

Working Group for the Initial Complaint Review and Case Mediation Scheme

Minutes of case conference call 15 May 2014

Teleconference details:

Dial:
Participant's code:

Attendees

Sir Anthony Hooper (Chair)
Alan Bates (JFSA)
Kay Linnell (JFSA)
Ian Henderson (Second Sight)
Ron Warmington (Second Sight)
Chris Holyoak (Second Sight)
Belinda Crowe (Post Office)
Chris Aujard (Post Office)
Angela Van Den Bogerd (Post Office)
Andy Parsons (Bond Dickinson)

Apologies

David Oliver (Post Office)
Claire Parmenter (Bond Dickinson)

Agenda

1. Status of current applications that have not yet been accepted
2. Status of accepted applications awaiting a funding application
3. Status of accepted applications awaiting a Case Questionnaire Response
4. New Case Questionnaire Responses
5. Post Office / Second Sight investigation progress
6. Standing case updates
7. Cases with Second Sight to review PO investigation reports
8. Any other queries raised by Applicants / Advisors
9. Issues with resourcing / timings
10. AOB

1. Status of current applications that have not yet been accepted

N/A

2. Status of accepted applications awaiting a funding application

Case No.	Status	Working Group decision
M134	SL01 pack has been sent to applicant three times; the latest was sent on 24 th April and was signed for. PO suggests sending a reminder letter to the applicant with a 2 week response deadline.	SAH to write to applicant stating that the WG would have to re-consider acceptance of their application if a response to his letter is not received within 2 weeks. (BC to draft) AB to contact applicant alongside SAH's correspondence.

3. Status of accepted applications awaiting a Case Questionnaire Response

Advisor	Number of cases with Advisor	Status	Working Group decision
Aver	19	No response to email of 6 th May asking for an update and expected due dates for M130 + M131 and M144.	SS advised that Aver have a prosecution case which is diverting their attention. Expect Bill Cleghorn to contact BC by COP 15/5. WG agreed to that if no contact from Aver had been received by 19 th May SAH to write to Aver to say that if the CQRs were not submitted within 2 weeks the WG will consider whether the cases should remain in the Scheme.
BTG	1	Secretariat to phone and follow-up with a letter on M128.	SAH and BC to discuss approach in line with SAH's letter on to Philip de Nahlik concerning fees.
Howe & Co	24	Secretariat to phone and check status of cases (none currently overdue).	BC to remind Howe & Co of their upcoming deadlines.
James Cowper	2	Reminder letter was sent on 23 rd April with a deadline of 7 th May on M109. Secretariat to phone/write with final reminder letter for M109.	SS confirmed that M109 received 15/5

4. New Questionnaire Responses

Case No.	Working Group decision / action(s)
M043	WG accepted the case into the scheme with a 6 week deadline – 26 th June.
M059	WG accepted the case into the scheme with a 6 week deadline – 26 th June.
M121	WG accepted the case into the scheme with a 8 week deadline – 10 th July.

5. Post Office / Second Sight Investigation Process

Cases under Post Office Investigation:

Post Office has completed reports on 22 cases. 20 of these reports are on Huddle ready for review by Second Sight.

- AVDB confirmed that the remaining 2 cases will be uploaded to Huddle by COP on 16th May.

Investigations are proceeding on all cases but the proposed deadline extensions reflect the impact of that prioritisation on the report writing stage of the process.

Case No.	Status	Working Group decision / action(s)
M003	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M006	AVDB to update on call. Investigation complete. Finalising report as a priority.	AVDB confirmed report would be on Huddle by COP on 19 th May.
M018	Investigation complete. Report is in final stages of completion and will be uploaded to Huddle by 23 rd May.	Extension granted to 23 rd May.
M024	Investigation on-going. Extension (1 st) to 12 th June required.	Extension granted to 12 th June.
M032	Investigation on-going. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M034	Investigation on-going. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M036	Investigation on-going. Extension (1 st) to 12 th June required.	Extension granted to 12 th June.
M040	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M041	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M042	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.

