
From: Mark R Davies [GRO]
Sent: Fri 11/07/2014 12:41:48 PM (UTC)
To: Belinda Crowe [GRO]
Cc: Martin Edwards [GRO]; Melanie Corfield [GRO]; David Oliver [GRO]; Sophie Bialaszewski [GRO]; Chris Aujard [GRO]; Belinda Crowe [GRO]
Subject: Re: Urgent; Letter from james Arbuthnot
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Attachment: image006.png

Agree with this approach

Sent from my iPhone

On 11 Jul 2014, at 12:30, "Belinda Crowe" [GRO] wrote:

Martin

We discussed that JA's office have suggested that JA may want to speak to Paula today – although there may be difficulty setting this up today.

What follows is a finely balanced judgement and Mark and Chris may have a view.

First – is there merit in such a conversation from Paula's perspective.

I think there is:

- Following the WG yesterday and the intel from the mediation session (the result of which is likely to be finding its way back to JFSA) JA may have some information about this which it would be helpful to know. That is, if she has a call we may find out something useful.
- It will be an opportunity for Paula to land a few key points about length of time it taking, confidentiality, reminding him he agreed no merit in a running commentary, still not problems identified with Horizon etc.

Second – timing: Getting our position in before JFSA might be helpful. However, as long we schedule something today even if it's for Monday we are more on the front foot.

Third - points to land (as above, this is as much about trying to get information)

- Reiterate agreement at last meeting with him that there was nothing to be gained by giving MPs a running commentary
- Confirm our commitment to Scheme – investing a considerable amount of time and resources and no-one could accuse PO of not going above and beyond what other businesses might do to try to satisfy ourselves and others that we are acting in good faith.
- All disappointed that its taking longer than hoped. This is for a combination of reasons:
 - Advisors/applicants wanting longer than the originally published timescales to submit their complaints
 - Post office investigations taking longer than planned
 - Second Sight taking longer than planned
 - Working Group amending and developing the Scheme as it sees fit

- However:
 - Post Office view is that the investigations must be the best they can be as this whole scheme is designed to address concerns raised. The whole Scheme was aimed at bringing this matter to a close.
 - The Scheme was designed and opened immediately and the process has developed as the WG has gone along. We may all have been optimistic in terms of timescales when we set this up.
 - Important to note that this all started as a way of establishing whether there were problems with the Horizon system. Second Sight investigated and found no systemic issues. A year on from their report, still no such issues have been found.
 - Post Office has already acknowledged that in some instances it could have done more in terms of training and support and we have made changes in that area, and like any responsible business, continue to do so.

If JA has been briefed by JFSA about mediation

- Not discussing individual cases – however:
 - If JFSA have been raising people’s expectations by suggesting that Post Office would compensate spmrs with huge sums of money then that is, at best, unfortunate....
 - JA surely understands that PO cannot compensate people from public money in the absence of either evidence or legal liability. This is why we are dealing with every case on its merits.
 - I am not involved in the cases however I am increasingly concerned about people’s expectations and JA can assist in helping get out the message that this is not an opportunity for people to make large sums of money when Post Office has acted properly in terms of its contractual relationship with its spmrs – the fact that PO might have recovered losses which it was legally entitled to do does not entitle the applicant to compensation.
 - Mediation is about giving two parties an opportunity to come together to gain a common understanding and reach an understanding, if possible, of the other person’s position and the facts. It is not a simply a mechanism for applicants to negotiate the payment of large sums of money.
 - I am also concerned about the continuing tone of the dialogue about this issue which implies that spmrs have been falsely accused/prosecuted etc. it would be helpful for the narrative around this to be more balanced. POL has completed its investigations on around 48 cases, including the 12 that have already been resolved and no such evidence has been found. We have made proper disclosures in line with our prosecutorial duties and no convictions have so far been appealed. Whilst I accept that this could change as cases are investigated it is important to work on the facts.
 - I would appreciate your help in maintaining a balance to the debate. We set up the Scheme, did all we could to address your and JFSA’s issues but it’s now needs to run its course. The scheme has the integrity of the independent Chair and, as I have said, no evidence has yet been found of a problem with the Horizon system or any prosecutions and it would be in all of our interests if communications about this based on the facts.

