

**From:** "Porter, Tom" [GRO]

**To:** "Parsons, Andrew" [GRO]

**Cc:** "Lorraine, Paul" [GRO]

**Subject:** Horizon - Outcomes of the con with Tony Robinson [BD-4A.FID26859284]

**Date:** Tue, 7 Jun 2016 16:44:37 +0000

**Importance:** Normal

**Inline-Images:** image001.jpg; image002.jpg; image003.png

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Andy

Please see the actions below from today's con. Please do feel free to add anything you can think of.

I've included the points that appear capable of advancement prior to Thursday's con in red font for ease of reference.

I will be on leave for most (if not all) of tomorrow looking after the boys. I suggest you get Paul or Amy on this – otherwise, I am more than happy to pick it up in the evening but I suspect it will be too later.... I have copied Paul - by way of advanced notice....

1. Send Tony the note on Issue Estoppel (where there are Criminal convictions.
2. Send Tony a sample Branch Trading Statement with the relevant signature block,
3. Send Tony a copy of the letters to SS asserting (and subsequently agreeing) privilege.
4. Send Tony a copy of Brian Altman's review into Hamilton.
5. Send Tony the note on the Official Secrets Act.
6. Can one assert privilege with respect to documents relating to Malicious Prosecution claims?
7. Obtain written reports from Brian Altman for the 2 cases and send to Tony
8. Obtain copy of the Help Desk personnel review and send to Tony
9. Enquire – which of the criminal prosecutions were dropped and why (within the context of the 91)
10. Enquire – within the confines of the claim, what Bankrupts had their rights assigned and which didn't?
11. Enquire – can we unpack and review the transactions for all 91 Claimants to test BT/remote access point (between 2008/10)?
12. Enquire – is there anyone at POL and/or Fujitsu who could give a witness statement on the extent of their knowledge regarding Balancing Transactions?
13. Enquire/check – were any of the 91 on a Local Contract?
14. Enquire – is POL bound by the CPS code?
15. Confirm the date of the litigation hold on Horizon date (notice in 2014, effective back to 2008)
16. Consider commissioning a review of the losses by branch – comparing the 91 Claimants to the wider agency pool and the crown sites alike.
17. Achieve clarity on the contractual position – what was given to whom and when.

Key thoughts included:

- Do all the Swift actions now and thoroughly
- Bottom out, with finality/certainty, whether we can trace the suspense account funds back to the specific branches and transactions.
- The remote access point causes issues with limitation and others – would be good to be able to do away with this component.
- Tony thinks we need to respond clearly and substantively on the remote access point in the LOR (no generic statements) - which will require further forensic work at this stage.
- Tony thinks the Deloitte report will cause issues on disclosure (if disclosable?)
- Tony thinks there will be implied terms regarding fitness for purpose and training, as a minimum.
- Tony agrees that we need a standstill with Fujitsu.

Additionally – Tony had previously proposed getting Horizon training for the legal team. I suggest this might be best to do before the LOR is finalised?

Let me know how you want to advance.

Tom

**Tom Porter**  
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