

Message

From: Lukas, Elisa [REDACTED] **GRO**
Sent: 10/04/2017 14:24:20
To: Lin Norbury [REDACTED] **GRO** Robert Findlay [REDACTED] **GRO**
Subject: RE: Case closure - POLTD/1415/0064 - Glenmoriston
Attachments: _DOC_35104632(2)_Letter from PO to Frank Holt (Glenmoriston) 10 April 2017 3 months notice.DOCX; image001.png; image002.png; image003.png; image004.png; imagea5e974.JPG; image8b99b8.PNG; image452954.PNG; image347e22.PNG

Robert & Lin

We had previously discussed that if Mr Holt didn't accept the reinstatement conditions offered, we would look to terminate his contract on 3 months' notice. The last update I had from Robert was that Mr Holt hadn't responded. On the basis that Mr Holt has not accepted the conditions of reinstatement offered, do you want to now move to terminate on 3 months' notice?

Termination on 3 months' notice

If so, I have been working with Keith Bridges and John Breeden on another branch that is in the same position (Sleaford) and I would like to use the same approach so we appear consistent. I have discussed with them that the postmaster is suspended and cannot be reinstated as he has not accepted the conditions offered. However, having reached the end of PO's investigation there are not any contractual grounds to leave him suspended either. Grounds for suspension include that irregularities or misconduct at the office where he holds appointment have been established to the satisfaction of Post Office, or admitted, or are suspected and are being investigated. Irregularities have not been established or admitted and they are no longer being investigated.

I had discussed with John and Keith that if it is decided to leave the postmaster suspended in these circumstances, there is a risk Freeths would argue he was owed payment for the final 3 months because there were no grounds to continue his suspension. Terminating the postmaster on 3 months' notice, leaving him suspended but paying him during those 3 months is preferable to reduce the risk of challenge and poses the least risk to PO's assets and reputation.

Offsetting pay

John and Keith had queried whether the 3 months' notice pay could then be offset against the debt the Postmaster owes.

As the Postmaster owes a significant debt to PO, offsetting his 3 months' notice pay against this debt would ensure that PO is able to recover monies owed at this stage. This is a commercially acceptable and pragmatic way to proceed, but it is just worth highlighting at this stage that offsetting notice pay is not something which PO is contractually entitled to do under the Community Contract.

Therefore, technically speaking, there is a chance that the Postmaster may seek damages for deduction of his notice pay, particularly as he is a Claimant in the Group Action and disputes the debt that he owes to PO. However, the risk of this happening in reality is minimal and, in any event, this could be handled in the course of the Group Action.

An alternative option to offsetting the Postmaster's notice pay would be to recover the Postmaster's debt within the course of the Group Action, such as via a counter claim. However, we acknowledge that this option will be commercially unattractive, as this will delay PO's recovery of the debt.

Having spoken to Rod about this issue, he has suggested that we calculate the remuneration that the postmaster might have received for the 3 month suspension period and agree to hold this pending the outcome of the Group Action. I've attached a termination letter to reflect this. Please could you let me know if you are happy with this approach?

Kind regards
Elisa

Elisa Lukas
Solicitor
Bond Dickinson LLP

Bond Dickinson

Direct: [REDACTED]
Mobile: [REDACTED]
Office: [REDACTED] **GRO**

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OVERALL BEST
LEGAL ADVISER

From: Lukas, Elisa
Sent: 23 March 2017 11:04
To: Lin Norbury
Cc: Robert Findlay; Prime, Amy
Subject: RE: Case closure - POLTD/1415/0064 - Glenmoriston [BD-4A.FID26896945]

Thanks Lin.

We are waiting for Rod's sign-off to terminate Mr Holt's contract on 3 months' notice.

As terminating on 3 months doesn't require grounds from PO, this seems to remain the preferable course of action as the PF is not pursuing the case.

Kind regards,
Elisa

From: Lin Norbury [REDACTED] **GRO**
Sent: 22 March 2017 18:36
To: Lukas, Elisa; Prime, Amy
Cc: Robert Findlay
Subject: FW: Case closure - POLTD/1415/0064 - Glenmoriston

Elisa / Amy
In Robert's absence I am forwarding below the internal notification that the PF will not be pursuing a criminal case against Tiffany Holt.
Regards
Lin



Lin Norbury
Agents Contracts Deployment Manager South

Post Office Ltd
c/o Branch Support Services Team
1st Floor
Future Walk
West Bars
Chesterfield
S49 1PF

GRO

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From: John Breeden

Sent: 22 March 2017 17:42

To: Lin Norbury [REDACTED] **GRO**; Robert Findlay [REDACTED] **GRO**

Subject: FW: Case closure - POLTD/1415/0064 - Glenmoriston

Lin, Robert,

FYI.

