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**From:** Cooper, Tom - UKGI [GRO]  
[GRO]  
**Sent:** Mon 29/10/2018 5:48:37 PM (UTC)  
**To:** Watson, Richard - UKGI [GRO]  
**Cc:** Clarke, Stephen - UKGI [GRO]; Fox, Joshua - UKGI [GRO]  
**Subject:** Re: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Richard  
Suggest you send it up if you're happy with it

Tom

Sent from my iPhone

On 29 Oct 2018, at 17:37, Watson, Richard - UKGI [GRO] wrote:

Tom

Thanks. I have put your draft in the attached Word document and tracked some suggested changes. I think the message around mediation and timings for that got rather confused at the meeting. I have tried to reflect in the attached the recent clarification the POL team have given to Josh on that.

Happy to discuss

Kind regards

Richard

Richard Watson | General Counsel  
**UK Government Investments**

1 Victoria Street | London | SW1H 0ET

T: +44 ([GRO])

E: [richard.watson](mailto:richard.watson@ukgi.org.uk) [GRO]

W: <https://www.ukgi.org.uk/>

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**From:** Cooper, Tom - UKGI  
**Sent:** 25 October 2018 17:23  
**To:** Watson, Richard - UKGI <[Richard.Watson](mailto:Richard.Watson@ukgi.org.uk)> [GRO]  
**Cc:** Clarke, Stephen - UKGI <[Stephen.Clarke](mailto:Stephen.Clarke@ukgi.org.uk)> [GRO]  
**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

I've had a go at this below. Grateful for your comments.

The purpose of the meeting was to brief the Minister and Permanent Secretary on the Postmaster Litigation and the following topics were covered:

- The status of the legal case and its resolution
- Operational impacts for POL and contingency planning
- Communications

The POL team explained that the upcoming trial in November is about the implied terms in the contract and POL's view, supported by the legal advice, is to continue to fight the claim. The trial judge has allowed for a settlement window in May, around the time of the Horizon trial (the second trial).

The value of the claim has not been quantified. POL has calculated based on the costs being incurred by the fund backing the claimants that the minimum settlement that the claimants would seek is around £30m. But the potential claim value is much higher.

The Permanent Secretary pointed out that funding has not been allocated to this claim. POL said that for a small settlement, and even amounts up to around £50m, any cost of resolution could be borne by the company. Above that they would need to consider whether it could be funded by POL or request additional support from HMG.

The POL team was asked whether a loss on one or more of the more significant contractual points at issue in the November trial could have balance sheet implications for the company. The POL team said that it is unlikely that additional funding would be needed but said this would not be known until after the trial. The POL team pointed out that levels of losses due to fraud had increased to around £5m pa because POL is not prosecuting cases while the trial is ongoing. POL has increased resources towards spotting and auditing cases of potential fraud. POL is also considering additional investments (eg in CCTV) to reduce fraud.

The Permanent Secretary asked Pol to share its legal advice with the legal team so that the department could reach its own views on the merits of any potential settlement opportunity (eg in May as stipulated by the judge). He mentioned the Magnox case where there had been different views between the department and NDA about the merits of settlement and a shared understanding of the legal merits proved to be essential to reaching a common understanding between the parties. Paula Vennells gave an unqualified agreement to provide such information.

In relation to communications, it was generally understood that the case would attract attention and the upcoming case could give rise to PQs and UQs. It was agreed that the Minister's office and BEIS comms would have direct access to the team at POL through Mark Davies.

There was a general discussion about the Banking Framework and the re-pricing at the end of November. The Minister expressed strong support for POL's role in providing this essential service and her willingness to support POL in achieving a good outcome for the company.

Tom

Tom Cooper  
Director

**UK Government Investments**

1 Victoria Street | London | SW1H 0ET

T:   
M:

E: [tom.cooper@GRO](mailto:tom.cooper@GRO)  
PA: [marcus.mcalister@GRO](mailto:marcus.mcalister@GRO)

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**From:** Tolhurst, Mpst (BEIS) [GRO](#)  
**Sent:** 24 October 2018 11:37  
**To:** Cooper, Tom - UKGI <[GRO](#)>  
**Cc:** Clarke, Stephen - UKGI <[GRO](#)>; Permanent Secretary  
<[GRO](#)>; SpAd Clark MPST <[GRO](#)>  
**Subject:** FW: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Hi Tom,

I've just had a chat with Stephen about this readout. As you know, the meeting was covered by a locum and unfortunately this was the first readout she had worked on and it isn't the easiest to follow. Perm Sec's office didn't send a PS but I assume Post Office officials took their own note of the meeting. Could someone from your team who attended please take a look at the attached and cut it down to a short summary of the meeting?

