

Message

From: Parsons, Andrew [GRO]
Sent: 03/07/2014 13:44:36
To: Belinda Crowe [GRO]; Chris Aujard [GRO]
CC: Rodric Williams [GRO]; David Oliver [GRO]; Thorp, Ben [GRO]
Subject: RE: Mediation for M022 and M127 [BD-4A.FID20472253]

Belinda

I'm happy with this draft.

Kind regards
Andy

Andrew Parsons

Senior Associate

for and on behalf of Bond Dickinson LLP

Bond Dickinson

Direct: [GRO]
Mobile: [GRO]
Fax: [GRO]

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From: Belinda Crowe [mailto:[GRO]]
Sent: 03 July 2014 14:38
To: Parsons, Andrew; Chris Aujard
Cc: Rodric Williams; David Oliver; Thorp, Ben [GRO]
Subject: RE: Mediation for M022 and M127 [BD-4A.FID20472253]

Andy

I think that we have Tony's attention for an hour. Need to get this to him quickly. Some comments below

Belinda Crowe

148 Old Street, LONDON, EC1V 9HQ

[GRO]

[GRO]

From: Parsons, Andrew [mailto:[GRO]]
Sent: 03 July 2014 14:10
To: Belinda Crowe
Cc: Rodric Williams; David Oliver; Thorp, Ben [GRO]
Subject: RE: Mediation for M022 and M127 [BD-4A.FID20472253]

Belinda

A slightly revised version of the email below with a few tweaks from Rod.

A

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From: Chris

To: WG

TO BE SENT AS A REPLY TO IAN's EMAIL ATTACHING THE NEW ATM EXTRACT FROM THE PART 2 REPORT

All

Post Office's priority is to mediate cases M022 and M127 as soon as possible and would be reluctant to move the agreed mediation dates (if for no reason other than I suspect that the Applicants may have had to take time off work to attend on the agreed dates and may have also already made travel / accommodation arrangements). The WG has already decided that both cases could proceed to mediation without the Part 2 Report and I don't see why we should re-open that decision, particularly as the WG has passed control of these cases to the parties and CEDR.

Releasing a draft additional report at this late stage may confuse the preparation for those mediations. In both cases, the parties are likely to be finalising, and will shortly be exchanging, mediation statements based on the information already in circulation and pre-mediation discussions with the mediators may already have been set up. These steps would probably need to be delayed if new information was released now.

Having briefly reviewed the revised draft Part 2 Report, it appears not to have changed significantly from the previous draft. It is recognised that this is a "work in progress" and so it has not yet addressed a number of concerns raised by Post Office previously (ie. only the highlighted comments in the attached have been addressed so far). It is Post Office's view that this document is a long way short of being ready for release to Applicants and is concerned that, in its current form, it may in fact cause greater disagreement rather than bring clarity - certainly Post Office does not accept the report's current findings.

Regards
Chris

=====

Andrew Parsons

Senior Associate

for and on behalf of Bond Dickinson LLP

Bond Dickinson

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From: Parsons, Andrew

Sent: 03 July 2014 13:26

To: 'Belinda Crowe'

Cc: Rodric Williams; David Oliver; Thorp, Ben (GRO)

Subject: RE: Mediation for M022 and M127 [BD-4A.FID20472253]

Belinda

Please find below a draft response on the Part 2 report for your consideration. I've gone for a slightly tougher line in that I think we should outright resist the disclosure of the report rather than leave open a slight possibility of the report going out. Happy to re-draft though.

Having reviewed the draft report it is still a deeply unsatisfactory document.

Kind regards
Andy

=====

From: Chris

To: WG

TO BE SENT AS A REPLY TO IAN's EMAIL ATTACHING THE NEW ATM EXTRACT FROM THE PART 2 REPORT

All

Post Office's priority is to mediate cases M022 and M127 as soon as possible and would be reluctant to move the agreed mediation dates (if for no reason other than I suspect that the Applicants may have had to take time off work to attend on the agreed dates and may have also already made travel / accommodation arrangements). The WG has already decided that both cases could proceed to mediation without the Part 2 Report and I don't see why we should re-open that decision, particularly as the WG has passed control of this case to the parties and CEDR.

