

## Message

**From:** Rodric Williams [GRO]  
**Sent:** 24/03/2018 02:13:49  
**To:** Jane MacLeod [GRO]; Patrick Bourke [GRO]; Mark Underwood1 [GRO]; Thomas P Moran [GRO]; Veronica Branton [GRO]; Andrew Parsons [GRO]; Amy Prime [GRO]; Ben Foat [GRO]  
**Subject:** Draft UKGI Information Sharing Protocol  
**Attachments:** Draft UKGI Group Lit Protocol (POL 23.03.18).docx

All,

Further to our call this evening, I attach a draft Protocol for sharing information about the Group Litigation with BEIS/UKGI (I have tried to cover off both), which I propose to send to UKGI's General Counsel under cover of the draft email set out below once finalised at our end.

Please let me know of any comments you may have.

**Andy/Amy** – can you please take a particular look at the “Background” section and Appendix B to see if it goes far enough for privilege purposes in establishing a common interest in both the litigation and the need to maintain confidentiality in the material we may be sharing?

Please also look at clause 1.4.6 and 1.6 to see if they go far enough to help us resist (or at least give us visibility of) any FOIA or CCRC/Criminal Justice Act request that could be made to BEIS/UKGI.

Thanks, Rod

#### **DRAFT COVERING EMAIL TO UKGI BEGINS**

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. It is proposed that Tom Cooper, BEIS/UKGI's shareholder representative on the Board, be appointed 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 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 as part of our continuous assessment of the risks presented by the litigation, we are seeking in May 2018 Leading Counsel's opinion on its merits. This has been timed to follow the close of individual pleadings for the 6 Lead Claimants selected for the November 2018 Common Issues trial. We intend to review that opinion again in October 2018 once all documentary and witness evidence submitted for the Common Issues trial has been exchanged.

Please also 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 in response 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 the proposal. I am very happy to discuss those in person or over the telephone if you would find that easiest.

Yours etc...

**DRAFT ENDS**



2017 Winner of the Global Postal Award for Customer Experience

**Rodric Williams**

Head of Legal - Dispute Resolution & Brand  
20 Finsbury Street  
London EC2Y 9AQ

**GRO**

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