From:	O'Neill, Elizabeth (FYDIBOHF23SF O'NEILL, ELIZAB	DLT)/CN=RECIP				
Sent:	Tue 15/05/2018 8	3:10:48 AM (UTC)				
То:	Rodric Williams	GRO)			
Cc:	Rodric Williams Lambert, Helen - MacLeod UKGI Stephen - UKGI	UKGI GRO	GRO Callard,	Jane Richard -		
	UKGI	GRO	Cooper, Tom -	· UKGI	GRO	Clarke,
	Stephen - UKGI	GRO				
Thanks you Rodric, not Best Elizabeth	ted. Are you avail	able for a call at 3	.30 pm this after	noon?		
From: Rodric Williams	[GRO				
Sent: 14 May 2018 20:	20					
Sent: 14 May 2018 20: To: O'Neill, Elizabeth - Cc: Lambert, Helen - U Richard - UKGI	UKGI	GRO	<u>-</u>			
Cc: Lambert, Helen - U	KGI	GRO	Jane MacLeod		GRO	Callard,
Richard - UKGI	GRO	Cooper, To	om - UKGI	GRO		Clarke, Stephen -
UKGI GR	0	•				
Subject: RE: Litigation		- next steps - STR	ICTLY CONFIDEN	TIAL		
-1. 1 .1						

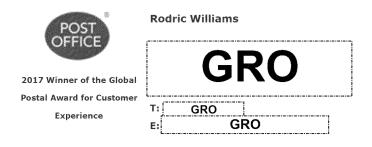
Elizabeth,

Thank you for your email below. We are not I believe that far apart on the Protocol. Post Office understands and will support the need to provide written updates on the Group Litigation, and we trust you understand our need for appropriate controls to be put in place around the provision of information, public disclosure of which could be extremely harmful to Post Office's defence and management of the Group Litigation.

With that in mind, I am happy to meet to finalise the Protocol, but also believe we could deal with this over the phone if you and/or Helen would like to give me a call. Please let me know when it would be most convenient for us to meet or speak.

In terms of the briefing note, I attach our proposed note. I am happy to respond to any comments you may have on it, either as part of our discussion on the protocol, or separately.

Kind regards, Rodric



From: O'Neill, Elizabeth - UKGI GRO

Sent: 11 May 2018 11:43

To: Rodric Williams	G	RO			
Cc: Lambert, Helen - UKGI	:=:=:=:=:=:	GRO	Jane MacLeod	GRO	; Callard,
Richard - UKGI	GRO	Coop	per, Tom - UKGI	GRO	Clarke, Stephen -
UKGI GRO			L		
Subject: Litigation and App	ointment -	next steps - ST	TRICTLY CONFIDENTIAL		

Rodric,

I know you spoke to Helen Lambert yesterday who unfortunately is out ill at the moment so I am responding on her behalf.

Thanks you for your markup of the protocol. It looks as though we are still a long way apart on this as your draft doesn't recognise a number of things that are essential to us in order to fulfil our function as shareholder and representative of the SoS.

So I thought it would be helpful to provide some important background to explain the context in which we are operating:

- Alex Chisholm is the accounting officer for POL and as such is accountable to Parliament for its actions. In order to properly fulfil this role, he requires full and comprehensive information on the progress of this litigation. This will not be possible if POL is not willing to provide written updates. We revised our requirements to provide for updates following reports to the Board to reduce any administrative burden as far as possible, but we cannot agree to a protocol which includes no obligation on POL to report progress in writing in the litigation.
- Tom Cooper's position on the Board and sub-committee cannot be viewed as a suitable substitute for a full and proper reporting mechanism. Tom's role on the board is to represent the views of the shareholder, he is unable to do so effectively if the shareholder is not properly and directly informed and Tom is himself precluded from relaying the most relevant information to the shareholder on the basis that it is legally privileged.
- This protocol was only ever intended to apply to legally privileged information. It is not appropriate to include provisions such as these in respect of confidential information more widely.
- While legal privilege is an exception to FOIA, it is a qualified exception. It is not necessarily the case that all information which is designated and treated as legally privileged will fall within the exception and therefore SoS/UKGI cannot commit never to disclose information which is treated as privileged under this Protocol. It will of course ensure that it complies with its obligations under Appendix 2 clauses 1.10 1.12 to inform and receive representations from POL in respect of disclosure wherever possible.

