

Message

From: Andrew Parsons [GRO]
Sent: 22/10/2019 12:54:00
To: Rodric Williams [GRO]; Ben Foat [GRO]
CC: Sushma MacGeoch [GRO]; Tom Beezer [GRO]; Belinda Fox [GRO]; Jonathan Gribben [GRO]; Amy Prime [GRO]
Subject: Headlines / actions for today's board SubCo
Attachments: RE: GLO - Operations / Loss Processes [WBDUK-AC.FID26896945]

Rodric (and I've copied Ben in case I missed anything)

As promised, headlines and actions from today's board SubCo.

1. Alan gave a general update on the litigation and settlement. Nothing new in here that you won't already know.
2. SubCo approved the KEL strategy: that we do not review the 14,000 back-versions of KELs but we do a narrow audit on KEL extraction. It was understood that (in Nick's words) this "*put PO between a rock and hard place*". Alan and I have also discussed (outside of the meeting) how to do this. Now we have a narrower scope we might look at someone other than Deloitte who can move faster. Action for WBD to take this forward as fast as possible.
3. On settlement, there was a general view that the Cs pushing to include Litigation Funding Costs in the Further Issues trial was a sign that they are worried about their funding costs eating up their damages and so there may be merit in slowing down (or at least not speeding up) the litigation to apply pressure on the Cs. On this basis, the board were sanguine about delaying the HIT, though recognised that that might also push back mediation. The board did not oppose (although they also didn't expressly endorse) the plan to deny the Cs claims for litigation funding costs and harassment.
4. We ran out of time and didn't cover: (i) HDQC doing trial 3 or (ii) costs budgets. Alan is going to try to pick up costs budgeting through other channels this afternoon.
5. The litigation briefing took up most of the meeting. In relation to operational / contingency planning (which lasted 10 mins), the meeting was opened to questions. I only captured the resulting actions below.
 - a. Tom Cooper asked that the monthly board packs include stats on branch conformance and shortfalls so the board can see trends – this was an action for Julie Thomas.
 - b. Tom Cooper raised a question about whether the BTS is being improved because he thought it was unclear. This was parked for now, but will likely come up again. This was principally an action for Julie Thomas but Rod... see my email attached about the BTS and that I now think needs to go to Julie on this.
6. At the end, we then looped back to settlement and criminal cases at Tom Cooper's request. In particular, the idea that PO should consider reviewing the 61 criminal cases in the GLO from the perspective of whether those prosecutions would be brought today in the current environment and if a prosecution would not have been brought today then compensation should be offered. Alan briefly flagged some risks of doing this, including BAQC's advice that PO should not be making any payments to convicted Cs until a conviction is overturned. Tim Parker asked that a full piece of advice / analysis be done on this, including costs of going down this route. I'll speak to HSF about who is picking this up.
7. HSF and I then stepped out when the SubCo were discussing HSF costs so you'll have to ask Ben about that!

A

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