

Working Group for the Initial Complaint Review and Case Mediation Scheme

WORKING GROUP MINUTE – 12th June

Teleconference details:

Dial:

Participant's code:

Attendees

Sir Anthony Hooper (Chair)
Alan Bates (JFSA)
Ian Henderson (Second Sight)
Ron Warmington (Second Sight)
Chris Holyoak (Second Sight)
Chris Aujard (Post Office)
David Oliver (Post Office)
Shirley Hailstones (Post Office)
Andy Parsons (Bond Dickinson)

Apologies

Kay Linnell (JFSA)
Belinda Crowe (Post Office)
Angela Van Den Bogerd (Post Office)

Agenda

1. Status of accepted applications awaiting a funding application
2. Status of accepted applications awaiting a Case Questionnaire Response
3. New Case Questionnaire Responses
4. Priority cases
5. Post Office / Second Sight investigation progress
6. Standing case updates
7. Cases with Second Sight to review PO investigation reports
8. Cases that Second Sight have reported on
9. Any other queries raised by Applicants / Advisors
10. Issues with resourcing / timings
11. AOB

Thursday 12th June, 13:00 – 14:00

1. Status of accepted applications awaiting a funding application

Case No.	Status
M094	SL01 pack sent to applicant on 5 th June. Response due on 19 th June.

2. Status of accepted applications awaiting a Case Questionnaire Response

Advisor	Number of cases with Advisor	Number of CQRs overdue	Status
Aver	19	16	See agenda item 9.
Howe & Co	13	0	See agenda item 9.
James Cowper	1	1	RW to confirm receipt of CQR.

- Second Sight confirmed that James Cowper had previously been mistaken but that the CQR for M037 had been received today.

3. New Questionnaire Responses

Case No.	Status
M041	PO to advise if further time is required for this case before 10 th July.
M060	CQR accepted for investigation with a 6 week deadline for PO – 24 th July.
M097	CQR accepted for investigation with a 6 week deadline for PO – 24 th July.

- Post Office raised that a CQR for M041 had already been submitted - as a result, this case has already been investigated and the report is in the process of being finalised. AP confirmed that this was a case where PO were seeking a 4 week extension and suggested that this time is used to see what impact the new evidence has on this case. WG agreed and confirmed any issues identified that will lead to further delays should be flagged to the WG ahead of the 10th July.

- WG noted that both the CQRs for M060 and M097 contained little in terms of horizon related detail. AP flagged these cases as ones that may limit Post Office's ability to investigate fully.

4. Priority cases

Case No.	Status
M006	Post Office report complete. Uploaded on 5 th June.
M073	CQR is yet to be submitted. Applicant is represented by Aver.
M143	Post Office report complete. Uploaded on 5 th June.

- M006 – SAH has drafted a letter to go out to the Judge presiding over the applicant's upcoming hearing. DO to send SAH the latest draft.
- M073 – SAH has drafted a letter to the Court presiding over the applicant's hearing in July. AB and AP are to let SAH know when the hearing will occur and which Judge will be sitting so that this information can inform his correspondence.
- Bankruptcy cases

Case No.	Status
M001	PO report uploaded to Huddle on 30 th May.
M015	PO report uploaded to Huddle on 9 th May.
M019	PO report uploaded to Huddle on 8 th May.
M029	PO report uploaded to Huddle on 12 th May.
M030	PO report uploaded to Huddle on 15 th April.
M032	POL investigation stage – investigation on-going.
M036	POL investigation stage – investigation on-going.
M069	CQR is yet to be submitted. Applicant represented by Howe & Co.

Case No.	Status
M081	CQR is yet to be submitted. Applicant represented by Aver.
M089	CQR is yet to be submitted. Applicant represented by Howe & Co.
M100	POL investigation stage – investigation on-going.
M118	POL investigation stage – investigation on-going.
M122	POL investigation stage – investigation on-going.
M128	CQR is yet to be submitted. Applicant represented by Aver.
M150	CQR is yet to be submitted. Applicant represented by Aver.

- The Working Group's position on bankruptcy cases will be discussed at the face-to-face Working Group meeting on 16th June.

5. Post Office / Second Sight Investigation Process

Cases under Post Office Investigation:

Case No.	Status	Working Group decision
M003	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M024	Investigation on-going. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M032	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M034	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.

Case No.	Status	Working Group decision
M036	Investigation on-going. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M038	Investigation on-going. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M040	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M041	Investigation on-going. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M042	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M046	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M051	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M058	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M065	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M093	Investigation on-going. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.
M107	Investigation complete. Finalising report. Extension (not 1 st) to 10 th July required.	Extension granted to 10 th July.

6. Standing and other case updates

Case No.	Status
M142	Verbal confirmation to progress within the scheme has been received. SL01 pack to be sent once written confirmation is received from applicant.

7. Cases with Second Sight to review PO investigation reports

- Report due this week

Case No.	Due date	Status	Working Group decision
M019	13 th June	Three week extension required due to request for further information – 4 th July.	Extension to 4 th July granted.
M028	13 th June	SS to update.	Draft CRR will be uploaded by 13 th June.
M062	13 th June	SS to update.	Draft CRR will be uploaded by 13 th June.

