

Message

From: Jeff Smyth (GRO)
Sent: 23/11/2016 15:39:21
To: Peter Minshull (GRO)
Subject: FW: IMPORTANT EMAIL RE: PRESERVATION OF DOCUMENTS / HIGH COURT LITIGATION
Attachments: Disclosure of documents in litigation.pdf; rodric.williams_20-04-2016_18-26-31.pdf; image001.png

From: Rodric Williams
Sent: 23 November 2016 11:05
To: Rob Houghton; Jeff Smyth
Subject: FW: IMPORTANT EMAIL RE: PRESERVATION OF DOCUMENTS / HIGH COURT LITIGATION

Rob, Jeff - please read the email below and attachments, and cascade as appropriate. Point no. 3 in the email highlights the need for care when creating documents.
Thanks, Rod

From: Rodric Williams
Sent: 20 April 2016 22:53
To: Alwen Lyons (GRO); Craig Tuthill; Lin Norbury (GRO); John Breeden; Joe Connor; Hector Campbell; Angela Van-Den-Bogerd; Kathryn Alexander; Shirley Hailstones; Chris Broe; Andy Garner; Julie George; John M Scott; Nick Beal (GRO); Anne Allaker
Cc: Jane MacLeod; Patrick Bourke; Mark Underwood; Neena Sharma; Lorraine Lynch; Piero D'Agostino; Jessica Madron; Ben Foat; Elisa Lukas
Subject: IMPORTANT EMAIL RE: PRESERVATION OF DOCUMENTS / HIGH COURT LITIGATION

IMPORTANT – PLEASE READ THIS MESSAGE IN ITS ENTIRETY. IT IS ESSENTIAL THAT ITS CONTENTS ARE COMPLIED WITH.

IF YOU HAVE ANY QUESTIONS IN RESPECT OF ITS CONTENTS OR EFFECT THEN PLEASE CONTACT ELISA LUKAS OR RODRIC WILLIAMS IN LEGAL SERVICES.

As you may be aware, 91 mostly former postmasters have issued a High Court claim against Post Office Limited advancing allegations about the Horizon IT system and Post Office's engagement with them. A list of the 91 claimants is attached, and we have been told that others may join the claim in due course.

Now that Post Office has seen the claim, you and your team members must familiarise yourselves with Post Office's document disclosure obligations, and ensure that you comply with them. Please therefore circulate this email to your team members who may hold documents related to the claimants and/or their claim.

In short, the three crucial document rules that must be followed are:

- (1) You must not *destroy or delete* any documents which may be relevant to the claim.** In particular, make sure that any automatic deleting/archiving systems are suspended now until further notice. If you have any question about whether a document is relevant, please contact Legal Services and preserve the document in the meantime;
- (2) You must not *amend* any existing documents which may be relevant to the claim.** For example, do not make handwritten notes on existing documents or try to change the content of a document; and

(3) You must recognise that any documents that you *create* from now on may have to be disclosed to the other side in the case. If in any doubt, think about whether you would be happy for the email or document to be read out loud in court.

I attach a more detailed note on this, which can be used as a reference going forward.

If you have any questions concerning these requirements, please contact Elisa Lukas or me for further guidance.

With thanks for your cooperation, Rodric

FAQs

1. What is a 'document'?

Documents are defined very broadly to mean anything in which any information is recorded. Examples include: emails, paper documents, handwritten notes, Word/Excel/PowerPoint documents (including *draft* versions of these documents), database records, minutes of calls or meetings, text messages, internal memos, meeting agendas or tape recordings.

2. What are 'relevant' documents?

Relevant documents are any documents that could: **either support or undermine the case of any party to the litigation.**

END



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GRO

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