
From: Mandy Talbot[/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MANDY.TALBOTD93B15FA-BB54-456E-B23E-7CA4A16348C3]
Sent: Thur 07/10/2010 11:33:33 AM (UTC)
To: Susan Crichton[GRO]; Hugh Flemington[GRO]; Jessica Madron[GRO]
Cc: Alison Bolsover[GRO]; John Breeden[GRO]; Lin Norbury[GRO]
Subject: RE: Horizon Civil Cases

Dear All

We need as an organization to determine how best to deal with all the cases where allegations are being made about Horizon and where there is money owed by the former postmasters to the business. I am compiling a list of the ones which have been sent down to me. These have not been sent off to Bond Pearce as yet even though they would be my choice of firm.

Regardless of the true facts, these Postmasters have all alleged that the true reason for the loss is the malfunction of the Horizon system. There are a number of issues which we need to resolve as a business about these cases before the decision is taken to send them out to BP.

Number 1 should we wait until the conclusion of the case of Misra which is currently going through the criminal courts. The case is listed to begin on Monday and is listed for 7 days. There are two computer experts battling it out in this case with the expert appointed by Postmaster for Justice having been given generous access to the Horizon system. As I understand the prosecution case the Defendant's expert has been unable to find any fault with the system but has come up with a number of opinions which have nothing to do with the case being prosecuted. Assuming that the case is concluded within that time period some of the issues set out below will fall away but if it is adjourned or we loose it the following points will become relevant. Misra is the prosecution case involving Issy Hogg one of the lawyers used by Postmasters for Justice. If the prosecution is fully successful it will make the civil claims much easier to deal with. If the prosecution is only partially successful then it is likely to make the civil claims very difficult to proceed with if we cannot rely on the Horizon data.

Number 2 Postmasters for Justice plus Ms Hogg and a lawyer from Shoosmiths are seeing the Minister at BIS this week about the Horizon issue – we do not know what may come of this but Mike Glanville may be able to give us a steer.

Number 3 there may be merit in outsourcing these cases now, regardless of the above so BP can begin preparations for us to bring civil proceedings or to defend against any cases which may be issued by Shoosmiths as a test case or a class action. There has been a lot in the press about Shoosmiths wanting to bring a class action.

Number 4 we will organise the business in house in terms of getting as much evidence together as possible before proceedings are issued by BP to keep the cost down.

Number 5 BP currently charge on an hourly basis for litigation cases – we might want to get some quotes from them for this for this type of work going forward. They will be labour intensive and we do not currently know what the plans are going to be for the outsource of litigation work, under the new regime.

Can I suggest that we have a conference call to discuss how to deal with these cases going forward, possibly on the 20 October as by then I anticipate that Misra will have concluded.

Regards

Mandy Talbot

From: Ann Bailey
Sent: 01 October 2010 12:48
To: Mandy Talbot
Subject: Mrs Jennifer O'Dell, FAD 288/230, Great Staughton

Dear Mandy,

The file on the case against Mrs Jennifer O'Dell, FAD 288/230, Great Staughton, was referred on 25/08/2010, Pat sent additional information 10/09/2010.

Can you tell me who is dealing with this at Bond Pearce as I haven't had any confirmation from them yet.

Thanks Ann

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