

From: Tom.Cooper [redacted] **GRO**
Sent: Sat, 23 Nov 2019 12:13:51 +0000
To: Secretary Of State (Private Office)
Cc: Scott, Joshua - UKGI;Creswell, Carl (Professional Business Services, Retail & Post Directorate);Grant, Calum (BEIS);Permanent Secretary;Tolhurst (Private Office);SpAds Office (Private Office);White, Beth (Professional Business Services, Retail & Post Directorate);Aldred, Tom - UKGI;Watson, Richard - UKGI;Bhargava, Pranita (BEIS);Hugo Robson;Vandini, Cecilia (Advanced Manufacturing and Services);Richards, Nigel (Finance & Portfolio);Culshaw, Robin - UKGI;Hill, Kate (Finance & Portfolio);Jackson, Louise (Legal);Corera, Jane (Legal);Kilgarriff, Patrick (Legal);Manson, Justin - UKGI;Beckett, Richard (Finance & Portfolio);Patel, Vanisha (Finance & Portfolio);Morrison, Emer (Legal);Cole, Alex - UKGI;Adegun, Oluwatosin - UKGI;Taylor, Tom (Finance & Portfolio);Southerton, Sarah (BEIS);Yeomans, Rachel (Communications & Partnerships)
Subject: Re: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

I'm ok for you to send this to No 10 but I suggest you wait a few hours to give others a chance to comment.

We need a decision by Monday. There is a Board meeting of POL on Tuesday to discuss the litigation and approve the approach to mediation. The Board will want confirmation that HMG approval has been obtained.

Tom

Sent from my iPhone

On 23 Nov 2019, at 11:38, Secretary Of State (Private Office) <[redacted]> **GRO** wrote:

Thanks Tom – are you content for me to share your response below with No10? It is for the PM, based on his feedback on the update we provided yesterday. Please confirm, or let me know if you would like to amend it at all.

I'm still not quite clear on timings though. Although I understand the need to resolve this in a timely way, No10 have asked for more information by Monday and I don't know whether you need views from No10 by a certain point next week. If so, we will need to make No10 aware of timing constraints and when we need a view.

Jasmine

<image001.png>

<image002.jpg>

Jasmine Mitchell

Private Secretary to the Rt Hon Andrea Leadsom
Secretary of State for Business, Energy and Industrial
Strategy

Tel: [redacted] **GRO** [redacted] **GRO**
secretary.state [redacted] **GRO**

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Does this email or any attachments need to be “on the record” or available to others for their day to day work? If so, it is the responsibility of the policy team to save information into SharePoint, in line with Cabinet Office and Departmental guidance

From: Cooper, Tom - UKGI <GRO>
Sent: 23 November 2019 11:13
To: Secretary Of State (Private Office) <GRO>
Cc: Scott, Joshua - UKGI <GRO>; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
<GRO>; Grant, Calum (BEIS) <GRO>; Tolhurst (Private Office) <GRO>; SpAds Office (Private Office)
<GRO>; White, Beth (Professional Business Services, Retail & Post Directorate) <GRO>; Aldred, Tom - UKGI
<GRO>; Watson, Richard - UKGI
<GRO>; Bhargava, Pranita (BEIS)
<GRO>; Robson, Hugo (Business Investment)
<GRO>; Vandini, Cecilia (Advanced Manufacturing and Services) <GRO>; Richards, Nigel (Finance & Portfolio)
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Corera, Jane (Legal) <GRO>; Kilgarriff, Patrick (Legal)
<GRO>; Manson, Justin (UKGI)
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<GRO>; Cole, Alex - UKGI <GRO>;
Adegun, Oluwatosin - UKGI <GRO>; Taylor, Tom (Finance & Portfolio) <GRO>; Southerton, Sarah (BEIS)
<GRO>; Yeomans, Rachel (Communications & Partnerships) <GRO>
Subject: Re: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Jasmine

It was certainly the case that the previous SoS believed that many injustices had been done to these postmasters and that there was an imperative for HMG to put those injustices right and resolve these cases quickly given how long these cases have been going on (in some cases getting on for 20 years).

The situation is in fact more nuanced as there are some claimants that POL believes genuinely acted either illegally (eg theft) or in breach of their contracts. On the other hand there are also a large number where POL failed to deal with problems experienced by postmasters in a fair way ultimately leading to

postmasters losing their businesses and other negative consequences. The most difficult cases are the postmasters with criminal convictions.

The very adverse judgement that POL has already received and it's unsuccessful attempt to appeal now makes it impossible for POL to defend the vast majority of these cases and it will have to pay out a substantial sum in compensation. So it's now in everyone's interest - both POL and the claimants - to resolve this litigation in a timely way. As per our advice there is no upside for HMG in seeking to delay the mediation, which would have to be made public in court, as it will just be seen by the claimants, the judge and the media as POL continuing to avoid and delay the resolution of these cases.

I hope this helps.

Tom

Sent from my iPhone
On 23 Nov 2019, at 10:37, Secretary Of State (Private Office)
✉ **GRO** > wrote:

Hi All,

Responding as weekend duty PS in SoS office. Bex updated No10 yesterday, and they want to know whether our assessment is that the postmasters are innocent, and have said that based on updates we have provided, their assessment is that it looks that way. Can we be more/less definitive?

No10 are happy to get an answer by Monday, but I'm not entirely clear on timings and when a decision is required? I think if we go back to No10 with the info on Monday, we are likely to get a view late Monday, early Tuesday. Is this too late? **I'd be hugely grateful for a view on this today, if possible**

Best,
Jasmine

<image003.png>

<image004.jpg>

Jasmine Mitchell

Private Secretary to the Rt Hon Andrea Leadsom
Secretary of State for Business, Energy and Industrial
Strategy

✉ **GRO** **GRO** **GRO**
secretary.state@beis.gov.uk 10downingstreet.gov.uk
1 Victoria Street, London SW1H 0ET
www.gov.uk/beis | <https://twitter.com/beisgovuk>

Does this email or any attachments need to be "on the record" or available to others for their day to day work? If so, it is the responsibility of the policy team to save information into SharePoint, in line with Cabinet Office and Departmental guidance

From: Secretary Of State (Private Office)
Sent: 22 November 2019 18:08
To: Scott, Joshua - UKGI <[REDACTED] GRO>; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
<[REDACTED] GRO>; Grant, Calum (BEIS)
<[REDACTED] GRO>; Permanent Secretary
<[REDACTED] GRO>; Tolhurst (Private Office)
<[REDACTED] GRO>; SpAds Office (Private Office)
<[REDACTED] GRO>
Cc: Cooper, Tom - UKGI <[REDACTED] GRO>; White, Beth (Professional Business Services, Retail & Post Directorate)
<[REDACTED] GRO>; Aldred, Tom - UKGI
<[REDACTED] GRO>; Watson, Richard - UKGI
<[REDACTED] GRO>; Bhargava, Pranita (BEIS)
<[REDACTED] GRO>; Robson, Hugo (Business Investment) <[REDACTED] GRO>; Vandini, Cecilia (Advanced Manufacturing and Services) <[REDACTED] GRO>;
Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO>;
Culshaw, Robin - UKGI <[REDACTED] GRO>; Hill, Kate (Finance & Portfolio) <[REDACTED] GRO>; Jackson, Louise (Legal)
<[REDACTED] GRO>; Corera, Jane (Legal)
<[REDACTED] GRO>; Kilgarriff, Patrick (Legal)
<[REDACTED] GRO>; Manson, Justin (UKGI)
<[REDACTED] GRO>; Beckett, Richard (Finance & Portfolio)
<[REDACTED] GRO>; Patel, Vanisha (Finance & Portfolio)
<[REDACTED] GRO>; Morrison, Emer (Legal)
<[REDACTED] GRO>; Cole, Alex - UKGI
<[REDACTED] GRO>; Adegun, Oluwatosin - UKGI
<[REDACTED] GRO>; Taylor, Tom (Finance & Portfolio)
<[REDACTED] GRO>; Southerton, Sarah (BEIS)
<[REDACTED] GRO>; Yeomans, Rachel (Communications & Partnerships) <[REDACTED] GRO>
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi all,

