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27 February 2019

Second Letter

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By email only

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Dear Sirs

**The Post Office Group Litigation
Horizon Issues Disclosure**

We write further to our letter of 11 February 2019 and your letter of 18 February 2019.

1. Pre-2011 audits of Horizon

- 1.1 Post Office understands that E&Y were the auditors of Horizon prior to 2011. Copies of the audit reports are held by Royal Mail Group. Post Office has made a request for these documents however Royal Mail Group are concerned about providing these documents without a formal order from the Court for third party disclosure. Please could you confirm if you wish to continue to pursue disclosure of these documents, in which case assistance from the Court on this disclosure request may be required.

2. Horizon Management Council

- 2.1 Please see our letter dated 19 February 2019.

3. Newport

- 3.1 The documents which related to the Newport Pagnell branch were disclosed to the Claimants due to them being adverse documents which came to light when seeking to locate documents which related to Ms Burke's branch (which is also called Newport). Post Office is required to provide disclosure of these documents under CPR 51U.
- 3.2 To locate documents which related to the Ms Burke's branch, a search was run across 59 custodian's email accounts for documents which contained the phrase "Newport". No date range was applied to this search. The search returned 4,444 documents which were all manually reviewed for relevance and disclosure of the responsive relevant / adverse documents was provided. The search that has already been undertaken is broader than the search which you are now requesting Post Office to undertake, which is limited by a date range. Running the date limited search would return the same results as Post Office's previous search. If your proposal instead is that Post Office searches other custodian's email accounts for documents relating to Ms Burke's branch, please could you confirm the custodian's email accounts which should be part of this search. It should be noted that it may not be possible to extract further email

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accounts for Post Office's IT system and review these documents prior to the start of the Horizon Issues Trial. Post Office's position on the reasonableness and proportionality of such a search is reserved until your client's position is known.

- 3.3 Your new disclosure request also seeks for Post Office to search the email accounts of Fujitsu personnel. Before now, none of your disclosure requests have been targeted towards the email accounts of Fujitsu employees and to undertake a search of these accounts would require our e-disclosure provider to undertake a substantial amount of work with Fujitsu to understand how their emails are stored, whether any archiving exists and how the emails could be extracted. Given that trial begins in 2 weeks there is not time to undertake this work before the start of trial, which would lead to disclosure being given either during trial or after it has ended. Further, these documents are not within the control of Post Office.

4. Witness statement disclosure

- 4.1 Please see our letter of 20 February 2019.

5. Credence report for Mr Patny and call logs for Mr Latif

- 5.1 Further to our response to request 10 in section 10.1 of our letter of 11 February 2019, enquiries have been made with Post Office to locate the credence report referred to in the NBSC logs. We understand that a copy of this report has not been located and since Credence only holds data for 3 months a copy of this report cannot be reproduced.

- 5.2 In relation to the call logs for Mr Latif, please find enclosed POL-0514487 which are the call logs for Mr Latif's branch from 25 October 2001 to 31 March 2017.

6. Responses to disclosure requests made on 22 January 2019

In response to the matters in Schedule 1 of our letter which we confirmed we were seeking further information on:

Request No	Disclosure Request	Response to Request
2	Paragraph 31 of Godeseth 1 The underlying documents which set out the figures Mr Godeseth makes reference to, including any documents regarding approaching or exceeding the contractually agreed limit and the claims for/payments of/discussions surrounding penalty payments.	Please find enclosed a copy of Fujitsu's Security Operations Team's ARQ tracker as at the 28 September 2018 which sets out the figures to which Mr Godeseth makes reference. In 2014/2015, Post Office exceeded the limit on ARQ request by 9 requests. Fujitsu have confirmed that there were no discussions with Post Office about exceeding this limit.
3	Paragraphs 34 - 46 of Godeseth 1 Disclosure of procedures relating to Legacy Horizon Riposte, the ability to inject messages at the correspondence server and how the inserted messages appeared.	The following documents fall within your disclosure request. A number of these documents have already been disclosed and can be located by running a search for the file name. The remaining documents are contained within the enclosed disclosure list. These documents were sourced from Dimensions but were not previously disclosed since they were responsive to the privileged search terms. <ul style="list-style-type: none"> • DE/LLD/003 • DE/HLD/002

Request No	Disclosure Request	Response to Request
		<ul style="list-style-type: none"> • DE/SPG/003 • CS/QMS/004 • CS/QMS/007 • RS/POL/003 • RS/MAN/007 • SY/SOD/009
4	Paragraphs 58.2 of Godeseth 1 Disclosure of "BRDB_TXN_CORR_TOOL_JOURNAL"	Please see our separate letter of 22 February 2019.
5	Paragraph 58.5 of Godeseth 1 Disclose an audit log which records the number of uses of the branch correction tool.	We refer to the disclosure of "BRDB_TXN_CORR_TOOL_JOURNAL" which provides this information.
9	Paragraphs 11 – 12 of Phillips 1 Disclose documents relating to Post Office's procedures in its use of the Branch Dispute Form, including internal actions taken on receipt.	Post Office has confirmed that there is not a specific document which relates to Post Office's procedures for using the Branch Dispute Form, but its use is incorporated into the dispute process. A flowchart of the dispute process is at POL-0173159.
10	Paragraph 35 of Van den Bogerd 2 Confirmation of whether Post Office has conducted searches across its documents using the exact phrase " <i>phantom transaction</i> "	Please find enclosed documents which were responsive to this search terms proposed in our letter of 11 February 2019 but had not yet been disclosed.
13	Paragraph 188.2 of Van den Bogerd 2 Disclose the branch user forum records.	Please find enclosed the documents which were responsive to the searches proposed in our letter of 11 February 2019.
21	Paragraph 6.3 of Dunks 1 Disclosure documents relating to (i) management, control or audit of the ARQs; and (ii) the process of ARQ extraction	Please see the already disclosed document POL-0511707 which explains the process for the request, gathering and delivery of ARQs.
22	Appendixes 1 and 2 of Parker 1 Disclose documents relied upon or referred to by the team from SSC who produced the tables and explanations contained within them.	Fujitsu have informed us that the documents relied upon or referred to by the team from SSC were Peaks, KELs and Exhibit SPP1 all of which have been provided to the Claimants.

7. Further disclosure

- 7.1 During preparation for trial a number of further documents which relate to the Horizon Issues Trial have come to Post Office's attention. Disclosure of these documents is being provided by way of the enclosed disclosure list. The enclosed list also contains those documents which have been provided to the Claimants but not yet formally disclosed.

Yours faithfully

GRO

Womble Bond Dickinson (UK) LLP