

From: Anthony de Garr Robinson <[REDACTED]>
To: Andrew Parsons <[REDACTED]>, Amy Prime
Cc: Owain Draper <[REDACTED]>
Subject: RE:
Date: Wed, 12 Jul 2017 12:12:22 +0000
Importance: Normal
Inline-Images: image001.jpg; image002.jpg

Oops, I sent the wrong version previously (the only difference with this version is in para 46(4) itself – I have added a few words to convey that escalation involves further investigation and review.

T

From: Anthony de Garr Robinson
Sent: 12 July 2017 13:10
To: 'Parsons, Andrew' <[REDACTED]>, 'Amy Prime' <[REDACTED]>
Cc: Owain Draper <[REDACTED]>
Subject: RE:

Dear all,

I've given the pleading a fresh look this morning and have suggested a number of changes to tighten it up (attached). It is now down to 75 pages, which can only be a good thing (famous last words).

The one major change I have suggested relates to para 46(4). That para addresses the process by which disputes regarding shortfalls are escalated. In paras 46(4)(a) to e) we go into some detail as to the escalation process and as to the possible result – namely Post Office telling the Subpostmaster that the money is contractually due, Post Office giving the Subpostmaster a contractual instruction to pay it and Post Office ultimately terminating the contract if the Subpostmaster maintains his dispute. We do not strictly need to say this in this pleading and if these paras stay in my feeling is (1) that the Claimants will treat them as an effective vindication of their case on economic duress etc and (2) that those paras may in any event be a hostage to fortune. Unless you disagree, Andy, my sense is that there may be some claimants whose experiences are rather different from the picture painted in those paras and I don't it prudent to take the risk of giving them an opportunity to point this out in their Reply and thereby to say that we are peddling a false case and cannot be trusted on the facts.

This is a difficult judgment call, but I think when in doubt, leave it out. What do you think about these paragraphs?

More fundamentally, do you think that there are any other paras where we have said things that the precautionary principle suggests should not be said or should be toned down?

Best wishes,

Tony

From: Anthony de Garr Robinson

Sent: 11 July 2017 22:08

To: 'Parsons, Andrew' <[redacted]@[redacted]> <[redacted]@[redacted]>;
'Amy Prime' <[redacted]@[redacted]>

Cc: Owain Draper <[redacted]@[redacted]>

Subject: RE:

Importance: High

Dear all,

At times today, this pleading felt like it would never stop, but I have finally got to the end. The internal para refs are going to be a nightmare and now all the threads have been pulled together it needs a final proper read through. But I am too frazzled to worry about these things tonight.

Best wishes,

Tony

From: Anthony de Garr Robinson

Sent: 11 July 2017 15:18

To: 'Parsons, Andrew' <[redacted]@[redacted]> <[redacted]@[redacted]>;
'Amy Prime' <[redacted]@[redacted]>

Cc: Owain Draper <[redacted]@[redacted]>

Subject: RE:

Dear Amy,

As discussed just now. I have got to para 69 and I have not proof read or spellchecked anything.

Tony

From: Anthony de Garr Robinson

Sent: 11 July 2017 12:23

To: Parsons, Andrew (GRO) <GRO>; 'Amy Prime' <GRO>

Cc: Owain Draper (GRO)

Subject:

Dear all,

As discussed just now, here is where I have got to with the Defence (page 18). The summary includes Owain's comments too.

Tracking the changes to this draft can sometimes cause difficulties, so please let me know if you are happy for me not to do so.

Best wishes,

Tony

Anthony de Garr Robinson QC

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