

*Bond Dickinson***SCHEDULE 1**

No	Claimants' Request for Documents	Post Office Response	Claimants' Current Position	Post Office Response
1.	Contractual documents between Post Office and the postmasters and Crown officers since 1998.	Copies of the contracts and variations will be provided as per Schedule 5.	We await the documents you agree to provide, and have no further request at this stage.	Documents were provided on 31 August 2016.
2.	Contractual documents between Post Office and ICL/Fujitsu from 1999 to present.	A redacted version (removing commercially sensitive data) of the latest version of the core agreement and relevant schedules will be provided as per Schedule 6.	We await the documents you agree to provide, and have no further request at this stage.	Documents were provided on 31 August 2016.
3.	Documents containing or referring to non-contractual understandings, practices, policies, guidance or memoranda relating to the relationship Post Office and ICL/Fujitsu and/or ICL/Fujitsu's performance.	<p>In circumstances where you have not particularised any factual basis on which Horizon is defective, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.</p> <p>In any event, the volume of documents that may need to be considered in order to respond to this vague and highly generalised request would be significant. These documents will also not be located in one place. A full disclosure exercise would be required to locate these documents.</p>	<p>See covering letter.</p> <p>As a minimum, please disclose any policy or guidance document issued to ICL / Fujitsu:</p> <ol style="list-style-type: none"> <li>concerning the specific defects referred to in Schedule 6 of your Letter of Response; and</li> <li>concerning other defects which may have resulted in losses to branch accounts over the period 1999 to present, not currently referred to in Schedule 6 of your Letter of Response.</li> </ol>	<p>We refer to our previous explanation. A full disclosure exercise would be required to locate these documents.</p> <p>In respect of your requests:</p> <ol style="list-style-type: none"> <li>The core documents, which we are currently aware of, relating to these specific defects were provided on 31 August 2016. To locate any further documents that may exist would require a full disclosure exercise and would not be reasonable or proportionate to carry out at this stage.</li> <li>This request is clearly a fishing expedition and our client is not willing to entertain your request or provide these documents without further particularisation.</li> </ol> <p>If there is a particular defect that you wish us to provide documents in</p>

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				respect of please let us know.
4.	Operations manual(s) for Horizon – 1999 to present.	<p>Post Office has no objection to providing the current version of the Operations manual. However, this document is ordinarily accessible via Horizon and so is not held in a readily accessible format that can easily be provided to your firm. We are investigating further how this document may be disclosed to you.</p> <p>Providing historic documents would require a full disclosure exercise. This is neither reasonable nor proportionate at this time.</p>	<p>Please confirm you have now identified how to provide the current version of the Operations manual and you will do so without delay.</p> <p>Please also provide a copy of the Operations manual as at 1 January 2006 such that we at least have a snapshot of the historic position.</p>	<p>We have attempted to export the Operations Manual, however due to the Operations Manual being hosted online and the volume of documents contained within the Operations Manual, to produce either a hard or soft copy version would require a full disclosure exercise, which at this stage is not reasonable or proportionate.</p> <p>Although we have been unable to export a copy of the Operations Manual, please find enclosed a copy of the index. The documents provided show the front page of the Operations Manual (as seen by the Postmaster) and the manuals which are contained under each of these sections.</p> <p>If there are specific entries on which you want disclosure, please provide details and we will consider the relevance, reasonableness and proportionality of those requests. Alternatively, if you wish for us to arrange an opportunity for you to review the Operations Manual via Horizon please let us know.</p> <p>A snapshot of the Operations Manual as at 1 January 2006 would not have been previously made or kept. It may be possible to piece together a snapshot of the Operations Manual as at this date however it would be time consuming and disproportionate to do so.</p> <p>In any event, please could you provide an explanation of the relevance of 1 January 2006. We note that this date falls outside</p>

