

From: Vandini, Cecilia (Advanced Manufacturing and Services) | **GRO**
Sent: Thur 19/12/2019 7:45:35 AM (UTC)
To: Cooper, Tom - UKG | **GRO**
Cc: Scott, Joshua - UKG | **GRO**; Aldred, Tom - UKG | **GRO**
Creswell, Carl (Professional Business Services, Retail & Post Directorate) | **GRO**; Grant, Calum (BEIS) | **GRO**
Subject: Re: Post Office Litigation Trial - Horizon Issue Judgment 16 December

Hi Tom,

Shortening the copy list. Do you mean the settlement lines in the core brief or in the UQ rebuttal? In any case I can work with Josh to rework them.

As for your point about the inquiry, it is a very valid one. However, I do not think it should be addressed in the UQ rebuttal as the purpose of it is just to persuade the speaker to agree not to grant the urgent question.

A fuller briefing with extensive Q&A will have to be sent up should the UQ be granted. The issue of a public inquiry can be dealt with as part of that, but would be good to incorporate a line on the inquiry in our fuller Q&A pack.

Thanks,
Cecilia

Cecilia Vandini (BEIS) | Post Office Policy Lead | **GRO**

From: "Cooper, Tom - UKG" | **GRO**
Date: Wednesday, 18 December 2019 at 16:16
To: "Vandini, Cecilia (Advanced Manufacturing and Services)" | **GRO**
Cc: "Tolhurst (Private Office)" | **GRO**, "Secretary Of State (Private Office)" | **GRO**, "SpAds Office (Private Office)" | **GRO**, Permanent Secretary | **GRO**, "Aldred, Tom - UKG" | **GRO**, "Watson, Richard - UKG" | **GRO**, "Culshaw, Robin - UKG" | **GRO**, "Lambert, Lucie - UKG" | **GRO**, "Cole, Alex - UKG" | **GRO**, "Adegun, Oluwatosin - UKG" | **GRO**, "Creswell, Carl (Professional Business Services, Retail & Post Directorate)" | **GRO**, "White, Beth (Professional Business Services, Retail & Post Directorate)" | **GRO**, "Bhargava, Pranita (BEIS)" | **GRO**, "Grant, Calum (BEIS)" | **GRO**, "Regis, Patricia (Communications & Partnerships)" | **GRO**, "Yeomans, Rachel (Communications & Partnerships)" | **GRO**, "Southerton, Sarah (BEIS)" | **GRO**, "Corera, Jane (Legal)" | **GRO**, "Morrison, Emer (Legal)" | **GRO**, "Patel, Vanisha (Finance & Portfolio)" | **GRO**, "Richards, Nigel (Finance & Portfolio)" | **GRO**
Subject: Re: Post Office Litigation Trial - Horizon Issue Judgment 16 December

Cecilia

I'd suggest changing the lines on convicted claimants. As written the lines suggest that everything has been settled which is not the case.

Also I think there needs to be a response to a question about an inquiry which has already been raised by an MP.

Tom

Sent from my iPhone

On 18 Dec 2019, at 15:37, Vandini, Cecilia (Advanced Manufacturing and Services) <[REDACTED] GRO [REDACTED]> wrote:

Hi Jess,

With thanks to all those who contributed, please find enclosed the UQ rebuttal and our most up to date lines on the litigation.

Let me know if there's anything else I can do to help.

Best,
Cecilia

Cecilia Vandini (BEIS) | Post Office Policy Lead | [REDACTED] GRO [REDACTED]