The aim would be to try to get JA to understand that if no evidence is found of POL wrongdoing or Horizon problems it cannot be in his best interests to have raised everyone’s expectations about this and get to the end of the process and find that there was nothing at all in any of this.

Clearly if we do find something, it’s could be a game changer and we would acknowledge but until such time...

148 Old Street, LONDON, EC1V 9HQ



From: Martin Edwards
Sent: 10 July 2014 16:37
To: Melanie Corfield; David Oliver^[GRO]; Sophie Bialaszewski; Belinda Crowe; Chris Aujard; Mark R Davies
Subject: RE: Urgent; Letter from James Arbuthnot

I've attached the final copy of the email to JA for reference.
Thanks, Martin

From: Melanie Corfield
Sent: 10 July 2014 14:37
To: David Oliver^[GRO]; Martin Edwards; Sophie Bialaszewski; Belinda Crowe; Avene O'Farrell; Chris Aujard; Mark R Davies
Subject: RE: Urgent; Letter from James Arbuthnot

In the update itself Tony Hooper refers to two cases being passed to CEDR so perhaps we should simply repeat this wording.
Mel

From: David Oliver^[GRO]
Sent: 10 July 2014 14:31
To: Martin Edwards; Sophie Bialaszewski; Melanie Corfield; Belinda Crowe; Avene O'Farrell; Chris Aujard; Mark R Davies
Subject: RE: Urgent; Letter from James Arbuthnot

Have spoken to Belinda - apols we are both in the Working Group.

Belinda agrees with Sophie that we should take out the reference to the two cases and stay as high level as possible.


D

From: Martin Edwards
Sent: 10 July 2014 13:22
To: Sophie Bialaszewski; Melanie Corfield; Belinda Crowe; Avene O'Farrell; David Oliver^[GRO]; Chris Aujard; Mark R Davies
Subject: RE: Urgent; Letter from James Arbuthnot

Thanks – yes I did have the same thought but wondered how else we could substantiate the claim that progress is being made?

The answer to the question would obviously be the first para – we can't comment on individual cases at any stage.

From: Sophie Bialaszewski
Sent: 10 July 2014 14:21

To: Martin Edwards; Melanie Corfield; Belinda Crowe; Avene O'Farrell; David Oliver  Chris Aujard; Mark R Davies
Subject: RE: Urgent; Letter from james Arbuthnot

Hi Martin – I would remove the following:

with the first two cases commencing mediation this week and a number of other cases resolved with the applicants in advance of mediation

The reason being that is we say mediation is commencing the next question is what was the outcome. Happy if everyone disagrees just wondered.
Sophie

Sophie Bialaszewski | Public Affairs Manager
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GRO

<image002.png> 148 Old Street, London, EC1V 9HQ

<image003.png> postoffice.co.uk

<image004.png> [@postofficenews](https://twitter.com/postofficenews)

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From: Martin Edwards
Sent: 10 July 2014 14:18
To: Melanie Corfield; Belinda Crowe; Avene O'Farrell; David Oliver  Chris Aujard; Sophie Bialaszewski; Mark R Davies
Subject: RE: Urgent; Letter from james Arbuthnot
Importance: High

Hi all – some amendments to the email below having discussed this with Paula. The main one was that she was keen to include the second point below – she thought JA's letter was too negative about progress. Paula is leaving in 15 mins so I'd be grateful for urgent confirmation that you're happy with these changes.

Thanks,
Martin

Dear James,

Thank you for your letter of 8 July 2014 and the opportunity to comment on the update you will be sending to MPs. I have two main thoughts and a couple of minor comments.