I've updated SoS that we aren't able to reschedule the mediation. She's asked that I update No10 which I have done now. I'll let you know if they come back to me with any concerns. If they are content we can proceed with mediation as scheduled.

Thanks,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy

Tel: [REDACTED] GRO Mobile: [REDACTED] GRO
Email: [REDACTED] GRO

From: Scott, Joshua - UKGI <[REDACTED] GRO>
Sent: 22 November 2019 16:21
To: Secretary Of State (Private Office)
<[REDACTED] GRO>; Creswell, Carl (Professional Business Services, Retail & Post Directorate) <[REDACTED] GRO>;
Grant, Calum (BEIS) <[REDACTED] GRO>; Permanent Secretary <[REDACTED] GRO>; Tolhurst (Private Office) <[REDACTED] GRO>; SpAds Office (Private Office)
<[REDACTED] GRO>
Cc: Cooper, Tom - UKGI <[REDACTED] GRO>; White, Beth (Professional Business Services, Retail & Post Directorate)
<[REDACTED] GRO>; Aldred, Tom - UKGI
<[REDACTED] GRO>; Watson, Richard - UKGI
<[REDACTED] GRO>; Bhargava, Pranita (BEIS)
<[REDACTED] GRO>; Robson, Hugo (Business Investment) <[REDACTED] GRO>; Vandini, Cecilia (Advanced Manufacturing and Services) <[REDACTED] GRO>;
Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO>;
Culshaw, Robin - UKGI <[REDACTED] GRO>; Hill, Kate (Finance & Portfolio) <[REDACTED] GRO>; Jackson, Louise (Legal)
<[REDACTED] GRO>; Corera, Jane (Legal)
<[REDACTED] GRO>; Kilgarriff, Patrick (Legal)
<[REDACTED] GRO>; Manson, Justin (UKGI)
<[REDACTED] GRO>; Beckett, Richard (Finance & Portfolio)
<[REDACTED] GRO>; Patel, Vanisha (Finance & Portfolio)
<[REDACTED] GRO>; Morrison, Emer (Legal)
<[REDACTED] GRO>; Cole, Alex - UKGI
<[REDACTED] GRO>; Adegun, Oluwatosin - UKGI
<[REDACTED] GRO>; Taylor, Tom (Finance & Portfolio)
<[REDACTED] GRO>; Southerton, Sarah (BEIS)
<[REDACTED] GRO>; Yeomans, Rachel (Communications & Partnerships)
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Bex,

No problem and thank you and Shanice for liaising with Andrea and Kelly respectively.

Please let Andrea know that CST has now approved the settlement range [REDACTED]

We are working up a Shareholder approval letter and, if SoS is content, we aim to issue this on Monday in good time for the mediation to start on Wednesday.

Herbert Smith Freehills have now also provided a short summary of the permission to appeal judgment. Please see the below but note that despite the

tone of the summary, the judgment was again critical of POL e.g “*Yet this application is founded on the premise that the nation’s most trusted brand was not obliged to treat their SPMs with good faith, and instead entitled to treat them in capricious or arbitrary ways which would not be unfamiliar to a mid-Victorian factory-owner.*”

- The judge considered that Fraser J's conclusions were too difficult to disentangle from his findings of fact at trial -"no-one knows more about this case than Fraser J".
- He also considered that some points taken on the permission application are points that could and should have been taken at trial.
- On good faith, he emphasised that the duty is not a demanding obligation. The various terms he found to exist as an incident of good faith were based on the judge's findings of fact; given Post Office did not engage with the detailed terms at trial, it was too late now to take points about their breadth.
- The judge described Post Office's arguments on the construction of the notice periods in the contracts as "better". However, he says "Even if I thought Grounds 6 and 7 in isolation had a realistic prospect of success, there would be no point in granting permission unless I also felt that their grounds in respect of the alternative cases as to true agreement (Ground 9); incorporation (Grounds 14-15); and UCTA (Grounds 16-20) also had a realistic prospect of success."
- There is again some criticism of Post Office in the judgment, but not about the way its application was pursued in the Court of Appeal ("None of this is a criticism of Ms Davies QC who was not involved in the trial or the application for permission to appeal to the judge in May, and who argued the points at the oral application for PTA with real skill and tenacity. But because of all that had gone before, she always had something of an uphill struggle.").

POL are considering the operational impact of this judgment and have proactive and reactive comms in place.

They will provide us with further details next week.

Many thanks for everyone's efforts in this.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET

T: I M:
E: W: www.ukgi.org.uk/

From: Secretary Of State (Private Office)

< >

Sent: 22 November 2019 15:54

To: Creswell, Carl (Professional Business Services, Retail & Post

Directorate) <[GRO]>; Grant, Calum (BEIS)
<[GRO]>; Scott, Joshua - UKGI
<[GRO]>; Permanent Secretary
<[GRO]>; Tolhurst (Private Office)
<[GRO]>; SpAds Office (Private Office)
<[GRO]>
Cc: Cooper, Tom - UKGI <[GRO]> White, Beth
(Professional Business Services, Retail & Post Directorate)
<[GRO]> Aldred, Tom - UKGI
<[GRO]>; Watson, Richard - UKGI
<[GRO]>; Bhargava, Pranita (BEIS)
<[GRO]>; Hugo Robson
<[GRO]>; Vandini, Cecilia (Advanced
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Richards, Nigel (Finance & Portfolio) <[GRO]>;
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(Finance & Portfolio) <[GRO]>; Jackson, Louise (Legal)
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<[GRO]>; Taylor, Tom (Finance & Portfolio)
<[GRO]>; Southerton, Sarah (BEIS)
<[GRO]>; Yeomans, Rachel (Communications
& Partnerships) <[GRO]>
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Thanks Carl and Josh,
I've update SoS and will let you know when I hear back. Separately to
the timing issue, I can confirm that SoS is content with the mediation
envelope if the mediation goes ahead.

