WITN11290201

From: Barry O'Kelly [GRO]

Sent: Mon 02/12/2024 3:36:17 PM (UTC)

To: Chris Boswell [GRO]

Cc: POHorizonGold-Silver [GRO]; Andy McGregor [GRO]; Olivia Anness [GRO]; Emma Maguire [GRO]; PO Horizon BSFf Witness Team [GRO]; Brian Wong [GRO] [GRO]; Tom Whittaker [GRO]

Subject: RE: Request for review of redactions - Reply required by 1pm on 28th November [ENYOLAW-LIVE.FID55506] [Burges-WORK.FID10891286] [FFW-WORK.FID10891286]

Dear Chris,

We write in reply to your letter of 29 November 2024, received at 11.07am (**"29 November letter"**).

Post Office understands your client's wish to fully explain his position to the Inquiry and correct any perceived misrepresentation of his views in Mr Staunton's evidence. It appreciates that a waiver of Post Office's legal privilege may assist in this correction being made. However, Post Office, as a matter of operational necessity and to protect its ability to properly seek and obtain legal advice, has retained privilege (as it is entitled to do) in a number of areas including advice on criminal matters. Post Office has also made a commitment to treat all witnesses to whom it provides disclosure fairly and, consequently, it cannot waive privilege selectively.

We confirm that Post Office maintains its assertion of privilege over the section of paragraph 3.1 of POL00448620 outlined in Post Office's email to the Inquiry on 28 November 2024 at 3.18pm. For avoidance of doubt, Henry Staunton did not have any authority at the material time to waive legal privilege over advice given to Post Office and Post Office does not consider privilege in this advice to have been waived in his evidence.

Post Office respectfully disagrees with the assertion at paragraph 5 of the 29 November letter that the lifting of the redaction at paragraph 6.4 has resulted in collateral waiver of the legal advice in paragraph 3.1. Paragraph 6.4 does not evidence or refer to the content of specific legal advice and therefore on re-review Post Office was content it did not need to be redacted. The privilege in the legal advice explicitly referenced in paragraph 3.1 remains intact.

Post Office's position is that it remains open to Mr Tidswell to explain his position to the Inquiry without referencing the substance of legal advice provided to Post Office. Mr Tidswell can refer to the fact that the Board received legal advice without referring to the substance of that legal advice. To assist in preparing his statement, Mr Tidswell can continue to access an unredacted version of paragraph 3.1 under control number POL-BSFF-WITN-015-0013312 at page 4.

Kind regards,
Barry O'Kelly

Barry O'Kelly

Associate (Barrister - E&W)

D: [GRO]

WITN11290201

From: Barry O'Kelly < GRO
Sent: Friday, November 29, 2024 5:11 PM
To: Emma Maguire < GRO ; Chris Boswell < GRO
Cc: POHorizonGold-Silver < GRO ; Andy McGregor < GRO ; Olivia Anness < GRO ; PO Horizon BSFf Witness Team < GRO ; Brian Wong < GRO ; Tom Whittaker < GRO
Subject: RE: Request for review of redactions - Reply required by 1pm on 28th November [ENYOLAW-LIVE.FID55506] [Burges-WORK.FID10891286] [FFW-WORK.FID10891286]

Dear Chris,

By way of update, Post Office is considering your letter received at 11.07am today.

We expect to provide a response by 4pm on Monday, 2nd December 2024 but will endeavour to respond sooner, if possible.

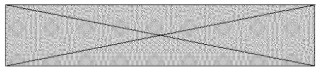
Thank you for your patience.

Kind regards,
Barry O'Kelly

Barry O'Kelly

Associate (Barrister - E&W)

D: GRO



From: Emma Maguire < GRO >
Sent: Friday, November 29, 2024 11:26 AM
To: Chris Boswell < GRO >; Clements, Caroline (Post Office Horizon Inquiry) < GRO
Cc: Newell, Alice (Post Office Horizon Inquiry) < GRO >; Smith, Laura (Post Office Horizon Inquiry) < GRO >; PO Horizon Phases 5to7 < GRO ; Naveed, Isra (Post Office Horizon Inquiry) < GRO >; POH Inquiry Correspondence < GRO ; Nadeem, Zainab (Post Office Horizon Inquiry team) < GRO >; POHorizonGold-Silver < GRO ; Andy McGregor < GRO >; Olivia Anness < GRO >; Barry O'Kelly < GRO
Subject: RE: Request for review of redactions - Reply required by 1pm on 28th November [ENYOLAW-LIVE.FID55506] [Burges-WORK.FID10891286]

Dear Enyo Law,

WITN11290201

Thank you for your letter for which we confirm safe receipt.

Kind regards,

Emma

Emma Maguire

Associate

Burges Salmon LLP

T: GRO

M: GRO

Secretary/PA: Susan Maggs
T: GRO

www.burges-salmon.com

From: Chris Boswell < GRO >
Sent: 29 November 2024 11:07
To: Emma Maguire < GRO >; Clements, Caroline (Post Office Horizon Inquiry) < GRO >
Cc: Newell, Alice (Post Office Horizon Inquiry) < GRO >; Smith, Laura (Post Office Horizon Inquiry) < GRO >; PO Horizon Phases 5to7 < GRO >; Naveed, Isra (Post Office Horizon Inquiry) < GRO >; POH Inquiry Correspondence < GRO >; Nadeem, Zainab (Post Office Horizon Inquiry team) < GRO >; POHorizonGold-Silver < GRO >; Andy McGregor < GRO >; Olivia Anness (Guest - Fieldfisher) < GRO >; Barry O'Kelly (Guest - Fieldfisher) < GRO >
Subject: RE: Request for review of redactions - Reply required by 1pm on 28th November [Burges-WORK.FID10891286] [ENYOLAW-LIVE.FID55506]

Caution: External Email

WITN11290201

Dear Burges Salmon and Fieldfisher,

Please find our correspondence, **attached**.

