
From: Alwen Lyons[/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ALWEN.LYONS648EE5C4-F2A8-40E2-9F55-1B9B1E4F6D52]
Sent: Fri 28/06/2013 4:32:25 PM (UTC)
To: Mark R Davies[]; Hugh Flemington[]; Lesley J Sewell[]
Cc: Rodric Williams[]; Jarnail A Singh[]
Subject: Re: 14 Bug - Wall

Can we call bugs incidents from now on please

Thanks

Alwen

Alwen Lyons
Company Secretary

GRO

Sent from Blackberry

From: Mark R Davies
Sent: Friday, June 28, 2013 04:28 PM
To: Hugh Flemington; Alwen Lyons; Lesley J Sewell
Cc: Rodric Williams; Jarnail A Singh
Subject: RE: 14 Bug - Wall

Can we change the way we are referring to this please as a matter of urgency?

From: Hugh Flemington
Sent: 28 June 2013 17:28
To: Alwen Lyons; Lesley J Sewell; Mark R Davies
Cc: Rodric Williams; Jarnail A Singh
Subject: Fw: 14 Bug - Wall

Useful

From: Rodric Williams
Sent: Friday, June 28, 2013 04:23 PM
To: Hugh Flemington
Cc: Jarnail A Singh
Subject: FW: 14 Bug - Wall

Fyi – summary advice on the impact of Bug 14 on Bowness Road

From: Parsons, Andrew [];
Sent: 28 June 2013 16:39
To: Rodric Williams
Cc: Pheasant, Andrew
Subject: 14 Bug - Wall

Rodric

I've spoken with Andy Pheasant.

In short:

- Mrs Wall was terminated in September 2011. The first "14 Bug" error in her branch occurred after she was terminated in January 2012. Mrs Wall was therefore not prejudiced by this error in anyway (the gain actually fell on the next SPMR).
- In any event, the 14 Bug could have no legal effect on Mrs Wall's claim against POL – her claim is for loss of business due to alleged comms failures which is unrelated to the 14 Bug.
- The 14 Bug will not undermine the reasons for her termination as (1) it did not affect her and (2) she was terminated for branch mismanagement and sharing passwords.
- However, Mrs Wall may try to draw the 14 Bug issue into her claim as a way to (1) muddy the waters around Horizon or (2) embarrass POL into settling.

More detailed information below just in case.

Kind regards
Andy

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Termination

The reasons for termination were:

1. Failure to manage the branch satisfactorily resulting in a shortfall of £24,593.43;
2. Failure to make good these losses; and
3. An admission that passwords for the Horizon system were not kept confidential to individual users.

The discrepancy appears to have arisen due to shortfalls on individual stock units, which were posted to the local suspense account. In order to pass into the next trading period the losses were settled centrally. Horizon records showed this was done by Mrs Walls user ID at 17:48 on 22 June 2011. In addition between 23 June 2011 and 20 July 2011 Mrs Walls ID was shown clearing losses and gains from the local suspense. As was also concluded by the report when considering whether to charge Mrs Wall, the accounts were being manipulated by either herself or someone with access to her user ID.

This termination followed a previous suspension (for grounds 1 and 2 above) where a shortfall of £37,328.68 was settled centrally. Mrs Wall was reinstated on 31 March 2011 due to extenuating personal circumstances and on the basis the shortfall was cleared, which it was.

On-going Court Claim

Current Position

We have made a drop hands offer to Mr and Mrs Wall on the basis both sides bear their own costs. The claim has been referred to a judge as it may be in the process of being struck out due to Mr and Mrs Wall failing to comply with an unless order (we have not been able to get any clarification from the Court on this despite several attempts to make contact). We await further directions or for the matter to be listed for a Case Management Conference.

Summary

The claim was made by Mr and Mrs Wall against POL, BT Group Plc and Fujitsu Service Limited. It was based on the following:

- A "fault" on the Horizon system at the Post Office from May 2011 to March 2012 resulting in reduced work;
- Processing of transactions were very slow and the system crashed;
- Resulted in a downturn of customers at the Post Office and adjoining store and takings;
- Some contact with Horizon helpline were made mainly over November 2011;
- Overall it appears to be a loss of business claim, not one specifically directed at Horizon.

The Defence was that:

- It is the sub-postmasters' responsibility to maintain the telephone line;
- Therefore any problems associated with it were not the responsibility of POL;
- If there was a justified claim it would be against either BT or Fujitsu.

No counterclaim has been made as any debt was compromised by the Individual Voluntary Arrangement (IVA) entered into by Mrs Wall. Any shortfalls were claimed within the IVA.

=====

Andrew Parsons
Senior Associate

for and on behalf of Bond Dickinson LLP

Bond Dickinson

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