

From: Cooper, Tom - UKGI[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=97888B27D7034E80AB21DE4583305D52-THOMAS.COOP]
Sent: Tue 19/11/2019 8:47:05 AM (UTC)
To: Aldred, Tom - UKGI[GRO] Watson, Richard - UKGI[GRO] Scott, Joshua - UKGI[GRO]
Subject: Fwd: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation - CALL WITH MINISTER TOLHURST readout

Does this mean BEIS is done?
Have we told HMT?

Tom

Sent from my iPhone

Begin forwarded message:

From: "Tolhurst (Private Office)" [GRO]
Date: 18 November 2019 at 14:32:44 GMT
To: "Scott, Joshua - UKGI" [GRO], "Secretary Of State (Private Office)" [GRO], "Permanent Secretary" [GRO], "SpAds Office (Private Office)" [GRO]
Cc: "Cooper, Tom - UKGI" [GRO], "White, Beth (Professional Business Services, Retail & Post Directorate)" [GRO], "Aldred, Tom - UKGI" [GRO], "Watson, Richard - UKGI" [GRO], "Bhargava, Pranita (BEIS)" [GRO], "Robson, Hugo (Business Investment)" [GRO], "Vandini, Cecilia (Advanced Manufacturing and Services)" [GRO], "Richards, Nigel (Finance & Portfolio)" [GRO], "Culshaw, Robin - UKGI" [GRO], "Creswell, Carl (Professional Business Services, Retail & Post Directorate)" [GRO], "Grant, Calum (BEIS)" [GRO], "Hill, Kate (Finance & Portfolio)" [GRO], "Jackson, Louise (Legal)" [GRO], "Corera, Jane (Legal)" [GRO], "Kilgarrieff, Patrick (Legal)" [GRO], "Manson, Justin (UKGI)" [GRO], "Beckett, Richard (Finance & Portfolio)" [GRO], "Patel, Vanisha (BEIS)" [GRO], "Morrison, Emer (Legal)" [GRO], "Cole, Alex - UKGI" [GRO], "Adegun, Oluwatosin - UKGI" [GRO], "Taylor, Tom (Finance & Portfolio)" [GRO]
Subject: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation - CALL WITH MINISTER TOLHURST readout

[Re-sent to a wider copy list]

All,

Following advice submitted on Friday in regard to the Settlement Offer for the Post Office Litigation, a call took place this morning between Minister Tolhurst and officials to discuss this further. Please see the readout from this call below.

Attendees

BEIS:

- Kelly Tolhurst
- Carl Creswell (Director, PBS, Retail and Post)
- Shanice Swales (Private Office)

UKGI:

- Tom Cooper
- Richard Watson

Key points and actions

- CC introduced the meeting explaining that the purpose of the meeting was to talk through advice on the settlement offer for the Post Office litigation, and seek KT's agreement in principle
- KT agreed that a way forward is needed and after reviewing the advice sent across on Friday, **KT agreed with the advice and recommendations**
- UKGI colleagues confirmed that the first of two judgements will be made on Friday at midday, with the second expected to be roughly within the next week or so
- For the second judgement, we will be given 24 hours-notice
- **ACTION – Private Office to set up a call between KT and officials as soon as we have notice of the judgements**
- KT stressed that a steer on communications is needed, to ensure KT and SofS are clear what they can say publicly
- Clearance now needs to be sought from the Perm Sec and no10 need to be updated on the current position – **ACTION – UKGI to draft a note on this for no10 as soon as possible, to be circulated to SofS office**

Many thanks,
Shanice



Shanice Swales
(Locum) Private Secretary to Kelly Tolhurst
Parliamentary Under Secretary of State
Department for Business, Energy and Industrial Strategy
1 Victoria Street, London, SW1H 0ET
www.gov.uk/beis | <https://twitter.com/beisgovuk>

From: Scott, Joshua - UKGI **GRO**
Sent: 15 November 2019 12:56
To: Secretary Of State (Private Office) **GRO**; Tolhurst (Private Office)
GRO Permanent Secretary **GRO** SpAds
Office (Private Office) **GRO**
Cc: Cooper, Tom - UKGI **GRO** White, Beth (Professional Business Services, Retail & Post Directorate) **GRO** Aldred, Tom - UKGI **GRO**
Watson, Richard - UKGI **GRO** Bhargava, Pranita (BEIS)
GRO; Robson, Hugo (Business Investment) **GRO**
Vandini, Cecilia (Advanced Manufacturing and Services) **GRO**; Richards, Nigel

(Finance & Portfolio) [GRO] Culshaw, Robin - UKGI
[GRO] >; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
Grant, Calum (BEIS) < [GRO] >; Hill, Kate (Finance &
Portfolio) [GRO] >; Jackson, Louise (Legal) [GRO] Corera, Jane
(Legal) [GRO] >; Kilgarrieff, Patrick (Legal) [GRO] Manson,
Justin (UKGI) [GRO] >; Beckett, Richard (Finance & Portfolio)
[GRO] >; Patel, Vanisha (BEIS) < [GRO] Morrison, Emer
(Legal) [GRO] Cole, Alex - UKGI [GRO] Adegun, Oluwatosin -
UKGI < [GRO] >; Taylor, Tom (Finance & Portfolio) [GRO]
Subject: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

OFFICIAL SENSITIVE - LEGAL

Shanice, Oliver, Jefferson and Bex,

Advice for approval.

Purpose

Following advice submitted 8 November (attached as Annex A) this advice requests Minister Tolhurst's approval for the settlement range proposed by POL (and their external legal advisors Herbert Smith Freehills (HSF)) in preparation for their mediation meeting with Claimants in the Group Litigation Order on 27/28 November.

This note seeks your approval to a proposal from the POL Board to authorise settlement at a figure up to £65m. CST approval is being sought in parallel. The settlement working group of BEIS/UKGI/HMT officials met on 14 November and agreed to support the POL board's proposal for settlement at a figure up to £65m.

In line with the decision of the POL Board, any offer above £48m could be made only if it ensures a settlement takes place and would require POL [CEO and Chair] approval, as well as the approval of officials from BEIS and HMT.

Minister Tolhurst has a phone call with officials on 18 November to discuss the advice and justifications for the settlement range proposed.

Timing

Urgent – a decision is required by 22 November.

We have discussed this advice with Perm Sec's Office in light of the pre-election period and can confirm it is classed as 'essential business' and should be allowed to continue during this time.

Special Advisers

This has been sent to SpAds office in parallel.

Annexes

Annex A – *POL Approach to GLO Mediation* Written Advice submitted 8 November.

Annex B – *Advice on Settlement (Draft)* provided by HSF and discussed at 14 November settlement working group meeting.

Annex C – *Advice on Convicted Claimants* provided by HSF and discussed at 14 November settlement working group meeting.

Annex D – POL CFO Confirmation Letter

Contacts

Director General – Justin Manson, **GRO**

Lead Official – Joshua Scott **GRO**

Director Responsible – Tom Cooper **GRO**

Any questions please let me know.

Cheers,

Josh

Joshua Scott | Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street | London | SW1H 0ET
T: **GRO**
E: Joshua.scott@ukgi.org.uk | W: www.ukgi.org.uk/

This email and any files transmitted with it are intended solely for the use of the individual(s) to whom they are addressed. If you are not the intended recipient and have received this email in error, please notify the sender and delete the email. This footnote also confirms that our email communications may be monitored to ensure the secure and effective operation of our systems and for other lawful purposes, and that this email has been swept for malware and viruses.