

Message

From: Rodric Williams [REDACTED] **GRO**
Sent: 30/05/2018 16:53:36
To: Jane MacLeod [REDACTED] **GRO**; Mark Underwood [REDACTED] **GRO**; Andrew Parsons [REDACTED] **GRO**
CC: Ben Foat [REDACTED] **GRO**
Subject: FW: Post Office Group Litigation - SUBJECT TO LEGAL PRIVILEGE
Attachments: BBC Belfast 24 May 2018.pdf; Campaign4Change May 30 2018.pdf

Jane, Mark, Andy,

Please see below for your information the update sent today to UKGI's lawyers. I have expressly referred to this as having been sent pursuant to the Information Sharing Protocol I emailed to them on 22 May 2018. They have not however responded on that draft as yet.

Rod

From: Rodric Williams
Sent: 30 May 2018 17:49
To: O'Neill, Elizabeth - UKGI [REDACTED] **GRO**; 'Lambert, Helen - UKGI' [REDACTED] **GRO**
Subject: Post Office Group Litigation - SUBJECT TO LEGAL PRIVILEGE

Post Office Group Litigation - SUBJECT TO LEGAL PRIVILEGE

Elizabeth, Helen,

I write to update you on the following matters connected to the Postmaster Complaints (as defined in the draft Information Sharing Protocol emailed to you on 22 May 2018, pursuant to which this update is sent):

Case Management Conference (CMC) – 5 June 2018 at 2pm

The Post Office Group Litigation will be back before the court for a CMC on 5 June 2018, primarily to discuss:

- **Costs Budgets**. As part of the standard litigation costs management processes, both parties submitted costs budgets to take the claim through to the conclusion of the March 2019 Horizon Issues trial. At the CMC, the parties will test the budgets (each being c.£13m, including all costs and disbursements incurred to date), with Mr Justice Fraser ultimately deciding the reasonableness of the budgets. The outcome of this exercise will assist in determining the level of security the Claimants may have to provide in response to Post Office's application for Security for Costs (which has not yet been listed for hearing).
- **Horizon Issues / Expert**. At the CMC, we expect the Court to make orders for the provision of further information to assist the parties' experts provide their opinions on the Horizon Issues being tried in March 2019. As with the scope of disclosure for the Common Issues trial, the principal point of dispute between the parties concerns the very wide breadth of request made by the Claimants and their expert.

It is also possible that the CMC will consider the time for Post Office to file its Defences to the 6 Individual Particulars of Claim filed for the Common Issues trial. These are currently scheduled to be filed on 1 June 2018, but an extension is required due to Freeths indicating that it wants to file amended Particulars of Claim in one case. The only issue is whether a one or two week extension is appropriate, but if this comes before Mr Justice Fraser, he may take the opportunity to comment on the need to progress the case expeditiously, e.g. if he is concerned about any consequential impact an extension may have on the Common Issues trial's start date of 5 November 2018.

I will update you again following the CMC, or earlier if developments warrant.

Media Coverage

I attach a 24 May 2018 BBC website (Northern Ireland / politics) article which concerns a temporary outage in Northern Ireland of the Horizon system. I also attach a blog published today on the "Campaign4Change" website, which seeks to connect that outage to the matters in issue in the Group Litigation. Our Communications team notes that the blog is fairly obscure (the writer is a former editor of Computer Weekly, which has long covered the Postmaster Complaints). We were not asked to comment on the blog, and do not accept the veracity of its content.

We also note that tonight at 730pm, BBC Panorama will broadcast a programme titled "Last Chance for Justice" on the Criminal Cases Review Commission ("CCRC"), focussing on two murder cases and questioning whether the CCRC is fit for purpose. The CCRC is currently reviewing applications made by 33 former postmasters of convictions which had been brought by Post Office. Retired Court of Appeal judge Sir Anthony Hooper, who chaired the Complaint Review and Mediation Scheme which considered 136 postmaster complaints between 2013 and 2015, is a contributor to the programme.

We do not however believe that the programme will discuss any Post Office cases, and we were not invited to comment on the programme.

Criminal Appeal

As noted in the briefing note emailed to you on 14 May 2018, on 14 August 2017 Post Office received notice that a former postmaster, Mr Harjinder Singh Butoy, was seeking permission to appeal his 25 September 2008 conviction on 11 counts of theft following losses of £208,000 at the Post Office branch where he had been postmaster (see footnote to para.6).

We understand following enquiries made of the Criminal Appeal Office last week, that Mr Butoy's application for permission to appeal had been refused by a Single Judge, but he has since renewed it to the Full Court for consideration at a hearing yet to be listed. We have asked the Criminal Appeal Office to notify us of the hearing date as an interested party (we are advised that the prosecutor is never invited to attend this type of hearing, which although conducted in open court, is rarely covered by the media).

Kind regards, Rodric



2017 Winner of the Global Postal Award for Customer Experience

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