

Message

From: Jane MacLeod
on behalf of Jane MacLeod **GRO**
Sent: 01/03/2016 12:16:35
To: Tim Parker **GRO**
Subject: Post Office - Chairman's Enquiry
Attachments: Chairman to Minister - Review Update - 29 February 2016v2.docx

Tim

Further to our telephone discussion this morning, I attach the revised draft letter for you to consider. This now reflects minor comments received from Jonathan Swift QC on Friday. We have also discussed the positioning of the letter with Laura Thompson from the Minister's office to ensure that we are not inadvertently creating disclosure issues for BIS or the Minister.

Please let me know if you would like any changes, or would otherwise like to discuss the approach or contents. Once you are happy with it, we can arrange for it to be put on Post Office letterhead.

We continue to make progress on the further lines of enquiry and I will send you a fortnightly update on Friday.

Kind regards,

Jane

**Jane MacLeod**

General Counsel
Ground Floor
20 Finsbury Street
LONDON
EC2Y 9AQ

Mobile number: **GRO**

From: Jane MacLeod
Sent: 19 February 2016 17:47
To: Tim Parker; Tim Parker **GRO**
Subject: Post Office - Chairman's Enquiry

Tim

As discussed last week, we have considered the best way for you to brief the Minister on the outcome of your enquiry to date. As you will recall, I expressed concerns that were we to provide the Minister with a copy of the legal advice you have received from Jonathan Swift, there was a risk that privilege could be lost and that the report could become disclosable by BIS through FOI requests or similar. We have also received a call from the Minister's office in which they sought to understand how the reporting would be undertaken. During that call it became apparent that BIS officials are also concerned as to the legal status and positioning of any report received from you.

Accordingly we have sought to construct a report from you to the Minister which carries fewer risks should it ultimately (have to) be made public by BIS, and which therefore balances a description of the scope of work that has been done and the resulting key findings, with the need to retain privilege.

To this end, please find attached for your consideration a draft letter from you to the Minister. It describes the questions addressed in the review work, as well as the high level findings, and it summarises the further work that is being undertaken. We have discussed this approach with BIS, and believe that it will be acceptable to the Minister. We have sent the draft letter to Jonathan Swift for him to advise whether he is satisfied as to how his findings are represented.

We have also progressed the recommendations for further enquiry:

- We have held several meetings with Deloitte to agree the scope of the work and we should have a final version of the scope by early next week. We have sought to structure their work on a phased basis so that we have checkpoints after each phase to assess findings to date, and the cost and timings of moving to each successive phase.
- We have sent instructions to Brian Altman QC on the specific legal questions that were identified. Unfortunately he is in a major trial over the next 3 weeks, so it may be mid-March before he is able to provide us with the formal advice that we have requested.
- We have also been working with Bond Dickinson (our external lawyers) to identify those call centre staff whose records should be reviewed. We have now identified these records and are waiting for these to be recalled from storage so we should be able to complete this line of enquiry within the next 2 weeks.

I hope that the form and content of the letter works for you. I will let you know of any changes or comments made by Jonathan. As ever, please let me know if you would like to discuss this.

Kind regards,

Jane



Jane MacLeod

General Counsel
Ground Floor
20 Finsbury Street
LONDON
EC2Y 9AQ

Mobile number:

GRO