

MINUTE

Working Group for the Initial Complaint Review and Case Mediation Scheme

30 October 2014

Teleconference details:

Dial:

Participant's code:

Attendees

Sir Anthony Hooper (Chair)
Alan Bates (JFSA)
Kay Linnell (JFSA)
Ron Warmington (Second Sight)
Chris Holyoak (Second Sight)
Ian Henderson (Second Sight)
Belinda Crowe (Post Office)
Tom Wechsler (Post Office)
Andy Parsons (Bond Dickinson)

Apologies

Chris Aujard (Post Office)
Angela Van Den Bogerd (Post Office)

Agenda

1. Cases for decision:

Standing agenda items

2. Priority cases
3. Bankruptcy cases
4. Post Office Investigation Progress
5. Cases with Second Sight to review PO investigation reports
6. Cases that Second Sight have reported on
7. Cases that have been passed to CEDR
8. Any other queries raised by Applicants / Advisors
9. AOB

1. Cases for decision

- **GRO**

The Working Group agreed that as the applicant had not commented on Second Sight's draft CRR which recommended mediation, he should now be given a further opportunity to comment as Second Sight has subsequently changed their recommendation in the final CRR.

ACTION: Secretariat to draft a letter for the Chair to send to the applicant giving him seven days for comment on the draft CRR in light of Second Sight's revised recommendation.

2. New Case Questionnaire Responses

Not applicable. To be removed from next agenda.

3. Priority cases

Case No.	Status
GRO	Final report originally received 18 September, revised version received 23 September. Awaiting mediation decision.
	Final CRR received 21 October. Awaiting mediation decision.
	Investigation has been prioritised – PO report due by 17 November.
	Investigation has been prioritised – PO report due by 24 November.

Post Office confirmed that the aim was to deliver **GRO** ahead of schedule.

4. Bankruptcy cases

Case No.	Status
GRO	SS Final report received 18 September. Awaiting mediation decision.
	SS Final report received 18 September. Awaiting mediation decision.
	Draft CRR received 16 October. Final due 04 November.
	Passed to SS 11 September. Draft CRR due 14 November.
	PO investigation on-going, report due by 10 November.
	PO investigation on-going, report due by 8 December.
	PO investigation on-going, report due by 10 November.
	PO investigation received 17 October. Draft CRR due 12 December.
	PO investigation received 16 October. Draft CRR due 5 December.

Case No.	Status
GRO	PO investigation received 16 October. Draft CRR due 28 November.
	PO investigation on-going, report due by 22 December
	PO investigation on-going, report due by 8 December.

KL reported that Moore Stevens were still awaiting contact from Post Office.

Action: AP to discuss with Rod Williams.

5. Post Office Investigation Progress

i) New scheduling to note

No new scheduling to note

ii) Overdue cases

No cases overdue

6. Cases with Second Sight to review Post Office Investigation Reports

i) New scheduling to note

Case No.	Date passed to SS	SS planned scheduled delivery date
GRO	29 October	TBC
	29 October	TBC
	28 October	TBC
	24 October	19 December
	20 October	12 December
	01 October	14 November
	17 October	12 December
	29 October	TBC
	28 October	19 December
	29 October	TBC

Second Sight have provided delivery dates to be included in next week's schedule (see brackets above).

ii) Overdue cases

Case No.	Date passed to SS	SS planned scheduled delivery date	SS revised scheduled delivery date
GRO	02 September	24 October 2014	
	03 September	24 October 2014	
	31 July	24 October 2014	