Case No.	Status	Working Group decision / action(s)
M046	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M051	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M053	Investigation complete. Report is in final stages of completion and will be uploaded to Huddle by 23 rd May.	Extension granted to 23 rd May.
M058	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M065	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M072	Investigation complete. Report is in final stages of completion and will be uploaded to Huddle by 23 rd May.	Extension granted to 23 rd May.
M079	Investigation complete. Finalising report. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M093	Investigation on-going. Extension (not 1 st) to 12 th June required.	Extension granted to 12 th June.
M107	Investigation on-going. Extension (1 st) to 12 th June required.	Extension granted to 12 th June.

- WG agreed to discuss how to keep applicants informed of what is happening with their cases at the next face-to-face Working Group meeting on 20th May.

6. Standing and other case updates

Case No.	Status	Working Group decision
M004	Letter sent from SAH with 2 weeks to respond. If no response by 22 nd May, WG to withdraw and write to that effect.	SAH to write to applicant as suggested, if no response is received by 22 nd May. AB to contact applicant.
M094	Findings sent on 23 rd April. Response sought from applicant by email on 2 nd May, 6 th May and 8 th May and by phone on 14 th May. PO suggests sending final letter confirming assumed withdrawal of the case.	SAH to write to applicant as suggested. AB to contact applicant alongside SAH's correspondence.
M112	Received confirmation on 14 th May that applicant wishes to withdraw case from the scheme.	Noted.

M114	Findings sent on 15 th April. Applicant requested further information, PO responded on 29 th April. No response received – PO suggests sending final letter confirming assumed withdrawal of the case if no response is received within 2 weeks	SAH to write to applicant as suggested. AB to contact applicant alongside SAH's correspondence.
M142	Findings sent on 15 th April. Response chased on 30 th April and by phone on 12 th May. No response received – PO suggests sending final letter confirming assumed withdrawal of the case if no response is received within 2 weeks	SAH to write to applicant as suggested. AB to contact applicant alongside SAH's correspondence.

7. Cases with Second Sight to review PO investigation reports

- SS will update on extensions required at the face-to-face Working Group meeting on 20th May.

M054 and M127

- SS anticipate that these reports will be at the 'editing' stage of their process by the weekend of 17th and 18th May.

8. Any other queries raised by Applicants / Advisors

Howe & Co travel expenses

Howe & Co have submitted an invoice for 29 CQRs (all of which have been received) and have included travel expenses for 27 of those cases ranging from £5.00 to £202.45 (**secretariat note: the total expenses claimed is £2159.32**). Although Howe & Co were asked to seek prior approval from the WG before incurring expenses in the letter from the Chair of 14 March, prior approval had not been sought.

- WG agreed to discuss at the face-to-face Working Group meeting on 20th May.
- BC confirmed that, in the meantime, the amounts correctly claimed for the work on CQRs would be processed as usual.

9. Issues with resourcing / timings

N/A

10. AOB

M022

- M022 to be sent to parties tomorrow (16/5), by special delivery, under cover of letter from SAH. SAH and BC to draft letter today. The letter will:

- say that Part One of the Mediator's Briefing Pack will be sent out next week and that the applicant and Post Office will have 7 days to reply following its receipt.
 - confirm that the report remains a draft until both parties have had a chance to reply and the final report is issued by SS
 - ask both parties to respond, even if it is a nil response. The letter will also include a deadline date (note: this will generally be the case, however in this instance that will not be possible as 'part 1' will not go with the
 - allow a response from the applicant by post or email.
- The WG agreed that comments/replies received should be attached to the final version of the report when it is issued (unless minor comments which are addressed in the final report itself).
- SS confirmed that Part One of the Mediator's Briefing Pack will be uploaded today (15th May).
- Part One of the Mediator's Briefing Pack will be discussed at the face-to-face Working Group meeting on 20th May.

M046

- AP notified the WG that this is a civil case where recovery had been put on hold pending the outcome of this case through the Scheme. The case is now approaching the 6 year limitation period. POL therefore needs to serve Court proceedings to preserve its legal rights. Those proceedings will then be put on hold (as happened with M006). BD, acting for POL, are in touch with Howe & Co (who also act for M006).

M073

- AP explained the position relating to the Court proceedings. The WG agreed that this was not a matter for it to be involved in.

Case Overview

- BC to upload new case overview to Huddle within the next couple of days for consideration at the face-to-face Working Group on 20th May.

Mediation arrangements

- WG to consider the next steps for mediation at the face-to-face Working Group meeting on 20th May.