

AMENDED ACCORDANT TO CPR 17.1(2a)

**Claim Form**In the High Court of Justice,  
Queen's Bench Division

Fee Account no.

Claim no.

H016X01238

Issue date

11 April 2016

You may be able to issue your claim online which may save time and money.  
Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.

**Claimant(s) name(s) and address(es) including postcode**

Alan Bates of

**GRO**

and 90-197

others (please see attached Amended Schedule of Claimants)

**Defendant(s) name and address(es) including postcode**

Post Office Limited (company number 02154540), whose registered office is at Finsbury Dials, 20 Finsbury Street, London, EC2Y 9AQ

**Brief details of claim**

The Claimants are a large group of people (and/or companies) appointed and/or engaged at various times under standard form contracts by the Defendant as Sub-Postmasters (or in some cases, as Crown Office employees) and/or to work in or operate Post Office branches, or acting in such or similar capacity, who have been subjected to unlawful treatment by the Defendant causing them significant financial losses (including loss of their business and property), bankruptcy, prosecutions, serving community or custodial sentences, distress and related ill-health, stigma and/or reputational damage.

The said standard form contracts were replete with power and discretion in the hands of the Defendant. In all the circumstances, they included an implied term of trust and confidence and/or were relational contracts imposing obligations of good faith on the Defendant (including duties of fair dealing and transparency, trust and confidence and co-operation). There were also implied terms, including obligations on the Defendant: not to act in an arbitrary, irrational or capricious manner in decision-making affecting the Claimants; to provide adequate training and support to the Claimants (particularly if and when it imposed new working practices or systems or required the provision of new services); properly to execute all transactions which the Claimants effected; properly to account for, record and explain all transactions and any alleged shortfalls which were attributed to the Claimants; and properly and fairly to investigate any such alleged shortfalls.

Further, by reason of the agency relationship between the Claimants and the Defendant and/or in all the circumstances (and having particular regard to the Defendant imposing and undertaking to provide the system by which transactions were effected, recorded and reconciled and the vulnerability of the Claimants to the exercise of power by the Defendant in this and other respects), the Defendant owed the Claimants a fiduciary duty properly to execute all transactions which the Claimants effected and properly to account for, record and explain all transactions and any alleged shortfalls which were attributed to the Claimants. Further or alternatively, the relationship amounted to an accounting relationship so as to give rise to such duties. The Defendant also owed the Claimants a duty of a care in tort in exercising its functions and powers within its relationship with the Claimants.

The claims herein arise following the Defendant's introduction of a new electronic point of sale system known as Horizon in or around 1999/2000 and changes (including new or changed services) introduced by the Defendant thereafter. Horizon itself significantly changed how the Claimants were required and able to work in their branches and severely limited their ability to access, identify, obtain and reconcile transaction records and themselves investigate any alleged shortfalls. From the introduction of Horizon and throughout, the Defendant failed to provide adequate training and support to the Claimants. When financial, accounting and other alleged errors or failures arose, including or resulting in alleged shortfalls in branch accounts, the Defendant in purported exercise of its contractual and/or prosecutorial powers: did not investigate the existence and/or causes of the alleged shortfalls fairly, properly or at all; required Claimants to make good the alleged shortfalls; encouraged Claimants to sign-off cash balances without being able to satisfy themselves that they were accurate and/or exercised undue or unreasonable pressure or

influence on Claimants to do so; excluded Claimants from their own branches; suspended and/or terminated their appointments and/or engagements and/or imposed undue and/or unreasonable pressure or influence upon Claimants to resign or otherwise end their contract with the Defendant; unfairly investigated the Claimants (including by preventing or impeding any or any reasonable access by the Claimants to relevant data, information and documents and/or excluding from consideration the known risk, if not likelihood, of errors in or related to the Horizon system and/or related matters set out herein); misrepresented to the Claimants the approach to and purpose of such investigations; prosecuted them for theft, false accounting and/or other criminal charges and took other measures against them including pursuing restraint orders against them (under s.41 of the Proceeds of Crime Act 2002); procured repayments and/or the settlement of claims by means of negligent misstatement and/or misrepresentation or deceit; unreasonably acted so as to prevent or inhibit Claimants from preserving, realising or recovering the value of their businesses including their capital investments and/or capital payment entitlements payable by the Defendant upon branch closures; and/or otherwise acted wholly unreasonably, oppressively and/or arbitrarily and, in any event, in breach of the Defendant's duties.