Many thanks,

Sam

<image001.png>

<image002.jpg>

**Samantha Rice**

Private Secretary to Kelly Tolhurst MP  
Parliamentary Under Secretary of State  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street, London, SW1H 0ET

[GRO](#) | [mpst.griffiths@GRO](mailto:mpst.griffiths@GRO)  
[www.gov.uk/beis](http://www.gov.uk/beis) | [@beisgovuk](https://twitter.com/beisgovuk)

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**From:** Tolhurst, Mpst (BEIS)  
**Sent:** 19 October 2018 18:13  
**To:** Cooper, Tom - UKGI <[Tom.Cooper@GRO](#)>  
**Cc:** Clark, Stephen (Business Frameworks) <[Stephen.Clark@GRO](#)>  
**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Tom,

We met briefly at the meeting on Wednesday.

As I am keen to not to have misrepresented/missed anything, I would be grateful if you would have a quick look over the attached readout of the meeting before sharing with other attendees (I assume only internal). Apologies for the slightly verbatim nature, but preferred to capture more than less.

Please could you let Sam Rice (cc'd), who will be back on from annual leave on Monday, have any comments.

Many thanks,

Christine

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**From:** Cooper, Tom - UKGI <[Tom.Cooper@GRO](#)>  
**Sent:** 17 October 2018 09:44  
**To:** Tolhurst, Mpst (BEIS) <[MPST.Tolhurst@GRO](#)>

**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Thanks Christine. See you there.

Tom

Tom Cooper

Director

**UK Government Investments**

1 Victoria Street | London | SW1H 0ET

T: **GRO**

M:

E: [tom.cooper@](mailto:tom.cooper@) **GRO**

PA: [marcus.mcalister@](mailto:marcus.mcalister@) **GRO**

---

**From:** Tolhurst, Mpst (BEIS) **GRO**

**Sent:** 17 October 2018 09:42

**To:** Clarke, Stephen - UKGI **GRO** Permanent Secretary

**GRO**

**Cc:** Aldred, Tom - UKGI **GRO** Cooper, Tom - UKGI **GRO**  
White, Sam (Advanced Manufacturing and Services) **GRO**; Watson, Richard - UKGI

**GRO**

; Vandini, Cecilia (Advanced Manufacturing and Services)

Lambert, Gavin (Advanced Manufacturing and Services)

Evans, Gareth (BEIS) **GRO**; Maghrabi, Syed

(Finance & Portfolio) **GRO**; Mitchell, Jessica (Finance & Portfolio)

**GRO**

**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

All,

Please note that I will be waiting at the Westminster Hall turnstiles at 3:45 pm this afternoon for anyone requiring to be escorted. Do allow plenty of time to get through security.

If you have any queries, I can be contacted on **GRO**

Regards,

Christine

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**From:** Clarke, Stephen - UKGI **GRO**

**Sent:** 16 October 2018 09:45

**To:** Tolhurst, Mpst (BEIS) **GRO** Permanent Secretary

**GRO**

**Cc:** Aldred, Tom - UKGI **GRO**; Cooper, Tom - UKGI **GRO**;  
White, Sam (Advanced Manufacturing and Services) **GRO**; Watson, Richard - UKGI

**GRO**

; Vandini, Cecilia (Advanced Manufacturing and Services)

; Lambert, Gavin (Advanced Manufacturing and Services)

; Evans, Gareth (BEIS) **GRO**; Maghrabi, Syed

(Finance & Portfolio) **GRO**; Mitchell, Jessica (Finance & Portfolio)

**GRO**

**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Hi Christine,

Further to yesterday's update on attendees, BEIS Finance have confirmed that they'll be represented by Syed Maghrabi (copied). I'd be grateful if the necessary invite could be issued to Syed.

Also, the location is stated on the invite as "HoC, Lower Ministerial Corridor - Ministerial Conference Room". Could you advise on how best to find this (assuming it's not obvious)?

Thanks,

Stephen

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**From:** Clarke, Stephen - UKGI

**Sent:** 15 October 2018 15:43

**To:** 'Tolhurst, Mpst (BEIS)' <[REDACTED]>; 'Permanent Secretary'

<[REDACTED]>  
**Cc:** Aldred, Tom - UKGI <[REDACTED]>; Cooper, Tom - UKGI <[REDACTED]>  
White, Sam (Advanced Manufacturing and Services) <[REDACTED]>; Watson, Richard - UKGI  
[REDACTED] Vandini, Cecilia (Advanced Manufacturing and Services)  
Lambert, Gavin (Advanced Manufacturing and Services)  
'Evans, Gareth (BEIS)' <[REDACTED]>; 'Maghrabi, Syed  
(Finance & Portfolio)' <[REDACTED]>; Mitchell, Jessica (Finance & Portfolio)  
<[REDACTED]>

**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Hi Sam and Madhav/Sophie,

Just to update, POL have finally confirmed their 4 attendees for Wednesday's litigation meeting – marked in bold on the full attendance list below:

