

Message

From: Andrew Parsons [/O=EXCHANGE-ORG/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AD9ED344815E47E4AAA3C0E7E1740919-ANDREW PARS]
Sent: 28/05/2019 10:41:11
To: Ben Foat [GRO]; Rodric Williams [GRO]
CC: Jonathan Gribben [/o=Exchange-Org/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ea64a893cedd463ea82d76a4b08032dd-Gribben, Jo]; Charlie Temperley [/o=Exchange-Org/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=93d2049671dc4d7393ed4433a868da7c-Charlie Tem]
Subject: RE: Global User Access - SUBJECT TO LEGAL PRIVILEGE [WBDUK-AC.FID26896945]

Ben

Would you mind sending me your email to GE so that I can say how it was put?

Andy

Andrew Parsons

Partner
Womble Bond Dickinson (UK) LLP

d: [REDACTED]
m: [REDACTED]
t: [REDACTED]
e: [REDACTED] GRO

[Manage your e-alert preferences](#)



womblebonddickinson.com



From: Ben Foat [GRO]>
Sent: 28 May 2019 11:34
To: Andrew Parsons [GRO]; Rodric Williams [GRO]>
Cc: Jonathan Gribben [GRO]; Charlie Temperley [GRO]>
Subject: RE: Global User Access - SUBJECT TO LEGAL PRIVILEGE [WBDUK-AC.FID26896945]

Andy

Can you please draft something so I can send to GE and the working group contradicting my email over the weekend where I said that our view was not to disclose.

Kind regards

Ben



Ben Foat

Legal Director
Ground Floor
20 Finsbury
Street
LONDON
EC2Y 9AQ

Highly Commended for
'Excellence In-house' at Mobile
the Law Society Excellence
Awards 2018

number:
GRO

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: Finsbury Dials, 20 Finsbury Street, London, EC2Y 9AQ.

From: Andrew Parsons [REDACTED]
Sent: 28 May 2019 10:05
To: Ben Foat [REDACTED] GRO [REDACTED]; Rodric Williams <rd [REDACTED] GRO [REDACTED]>
Cc: Jonathan Gribben < [REDACTED] GRO [REDACTED]>; Charlie Temperley < [REDACTED] GRO [REDACTED]>
Subject: RE: Global User Access - SUBJECT TO LEGAL PRIVILEGE [WBDUK-AC.FID26896945]

Ben

I have spoken with Counsel (Simon Henderson).

Simon's view is that disclosure should be given now because it is likely that this information may be relevant in later breach trials. If it is disclosed later, this could lead to criticism that Post Office was not transparent about this issue sooner. We therefore intend to disclose the attached document, as this provides a fair overview of the issue. This document was prepared by Kim Abbotts and sent to Julie Thomas and Kendra Dickinson and so it does not appear to attract legal privilege (except for one sentence in relation to the GLO which will be redacted).

We have also seen the attached email, but as this was copied to lawyers and responds to a question from you, this email appears to be subject to legal privilege. We do not intend to disclose this email.

If we give disclosure of the Abbotts document, this may lead to requests from the Cs for more disclosure. We recommend addressing those requests if and when they are made.

Kind regards
Andy

Andrew Parsons
Partner
Womble Bond Dickinson (UK) LLP

d: [REDACTED]
m: [REDACTED] **GRO**
t: [REDACTED]
e: [REDACTED] GRO [REDACTED]

[Manage your e-alert preferences](#)



womblebonddickinson.com



From: Ben Foat [REDACTED] GRO [REDACTED]
Sent: 27 May 2019 12:31
To: Andrew Parsons < [REDACTED] GRO [REDACTED]>; Rodric Williams < [REDACTED] GRO [REDACTED]>

Cc: Jonathan Gribben <GRO>

Subject: RE: Global User Access - SUBJECT TO LEGAL PRIVILEGE [WBDUK-AC.FID26896945]

I will put a holding response into the ARC paper but I will need to know on Tuesday what is Counsel's position – do we disclose or not. I understand that our preliminary view is that we won't subject to Counsel.

Can you let me know asap on Tuesday Counsel's recommendation.

Thanks
Ben

Sent from Mail for Windows 10

From: Andrew Parsons <GRO>

Sent: Sunday, May 26, 2019 11:18:04 AM

To: Rodric Williams; Ben Float

Cc: Jonathan Gribben

Subject: RE: Global User Access - SUBJECT TO LEGAL PRIVILEGE [WBDUK-AC.FID26896945]

Rodric

Coyne accepts that Post Office Global Users have to be physically located in a branch to access a Horizon terminal (Coyne 2, 4.12) and therefore this is not a form of "remote access" within the scope of the Horizon Issues. However, there is a second type of Global User at Fujitsu who can logon to something called a Global Branch (which are counters physically located on FJ's campuses), which FJ use for resetting user passwords in real branches. There is a dispute between the experts (Worden 1, 1099) as to whether a FJ Global User could, in theory, log on to a Global Branch and from there inject a transaction in to a real branch's accounts.

My understanding of the issue below is that when certain members of staff left Post Office, their access credentials were not revoked creating a risk that they could have returned to a branch and conducted transactions. Given the above analysis, it appears that the experts agree that Global User access by Post Office is not a form of "remote access" and therefore does not fall within the scope of the Horizon Issues. Accordingly, the issue below is of fringe relevance to the litigation.

