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**From:** Andy Holt[IMCEAEX-  
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\_CN=RECIPIENTS\_CN=ANDY+2EHOLT1F932521-2F1A-4377-9268-  
FD0FCF5C7371@C72A47.ingest.local]  
**Sent:** Wed 23/10/2013 1:41:41 PM (UTC)  
**To:** Alwen Lyons[GRO]  
**Subject:** Sparrow - update for Alice/JA

Hi Alwen – this is based on an update I pulled together for the CEO's report that is going to the Board. I think this feels like the right sort of level for Alice/JA.

1. I think I should remove the settlement policy update as this irrelevant to JA (text in orange).
2. I have then added some additional bits in blue (these include speaking notes from Paula's CEO update and some areas that I thought might be of interest given the previous updates you sent me).

I have also sent this to Belinda because she met Alice this morning so may have some views – I will feed her comments in when I get them later.

Let me know your thoughts and we can quickly refine and finalise.

Regards

Andy

## Project Sparrow Update

The Mediation Scheme has received 53 applications from subpostmasters since it was opened at the end of August. 44 of the applications have been accepted on to the scheme and await full submissions from the subpostmasters, the remainder require additional information, need to exhaust internal PO processes or are in legal processes which exclude them from joining at this time. The application closure date is the 18<sup>th</sup> November, subpostmasters will then have a month to complete their full applications before we investigate the cases in detail. The aim is to get some cases into Mediation before the end of 2013 with the majority happening between January and March. We are in the final stages of appointing Sir Anthony Hooper, he will chair his first Working Group meeting on Friday 25<sup>th</sup> October. We will make a positive press release around this time which will include buy in from the JFSA. The independent panel of advisors are now in place for subpostmasters so they can get support in creating their full submissions into the Scheme. A written Settlement Policy for the Scheme is being produced. The Policy will explain (1) the process for refining our understanding of the costs and outcomes of the Scheme and (2) the parameters for where/how PO maybe prepared to settle individual cases. This policy is being developed to ensure that a consistent approach is taken to each case and to ensure that those attending each mediation on behalf of PO have a clearly defined mandate for what may be offered by way of settlement. This Policy will be reviewed and approved by the Sparrow Steering Group before submission to ExCo & the Board.

Brian Altman QC's first review has now been received. This first review looked into PO's compliance with its prosecution duties in light of Second Sight's findings – in particular, it considered PO's legal duty to ensure that Second Sights' findings were fully disclosed to any person who is currently being or has previously been prosecuted by PO. He concluded that PO is complying with its duties and that the approach adopted by the prosecution team was "fundamentally sound". This report gives PO good grounds to resist any formal external review of its historic prosecutions (i.e. by the Criminal Cases Review Commission). The Criminal Case reviews continue with our external firm of solicitors so that PO complies with these disclosure obligations. They have completed several sifts and this process has thus far 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.

Brian Altman QC's final review is also progressing and it is expected to complete as planned by the end of October. This review will address the question of how PO may wish to approach prosecutions in the future, this will be shared with the Board at the end of November.

The Improvement Work stream has completed the 'as is' experience for subpostmasters. The team are now progressing with the "to be" picture and identifying the gaps and issues as well as defining the activities that will be needed to get us to our future model. Members of the programme are now tasked with articulating the vision,

behaviours and outcomes they as leaders should be looking for from their teams so that they address both the cultural challenges as well as the improvement activities needed to achieve the outcomes for this work. Having approved the terms of reference for the Branch User Forum we are now recruiting subpostmasters to participate on the forum so that the initial meeting can convene in mid November.

Role of SS - PO have made positive steps to reduce the scope of Second Sight but there are still challenges given their influence with MP's and subpostmasters from their initial work.

- SS' role has been reduced to investigating specific cases – under its original scope of work SS was entitled to look broadly at any aspect of Horizon.
- Under the Mediation Scheme, Second Sight are no longer responsible for supporting the subpostmasters in understanding and defining their problems & concerns – this area of their work was proving to be slow and time consuming.
- SS are no longer required to give a definitive view on the efficacy/reliability of Horizon – it only needs to offer its best assessment of each Subpostmaster's case
- PO have created a small dedicated team to streamline the investigation process.