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				of limitation and any events which may lead to a cause of action at this time would be time barred.
5.	Schedule of Horizon updates, modifications and software versions since installation and the issues which each of the versions addressed.	<p>In circumstances where you have not particularised any factual basis on which Horizon is defective, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.</p> <p>In any event, the volume of documents that may be covered by this request would be significant. These documents will also not be located in one place. A full disclosure exercise would be required to locate these documents.</p>	<p>See covering letter.</p> <p>We anticipate that such documents exist, are accessible, and could be provided with the assistance of Fujitsu if required. Please reconsider this request and act reasonably so as to provide the documents we have requested.</p>	<p>Whilst we believe such documents do exist and could be provided with the assistance of Fujitsu, a full disclosure exercise would be required to locate these documents. In addition, the vast majority of variations that have been made to Horizon would be irrelevant and the process of identifying those which are relevant would require a full disclosure exercise.</p> <p>Further, these documents may be held by third parties (i.e. Fujitsu) outside of Post Office's control. As such, these documents may not fall within Post Office's disclosure remit.</p>
6.	Schedule of software architecture since launch in 1999.	In circumstances where you have not particularised any factual basis on which Horizon is defective, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.	As above.	As above.
7.	Post Office internal notes, memoranda, correspondence, emails and briefing documents regarding errors, bugs or problems in Horizon.	<p>In circumstances where you have not particularised any factual basis on which Horizon is defective, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.</p> <p>In any event, the volume of documents that may be covered by this request would be significant.</p>	<p>As above.</p> <p>We also anticipate you will have previously compiled documents in this category.</p>	As per our previous explanation, a full disclosure exercise would be required to locate these documents, which at this stage is not reasonable or proportionate.

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		These documents will also not be located in one place. A full disclosure exercise would be required to locate these documents.		
8.	Post Office internal notes, memoranda, correspondence, emails and briefing documents regarding the Helpline support in dealing with shortfalls in Horizon.	<p>In circumstances where you have not particularised any challenge to any specific shortfall, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.</p> <p>In any event, the volume of documents that may be covered by this request would be significant. These documents will also not be located in one place. A full disclosure exercise would be required to locate these documents.</p>	<p>As above.</p> <p>We also anticipate you will have previously compiled documents in this category.</p>	<p>As per our previous explanation, a full disclosure exercise would be required to locate these documents, which at this stage is not reasonable or proportionate.</p> <p>The process of reviewing calls are made to the Helpline each year and identifying the calls which refer to Horizon would require a full disclosure exercise.</p>
9.	Post Office internal notes, memoranda, emails and briefing documents regarding risk or likelihood of Horizon issues causing transaction shortfalls or discrepancies.	<p>In circumstances where you have not particularised any factual basis on which Horizon is defective, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.</p> <p>In any event, the volume of documents that may be covered by this request would be significant. These documents will also not be located in one place. A full disclosure exercise would be required to locate these documents.</p>	<p>As above.</p> <p>We also anticipate you will have previously compiled documents in this category.</p>	<p>This request is clearly a fishing expedition and our client is not willing to entertain your request or provide these documents without further particularisation.</p> <p>Further, as per our previous explanation, a full disclosure exercise would be required to locate these documents, which at this stage is not reasonable or proportionate.</p>



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10.	Horizon "cheat sheet" which was provided to postmasters by Post Office.	We are not able to identify the document that you request, and are not aware of a "cheat sheet". To the extent that you are able to clarify the request, please do.	We will take further instructions in relation to this request and may write to you further in this regard.	N/A
11.	Course materials for Horizon training - 1999 to date.	<p>Not all of the training materials retained by Post Office are relevant to the issues in dispute. We will therefore provide certain current Horizon training materials, and supporting materials, relating to cash balancing. Other material may be disclosed in due course where appropriate to do so.</p> <p>Providing historic documents would require a full disclosure exercise. This is neither reasonable nor proportionate at this time</p>	<p>We have not yet seen the materials you do propose to provide to us. Please ensure that the materials you provide as a minimum deal with cash balancing, rolling over, discrepancies, accounting, and suspense accounts.</p> <p>Please also provide a copy of such materials as at 1 January 2006 such that we at least have a snapshot of the historic position.</p>	<p>Documents were provided on 31 August 2016.</p> <p>Post Office does not have a snapshot of the Horizon trainings materials as at 1 January 2006 and it would not be a simple process to reverse engineer this.</p> <p>Further, please could you provide an explanation of the relevance of 1 January 2006. We note that this date falls outside of limitation and any events which may lead to a cause of action at this time would be time barred.</p>
12.	"Knowledge Base" database of guides and manuals used by helpline staff since 1999.	The Knowledge Base database contains in excess of 5,000 entries. It is therefore not practicable to provide disclosure of the documents held on this system. If there are specific entries on which you want disclosure, please provide details and we will consider the relevance, reasonableness and proportionality of those requests.	You are well aware of the issues which are relevant. As a minimum please provide entries dealing with cash balancing, rolling over, discrepancies, accounting, and suspense accounts.	<p>Please find enclosed the Knowledge Base articles which deal with cash balancing, rolling over, discrepancies, accounting, and suspense accounts.</p> <p>It should be noted that the categories of Knowledge Base entries which you have requested are not stand alone topics but are contained within various other categories. We have therefore provided the major articles which deal with these categories. The process of identifying every article which referred to the requested categories would require a full disclosure exercise.</p>