We have redrafted the protocol to reflect these principles and a mark-up is attached. We would like to see it finalised quickly given the litigation timetable. We hope our mark-up is acceptable but if you have comments we would propose a meeting to get it finished.

In relation to the draft submission that we sent you for comments yesterday, this update has been requested by Alex Chisholm to be provided this week. This highlights the practical obligations we are under to provide timely and relevant information to Ministers and civil servants and the reasons for drafting the protocol along the lines we have proposed. Please let us know when we can expect to receive comments.

Many thanks

Elizabeth

From: Rodric Williams	GRO				
Sent: 02 May 2018 16:57					
To: Lambert, Helen - UKGI	GRO	Jane MacLeod	GRO		
Cc: O'Neill, Elizabeth - UKGI	GRO	Callard, Richard - UKGI		GRO	
Cooper, Tom - UKGI	GRO	Clarke, Stephen - UKGI	GRO		
Subject: DE: Litigation and Ann	ointment next o	tone STRICTLY CONFIDENTIAL			

Subject: RE: Litigation and Appointment - next steps - STRICTLY CONFIDENTIAL

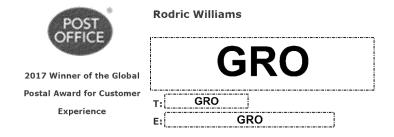
Helen,

Thank you for providing us with your comments on the draft Information Sharing Protocol.

I attach a mark up showing our further amendments, which aim to reflect the discussion had at the meeting with Tom Cooper, Richard Callard and Stephen Clarke last week.

Can I suggest you call me to discuss the attached if you have any areas of concern?

With thanks and kind regards, Rodric



From: Lambert, Helen - UKGI	G	RO			
Sent: 20 April 2018 12:08				,	
To: Rodric Williams	GRO	Jane MacLeod	GRO		
Cc: O'Neill, Elizabeth - UKGI	GRO	Callard, Richard	d - UKGI	GRO	
Cooper, Tom - UKGI	GRO	Clarke, Stephen - UKGI	GRO		

Subject: RE: Litigation and Appointment - next steps - STRICTLY CONFIDENTIAL

Importance: High

Rodric, Jane

Having spoken with policy leads at UKGI this morning, there is a strong desire to get this protocol agreed in advance of meeting with the permanent secretary next week.

Could you please let me know as a matter of urgency if you will not be able to provide your thoughts on the policy by COP on Monday.

Many thanks Helen

Helen Lambert I Legal Secondee **UK Government Investments** 1 Victoria Street I London I SW1H 0ET

т: [GRO					
M: E: [GRO					
	ambert, Helen - UKGI					
Sent: 1	9 April 2018 17:07	! Jane Mac	Leod GRO			
Cc: O'N	eill, Elizabeth - UKGI	GRO	Leod GRO Callard, Richa Clarke, Stephen - UKGI	rd - UKGI	GRO	
Cooper	, Tom - UKGI	GRO	Clarke, Stephen - UKGI	GRO	**************************************	i
			steps - STRICTLY CONFIDENT			
Rodric,	Jane					
Thank y	ou for your draft proto	col, a revised dra	ft is attached.			
to chan	ge dramatically. Becau	se of this, we wer	vely managed by the Sir Pete e somewhat uncomfortable I would receive a formal upd	with the fact that t	here would be ov	ver

We have also clarified somewhat the information which can be disclosed to BEIS/UKGI by Tom Cooper, to ensure that his role on the Board and Sub-committee can be properly utilised, as well as suggesting measures to allow for more expedient sharing of privileged information. We would consider that assessing this information on a case-by-case

Finally we have requested that legal counsel is provided with written updates to ensure that BEIS/UKGI is able to keep a strong and accurate audit trail in respect of its oversight of the litigation.

We trust that the wording in this protocol assists with your concerns in respect of disclosure of legally privileged information more widely.

We would be happy to discuss these points with you in person or over the phone.

provision that allows BEIS/UKGI to be informed of any material change in the timetable.

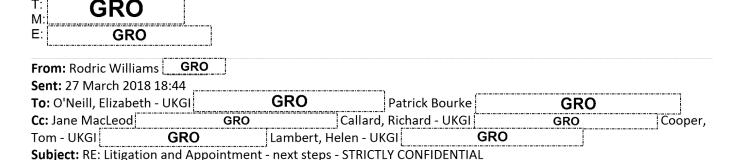
basis would be disproportionate in the context of the relationship between BEIS, UKGI and POL.

