

Working Group for the Initial Complaint Review and Case Mediation Scheme

Standing Agenda for Thursday Calls

Teleconference details:

Dial:

Participant's code:

Attendees

Sir Anthony Hooper
Alan Bates (JFSA)
Kay Linnell (JFSA)
Ian Henderson (Second Sight)
Ron Warmington (Second Sight)
Belinda Crowe (Post Office)
Angela Van Den Bogerd (Post Office)
David Oliver (Post Office)
Andy Parsons (Bond Dickinson)
Claire Parmenter (Bond Dickinson)

Agenda

1. Status of current applications that have not yet been accepted
2. Status of accepted applications awaiting a Case Questionnaire Response
3. New Case Questionnaire Responses
4. Post Office / Second Sight investigation progress
5. Any other queries raised by Applicants / Advisors
6. Issues with resourcing / timings
7. Paper from the Chair
8. AOB

Thursday 13 March, 13:00 – 14:00

1. Status of current applications that have not yet been accepted

N/A.

2. Status of accepted applications awaiting a Case Questionnaire Response

Case No.	Status	Working Group decisions and actions
	Of the 8 cases reported to the WG, 2 have now provided required information. AB is in contact with remaining 6 and further duplicate packs have been issued. Update to be provided to WG 27/03.	Post Office to provide an update to the Working Group on 27/03

3. New Case Questionnaire Responses

Case No.	Status	Working Group decisions and actions
M041		The CQR was accepted
M095		The CQR was accepted
M116		The CQR was accepted
M143		AVDB to consider how the Post Office could expedite the case at the request of the Professional Advisor

4. Post Office / Second Sight investigation progress

Case No.	Status	Working Group decisions and actions
M005	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M013	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M017	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M022	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M030	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M031	Investigation complete. Finalising report.	Extension granted to 27/03

Case No.	Status	Working Group decisions and actions
	Extension required to 27 th March (not 1 st).	
M042	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M045	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M052	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M053	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M057	Investigation complete. Finalising report. Extension required 27 th March (not 1 st).	Extension granted to 27/03
M062	Investigation complete. Finalising report. Extension required 27 th March (not 1 st).	Extension granted to 27/03
M066	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M072	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M076	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M079	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03
M112	Case handler to visit SPMR on 14 th March. POL to update WG 27 th March	Post Office to update the Working Group on 27/03
M127	Investigation complete. Finalising report. Extension required to 27 th March (not 1 st).	Extension granted to 27/03

- AB noted the number of extensions being requested by Post Office and queried whether that was at odds with the approach being taken with Professional Advisors. AVDB is looking into how this process can be made more efficient, but some cases are taking longer to investigate due to the complexity of the issues raised. AH pointed out that the Working Group has not declined any extension requests made by Professional Advisors; only required that such requests should be put to the Working Group to consider before the expiry of the deadline and in that regard the Post Office and Professional Advisors are being dealt with in an even manner. AH said that the Working Group will expect to see progress with Post Office investigations next week..

5. Any other queries raised by Applicants / Advisors

No queries raised.

6. Issues with resourcing / timings

No issues raised.

7. Paper from the Chair

- AH had prepared a note setting out a proposed structure for Second Sight's reports. The WG discussed the note and agreed it was helpful.
- AVDB suggested that the fourth box (see paper) be expanded to take into account whether a Subpostmaster had taken reasonable steps to prevent or mitigate any loss.
- AP queried how Second Sight would be approaching similar cases. RW confirmed that Second Sight would be looking for similar fact patterns between cases (not just relying on the thematic issues) before drawing conclusions. They would also take into account how far the facts of each case had been tested through the Scheme.
- RW said that he may not be able to come to a conclusion on some of the questions. AH thought that would be an acceptable position to take if appropriate
- AH to amend his note to reflect the discussion and recirculate it to the Working Group.

8. AOB

- Comments from Second Sight and KL have been received on the letters to Howe & Co and Aver. AB confirmed he supports KL's comments and is otherwise content. AH and BC will revise the letter in light of comments. The Working Group discussed KL's comments on the letter to applicants about bankruptcy. Specifically her concerns that a letter from the Working Group asked that applicants should not include reference to evidence required by the Post Office in relation to the assignment of claim rights. AP explained that Post Office would need sight of this evidence before being able to enter into any settlement and that it would be helpful if applicants were aware of this issue as soon as possible. AP to consider options and revert back to the Working Group with a suggestion as to how to proceed.
- AH reported on the 3 live criminal cases in the Scheme. One of the cases is in Scotland and therefore all decisions about that case are being made by the Procurator Fiscal. A decision has been made by the Post Office on how to proceed with the 2 other cases but these remain confidential until Post office has notified the individuals. AH impressed on the Working Group that these matters must remain confidential.