

From: "Parsons, Andrew" <[REDACTED] GRO>
To: Mark Underwood [REDACTED] GRO>
Subject: RE: Tim Parker Briefing [BD-4A.FID26859284]
Date: Tue, 12 Jul 2016 08:03:19 +0000
Importance: Normal
Inline-Images: image001.jpg; image002.jpg; image003.jpg

Mark

Paragraph below. This is pretty vague but intentionally so as we can't share details of our legal advice with the Minister for fear of waiving privilege in that advice. In all privilege arguments, the risk that pulling one thread leads to the unravelling of privilege in other areas eg.

- We tell the Minister that the reason we are not progressing the review is due a risk that TP's review is not privileged.
- That communication to the Minister is, itself, not privileged. We may then need to disclose that communication to the Minister to Freeths.
- Freeths then use that communication to attack the privilege in TP's work.

Suggested para:

"Once litigation is contemplated, confidential investigations and work done for the dominant purpose of furthering the litigation will be covered by litigation privilege. Any work going forward should therefore be driven by the needs of the litigation and not for other reasons, such as the Review, so to maximise the protection of privilege. If work is not covered by privilege, this may force Post Office to disclose sensitive material to the Claimants, undermining Post Office's position in the litigation."

Call if you'd like to discuss. In Rod's absence, I'd like to cast an eye of the briefing note if that is ok? I just want to check that we're not crossing any privilege lines.

Call if you want to discuss.

Andy

Andrew Parsons
Partner

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From: Mark Underwood [REDACTED] GRO
Sent: 12 July 2016 08:28
To: Parsons, Andrew
Subject: Tim Parker Briefing
Importance: High

Hi Andy,

Tim P has a meeting with the Minister on Tuesday. I am preparing his brief, to circulate tomorrow amongst Patrick, Rod & Jane – all of whom are currently on Annual Leave.

In conversations with the Minister's office, they have confirmed that they understand (and indeed anticipated) the need for prioritising the litigation and therefore for work to cease on the 'Review'.

The Minister has been briefed by her officials and though our understanding is that she does not wish to challenge this decision, she would like to better understand the reasons underpinning the legal advice received.

With Rod away, would you be able to provide me with a paragraph / couple of bullets on the reasons underpinning the legal advice?

It would be great if I could have this by close today – will that be possible?

Mark

GRO

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