Regards

John



John Breeden

Agents Contracts Deployment Manager North

c/o Branch Services Support Team
Post Office Ltd
1st Floor Future Walk
West Bars
Chesterfield
S49 1PF

GRO

From: Post Office Security

Sent: 22 March 2017 15:10

To: Craig Tuthill [REDACTED] **GRO**; Sally Smith [REDACTED] **GRO**; John Bigley [REDACTED] **GRO**; Mark Raymond [REDACTED] **GRO**; Sharon Rai [REDACTED] **GRO**; Kim Abbotts [REDACTED] **GRO**; Paul Blackmore [REDACTED] **GRO**; John Flood [REDACTED] **GRO**; Sharron Logan [REDACTED] **GRO**; Rhys Jones1 [REDACTED] **GRO**; Post Office Security [REDACTED] **GRO**; Wayne Z Griffiths [REDACTED] **GRO**; John Breeden [REDACTED] **GRO**; Brian Trotter [REDACTED] **GRO**

Subject: Case closure - POLTD/1415/0064 - Glenmoriston

Hello

Please see the case closure for Glenmoriston.

Thanks

Sandra Daykin



**Post Office Security
Admin Team**

Post Office Ltd
Future Walk, Room G11
1 West Bars, Chesterfield S49 1PF

post.office.security/ GRO

For Government Security Classifications OFFICIAL please use:
posecurity.intelligence GRO

From: Robert Daily
Sent: Wednesday, 22 March 2017 12:41 PM
To: Post Office Security GRO
Cc: Helen Dickinson <GRO>
Subject: Case closure - POLTD/1415/0064 - Glenmoriston

Case Closure Reporting

To be e mailed to Primary Stakeholder and all appropriate Stakeholders, plus michelle.steven		GRO
Case reference:	POLTD/1415/0064	
Date case set up:	22-Sep-14	
Branch Name / Location	Glenmoriston	
Branch Code:	285840	
Enquiry Type:	Cash Loss	
Name of Person(s) Interviewed: (if applicable)	Tiffany HOLY (by Police)	
Subject type / Grade:	Assistant	
Primary Stakeholder:	Robert Findlay, John Breedon	
Secondary Stakeholder	Post Office Security	
Other Stakeholder 1	Operational Team Leader	
Other Stakeholder 2	John Scott	
Identified 'Criminal Loss':	£30,244.79	
NB: Only losses attributable to fraud and/or where the loss is the result of suspect fraudulent activity, should be recorded. For example if the case is an audit shortage of £50k, but £10k is known to be outstanding/other TCs, then the Identified 'Criminal Loss' is £40k.		
Actual Recovery:	£0.00	
NB: Actual recoveries include known cash repaid, known cheques repaid, either via funding notification, direct to Late Account, etc - ie any known recovery that has been physically received, as opposed to being in the pipeline.		
Confiscation case:	Not applicable	

Sub Post Office Branch cases: has SPMR been made aware of loss?:	Yes
Is there a Financial Investigation still ongoing?: (if yes, this form must be emailed to relevant Financial Investigator as case will remain open within their remit)	Not applicable
Final outcome: (if prosecution include further details below)	PF marked case No Action due to reliance on Horizon data and no additional supporting evidence.
Prosecution Outcome: (Include court, date & sentence)	N/A
Costs / Compensation: (Compensation awarded in multiple partner cases / Sub Office assistant cases must be repaid to loser – contact P&BA cashiers 5309 2381 / 01246 542381 to ensure compensation cheques dealt with correctly).	N/A
Debarment: (Confirm completed and date forwarded to Intelligence Transaction Manager)	N/A
Procedural and organizational failings identified - (if yes, complete PROCEDURAL FAILINGS form & e-mail to Stakeholders, Post Office® Security and Security Programme Manager.	No
Procedural and organizational failings discussion held with Primary Stakeholder: (discussion must occur prior to closure – outline any solutions, agreed actions, refer to next level if issues remain e.g Crown Office failings via BM/Operations Manager).	N/A
Are there outstanding issues of a significant nature: (e.g. impact, reluctance, refusal to implement solutions, business critical, etc - if yes, the matter should be reported in more detail to Team Leader)	None
Any other comments:	None
Security Manager:	Robert Daily
Security Programme Manager:	Helen Dickinson
Date Completed:	22-Mar-17



Robert Daily
Security Manager

The Guildhall,
57 Queen St,
Glasgow, G1 3AT

GRO

robert.daily@bonds.com **GRO**

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