
From: Rodric Williams [GRO]
Sent: Thur 21/08/2014 5:18:39 PM (UTC)
To: AnthonyHooper [GRO]
Cc: Belinda Crowe [GRO] Chris
Aujard [GRO]
Subject: Part Two Report

Dear Sir Anthony

Further to my email yesterday, we have now received the "final" version of Second Sight's Part 2 Report (the "Report").

Accepting that an independent Report may contain conclusions with which Post Office does not agree, Second Sight has not improved the Report to a reasonably acceptable standard. Although parts of the Report appear to have been re-drafted, Post Office considers the revisions to be superficial, with little change to important matters of substance.

The Report still includes matters that are beyond the Scheme's scope of "Horizon and associated issues" and, most troubling, Second Sight continues to offer its inexperienced views on both civil and criminal legal matters. Despite repeated requests by Post Office, most of the Report remains unsupported by any evidence or source documents, which undermines its credibility and severely limits an Applicant's (or a mediator's) ability to rely effectively on its content.

Second Sight has attempted to distinguish more accurately between reciting complaints from Applicants and making established findings of fact. However, this has come at the cost of the Report containing even less analysis than before. It is now a compendium of Applicants' untested allegations, with few findings that actually advance the understanding of a particular topic.

In short, Post Office struggles to see how this Report adds any value to the Scheme or will assist in the resolution of cases. In fact, Post Office remains genuinely concerned that the Report will only confuse matters by encouraging Applicants to believe some form of thematic issue exists when none have been adequately or compellingly demonstrated. This potentially jeopardises the success of the Scheme, which is premised on bringing clarity to, and ultimately closure of, an Applicant's concerns.

For the sake of good order, Post Office does not agree to the release of the Report in its current form. If released in its current state, Post Office will need to write to Applicants to ensure that their expectations are not misled by the Report. This letter will necessarily include unequivocal statements that (1) Post Office does not accept the Report's findings and (2) the Report is defective for the reasons stated above. This is not Post Office's preferred course of action as it will damage the credibility of Second Sight and crucially, also that of the Scheme.

That said, Post Office does not wish to act unilaterally outside of the Working Group. As with all other previously contentious issues, Post Office would prefer to be able to discuss these matters with the Working Group and seek the Working Group's acknowledgement of our position and plan of action.

I understand that the Working Group's Terms of Reference provide that where the Working Group cannot reach a unanimous decision, the Chair may define the point of disagreement and call a vote. As a unanimous decision over the Report appears unlikely, Post Office respectfully requests that the Chair call for a vote on Thursday's call on the following resolution:

1. That the Report not be released as currently drafted;
2. Alternatively, that if the Report is to be released as currently drafted, that the Working Group notes Post Office will, as a party not a member of the Working Group, write to each Applicant who receives the Report setting out Post Office's position on the Report.

I therefore ask your consent to defer release of the Report until next Thursday's Working Group call so that this resolution can be discussed and voted upon, which will provide Post Office with the opportunity to explain its position and, if appropriate, explore with the Working Group any potential alternatives.

Kind regards,

Rodric Williams | Litigation Lawyer



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