Best,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy

Tel: [GRO]
Email: secretary.state@ GRO

From: Creswell, Carl (Professional Business Services, Retail & Post
Directorate) <[GRO]>

Sent: 22 November 2019 15:42

To: Secretary Of State (Private Office)

<[GRO]>; Grant, Calum (BEIS)
<[GRO]>; Scott, Joshua - UKGI
<[GRO]>; Permanent Secretary
<[GRO]>; Tolhurst (Private Office)
<[GRO]>; SpAds Office (Private Office)
<[GRO]>
Cc: Cooper, Tom - UKGI <[GRO]>; White, Beth
(Professional Business Services, Retail & Post Directorate)
<[GRO]>; Aldred, Tom - UKGI
<[GRO]>; Watson, Richard - UKGI
<[GRO]>; Bhargava, Pranita (BEIS)
<[GRO]>; Robson, Hugo (Business
Investment) <[GRO]>; Vandini, Cecilia (Advanced
Manufacturing and Services) <[GRO]>;
Richards, Nigel (Finance & Portfolio) <[GRO]>;
Culshaw, Robin - UKGI <[GRO]>; Hill, Kate
(Finance & Portfolio) <[GRO]>; Jackson, Louise (Legal)
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<[GRO]>; Taylor, Tom (Finance & Portfolio)
<[GRO]>; Southerton, Sarah (BEIS)
<[GRO]>; Yeomans, Rachel (Communications
& Partnerships) <[GRO]>
Subject: Re: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Hi Bex,

Following on from your message earlier, we have now heard back from the POL CEO.

Nick Read has informed us that the litigants wish to press on with the mediation that is scheduled for 27 and 28 November. We understand that their reasons are a strong desire to progress to the next stage, in their search for a financial settlement, and also because there would be costs for them from cancelling at this late stage.

I suspect that today's decision from the Court of Appeal rejecting POL's appeal request on the first judgment will further strengthen their resolve to bring POL to the negotiation table quickly. Today's appeal judgment is very critical of POL and I am worried that any decision by POL to withdraw from the scheduled mediation at this late stage would risk strong criticism of them in public.

Can you update the SoS, please, and see whether she is content in light of this feedback to inform No 10 that we have tried but that the litigants wish to press on with the mediation, please?

If so, I hope we could confirm that BEIS Ministers are happy with the proposed mediation envelope (which I think is what you said the SOS would be minded to do in this situation)? We are expecting the required parallel approval from the CST on Monday so would aim to contact POL on Monday afternoon.

Please give me a call if you would like to discuss.

Many thanks,
Carl

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From: Secretary Of State (Private Office)

<[REDACTED]
GRO]>
Sent: Friday, November 22, 2019 9:29:18 AM
To: Grant, Calum (BEIS) <[REDACTED]
GRO]>; Scott, Joshua -
UKGI <[REDACTED]
GRO]>; Permanent Secretary
<[REDACTED]
GRO]>; Tolhurst (Private Office)
<[REDACTED]
GRO]>; SpAds Office (Private Office)
<[REDACTED]
GRO]>; Creswell, Carl (Professional Business
Services, Retail & Post Directorate) <[REDACTED]
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Cc: Cooper, Tom - UKGI <[REDACTED]
GRO]>; White, Beth
(Professional Business Services, Retail & Post Directorate)
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GRO]>; Southerton, Sarah (BEIS)
<[REDACTED]
GRO]>; Yeomans, Rachel (Communications
& Partnerships) <[REDACTED]
GRO]>; Southerton, Sarah

(BEIS) <GRO> Yeomans, Rachel
(Communications & Partnerships) <GRO>
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

All,

To update – following the call with Alex the POL CEO is talking to his lawyers who will speak to the lawyers/litigants on the other side of the mediation about potential delay.

Carl – grateful if you can keep us updated on progress of these talks.

Thanks

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy
Tel: GRO
Email: [GRO.gov.uk">secretary.state@GRO.gov.uk](mailto:secretary.state@<span style=)

From: Secretary Of State (Private Office)
Sent: 21 November 2019 15:03
To: Grant, Calum (BEIS) <GRO>; Scott, Joshua - UKGI <GRO>; Permanent Secretary <GRO>; Tolhurst (Private Office) <GRO>; SpAds Office (Private Office) <GRO>
Cc: Cooper, Tom - UKGI <GRO>; White, Beth (Professional Business Services, Retail & Post Directorate) <GRO>; Aldred, Tom - UKGI <GRO>; Watson, Richard - UKGI <GRO>; Bhargava, Pranita (BEIS) <GRO>; Robson, Hugo (Business Investment) <GRO>; Vandini, Cecilia (Advanced Manufacturing and Services) <GRO>; Richards, Nigel (Finance & Portfolio) <GRO>; Culshaw, Robin - UKGI <GRO>; Creswell, Carl (Professional Business Services, Retail & Post Directorate) <GRO>; Hill, Kate (Finance & Portfolio) <GRO>; Jackson, Louise (Legal) <GRO>; Corera, Jane (Legal) <GRO>; Kilgarriff, Patrick (Legal) <GRO>; Manson, Justin (UKGI) <GRO>; Beckett, Richard (Finance & Portfolio) <GRO>; Patel, Vanisha (Finance & Portfolio) <GRO>; Morrison, Emer (Legal) <GRO>; Cole, Alex - UKGI <GRO>; Adegun, Oluwatosin - UKGI <GRO>

< GRO >; Taylor, Tom (Finance & Portfolio)
< GRO >; Southerton, Sarah (BEIS)
< GRO >; Yeomans, Rachel (Communications
& Partnerships) < GRO >; Southerton, Sarah
(BEIS) < GRO >; Yeomans, Rachel
(Communications & Partnerships) < GRO >
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

All,

As an update SoS has discussed this issue with Perm Sec who has taken away to call POL CEO to discuss possible moving of the mediation date. Alex, grateful if you can update following the call at 5.

I have also shared the update note with No10 PO and will let you know if they come back with any more questions.

Thanks,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy
Tel: < GRO >
Email: secretary.state@GRO

From: Grant, Calum (BEIS) < GRO >
Sent: 21 November 2019 10:59
To: Secretary Of State (Private Office)
< GRO >; Scott, Joshua - UKGI
< GRO >; Permanent Secretary
< GRO >; Tolhurst (Private Office)
< GRO >; SpAds Office (Private Office)
< GRO >
Cc: Cooper, Tom - UKGI < GRO >; White, Beth
(Professional Business Services, Retail & Post Directorate)
< GRO >; Aldred, Tom - UKGI
< GRO >; Watson, Richard - UKGI
< GRO >; Bhargava, Pranita (BEIS)
< GRO >; Robson, Hugo (Business
Investment) < GRO >; Vandini, Cecilia (Advanced
Manufacturing and Services) < GRO >;
Richards, Nigel (Finance & Portfolio) < GRO >;
Culshaw, Robin - UKGI < GRO >; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)
< GRO >; Hill, Kate (Finance & Portfolio)
< GRO >; Jackson, Louise (Legal)
< GRO >; Corera, Jane (Legal)
< GRO >; Kilgarriff, Patrick (Legal)

GRO ; Manson, Justin (UKGI)
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GRO ; Morrison, Emer (Legal)
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GRO ; Taylor, Tom (Finance & Portfolio)
GRO ; Southerton, Sarah (BEIS)
GRO ; Yeomans, Rachel (Communications & Partnerships) < GRO > ; Southerton, Sarah (BEIS) < GRO > ; Yeomans, Rachel (Communications & Partnerships) < GRO >
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Copying Sarah and Rachel in to this chain.