From: "Vandini, Cecilia (Advanced Manufacturing and Services)" <[REDACTED] GRO [REDACTED]>
Date: Wednesday, 18 December 2019 at 12:13
To: "Tolhurst (Private Office)" <[REDACTED] GRO [REDACTED]>, "Secretary Of State (Private Office)" <[REDACTED] GRO [REDACTED]>, "Scott, Joshua - UKGI" <[REDACTED] GRO [REDACTED]>
"SpAds Office (Private Office)" <[REDACTED] GRO [REDACTED]>, Permanent Secretary
[REDACTED] GRO
Cc: "Cooper, Tom - UKGI" <[REDACTED] GRO [REDACTED]>, "Aldred, Tom - UKGI"
[REDACTED] GRO >, "Watson, Richard - UKGI" <[REDACTED] GRO [REDACTED]>
"Culshaw, Robin - UKGI" <[REDACTED] GRO [REDACTED]>, "Lambert, Lucie - UKGI"
[REDACTED] GRO >, "Cole, Alex - UKGI" <[REDACTED] GRO [REDACTED]>, "Adegun, Oluwatosin - UKGI" <[REDACTED] GRO [REDACTED]>, "Creswell, Carl (Professional Business Services, Retail & Post Directorate)" <[REDACTED] GRO [REDACTED]>, "White, Beth (Professional Business Services, Retail & Post Directorate)" <[REDACTED] GRO [REDACTED]>, "Bhargava, Pranita (BEIS)" <[REDACTED] GRO [REDACTED]>, "Grant, Calum (BEIS)" <[REDACTED] GRO [REDACTED]>, "Yeomans, Regis, Patricia (Communications & Partnerships)" <[REDACTED] GRO [REDACTED]>, "Southerton, Sarah Rachel (Communications & Partnerships)" <[REDACTED] GRO [REDACTED]>, "Corera, Jane (Legal)" <[REDACTED] GRO [REDACTED]>, "Morrison, Emer (Legal)" <[REDACTED] GRO [REDACTED]>, "Patel, Vanisha (Finance & Portfolio)"
[REDACTED] GRO >, "Richards, Nigel (Finance & Portfolio)"
GRO

Subject: Re: Post Office Litigation Trial - Horizon Issue Judgment 16 December

Hi Jess,

Thanks for the update. The UQ rebuttal is currently going through our internal clearance process and we are well on track to meet the deadline.

Noted on the meeting with Nick Read. Let's pick up when ministerial portfolios have been confirmed!

Thanks,
Cecilia

Cecilia Vandini (BEIS) | Post Office Policy Lead |

GRO

From: "Tolhurst (Private Office)" **GRO**
Date: Wednesday, 18 December 2019 at 12:08
To: "Secretary Of State (Private Office)" <**GRO**>, "Scott, Joshua - UKGI"
"GRO", "SpAds Office (Private Office)" <**GRO**>
Permanent Secretary <**GRO**>
Cc: "Cooper, Tom - UKGI" <**GRO**>, "Aldred, Tom - UKGI"
"GRO", "Watson, Richard - UKGI" <**GRO**>
"Culshaw, Robin - UKGI" <**GRO**>, "Lambert, Lucie - UKGI"
"GRO", "Cole, Alex - UKGI" <**GRO**>, "Adegun,
Oluwatosin - UKGI" <**GRO**>, "Creswell, Carl (Professional Business
Services, Retail & Post Directorate)" <**GRO**>, "White, Beth (Professional
Business Services, Retail & Post Directorate)" <**GRO**>, "Bhargava, Pranita
(BEIS)" <**GRO**>, "Vandini, Cecilia (Advanced Manufacturing and
Services)" <**GRO**>, "Grant, Calum (BEIS)" <**GRO**>
"Regis, Patricia (Communications & Partnerships)" <**GRO**>, "Yeomans,
Rachel (Communications & Partnerships)" <**GRO**>, "Southerton, Sarah
(BEIS)" <**GRO**>, "Corera, Jane (Legal)" <**GRO**>
"Morrison, Emer (Legal)" <**GRO**>, "Patel, Vanisha (Finance & Portfolio)"
GRO, "Richards, Nigel (Finance & Portfolio)"
>

Subject: RE: Post Office Litigation Trial - Horizon Issue Judgment 16 December

Hi All,

Kelly has noted the update. She hasn't indicated that she would like a call with POL so please stand down on producing briefing. Thank you for your work on this up until this point.

She would like to see the UQ rebuttal ahead of any being tabled so grateful if the COP today deadline can be met.

