



**Document Title:** MANAGEMENT OF THE LITIGATION SUPPORT SERVICE

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**Document Status:** APPROVED

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**Security Risk Assessment Confirmed** Yes

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See HNG-X Reviewers/Approvers Matrix (PGM/DCM/ION/0001) for guidance on who should approve.



## 0 Document Control

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## 0.2 Document History

Version No.	Date	Summary of Changes and Reason for Issue	Associated Change - CP/PEAK/PPRR Reference
0.1	20 Oct 2009	Initial Draft	
1.0	27 Oct 2009	For Approval	
1.1	14 Feb 2012	Review	
2.0	23-Apr-2012	Approval version	

## 0.3 Review Details

See HNG-X Reviewers/Approvers Matrix (PGM/DCM/ION/0001) for guidance on completing the lists below. You may include additional reviewers if necessary, but you should generally **not exclude** any of the mandatory reviewers shown in the matrix for the document type you are authoring.

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( \* ) = Reviewers that returned comments

## 0.4 Associated Documents (Internal & External)

Reference	Version	Date	Title	Source
PGM/DCM/TEM/0001 (DO NOT REMOVE)	7.0	03 June 2011	POA HNG-X Generic Document Template	Dimensions
CR/FSP/006			Audit Trail Functional Specification	
SVM/SDM/SD/0017			Service Description for the Security Management Service	Dimensions



SVM/SEC/PRO/0018			Audit Data Extraction Process	Dimensions
			POA Change Control Procedure	Dimensions

***Unless a specific version is referred to above, reference should be made to the current approved versions of the documents.***

## 0.5 Abbreviations

Abbreviation	Definition
ARQ	A Record Query that is not a Banking Transaction Record Query and which relates to Transactions
CS	Customer Services
POL	Post Office Limited
POA	Post Office Account

## 0.6 Glossary

Term	Definition
Audit Record Query (ARQ)	A Record Query that is not a Banking Transaction Record Query and which relates to Transactions.
Audit Record Query Form	The form used by POL to request detailed transaction data.
Banking Record Query	A Record query in respect of a Banking Transaction which the Data Reconciliation Service has reconciled or has reported as an exception, the result or records of which are subsequently queried or disputed by Post Office Ltd or a third party.
Prosecution	Civil or criminal court or statutory tribunal proceedings related to Transactions or fraudulent actions conducted at a Post Office Outlet

## 0.7 Changes Expected

Changes

## 0.8 Accuracy

Fujitsu Services endeavours to ensure that the information contained in this document is correct but, whilst every effort is made to ensure the accuracy of such information, it accepts no liability for any loss (however caused) sustained as a result of any error or omission in the same.

## 0.9 Security Risk Assessment

Security risks have been assessed and it is considered that there are no security risks relating specifically to this document.





## 1 Introduction

This document is intended to assist in the management and delivery of the service required to support Post Office Limited (POL) in respect of criminal and/or civil litigation for the Horizon and Horizon Online solutions. This service was introduced in response to Network Banking Requirements 260 and 315 and this document is derived from the Horizon document NB/PRO/003

The defined detail of the Service is outlined in SVM/SDM/SD/0017.

This document is without prejudice to any of the parties and nothing contained herein shall be deemed or construed as affecting contractual obligations or creating new contractual obligations between any of the parties.

## 2 Scope

Audit Record Query (ARQ) requests are received, documented, interpreted and transaction data is extracted from the Audit Archive and progressed to resolution.

A comprehensive set of standard data information requests has been created and agreed with POL. In the majority of cases these returns satisfy POL requests for transaction data and exceptions are dealt with on a case by case basis. These procedures can therefore provide a flexible approach to the provision of litigation support.

ARQ requests in support of potential litigation will be obtained solely from the Audit Archive / Server. The method by which the integrity of this data is protected is described in the *Audit Trail Functional Specification, CRFSP6*.

Requests for evidence and witness statements in support of litigation activity are received and provided.

## 3 Audit Record Queries (ARQs)

An ARQ is a request to the Post Office Account (POA) for transaction data required to support a POL investigation or litigation activity. This transaction data is held on the Audit Archive. The request is received from the POL Casework Manager, or his nominated representative, and contains specific search criteria. The stipulated criteria and the format of the returned data are as referenced in the document Security Management Service - Service Description, SVM/SDM/SD/0017.

The agreed annual quotas and return timeframes for ARQ requests are as referenced in the document Security Management Service - Service Description, SVM/SDM/SD/0017.

