

Message

From: Manson, Justin - UKGI [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26D6D82294A6496499DD355367556E70-JUSTIN.MANS]
Sent: 16/12/2019 21:08:34
To: Robert Swannell; **GRO**
Subject: Re: POL

Dear Robert,

Many thanks for this. Yes- the timing is right for this. I think we should get Tom, Candida, Ceri, you, me, Rob Webb in a room for a couple of hours. First to go through a chronology of events so we can reflect on the opportune times that there were for intervention and then discuss what kinds of intervention would have worked.

I prefer Rob Webb because legal advice is only one piece of the answer - Rob gets the whole picture.

I would not be keen on a drains up approach with briefing memos and rounds of discussion - partly because it would not be very motivating for teams for whom hopefully these events are now moving to the past and partly because I think the answers are likely to lie in things like recognising the characteristics of poor judgement and how to get a board to look at the situation differently and how to persuade a board to change legal horses.

May be we can find a moment to discuss tomorrow?

Best regards
Justin

Justin Manson
Interim Chief Executive
UK Government Investments
GRO

On 16 Dec 2019, at 18:58, Robert Swannell; **GRO** wrote:

Dear Justin,

Its difficult reading/hearing about the latest judgement on the POL litigation not to feel there must be lessons that we should learn on how best we can exercise our role as shareholder and Board member when faced with major, complex litigation where we are often faced with management and their advisers with a very strong (but ultimately completely wrong) view on the merits. The two judgements have been damaging reputationally for both organisations. The settlement means it should now be easier to look at this objectively. Hindsight is a wonderful thing so I am not so interested in allocating blame but rather seeing what could have been done differently and what clear checks we can put in place when faced again with this sort of major litigation risk in addition to the lessons from the NDA internal review.

Do you think a team should be put on this asap, not to boil the ocean but to learn the key lessons? You may recall that I introduced a rather unusual man (Rob Webb) who has been

involved in a large number of major pieces of litigation (BA, Rolls Royce, Autonomy etc) and who could act as an external aid and challenger. There are others we could ask – Chris Saul? Ex senior partner of Slaughters and someone I know very well.

Lets have a word when convenient.

With best wishes

Robert