

From: Jane MacLeod <[REDACTED] GRO >
To: Tom Beezer <[REDACTED] GRO >
Cc: Andrew Parsons <[REDACTED] GRO >, Rodric Williams
<[REDACTED] GRO >, Amy Prime <[REDACTED] GRO >
Subject: FW: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL
PRIVILEGE
Date: Tue, 19 Mar 2019 20:05:00 +0000
Importance: Normal
Inline-Images: image001.png

Tom

See correspondence below from the UKGI GC requesting:

Update on proposed timing – could we get an update on readiness please - that is tomorrow morning can we say whether we'll be ready to serve immediately/ Thursday /later? And

Written advice from LGQC by way of confirmation of our con yesterday.

Many thanks,

Jane



Jane MacLeod

Group Director of Legal, Risk & Governance

Ground Floor
20 Finsbury Street

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EC2Y 9AQ

Mobile number: [REDACTED] GRO

From: Jane MacLeod
Sent: 19 March 2019 20:00
To: 'Watson, Richard - UKGI' <[REDACTED] GRO >
Cc: Cooper, Tom - UKGI <[REDACTED] GRO >
Subject: RE: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Thanks Richard

Our advice is that the application should be made this week. Ideally if we approve it tomorrow, then (I think) the earliest timing is as follows:

the application would be served on the claimants and the judge on Thursday

application to be heard on Friday.

At that point the judge could accept and recuse himself, reject the application (in which case we would appeal) , or he might ask to consider it over the weekend and/or suggest another judge hears the application. Counsels' view is that he will say 'no' either immediately or after consideration.

So, the point at which it would become public is definitely at the hearing, and potentially earlier following service of the notice of the application on the Claimants (if they choose to make it public) – so Thursday on the above timetable.

I will get confirmation on the state readiness and recommended timing for the calls for tomorrow.

Kind regards,

Jane



Jane MacLeod

Group Director of Legal, Risk & Governance

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Mobile number: GRO

From: Watson, Richard - UKGI [<mailto:GRO>]

Sent: 19 March 2019 19:50

To: Jane MacLeod <GRO>

Cc: Cooper, Tom - UKGI <GRO>

Subject: Re: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Jane

If a decision to make the application is made tomorrow when do you think the application will be lodged with the court, and presumably the claimants at the same time - good to understand when it would become

public?

Kind regards

Richard

Sent from my BlackBerry — the most secure mobile device

From: [Richard.Watson](#) GRO

Sent: 19 March 2019 7:24 pm

To: [jane.macleod](#) GRO; [rodric.williams](#) GRO

Cc: [Tom.Cooper](#) GRO

Subject: Re: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Jane

Thanks for the call earlier. As discussed I think it is essential that the board have the clearest possible advice on the recusal application and its merits from Lord Grabiner in writing. It needn't be long, could refer to Lord Neuberger's advice and could be a note approved by him.

kind regards

Richard

Sent from my BlackBerry — the most secure mobile device

From: [Richard.Watson](#) GRO

Sent: 19 March 2019 4:37 pm

To: [jane.macleod](#) GRO; [rodric.williams](#) GRO

Cc: [Tom.Cooper](#) GRO

Subject: Re: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Jane

I understand from Tom that Neuberger's advice is to the effect that if POL want to appeal on procedural unfairness then they must make a recusal application. Is the legal advice being updated in advance of tomorrow's board meeting to reflect this? Does Lord Grabiner agree with Neuberger's advice? So far the lawyers appear to say the prospects of success are "reasonable". Is Counsel willing to express that in percentage terms?

Sorry for the questions but it will help handling at our end to have a clearer understanding of what legal advice the board are being given regarding recusal and what the prospects of success are

Happy to discuss. I'm on GRO

Kind regards

Richard

Sent from my BlackBerry — the most secure mobile device

From: [jane.macleod](#) GRO

Sent: 18 March 2019 9:57 am

To: [Richard.Watson](#) GRO; [rodric.williams](#) GRO

Cc: [Tom.Cooper](#) GRO

Subject: RE: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Thanks for the clarification Richard – my apologies if I misunderstood.

I will separately forward over the relevant information.

Kind regards,

Jane

Jane MacLeod



Group Director of Legal, Risk & Governance

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Mobile number: [REDACTED]

From: Watson, Richard - UKGI [mailto:[REDACTED]]
Sent: 18 March 2019 09:49
To: Jane MacLeod <[REDACTED]>; Rodric Williams <[REDACTED]>
Cc: Cooper, Tom - UKGI <[REDACTED]>
Subject: RE: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Jane

Tom has forwarded your below email.

As I explained when we spoke, the concern from our end is HMG being seen as not upholding the independence and integrity of the judiciary, hence the concern about Tom making a decision as a Director of POL on whether to make a recusal application. However, it is perfectly proper that Tom, as a director, should to ensure the Board fully realised the seriousness of what was proposed including the impact on the shareholder (and the difficulties of distinguishing between strategic direction and operational matters in Parliament and the media) as well as the wider litigation strategy, that the Board had taken and properly considered legal advice, and finally has reflected properly on whether there was bias or (painful as it is) inferences/findings drawn ultimately properly from hearing the evidence expressed in pithy and robust language. In supporting Tom I would like to receive the information relating to the recusal issues.

Apologies if I suggested otherwise in our call.

Happy to discuss

Kind regards

Richard

Richard Watson|General Counsel

UK Government Investments

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From: Jane MacLeod
Sent: Monday, March 18, 2019 8:32:12 AM
To: Thomas Cooper
Cc: Rodric Williams
Subject: Post Office Litigation - CONFIDENTIAL AND SUBJECT TO LEGAL PRIVILEGE

Tom

Please find attached the note referred to.

In my call with Richard on Friday, he gave me the impression that the UKGI legal team would not want to be seen to have received the information relating to the Recusal issues. To that end I have not provided any of the advice to him. If that position has changed, would you please ask him to let me know?

Kind regards,

Jane

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