Finally, I assured her that she will be provided with robust lines on the litigation to be used in the chamber as it can now be raised. As such, I would be grateful if a set of lines/attacks can be prepared to have on the stocks for all future Post Office debate packs.

Separately on a BAU note, Kelly has requested that once her reappointment is confirmed her monthly 1-2-1 meetings with Nick Read go back into the diary with only Private Office in attendance to take notes.

More than happy to discuss if you have any questions.

Many thanks,
Jess

<image001.png>

Jessica Tysoe
Private Secretary to Kelly Tolhurst MP
Department for Business, Energy and Industrial Strategy
1 Victoria Street, London, SW1H 0ET

GRO

From: Secretary Of State (Private Office) <[REDACTED]**GRO**[REDACTED]>
Sent: 17 December 2019 15:23
To: Scott, Joshua - UKGI [REDACTED]**GRO**[REDACTED]; Tolhurst (Private Office)
Secretary [REDACTED]**GRO**[REDACTED]; Permanent
Cc: Cooper, Tom - UKGI [REDACTED]**GRO**[REDACTED]; Aldred, Tom - UKGI [REDACTED]**GRO**[REDACTED]; Watson, Richard - UKGI [REDACTED]**GRO**[REDACTED]; Culshaw, Robin - UKGI [REDACTED]
(Professional Business Services, Retail & Post Directorate) [REDACTED]**GRO**[REDACTED]; Cole, Alex - UKGI [REDACTED]
(Professional Business Services, Retail & Post Directorate) [REDACTED]**GRO**[REDACTED]; Creswell, Carl [REDACTED];
(BEIS) [REDACTED]**GRO**[REDACTED]; Lambert, Lucie - UKGI [REDACTED]**GRO**[REDACTED]; White, Beth [REDACTED];
(Communications & Partnerships) [REDACTED]**GRO**[REDACTED]; Vandini, Cecilia (Advanced Manufacturing and Services) [REDACTED]**GRO**[REDACTED]; Bhargava, Pranita [REDACTED];
(Legal) [REDACTED]**GRO**[REDACTED]; Grant, Calum (BEIS) [REDACTED]**GRO**[REDACTED]; Regis, Patricia [REDACTED];
[REDACTED]**GRO**[REDACTED]; Yeomans, Rachel (Communications & Partnerships) [REDACTED]**GRO**[REDACTED]; Southerton, Sarah (BEIS) [REDACTED]**GRO**[REDACTED];
[REDACTED]**GRO**[REDACTED]; Corera, Jane (Legal) [REDACTED]**GRO**[REDACTED]; Morrison, Emer [REDACTED];
[REDACTED]**GRO**[REDACTED]; Patel, Vanisha (Finance & Portfolio) [REDACTED]**GRO**[REDACTED];
[REDACTED]**GRO**[REDACTED]; Richards, Nigel (Finance & Portfolio) [REDACTED]**GRO**[REDACTED]
Subject: RE: Post Office Litigation Trial - Horizon Issue Judgment 16 December

Thanks Josh,

SoS has noted without comment

Bex

Rebecca Lowe, Private Secretary to the Secretary of State, Department for Business, Energy and Industrial Strategy