Firstly, whilst I understand the desire for details on individual cases, as we have previously discussed and agreed, it would not be in the interests of applicants or the integrity of the Scheme to disclose this. The terms of the Scheme provide an assurance of confidentiality to applicants. We will of course be pleased to continue to update on the overall progress of the Scheme but individual case details cannot be shared at any point, including at the end of the Scheme. I do think it is

important that this is set out in your note to colleagues, and that the third paragraph is amended accordingly.

Secondly, while I agree entirely that the overall process is taking longer than any of us originally anticipated, I do think this message should be balanced with the fact that progress is now being made with the first two cases commencing mediation this week and a number of other cases resolved with the applicants in advance of mediation.

Finally, there is a small typo in my name in the first paragraph.

If it would be helpful to discuss these issues directly I would be very happy to arrange a phone call.

Kind regards,
Paula

From: Melanie Corfield
Sent: 10 July 2014 10:16
To: Belinda Crowe; Avene O'Farrell; David Oliver; Chris Aujard; Sophie Bialaszewski; Mark R Davies
Cc: Martin Edwards
Subject: RE: Urgent; Letter from james Arbuthnot

Suggested draft below:

Dear James,

Thank you for your letter of 8 July 2014 and the opportunity to comment on the update you will be sending to MPs.

Whilst I understand the desire for details on individual cases, as we have previously discussed and agreed, it would not be in the interests of applicants or the integrity of the Scheme to go into these or supply a running commentary. The Scheme provides, in its terms, an assurance to applicants of confidentiality.

We will of course be pleased to continue to update on the overall Scheme progress but individual case details cannot be shared at any point. I do think it is important that this is set out in your note to colleagues.

A final, minor comment – there is a small typo in my name in the first paragraph.

From: Belinda Crowe
Sent: 10 July 2014 08:11
To: Avene O'Farrell; David Oliver; Chris Aujard; Sophie Bialaszewski; Mark R Davies; Melanie Corfield
Cc: Martin Edwards; Belinda Crowe
Subject: RE: Urgent; Letter from james Arbuthnot

My view of this is that, if we are to respond we should simply refer to what we have said previously, and is referenced in the Scheme documentation in that details of the cases will be kept confidential. Also, the meeting note between Paula, Alice and JA says:

JA questioned whether this report could not be published earlier and suggested that Second Sight could produce a report for the end of February. PV explained that that would not be possible and that Second Sight needed to keep matters internal while the mediation was ongoing but that there could be a report at the end. AP made the point that it was not helpful to provide a running commentary and that there was a need now to focus on delivering the Scheme. JA accepted these points.

This note was signed off by JA's office. What I am not sure about is the extent to which we want to say that it would be disappointing if he were to make the point about it is possible, but he has not been told so, that PO don't want to say anything about individual cases until something can be said about all of them, as he agreed at the meeting with Paula and Alice that a running commentary would be unhelpful and it has always been the case that individual cases will remain confidential. The Scheme documentation makes that point.

Mark, do you have a view, and was there anything we can refer back to from the meeting of MPs – I wasn't there.


Sophie/Mel, are you drafting the response?

We need to comment today and I have WG all day.

Best wishes
Belinda

Belinda Crowe
148 Old Street, LONDON, EC1V 9HQ



From: Avene O'Farrell
Sent: 09 July 2014 09:52
To: Belinda Crowe; David Oliver;  Chris Aujard; Sophie Bialaszewski; Mark R Davies
Cc: Martin Edwards
Subject: Urgent; Letter from james Arbuthnot
Importance: High

Hi all

Please find attached a letter from James Arbuthnot that was received this morning. James has asked for any amendments/comments by tomorrow – please could we have a draft reply as soon as possible?

Many Thanks

Sarah, covering for Avene

Avene O'Farrell | Executive Assistant to Paula Vennells, Chief Executive
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148 Old Street, London, EC1V 9HQ



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