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**From:** Ingrid Kelly [GRO]  
**Sent:** Sat 13/12/2014 5:40:05 PM (UTC)  
**To:** Mark R Davies [GRO]  
**Cc:** Nick Wallis [GRO]; Jane French [GRO]; Melanie Corfield [GRO]; Ruth X Barker [GRO]  
**Subject:** Re: Post Office interview

Hi Mark,

I'm sorry if our schedule disappoints and inconveniences you or the post office but we won't be postponing. You have the allegations and our schedule. You can respond within the film by a statement if no one appropriate is available for interview on monday - and of course you yourself will be responding on the sofa after the item airs.

Regards

Ingrid

On 13 Dec 2014, at 17:07, "Mark R Davies" [GRO] wrote:

Hi Ingrid

That is very disappointing. To stress we would like to offer a spokesperson for your programme's pre-recorded film and are able to but not in the timetable you suggest.

Our position is very reasonable. I assume the programme will return after Christmas. What is the urgent reason for being unable to give us the time we need?

You plan to make a series of complex and very serious allegations about Post Office Ltd, all of which can be answered in detail. I do not understand why your timescales are such that you cannot accommodate an interview for a film 24 hours before broadcast. You are asking for 48 hours for your own internal processes.

Nick has himself suggested that a sofa slot would not really give us the opportunity to answer the very complex range of allegations he is making. We agree and clearly would be unable to take part in the studio if our position is not reflected in the pre-recorded film.

It cannot be fair to feature a series of other interviews in the film, all of which were presumably filmed last week in good time for your deadlines, without giving Post Office, which is very firm in its position, the opportunity to respond. There are two sides to every story, as you know.

I would like to ask you to reconsider your position please.

Best wishes  
Mark

Mark Davies  
Communications and Corporate Affairs Director  
Mobile: [GRO]

Sent from my iPhone

On 13 Dec 2014, at 12:24, "Ingrid Kelly" [GRO] wrote:

I'm afraid not. The programme is off air for a fortnight and will run on weds. If you really can't do an pre recorded interview on monday then as you'll be on the sofa on weds, you'll be able to respond then.

Regards

Ingrid

On 13 Dec 2014, at 12:15, "Mark R Davies" [GRO] wrote:

Hi Ingrid

Many thanks for this.

In that case please can I formally request that the item is held until it is possible for the Post Office to respond on film? There is no urgency or need to broadcast this item on Wednesday, especially as the Mediation Scheme is continuing. Due to pressing and competing business priorities related to the mediation scheme and involving applicants to it, we cannot provide suitable representation until late Tuesday afternoon at the earliest.

I appreciate your own legal and other processes - you will appreciate our own.

I am formally offering you this interview with a senior manager who leads on the issues you are discussing and think it is reasonable for the Post Office to have the opportunity to put forward its position in a reasonable timescale.

We also stand ready to put a spokesperson up live in the studio.

Best wishes

Mark

Mark Davies  
Communications and Corporate Affairs Director  
Mobile: [GRO]

Sent from my iPhone

On 13 Dec 2014, at 09:48, "Ingrid Kelly" [GRO] wrote:

Hi Mark,  
I'm afraid the practicalities mean a filmed interview wd need to be done on monday to be incorporated into the piece. The lawyers and editorial advisory teams all need to take their time checking the Item so it's a rather cumbersome process. The interview can be as early or as late as suits but it does need to be monday i'm afraid.

best

ingrid

On 13 Dec 2014, at 09:29, "Mark R Davies"

GRO

wrote:

Hi Nick

Many thanks for your email.

As you will appreciate you have raised a broad range of issues which range across legal, IT and network support. We are very keen to be able to respond to all these issues in detail, particularly as there are some really fundamental points raised in your questions.

To that end we are working to ensure that we can provide you with the best possible response. As mentioned in my previous email, as well as input from the suppliers of our IT system and a legal view on the serious points you raise, we need (and I think this is reasonable) to provide you with a spokesperson who can speak across this range of issues.

