.com

From: Stephen Dilley
Sent: 23 August 2006 16:37
To: 'anita.l.turner' [GRO]
Cc: 'cheryl.woodward' [GRO]; 'mandy.talbot' [GRO]; Tom Beezer
Subject: Post Office Limited -v- Mr Lee Castleton

14 South Marine Drive, Bridlington, YO15 3DB, FAD 213337

Dear Ms Turner,

I act on behalf of the Post Office. From approximately 18 July 2003 to 23 March 2004 Mr Castleton was a sub-postmaster at 14 South Marine Drive, Bridlington. His contract provides that he is strictly responsible for the safe custody of cash and stock and to make good any losses caused through his own negligence, carelessness or error and also loss of any kind caused by his assistants.

The Post Office has issued a claim against Mr Castleton to try to recover the net losses that accrued whilst he was a subpostmaster. Mr Castleton has issued a counter claim claiming wrongful termination of his contract. The P.O's claim is for the sum of £25,858.95 plus interest and costs.

24/08/2006

Mr Castleton's defence is that the apparent shortfalls are nothing more than accounting errors arising from the operation of the Horizon computer system.

Mr Castleton was suspended on 23 March 2004 and after interview with the RLM, was subsequently dismissed. He appealed against his dismissal and John Jones dealt with the appeal which was heard on 1 July 2004. After the Appeal, John gave the Horizon final account declarations to you and asked you to conduct your own independent analysis which John sent to Mr Castleton (copy letter dated 8 July attached).

I would like to discuss with each of you whether you have any recollection of this matter, any records of what it was you looked at and if so, whether you would be willing to give evidence in relation to your involvement (which I anticipate was fairly minimal). Once you have had the opportunity to review this e-mail, I would be grateful if you could give me a telephone call on direct line **GRO** to discuss.

I look forward to hearing from you as soon as possible and thank you in anticipation of your assistance.

Kind regards.

Stephen Dilley
Solicitor
for and on behalf of Bond Pearce LLP

GRO

www.bondpearce.com