Releasing a draft additional report at this late stage may confuse the preparation for those mediations. In M022, the Applicant is not expecting any further documentation. In M127, the Applicant is unrepresented so it is preferable to keep the process as simple as possible. In both cases, the parties are finalising, and will shortly be exchanging, mediation statements based on the information already in circulation and pre-mediation discussions with the mediators have been set up. These steps would probably need to be delayed if new information was released now.

Having briefly reviewed the revised draft Part 2 Report, it appears not to have changed significantly from the previous draft. It is recognised that this is a "work in progress" and so it has not yet addressed a number of concerns raised by Post Office previously (ie. only the highlighted comments in the attached have been addressed so far). It is Post Office's view that this document is a long way short of being ready for release to Applicants and is concerned that, in its current form, it may in fact cause greater disagreement rather than bring clarity.

Regards
Chris

=====

Andrew Parsons

Senior Associate

for and on behalf of Bond Dickinson LLP

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From: Belinda Crowe [mailto:] **GRO**
Sent: 03 July 2014 11:27
To: Parsons, Andrew
Cc: Belinda Crowe; Rodric Williams; David Oliver
Subject: FW: Mediation for M022 and M127

Would you be able to have a quick look at this? Could we also draft out a quick note from Chris as a response based on our initial view of this. Measured.

The gist will be that – POL would be reluctant to delay mediation and we agreed that we would pass these cases through Remain concerned about the WG agreeing an approach and then not following it – not in the interests of applicants Would rather any document goes out than any suggestion that information is being withheld Post Office considers the draft a long way short of what it needs to be and it can only get into a proper state (if that's the case)
However, if the document is submitted for mediation, will make those points at mediation.






Sorry – v brief In haste

Thanks
B

Belinda Crowe

148 Old Street, LONDON, EC1V 9HQ
0207 250 2418 Postline: 5460 2418

GRO

From: Ian Henderson [mailto:] **GRO**
Sent: 03 July 2014 10:51
To: Belinda Crowe; Angela Van-Den-Bogerd; 'Parsons, Andrew'; 'Ron Warmington'; [alan.bates](#)  **GRO**
[kav](#)  **GRO**; Chris Aujard; 'Anthony Hooper'; [cwh](#)  **GRO**
Cc: David Oliver
Subject: RE: Mediation for M022 and M127

All

I attach an updated DRAFT version of the ATM section of Part 2. We have taken account of POL's comments on the previous draft, but may still wish to make further changes in due course.

We'd be happy for this to be disclosed to CEDR as a draft document for both M022 and M0127.

We always envisaged that both Part 1 and Part 2 would be living documents that continue to be updated in the light of new information.

With best wishes

Ian R Henderson CCE CISA FCA
Advanced Forensics - London, UK

Forensic computing expert witness and electronic disclosure specialist

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From: Belinda Crowe [<mailto:> [GRO](#)]

Sent: 03 July 2014 09:47

To: Ian Henderson; Angela Van-Den-Bogerd; 'Parsons, Andrew'; 'Ron Warmington'; [alan.bates](#); [GRO](#);

[kay](#); [GRO](#); Chris Aujard; 'Anthony Hooper'; [cwh](#); [GRO](#)

Cc: Belinda Crowe; David Oliver; [GRO](#)

Subject: Mediation for M022 and M127

All,

Please find below a message from Tony.

We have learnt that CEDR has fixed the dates for the mediation in M22 and M127 for next week. By then the Part 2 extract will not have been discussed by the WG and we will not have discussed whether to change our original decision that M22 would not be accompanied by what would at the time of that decision have been a document which we had not seen. As far as M127 is concerned, we were due to discuss on July 10th whether to forward the Part 2 extract as part of the mediation pack. We took the precaution in the final SS reports in both cases to say that there might be further documents.

I am sure that we are all very reluctant to postpone the mediations.

I would like your views please.

Tony

Belinda Crowe

148 Old Street, LONDON, EC1V 9HQ

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