



## Minutes of Meeting

Confidential / Legally Privileged/ Do not Share

<b>GLO CONTINGENCY PLANNING GOVERNANCE</b>	
<b>Finsbury Dials / Telephone Conference</b>	
<b>4 July 2019 ; 16:30pm</b>	
<b>Attendees:</b> Ben Foat (BF), Andy Parsons (AP), Alan Watts (AW), Rodric Williams (RW), Angela Van-Den-Bogerd (AVDB), Stuart Nesbit (SN), Melanie Corfield (MC), Catherine Hamilton (CH), Julie Thomas (JT), Patrick Bourke (PB), Aimee Daughters (AD), Nick Beal (NB), Zoe Brauer (ZB), and Kate Emanuel (KE)	
<b>Apologies:</b> Amanda Jones (AJ), Kirsten Massey (KM),	

Agenda

1	<b>Trial Updates</b>
2	<b>Individual Claimant Case Profiles</b>
3	<b>Settlement</b>
4	<b>ARA</b>
5	<b>Operational Impact</b>
6	<b>Stakeholder Activity</b>
7	<b>Resource Requirements</b>
8	<b>Costs Update</b>
9	<b>Agreed Actions</b>
10	<b>Next Meeting</b>
11	<b>A.O.B</b>

1	<p><b>Trial Updates</b></p> <p><u>Horizon Issues Trial</u></p> <ul style="list-style-type: none"> <li>Closing submissions finished on 2 July</li> <li>General themes: <ol style="list-style-type: none"> <li>Claimant's closing – put forward case that they lacked information, there was poor disclosure and Post Office has been secretive. Their closings tried to build a narrative that there is a lot more Horizon negative information out there. Attempt was made at making a connection between specific duplication bugs and the Jo Hamilton case. J.Fraser made it clear that he was not going to get involved in or comment on the criminal cases.</li> <li>Post Office closing – there are little stories about problems with horizon however these are not representative of the whole system. Not enough evidence of bugs in the scale of this system to find the system was entirely faulty.</li> <li>J.Fraser has indicated that a judgment won't be passed down until after mid-September</li> <li>Counsel provided initial view of what the judgment might look like. This view has not changed post closings.</li> <li>View still remains that the judgment is expected to be long and heavy on the facts and stories of the claimants. Still unsure as to what the final finding will be however, neither party gave a full definition of robustness and therefore J.Fraser has some room for interpretation.</li> </ol> </li> </ul> <p><u>Common Issues Appeal</u></p> <ul style="list-style-type: none"> <li>Appeal was filed 28 July with a letter expressing that Post Office would rather the appeal be heard in front of three CoA judges.</li> <li>CoA granted application for amended grounds of appeal.</li> <li>CoA have written to HSF to confirm that Lord Justice Coulson will consider an oral hearing.</li> <li>Lord Justice Coulson indicated second half of September</li> </ul> <p><u>Trials 3 &amp; 4</u></p>
---	--

## Minutes of Meeting

## Confidential / Legally Privileged/ Do not Share

	<ul style="list-style-type: none"> <li>On 2 July, J.Fraser ordered that the Further Issues Trial scheduled to commence on 3 November is to be vacated and listed to be heard commencing 2 March 2020.</li> <li>Directions for the Further Issues Trial will be made at a Case Management Conference 23 July 2019. Endeavour to agree a timetable in advance of this.</li> <li>Timetable will involve a round of early disclosure, pleadings by both sides, another round of disclosure, witness statements and discussion as to whether experts are needed (potentially require IT experts or forensic accounting expert dependant on what the pleadings of the claimant look like)</li> <li>Claimants have intimated that they want to wait until after the Horizon judgment for first round of pleadings. There is concern that this leaves 5 months for the remaining directions and puts both parties under pressure ahead of the March 2020 trial. Discussions with Freeths to follow.</li> <li>Merits opinion on limitation expected by end of week 12 July.</li> </ul>
2	<p><b>Individual Claimant case profiles</b></p> <p><u>Common Issues Lead Claimants</u></p> <ul style="list-style-type: none"> <li>Meeting are being set up with Tom Cooper, for him to be taken through the 6 lead claimants for Common Issues trial. Expected to happen by end of July if not early August.</li> </ul> <p><u>Wider Claimant Group</u></p> <ul style="list-style-type: none"> <li>There are a number of reasons for commissioning a full review of claimants, as well as pressure from Board to have oversight over full group of claimants.</li> <li>WBD have produced a high level scoping paper for options and cost breakdown for this review.</li> <li>BF – emphasised the need to prioritise this piece of work. There should be understanding over full claimant group.</li> <li>AW – discussions need to be had on whether HSF can access POL systems for this data.</li> </ul> <p><u>Criminal Cases</u></p> <ul style="list-style-type: none"> <li>WBD host a digital platform for all materials that deal with the CCRC. WBD to grant HSF access. <b>See Action 1.</b></li> <li>31 of these are claimants in the group litigation, a factual matrix for the criminal cases needs to be put together.</li> <li>AW - need to look at what we want to achieve, rather than reviewing information blindly. This point is raised continuously by Tom Cooper</li> <li>AP to circulate briefing note on background of criminal cases. <b>See Action 2.</b></li> <li>RW and KE to pick up offline.</li> </ul>
3	<p><b>Settlement</b></p> <p><u>Update on correspondence with Claimant</u></p> <ul style="list-style-type: none"> <li>WBD wrote to claimant with proposed mediation dates, still awaiting a response.</li> <li>AP had a conversation with Freeths and they want to know whether Post Office is being genuine in the offer to mediate. Their concern is a mediation will rack up costs and this is to be avoided if Post Office aren't wanting to engage in the process fully.</li> <li>Settlement approach paper needs to be put together for the Board Subcommittee to gain approval on approach.</li> <li>RW – the worry with a paper is that settlement is a two way street and until we know there is engagement from the other side there is little to speak to. Without prejudice discussions need to happen between lawyers first.</li> <li>AW – put to Board Subcommittee a plan that comprised of Post Office's 'wish list' of steps to settlement but with a caveat that the steps are dependent on Freeths engaging in the mediation and if not then the plan could substantially change. <b>See Action 3.</b></li> </ul> <p><u>Meeting with UKGI on 15 July</u></p>