### 3.1 Format for ARQ Requests

ARQ requests in connection with litigation activity are made via an ARQ Form; the agreed detail of the request is as referenced in the document Security Management Service - Service Description, SVM/SDM/SD/0017.

POL will allocate a unique identifier to each request. This number will be retained by POA and will form the basis of an audit trail for each request.



## 3.2 Exclusions

Transaction requests in connection with Disputed Banking Transactions are not covered in this document.

## 4 Audit Data Retrieval

The process for retrieval of audit data through to production of CD is described in the process SVM/SEC/PRO/0018 Audit Data Extraction Process.

### 4.1 Despatch

The CD shall be sent to the POL Casework Manager via Royal Mail's Special Delivery Service.

## 5 Litigation Support Service

The full service provided by POA is as referenced in the document Security Management Service - Service Description, SVM/SDM/SD/0017.

### 5.1 Witness Statement of Fact

POA will provide witness statements of fact to support data or records retrieved, as referenced in the document Security Management Service - Service Description, SVM/SDM/SD/0017.

Requirements for witness statements explaining the retention and extraction of audit data from Horizon and Horizon Online in response to an ARQ shall be, where possible, completed by the individual from POA who filled the ARQ request.

### 5.2 Court Attendance in support of a Witness Statement of Fact

The author of a witness statement of fact may be required to attend Court to give evidence relating to the detail contained in the witness statement provided.

Agreed quotas for Court attendance are as referenced in the document Security Management Service - Service Description, SVM/SDM/SD/0017

### 5.3 Provision of Exhibits

If a case goes to Court all evidence provided by POA in support of the prosecution will be required as Exhibits.

### 5.4 Litigation Support Resolution Time Scales

Litigation Support is not subject to resolution timeframes but POA shall use reasonable endeavours to meet dates notified by POL for the production of this material.



## 5.5 Contact from External Parties

In the event that direct contact is made with the Litigation Service from an external party, including, but not limited to, the Police, Solicitors or Defence Teams, for information concerning the Post Office litigation activity, they shall be referred to the Post Office Limited Fraud Team at Salford.

If it is necessary for Fujitsu employees to converse with such parties in relation to any litigation activity being undertaken by the Post Office, the Post Office Fraud Team will advise the Litigation Service in advance of contact being made.

## 6 Detail Retention/Litigation Support Database

The detail of all requests will be recorded in the Litigation Support database. This database will be used as a register and all relevant information and dates will be recorded therein.

POL will also keep a log of requests made to POA.

The duplication of records will ensure that POL and POA meet contractual requirements on the number of requests issued and returned.

### 6.1 Process for ARQ Cancellations

Once an ARQ has been received by POA and the unique identifier allocated the reference number will not be reused, even if the request is later withdrawn.

## 7 Additional Litigation Support

Where additional information to that described in the standard litigation support service is requested POA shall view each request on a case by case basis, and in accordance with the Change Control Procedure.

### 7.1 ARQ Requests

ARQ requests beyond that specified under contract shall be agreed on a case by case basis and shall be dealt with in accordance with Change Control Procedures.

### 7.2 Expert Witness Statement

Expert, in depth, analysis and detailed "expert" witness statements (as opposed to witness statements of fact) are rarely required.

However, in the event of such a request POA will endeavour to provide "expert" witnesses who are able to give more detailed and specific evidence to support POL's litigation activity. This "expert" activity shall be provided on a case by case basis and shall be dealt with in accordance with the Change Control Procedure.





Again, POA shall use reasonable endeavours to meet dates notified by POL for the production of this material and support.

## 7.3 Court Attendance in support of an Expert Witness Statement

Attendance at Court in support of an "expert" witness statement shall also be considered on production of an appropriate Change Request. The POA's charges for assistance in this respect shall be calculated on the basis of the rates set out in Schedule A12.

# 8 Nominated Contacts

## 8.1 POL

All ARQ requests for the purpose of investigation and/or litigation are to be authorised by and channelled through the POL Security Team.

POA will only accept requests from the POL Casework Manager or his nominated deputy.

The POL Casework Manager will advise the POA's Security Analyst, or their nominated representative, of named deputies, authorised to submit ARQ requests.

POA will post all returns to:-

POL Casework Manager

Post Office Limited

Security Team, Royal Mail Group

3<sup>rd</sup> Floor, Clippers House

Clippers Quay

Salford M50 3NW

## 8.2 POA

POL will submit all ARQ requests which support investigation or litigation to:

Litigation Support Section,

CS Security, POA

Fujitsu

Lovelace Road

Bracknell

Berkshire RG12 8SN

The completed ARQ form will be sent via email to the nominated team.