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13.	Helpline logs and any internal related records for the Claimants.	<p>With regard to these Claimants who were part of the Scheme, the NBSC logs will, in many respects, have been included with Post Office's Investigation Reports. You will be able to obtain these documents from your clients.</p> <p>If you require further such documents, please specify the particular documents and we will consider the reasonableness and proportionality of those requests.</p>	We may refine this request in relation to particular Claimants. We will write to you further in this regard.	N/A
14.	Audit guidelines since 1998, including any revisions to date.	<p>The current guidelines on "Performing a Branch Audit" will be provided.</p> <p>Providing historic documents would require a full disclosure exercise. This is neither reasonable nor proportionate at this time.</p>	<p>We anticipate it would be straightforward for you to provide earlier versions of this document as per our request, and we ask that you do so.</p> <p>If you refuse to provide a complete set of revisions, as a minimum please provide the guidelines in force as at 1 January 2006 as a snapshot of the historic position.</p>	<p>As per our previous response, providing historic documents would require a full disclosure exercise. This is neither reasonable nor proportionate at this time.</p> <p>Please could you provide an explanation of the relevance of 1 January 2006. We note that this date falls outside of limitation and any events that may lead to a cause of action at this time would be time barred.</p>
15.	Investigation guidelines since 1998, including any revisions to date.	<p>We are currently reviewing this request and will update you in due course.</p> <p>We understand that these guidelines will have evolved during the period in dispute. Further, providing historic documents would require a full disclosure exercise. This is neither reasonable nor proportionate at this time.</p>	<p>Please provide the investigation guidelines as we have requested.</p> <p>If you refuse to provide a complete set, as a minimum please provide those presently in force and those as at 1 January 2006.</p>	<p>The current version of the guidelines was implemented by Post Office in January 2016. As such these are not relevant to these proceedings as any prosecution of the Claimants pre-dates January 2016.</p> <p>Further the process of locating the previous versions of the guidelines which would have been in force at the time when the Claimants were prosecuted would require a full disclosure exercise. This is neither</p>

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				reasonable nor proportionate at this time.  Please could you provide an explanation of the relevance of 1 January 2006. We note that this date falls outside of limitation and any events that may lead to a cause of action at this time would be time barred.
16.	Transaction logs and information on the sums held in the respective suspense accounts, relating to the alleged shortfalls for the Claimants.	<p>With regard to these Claimants who were part of the Scheme, transaction logs will, in many respects, have been included with Post Office's Investigation Reports. You will be able to obtain these documents from your clients.</p> <p>If you require further transaction logs, please specify particular Claimants and time frames and we will consider the reasonableness and proportionality of those requests.</p> <p>You have not asserted any claim in relation to Suspense Accounts in the Letter of Claim so this element is not relevant.</p>	We may refine this request in relation to particular Claimants. We will write to you further in this regard.	N/A
17.	Notes of audits and investigations and copies of the individual case reports and decisions reached by Post Office in suspending and/or terminating relevant postmasters.	<p>With regard to the Claimants who were part of the Scheme, these documents will, in many respects, have been included with Post Office's Investigation Reports. You will be able to obtain these documents from your clients.</p> <p>If you require further such documents, please specify the</p>	We may refine this request in relation to particular Claimants. We will write to you further in this regard.	N/A