We will speak to Counsel to determine whether this matter needs to be disclosed in the litigation. At present I don't believe that Post Office is strictly required to disclose this information, but given the Cs attacks on our disclosure, we may wish to disclose it for transparency.

Kind regards
Andy

Andrew Parsons
Partner
Womble Bond Dickinson (UK) LLP

d: GRO
m:
t:
e: a GRO

[Manage your e-alert preferences](#)



From: Rodric Williams <[GRO](#)>
Sent: 25 May 2019 11:14
To: Ben Foad <[GRO](#)>
Cc: Andrew Parsons <[GRO](#)>; Jonathan Gribben <[GRO](#)>
Subject: Global User Access - SUBJECT TO LEGAL PRIVILEGE

Ben,

Following discussions I had today with WBD (Andy Parsons and Jonny Gribben, both cc'ed), I set out below my draft summary of the impact the “Global User / JML” issue may have on the Group Litigation. This has been drafted for you to use, subject to any comment from WBD, in briefing the ARC and/or Board next week.

Jonny is sitting in for me at Finsbury Dials on Tuesday and can provide further assistance as required around the ARC and Board meetings.

The main impact of this issue to the Group Litigation is whether it needs to be disclosed to the Claimants:

- Global User access was raised at an early stage by the Claimants’ IT expert Jason Coyne as a type of “remote access”, i.e. Post Office personnel access to Horizon which could affect an individual postmaster’s branch accounts, for which the postmaster should not be held responsible.
- We challenged this because the access is undertaken physically in the branch (and would therefore be known to the postmaster and/or branch staff) under their own individual user login details (which are recorded and visible in the branch transaction records).
- WBD are checking urgently whether this point, which was only ever peripheral, was then abandoned by Mr Coyne. This involves tracing it back through Mr Coyne’s two reports and the four joint reports prepared by the experts.
- Whether this issue has generated documents which are adverse to our case on Horizon’s “robustness” is more nuanced, and there is no clear guidance on what constitutes an “adverse” document as it arises under the new disclosure protocols which were only implemented last year.
- On one hand Post Office changed a process which left open the possibility that a former employee would continue to use their Global User ID after they had left Post Office. That might suggest a weakness in the Horizon control environment, and therefore a less robust system.
- On the other hand the control environment can be said to have worked properly, as it identified through audit a process gap, which was relatively confined and appears to have been rectified without any impact to a branch (see Kendra Dickinsons’s email of 0643 on 24.05.19; copy attached).
- My view is that disclosure is not necessary. However, I would like the external legal team to advise on this given the challenges raised by the Claimants about the fullness of our disclosure.

Andy/Jonny – please comment on the above and below as appropriate, and confirm receipt of the instruction to advise (with input from counsel as necessary – I understand Katie from your team was going to discuss this with Owain Draper for counsel’s view).

DRAFT BEGINS

Global User rights have existed since Horizon Online was introduced in c.2010. Their existence and the access they provide to Horizon is therefore known and has been disclosed as part of the Group Litigation.

Post Office may need to give to the Group Litigation Claimants further disclosure of the current, JML-related issue concerning the controls around Global User rights. This is because Global User rights was considered by the Claimants’ IT expert at an early stage of the litigation to be a form of “remote access” to Horizon, and the

operation of effective controls around Horizon goes to its robustness, both of which are issues being considered in the Horizon Issues trial. Whether (and if so to what extent) such disclosure should be given is being addressed urgently by Post Office's lawyers in the Group Litigation. It is considered that any such disclosure (if made) is unlikely to have a material impact on the Group Litigation, given the recent and confined nature of the JML-related issue.

DRAFT ENDS

Please let me know if you need anything further.

Rod



Rodric Williams

Head of Legal - Dispute Resolution & Brand
20 Finsbury Street
London EC2Y 9AQ
T: GRO
E: GRO

This email and any attachments are confidential and intended for the addressee only. If you are not the named recipient, you must not use, disclose, reproduce, copy or distribute the contents of this communication. If you have received this in error, please contact the sender by reply email and then delete this email from your system. Any views or opinions expressed within this email are solely those of the sender, unless otherwise specifically stated.

POST OFFICE LIMITED is registered in England and Wales no 2154540. Registered Office: Finsbury Dials, 20 Finsbury Street, London EC2Y 9AQ.

“Post Office Limited is committed to protecting your privacy. Information about how we do this can be found on our website at www.postoffice.co.uk/privacy”

Please consider the environment! Do you need to print this email?

The information in this e-mail and any attachments is confidential and may be legally privileged and protected by law. ben.foat GRO only is authorised to access this e-mail and any attachments. If you are not ben.foat GRO, please notify andrew.parsons GRO as soon as possible and delete any copies. Unauthorised use, dissemination, distribution, publication or copying of this communication or attachments is prohibited and may be unlawful. Information about how we use personal data is in our [Privacy Policy](#) on our website.

Any files attached to this e-mail will have been checked by us with virus detection software before transmission. Womble Bond Dickinson (UK) LLP accepts no liability for any loss or damage which may be caused by software viruses and you should carry out your own virus checks before opening any attachment.

Content of this email which does not relate to the official business of Womble Bond Dickinson (UK) LLP, is neither given nor endorsed by it.

This email is sent by Womble Bond Dickinson (UK) LLP which is a limited liability partnership registered in England and Wales under number OC317661. Our registered office is 4 More London Riverside, London, SE1 2AU, where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Our VAT registration number is GB123393627.

Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practice law. Please see www.womblebonddickinson.com/legal notices for further details.

Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority.