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Department for
Business, Energy
& Industrial Strategy

Tim Parker
Post Office Limited

GRO

Sarah Munby
Permanent Secretary
Department for Business, Energy &
Industrial Strategy

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GRO

E [enquiries](mailto:enquiries@gro.gov.uk)
W www.gov.uk

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7th October 2020

Dear Tim,

Post Office

As part of our preparation for the BEIS Select Committee hearing which had been scheduled for March, we received from Post Office Ltd (POL) a copy of the report prepared by Jonathan Swift QC that was commissioned by you at Baroness Neville-Rolfe's request after your appointment as Chair in 2015. We understand from the work done recently by the company and its advisers to look at the history of Horizon that the findings and recommendations by Jonathan Swift QC were not shared with the rest of the Post Office Board.

We understand that you were advised at the time by the Post Office's General Counsel that for reasons of confidentiality and preserving legal privilege the circulation of the report should be strictly controlled. Nevertheless, given the background of parliamentary interest, the fact that your review was commissioned by the Minister responsible for the Post Office and the potential significance of the recommendations made by Jonathan Swift QC, we consider it was an mistake not to have ensured that the whole board had an opportunity to see and discuss the detail of its findings and agree what any next steps should be. With hindsight, this information should have been seen by the board and we are disappointed that it wasn't.

As a rule, we think it is quite difficult to envisage any circumstances where issues of legal privilege or confidentiality should prevent relevant information being shared with a company's board. You won't need us to remind you of the importance of effective corporate governance and that the role of the board is to ensure the company's prosperity by collectively directing the company's affairs, while meeting the appropriate interests of its shareholders and relevant stakeholders.

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Finally, we also recognise that while you have been Chair and under Nick Read's new leadership, the Board has instigated and directed a fundamentally different approach to handling the grievances brought by postmasters affected by Horizon as well as initiating significant changes to the organisation, processes and culture of the organisation. These changes are to be welcomed and we continue to encourage the company to act quickly and decisively to do what it can to remedy the remaining issues arising from the Horizon cases as well implementing the changes needed to ensure that such issues never arise again. Thank you for everything you are doing to make this happen and for your support in driving forward the new direction for the Post Office.

Best wishes,

Sarah Munby

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Permanent Secretary for Business, Energy & Industrial Strategy