From: Secretary Of State (Private Office)
GRO
Sent: 20 November 2019 17:22
To: Scott, Joshua - UKGI < GRO > ; Permanent Secretary < GRO > ; Grant, Calum (BEIS)
GRO ; Tolhurst (Private Office)
GRO ; SpAds Office (Private Office)
Cc: Cooper, Tom - UKGI < GRO > ; White, Beth (Professional Business Services, Retail & Post Directorate)
GRO ; Aldred, Tom - UKGI
GRO ; Watson, Richard - UKGI
GRO ; Bhargava, Pranita (BEIS)
GRO ; Robson, Hugo (Business Investment) < GRO > ; Vandini, Cecilia (Advanced Manufacturing and Services) < GRO > ; Richards, Nigel (Finance & Portfolio) < GRO > ; Culshaw, Robin - UKGI < GRO > ; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
GRO ; Hill, Kate (Finance & Portfolio)
GRO ; Jackson, Louise (Legal)
GRO ; Corera, Jane (Legal)
GRO ; Kilgarriff, Patrick (Legal)
GRO ; Manson, Justin (UKGI)
GRO ; Beckett, Richard (Finance & Portfolio)
GRO ; Patel, Vanisha (Finance & Portfolio)
GRO ; Morrison, Emer (Legal)
GRO ; Cole, Alex - UKGI
GRO ; Adegun, Oluwatosin - UKGI
GRO ; Taylor, Tom (Finance & Portfolio)
GRO ; Southerton, Sarah (BEIS)
GRO ; Yeomans, Rachel (Communications & Partnerships) < GRO >

Subject: Re: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Carl,

Thanks for the quick call just now. As discussed, Secretary of State has reviewed the advice and remains concerned about the optics of mediation occurring during the pre-election period. She is minded to explore with POL whether they would be willing to ask the Court/Claimants to move the date of the mediation to post election. If they are not minded to do so, and I think this would be the expected response, she would like this as a formal response. Grateful if you could discuss with Perm Sec the best approach to contacting POL and let me know what you think is best. I think it would be useful for Alex C to discuss with her in his 1-1 tomorrow morning.

Hannah, we discussed as well. Grateful if you can flag to Alex.
Best,

Bex

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From: Secretary Of State (Private Office)
Sent: Wednesday, November 20, 2019 2:56:22 PM
To: Scott, Joshua - UKGI <GRO>; Permanent Secretary <GRO>; Grant, Calum (BEIS) <GRO>; Tolhurst (Private Office) <GRO>; SpAds Office (Private Office) <GRO>;
Cc: Cooper, Tom - UKGI <GRO>; White, Beth (Professional Business Services, Retail & Post Directorate) <GRO>; Aldred, Tom - UKGI <GRO>; Watson, Richard - UKGI <GRO>; Bhargava, Pranita (BEIS) <GRO>; Robson, Hugo (Business Investment) <GRO>; Vandini, Cecilia (Advanced Manufacturing and Services) <GRO>; Richards, Nigel (Finance & Portfolio) <GRO>; Culshaw, Robin - UKGI <GRO>; Creswell, Carl (Professional Business Services, Retail & Post Directorate) <GRO>; Hill, Kate (Finance & Portfolio) <GRO>; Jackson, Louise (Legal) <GRO>; Corera, Jane (Legal) <GRO>; Kilgarriff, Patrick (Legal) <GRO>; Manson, Justin (UKGI) <GRO>; Beckett, Richard (Finance & Portfolio) <GRO>; Patel, Vanisha (Finance & Portfolio) <GRO>; Morrison, Emer (Legal) <GRO>; Cole, Alex - UKGI <GRO>; Adegun, Oluwatosin - UKGI <GRO>; Taylor, Tom (Finance & Portfolio) <GRO>;

< GRO >; Southerton, Sarah (BEIS)
< GRO >; Yeomans, Rachel (Communications
& Partnerships) < GRO >

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Thanks Josh,

I'll let you know if any further questions.

Best,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy

Tel: < GRO >

Email: secretary.state@GRO

From: Scott, Joshua - UKGI < GRO >
Sent: 20 November 2019 14:53
To: Secretary Of State (Private Office)
< GRO >; Permanent Secretary
< GRO >; Grant, Calum (BEIS)
< GRO >; Tolhurst (Private Office)
< GRO >; SpAds Office (Private Office)
< GRO >
Cc: Cooper, Tom - UKGI < GRO >; White, Beth
(Professional Business Services, Retail & Post Directorate)
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Investment) < GRO >; Vandini, Cecilia (Advanced
Manufacturing and Services) < GRO >
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(Professional Business Services, Retail & Post Directorate)
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< GRO >; Taylor, Tom (Finance & Portfolio)
< GRO >; Southerton, Sarah (BEIS)

< [REDACTED] GRO [REDACTED] >; Yeomans, Rachel (Communications & Partnerships) < [REDACTED] GRO [REDACTED] >

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Bex,

Further to SoS's request for specific advice in relation to moving the POL GLO mediation date please see the below. This has been cleared by UKGI, BEIS POL Policy and respective UKGI/BEIS legal teams.

- The Secretary of State has no legal power to intervene to move the mediation date, and Cabinet Office have confirmed that it is essential business that can proceed during the pre-election period. The only way in which we believe we could influence the date would be to say that we are unwilling to approve the settlement range and request that POL therefore considers postponing the mediation.
- But Ministers should be aware of the significant risks of doing so. The date has been agreed between the parties to the litigation. The Court has ordered the parties (of which Government is not one) to consider alternative ways to resolve the dispute and is aware this mediation is taking place. If POL were to withdraw at this very late stage they would have to make clear that it was because the Department would not give them authority to offer any sum in settlement. As far as we are aware it would be unprecedented for Government to seek to intervene in a mediation in this way.
- There would be a significant risk of drawing BEIS Ministers into public criticism of POL's approach to the litigation if we were to take this step. It would be wholly counter to the Department's position that this litigation is an operational matter for POL and – because it would probably become public quickly – would raise questions about why Government is not willing to sanction a mediation. It is very likely to lead to adverse press coverage, damage our relationship with POL and risk any further participation by the claimants in POL's attempts to settle the litigation at a future stage.
- POL's external legal advisors have advised that that there is a high likelihood of losing on most of the claims which could expose POL, and therefore the taxpayer, to a higher overall payment than would occur through a successful mediation process.

