

CW-F-09 v0.1

Private and Confidential

Post Office Limited
Finsbury Dials
20 Finsbury Street
London EC2Y 9AQ

Your ref:
Our ref:

Via email only to Peters and Peters LLP

12/03/2021

....

Dear Sirs,

Re: Horizon cases – CCRC review - POL compliance with statutory notices

I write further to recent correspondence regarding the CCRC's statutory notices in Post Office cases, served in accordance with section 17 of the Criminal Appeal Act 1995 ('s17 notices').

Thank you for your letter, dated 26 February 2021, and also for Mr Read's letter to Karen Kneller, dated 1st March 2021. We are very grateful for the assurance that Mr Read has provided and pleased to note POL's commitment to ensuring that s17 notices are complied with. Similarly, we are grateful for the commitment which is expressed at paragraph 27 of your 26/02/2021 letter.

We have now been able to consider the contents of your 26/02/2021 letter in detail and to discuss the issues at this end. Thank you for your patience while we have gone through that process. In your letter you have provided a helpful summary of the scale of the PCDE, and also referred the CCRC back to the process described in the DMD and Addendum. No one could be in any doubt as to the scale of the exercise which has been undertaken, and the very substantial amount of work which has gone into the process. The CCRC also acknowledges – as Ms Kneller did in her 23/02/2021 letter – that POL has provided the CCRC with many thousands of documents, pursuant to our s17 notices.

Nevertheless, we are sure that you can understand why it remains a matter of concern to us that so many case specific documents were not captured by earlier searches which were undertaken as a result of our s17 notices. Our main concern remains to ensure that such case specific material is captured by our s17 notices from this point onwards.

Your letter of 26/02/2021 addresses the question of what the search parameters or methodology ought to be in response to the CCRC's s17 notices from this

point onwards. At paragraph 26 of your letter, you suggest that the search parameters may not need to extend beyond the searches already undertaken for the PCDE. You seek the CCRC's views on that point.

In reply, we would like to stress that POL and its agents are in a far better position than the CCRC to know which search methodology is most likely to produce case material which is captured by S17. The CCRC does not – and should not – dictate to public bodies how they should go about locating material in connection with S17 notices. If POL and its agents now take the view that all case material which is subject to S17 will be captured by the search methods which have been used in the process of the PCDE, then that would clearly be a positive development.

However, I should make it clear that the CCRC will not wish to limit the scope of the S17 requests in any way. The CCRC's approach will remain as it has been to date, that is, to require access to all of the case material for the individual cases named in the S17 notices. That requirement is wide in scope and, as you are aware, covers: "All documents and other materials, including material which has been the subject of an application for public interest immunity, relating to the conviction of x... including but not limited to audit files, investigation files, prosecution files, internal reviews, and external reviews". As you acknowledge at paragraph 25 of your 26/02/2021 letter, the requirement extends beyond material which is considered to be disclosable to the applicants in question.

I hope that this letter helps to clarify the CCRC's position on this issue. Thank you for the offer of a meeting to discuss further. Once you have had a chance to consider this letter, please let us know if you still feel that a meeting would be useful.

Yours sincerely,

The signature is a large, bold, black, sans-serif font spelling "GRO" enclosed within a dashed rectangular border.

Amanda Pearce
Interim Director of Casework Operations