

From: Amy Prime [mailto: GRO]
To: Mark Underwood [mailto: GRO] Rodric Williams
Cc: Andrew Parsons [mailto: GRO]

Subject: RE: Stage 2 Disclosure - KEL / Technical documents [BD-4A.FID26896945]

Date: Thu, 5 Apr 2018 09:54:11 +0000

Importance: Normal

Inline-Images: image001.png; image002.png; image003.png; image004.png; image2125b4.PNG; image3eb187.PNG; image38a60d.PNG

Mark

Yes, happy to take this decision to SteerCo.

We would like to disclose 99 of the technical documents this week in advance of the expert meeting on 11 April. The Court deadline for these is 13 April but providing them early will gain Post Office some "brownie points" with Freeths. For these documents we will undertake a full review for privilege so as they can be disclosed prior to the Steerco.

Many thanks

Amy

Amy Prime

Solicitor

Womble Bond Dickinson (UK) LLP

d:
m: **GRO**
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From: Mark Underwood [mailto: GRO]
Sent: 04 April 2018 19:29
To: Amy Prime; Rodric Williams
Cc: Andrew Parsons
Subject: RE: Stage 2 Disclosure - KEL / Technical documents [BD-4A.FID26896945]

Hi Amy, option 2 sounds like a sensible approach to me, but I think this actually needs to go to SteerCo. The next call is on Weds 11th – can we pull together a very short DP for that ?

Mark



Mark Underwood
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From: Amy Prime [<mailto:> **GRO**]
Sent: 03 April 2018 16:14
To: Rodric Williams [**GRO**]; Mark Underwood [**GRO**]
[**GRO**]
Cc: Andrew Parsons [**GRO**]
Subject: Stage 2 Disclosure - KEL / Technical documents [BD-4A.FID26896945]

Rodric, Mark

For Stage 2 Disclosure, Post Office have been ordered by the Court to provide Freeths with the KEL and FJ's technical documents. There are two items which we need instructions / assistance with – actions are underlined.

POL information security sign off

Chris Jay has confirmed that FJ are happy to disclose the KEL to Freeths and is double checking that there are no concerns with disclosing the technical documents. Chris Jay would like confirmation from Post Office Information Security that Post Office is happy for the documents to be disclosed.

Chris Jay seeking this assurance stems from the fact that some of these documents contain security sensitive information (ie. information on accessing the live Horizon system, etc.) and would not normally be placed into the public domain. A non-disclosure agreement is in place between FJ and Jason Coyne which provides some protection, but once the information is disclosed to Freeths there is a risk that it could be placed into the Court records and therefore be public. We have had a brief discussion with Freeths about placing controls over such documents so as to provide further protections (ie. placing in separate private Court bundles), they were not adverse to the idea but we will need to have further discussions with them about how this would work in practice.

It would be helpful if Mick Ebsworth could sign off on the disclosure of these documents.

Mark – we will arrange a call with Mick Ebsworth to discuss the above but it would be helpful if you could join this call and assist with getting Mick on-board.

The KEL and FJ's technical documents are all relevant documents and unlikely to contain privileged material, however there is a risk that they may contain privileged material. Since we do not need to review the documents for relevancy, we would be reviewing 90k documents purely for privilege and looking for a limited number of documents.

The options are:

1. Not to review the documents and explain to Freeths that if privileged material has been disclosed then Post Office has not waived privilege over this. This is a risky approach as it is reliant on trusting Freeths to inform us of privileged material and they will still hold the knowledge of what has been disclosed to them.
2. Keyword search the documents for words which are commonly included in privileged documents and manually review these documents. There is still some risk of disclosing privileged material but this can be mitigated by the keyword searching and we can still reserve Post Office's position that it is not waiving privilege of any documents inadvertently disclosed.
3. Full review of all documents for privilege. This approach still contains some risk of disclosing privileged material as identifying this within technical documents would not be a simple document review process and there is an element of human error in all review processes.

We would recommend proceeding with Option 2, but please could you confirm you are happy with this approach.

If you have any questions, please feel free to call.

Kind regards

Amy

Amy Prime
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