## Minutes of Meeting

Confidential / Legally Privileged/ Do not Share

4	<b>ARA – BF</b> <ul style="list-style-type: none"> <li>BF has provided first draft to Al Cameron.</li> <li>Final paper will be shared with the Post Office auditors – PWC.</li> </ul>
5	<b>Operational Impact</b> <u>Update on workshops and preparation for July Board</u> <ul style="list-style-type: none"> <li>Traceability matrix has been created and is read to be shared. ZB is currently working on an executive summary of the document that will form part of the July board paper.</li> <li>JT – it will be challenging to get everything into one paper. A potential option is to pull together behavioural and cultural behaviours into a reading paper for POL board to be able to top line wider operational aspects.</li> </ul> <u>Historic Claims</u> <ul style="list-style-type: none"> <li>Current total of historic claims is at 25 following the judgement. This figure is lower than expected.</li> <li>Nothing so far has met threshold to be reported back to Freeths.</li> <li>Next step is considering what needs to be done in respect of those claims - do we investigate them, leave them at the moment. ZB and JT to pick up offline.</li> <li>JT – two categories of historic claims, those who have left the business and then current agents. Two categories potentially mean two different approaches to historic claims.</li> <li>BF – resolving this should go to Board Subcommittee to determine what to do with the historic claims. <b>See Action 4.</b></li> <li>ZB – there is also a resource implication for this work - to pick up with JT.</li> </ul>
	<b>Comms Update</b> <ul style="list-style-type: none"> <li>Work being completed to ensure comms approach is closely aligning with contingency reporting which will cover the three potential scenarios of the horizon judgment.</li> <li>The work has been focused on the scenario of a very bad judgment, lining up where there is risk and ensuring a core narrative is put in place</li> <li>Expected that this work will be finalised over next week or so ready for the July Board.</li> <li>There are also discussions about reviewing the overall comms plan as the current approach hasn't particularly worked in Post Office's favour.</li> <li>PB - at what point do we get more granular about individual cases and start to respond more specifically. There are far more discussions to be had on this before a substantial proposal can be produced.</li> </ul>
	<b>Horizon Contingency</b> <ul style="list-style-type: none"> <li>Series of workshops have been held with Deloitte to put together contingency planning proposal/presentation that pulls together a plan of mitigation actions.</li> <li>The plan picks up the key actions that need to be communicated, identifying the business impact, what the response will be, the owner of the response and the timeline.</li> <li>The expectation is that before the July Board a lot of mitigations will have already been delivered to prevent risks from crystallising.</li> <li>BF – Tim's focus of the contingency planning are the operational/technical measures that will be introduced in response to the judgment.</li> </ul>
6	<b>Stakeholder Activity</b> <ul style="list-style-type: none"> <li>Not discussed</li> </ul>
7	<b>Resource Requirements</b> <ul style="list-style-type: none"> <li>Protocol for responding to judgment in case of absence etc to be put in place. <b>See Action 5.</b></li> </ul>
8	<b>Costs Update</b> <ul style="list-style-type: none"> <li>Not discussed</li> </ul>

**Minutes of Meeting****Confidential / Legally Privileged/ Do not Share**

<b>9</b>	<b>Agreed Actions</b> <ul style="list-style-type: none"><li>Not discussed</li></ul>
<b>10</b>	<b>Next Meeting</b> <ul style="list-style-type: none"><li>Not discussed</li></ul>
<b>11</b>	<b>A.O.B</b> <ul style="list-style-type: none"><li>Ensure updated timetable and action lists are circulated to steerco attendees each week.</li></ul>

**Actions**

<b>No</b>	<b>Description</b>	<b>Owner</b>	<b>Status</b>
1	Provide HSF access to digital platform hosting all CCRC related documents	WBD	
2	Circulate to HSF briefing note on the CCRC cases	WBD	
3	Settlement approach paper	HSF	
4	Historic claims approach paper	Zoe Brauer, Julie Thomas & WBD	
5	Judgment response protocol	WBD	

Author of Minutes: AD

Date: 4 July 2019