
From: Moran, Olivia [REDACTED] **GRO**
Sent: Thur 22/01/2015 12:22:40 PM (UTC)
To: baltman [REDACTED] **GRO**
Cc: Matthews, Gavin [REDACTED] **GRO**
Subject: Horizon - CCRC: Conference 9am Friday 23 January 2015 [BD-4A.FID20472253]
Attachment: CCRC letter 14 January 15.pdf
Attachment: POST OFFICE LTD REVIEW DOCUMENT [1]v.2.pdf
Attachment: Criminal_Appeal_Act_1995_(1995_c_35).pdf
Attachment: _MEMO_30084929(1)_Note 20 Jan 15_ Criminal Appeal Act 1995.docx
Attachment: RE: Criminal Cases Review Commission / Brian Altman QC [BD-4A.FID20472253]

Brian

I refer to the conference which has been arranged for tomorrow morning at 9 am at your chambers.

Attached to this email is:

1. Letter from CCRC to POL (Chris Aujard) dated 14 January 2015 enclosing notice issued under section 17 of the Criminal Appeal Act 1995
2. Previous correspondence between POL and the CCRC (**to follow later today**)
3. Your report to POL dated 15 October 2013
4. Copy Criminal Appeal Act 1995
5. Internal memo Amy Eames to me dated 20 January 2015 re definition of "public body"
6. My email to Rod dated 18 January 2015 re CCRC/Brian Altman QC
7. Note – dealing with CCRC duties in relation to disclosure/non-disclosure (**to follow later today**)

We have briefly spoken about this matter over the telephone. As you can see from enclosure 1, POL have now received a notice under section 17 Criminal Appeal Act 1995 requesting that they disclose documentation, including your report of 15 October 2013 within 28 days and preserve materials associated with cases affected by the Horizon system. The notice is drawn widely and in relation to the second bullet point imprecisely and the purpose of the conference tomorrow is to discuss with you and devise an appropriate strategy for dealing with POL's response to this notice.

The notice needs to be put into context. Since your report (and as you are aware) POL have been working with Second Sight (SS), the JFSA and James Arbuthnott MP in relation to a "mediation scheme" to try to put some structure onto the various Horizon claims being made by subpostmasters. That scheme has been funded by POL, has had a working group chaired by Anthony Hooper, and has worked hard to process around 150 complaints to date.

Recently however the MPs acting for the various subpostmasters and in particular James Arbuthnott have indicated that they are unhappy with the scheme and consider that POL has been acting in "bad faith" by stringing along the subpostmasters without any real desire to resolve their complaints. POL entirely refutes this allegation. The MPs have used their position to get a reasonable degree of TV and press coverage for the issue (eg Today programme on Radio 4, radio 5 Live, The One Show on BBC1 and a BBC TV programme on Monday this week). Additionally, POL have been invited to put up representatives before a BIS Select Committee on 3 February which has been set up to look into the scheme. It is likely that POL will put up Chris Aujard and Paula Vennells.

Clearly someone (possibly Mr Arbuthnott) has agitated the CCRC to do something and this has resulted in the letter at enclosure 1.

POL are of course happy to provide the CCRC with whatever documentation they are legally required to hand over and to engage positively with the CCRC but are concerned that this exercise does not become a never ending request for documentation. If possible they want to control the exercise.

As an initial point (and not one they may choose to argue) they question whether they fall within the definition of "public body" under section 22(1) - see enclosure 5. Your view would be appreciated on this point.

One of my colleagues is also preparing a note (which I will forward on later) dealing with the CCRC's duties in relation

to the disclosure/non disclosure of the information which is provided to them under section 17. This is important because POL are concerned about information provided to the CCRC eventually playing out in the press.

I will confirm the attendees for the conference tomorrow as soon as they are known to me.

Kind regards

Gavin

Gavin Matthews

Partner

for and on behalf of Bond Dickinson LLP

Bond Dickinson

Direct:
Office:
Mobile: **GRO**

Follow Bond Dickinson:



www.bonddickinson.com

