

**Matthews, Gavin**

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**From:** Parsons, Andrew  
**Sent:** 18 November 2013 12:38  
**To:** Brian Altman [GRO]  
**Cc:** Matthews, Gavin  
**Subject:** FW: Scheme Applications [BD-4A.FID20472253]  
**Attachments:** \_DOC\_27643963(5)\_DRAFT Settlement Policy - AB.DOCX

**Sensitivity:** Private

Brian

Please find below:

- My email to Martin Smith which includes Tony Hooper's comments.
- The extract from the Settlement Policy dealing with criminal cases (and the full policy attached).

Kind regards  
Andy

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Extract from Settlement Policy

**B Criminal cases**

**Background**

- 1.1 Offering a settlement to an Applicant who has been convicted could:
  - 1.1.1 Be used as the basis for an appeal against that conviction; and/or
  - 1.1.2 Cause that conviction to become unsafe.
- 1.2 As such, settlements involving convicted Applicants should only be offered where there is clear evidence of a miscarriage of justice and the process below has been followed.

**Process**

- 1.3 Where a Complaint relates to an Applicant who has been convicted, the following additional processes should be followed:
  - 1.3.1 The Applicant's application, case questionnaire and any investigation findings should be forwarded to Post Office's criminal lawyers (Cartwright King – "CK")
  - 1.3.2 CK will review the above documents to determine whether any disclosure is required under Post Office's prosecution duties.
  - 1.3.3 CK will be consulted on any Recommendation for Settlement and advise how the proposed settlement may affect the Applicant's conviction.
- 1.4 Post Office has no power to overturn a conviction. If, following the investigation phase, grounds for appeal are identified, the standard approach will be to:
  - 1.4.1 Suspend the standard mediation process.

- 1.4.2 Disclose the information giving rise to the grounds for appeal to the Applicant (via CK).
- 1.4.3 Consider whether Post Office will support or oppose any appeal.
- 1.4.4 Consider whether Post Office might offer financial support to the Applicant in order to conduct the appeal.
- 1.4.5 Consider whether it is more appropriate to conduct the mediation before or after any appeal is heard. In most cases, it will be more appropriate for the appeal to be heard first.
- 1.4.6 Write to the Applicant explaining Post Office's stance on the above matters and seek their views on how they wish to proceed.
- 1.4.7 Where a conviction is overturned on appeal, mediation may subsequently be used to resolve the Applicant's claims / losses that flow from that wrongful conviction.

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**Andrew Parsons**  
 Senior Associate  
 for and on behalf of Bond Dickinson LLP



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

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**From:** Parsons, Andrew  
**Sent:** 29 October 2013 19:22  
**To:** martin.smith [GRO]  
**Cc:** Jarnail A Singh ([GRO])  
**Subject:** Scheme Applications [BD-4A.FID20472253]  
**Sensitivity:** Private

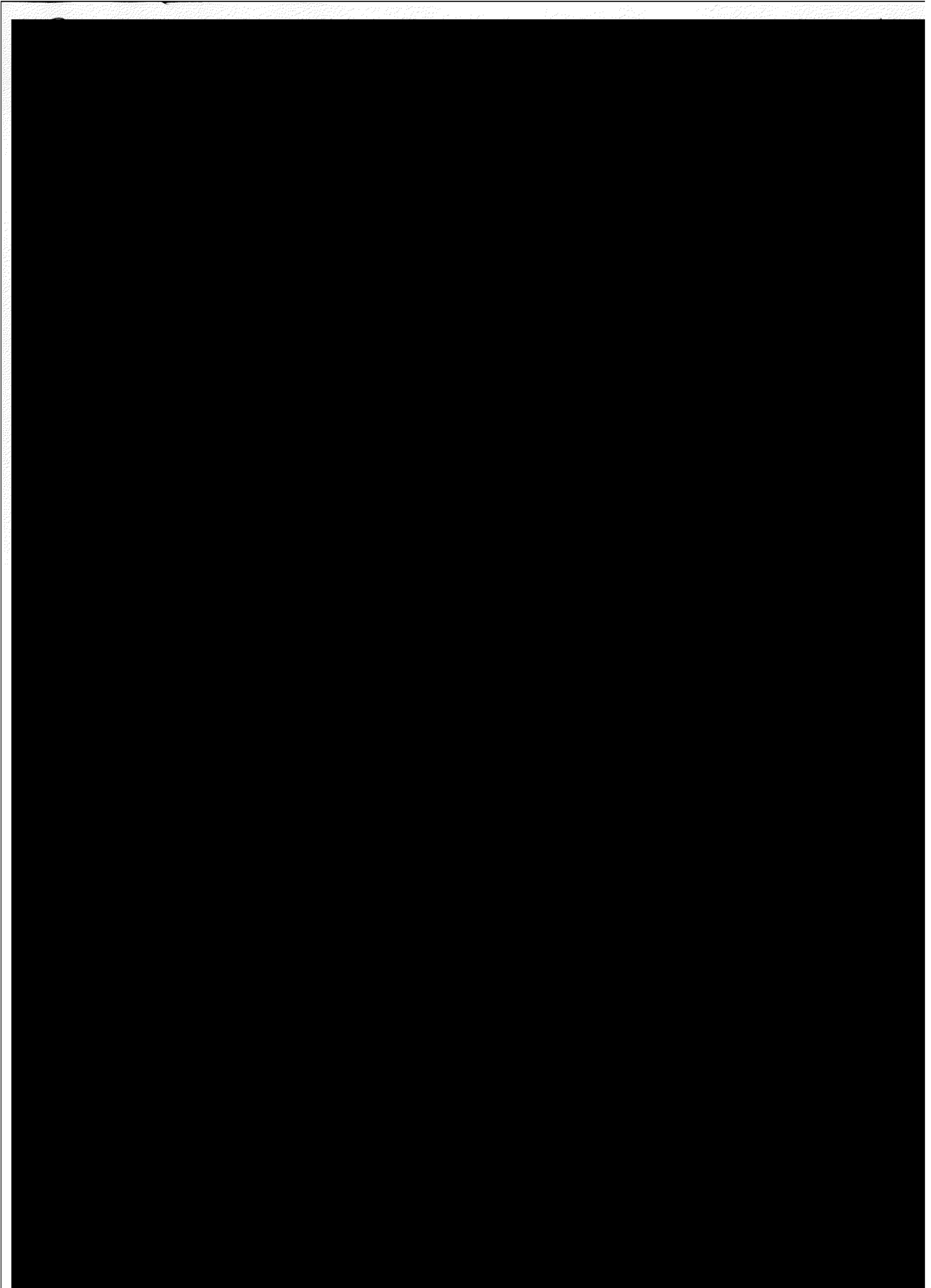
Martin

Please find attached the latest applications into the mediation Scheme (I've split this into two parts and will send the second half by separate email).

This bundle of applications includes our first two Case Questionnaires that provide further details on those two cases.

Are you generally reviewing these applications to see if they give rise to any disclosable material (I expect so – but best to double check!)? This point was raised by Tony Hooper at our meeting last Friday. He also thought that it was "obvious" that as part of its disclosure duties, Post Office should be disclosing anonymised details of each application in prosecutions where Horizon is being questioned. In response, I sat squarely on the fence and said that the applications would be reviewed and proper disclosures made as required.

Also, SS believe that they have "lots of information" that may be relevant to Defendants and asked whether PO should be disclosing this material. Tony said that such information was not under POL's control (as SS were independent) so it was for SS to decide whether to send this information to POL – so just a heads up on this point but I hope that SS won't actually be bothered to do anything about this.



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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