

Message

From: Jarnail A Singh [IMCEAEX-
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67E9-4ECA-94F2-005716658847@C72A47.ingest.local]
on Jarnail A Singh <IMCEAEX-
behalf _O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=JARNAIL+2EA+2ESINGH
of 67E9-4ECA-94F2-005716658847@C72A47.ingest.local> [IMCEAEX-
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67E9-4ECA-94F2-005716658847@C72A47.ingest.local]
Sent: 13/07/2012 10:25:36
To: Susan Crichton [GRO]; Hugh Flemington [GRO]
CC: Alwen Lyons [GRO]
Subject: RE: Wylie - Def sols raising Horizon investigation

Susan

Thank you very helpful, although terms of reference does mention " Studying relevant evidence with regard to the 'Horizon' system" can this be deleted?
of course request for a stay should be resisted and I set out the law and grounds in my e mail of 10th of July 2012. Please let me know if i
can share terms of reference with our agents Cartwright king and can I speak to Ronan Kelleher from PR and media with possible press release.
jarnail

From: Susan Crichton
Sent: 11 July 2012 18:29
To: Jarnail A Singh; Hugh Flemington; Alwen Lyons
Cc: Jorja Preston
Subject: RE: Wylie - Def sols raising Horizon investigation

Jarnail

The situation is as follows; Alice Perkins and Paula Vennells following a number of meetings with MP's notably James Arbuthnot and Oliver Letwin agreed that POL would work with a number of MP's to review cases that have been raised by their constituents. AP and PV requested that we find an independent forensic accountant who might be able to take this on, I proposed 2nd Sight but their work will be limited to a review of the cases raised by MP's and at the present there is no intention to undertake a full forensic review of the Horizon system. I attach the draft proposed terms of reference for 2nd Sight, in addition please note that they have not yet been appointed and have merely carried out a small amount of preliminary work. They will not be appointed until a meeting with the JFSP has taken place tomorrow evening, please also note that the JFSP do not have a veto on their appointment which was agreed at a meeting with a number of MPs last week but James Arbuthnot is trying to ensure that as many of the interested parties are in agreement to this as the way forward.

POL has no reason to believe that there is any issue with the integrity of the Horizon system and the current investigation is limited in scope and number of cases.

I hope this helps

Susan Crichton
Legal and Compliance Director
Post Office Limited
148 Old Street
London
EC1V 9HQ

Telephone [GRO]

From: Jarnail A Singh
Sent: 11 July 2012 16:54
To: Susan Crichton; Hugh Flemington; Alwen Lyons
Cc: Jorja Preston
Subject: RE: Wylie - Def sols raising Horizon investigation

Susan/ Alwen/Hugh I need to address and to prepare counter arguments to issues which are being raised and will be raised by defence lawyers ,after POL announced that 2nd sight(forensic audit)will conduct Review of the Horizon system even though pol say Horizon is robust. when challenged has always successfully defended the system in high profile criminal trials in crown courts .Defence Lawyers will say "Why appoint forensic auditor to examine the system".

Can you please help me with the following in order for me to put" flesh on the bones " ;

Reasons for the appointment of forensic auditor to examine the system.

What is second sights remit.

What will they look at or are asked to review. Or what is being undertaken or not..

Are they reviewing , few, several or some isolated cases only.

Are they real looking and examining the Horizon system or in reality looking or examining certain branch accounting procedures and processes.

Anything that you may consider useful .

It may be considered useful at some stage to have a press release to reconfirm the integrity and robustness of the system but in additional including the remit of second sight?

Sorry for the twenty Questions but we have to be ready for the challenges.

Thank you.

jarnail

From: Susan Crichton
Sent: 11 July 2012 13:02
To: Jarnail A Singh; Hugh Flemington; Alwen Lyons
Cc: Jorja Preston
Subject: Re: Wylie - Def sols raising Horizon investigation

Ok will ask Jorja to fix but it may take some time to get it in the diary.

From: Jarnail A Singh
Sent: Wednesday, July 11, 2012 01:58 PM
To: Hugh Flemington; Susan Crichton; Alwen Lyons
Subject: RE: Wylie - Def sols raising Horizon investigation

Susan/Alwen I had a meeting with Hugh, he has suggested we all have a meeting to discuss the above.

I suggest a 30 minute slot please.

Thank you.

From: Hugh Flemington
Sent: 11 July 2012 09:25
To: Jarnail A Singh
Subject: RE: Wylie - Def sols raising Horizon investigation

No

Let's meet – am free after team meeting today

From: Jarnail A Singh
Sent: 11 July 2012 09:23
To: Hugh Flemington
Subject: RE: Wylie - Def sols raising Horizon investigation

Hi Hugh Do you want me copy Dave Pardoe in. Jarnail.

