

Message

From: Jane MacLeod
on behalf of Jane MacLeod
Sent: 24/04/2016 14:46:20
To: Tim Parker [REDACTED] **GRO**
CC: Paula Vennells [REDACTED] **GRO**
Subject: POst Office - Meeting with Baroness Neville-Rolfe Wednesday 27 April 2016, 3:30pm
Attachments: 9.14 Letter to Baroness Neville Rolfe dated 4th March 2016 (Signed pdf).pdf

GRO

Tim

As promised, the following briefing note sets out our recommendation as to the positioning for your meeting with the Minister on Wednesday. As ever I am happy to discuss this with you in more detail. The key issue is that now that we are aware that proceedings have commenced, comments by any of Post Office, BIS or the Minister relating to the matters addressed in that litigation need to be carefully considered so as not to prejudice Post Office's position.

Background

- You most recently met with the Minister on 26 January 2016, during which you provided an update on the work you had undertaken in determining whether POL's handling of the complaints made by applicants to the Complaint Review & Mediation Scheme, was reasonable and appropriate.
- On 4 March, you sent the Minister a letter which, noting that it was subject to legal professional privilege, set out further information about the approach to the review, the scope of the work undertaken and your initial findings. It also set out your plans for bringing this piece of work to a conclusion and noted that, although the JFSA had been reported as having received funding to instigate civil proceedings against the Post Office, at that time no claim had been issued, nor had any letter of claim been received.
- POL has since received a letter from Freeths solicitors advising that, on 11 April 2016, they lodged a claim in the High Court on behalf of some 91 claimants, 70 of which we now know to have been a part of the Complaint Review & Mediation Scheme.
- Although the claim form has not been formally 'served', lodging the claim means that legal proceedings against POL have begun and we expect to receive the letter of claim shortly. The letter of claim should set out, in detail, the grounds of the claim and the remedies being sought.
- We have notified BIS (and specifically the Minister's office) of the fact that the claim has been filed.

Positioning

- You are meeting with Baroness Neville-Rolfe to discuss, specifically, 'Sparrow' and to provide an update on the progress made since your letter of 4 March 2016 – a copy of which is appended to this briefing.
- The work identified in that letter is ongoing and you (and we) remain hopeful that it will be completed during May.
- We understand that the Minister has requested this meeting so that she is able to then brief the Secretary of State Sajid Javid, ahead of a meeting (which we understand is unrelated to Sparrow) that he is hosting with all Conservative Peers. The Minister is concerned that Lord Arbuthnot may use this meeting as an opportunity to question the SooS about Post Office's handling of the Horizon related complaints.

- Given that legal proceedings have now been issued against POL, it is our opinion that your meeting with the Minister provides you with the opportunity to note that given the commencement of the Court case, POL must consider what (if any) implications these proceedings may have on the review, any findings that emerge, and how these findings may be used.
- The POL Board will receive a briefing on the claim at its next meeting on 21 May.
- If Lord Arbuthnot does raise the issue of Post Office's handling of the Horizon related complaints at the meeting with the SofS, it is our view that the SofS should not enter into dialogue on the issue, advising Lord Arbuthnot that it would be inappropriate for him to do so given that the complainants are now using both civil and criminal judicial processes, and that the Post Office must respond through those.

I trust this is helpful.

Kind regards,

Jane



Jane MacLeod

General Counsel
Ground Floor
20 Finsbury Street
LONDON
EC2Y 9AQ

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