Throughout, the Defendant concealed material facts from the Claimants and thereby misled them about: the reliability of Horizon and the errors in, and generated by, Horizon; the problems encountered by other Sub-Postmasters in using Horizon (Claimants being informed that they were *the only one*); the ability of the Defendant (or its IT provider, ICL and later Fujitsu, on its behalf) remotely to access and make changes to transactions, data and/or branch accounts, without the knowledge of the Claimants; the approach to investigations and audits following identification of alleged shortfalls and the purpose for which the Defendant carried out the same; the basis upon which the Defendant chose to prosecute or refer Claimants for prosecution and/or to take related steps above; and/or the extent to which the Defendant had discharged its duties set out above in the exercise of all its aforesaid powers and discretions. Further or alternatively, the Defendant deliberately committed breach(es) of duty in circumstances in which the same was unlikely to be discovered for some time by the Claimants and thereby deliberately concealed the facts involved in that breach of duty.

By reason of the Defendant's said conduct, the Defendant is liable to the Claimants for: breach of express and/or implied contractual terms; breach of duties of care in tort; breach of fiduciary duty; unjust enrichment; harassment under the Protection from Harassment Act 1997; negligent misstatement; misrepresentation; deceit; unlawful means ~~misfeasance in public office~~; malicious prosecution; ~~misfeasance in public office~~. By reason of the Defendant's conduct in relation to the prosecution or referral for prosecution of Claimants, the Defendant is liable for breach of the Claimants' rights under Articles 6 and 8 ECHR and/or Article 1 of the First Protocol contrary to section 6(1) of the Human Rights Act 1998; and/or procuring a breach of their common law fair trial rights and/or rights under Article 6 and 8 ECHR and/or Article 1 of the First Protocol as aforesaid.

The Claimants seek by way of relief:

- (1) Declaratory relief as to terms and/or nature of the legal relationship between the Claimants and the Defendant;
- (2) Damages for the unlawful acts set out above;
- (3) Aggravated and/or exemplary damages;
- (4) Restitution and/or payment of money had and received (in each case, including compound interest thereon);
- (5) Orders for the taking of accounts and payment of sums found due on the taking of such accounts;
- (6) Damages or other relief under Section 8 of the Human Rights Act 1998;
- (7) Rescission and/or damages and/or declaratory relief as to settlement agreements and/or any repayments of shortfalls and/or agreements to repay the same;
- (8) Further or other relief as the Court may think fit;
- (8) Interest;
- (9) Costs.

In the light of the common and/or related issues of fact and law arising herein, the Claimants intend to make an application for a Group Litigation Order pursuant to CPR 19.11.

Assigned to Master:

#### Value

The Claimants expect to recover more than £200,000

GRO

Re - Re - Amended by Freeths LLP (Solicitors for the Claimants) on 26 July 2016 27 October 2017 08 November 2017 pursuant to CPR 17.1(1) paragraph 22 of the Court's Order dated 19 October 2017 the parties' agreement

You must indicate your preferred County Court Hearing Centre for hearings here (see notes for guidance)



High Court, Queen's Bench Division — Royal Courts of Justice, Strand, London

Defendant's name  
and address for  
service including  
postcode**Post Office Limited**Finsbury Dials  
20 Finsbury Street  
London  
EC2Y 9AQ

	£
Amount claimed	To be confirmed
Court fee	£10,000
Legal representative's costs	To be assessed
<b>Total amount</b>	<b>To be assessed</b>

Claim No.

HQ16XO1238

Does, or will, your claim include any issues under the Human Rights Act 1998?