We are dealing however on Monday and Tuesday with mediation scheme matters which relate to applicants. So we can absolutely be available later on Tuesday or on Wednesday morning.

I do appreciate the challenges you have around filming and editing of course but I am sure you will appreciate the challenges from our side as well.

I suggest we speak first thing Monday morning and hopefully you will be able to come back to me on the timescale above and I will be able to update you too on where we are - please be assured we will do everything we can to ensure

we give you the opportunity to interview the  
Post Office on these important matters.

Best wishes

Mark

Mark Davies  
Communications and Corporate Affairs  
Director  
Mobile: [GRO]

Sent from my iPhone

On 12 Dec 2014, at 20:43, "Nick Wallis"  
[GRO] wrote:

Hi Mark  
Thanks for your email. I am delighted  
you are inclined to offer studio live  
*and* pre-recorded filmed interviews.

As Ingrid (cc'd) has confirmed the  
planned transmission date for both  
would be Wed 17 Dec, to coincide  
with the planned Westminster Hall  
adjournment debate on the Post  
Office called by James Arbuthnot MP.

As Jane (cc'd) explained to you on  
the phone and as I am sure you  
understand, we need to set a time for  
the pre-recorded interview well in  
advance of the planned transmission  
date as the interview will have to be  
edited and go through all the usual  
processes before being delivered to  
the One Show for broadcast. It is in  
no one's interest to rush this.

As Ingrid may have mentioned (and I  
defer to her on exactly how things  
may be happening on Wednesday),  
any studio guest you nominate will  
most likely be allotted around three  
minutes interview time, but with  
Victoria Wood, Michael Ball, a  
children's choir already booked on  
Wednesday and the unpredictability  
of a live studio environment, the  
interview might get curtailed, or the  
discussion itself might veer off topic,  
despite everyone's best efforts.

Could I therefore urge you to fix up a date and time as soon as possible to film a pre-recorded interview where we can ask you, and give you the opportunity to answer, a series of questions on the subjects raised below in a calm and controlled environment.

The interview will, of course, be edited, but we will be scrupulous in our duty of fairness towards the interviewee and the answers they give. Furthermore, whether either, both or no proposed interviews end up being broadcast, we will be taking all reasonable steps to ensure the Post Office's perspective on the serious matters below is properly represented.

I hope all that makes sense. Just to ensure you are clear on the internal division of labour surrounding the two proposed interview opportunities, Ingrid will deal with you re the arrangements re the possible live interview on the One Show sofa, whilst Jane and I can work with you to arrange a pre-recorded interview at a location of your convenience.

I hope to hear from you soon re a proposed pre-recorded interview location/date/time and interviewee. I am happy to liaise with you over the weekend to book it in in good time.

Yours,

Nick

---

**From:** Mark R Davies

GRO

**Sent:** 12 December 2014 18:47

**To:** Ingrid Kelly

**Cc:** Jane French; Nick Wallis; Melanie Corfield; Ruth X Barker

**Subject:** Re: Post Office interview

Ah - thanks Ingrid. That does give us more time. Many thanks for clarifying.

Best wishes  
Mark

Mark Davies

Communications and Corporate  
Affairs Director  
Mobile: [REDACTED] GRO

Sent from my iPhone

On 12 Dec 2014, at 18:34, "Ingrid  
Kelly" [REDACTED] GRO  
wrote:

No Mark that's my  
mistake in the  
voicemail. as per my  
text - it is weds!  
Apologies all. Ingrid

On 12 Dec 2014, at  
18:32, "Mark R  
Davies"

[REDACTED] GRO  
[REDACTED] GRO wrote:

Dear  
Jane,

Thank  
you for  
your time  
today.  
Just to  
follow up  
my  
previous  
email, I  
can  
confirm  
that the  
Post  
Office  
would  
welcome  
the  
opportuni  
ty to  
respond  
in your  
film and  
in the  
studio to  
the very

serious  
and  
detailed  
allegation  
s being  
made in  
the email  
we  
received  
from  
Nick  
Wallis  
(copied  
below for  
ease of  
reference  
).

