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To: "Parsons, Andrew" <[REDACTED]>
Cc: Anthony de Garr Robinson <[REDACTED]>, "Prime, Amy" <[REDACTED]>
Subject: Outline Defence
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Attachments: Bates_v_Post_Office.Outline_Defence.19May2017.docx

Dear Andy,

Please find attached as discussed.

I have made a good start of making the changes that Tony and I discussed yesterday, but that is the only the first step in the process of moving from an outline to anything like a final document. We will be in a much better position after the meetings that we discussed.

The section on the Helpline is probably the part that most reflects the outcome of our discussions. We presently expect that much more of the pleading will follow that approach – pleading our general position, refusing to engage on particulars where this would require any analysis of particular claims, and denying the general thrust of the allegations.

In other parts of this draft, there is too much credit given to the claims and the pleading is too technical and overly specific in its approach. I thought we should start with a “proper” pleading and see whether it could work. Tony and I, having considered the first draft, decided that we could not sensibly pursue that approach because it was artificial and dangerous in terms of hostages to fortune and unwise admissions. We think a less helpful Defence will be where we end up, unfortunately, because the GPoC does not lend itself to a more typical form of pleading.

I have put in lots of placeholders for things that we have not yet pleaded out but will or may plead (some of which depend on legal research to be carried out; others of which depend on instructions).

Kind Regards,

Owain

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