Separately, we have noted that Tom Cooper has been appointed to the board. We assume that you are therefore content with the proposed appointment attached (which I sent to you on 23 March 2018). Is it possible to arrange for this appointment letter to be issued?

Kind regards Helen

Helen Lambert I Legal Secondee UK Government Investments

1 Victoria Street I London I SW1H 0ET



Elizabeth,

Thank you for sending through your draft protocol identifying the touchpoints in the Post Office Group Litigation on which you would like visibility.

Your touchpoints overlap substantially the matters on which we will be reporting to our Board of Directors as part of our governance for managing the litigation and its risks. That governance includes the establishment of a Board Subcommittee to receive legal advice on Post Office's defence as the litigation proceeds. Tom Cooper, BEIS/UKGI's shareholder representative on the Board, is a member of the Litigation Subcommittee, which will meet shortly before full Board meetings so as to provide the full Board with contemporaneous, focussed updates.

In addition to the updates BEIS/UKGI will receive through its Board and Litigation Subcommittee representation, we are also happy to provide updates on the litigation to BEIS/UKGI's legal advisors. These should be done in-person or via telephone conference call, immediately following the full Board meetings to ensure continuity and consistency of reporting.

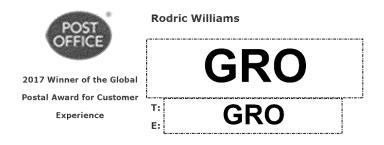
The above approach is reflected in the attached revised protocol, which is designed to protect Post Office's claims to legal professional privilege and attaches as appendices:

- a reporting timetable prepared around key stages in the litigation and our Board's calendar; and
- the obligations which will accompany the disclosure of confidential information.

Please note that the litigation timetable is very likely to change in response to the proactive case management being applied by the Managing Judge Sir Peter Fraser. It is also likely to change as the parties respond to developments in the litigation itself. We do not however propose to make any changes to scheduled update meetings unless they require Post Office to consider materially changing its approach to the litigation.

We look forward to receiving your comments on our draft. I am very happy to discuss those in person or over the telephone if you would find that easiest.

With kind regards, Rodric



From: O'Neill, Elizab	eth - UKGI	GRO		
Sent: 01 March 201	8 15:51			
To: Patrick Bourke	GRO			
Cc: Jane MacLeod	GRO	Rodric Williams	GRO	Callard,
Richard - UKGI	GRO	Cooper, Tom - UKGI	GRO	Lambert, Helen -
UKGI G	GRO			!
Subject: Litigation a	nd Annointment - ne	evt stens		

Patrick, Helen,

Thank you for your time last week.

As discussed, I attach a standard form litigation protocol along the lines of what we would propose to submit to the Permanent Secretary. As you will see, this sets out various touchpoints in the litigation process, and the steps we intend to take to ensure the Permanent Secretary remains fully informed at each salient point.

If you are able to provide more detail on the litigation timetable, or indeed if you have any comments or suggestions, we would be happy to amend the protocol bespoke to the current litigation.

Separately I'd be grateful, as I indicated in my email to Helen on Monday, if in anticipation of Tom Cooper's appointment, you could let me know if you intend to agree an NDA similar to the one you have with Richard, and if so, forward me the proposed text so that Tom and I may consider.

Kind regards,

Elizabe	eth
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From: Patrick Bourke	G	RO			
Sent: 23 February 2018 15:1	LO				
To: O'Neill, Elizabeth - UKGI		GRO			
Cc: Jane MacLeod	GRO		Rodric Williams	 GRO	 Callard,
Richard - UKGI	GRO		ι-	 	 •
Subject: Litigation Meeting		!			

Dear Elizabeth

It was a pleasure to meet with you this morning.

I just wanted to confirm that we have understood the need for an appropriately structured information flow in relation to the matters we discussed earlier, and agree that some form of protocol to govern those arrangements makes very good sense.

While recognising that there is no set format in this regard, it would nonetheless be helpful for us to draw inspiration from similar arrangements you have put in place with other ALBs. You kindly offered to share something with us for that purpose.

We will come back to you with our take on how this might work best in our case, having regard to the particularities of our governance arrangements and the litigation itself.

In the meantime, do please feel free to get in touch if there is anything you'd like to discuss.

Kind regards		
Patrick		
POST	Patrick Bourke Corporate Affairs Director	
2017 Winner of the Global Postal Award for Customer Experience	GRO	
	GRO	
****	*************	
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