
From: Tolhurst (Private Office)
Sent: 15 November 2019 14:08
To: Tolhurst.personal<[REDACTED]>
Subject: [OFF:SEN - LEGAL] Advice - Approval For Settlement Offer in Post Office Ltd. (POL) Litigation
Attachments: RE: [OFF:SEN - LEGAL] Advice - Update on Approach to Mediation in Post Office Ltd. (POL) Litigation; Annex A - 20191105 POL Approach to GLO Mediation_VFINAL.docx; Annex B - 20191111 Post Office Advice on Settlement - Draft.pdf; Annex C - 2019-11-08 Post Office Group Litigation - Criminal Cases.pdf; Annex D - 2019.11.08 - CFO Confirmation Letter.docx; 20191115 POL GLO Mediation approval sub_VFINAL.docx

Good afternoon Kelly,

Ahead of your meeting with UKGI colleagues on Monday regarding the POL litigation, please see attached advice on this matter.

In summary:

- This note seeks your approval to a proposal from the POL Board to authorise settlement at a figure up to £65m. CST approval is being sought in parallel.
- In line with the decision of the POL Board, any offer above £48m could be made only if it ensures a settlement takes place and would require POL [CEO and Chair] approval, as well as the approval of officials from BEIS and HMT.
- Your phone call on Monday is to discuss the advice and justifications for the settlement range proposed.

Many thanks,
Shanice



Department for
Business, Energy
& Industrial Strategy

Shanice Swales
(Locum) Private Secretary to Kelly Tolhurst
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From: Scott, Joshua - UKGI <[REDACTED]>
Sent: 15 November 2019 12:56
To: Secretary Of State (Private Office) <[REDACTED]>; Tolhurst (Private Office) <[REDACTED]>; Permanent Secretary <[REDACTED]>; SpAds Office (Private Office) <[REDACTED]>
Cc: Cooper, Tom - UKGI <[REDACTED]>; White, Beth (Professional Business Services, Retail & Post Directorate) <[REDACTED]>; Aldred, Tom - UKGI <[REDACTED]>; Watson, Richard - UKGI <[REDACTED]>; Bhargava, Pranita (BEIS) <[REDACTED]>; Robson, Hugo (Business Investment) <[REDACTED]>; Vandini, Cecilia (Advanced Manufacturing and Services) <[REDACTED]>; Richards, Nigel (Finance & Portfolio) <[REDACTED]>; Culshaw, Robin - UKGI <[REDACTED]>; Creswell, Carl (Professional Business Services, Retail & Post Directorate) <[REDACTED]>; Grant, Calum (BEIS) <[REDACTED]>; Hill, Kate (Finance & Portfolio) <[REDACTED]>; Jackson, Louise (Legal) <[REDACTED]>; Corera, Jane (Legal) <[REDACTED]>; Kilgarriff, Patrick (Legal) <[REDACTED]>; Manson, Justin (UKGI) <[REDACTED]>; Beckett, Richard (Finance & Portfolio) <[REDACTED]>; Patel, Vanisha (BEIS) <[REDACTED]>; Morrison, Emer (Legal) <[REDACTED]>; Cole, Alex - UKGI <[REDACTED]>; Adegun, Oluwatosin - UKGI <[REDACTED]>; 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 authorise settlement at a figure up to £65m. CST approval is being sought in parallel. The settlement working group of BEIS/UKGI/HMT officials met on 14 November and agreed to support the POL board's proposal for settlement at a figure up to £65m.

In line with the decision of the POL Board, any offer above £48m could be made only if it ensures a settlement takes place 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, [GRO]

Lead Official – Joshua Scott, [GRO]

Director Responsible – Tom Cooper, [GRO]

Any questions please let me know.

Cheers,

Josh

Joshua Scott | Analyst
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