From: Hugh Flemington
Sent: 10 July 2012 17:44
To: Jarnail A Singh
Subject: RE: Wylie - Def sols raising Horizon investigation

Yep!

From: Jarnail A Singh
Sent: 10 July 2012 17:17
To: Hugh Flemington
Subject: Re: Wylie - Def sols raising Horizon investigation

Hi It look like your meeting over run.can you make time tomorrow.Thanks jarnai

From: Hugh Flemington
Sent: Tuesday, July 10, 2012 05:31 PM
To: Jarnail A Singh
Subject: RE: Wylie - Def sols raising Horizon investigation

Let's discuss after my next meeting

From: Jarnail A Singh
Sent: 10 July 2012 16:03
To: Hugh Flemington
Subject: RE: Wylie - Def sols raising Horizon investigation

Hugh—if I can have some answers steer and stance, I can then advice cartwright king and have input from them.
I would still need further information to go to counsel. Thanks jarnail

From: Hugh Flemington
Sent: 10 July 2012 15:49
To: Jarnail A Singh
Subject: RE: Wylie - Def sols raising Horizon investigation

Ok and are you able to advise Susan and I on this or do you want to go to Counsel?

From: Jarnail A Singh
Sent: 10 July 2012 15:48
To: Hugh Flemington
Subject: RE: Wylie - Def sols raising Horizon investigation

Hugh

What we say to;

- 1. To simply respond by saying Horizon is robust will be met with, "If so why the audit .
- 2.If Defendant says he did not stole any money and blames the Horizon .Defence solicitors Will argue, this is down to errors in the system case should be stayed or adjourned until such time reports Finding are published.
- 3.Do we agree to defendants request for stay or adjournment pending completion of the audit report
Or let the court decide.

4.What are we going to do with existing ,pending and future investigations and losses.etc

Regards.

jarnail

Sent: 10 July 2012 13:34
To: Jarnail A Singh
Cc: Susan Crichton
Subject: Re: Wylie - Def sols raising Horizon investigation

What more info etc do you need plse?

From: Jarnail A Singh
Sent: Tuesday, July 10, 2012 01:43 PM
To: Hugh Flemington; Susan Crichton
Subject: RE: Wylie - Def sols raising Horizon investigation

Hugh/Susan --

The Law on application to stay a case until or unless the auditors has reported will be based on abuse of process argument. The issue for the abuse hearing is whether the defence can show that the Defendant Will not receive a fair trial. This case of Wylie is not a case where post office limited is guilty of any fault let alone of serious fault to the extent that the case should be stay, irrespective of whether a fair trial is possible.

In this case there has been no misuse or manipulation of the courts process. The post office has acted properly throughout. The law is a stay is an exceptional remedy of last resort.

Post office position would be, system is working properly and used up and down the country and, there is no forensic or legal grounds for stay.

However we are where we are ,with the forensic auditors to examine the Horizon in public domain we have to formally address the issues raised by defence solicitors and if the defence submit to the judge

“Post office say Horizon is robust” but have appointed forensic auditor to examine the system? ,in the circumstances pending the outcome of the audit judge may take the view it is right that there should be a thorough examination of the defendants concerns about the Horizon. ,if an adjournment/stay would allow the defendant to have a fair trial then that would be an appropriate remedy.

I need more information and advice to address these concerns.

Jarnail.

From: Jarnail A Singh
Sent: 09 July 2012 14:24
To: Hugh Flemington; Susan Crichton
Subject: FW: Wylie - Def sols raising Horizon investigation

Hugh/Susan— please see cartwright kings email. I raised this with you and briefly discussed this with Hugh last week with our possible approach or view. No doubt it will be tested in the courts or until or unless Second sight has reported. jarnail

From: Andy Cash [mailto:GRO]
Sent: 09 July 2012 12:30
To: Jarnail A Singh
Subject: FW: Wylie - Def sols raising Horizon investigation

Dear Jarnail,

I will forward original advice, but this woman was always going to challenge Horizon. I take the view that we now need a clear steer from the centre. Defence are likely to seek a stay. To simply

respond by saying Horizon is robust will be met with, "If so why the audit?". At present we do not have information to meet this sort of challenge. Please advise.

Andy

From: Rachael Panter
Sent: 09 July 2012 11:19
To: Andy Cash
Subject: Wylie - Def sols raising Horizon investigation

Morning Andy

As anticipated, please see attached letter from defence solicitors in Wylie asking for our position on the ongoing Horizon investigation.

Steve Bradshaw is the investigator in this case. I have given Steve our copy of the Fujitsu report which deals with the old Horizon system - (the old system being relevant in this case due to the period of wrongdoing). Steve is in the process of getting the committal papers together before the committal hearing which is listed for the 7th August at Newcastle Mags.

Let me know how you would like me to respond,

regards

Rachael

Rachael Panter

Direct: GRO

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