

From: Amy Prime [GRO]

To: Andrew Parsons [GRO], Lucy Bremner [GRO]
[GRO] Jonathan Gribben [GRO]

Subject: Note of call with Simon Henderson - 1 Oct 19 [WBDUK-AC.FID26896945]

Date: Tue, 1 Oct 2019 16:06:06 +0000

Importance: Normal

Inline-Images: image5cd13f.PNG; image61c188.PNG; image48f703.PNG

Note of call with Simon Henderson - 1 Oct 19

We cannot delay in dealing with this - do not sit on this and cannot possibly not disclose. The judgment is imminent and this is potentially really damaging, even more damaging if comes out after the judgment is delivered.

The whole trial was about KELs and if position is that a more accurate picture from time to time could be pieced together from the previous KELs that this could be serious. However, the latest version may capture progress (given the way build with updates) and would be surprising if actually there was a lot of information being lost.

If disclosed at outset then separate exercise of comparing versions of KEL register and seeing what happened could have been undertaken and may have been useful to the experts.

In terms of how this can be managed, in an ideal world we would get to bottom of this and confess but the reality is that we may not have luxury of time to do this. It would be useful to investigate and tell the story of:

- where the suggestion that previous versions of KELs came from,
- how found way on to EDQ,
- whether any discussion about this language being in the EDQ (i.e. wrong end of stick or positive rep),
- understand sign off process for EDQ,
- understand whether any correspondence with Freeths in relation to this
- how links into deprecated and deleted KEL

We should notify Freeths very quickly of the fact this has been brought to our attention as a result of queries which they raised that we were under a misapprehension. Previously informed by FJ and believed there was a single version of KEL database and overwritten, as stated in EDQ. Appears mistaken and previous versions exist.

Could we not mention the EDQ? Simon's advice is that this is not going to be a minor issue which forgotten so would be upfront and straight.

Judge hates us and mostly the whole disclosure thing. This plays into his world view and Freeths know this. Simon raised a concern over the Judge maybe wanting evidence from Coyne/Worden as to whether this makes any difference and whether trial proceeded on a false basis.

Because judgment appear at any time, need to make an earlier admission and get to bottom of situation urgently. In letter, confess to EDQ and should take an approach that we are as angry about this as Freeths are. A detailed explanation could then urgently follow.

Need to get TRQC involved.

Amy Prime

Associate

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d:
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t:
e:

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