Tel: [REDACTED]**GRO**[REDACTED]
Email: [REDACTED]
From: Scott, Joshua - UKGI [REDACTED]**GRO**[REDACTED]
Sent: 16 December 2019 17:19
To: Secretary Of State (Private Office) <[REDACTED]**GRO**[REDACTED]>; Tolhurst (Private Office)
Secretary [REDACTED]**GRO**[REDACTED]; Permanent
Cc: Cooper, Tom - UKGI [REDACTED]**GRO**[REDACTED]; Aldred, Tom - UKGI [REDACTED]**GRO**[REDACTED]; Watson, Richard - UKGI [REDACTED]**GRO**[REDACTED]; Culshaw, Robin - UKGI [REDACTED]
(Professional Business Services, Retail & Post Directorate) [REDACTED]**GRO**[REDACTED]; Cole, Alex - UKGI [REDACTED]
(Professional Business Services, Retail & Post Directorate) [REDACTED]**GRO**[REDACTED]; Creswell, Carl [REDACTED];
(BEIS) [REDACTED]**GRO**[REDACTED]; Lambert, Lucie - UKGI [REDACTED]**GRO**[REDACTED]; White, Beth [REDACTED];
(Communications & Partnerships) [REDACTED]**GRO**[REDACTED]; Vandini, Cecilia (Advanced Manufacturing and Services) [REDACTED]**GRO**[REDACTED]; Bhargava, Pranita [REDACTED];
(Legal) [REDACTED]**GRO**[REDACTED]; Grant, Calum (BEIS) [REDACTED]**GRO**[REDACTED]; Regis, Patricia [REDACTED];
[REDACTED]**GRO**[REDACTED]; Yeomans, Rachel (Communications & Partnerships) [REDACTED]**GRO**[REDACTED]; Southerton, Sarah (BEIS) [REDACTED]**GRO**[REDACTED];
[REDACTED]**GRO**[REDACTED]; Corera, Jane (Legal) [REDACTED]**GRO**[REDACTED]; Morrison, Emer [REDACTED];
[REDACTED]**GRO**[REDACTED]; Patel, Vanisha (Finance & Portfolio) [REDACTED]**GRO**[REDACTED];
[REDACTED]**GRO**[REDACTED]; Richards, Nigel (Finance & Portfolio) [REDACTED]**GRO**[REDACTED]

Subject: Post Office Litigation Trial - Horizon Issue Judgment 16 December

Hi all,

Judge Fraser handed down his judgment in the Post Office Group Litigation Order (GLO) in relation to the second "Horizon Issues" trial that took place over the summer. This follows the settlement that was reached between the Post Office and the claimants last week.

Post Office came in to discuss the judgment and its implications with officials today. Please see below a brief update.

- Today Judge Fraser handed down his judgment centred on the reliability and function of the Horizon accounting system used by Post Office Ltd (POL). It follows the legal action from 555 postmasters, which was successfully settled through mediation last week.
- Broadly, the Judgment found that today's Horizon system (HNG-A, operating from 2018 – present) is "relatively robust". However, previous systems were not: Legacy Horizon (2000 – 2010) was "not robust" and the robustness of its successor HNG-X (2010 – 2018) was "*questionable, and did not justify the confidence placed in it by Post Office*". This judgment is a historic analysis of the Horizon system in relation to the period in question in the group litigation, and not a judgment upon what is in use today. It is also a judgment on the system in abstract, and not the basis for conclusions about specific cases.
- The judgment is less critical than previous judgments but there is still some strong criticism in places.
- In terms of next steps there are 3 areas that have specific implications for POL:
 1. Convicted claimants, where the judgment calls into question the integrity of previous convictions. POL recognise the complexities here; the right place to hear these will be through the CCRC process and Court of Appeal. This is central to the settlement reached last week and POL will work collaboratively with the CCRC on the individual cases involved.
 2. Future claims of shortfalls outside GLO, where other postmasters may come forward noting the findings on the historic Horizon system. POL have agreed a process as part of the settlement for postmasters with shortfalls who wished to come forward to assess and look at these (a Shortfalls Working Group).
 3. Action against Fujitsu (FJ) – The judge is critical of the evidence provided by FJ. He has referred the case to the Director of Public Prosecutions but it is not yet clear what further action may be taken. POL is considering whether it could take action against FJ but preliminary advice indicates this would be challenging. Notably the ultimate decision to pursue postmasters for shortfalls was taken by POL and not FJ.
- POL have kept BEIS comms engaged and remain keen to focus on the settlement reached last week. Their external messaging is centred around the new "reset" relationship between POL and postmasters and on continuing the actions agreed at the settlement.
- POL and officials are available for an in-person briefing should the Minister request it.

If you have any questions please let me know.

Cheers,

Josh

Joshua Scott | Analyst

Post Office Shareholder Team
UK Government Investments
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T:
E: **GRO**

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