- Second Sight had requested the “POL legal files” from CA for M019 in order to inform them ahead of producing the draft CRR. CA explained that POL would not be disclosing the legal files in this or other cases.
- SAH reminded Post Office that any disclosures of privileged information on one case would not set a precedent for the rest of the cases.
- CA confirmed that he would be happy to disclose other information where possible. The WG agreed that exhibits and statements should be made readily available to both the PO investigation teams and SS. CA confirmed that this was PO's current policy. PO agreed to review whether this had been provided in this case.

- Changes to schedule

Case No.	Status	Working Group decision
M006	Proposed due date brought forward to 20 th June.	Proposed due date of 20 th June accepted.
M007	Extension to 18 th July required.	Extension granted to 18 th July.
M009	Extension to 11 th July required.	Extension granted to 11 th July.
M011	Extension to 25 th July required.	Extension granted to 25 th July.
M014	Extension to 11 th July required.	Extension granted to 11 th July.
M017	Extension to 25 th July required.	Extension granted to 25 th July.
M018	Extension to 1 st August required	Extension granted to 1 st August.
M021	Extension to 18 th July required.	Extension granted to 18 th July.
M030	Extension to 4 th July required.	Extension granted to 4 th July.
M035	Extension to 1 st August required.	Extension granted to 1 st August.
M052	Extension to 18 th July required.	Extension granted to 18 th July.
M053	Extension to 1 st August required.	Extension granted to 1 st August.
M072	Extension to 25 th July required.	Extension granted to 25 th July.
M143	Proposed due date brought forward to 27 th June.	Proposed due date of 27 th June accepted.

- SS confirmed that they had originally underestimated the time needed to turn a draft report into a final report. The revised timetable allows for this consideration.
- SS confirmed that they will still be delivering a minimum of 3 reports a week – with an increase in production expected within a few weeks.

8. Cases that Second Sight have reported on

Case No.	Report issued to parties	Deadline for comments	Deadline for SS's final report	WG's decision on mediation
M022	16 th May	11 th June (PO comments sent on 5 th June)	13 th June (in advance of the face-to-face meeting on 16 th June)	All in favour of mediation.
M048	6 th June	17 th June	24 th June	N/A
M054	29 th May	6 th June (PO comments sent on 6 th June)	13 th June (received 11 th June)	No decision taken – discuss at the face-to-face WG meeting on 16 th June
M076	6 th June	17 th June	24 th June	N/A
M127	27 th May	4 th June (PO comments sent on 4 th June)	11 th June	Discuss at the face-to-face WG meeting on 16 th June.

- The Working Group agreed that draft CRRs and all the corresponding documents and evidence will be uploaded to the case file within Huddle by the Secretariat.
- WG agreed that the final M022 report would be sent straight to CEDR with SAH's covering letter.
- WG agreed that M054 would be discussed at the face-to-face Working Group meeting on 16th June as per the decision reached in the WG meeting of 5th June.
- SAH confirmed that where there are differences in opinion about whether to mediate or not, JFSA and SS will articulate a view and PO will articulate another. A vote will be taken, and it will then be for SAH to consider and reach a decision which will be communicated in writing.
- M127 will be released by SS 13th June as early as possible, but before 5pm ready for discussion by the Working Group at the face-to-face WG meeting on 16th June.

9. Any other queries raised by Applicants / Advisors

Aver's letter to SAH dated 5th June

- SAH to write to Aver thanking them for their letter.

Aver extensions

- SAH was concerned about the length of time requested for some of these cases, some expected to take until 31st August.
- The Working Group agreed to grant extensions requested for dates between this week and the 30th June.
- WG agreed to grant the extensions requested for M134 and M146 due to these cases having been delayed by criminal proceedings.
- The Working Group requested that further information is gathered from Aver about all cases that have asked for an extension beyond 30th June.

Howe and Co email dated 9th June

- Working Group recommended that these expenses should be paid, but that SAH should write to Howe & Co to confirm that the Working Group's position has not altered and was the same at the meeting for professional advisors in September 2013.
- Post Office confirmed they were happy to pay the expenses as per the WG's recommendation.

Howe and Co travel expense requests for M004 and M114

- The Working Group recommended that these expenses are paid.
- The Post Office confirmed they were happy to pay the expenses as per the WG's recommendation.

10. Issues with resourcing / timings

N/A

11. AOB

Face-to-face Working Group meeting on 16th June

- The Working Group confirmed that the face-to-face WG meeting on 16th June would go ahead.

AB's email dated 12th June

- The Working Group confirmed that there had never been a commitment to suspend criminal cases progressing through the Court. Further the WG noted that they are not in a position to advise the applicant in M073 on his criminal case.
- PO agreed to instruct CK to make clear the position they will take in July to the applicant's solicitors.
- AP will request the facts about the situation from CK for discussion either at the face-to-face Working Group meeting on 16th June – or at a Working Group call on 19th June if the information is not available before 16th June.
- AB to inform the applicant that the Working Group is not in a position to advise him.