Next steps

- Use the appointment of Sir Anthony to remove the need for SS to formally vote at Working Group meetings – thereby moving them to an advisory role only.
- Migrate the investigation of cases from SS to the internal PO team.

Shoesmith update: they declined to be on the panel of advisors. They felt the sum proposed was insufficient to cover the expected amount of work that will be involved in locating, understanding and analysing the evidence for each case and representing the client's at the mediation process.

Finances - the projected costs of £1.6M exclude compensation which will be estimated when the settlement policy is finalised and full submissions received from subpostmasters. This will allow the analysis on the treatment of these costs within the p&l.

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**From:** Martin Edwards

**Sent:** 18 October 2013 16:26

**To:** Andy Holt

**Cc:** Belinda Crowe; Rodric Williams; Chris Aujard; Hugh Flemington; Angela Van-Den-Bogerd; Charles Colquhoun

**Subject:** Sparrow - text for CEO's report

Andy

Thanks very much for this. A few questions/requests for further information (which copy recipients may be better placed to answer).

1. Would be good to include a line on the review of prosecutions policy – i.e. just updating the Board that work on this is progressing and they will see a paper at the next ARC or Board. Following yesterday's discussion, please can we confirm the arrangements?
2. I think we should have a few lines on compensation policy, as this is very much on the Board's mind given the link to costs and outcomes. Please can we have some sentences to explain what work has been done so far, the initial conclusions and the next steps to develop the policy in more detail?
3. I think the Criminal Case review process needs more explanation, in particular an explanation of the implications of the 11 cases where disclosure has been recommended. (Even if we don't want to include too much on this in the text itself, useful for Paula to have in her background notes). Can we also have an explanation of the high level conclusions of the Brian Altman review, along the lines outlined by Rodric yesterday?
4. Further to yesterday's discussion, please could we also have some lines for background speaking notes on the process/outlook for resolving SS's involvement in the WG etc?

5. Would be good to put in a rough date (or at least month) for the first meeting of the Branch User Forum. Late October? Early November? Or at least by end November?
6. At what point do we expect the first cases to go to mediation?
7. Finally, as mentioned to Charles, Paula/Chris will need a few background notes on projected costs and accounting arrangements.

For the additional text which needs to go into the report itself it would be good to have this as soon as possible. We've got more time for the background notes (would need these finalised by the end of next week).

Give me a shout if useful to discuss.

Thanks,  
Martin

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**From:** Andy Holt  
**Sent:** 16 October 2013 16:21  
**To:** Martin Edwards  
**Subject:** RE: Information for Paula's 1:1 with Chairman

Martin

Does this look like the right sort of level/content. I have tried to stick to the themes of the previous update so this is relevant to the board. I have not mentioned next steps on compensation policy as I couldn't find a reference to this in the last paper but for you info I would expect another iteration next week before we can look at how this works with a sample of current submissions. We will bring this back to the steering board for review in 2 weeks.

### **Project Sparrow Update**

The Improvement Work stream has completed the 'as is' experience for subpostmasters. The team are now progressing with the "to be" picture and identifying the gaps and issues as well as the activities that will be needed get us to our future model. Members of the programme are now tasked with articulating the vision, behaviours and outcomes they as leaders should be looking for from their teams so that they address both cultural challenges as well as the improvement activities needed to achieve the outcomes required.

The Mediation Scheme has now received 46 applications from subpostmasters since it was opened at the end of August. 37 of the application have been accepted on to the scheme and await full submissions from the subpostmasters. The remainder require additional information, need to exhaust internal Post Office processes or are in legal processes which exclude them from joining at this time. The application closure date is the 18<sup>th</sup> November, we will then have all the cases we will need to manage in the initial scheme. We are in the final stages of appointing Sir Anthony Hooper as the independent chair and expect to have him in place by the end of October.

The Criminal Case reviews continue with our external firm of solicitors. They have completed several sifts of past cases and have recommended disclosure on 11. Brian Altman QC's review is also progressing well and it is expected to complete as planned by the end of October.

Having approved the terms of reference for the Branch User Forum we are now recruiting subpostmasters to participate on the forum so that the initial meeting can convene.

Regards

Andy