

Message

From: Hugh Flemington [IMCEAEX-
_O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=HUGH+2EFLEMINGTON
9886-403D-BF5B-E08821F432B3@C72A47.ingest.local]
on Hugh Flemington <IMCEAEX-
behalf _O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=HUGH+2EFLEMINGTON
of 9886-403D-BF5B-E08821F432B3@C72A47.ingest.local> [IMCEAEX-
_O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=HUGH+2EFLEMINGTON
9886-403D-BF5B-E08821F432B3@C72A47.ingest.local]
Sent: 18/03/2014 08:21:35
To: Chris Aujard [GRO]
Subject: Fw: Fwd: Sparrow/Linklaters

Don't know if this list helps.
Chris Day has to produce a paper by tomorrow.
My guess is he will say "waiting for legal" to help speak to the insurance chap.

From: Alwen Lyons
Sent: Tuesday, March 18, 2014 08:13 AM
To: Hugh Flemington
Subject: Fwd: Sparrow/Linklaters

Here it is

Thanks
Alwen

Alwen Lyons
Company Secretary
[GRO]

Begin forwarded message:

From: Alwen Lyons [GRO]
Date: 17 March 2014 16:52:12 GMT
To: 'Alice Perkins' [GRO], Paula Vennells
[GRO]
Cc: Alwen Lyons [GRO]
Subject: RE: Sparrow/Linklaters

Alice to make it simpler to read I have included your initial questions along with the answers below

- 1) <!--[if !supportLists]--><![endif]-->The definitive view on all aspects of insurance ie organisational and personal. What policies do we have; what in practice, do we believe they will cover us for; and what have we been doing to fulfill our obligations under our policies?

Chris Day is providing a paper on insurance for the March Board, which will cover all these aspects and will be circulated with the Board papers.

- 2) <!--[if !supportLists]--><![endif]-->Are we safe from legal challenge in what we are/have been doing? What is the position both since we became independent and before?

The advice from Linklaters will covers the Post Office's legal liability, both before and after independence from Royal Mail Group. Advice

- 3) <!--[if !supportLists]--><![endif]-->What is the worst case in relation to costs which could result from this (both admin and settlements)?

Admin costs will be picked up in the cover Board paper to the Linklaters advice. Settlement costs and their quantum will be in the Linklaters paper.

- 4) <!--[if !supportLists]--><![endif]-->The position in relation to SS's costs and the absence of an engagement letter - what is the recommended action and what are the potential consequences?

The position with SS both costs and the absence of an engagement will be picked up in the cover paper.

- 5) <!--[if !supportLists]--><![endif]-->The position on the lessons learned review - timing.

We will put an update in the Board status report, but at this point, until we understand the way forward and how we are likely to use SS, it feels as if we should wait before undertaking this review. I understand Neil was of the same view, keeping the focus on managing the current issues, with a full lessons learned review later in the year.

- 6) <!--[if !supportLists]--><![endif]-->What options do we have to mitigate 3) above?

Some elements of the options available to mitigate costs will be picked up in the Board cover paper and the first Linklaters paper but the real savings will turn on what route we finally go down with the mediation scheme.

Hope that help Alice

Thanks
Alwen

From: Paula Vennells
Sent: 17 March 2014 15:48
To: Alice Perkins
Cc: Alwen Lyons
Subject: Re: Sparrow/Linklaters

Alice, always worth checking. Yes, we will answer your questions and to be doubly sure have checked with CA. As I'm off to FOS, Alwen will get back to you to confirm each point. (Apologies for the sloppy English - Chris' Insurance paper will be issued in advance - I hate getting caught out on language! :)
Paula

Sent from my iPhone

On 17 Mar 2014, at 13:22, "Alice Perkins" <[REDACTED]> wrote:

Thanks Paula.

I just want to be clear about the scope of the March Board paper on this.

Are you saying that the paper for the March Board will NOT cover the full ground which I outlined in my email of about ten days' ago and which originated from conversations which I had with both Belinda and Neil shortly after the last Board (no time to look for the exact date now)? If so, I'd like to understand why!

I am also assuming that Chris's paper on insurance will be circulated with the Board papers so we can read it in advance (ie not literally "tabled").

I expect we're fine on both points but this is so sensitive, I just wanted to be completely clear.

A

From: Alwen Lyons [mailto:[REDACTED]]
Sent: Monday, March 17, 2014 12:31 PM GMT Standard Time
To: Alice Perkins; Neil McCausland ([REDACTED]);
 <[REDACTED]>; 'Alasdair Marnoch' <[REDACTED]>;
 'timfranklin' <[REDACTED]>; virginia.holmes <[REDACTED]>;
 <[REDACTED]>; Susannah Hooper <[REDACTED]>;
 Chris M Day <[REDACTED]>; Callard Richard (ShEx)
 <[REDACTED]>
Cc: Paula Vennells <[REDACTED]>; Chris Aujard
 <[REDACTED]>; Belinda Crowe
 <[REDACTED]>
Subject: Sparrow/Linklaters

Please see below a note from Paula

Thanks
 Alwen

Dear all, I thought it would be helpful if I reminded us of the chronology and brief.

At the Feb Board, the Executive were asked 'where we were getting advice from' as we look into the options available to us. We agreed we would engage a top law firm to bolster our thinking, particularly with a view to understanding the legal position re, compensation, but also horizon scanning legal impacts of any changes we might consider, eg., settling outside the scheme, triage by type of complaint, etc. And, following the advice from Sir Tony Hooper (for the Board to be patient whilst he evaluated the suitability of reports coming in), we agreed we would come back to the Board in April with next steps.

Additionally, Alasdair helpfully suggested we could also expand our thinking by engaging off the record with the FOS. I am meeting their CEO this pm.

At the March ARC, I understand the NEDs asked to accelerate the most sensitive step in the process, ie., to understand the legal 'bottom line' re compensation exposure and our ability to challenge. The Executives agreed and this part of the LL brief has now been accelerated. We will therefore provide an interim report on this aspect to the March board. I am reviewing tomorrow am.

Lastly, Chris D was asked at the Board and at the ARC to update and clarify the insurance position. Chris is clear on this and will table a paper at the March Board.

I hope this helps clarify why the scope of the brief is as written. I think it is important that we are clear on wider legal impacts as we consider options around the scheme, ie., to make the outcomes better and the process more efficient by looking at different approaches within it and/or approaches which may supplement the scheme.

Any questions at all, please call me.

Paula

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