

Message

From: Peter Hall [GRO]
Sent: 01/05/2019 14:11:36
To: Calum Greenhow [GRO]
Subject: Elephant in the room section of the magazine article on your conference speech

Hi Calum,

I've just put this together – it will be a boxed out section within a wider article on your speech. It think it's important you are happy with the content as it will definitely attract attention from certain groups.

Calum also addressed what he called “the elephant in the room” – the Bates vs Post Office Ltd group litigation.

Taking a strong line on Justice Fraser's references to the NFSP in his judgement on the first trial, Calum told delegates “We were not asked to take part, nor were we asked for any evidence. However, we have been dragged into a situation without the ability to defend ourselves.” Calum stated that Justice Fraser allowed the court to be embroiled in a conspiracy theory perpetrated by those who seek to occupy the space the NFSP does as the representative body for subpostmasters.

He continued to say “I am not responsible for the decisions of my predecessor, or his predecessor; but I am responsible for the decisions that I make today on behalf of the NFSP... We simply cannot allow anything like this to happen again.”

To that end, Calum announced two key actions the NFSP has taken off the back of the recent judgement.

- Successfully challenging Post Office Ltd in order to change elements of the NFSP's Grant Framework Agreement (GFA) about which Justice Fraser was critical – specifically the (pending) removal of clause 5.3 and aspects of clause 17 that link to 5.3.
- Creating a new role, which will be filled by outgoing Chairman Nilesh Joshi, with responsibility for legal and regulatory issues. In this new role, Nilesh will work with the PO contracts department to ensure consistency across the country and that decisions are fair and timely. A key part of the role will be to oversee the collation and review of contract interview cases. Calum said “we will be able to check for patterns, inconsistencies and anomalies using our new information management system. Where we see patterns, we'll aim to investigate them as to why. Most importantly, we'll use this data to challenge Post Office”.

Calum also referred to clause 31 of the GFA which details the NFSP's ability to escalate and challenge PO through mediation. Something he noted that Justice Fraser “didn't talk about... but then that wouldn't have fitted into the conspiracy theory”.

Calum outlined how the NFSP can trigger the process leading to mediation if we believe PO are acting in a manner that is detrimental to the network and no satisfactory resolution can be otherwise reached. Closing his speech, Calum told delegates: “it is important that you understand the independence of the NFSP and our ability to challenge the Post Office where necessary on your behalf. It is there, written in black and white and posted on our website for all to see.”

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