



Criminal • Cases • Review • Commission

PROTECT

Ms Jane MacLeod
Post Office Limited
148 Old Street
London
EC1V 9QH

Your ref:
Our ref:

19 March 2015

Dear Ms MacLeod

Horizon Computer System

Requirement to Produce and Preserve Materials

I write in relation to the ongoing correspondence between Post Office Limited and the Criminal Cases Review Commission regarding the Horizon computer system.

The Commission has now received a number of applications from individuals who allege that their convictions are unsafe as a result of issues with the Horizon system. The Commission has issued case-specific section 17 notices in respect of those applications.

However, to assist in its review of those cases, the Commission also requires Post Office Limited to:

- i. **produce** a copy of the final report by Second Sight;
- ii. **produce** a copy of the Rose Report, referred to at paragraphs 48-50 of Brian Altman QC's report;
- iii. **preserve all** material relating to:
 - all cases considered by Second Sight;
 - all cases considered by Cartwright King;
 - all applications for participation in the mediation scheme.

The Commission considers that this material may assist the Commission in the exercise of its functions. Where the Commission directs you to preserve material this means that it must not be destroyed, damaged or altered before the direction is withdrawn. If you have reason to believe that there may be material in category iii above which remains in the possession of Royal Mail Group please notify the Commission.

As I explained in previous correspondence, it may reassure you to know that section 23 of the Criminal Appeal Act 1995 makes it an offence for members or employees of the Commission to disclose information other than in accordance with the provisions of section 24 of the Act.

I have enclosed a formal notice, issued under section 17 of the Criminal Appeal Act 1995, which requires you to produce or preserve the specified material. Please provide copies of all the documents and other materials relating to this case together with the attached receipt within 28 days.

We realise that this may cause you some inconvenience and are grateful for your co-operation, however you are under a legal obligation to comply with this notice.

If for any reason you are unable to do so, please contact us immediately.

Yours sincerely

GRO

Frazer Stuart

Legal Advisor to the Criminal Cases Review Commission



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CCRC Ref: Post Office Limited (Horizon)

Name of Public Body: Post Office Limited

I confirm that:

- copies of all documents and other materials are enclosed.

The appropriate contact person regarding this material is:

Contact Name:

Contact No.

Signed

Print Name

Date

Please return this form to:

Frazer Stuart

Criminal Cases Review Commission, 5 St Philip's Place, Birmingham, B3 2PW.

5 St Philip's Place, Birmingham B3 2PW,

GRO

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The independent public body which investigates possible miscarriages of justice in England, Wales and Northern Ireland



PROTECT

Legal requirement to produce and preserve material for the Criminal Cases Review Commission

To: Ms Paula Vennels
Chief Executive
Post Office Limited

The Commission believes that you are the "appropriate person" for the purposes of section 17 Criminal Appeal Act 1995 who has possession or control of documents or other materials which may assist the Commission in the exercise of its functions.

This notice now requires you to:

- i. **produce** a copy of the final report by Second Sight;
- ii. **produce** a copy of the Rose Report, referred to at paragraph 48-50 of Brian Altman QC's report;
- iii. **preserve all** material relating to:
 - all cases considered by Second Sight;
 - all cases considered by Cartwright King;
 - all applications for participation in the mediation scheme.

If you have reason to believe that there may be material in category iii above which remains in the possession of Royal Mail Group please notify the Commission.

The Commission makes a direction under section 17(2) Criminal Appeal Act 1995 that the documents and/or other materials must not be destroyed, damaged or altered. This direction takes priority over any weeding/destruction policies until this direction is withdrawn by the Commission.

You now have a statutory duty to provide copies of all documents and other materials specified above.

Your duty to comply with this requirement is not affected by any obligation of secrecy or other limitation on disclosure (including any such obligation or limitation imposed by or by virtue of an enactment) which would otherwise prevent the production of the document or other material to the Commission or the giving of access to it to the Commission. You may however notify us, in accordance with section 25 of the Criminal Appeal Act, that information contained in the material is not to be disclosed by the Commission without your prior consent.

5 St Philip's Place, Birmingham B3 2PW

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Signed:

on behalf of the Commission

Dated: 19 March 2015