POL00372558

Message

From: Martin Edwards [/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MARTIN EDWARDS1F838E9D3-CC99-4040-B432-33552E99ED2DDD]
Sent: 23/10/2013 23:18:31
To: Rodric Williams [GRO]
Subject: RE: CEO's report text on criminal cases review

Hi Rodric – yes, agree a quick catch-up tomorrow makes sense.

As you'll see from the text I've just rearticulated, I've decided it's probably better not to mention the Helen Rose report specifically, as it will only serve to confuse things with the Board (although I will still need to give Paula background notes on the issue).

I've also cut back the text on the review of past cases – hope this still works.

Thanks again for your help,
Martin

From: Rodric Williams
Sent: 23 October 2013 20:57
To: Martin Edwards
Subject: RE: CEO's report text on criminal cases review

I thought as much!

Can I suggest we take 10 – 15 mins tomorrow morning to go over what we have and where it goes to help me tailor the response?

Rodric Williams I Litigation Lawyer

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From: Martin Edwards
Sent: 23 October 2013 20:47
To: Rodric Williams
Subject: RE: CEO's report text on criminal cases review

Thanks very much Rodric. Unfortunately I think I probably do need to give Paula more information on this, as this is going to raise all sorts of questions from her and the Board! Please could you send me the report and any associated advice etc?
Thanks again,
Martin

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From: Rodric Williams
Sent: 23 October 2013 20:42
To: Martin Edwards
Subject: RE: CEO's report text on criminal cases review

Martin,

Cartwright King advised that the Helen Rose Report meets the test for disclosure (ie it might undermine the prosecution's case or assist the accused's), and is therefore being disclosed where appropriate.

I have added a very high level sentence to address this (again in **bold**). I have quite a bit of further information on the Helen Rose Report, so can go into it in more detail if required. Please let me know if you would like me to do so, or if you want to see any of the underlying documents (e.g. the Report itself, or Cartwright King's or Brian Altman's advice on it).

Kind regards, Rodric

Further Amended Text

- Our criminal barrister, Brian Altman QC, has now completed his review of the approach we are taking to reviewing cases that have been subject to prosecution, in particular looking at whether we are complying with our duty to disclose the findings of the Second Sight and "Helen Rose" reports to the defence team in cases where it is appropriate to do so **(the "Helen Rose" report was prepared in June 2013 by a member of the Post Office security team, and refers to emails with Fujitsu from January and February 2013 suggestive of there being issues with Horizon, training and support)**. His conclusion is that our approach is "fundamentally sound", enabling us to assert (for example to the Criminal Cases Review Commission) that insofar as our historic prosecutions are concerned, we responded to the Second Sight report in a prudent and responsible manner. To date, following several sifts our external firm of solicitors has identified 10 cases where disclosure is required. It is now a matter for the defence in those particular cases to determine what action (if any) they might take in light of this additional information.

Rodric Williams I Litigation Lawyer

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From: Martin Edwards
Sent: 23 October 2013 18:46
To: Rodric Williams
Subject: Re: CEO's report text on criminal cases review

Hi Rodric - thanks for this. Is the Helen Rose report a key part of the disclosure? If so I think we'll need to include the reference to it in square brackets below. But we'll also need a sentence to explain what it is, as Paula and the board

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won't have heard of it. Please could you suggest some wording?
Many thanks, Martin

From: Rodric Williams
Sent: Wednesday, October 23, 2013 04:44 PM
To: Martin Edwards
Subject: RE: CEO's report text on criminal cases review

Martin – I have highlighted my amendments in **bold** below.

Please note:

- I have left in "fundamentally sound" as Brian uses it in his report (para. 5(xii));
- Brian's view on the CCRC is that we have "responded to the Criminal Cases Review Commission appropriately… but should the Commission continue to show interest in these cases there might have to come a time when Post Office Ltd considers sharing Cartwright King's review findings with the Commission, and cooperating with the Commission." (para 5(xi)).

I am also getting answers to the issues we discussed earlier this afternoon, and should have something tomorrow morning.

Please let me know

Amended Text

- Our criminal barrister, Brian Altman QC, has now completed his review of the approach we are taking to reviewing cases that have been subject to prosecution, in particular looking at whether we are complying with our duty to disclose the findings of the Second Sight **[and "Helen Rose"]** report**[s]** to the defence team in cases where it is appropriate to do so. His conclusion is that our approach is "fundamentally sound", **enabling us to assert** (for example **to** the Criminal Cases Review Commission) **that insofar as our historic prosecutions are concerned, we responded to the Second Sight report in a prudent and responsible manner**. To date, following several sifts our external firm of solicitors has identified **10** cases where disclosure is required. It is now a matter for the defence in those particular cases to determine what action (if any) they might take in light of this additional information.

Rodric Williams I Litigation Lawyer

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From: Martin Edwards
Sent: 23 October 2013 16:27
To: Rodric Williams
Subject: CEO's report text on criminal cases review

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Hi Rodric – as discussed, here's the text. Grateful if you could amend as appropriate (ideally today if possible).

Thanks, Martin

- Our criminal barrister, Brian Altman QC, has now completed his review of the approach we are taking to reviewing cases that have been subject to prosecution, in particular looking at whether we are complying with our duty to disclose the findings of the Second Sight report to the defence team in cases where it is appropriate to do so. His conclusion is that our approach is "fundamentally sound", providing us with strong grounds to resist any formal review of our historic prosecutions (for example by the Criminal Cases Review Commission). To date, following several sifts our external firm of solicitors has identified 11 cases where disclosure is required. It is now a matter for the defence in those particular cases to determine what action (if any) they might take in light of this additional information.

Martin Edwards I Chief of Staff to the Chief Executive

GRO

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