If you have any questions please do feel free to contact me.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET
T: [REDACTED] GRO [REDACTED]

E: GRO I W: www.ukgi.org.uk/

From: Scott, Joshua - UKGI
Sent: 20 November 2019 13:39
To: Secretary Of State (Private Office)
< GRO >; Permanent Secretary
< GRO >; Grant, Calum (BEIS)
< GRO >; Tolhurst (Private Office)
< GRO >; SpAds Office (Private Office)
< GRO >
Cc: Cooper, Tom - UKGI < GRO >; White, Beth (Professional Business Services, Retail & Post Directorate)
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< GRO >; Hugo Robson
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< GRO >; Adegun, Oluwatosin - UKGI
< GRO >; Taylor, Tom (Finance & Portfolio)
< GRO >; Southerton, Sarah (BEIS)
< GRO >; Yeomans, Rachel (Communications & Partnerships) < GRO >
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Bex,

Yes this has been picked up and we are just discussing with officials.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET
T: GRO

E: [GRO](#) W: www.ukgi.org.uk/

From: Secretary Of State (Private Office)
<[GRO](#)>
Sent: 20 November 2019 13:37
To: Permanent Secretary <[GRO](#)>; Scott, Joshua - UKGI <[GRO](#)>; Grant, Calum (BEIS) <[GRO](#)>; Tolhurst (Private Office) <[GRO](#)>; SpAds Office (Private Office) <[GRO](#)>
Cc: Cooper, Tom - UKGI <[GRO](#)>; White, Beth (Professional Business Services, Retail & Post Directorate) <[GRO](#)>; Aldred, Tom - UKGI <[GRO](#)>; Watson, Richard - UKGI <[GRO](#)>; Bhargava, Pranita (BEIS) <[GRO](#)>; Hugo Robson <[GRO](#)>; Vandini, Cecilia (Advanced Manufacturing and Services) <[GRO](#)>; Richards, Nigel (Finance & Portfolio) <[GRO](#)>; Culshaw, Robin - UKGI <[GRO](#)>; Creswell, Carl (Professional Business Services, Retail & Post Directorate) <[GRO](#)>; Hill, Kate (Finance & Portfolio) <[GRO](#)>; Jackson, Louise (Legal) <[GRO](#)>; Corera, Jane (Legal) <[GRO](#)>; Kilgarriff, Patrick (Legal) <[GRO](#)>; Manson, Justin - UKGI <[GRO](#)>; Beckett, Richard (Finance & Portfolio) <[GRO](#)>; Patel, Vanisha (Finance & Portfolio) <[GRO](#)>; Morrison, Emer (Legal) <[GRO](#)>; Cole, Alex - UKGI <[GRO](#)>; Adegun, Oluwatosin - UKGI <[GRO](#)>; Taylor, Tom (Finance & Portfolio) <[GRO](#)>; Southerton, Sarah (BEIS) <[GRO](#)>; Yeomans, Rachel (Communications & Partnerships) <[GRO](#)>
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Grateful if someone can confirm his has been picked up

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP, Department for Business, Energy and Industrial Strategy

Tel: [GRO](#)

Email: secretary.state@GRO

From: Secretary Of State (Private Office)

Sent: 20 November 2019 13:16

To: Permanent Secretary <
Joshua - UKGI <
GRO >; Scott,
GRO; Grant, Calum (BEIS)
<
GRO >; Tolhurst (Private Office)
<
GRO >; SpAds Office (Private Office)
<
GRO >
Cc: Cooper, Tom - UKGI <
(Professional Business Services, Retail & Post Directorate)
GRO; Aldred, Tom - UKGI
GRO; Watson, Richard - UKGI
<
GRO >; Bhargava, Pranita (BEIS)
<
GRO >; Robson, Hugo (Business
Investment) <
GRO >; Vandini, Cecilia (Advanced
Manufacturing and Services) <
GRO >
Richards, Nigel (Finance & Portfolio) <
GRO >; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)
<
GRO >; Hill, Kate (Finance & Portfolio)
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GRO >; Adegun, Oluwatosin - UKGI
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GRO >; Taylor, Tom (Finance & Portfolio)
<
GRO >; Southerton, Sarah (BEIS)
<
GRO >; Yeomans, Rachel (Communications
& Partnerships) <
GRO >
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Hi all,

SoS has reviewed the note you shared and asked for specific advice on how we can try to move the date if we're minded to do so. Please note this is not yet decisions

Grateful if someone can outline the process we could use in this instance. Is it possible to get this by 3pm?

Thanks,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy
Tel: <
GRO >
Email: secretary.state@<GRO>

From: Permanent Secretary <[REDACTED] GRO [REDACTED]>
Sent: 20 November 2019 11:14
To: Scott, Joshua - UKGI <[REDACTED] GRO [REDACTED]>; Secretary Of State (Private Office) <[REDACTED] GRO [REDACTED]>; Grant, Calum (BEIS) <[REDACTED] GRO [REDACTED]>; Tolhurst (Private Office) <[REDACTED] GRO [REDACTED]>; SpAds Office (Private Office) <[REDACTED] GRO [REDACTED]>
Cc: Cooper, Tom - UKGI <[REDACTED] GRO [REDACTED]>; White, Beth (Professional Business Services, Retail & Post Directorate) <[REDACTED] GRO [REDACTED]>; Aldred, Tom - UKGI <[REDACTED] GRO [REDACTED]>; Watson, Richard - UKGI <[REDACTED] GRO [REDACTED]>; Bhargava, Pranita (BEIS) <[REDACTED] GRO [REDACTED]>; Robson, Hugo (Business Investment) <[REDACTED] GRO [REDACTED]>; Vandini, Cecilia (Advanced Manufacturing and Services) <[REDACTED] GRO [REDACTED]>; Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO [REDACTED]>; Culshaw, Robin - UKGI <[REDACTED] GRO [REDACTED]>; Creswell, Carl (Professional Business Services, Retail & Post Directorate) <[REDACTED] GRO [REDACTED]>; Hill, Kate (Finance & Portfolio) <[REDACTED] GRO [REDACTED]>; Jackson, Louise (Legal) <[REDACTED] GRO [REDACTED]>; Corera, Jane (Legal) <[REDACTED] GRO [REDACTED]>; Kilgarriff, Patrick (Legal) <[REDACTED] GRO [REDACTED]>; Manson, Justin (UKGI) <[REDACTED] GRC [REDACTED]>; Beckett, Richard (Finance & Portfolio) <[REDACTED] GRC [REDACTED]>; Patel, Vanisha (Finance & Portfolio) <[REDACTED] GRC [REDACTED]>; Morrison, Emer (Legal) <[REDACTED] GRC [REDACTED]>; Cole, Alex - UKGI <[REDACTED] GRC [REDACTED]>; Adegun, Oluwatosin - UKGI <[REDACTED] GRC [REDACTED]>; Taylor, Tom (Finance & Portfolio) <[REDACTED] GRC [REDACTED]>; Southerton, Sarah (BEIS) <[REDACTED] GRC [REDACTED]>; Yeomans, Rachel (Communications & Partnerships) <[REDACTED] GRC [REDACTED]>; Permanent Secretary <[REDACTED] GRC [REDACTED]>

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Josh,

Thanks for sending this up and for your patience while I've tried to get this in front of Perm Sec! He managed to review overnight and came back with the following comments:

Many thanks to you and team for this. I have read the whole thing and I agree with the proposed range for settlement and the conditions around that, adding only to para 11 of the sub that I would expect given the high sums involved that Carl would consult me, and noting at para 12 that the subsidy cannot be treated 'entirely separately' given the letter from Al Cameron explicitly links POL ability to self-fund to their expectation that the subsidy would continue. On the substantive analysis and reasoned recommendations I find the HSF

advice notably high quality and persuasive in all respects. However, as they say, the situation will develop and we must keep our best options under active consideration.

Hope this is clear but do give me a shout if you'd like to chat through.