Yours faithfully,

Chris Boswell | Enyo Law LLP
Associate

New Zealand Qualified

ENYO LAW

1 Tudor Street, London, EC4Y 0AH

Tel: GRO
Mob: GRO

www.enyolaw.com

From: Emma Maguire < GRO >
Sent: 28 November 2024 15:18
To: Clements, Caroline (Post Office Horizon Inquiry) < GRO >
Cc: Newell, Alice (Post Office Horizon Inquiry) < GRO >; Smith, Laura (Post Office Horizon Inquiry) < GRO >; PO Horizon Phases 5to7 < GRO >; Naveed, Isra (Post Office Horizon Inquiry) < GRO >; POH Inquiry Correspondence < GRO >; Nadeem, Zainab (Post Office Horizon Inquiry team) < GRO >; POHorizonGold-Silver < GRO >; Chris Boswell < GRO >; Andy McGregor < GRO >; Olivia Anness (Guest - Fieldfisher) < GRO >; Barry O'Kelly (Guest - Fieldfisher) < GRO >
Subject: RE: Request for review of redactions - Reply required by 1pm on 28th November [Burges-WORK.FID10891286]

Dear Caroline,

With thanks to the Inquiry for granting the short extension requested in relation to the below.

Post Office has reconsidered both POL00448713 and POL00448620 and we set out the redaction updates below.

POL00448713 - Post Office is content to lift the redactions over paragraph 6.4 in its entirety.

POL00448620 – Post Office is content to lift the redactions in part only over paragraph 3.1 from '*Firstly, there was a criminal case'* to '*CS referenced the previous decision of the Board not to re-try any cases.*'. The remainder of the redacted text should stay redacted due to Post Office privilege that has not been waived.

If it would assist the Inquiry, we can arrange an overlay production to amend the said redactions. Please do let us know if this is how you would like us to proceed.

WITN11290201

Kind regards,

Emma

Emma Maguire

Associate

Burges Salmon LLP

T: GRO

M: GRO

Secretary/PA: Susan Maggs
T: GRO

www.burges-salmon.com

From: Clements, Caroline (Post Office Horizon Inquiry) <GRO>
Sent: 27 November 2024 12:29
To: POH Inquiry Correspondence GRO; POHorizonGold-Silver GRO; PO Horizon Phases 5to7 <GRO> GRO
Cc: Newell, Alice (Post Office Horizon Inquiry) <GRO>; Smith, Laura (Post Office Horizon Inquiry) GRO; Naveed, Isra (Post Office Horizon Inquiry) GRO; Nadeem, Zainab (Post Office Horizon Inquiry team) GRO; Chris Boswell GRO; GRO
Subject: Request for review of redactions - Reply required by 1pm on 28th November
Importance: High

Caution: External Email

WITN11290201

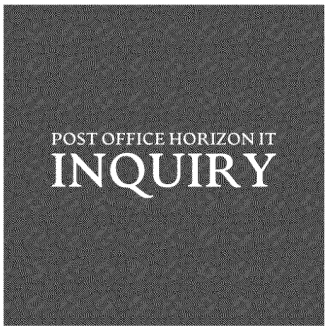
Dear Sirs,

Further to the letter of 10 November from the legal representatives of Mr Tidswell (POL were included on the distribution chain), the Inquiry intends to provide copies of documents **POL020448713 and POL00448620** to Mr Tidswell for the purpose of preparing a witness statement. In light of the observations made in the letter, please can you confirm whether POL would like to take this opportunity to remove any redactions from either document?

Please can you provide your response by **1pm on 28th November**. This is to ensure that the statement can be prepared and finalised prior to the closings.

Kind Regards

Caroline



Caroline Clements
Lawyer
Tel: GRO
Post Office Horizon Inquiry
5th Floor, Aldwych House, 71-91 Aldwych,
London WC2B 4HN
My working days are Tuesday, Wednesday & Thursday

OFFICIAL

From: Chris Boswell GRO
Sent: 12 November 2024 19:22
To: Solicitor Post Office Horizon Inquiry <GRO; Clements, Caroline (Post Office Horizon Inquiry) GRO
Cc: chris.jackson GRO; Harrison.Cunningham GRO; Kate Francis-Hughes <Kate.Francis-Hughes GRO; PO Horizon BSFf Witness Team <GRO; POHorizonGold-Silver GRO; sarahjones GRO; Claire Jones <Claire.Jones GRO; partners GRO; neil.hudgell GRO; mschwarz GRO; skm GRO; Andy McGregor <GRO
Subject: Post Office Horizon IT Inquiry [ENYOLAW-LIVE.FID55506]

Dear Post Office Horizon IT Inquiry,

Please find our correspondence, **attached**.

Yours faithfully,
Chris Boswell

Chris Boswell | Enyo Law LLP
Associate

New Zealand Qualified

WITN11290201

ENYO LAW

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Fieldfisher Ireland LLP

45 Mespil Road, Dublin 4, D04 W2F1.

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WITN11290201

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