
From: Cooper, Tom - UKGI [GRO]
Sent: Thur 11/10/2018 5:39:01 PM (UTC)
To: Rodric Williams [GRO]
Subject: Re: Postmaster Complaints - SUBJECT TO LEGAL PRIVILEGE - DO NOT FORWARD
Attachment: image001.png

Thanks Rod

Sent from my iPhone

On 11 Oct 2018, at 13:52, Rodric Williams [GRO] wrote:

Richard, Josh,

Mr Butoy's application for permission to appeal was refused earlier today. In dismissing the application, the Court of Appeal found that any role that Horizon might have had in the prosecution was secondary to Mr Butoy's inability to explain why £208,000 of cheques were not processed if they had actually existed.

In response to Tom's enquiry from earlier this morning, Mr Butoy has not applied to the Criminal Cases Review Commission for a review of his conviction, i.e. his is not one of the 33 Post Office prosecutions currently being reviewed by the CCRC. Applying for such a review remains an option for Mr Butoy, and indeed he arguably has greater standing to apply given that, unlike the 33 "Post Office" applicants, he has exhausted his rights of appeal.

Kind regards, Rodric

From: Rodric Williams
Sent: 09 October 2018 23:48
To: 'Watson, Richard - UKGI' [GRO] Fox, Joshua - UKGI
[GRO]
Cc: Jane MacLeod [GRO] 'Cooper, Tom - UKGI' [GRO]
Subject: Postmaster Complaints - SUBJECT TO LEGAL PRIVILEGE - DO NOT FORWARD

Postmaster Complaints - SUBJECT TO LEGAL PRIVILEGE - DO NOT FORWARD

Richard, Josh,

The purpose of this email is to let you know that on Thursday 11 October 2018 the Criminal Court of Appeal will hear an application from a former postmaster seeking permission to appeal his 25 September 2008 convictions arising from a loss of c.£208,000 at the Forest Side Post Office branch where he had been postmaster, and which had been prosecuted by Post Office.

I am sending this email to you in accordance with and pursuant to the terms of the UKGI / Post Office Limited Information Sharing Protocol dated 11 June 2018, given that the principles underlying that Protocol concerning "postmaster complaints" apply equally to the subject matter of this hearing.

Post Office is not an official party to the 11 October 2018 hearing but will attend it given our interest in its outcome (see further below).

The background to the hearing is:

- On 14 August 2017 Post Office received notice from the Criminal Appeal Office that Harjinder Singh Butoy had applied to appeal his 25 September 2008 convictions arising from a loss of c.£208,000 at the Forest Side Post Office branch where he had been postmaster.
- On 7 September 2017 Post Office filed a "Respondent's Notice" with the Criminal Appeal Office submitting (by reference to the totality of evidence available at trial) that the convictions were safe.
- In February 2018 Post Office responded to the Court of Appeal's request for copies of documents from the original trial.
- On 21 May 2018 the Criminal Appeal Office gave notice that Mr Butoy's application for permission to appeal had been refused by a Single Judge.
- Mr Butoy subsequently renewed his application to the Full Court, which will now consider it at a hearing on 11 October 2018.

Post Office has not been asked (and is not entitled) to attend the hearing in any sort of representative capacity, given that the Court of Appeal has decided that the application does not raise any particular point of fact or law on which it wishes to hear from the prosecutor. We are advised that this indicates that the application is unlikely to be successful. As noted above, we will nevertheless attend the hearing (which is open to the public) so that we can see how the Court approaches Mr Singh's application.

I will update you further following the hearing.
Kind regards, Rodric

Rodric Williams

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