I  
understan  
d from  
Ingrid  
Kelly that  
you are  
now  
planning  
to air this  
item on  
Monday  
evening.  
This  
comes as  
a surprise  
as you  
indicated  
Tuesday  
or  
Wednesd  
ay when  
we spoke  
earlier.

Either  
way,  
given the  
very  
serious  
nature of  
the  
allegation  
s being  
made,

and the  
requireme  
nt to give  
us  
reasonabl  
e time to  
respond,  
we do not  
believe  
we can  
meet  
your  
deadline  
of noon  
on  
Monday  
for an  
interview  
to be  
conducted.

We are  
inclined  
to offer  
an  
interview  
but our  
spokespe  
rson, who  
is leading  
the  
investigat  
ions  
process  
on the  
matters  
you  
reference,  
is  
involved  
in  
mediation  
scheme  
work on  
Monday  
and  
Tuesday.  
I am sure  
you will  
recognise  
that this



work,  
which involves  
scheme applicants  
, is very important  
.

She could be  
available later in  
the week and as  
she is best  
placed to speak for  
the business on the  
complex range of  
issues you have  
raised, I believe it  
is reasonable to ask  
you to hold off on  
broadcasting your  
item until such time  
as we are able to  
respond properly.

Moreover, our  
spokesperson is  
able to respond  
to the specific  
issues

you raise  
in a way  
no other  
colleague  
in our  
business  
can given  
her role  
and first  
hand  
knowledg  
e of the  
specifics  
Nick has  
referred  
to. I  
would  
also  
stress  
again,  
however,  
that Post  
Office  
cannot  
comment  
on  
individual  
cases.

The  
Ofcom  
guidelines  
on  
matters  
like this  
make  
clear that  
we  
should be  
given  
reasonabl  
e time to  
consider  
and make  
our  
response  
to  
requests  
such as  
this.  
What  
constitute

s a  
reasonabl  
e time  
must  
surely  
take the  
urgency  
of a  
situation  
into  
account.  
There is  
no  
urgency  
here,  
especially  
in the  
light of  
your  
broadcast  
last week  
and the  
ongoing  
nature of  
the  
mediation  
scheme,  
not to  
mention  
the point  
I raised  
on the  
phone  
about  
potential  
comprom  
ise of  
cases  
going  
through  
the  
scheme.  
Given  
that the  
program  
me is  
broadcast  
every  
evening it  
seems  
reasonabl  
e to me

to ask for  
the  
timescale  
s to be  
extended  
so that  
we can  
respond  
properly.

I look  
forward  
to  
hearing  
from you.  
I am also  
copying  
this to  
Ingrid  
Kelly  
who  
kindly left  
me a  
voicemail  
this  
afternoon  
confirmin  
g that we  
could  
indeed  
have a  
slot in the  
studio to  
answer  
questions  
on your  
film. I  
also copy  
Nick  
Wallis,  
and Mel  
Corfield  
and Ruth  
Barker  
from the  
Post  
Office  
press  
office.

I am  
happy to

discuss  
this over  
the  
weekend.

Best  
wishes

Mark

Mark  
Davies  
Communi  
cations  
and  
Corporat  
e Affairs  
Director  
Mobile:

**GRO**

From:  
Nick  
Wallis

**GRO**

Sent: 12  
Decembe  
r 2014  
11:53

To:  
Melanie  
Corfield  
Subject:  
Interview  
request

Dear  
Melanie,

1) Thank  
you for  
your help  
with The  
One  
Show  
item  
transmitte  
d on

Tuesday  
9th December. We  
are now  
preparing  
a second  
film  
which is  
due to go  
out on  
The One  
Show on  
BBC1 at  
around  
the same  
time next  
week. We  
would be  
most  
grateful if  
the Post  
Office  
would be  
prepared  
to offer  
an  
interview  
expressin  
g its point  
of view in  
the  
continuin  
g dispute  
with  
some  
Subpostm  
asters  
over  
Horizon  
and  
associate  
d issues.  
This  
would  
need to  
be  
recorded  
by noon  
on  
Monday  
but we  
would be

able to  
meet you  
at your  
location  
of choice  
and we  
can do it  
over the  
weekend  
if that is  
the only  
option.

2) The  
film we  
are  
broadcast  
ing once  
again  
refers to  
concerns  
over  
Horizon.  
This time  
it features  
the story  
of Steve  
Phillips  
from  
Nelson in  
South  
Wales  
who is  
having  
problems  
with the  
system,  
as well as  
interview  
s from a  
group of  
former  
subpostm  
asters  
including  
Noel  
Thomas,  
Jo  
Hamilton,  
Julian  
Wilson,  
who say

they felt  
under  
pressure  
to sign  
off  
incorrect  
accounts  
even  
though  
they did  
not  
understan  
d how  
sums  
could be  
missing.

Mr  
Phillips  
says he  
and other  
Subpostm  
asters live  
in fear of  
being told  
to pay  
back  
losses  
neither  
you or  
they can  
explain,  
and he  
adds that  
he and  
other  
Subpostm  
asters do  
not trust  
Horizon.  
This  
latter  
point of  
trust in  
Horizon  
by  
Subpostm  
asters is  
one  
which has  
come up  
many



times  
with  
other  
former  
Subpostm  
asters we  
have  
spoken  
to.

3) In our  
film  
former  
Postmast  
ers say it  
is difficult  
to  
investigat  
e the  
causes of  
shortfalls  
for which  
they are  
held  
liable,  
because  
of the  
way  
Horizon  
and  
associate  
d POL  
processes  
and  
policy  
function.  
They say  
in order  
to open  
for  
business  
the day  
after the  
close of a  
trading  
period  
they had  
to agree  
to pay  
back  
alleged  
shortfalls

(either by settling to cash or settling centrally, which implies payment later). They say this put them in a very difficult position.

4) We ask one former Subpostmaster why she pleaded guilty to false accounting in court when she believed herself to be innocent. She tell us she felt she couldn't defend herself because she didn't have proper records, that the Post Office had taken some potentially useful items and paperwork

k away  
during  
their  
investigat  
ion and  
she felt  
she  
would be  
prosecute  
d for theft  
as well as  
false  
accountin  
g if she  
had not  
pleaded  
guilty to  
the latter.

5) We  
understan  
d from  
the  
Subpostm  
aster  
contract  
and from  
speaking  
to former  
Subpostm  
asters  
who have  
been  
through  
the  
process  
that  
Subpostm  
asters are  
not  
allowed a  
legal  
represent  
ative  
when  
they are  
interview  
ed under  
caution  
by Post  
Office  
investigat

ors.  
Instead  
they are  
allowed  
one  
companio  
n who  
must be a  
Post  
Office  
employee  
, who is  
not  
allowed  
to speak.  
Does this  
still  
happen?  
If so, why  
does the  
Post  
Office  
think it is  
fair?  
Also, we  
are aware  
that Post  
Office  
conducts  
PACE  
interview  
s at which  
Subpostm  
asters are  
allowed  
legal  
represent  
ation.  
Could  
you  
explain in  
what  
circumsta  
nces you  
think it  
appropria  
te to  
interview  
someone  
under  
caution  
but with

legal  
represent  
ation, and  
why this  
is not  
available  
to  
Subpostm  
asters in  
the  
interview  
s which  
usually  
precede  
them?

6) We  
would  
also like  
to put to  
you some  
opinion  
about the  
Post  
Office's  
approach  
to  
investigat  
ing and  
prosecuti  
ng  
subpostm  
asters.  
We are in  
possessio  
n of  
expert  
opinion  
from a  
professor  
in  
criminal  
justice  
which  
implies  
the Post  
Office's  
dual  
function  
as  
investigat  
or and

prosecuto  
r, and its  
300 year  
cultural  
history of  
using it  
against its  
agents is  
unique.  
That's  
not to say  
he thinks  
you are  
the only  
organisati  
on with  
prosecuti  
ng  
powers,  
but that  
you have  
a unique  
culture of  
prosecuti  
ng your  
agents.  
He  
implies  
this  
approach  
lacks the  
checks  
and  
balances  
of a  
typical  
prosecuti  
on by the  
CPS. In  
his  
opinion  
this  
creates a  
situation  
where  
miscarria  
ges of  
justice  
are more  
likely to  
occur.

