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Sent: Mon 19/05/2014 11:47:22 AM (UTC)

To: Alasdair Marnoch[]; Alice Perkins[]

Cc: Chris Aujard[]; Mark R
Davies[]; Martin Edwards[];
Paula Vennells[]

Subject: Tony Hooper debrief

Hi Alasdair, thought I'd copy Alice, Chris and Mark as well, as we haven't had time to catch up yet.

A useful meeting and helpful but only in parts. My note below is simply factual, as I want to catch up with Mark and Chris before we offer views on next steps.

The mood of the meeting was positive and cooperative. The content was challenging, but overall his response was not unexpected.

He is keen to retain his independence and although happy to share off the record conversations, will not give a view on hypothetical situations that he doesn't yet need to consider.

He is not personally moved by arguments of budget, timing or politics. In his mind the scheme is starting to make progress, now that final reports are in. He doesn't see any issue if it takes 18 months to get through the workload; and is quite happy to ignore political pressures. He gave the impression we may be making too big a deal of it - these things take time; we should get through the work in a lower key way, allowing the scheme to run its course, which would take whatever time it took.

I gave him the opportunity to express any views on PO performance and thanked him for helping shape some of our reports; to which he replied that really they had been good and he had only asked us to be clearer in calling out where there was evidence of 'hands in tills'. He said the PO reports are thorough and name checked Angela but made the point it had taken everyone by surprise how much work was involved - he said the detail was necessary and that has taken PO much more time than envisaged.

He would not be drawn into criticism of SS and made the point that SS had not yet asked for any time extensions. Too much detail to explain here but needless to say, he is not stupid and that point was less about the time and more about - as the scheme is only now getting into its stride - he needs to remain objective. He is not going to take sides, or certainly not in front of the CEO of the PO.

We challenged. And he did concede the need to keep SS focused on the narrow issue of loss and not allow wider ranging comments in their case reports. And he has agreed to raise this at the next meeting.

Would he want to stay involved if we changed the way the scheme ran? He didn't say no but nor did he give any indication that he would; he did give a strong steer that changing it would be difficult (the implication being that we couldn't count on his full support). 'You have made your bed...'

He offered to come and speak to the Sub-Ctte or the Board.

We gained some ground on an agreement that he would try to keep SS better focused; and some clarity re no conditional fee agreements.

As Alice knows, I called Christa Band from Linklaters to get her advice on steering the conversation before I met with TH. Christa advised not to put him in a position where he had to make a decision or opine on ours until we knew what our position is on the various outcomes: once a judge has made a decision, it is difficult to pull back. This was helpful.

Chris will do a formal file note of the meeting and he, Mark and I will discuss the issues coming out of this and next steps, which we will bring to the Sub-Ctte. I will also provide an oral update for the Board. Do I think we can go further with TH? Possibly but we need some well-thought through scenario planning first, including reasons why any change would appeal to him. Not yet an easy sell - but of course there are no easy options here.

Regards

Paula

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