Best wishes,

Oliver

Oliver Page | Private Secretary to Alex Chisholm, Permanent Secretary

E: [REDACTED] GRO T: [REDACTED] GRO [REDACTED] 10
[REDACTED] GRO

Department for Business, Energy and Industrial Strategy

From: Scott, Joshua - UKGI <[REDACTED] GRO [REDACTED]>
Sent: 19 November 2019 16:44
To: Secretary Of State (Private Office)
<[REDACTED] GRO [REDACTED]>; Grant, Calum (BEIS)
<[REDACTED] GRO [REDACTED]>; Tolhurst (Private Office)
<[REDACTED] GRO [REDACTED]>; Permanent Secretary
<[REDACTED] GRO [REDACTED]>; SpAds Office (Private Office)
<[REDACTED] GRO [REDACTED]>
Cc: Cooper, Tom - UKGI <[REDACTED] GRO [REDACTED]>; White, Beth (Professional Business Services, Retail & Post Directorate)
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Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO [REDACTED]>;
Culshaw, Robin - UKGI <[REDACTED] GRO [REDACTED]>; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
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<[REDACTED] GRO [REDACTED]>; Jackson, Louise (Legal)
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<[REDACTED] GRO [REDACTED]>; Morrison, Emer (Legal)
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<[REDACTED] GRO [REDACTED]>; Adegun, Oluwatosin - UKGI
<[REDACTED] GRO [REDACTED]>; Taylor, Tom (Finance & Portfolio)
<[REDACTED] GRO [REDACTED]>; Southerton, Sarah (BEIS)

<[GRO]; Yeomans, Rachel (Communications & Partnerships) <[GRO]>

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Bex

It is worth noting that normal protocol for mediation is that it is meant to be confidential so anything coming out of it would be constituted as a leak, and normal practice would be that HMG does not comment on leaks. However, given previous experience throughout the trial with this many claimants it is unlikely that the details of the mediation will stay confidential for long.

This isn't in the note but should be flagged to No10.

It's difficult to say at this stage re media coverage however our best estimate would be to base expected media coverage on who covered the first judgment in March.

Here is a short summary below:

- The judgment was covered by the Daily Mail, FT and Daily Telegraph (all of whom attended court during the trial). There was no coverage in the Sun, Times, Guardian, Independent or Mirror;
- Channel 4, ITN and Sky also covered the judgment on TV. BBC did not cover the story.
- There was also coverage in various regional and trade titles, all picking up POLs statement and depicting a fair assessment of the judgment.
- POL received some direct questions/comments from postmasters and POL colleagues that they dealt with as a priority.

In addition to this you can expect Nick Wallis, a crowd-funded journalist following the trial on behalf of the Justice for Subpostmaster Alliance (JFSA), to also post.

Hope this helps,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET

T: [GRO]
E: [GRO]

From: Secretary Of State (Private Office)

<[GRO]>

Sent: 19 November 2019 16:24

To: Scott, Joshua - UKGI <[GRO]>; Grant, Calum (BEIS) <[GRO]>; Tolhurst (Private Office) <[GRO]>; Permanent Secretary

<[REDACTED] GRO [REDACTED]; SpAds Office (Private Office)
<[REDACTED] GRO [REDACTED]>
Cc: Cooper, Tom - UKGI <[REDACTED] GRO [REDACTED]>; White, Beth
(Professional Business Services, Retail & Post Directorate)
<[REDACTED] GRO [REDACTED]>; Aldred, Tom - UKGI
<[REDACTED] GRO [REDACTED]>; Watson, Richard - UKGI
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<[REDACTED] GRO [REDACTED]>; Hugo Robson
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Manufacturing and Services) <[REDACTED] GRO [REDACTED]>;
Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO [REDACTED]>;
Culshaw, Robin - UKGI <[REDACTED] GRO [REDACTED]>; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)
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<[REDACTED] GRO [REDACTED]>; Southerton, Sarah (BEIS)
<[REDACTED] GRO [REDACTED]>; Yeomans, Rachel (Communications
& Partnerships) <[REDACTED] GRO [REDACTED]>
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Hi Josh,

Thanks for this – would it be possible to include what media coverage
we expect if the mediation ran its course during purdah?
Would you be able to add this in by 5pm?

Best,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy

Tel: [REDACTED] GRO [REDACTED]

Email: [secretary.state@\[REDACTED\] GRO \[REDACTED\]](mailto:secretary.state@[REDACTED] GRO [REDACTED])

From: Scott, Joshua - UKGI <[REDACTED] GRO [REDACTED]>
Sent: 19 November 2019 14:00
To: Grant, Calum (BEIS) <[REDACTED] GRO [REDACTED]>; Secretary Of
State (Private Office) <[REDACTED] GRO [REDACTED]>; Tolhurst (Private
Office) <[REDACTED] GRO [REDACTED]>; Permanent Secretary

GRO; SpAds Office (Private Office)
GRO; White, Beth (Professional Business Services, Retail & Post Directorate)
GRO; Aldred, Tom - UKGI
GRO; Watson, Richard - UKGI
GRO; Bhargava, Pranita (BEIS)
GRO; Robson, Hugo (Business Investment) GRO; Vandini, Cecilia (Advanced Manufacturing and Services) GRO; Richards, Nigel (Finance & Portfolio) GRO; Culshaw, Robin - UKGI GRO; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
GRO; Hill, Kate (Finance & Portfolio)
GRO; Jackson, Louise (Legal)
GRO; Corera, Jane (Legal)
GRO; Kilgarriff, Patrick (Legal)
GRO; Manson, Justin (UKGI)
GRO; Beckett, Richard (Finance & Portfolio)
GRO; Patel, Vanisha (BEIS)
GRO; Morrison, Emer (Legal)
GRO; Cole, Alex - UKGI
GRO; Adegun, Oluwatosin - UKGI
GRO; Taylor, Tom (Finance & Portfolio)
GRO; Southerton, Sarah (BEIS)
GRO; Yeomans, Rachel (Communications & Partnerships) GRO

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Bex,

Thanks for sending these and talking them through with me earlier.

Please see attached a revised document addressing the questions below.

Any further questions please feel free to drop me a line.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET
T: GRO
E: GRO

From: Grant, Calum (BEIS) GRO
Sent: 19 November 2019 11:53

To: Secretary Of State (Private Office)

< GRO Scott, Joshua - UKGI
< GRO Tolhurst (Private Office)
< GRO Permanent Secretary
< GRO ; SpAds Office (Private Office)
< GRO >
Cc: Cooper, Tom - UKGI < GRO White, Beth
(Professional Business Services, Retail & Post Directorate)
< GRO Aldred, Tom - UKGI
< GRO >; Watson, Richard - UKGI
< GRO >; Bhargava, Pranita (BEIS)
< GRO >; Hugo Robson
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Manufacturing and Services) < GRO >;
Richards, Nigel (Finance & Portfolio) < GRO >;
Culshaw, Robin - UKGI < GRO >; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)
< GRO >; Hill, Kate (Finance & Portfolio)
< GRO >; Jackson, Louise (Legal)
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< GRO >; Taylor, Tom (Finance & Portfolio)
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< GRO >; Yeomans, Rachel (Communications
& Partnerships) < GRO >

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Copying Sarah and Rachel from Press Office in to the chain.

