

From: Tom Beezer [GRO]
To: Amy Prime
Cc: Andrew Parsons [GRO], Dave Panaech [GRO]
Subject: RE: Recusal application - draft documents [WBDUK-AC.FID26896945]
Date: Thu, 21 Mar 2019 06:30:41 +0000
Importance: Normal
Inline-Images: image001.png; image002.png; image003.png; image670a10.PNG; imagebbb9f3.PNG; imageb013c8.PNG

Hi Primer

You are "green" !!

Shall I pen out a short reply and then we can have a think about it ?

t

Tom Beezer
Partner
Womble Bond Dickinson (UK) LLP

d: [GRO]
m:
t:
e:

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From: Jane MacLeod [mailto:[GRO]]
Sent: 20 March 2019 23:29
To: Amy Prime
Cc: Mark Underwood1; Rodric Williams; Ben Foat; Andrew Parsons; Tom Beezer; Dave Panaech
Subject: Re: Recusal application - draft documents [WBDUK-AC.FID26896945]

Amy

I have read these quickly and suspect that I have missed the point of the witness statement. Reading it however suggests that The foundation of our claim is procedural unfairness. There is little about why we believe that there is the potential for bias (I have not correctly stated the test).

Sorry ...

Jane

Jane MacLeod

Group Director Legal, Risk & Governance

Post Office

GRO

From: Amy Prime **GRO**
Sent: Wednesday, March 20, 2019 9:33 pm
To: Jane MacLeod
Cc: Mark Underwood1; Rodric Williams; Ben Foat; andrew.parsons; Tom Beezer; Dave Panaech
Subject: Recusal application - draft documents [WBDUK-AC.FID26896945]

Jane

Please find attached the papers for the recusal application, on which we would welcome any comments. These are subject to a careful proofread by us in the morning.

Application notice

Standard form document explaining at high level the order sought.

Draft Order

Order which Post Office will be seeking from the Judge (recusal and Horizon Trial to be adjourned)

Witness Statement

The witness statement has evolved to become a simple, concise document which introduces (i) structure of the litigation; (ii) how the scope of the Common Issues Trial was set up; (iii) the dispute over admissibility of evidence; and then from these draws a conclusion that the judgment made findings / observations which fall to be decided at future trials and these findings give the impression that the judge has formed a view on these matters which will prevent him from taking an impartial view in future trials.

We have been discussing with Counsel whether a witness statement was required, but a short statement has been seen as a convenient method by which to provide the Court with the required information.

This also connects into the approach being taken with the skeleton. The skeleton will cover the law / procedural matters but also itemise in more detail than the witness statement the paragraphs of the judgment where the judge has offended the principles, with cross reference to how the judge set up these issues. A shorter witness statement therefore prevents too much cross over with the matters to be dealt with in the skeleton argument. Lord Grabiner would then also expand on these points in his oral submissions.

If there are any questions please let either Tom or me know.

Kind regards

Amy

Amy Prime

Solicitor

Womble Bond Dickinson (UK) LLP



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