☒ Yes☐ No

Particulars of Claim (attached) to follow

**Statement of Truth**

\*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.

\* I am duly authorised by the claimant to sign this statement

Full name : JOHN MAY JAMES HARTLEYName of claimant's legal representative's firm: FREETHS LLPSigned  
**GRO****GRO**Position or office held: PARTNER

Claimants' legal representative/

(if signing on behalf of firm or company)

\*delete as appropriate

**Freeths LLP**

1 Vine Street

London

W1J 0AH

Tel: **GRO**Fax: **GRO**

Ref: JXH/VN/1684/2113618/1

Claimant's or claimant's legal representative's address to  
which documents or payments should be sent if different  
from overleaf including (if appropriate) details of DX, fax  
or e-mail.

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

Claim Number:

BETWEEN:

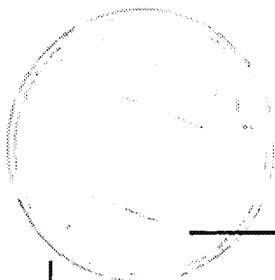
ALAN BATES AND OTHERS

Claimants

-and-

POST OFFICE LIMITED

Defendant



AMENDED SCHEDULE OF CLAIMANTS  
AMENDED PURSUANT TO CPR 17.1(1)

No.	Title	First Name	Initial	Surname	Address
1.	Mr	Haji	H N	Abbas Choudry	<b>GRO</b>
2	Mrs	Lesley	L	Abbot	
3	Mr	Naushad	N	Abdulla	
3-4	Mrs	Oyetju Omotara	O O	Adedayo	
5	Mrs	Tabasam	I	Ahmed	
3-6	Mr	Mohammed Zubair	M Z	Anis	
4-7	Miss	Dionne	D	Andre	
6	Mrs	Nichola	N	Arch	

5-9	Mrs	Isabella		Armstrong-Wall	
10	Mr	Kamran	K	Ashraf	
6-11	Ms	Shazia	S	Azam	
7-12	Mr	Lawrence	L G	Bailey	
13	Mr	Chen	C	Chen	
8-14	Mr	Virendra Kumar	V K	Bajaj	
15	Mrs	Ovallia	C	Balakumar	
9-16	Ms	Tracy	T	Banks	
10-17	Mrs	Jasvinder	J	Barang	
18	Ms	Margaret	M	Baleman	
11-19	Mr	Alan	A	Bates (named on Claim Form)	
12-20	Mr	Arun	A	Bhanote	
13-21	Mr	Revli Raman	R R	Bhanote	

**GRO**

22.	Ms	Neha	N	Bhardwaj
23.	Ms	Ram Pratap	R P	Bhardwaj
24.	Mr	Harpeet Singh	H S	Bhondi
44-25	Mr	Rajinder	R S	Bilkhu
26.	Ms	Amanda Julie	A J	Bissell
15-27	Mrs	Margaret	M W	Boston
28.	Mr	Evon	E	Boleros
29.	Ms	Janel	J	Bradbury
16-30	Mr	Timothy	T	Brentnall
47-31	Ms	Sharon	S P	Brown
16-32	Mr	Thomas	T G	Brown
48-33	Mr	Gary	G	Brown
26-34	Mrs	Wendy	W	Bulfrey

**GRO**

35	Mr	Nathan Vincent	NV	Butch
24-36	Mr	Timothy	T	Burgess
22-37	Ms	Sarah	S	Burgess-Boyde
35	Mr	Alan	A	Campbell
39	Mr	David	D	Carney
23-40	Ms	Julie	J L	Carter
41	Mr	Conrad	C	Clean
24-42	Mr	Ghazala	G	Chishty
43	Mr	Bashli	B	Choolay
44	Ms	Jillia Marian	J M	Climo
25-45	Ms	Deirdre	D	Connolly
46	Mr	Adnan	A	Corner
47	Ms	Wendy	W	Cousins

