

Message

From: Parsons, Andrew [Andrew.Parsons@[REDACTED] GRO]
Sent: 28/11/2016 16:55:18
To: Rodric Williams [rodric.williams@[REDACTED] GRO]
Subject: RE: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY PRIVILEGED - DO NOT FORWARD [BD-4A.FID26896945]

I quite like Paula's phrasing – lets speak to Tony and see what he says.

A

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From: Rodric Williams [mailto:rodric.williams@[REDACTED] GRO]
Sent: 28 November 2016 16:41
To: Parsons, Andrew
Subject: RE: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY PRIVILEGED - DO NOT FORWARD

I like the look of Paula's statement, but if Tony is adamant that there must be some contrition, how about:

At each stage, Post Office ascertained the position so to respond transparently to the question it believed it was being asked. With the benefit of hindsight, some of Post Office's statements may have been incorrect in light of what has since been identified in relation to Fujitsu's administrator access (see below). It is regrettable that Post Office did not anticipate the potential for Fujitsu administrator [[malfeasance]] in its previous statements, for which it is sorry, Post Office refutes any suggestion that it ever made false statements deliberately or did so to mislead or deceive. The Post Office personnel responsible for those statements made them in good faith: what was said reflected what they understood the position to be after they had made relevant enquiries at the time.

From: Parsons, Andrew [mailto:Andrew.Parsons@[REDACTED] GRO]
Sent: 28 November 2016 16:34
To: Rodric Williams
Subject: RE: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY PRIVILEGED - DO NOT FORWARD

Thanks for the heads up

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From: Rodric Williams [mailto:rodric.williams@**GRO**]
Sent: 28 November 2016 16:29
To: Parsons, Andrew
Subject: FW: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY PRIVILEGED - DO NOT FORWARD

DO NOT FORWARD - NOT FOR WIDER CIRCULATION

Andy – please see below for the business view....

From: Thomas P Moran
Sent: 28 November 2016 16:03
To: Paula Vennells; Rodric Williams; Jane MacLeod
Cc: Angela Van-Den-Bogerd; Alisdair Cameron; Tom Wechsler; Rob Houghton; Mark R Davies
Subject: RE: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY PRIVILEGED - DO NOT FORWARD

Paula

As another non-lawyers, both Rob H and I have edited along these lines and agree we should make things as straight forward as possible, and also not be apologetic given we have answered in good faith throughout.

Jane – as you now have consistent feedback from Al, Paula, me as SteerCo chair and Rob can we take the approach below as the default in our call at 5? If there is a critical legal reason why you/BD/our QC thinks we have to keep the original text or something similar we'll need to understand what that is and weigh it up against the reputational/comms impact on the network and wider business.

As discussed, key thing remaining for me is for this to have the Comms review and the reactive comms management approach in place prior to sending.

Thanks

Tom

From: Paula Vennells
Sent: 28 November 2016 15:41
To: Rodric Williams; Jane MacLeod
Cc: Angela Van-Den-Bogerd; Alisdair Cameron; Thomas P Moran; Tom Wechsler; Rob Houghton; Mark R Davies
Subject: Re: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY PRIVILEGED - DO NOT FORWARD

My preference:

"

1. At each stage, Post Office ascertained the position so to respond transparently to the question it believed it was being asked. With the benefit of hindsight, some of Post Office's statements may have been incorrect in light of what has since been identified in relation to Fujitsu's administrator access (see below). Post Office refutes any suggestion that it ever made false statements deliberately or did so to mislead or deceive. The Post Office personnel responsible for those statements made them in good faith: what was said reflected what they understood the position to be after they had made relevant enquiries at the time."

But as Al says, I'm not a lawyer either. I prefer this as it is both simple and the truth. Any reason why it needs to be different?

Thanks,

Paula

Paula Vennells
Chief Executive
Post Office Ltd

T: GRO
Paula.vennells@GRO

Sent from my iPad

On 28 Nov 2016, at 15:04, Alisdair Cameron <alisdair.cameron@GRO> wrote:

Thanks Jane. Strong letter. I paused and sucked my teeth on this para

1. At each stage, Post Office did its honest best to ascertain the position so to respond to the question it believed it was being asked. With the benefit of hindsight, some of Post Office's statements may have been incorrect in light of what has now been identified in relation to Fujitsu's administrator access (see below). However, Post Office refutes any suggestion that it ever made false statements deliberately or did so to mislead or deceive. The Post Office personnel responsible for those statements believed the statements when they were made. What was said reflected what they understood the position to be after making relevant enquiries.

For the avoidance of doubt, I am sure it is true, it just reads defensively and as a conspiracy theorist's wet dream? Happy to leave it with your best judgement but rather than making value statements about honesty, may have been incorrect, I did wonder if we would be better off simply saying..."We now understand the question more fully and would answer questions X and Y as follows: "Fujitsu can do X but there are rigorous controls of Y etc."

Only a thought and no need to change it if you disagree, I am not a lawyer!

Thanks Al

From: Jane MacLeod

Sent: 28 November 2016 13:50

To: Paula Vennells <paula.vennells@GRO>; Alisdair Cameron

<alisdair.cameron@GRO>
Cc: Rodric Williams <rodric.williams@GRO>; Angela Van-Den-Bogerd <GRO>
<GRO>; Thomas P Moran <GRO>; Tom Wechsler
<tom.wechsler@GRO>; Rob Houghton <GRO>; Mark R Davies
<GRO>
Subject: Postmaster Litigation - Remote Access: extract from draft Letter to Freeths - LEGALLY
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Paula, Al

Attached is the current draft of the proposed wording regarding remote access that is to be included in a much longer, and largely procedural letter to be sent to Freeths later tomorrow. We have a further call with our QC at 5pm this evening to review this wording again with the team and Mark Davies is included on that. For reference the key statement made in the letter to Freeths in July, was as follows:

4. **"Administrator access to databases.** Database and server access and edit permission is provided, within strict controls (including logging user access), to a small, controlled number of specialist Fujitsu (not Post Office) administrators. As far as we are currently aware, privileged administrator access has not been used to alter branch transaction data. We are seeking further assurance from Fujitsu on this point."

Freeths have picked this up and therefore the new wording is designed to address their challenges.

Please let me have any comments asap

Jane

Jane MacLeod

General Counsel
Ground Floor
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LONDON
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