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		particular documents and we will consider the reasonableness and proportionality of those requests.		
18.	Records or transcripts of interviews for each of the Claimants.	<p>We presume that your request relates to transcripts of interviews that proceeded under caution.</p> <p>With regard to the Claimants who were part of the Scheme, where in existence, these documents will, in many respects, have been provided as part of the evidence supporting Post Office's Investigation Reports. You will be able to obtain these documents from your clients.</p> <p>If you require further such documents, please specify the particular documents and we will consider the reasonableness and proportionality of those requests.</p>	We may refine this request in relation to particular Claimants. We will write to you further in this regard.	N/A
19.	Internal memorandum generated in around late 2000 regarding problems with Giro Bank deposits.	We do not recognise the document to which you refer. Please provide further details.	We will take further instructions in relation to this request and may write to you further in this regard.	N/A
20.	Documents concerning referral for prosecution, including but not limited to meeting notes confirming decision to prosecute and the policy documents relied upon in doing so, for the Claimants.	These documents are likely to be subject to legal privilege and will not be disclosed.	Please disclose any documents which you do not assert to be legally privileged, including the policy documents which we have requested.	<p>The majority of documents concerning referral for prosecution are likely to be privileged documents and not subject to disclosure.</p> <p>At this early stage, it would not be proportionate or reasonable to review these</p>



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21.	Documents relating to termination of Mediation Scheme.	The correspondence with Second Sight and the Working Group in relation to this point mentioned in Schedule 3 will be disclosed.	<p>Please provide a full set of correspondence with Second Sight, and not just that which you rely on in Schedule 3. There is no good reason to limit disclosure to the documents on which you rely.</p> <p>Please also disclose any Post Office internal memoranda or notes relating to this termination. This is relatively recent history, and such documents should be easily accessible.</p>	<p>Please could you provide an explanation as to how these documents are relevant to the claims which you are asserting.</p> <p>In any event, the remaining documents which were not disclosed on 31 August 2016 are likely to be subject to litigation privilege.</p>
22.	The 'known error log' kept by Fujitsu and provided to Post Office and all correspondence relating to the same.	In circumstances where you have not particularised any factual basis on which Horizon is defective, disclosure of these documents (if they exist) is not relevant, reasonable or proportionate.	<p>See cover letter.</p> <p>There is no good reason to refuse disclosure of the Fujitsu known error log, which is plainly relevant to the issues.</p>	<p>The claims which you have particularised concern errors with the Core Audit Log.</p> <p>Following a review of the Known Error Log, Fujitsu have confirmed that there have been no logs in respect of Core Audit Log.</p> <p>The remainder of the Known Error Log does not relate to the claim which you have particularised and as such disclosure of this document is not relevant.</p>
23.	Internal memoranda from Fujitsu and POL referred to by Second Sight as identifying a 'Horizon bug' with Horizon Online.	We do not recognise the document to which you refer. Please provide further details.	<p>We anticipate you should be in a position to identify these documents and ask that you do so.</p> <p>At present you are objecting to us speaking to Second Sight in relation to any issues raised in your Letter of Response, which is particularly unhelpful.</p>	As per our previous response, we do not recognise the document to which you refer. Please provide further details so as we can progress your request.
24.	Email correspondence between	This is addressed in Schedule 3,	Please provide the emails which you	We refer you to request 25 below which

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	Fujitsu and Post Office in 2008, as requested by Second Sight.	Section 6B.	refer to at Schedule 3, Section 6B. It is not adequate to simply refer us to this section.	concerns the same documents.  The documents are stored on an encrypted hard drive, which we are unable to decrypt and gain access to.
25.	Copies of the email data supplied by Post Office to Second Sight in May 2013 (referred to at paragraph 50 of the Executive Summary to Post Office document entitled "Complaint Review and Mediation Scheme").	Post Office has copies of the documents provided to Second Sight in May 2013, but these are held on an encrypted hard drive to which it does not have the password. These documents may be among the documents returned to Post Office by Second Sight, but on reviewing those documents there is nothing that clearly identifies the emails provided to Second Sight in May 2013.	Please explain who encrypted the hard drive and what steps are necessary to de-encrypt it. Please confirm that you are taking appropriate steps in this respect.	We refer you to our previous response which provides an adequate answer.  The data is stored on an encrypted hard drive, which we are unable to decrypt and gain access to.  A separate log of the data which is on this hard drive was not created.
26.	A copy of the witness statement from the member of staff who worked at the Fujitsu site at Bracknell (referred to at paragraph 51 of the Executive Summary).	This document will be provided. Note – this statement remains in draft.	We await the document you agree to provide, and have no further request at this stage.	Documents were provided on 31 August 2016.
27.	A copy of the written paper (relating to suspense accounts) produced to Second Sight in July 2004 [sic], together with the subsequent paper (referred to at paragraph 53 of the Executive Summary).	You have not asserted any claim in relation to Suspense Accounts in the Letter of Claim so this request is not relevant.	The operation of suspense accounts is clearly relevant to the claims, how alleged discrepancies came about, how Subpostmasters were required to treat such discrepancies, and the way in which Post Office subsequently claimed alleged shortfalls as losses.  In any event, in conflict with your position expressed here, at Schedule 3, Section 6C you say that papers	Documents relating to Suspense Accounts were provided on 31 August 2016.