From: Secretary Of State (Private Office)

< GRO >
Sent: 19 November 2019 10:41
To: Scott, Joshua - UKGI < GRO >; Tolhurst
(Private Office) < GRO >; Permanent Secretary
< GRO >; SpAds Office (Private Office)
< GRO >
Cc: Cooper, Tom - UKGI < GRO >; White, Beth
(Professional Business Services, Retail & Post Directorate)
< GRO >; Aldred, Tom - UKGI
< GRO >; Watson, Richard - UKGI
< GRO >; Bhargava, Pranita (BEIS)
< GRO >; Robson, Hugo (Business
Investment) < GRO >; Vandini, Cecilia (Advanced

Manufacturing and Services) GRORichards, Nigel (Finance & Portfolio) GROCulshaw, Robin - UKGI GRO(Professional Business Services, Retail & Post Directorate)
GROGRO

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Josh,

Thanks for sending this up. I think we need to strengthen the section on why the decision needs to be made during purdah before this is shared with No10. A few things I think helpful to address more specifically would be:

- How within our power is it to move the mediation date to after purdah?
- What specific risks would moving the mediation date have on POL's strategy – ie. Increased cost of final settlement, poor media coverage etc?
- Would there be more of a media reaction if the mediation was moved than if the mediation happened?
- How much media coverage is expected if the mediation were to go ahead and what form of announcement would be necessary if the mediation was successful?
- If mediation was unsuccessful when would the 2nd session be?

Overall the note needs to show a clear benefit for mediation occurring in purdah, against delaying it to afterwards. Would it be possible to have a revised note with the above addressed for 2pm today?

More than happy to discuss,

Bex

Rebecca Lowe, Private Secretary to the Rt Hon Andrea Leadsom MP,
Department for Business, Energy and Industrial Strategy

Tel: GRO

Email: secretary.state@ GRO

From: Scott, Joshua - UKGI <[REDACTED] GRO>
Sent: 18 November 2019 15:34
To: Secretary Of State (Private Office)
 [REDACTED] GRO : Tolhurst (Private Office)
 [REDACTED] GRO : Permanent Secretary
 [REDACTED] GRO : SpAds Office (Private Office)
 [REDACTED] GRO >
Cc: Cooper, Tom - UKGI <[REDACTED] GRO>; White, Beth
(Professional Business Services, Retail & Post Directorate)
 [REDACTED] GRO : Aldred, Tom - UKGI
 [REDACTED] GRO : Watson, Richard - UKGI
 [REDACTED] GRO : Bhargava, Pranita (BEIS)
 [REDACTED] GRO >: Robson, Hugo (Business
Investment) <[REDACTED] GRO>; Vandini, Cecilia (Advanced
Manufacturing and Services) <[REDACTED] GRO>
Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO>
Culshaw, Robin - UKGI <[REDACTED] GRO>; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)
 [REDACTED] GRO >; Grant, Calum (BEIS)
 [REDACTED] GRO >; Hill, Kate (Finance & Portfolio)
 [REDACTED] GRO >; Jackson, Louise (Legal)
 [REDACTED] GRO >; Corera, Jane (Legal)
 [REDACTED] GRO >; Kilgarriff, Patrick (Legal)
 [REDACTED] GRO >; Manson, Justin (UKGI)
 [REDACTED] GRO >; Beckett, Richard (Finance & Portfolio)
 [REDACTED] GRO >; Patel, Vanisha (BEIS)
 [REDACTED] GRO >; Morrison, Emer (Legal)
 [REDACTED] GRO >; Cole, Alex - UKGI
 [REDACTED] GRO >; Adegun, Oluwatosin - UKGI
 [REDACTED] GRO >; Taylor, Tom (Finance & Portfolio)
 [REDACTED] GRO >

Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Hi Charlotte,

Further to the below please see attached the requested background
note for No.10. I have also attached the previous read-out from
Shanice re the earlier call between officials and Kelly.

Our understanding is that we are not being asked to seek approval
from SoS or No 10. As discussed earlier we have an information
sharing protocol in place with POL so if No10 request anything more
detailed please do let us know and we can discuss.

We are also awaiting sign-off from the Perm Sec and HMT Chief
Secretary.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET

T: [REDACTED] GRO [REDACTED]
E: [REDACTED] GRO [REDACTED]

From: Scott, Joshua - UKGI
Sent: 18 November 2019 10:36
To: Secretary Of State (Private Office)
^ [REDACTED] GRO [REDACTED]; Tolhurst (Private Office)
^ [REDACTED] GRO [REDACTED]; Permanent Secretary
^ [REDACTED] GRO [REDACTED]; SpAds Office (Private Office)
^ [REDACTED] GRO [REDACTED]
Cc: Cooper, Tom - UKGI < [REDACTED] GRO [REDACTED]; White, Beth (Professional Business Services, Retail & Post Directorate)
^ [REDACTED] GRO [REDACTED]; Aldred, Tom - UKGI
^ [REDACTED] GRO [REDACTED]; Watson, Richard - UKGI
^ [REDACTED] GRO [REDACTED]; Bhargava, Pranita (BEIS)
^ [REDACTED] GRO [REDACTED]; Hugo Robson
^ [REDACTED] GRO [REDACTED]; Vandini, Cecilia (Advanced Manufacturing and Services) < [REDACTED] GRO [REDACTED]
Richards, Nigel (Finance & Portfolio) < [REDACTED] GRO [REDACTED]
Culshaw, Robin - UKGI < [REDACTED] GRO [REDACTED]; Creswell, Carl (Professional Business Services, Retail & Post Directorate)
^ [REDACTED] GRO [REDACTED]; Grant, Calum (BEIS)
^ [REDACTED] GRO [REDACTED]; Hill, Kate (Finance & Portfolio)
^ [REDACTED] GRO [REDACTED]; Jackson, Louise (Legal)
^ [REDACTED] GRO [REDACTED]; Corera, Jane (Legal)
^ [REDACTED] GRO [REDACTED]; Kilgarriff, Patrick (Legal)
^ [REDACTED] GRO [REDACTED]; Manson, Justin - UKGI
^ [REDACTED] GRO [REDACTED]; Beckett, Richard (Finance & Portfolio)
^ [REDACTED] GRO [REDACTED]; Patel, Vanisha (BEIS)
^ [REDACTED] GRO [REDACTED]; Morrison, Emer (Legal)
^ [REDACTED] GRO [REDACTED]; Cole, Alex - UKGI
^ [REDACTED] GRO [REDACTED]; Adegun, Oluwatosin - UKGI
^ [REDACTED] GRO [REDACTED]; Taylor, Tom (Finance & Portfolio)
GRO [REDACTED]
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation

Hi Charlotte,

Thanks for the quick response and no problem.