**GRO**

26-48	Mr	Philip	P	Cowan
27-49	Ms	Pauline	P	Coyle
50	Ms	Zoe	Z	Dan
28-51	Mr	Scott	S	Darlington
52	Mr	Philip	P	Dauncey
29-53	Mr	John	J	Dickson
54	Mr	Sukhwant	S	Dosanjh
30-55	Ms	Marion	M	Drydale
56	Mr	Sathiaselvan	S	Easwarakumar
31-57	Mr	Thomas	T E	English
32-58	Mrs	Nirmala	N	Fatania
33-59	Mr	Stanley	S	Fell

**GRO**



34.60	Ms	Joanne	J	Foulger
61	Mr	Richard Fairfax	R F	Giles
62	Mr	Harkamel	H S	Ghaq
63	Mr	David John	D J	Gilbert
64	Ms	Paula	P	Gorman
65.65	Ms	Donna Lynn	D L	Gosney
66	Mr	Samsudin	S	Govani
67	Ms	Sally	S	Graham
36.68	Ms	Alison	A	Hall
37.69	Ms	Josephine	J	Hamilton
70	Mr	Muhammad	M	Haneef
38.71	Mrs	Susan	S	Hazzleton
39.72	Mr	David	D T	Hedges

GRO

40.73	Ms	Allison	A	Henderson
41.74	Mr	Peter	P	Holloway
42.75	Mrs	Marion	M	Holmes (the personal representative of Peter Holmes (deceased))
43.76	Mr	Frank	F	Holt
44.77	Mrs	Gillian	G M	Howard
45.78	Mr	Graham	G	Howard
79	Mrs	Elaine	E	Hughes
80	Mrs	Lynette Jane	L J	Hutchings
81	Mrs	Elaine	E	Illidge
82	Ms	Colleen	C	Ingham
83	Mrs	Veronica Dorothy	V D	Irvine
84	Ms	Karen	K	James

GRO

85.	<b>Anonymity Order</b>				
86.	Ms	Sarah	S	Javed	
87.	Mr	Cledwyn Pierce	C.P.	Jones	
88.	Mr	Keith	K	Jones	
89.	Mr	Michael Ernest	ME	Jones	
18-90.	Mr	Harish	H	Joshi	
47-91.	Mrs	Karen	K	Judd	
92.	Mr	Parmod Kumar	P.K.	Kalia	
93.	Mrs	Siema	S	Kamran	
48-94.	Mr	Anish	A	Kavi	
95.	Mr	Mohammed	M	Khalil	
49-96.	Mr	Antony Afzal	A.A.	Khan	
50-97.	Mr	Amir	A.H.	Khan	

GRO

98	Mrs	Mamonah	M	Khan
99	Mr	Darren	D	King
100	Ms	Lorraine	L S	Kirkman
101	Mr	Usman	U D	Kiyani
102	Ms	Susan	S	Knight
103	Mr	Kamaljit	K	Kooner
104	Mr	Hitesh	H	Koral
105	Mr	Kamaleswaran	K	Kunabalasingam
106	Mr	Selfudin Nazarali	S N	Kutianawala
107	Mr	Adrees	A	Latif
108	Ms	Denise	D	Latreille
109	Mr	Mario	M	Lummi
110	Mr	Derinol	D	Lynch
111	Ms	Susan	S E	Mansfield

GRO



		Elizabeth			
54.11	Ms	Wendy	W	Martin	
113.	Mr	Gary	G	Massev	
55.114	Mr	Francis Joseph	F J	Maye	
56.115	Ms	Katherine	K	McAlerney	
116.	Mr	Donald	D	McLean	
117.	Ms	Tracey	T	Merrill	
118.	Mr	Asif	A	Mirza	
57.119	Mrs	Seema	S	Misra	
120.	Mr	John Robert	JR	Moir	
121.	Mr	Arthur	A	Morid	
122.	Ms	Edd	E	Mummery	
123.	Mr	Nahman	N	Nisar	
58.124	Mrs	Jenny	J	O'Dell	