- Paula Vennells, Group Chief Executive, POL**
- Alisdair Cameron, Group Chief Financial Officer, POL**
- Jane MacLeod, Director of Legal, Risk and Governance, POL**
- Mark Davies, Director of Communications, Brand and Corporate Affairs, POL**
- The Minister
- The Perm Sec
- Gavin Lambert, Post Office Policy Champion, BEIS
- Gareth Evans, Deputy Director, BEIS Legal Advisors
- Tom Cooper, Director, UKGI
- Richard Watson, General Counsel, UKGI
- HMT?? [tbc – the Perm Sec has written requesting their attendance after their initial push-back]
- BEIS Finance?? [tbc – we're discussing how best to meet the Perm Sec's request for representation]

Along with Friday's briefing submission, hopefully you now have everything you need, but let me know if there's anything further.

Regards,

Stephen

Stephen Clarke | Post Office Shareholder Team  
**UK Government Investments**

Corporate finance and governance in government.

1 Victoria Street | London | SW1H 0ET

T: + [GRO]  
E: [stephen.clarke@GRO](mailto:stephen.clarke@GRO)

**From:** Tolhurst, Mpst (BEIS) [GRO]  
**Sent:** 03 October 2018 14:33  
**To:** Clarke, Stephen - UKGI [GRO]  
**Cc:** Aldred, Tom - UKGI [GRO]; Cooper, Tom - UKGI [GRO];  
Permanent Secretary [GRO]; White, Sam (Advanced Manufacturing and  
Services) [GRO]; Watson, Richard - UKGI [GRO]; Vandini,  
Cecilia (Advanced Manufacturing and Services) [GRO]  
**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Hi Stephen,

Thanks for the update. I have amended the invitees as requested. I'll let Perm Sec's office come back to you on the HMT issue, since this was something requested by Perm Sec.

Sam

<image003.png>

<image009.jpg>

**Samantha Rice**

Private Secretary to Kelly Tolhurst MP  
Parliamentary Under Secretary of State  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street, London, SW1H 0ET  
[GRO] 0 | [mpst.griffiths@GRO](mailto:mpst.griffiths@GRO)  
[www.gov.uk/beis](http://www.gov.uk/beis) | [@beisgovuk](https://twitter.com/beisgovuk)

**From:** Clarke, Stephen - UKGI [GRO]  
**Sent:** 03 October 2018 13:00  
**To:** Tolhurst, Mpst (BEIS) [GRO]  
**Cc:** Aldred, Tom - UKGI [GRO]; Cooper, Tom - UKGI [GRO];  
Permanent Secretary [GRO]; White, Sam (Advanced Manufacturing and  
Services) [GRO]; Watson, Richard - UKGI [GRO]; Vandini,  
Cecilia (Advanced Manufacturing and Services) [GRO]  
**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Hi Robbie/Sam,

Further to our exchange below, I wanted to update you on attendance for the 17 October litigation meeting, as follows:

- **POL** have yet to confirm – they were concerned that the 3 person limit would not give them sufficient coverage of the detail but we've made clear that this is a requirement from the Perm Sec that they'll need to comply with.
- **HMT** have declined our invitation on the grounds that this does not comply with their usual practice in similar cases.
- Based on Alex's reformatting of the meeting, in addition to the Minister and Perm Sec,



attendees from **BEIS** and **UKGI** should now be as follows:

- Gareth Evans (BEIS Legal)
- Gavin Lambert (Post Office Policy Champion)
- Richard Watson (UKGI Legal Counsel)
- Tom Cooper (UKGI Director)

Given the proximity of the meeting and the recent changes to the format, **I'd be really grateful if the necessary invites could now be issued to the four above** (if not already done).

Regards,

Stephen

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**From:** Tolhurst, Mpst (BEIS) [REDACTED] **GRO**  
**Sent:** 17 September 2018 13:29  
**To:** Clarke, Stephen - UKGI [REDACTED] **GRO**  
**Cc:** Aldred, Tom - UKGI [REDACTED] **GRO**; Cooper, Tom - UKGI [REDACTED] **GRO**  
Permanent Secretary [REDACTED] **GRO**; White, Sam (Advanced Manufacturing and Services) [REDACTED] **GRO**  
**Subject:** RE: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

Hi Stephen,

Friday 12 as the deadline to receive the pre-meeting reading should work.

I can reissue the diary invite once HMT and Post Office confirm attendees.

