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**From:** Patrick Bourke [GRO]  
**on behalf of** Patrick Bourke [GRO]  
**Sent:** 24/09/2015 14:13:48  
**To:** Rodric Williams [GRO]; Jane MacLeod [GRO]  
**CC:** Mark Underwood [GRO]  
**Subject:** RE: Draft Speaking Notes for JM / TP Meeting on 25.09.15

Rod

Many thanks for this.

Just a couple of points:

1. I strongly agree, as we have previously discussed, that he should write his terms of reference;
2. Also strongly agree, as mentioned yesterday, this is for him to determine – ie he does not need them approved by BNR or anyone else;
3. Given that the JAs and ABs of this world will never be satisfied, the focus should be on what best contributes to stabilising BIS and getting them to actually support the business; and
4. We should, if at all possible, ensure that nothing cuts across the currently positive operation of the Scheme in terms of ploughing through the 40 odd mediations.

Patrick

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**From:** Rodric Williams  
**Sent:** 24 September 2015 12:31  
**To:** Jane MacLeod  
**Cc:** Mark Underwood [GRO]; Patrick Bourke  
**Subject:** FW: Draft Speaking Notes for JM / TP Meeting on 25.09.15

Jane – following our meeting yesterday, please see below my starter for ten speaking notes for your meeting with Tim Parker tomorrow.

Please let me know if you'd like to discuss further.

Rod

DRAFT SPEAKING NOTES FOR JM / TP MEETING on 25.09.15

1. PO can't influence or predetermine the outcome of TP's "review" BUT
2. It's reasonable to assume that the findings will be challenged unless they deliver what JA wants (quashing of convictions and payments of compensation – see JA's attributed comments about the CCRC review of Hamilton's case)
3. However, if the purpose of the review is to instil confidence in BIS (principally BNR) with the actions taken, it will be creditable if it is:
  - a. undertaken independently from the existing PO team;
  - b. logical in its approach; AND
  - c. delivered against stated objective/s.
4. This will help defend any criticism of the work undertaken (e.g. that it's "just another whitewash"), and ideally curtail further involvement.
5. Defining the review's scope will be key:
  - a. What has TP been asked to do?

- if it's unclear, TP should now set out in writing his understanding of the task (i.e. re-write the exam question)

b. What will TP actually do?

- TP should state what he wants to achieve, ideally by reference to a clear question, e.g. "Has Post Office Limited responded to allegations about the integrity of Post Office's Horizon system and related business processes in a manner appropriate for a business which desires to maintain a reputation for high standards of business conduct?"
- [[RW: clunky and very subjective, but a paraphrasing of para 3.4(e) of the Letter of Appointment]]
- TP should also be able to demonstrate that he addressed his stated aim by reference to a logical method of investigation
- both elements should be matters for TP in his sole discretion as Chairman, e.g. they are NOT for negotiation with PO, BNR, BIS etc

c. What can TP do?

- the review should however be consistent with his duties etc as set out in his Letter of Appointment, Arts of Assoc and Companies Act 2006.

6. Given the volume of material, TP is likely to need "independent professional assistance":

- he's entitled to this under para 5 of the Letter of Appointment (para 5 refers to CoSec holding the procedure document for this)
- Subject to any procedural requirements, this could be:
  - a solicitor:
    - with good document management and summarising skills (but may be inclined to descend forensically into the detail)
    - from a firm which has not been instructed by Post Office (whether on Sparrow or generally)
    - which is on the Government Services Panel if we want preferential rates (e.g. Burgess Salmon or Nabarro)
    - or completely off panel if we want total independence (i.e. no prospect of further work) (e.g. Mishcon de Reya)
  - a barrister:
    - likely to have high level of independence
    - BUT tend to be focussed on forensics and outcomes rather than the processes used
  - a management consultant:
    - likely to be good at understanding the process used
    - BUT may not be able to opine on the suitability of that process, or may focus on whether there is a "better" one
  - a former civil servant
- TP may of course have an idea of who he would like to assist him



**Rodric Williams**

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**GRO**