I'll pick this up and issue a 1-pager to you this afternoon.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments
1 Victoria Street I London I SW1H 0ET
T: [REDACTED] GRO [REDACTED]
E: [REDACTED] GRO [REDACTED]

From: Secretary Of State (Private Office)
<[REDACTED] GRO [REDACTED]>
Sent: 18 November 2019 10:26
To: Scott, Joshua - UKGI <[REDACTED] GRO [REDACTED]>; Tolhurst
(Private Office) <[REDACTED] GRO [REDACTED]>; Permanent Secretary
<[REDACTED] GRO [REDACTED]>; SpAds Office (Private Office)
<[REDACTED] GRO [REDACTED]>
Cc: Cooper, Tom - UKGI <[REDACTED] GRO [REDACTED]>; White, Beth
(Professional Business Services, Retail & Post Directorate)
<[REDACTED] GRO [REDACTED]>; Aldred, Tom - UKGI
<[REDACTED] GRO [REDACTED]>; Watson, Richard - UKGI
<[REDACTED] GRO [REDACTED]>; Bhargava, Pranita (BEIS)
<[REDACTED] GRO [REDACTED]>; Hugo Robson
<[REDACTED] GRO [REDACTED]>; Vandini, Cecilia (Advanced
Manufacturing and Services) <[REDACTED] GRO [REDACTED]>
Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO [REDACTED]>
Culshaw, Robin - UKGI <[REDACTED] GRO [REDACTED]>; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)
<[REDACTED] GRO [REDACTED]>; Grant, Calum (BEIS)
<[REDACTED] GRO [REDACTED]>; Hill, Kate (Finance & Portfolio)
<[REDACTED] GRO [REDACTED]>; Jackson, Louise (Legal)
<[REDACTED] GRO [REDACTED]>; Corera, Jane (Legal)
<[REDACTED] GRO [REDACTED]>; Kilgarriff, Patrick (Legal)
<[REDACTED] GRO [REDACTED]>; Manson, Justin - UKGI
<[REDACTED] GRO [REDACTED]>; Beckett, Richard (Finance & Portfolio)
<[REDACTED] GRO [REDACTED]>; Patel, Vanisha (BEIS)
<[REDACTED] GRO [REDACTED]>; Morrison, Emer (Legal)
<[REDACTED] GRO [REDACTED]>; Cole, Alex - UKGI
<[REDACTED] GRO [REDACTED]>; Adegun, Oluwatosin - UKGI
<[REDACTED] GRO [REDACTED]>; Taylor, Tom (Finance & Portfolio)
<[REDACTED] GRO [REDACTED]>
Subject: RE: [OFF:SEN - LEGAL] Advice - Approval For Settlement
Offer in Post Office Ltd. (POL) Litigation

Hi Joshua,

Thank you for sending up – the Secretary of State has viewed over the weekend and has asked for a one pager on this decision that we can share with the PM's office, if necessary. This only needs to be top

lines— i.e. what the decision is, key facts, why it needs to be made in purdah, implications of delaying etc

As far as I am aware, this decision hasn't yet been made by Minister Tolhurst – but if I could have this one pager by 4pm today, that would be great.

Please could you confirm receipt that somebody has picked this up – and shout if this deadline is not feasible.

Happy to chat through on the phone,

Thanks

Charlotte

<image005.png>

<image004.jpg>

Charlotte Weston

Private Secretary (cover) to the Secretary of State for Business, Energy and Industrial Strategy

Tel: [REDACTED] **GRO**
[REDACTED] **secretary.state** [REDACTED] **GRO**
1 Victoria Street, SW1H 0ET
www.gov.uk/beis | twitter.com/beisgovuk

From: Scott, Joshua - UKGI <[REDACTED] GRO

Sent: 15 November 2019 12:56

To: Secretary Of State (Private Office)

<[REDACTED] GRO [REDACTED]; Tolhurst (Private Office)
<[REDACTED] GRO [REDACTED]; Permanent Secretary
<[REDACTED] GRO [REDACTED]; SpAds Office (Private Office)

Cc: Cooper, Tom - UKGI <[REDACTED] GRO [REDACTED] White, Beth
(Professional Business Services, Retail & Post Directorate)

<[REDACTED] GRO [REDACTED]; Aldred, Tom - UKGI
<[REDACTED] GRO [REDACTED]; Watson, Richard - UKGI
<[REDACTED] GRO [REDACTED]; Bhargava, Pranita (BEIS)
<[REDACTED] GRO [REDACTED]; Robson, Hugo (Business
Investment) <[REDACTED] GRO [REDACTED]; Vandini, Cecilia (Advanced
Manufacturing and Services) <[REDACTED] GRO [REDACTED];

Richards, Nigel (Finance & Portfolio) <[REDACTED] GRO [REDACTED];
Culshaw, Robin - UKGI <[REDACTED] GRO [REDACTED]; Creswell, Carl
(Professional Business Services, Retail & Post Directorate)

<[REDACTED] GRO [REDACTED]; Grant, Calum (BEIS)
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<[REDACTED] GRO [REDACTED]; Jackson, Louise (Legal)
<[REDACTED] GRO [REDACTED]; Corera, Jane (Legal)
<[REDACTED] GRO [REDACTED]; Kilgarriff, Patrick (Legal)
<[REDACTED] GRO [REDACTED]; Manson, Justin (UKGI)
<[REDACTED] GRO [REDACTED]; Beckett, Richard (Finance & Portfolio)
<[REDACTED] GRO [REDACTED]; Patel, Vanisha (BEIS)

< GRO Morrison, Emer (Legal)
< GRO ; Cole, Alex - UKGI
< GRO ; Adegun, Oluwatosin - UKGI
< GRO ; Taylor, Tom (Finance & Portfolio)
< GRO

Subject: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer
in Post Office Ltd. (POL) Litigation

OFFICIAL SENSITIVE - LEGAL

Shanice, Oliver, Jefferson and Bex,

Advice for approval.

Purpose

Following advice submitted 8 November (attached as Annex A) this advice requests Minister Tolhurst's approval for the settlement range proposed by POL (and their external legal advisors Herbert Smith Freehills (HSF)) in preparation for their mediation meeting with Claimants in the Group Litigation Order on 27/28 November.

This note seeks your approval to a proposal from the POL Board to [REDACTED]
[REDACTED] CST approval is being sought in parallel.
[REDACTED]
[REDACTED]

In line with the decision of the POL Board, [REDACTED] and would require POL [CEO and Chair] approval, as well as the approval of officials from BEIS and HMT.

Minister Tolhurst has a phone call with officials on 18 November to discuss the advice and justifications for the settlement range proposed.

Timing

Urgent – a decision is required by 22 November.

We have discussed this advice with Perm Sec's Office in light of the pre-election period and can confirm it is classed as 'essential business' and should be allowed to continue during this time.

Special Advisers

This has been sent to SpAds office in parallel.

Annexes

Annex A – *POL Approach to GLO Mediation* Written Advice submitted 8 November.

Annex B – *Advice on Settlement (Draft)* provided by HSF and discussed at 14 November settlement working group meeting.

Annex C – *Advice on Convicted Claimants* provided by HSF and discussed at 14 November settlement working group meeting.

Annex D – POL CFO Confirmation Letter

Contacts

Director General – Justin Manson, [REDACTED] **GRO**

Lead Official – Joshua Scott [REDACTED] **GRO**

Director Responsible – Tom Cooper, [REDACTED] **GRO**

Any questions please let me know.

Cheers,

Josh

Joshua Scott I Analyst
Post Office Shareholder Team
UK Government Investments

1 Victoria Street I London I SW1H 0ET

[REDACTED] **GRO**

E: [REDACTED] **GRO**

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