GRO

125.	Ms	Mojisola	M	Okuwoga
69.126	Mr	Ralph	R	Oliver (a Protected Party by Terri Packwood, his Litigation Friend)
60.127	Mrs	Sarah	S	Osolinski
128.	(A)	Damian	D	Owen
129.	Ms	Sandra	S	Owen
130.	Mrs	Wendy Ann	W.A	Owen (the personal representative of Mr John Owen (deceased))
131.	Mr	Sivanesarajah	S	Pakeerathan
64.132	Mr	Vijay	V	Parekh
133.	Mrs	Jolike	J	Patel
134.	Mr	Upendra Kumar	UK	Patel
135.	Mr	Vipinchandra	V	Patel
136.	Mr	Yogesh	Y	Patel
137.	Mr	George	G	Patterson
138.	Ms	Tracy Ann	T.A	Paynter

GRO

62-139	Anonymity Order				
140	Mr	Les	L	Phelan	
64-141	Mr	Steve Bryan	S B	Phillips	
64-142	Mr	Paul	P	Popov	
65-143	Mr	Kanagasundaram	K	Prince	
144	Mr	Aslam	A	Ramlola	
66-145	Mrs	Shahnaz	S	Rashid	
67-146	Ms	Shirley	S	Rayner	
147	Mr	Thomas	T	Reed Morris	
68-148	Mr	Mansel Kevin	M K	Rees	
149	Mr	Karl Thomas Anthony	K T A	Reid	
150	Mr	Brian	B	Richardson	
151	Mr	James	J	Richardson	

GRO

69-152	Mr	Alan	A	Riddell	
70-153	Mrs	Carol	C	Riddell	
74-154	Ms	Della	D	Robinson	
72-155	Ms	Megan	M	Robinson	
73-156	Mr	Michael	M	Rudkin	
74-157	Mr	Mohammad	M	Sabir	
75-158	Mr	Mohammed	M A	Saleem	
159	Mr	Kamal Deep	K D	Sandhu	
160	Mr	Ennosel Joseph Dominic	E J D	Savo	
76-161	Ms	Siobhan	S	Sayer	
162	Mr	Vinod Kumar	V K	Sharma	
163	Mr	Christopher Michael	C M	Sharoles	
164	Mr	Jarnail	J	Saudi	

GRO



165.	Mr	Kuldip	K	Singh
166.	Mr	Selpal	S	Singh
167.	Mr	Gurnil	G	Singh-Gill
168.	Mr	Ravinder Pal	R P	Singh-Gill
77-169	Miss	Janet	J	Skinner
170.	Mr	Brian	B	Skirrow
171.	Ms	Julie	J	Steward
76-172	Ms	Elizabeth	E	Stockdale
173.	Ms	Sally Mary Kathleen	S M K	Stringer
79-174	Ms	Pamela	P J	Stubbs
80-175	Mr	Greg	G	Suszczenia
81-176	Ms	Joy	J	Taylor
177.	Mr	Hughie Noel	H	Thomas

GRO

178	Ms	Pauline	P	Thomson
179	Mr	Hardia Sinoh	H S	Tiyur
180	Ms	Sandra	S	Tizzard
82,181	Mr	Christopher	C	Trousdale
83,182	Ms	Jasvinder	J K	Uppal
183	Ms	Lynne		Veen
84,184	Mr	Guy	G	Vinall
85,185	Mr	Terry	T	Walters
86,186	Mr	Graham	G	Ward
87,187	Mr	Ian		Warren
188	Ms	Susan	S	Watson
189	Mr	Paul Thomas James	P T J	Wavish

# GRO

190.	Mr	Alan	A	White
191.	Mr	Leslie Stephen	LS	Whitehead
192.	Ms	Fiona	F	Windle
88-193	Ms	Rachel Anne	R A	Williams
89-194	Ms	Margery	M L	Williams
90-195	Mr	Julian	J	Wilson
196.	Mr	Peter	P	Worsfold
94-197	Ms	Kym	K	Wyllie
94-198	Mr	David	D	Yates

**GRO**

Amended by Freeths LLP (Solicitors for the Claimants) on 26 July 2016 pursuant to CPR 17.1(1).