Thanks,  
Robbie

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**From:** Clarke, Stephen - UKGI [REDACTED] **GRO** >  
**Sent:** 17 September 2018 11:46  
**To:** Tolhurst, Mpst (BEIS) [REDACTED] **GRO**  
**Cc:** Aldred, Tom - UKGI [REDACTED] **GRO**; Cooper, Tom - UKGI [REDACTED] **GRO**  
Permanent Secretary [REDACTED] **GRO**; White, Sam (Advanced Manufacturing and Services) [REDACTED] **GRO**  
**Subject:** FW: Prep for Post Office Litigation Briefing (of Minister & Perm Sec) on 17 October

For the Attention of Sam Rice's Locum,

In Sam's absence, please can you advise on the requests below from the Perm Sec's office and Tom Aldred on preparing for the litigation briefing on 17 October. In sum:

- Can you confirm whether a deadline of Friday 12 October am to receive pre-meeting reading from Post Office will work for the Minister? This is the deadline advised by the Perm Sec's office.
- Can you confirm that your office will reissue the diary invites to reflect the reduced attendance recommended by the Perm Sec? We await confirmation of attendees from HMT and Post Office, but the invite list for BEIS and UKGI is now as follows:

-Minister Kelly Tolhurst

- Alex Chisholm, Perm Sec
- Tom Cooper, UKGI Director
- Richard Watson, UKGI Legal Counsel
- Gareth Evans, BEIS Legal
- Gavin Lambert, Post Office Policy Champion (BEIS)
- HMT x1 (tbc)
- Post Office x3 (tbc)

Happy to discuss or provide further explanation as required.

Regards,

Stephen

Stephen Clarke | Post Office Shareholder Team  
**UK Government Investments**  
*Corporate finance and governance in government.*

1 Victoria Street | London | SW1H 0ET

T: [REDACTED] **GRO**  
E: [stephen.clarke](mailto:stephen.clarke@ukgi.co.uk) [REDACTED] **GRO**

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**From:** Permanent Secretary [REDACTED] **GRO**  
**Sent:** 14 September 2018 12:14  
**To:** Aldred, Tom - UKGI <[REDACTED] **GRO**>; Tolhurst, Mpst (BEIS) [REDACTED] **GRO**  
**Cc:** Clarke, Stephen - UKGI <[REDACTED] **GRO**>; Cooper, Tom - UKGI  
[REDACTED] **GRO** Permanent Secretary [REDACTED] **GRO**  
**Subject:** RE: POL meeting

Hi Tom,

That should be alright for Alex (though please stress that it should be the morning of Friday 12 October, with midday as a hard deadline). Could you also give us a contact at POL to contact if there are any issues?

Thanks,

Madhav

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**From:** Aldred, Tom - UKGI <[REDACTED] **GRO**>  
**Sent:** 14 September 2018 10:24  
**To:** Permanent Secretary <[REDACTED] **GRO**>; Tolhurst, Mpst (BEIS)  
<[REDACTED] **GRO**>  
**Cc:** Clarke, Stephen - UKGI <[REDACTED] **GRO**>; Cooper, Tom - UKGI  
[REDACTED] **GRO**  
**Subject:** RE: POL meeting

Madhav, Sam

POL have asked that they be able to send their material on Friday 12 October to enable them to incorporate new opinions from their legal counsel. Would this allow enough time for Alex and the minister to read?



We will come back shortly on the other info you required.

Tom

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**From:** Permanent Secretary <[REDACTED]>  
**Sent:** 13 September 2018 18:53  
**To:** Tolhurst, Mpst (BEIS) <[REDACTED]>  
**Cc:** Permanent Secretary <[REDACTED]>; Clarke, Stephen - UKGI <[REDACTED]>; Aldred, Tom - UKGI <[REDACTED]>; Cooper, Tom - UKGI <[REDACTED]>  
**Subject:** POL meeting

Hi Sam,

I wanted to make you aware of a few changes that Alex has recommended for the POL litigation meeting following a meeting with Tom Cooper:

- He has asked that this be extended to a one hour meeting (I explained the reasoning for the 45 minute slot, and he has promised he will ensure it stays to that time), but on the understanding that POL will provide pre-reading three days before the meeting and the meeting itself will be focused on a discussion as opposed to explanation.
- He has suggested that the guest list should be pared down to 2-3 people from POL, Tom and a lawyer from UKGI, Gavin Lambert and Gareth Evans from BEIS, Alex himself, the Minister and a representative from HMT (**Tom, could I ask who you think should be invited? Could you also determine who at HMT needs to be briefed more generally given Alex's strong preference for them to be brought up to speed?**)

If UKGI could confirm who should be present from POL and UKGI, could I ask for all the necessary changes to be made to the calendar invite etc?

Thanks,

Madhav

<image010.png>

Madhav Bakshi  
Private Secretary to Alex Chisholm, Permanent Secretary  
1 Victoria Street London SW1H 0ET  
madhav.baksh[REDACTED]  
[REDACTED]  
[www.gov.uk/beis](http://www.gov.uk/beis) | [twitter.com/beisgovuk](https://twitter.com/beisgovuk)

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<POL litigation Meeting note.docx>