

From: "Parsons, Andrew" <[redacted] GRO>
To: Rodric Williams <[redacted] GRO>
Cc: "Prime, Amy" <[redacted] GRO> "Lukas, Elisa" <[redacted] GRO>

Subject: Generic Defence [BD-4A.FID26896945]

Date: Tue, 23 May 2017 08:16:04 +0000

Importance: Normal

Attachments: Bates_v_Post_Office.Outline_Defence.19May2017.docx

Inline-Images: image301cef.JPG; image07c697.PNG; imagef0d08e.PNG; imaged6cb45.PNG

Rod

Apologies for not being around for the last few days.

Please find attached a first cut of a Generic Defence.

In this first draft, Tony and Owain have attempted to produce a proper Defence that addresses all the allegations. Our current view however is that this creates a very long document and leaves us open to hostages of fortune (eg. denying very vague allegations that then may turn out to be true in certain cases). Tony is also very concerned about inadvertently accepting the burden of proof on many points. He therefore favours simply "not admitting" some points rather than outright denying them (as a denial would then require us to assert evidence supporting out denial).

The expectation is that the final form defence will likely be shorter and will change shape slightly. However, we can now say, hand on heart, to the judge, that a fully pleaded Defence is simply not possible in light of the poor quality of the GPOC.

Also, as expected, the draft Defence has flushed out a number of points on which further information is needed. Having spoken with Tony, our proposed plan is:

I'm going to see him today to scope out what further information he needs

We're then going to setup a meeting with the key people at POL (eg. Kath, Shirley, etc) so that Tony can speak to them directly.

BD will then chase down any missing info.

We might need your help freeing up diaries at the POL end.

No need for you to review the Defence at this stage and its not for circulation within POL (Tony made me promise this!). It's just an outline draft, but I wanted you to just get a sense of the direction of travel.

Kind regards

Andy

Andrew Parsons
Partner
Bond Dickinson LLP

Bond Dickinson

Direct:
Mobile:
Office:

GRO

Follow Bond Dickinson:



www.bonddickinson.com



LegalWeek
Best Legal Adviser
2016-17

**OVERALL BEST
LEGAL ADVISER**