

From: William Green [redacted] GRO

Sent: 18 June 2020 13:31

To: McGalie, Cathy; Info

Cc: Nick Vamos; Rodric Williams

Subject: Post Office Limited

Dear Sir/Madam,

We act for Post Office Limited ("POL").

We write to notify you of POL's role in several cases referred to the Court of Appeal ("CoA") by the Criminal Cases Review Commission ("CCRC") and that there may be cases prosecuted by the PPSNI or its predecessor in which the same issues that have been examined by the CCRC may arise.

We understand that the basis of the referral to the CoA is the use of evidence derived from Horizon, the computer system used to record all transactions in post offices since around 1999. The CCRC announced its decision to refer 39 cases to the CoA on 26 March 2020 (see <https://ccrc.gov.uk/ccrc-to-refer-39-post-office-cases-on-abuse-of-process-argument/>) and a further eight cases on 3 June 2020 (see <https://ccrc.gov.uk/the-ccrc-refers-eight-more-post-office-cases-for-appeal-bringing-total-to-47-so-far/>).

In December 2019, POL settled civil litigation with a large group of former sub-postmasters regarding the reliability of Horizon. The settlement was followed by the handing down of the 'Horizon Issues Judgment' (*Bates v Post Office [2019] EWHC 3408 (QB)*) (available at <https://www.judiciary.uk/wp-content/uploads/2019/12/bates-v-post-office-judgment.pdf>).

POL is now conducting a post-conviction disclosure exercise ("PCDE") in accordance with its common law duties as a prosecutor as set out in *R (Nunn) v Chief Constable of Suffolk Police [2014] UKSC 37* and *R v Gohil [2018] EWCA Crim 140*. The PCDE is being conducted in respect of all defendants convicted in private prosecutions brought by POL (or, prior to their separation in 2012, by Royal Mail) between 1999-2015 involving evidence derived from Horizon.

Though POL privately prosecuted many cases in England & Wales, our understanding is that all prosecutions in Northern Ireland were brought by the PPSNI or its predecessor.

In case it assists the PPSNI, we attach a spreadsheet containing details of cases we have identified in the course of conducting the PCDE, which appear to have been prosecuted by the PPSNI or its predecessor and may have resulted in convictions.

The attached spreadsheet has been compiled from information held by POL in which it had some involvement in the case, such as providing exhibits, statements and data to the police. As POL was not the prosecutor of these cases, the information held is limited, and it is possible that there are further Northern Ireland cases which are not recorded in the attached spreadsheet. We will inform you of any further cases we might identify but our records should not be considered complete or definitive.

In light of the above, should the PPSNI wish to discuss the referrals to the CCRC and the potential impact of POL's PCDE on cases prosecuted by the PPSNI or its predecessor, then we would be happy to arrange a call.

Kind regards,

Will

William Green
Associate

For and on behalf of Peters & Peters Solicitors LLP

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