The Post Office has assured us in a Freedom of Information Act request that it uses the Crown Code for Prosecutors. Can you please explain how this code was applied in the following cases: Jackie McDonal d, Damian Owen and Tom Brown. In these cases the Post Office pursued its own prosecution despite no prosecution having been brought by the CPS after police investigations. If you are

unable to  
unable to  
comment  
on  
individual  
cases,  
please  
comment  
on cases  
like this  
in  
general.

7) There  
is also a  
point  
raised by  
Geoffrey  
Sturgess,  
a business  
contract  
expert.  
He  
believes  
Subpostm  
asters  
should be  
told  
about the  
history of  
known  
problems  
with  
Horizon  
(such as  
the  
Calender  
Square  
issue and  
others  
raised in  
Second  
Sight's  
Interim  
Report)  
which  
have led  
to  
shortfalls  
in  
Subpostm  
aster



accounts  
and the  
history of  
other  
allegation  
s against  
Horizon  
before  
they are  
allowed  
to sign  
the  
Subpostm  
aster  
contract.

8) We  
will also  
include  
opinion  
from  
Sandip  
Patel QC  
who  
specialise  
s in areas  
including  
business  
fraud and  
cyber  
crime. He  
will say  
he  
believes  
that  
innocent  
people  
might  
have been  
wrongly  
convicted  
. He will  
also say  
there may  
be  
grounds  
for  
arguing  
that the  
Horizon  
system  
(incorpor

ating the  
business  
processes  
around it)  
is not as  
reliable as  
the Post  
Office  
believed  
it to be.  
He goes  
on to say  
that if the  
PO had  
failed to  
carry out  
a proper  
inquiry in  
circumsta  
nces  
when  
they  
should  
have,  
then  
some of  
the  
convictio  
ns of  
some of  
the  
Postmast  
ers in the  
mediation  
scheme  
might be  
unsafe.

9) With  
more  
than a  
hundred  
MPs now  
saying  
they have  
no  
confidenc  
e in the  
mediation  
scheme  
we would  
like to

ask the  
Post  
Office  
what it  
thinks is  
the  
correct  
way to  
move  
forward  
and find  
an  
equitable  
resolution  
to the  
concerns  
of  
subPostm  
asters up  
and down  
the  
country.

10) In  
summary,  
we have  
found a  
number  
of experts  
in their  
field who  
have  
concerns  
about the  
Horizon  
system,  
the PO's  
investigat  
ions and  
prosecuti  
ons  
function  
and the  
fairness  
of the  
Subpostm  
aster  
contract.  
It  
suggests  
there is  
the

possibility  
that the  
way the  
Post  
Office  
goes  
about its  
business  
or did go  
about its  
business  
needs  
some  
proper  
explanati  
on. One  
MP  
described  
the nature  
of the  
relationsh  
ip  
between  
the Post  
Office  
and  
SPMRs  
as  
“feudal”,  
yet you  
call them  
your “life  
blood”.

The  
content  
of the  
proposed  
program  
me is not  
set in  
stone.  
This is an  
opportuni  
nty for  
the Post  
Office to  
respond  
to the  
widespre  
ad  
criticism

it is  
currently  
facing. I  
am  
seeking a  
senior  
member  
of staff  
from the  
Post  
Office  
who can  
explain  
everythin  
g from  
the Post  
Office's  
perspecti  
ve so that  
we can  
get to the  
bottom of  
what has  
happened  
to these  
people. If  
you will  
not  
appear on  
camera  
then we  
ask that  
you  
provide a  
substantiv  
e  
response  
to the  
issues  
raised  
above by  
noon this  
coming  
Monday  
15 Dec.

Thank  
you

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*  
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