7. Cases that Second Sight have reported on

Case No.	SS draft report issued	Deadline for comments	SS final report completed / due	WG decision	Sent to CEDR
GRO	17 July 2014	04 September 2014	<i>Second Sight rewriting their CRR following WG meeting of 17/10</i>	-	-
	11 September	19 September 2014	<i>Second Sight rewriting their CRR following WG meeting of 17/10</i>	-	-
	25 September 2014	07 October 2014	14 October 2014	-	-
	25 September 2014	23 October 2014	30 October 2014	-	-
	21 October 2014	30 October 2014	6 November 2014	-	-
	25 September 2014	07 October 2014	<i>14 October 2014</i>	-	-
	26 September 2014	07 October 2014	<i>14 October 2014</i>	-	-
	15 September 2014	25 September 2014	5 October 2014	For discussion	-
	15 September 2014	10 October 2014	24 October 2014	-	-
	15 September	25 September 2014	<i>Second Sight rewriting their CRR following WG meeting of 17/10</i>	-	-
	27 August 2014	10 September 2014	18 September 2014	-	-
	27 October 2014	06 November 2014	13 November 2014	-	-
	16 October 2014	28 October 2014	04 November 2014	-	-
	11 August 2014	04 September 2014	21 September 2014	-	-
	27 August 2014	05 September 2014	14 September 2014 Handed back to SS for a revised report due TBC	-	-
	14 October 2014	28 October 2014	04 November 2014	-	-
	03 October 2014	23 October 2014	30 October 2014	-	-

GRO	27 October 2014	06 November 2014	13 November 2014	-	-
	28 July 2014	04 September 2014	18 September 2014 / Revised version uploaded 23 September	-	-
	10 October 2014	21 October 2014	28 October 2014	-	-
	05 October 2014	14 October 2014	21 October 2014	-	-
	20 June 2014	22 July 2014	31 July 2014 Revised version uploaded 23 September	-	-
	08 October 2014	17 October 2014	17 October 2014 Applicant - 27 October 2014	-	-
	23 September 2014	02 October 2014	08 October 2014	-	-
	19 October 2014	28 October 2014	04 November 2014	-	-
	08 October 2014	17 October 2014	24 October 2014	-	-
	24 September 2014	03 October 2014	21 October 2014	-	-
	14 October 2014	23 October 2014	30 October 2014	-	-
	16 October 2014	28 October 2014	04 November 2014	-	-
	10 October 2014	23 October 2014	30 October 2014	-	-
	05 October 2014	-	-	-	-
	12 October 2014	23 October 2014 for POL Applicant requested extension			
03 October 2014	14 October 2014	21 October 2014			
16 October 2014	28 October 2014	04 November 2014			

The Chair explained to JFSA that at the last face to face meeting he had expressed the view that it was inappropriate for the Working Group to make a decision on cases where the final CRR suggests that Part 2 will cast further light on the issues raised but Second Sight's investigation into those issues were not yet complete.

The Chair summarised three outstanding questions on which he was keen to receive more information:

- Surpluses
- Losses in Crown Branches
- Horizon related losses reported by SPMR's not in the scheme

He also reminded the Working Group that Second Sight had agreed to provide examples of losses to Post Office.

BC and IH confirmed they were meeting next week to agree the questions and develop a plan for completing the investigation into those issues.

8. Cases that have been passed to CEDR

BC summarised the following:-

Cases that have been passed to CEDR awaiting mediation:

GRO

Cases where either party have declined to mediate:

GRO (Post Office), GRO (Post Office)

Cases where WG did not approve mediation:

GRO

Cases mediated (or resolved prior to mediation):

GRO

9. Any other queries raised by Applicants / Advisors

- GRO – No known address for applicant.

Action: Secretariat to draft a letter for the Chair to send to the advisor saying that as the whereabouts of the applicant is unknown the Working Group are treating the case as closed. However should the applicant provide new contact details before the end of the scheme, the Working Group would consider the case again.

- Applicant request for extension on GRO owing to illness.

Action: Secretariat to notify advisor that extension was granted.

10. AOB

- GRO Second Sight request for Post Office Prosecution file.

The Working Group discussed Ron Warmington's email of 28 October regarding access to the prosecution files and related material in cases GRO Responding, the Chair said:

- prosecution files were likely to contain privileged documents that Second Sight were not entitled to see;
- however, they could see witness statements and exhibits. It was possible but unlikely, that the Post Office may also hold a memorandum of conviction;
- it was highly unlikely that Post Office would have a trial transcript and in older cases that the Court would still have it;
- if documents held by the Court were required, these should be sought by the applicant; and
- that there was no such thing as a "written judgement" in a criminal case (as opposed to civil litigation).

Action: AP to liaise with Second Sight about the provision of such relevant material as is held.

- Frequency of Working Group Calls

Action: Secretariat to cancel next week's call

Action: Secretariat to add frequency of calls to the agenda for the next face to face meeting