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			produced to Second Sight dated July 2014 and October 2014 will be made available for inspection.	
28.	Copies of all documents provided by Post Office to the CCRC to date.	<p>These documents relate to an ongoing investigation being carried out by the CCRC, and have been provided to the CCRC pursuant to its specific statutory powers. Notwithstanding that many of the documents within this class will be subject to legal privilege, it is clearly inappropriate to request such disclosure where the CCRC's investigations are ongoing.</p> <p>Accordingly, unless documents properly fall to be disclosed separately under some other request, they will not be disclosed.</p>	To the extent you have provided documents to the CCRC in which you do not assert privilege, please provide a copy to us. These are documents which you have already compiled on issues which give rise to the present proceedings, and it is plainly reasonable and proportionate for you to provide them to us at this stage.	<p>We refer you to our previous response.</p> <p>Due to the ongoing investigations it would be inappropriate to disclose these documents.</p>
29.	Documents relating to Post Office's disclosure to Second Sight that, in 2011 and 2012, it had discovered "defects" in Horizon online that had impacted 76 branches (referred to at paragraphs 6.4 - 6.6 inclusive of Second Sight's Interim Report).	These issues are covered in Schedule 6. No disclosure is necessary.	To the contrary, disclosure is obviously necessary. Please provide these documents. This request overlaps with our request at number 3 above.	<p>We refer you to our response at 3 above.</p> <p>A full disclosure exercise would be required to locate these documents which would not be reasonable or proportionate at this early stage.</p>
30.	Second Sight's main report at paragraph 14.8 refers to an internal memorandum from October 2008, which Post Office disclosed, including the remark " <i>Fujitsu have the ability to impact branch records via the message stored but have extremely rigorous procedures in</i>	The email (not memorandum) to which we understand this request to relates to will be provided.	We await the document you agree to provide, and have no further request at this stage.	Documents were provided on 31 August 2016.

No	Claimants' Request for Documents	Post Office Response	Claimants' Current Position	Post Office Response
	<p><i>place to prevent adjustments being made without prior authorisation — within [Post Office] and Fujitsu".</i></p> <p>Please provide a copy of this memorandum.</p>			
31.	<p>Second Sight state at paragraphs 14.10 to 14.12 of its final report "<i>in our Interim Report we referred to software bug in Horizon that had impacted a small number of branches. We have recently discovered two further documents that describe in more detail how Post Office handles this issue. In both of these documents a process is described that involves directly altering branch data.</i>"</p> <p>The first document to which Second Sight refer is named "Correcting Accounts for "lost" Discrepancies" and was created by a senior engineer at Fujitsu in September 2010.</p> <p>The second is entitled "Receipts/Payments Mismatch issue notes" which appears to be a minute of a joint Post Office and Fujitsu meeting held in August 2010.</p> <p>Please provide copies of these documents.</p>	These documents will be provided.	We await the document you agree to provide, and have no further request at this stage.	Documents were provided on 31 August 2016.
32.	<p>A schedule or list of all documents delivered up by Second Sight to Post</p>	We do not believe that any documents were delivered up to	If there is already any such list in existence, please disclose it.	So as to establish and filter out those documents that are privileged, all 35,000



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	Office and BIS as requested, on or following the termination of Second Sight's contract.	<p>BIS (as suggested).</p> <p>We understand that in excess of 35,000 documents were returned, some of which will be subject to legal privilege.</p> <p>It is clearly not reasonable to expect our client to review these documents at this stage, assess which are potentially disclosable, and provide a list of the disclosable documents.</p>	In any event we do not consider it likely to be a difficult process for you to identify which documents are or may be privileged. The vast majority will obviously not be privileged, and we expect that any documents which may be privileged would have been marked as such by your client.	documents would need to be reviewed. A full disclosure exercise would be required to do so, which would not be reasonable or proportionate at this early stage.