

From: [Clarke, Stephen - UKGI](#)
To: [OSBORNE, James](#)
Cc: [REDACTED]; [REDACTED]; [Aldred, Tom - UKGI](#); [Callard, Richard - UKGI](#); [Watson, Richard - UKGI](#); [Cooper, Tom - UKGI](#); [Thompson, Laura - UKGI](#); [REDACTED]; [REDACTED]
Subject: Official Sensitive & Subject to Legal Privilege: NAO - POL litigation enquiries
Date: 07 December 2018 12:36:15
Attachments: [image002.jpg](#)
[Letter to Baroness Neville Rolfe dated 4th March 2016 \(Signed pdf\).pdf](#)
[160309 submission on Tim Parker Horizon letter.doc](#)

EXTERNAL: This email originated from outside the NAO.

James,

Many thanks for outlining your proposed response and for noting the need for caution around this live legal case. The judge made clear yesterday that Court proceedings will continue throughout 2019 and possibly beyond.

After checking our records and with colleagues managing the shareholder relationship with POL at that time, I can confirm that the Chair's review was never formally concluded because it was overtaken by events, namely the issue of the High Court claim against POL in April 2016. However, prior to this, the Chair did send a letter with his key interim findings to Baroness Neville Rolfe on 4 March 2016. I have attached the Chair's letter and the accompanying advice from UKGI officials to BNR. Please note that this letter and the submission remain confidential and subject to legal privilege due to their continued relevance to the current high court claim and we would ask that they not be shared beyond the NAO. In addition, I understand that the interim findings was among various agenda items discussed at a wider catch-up between BNR and the Chair on 27 April, but I'm afraid we do not have a record of their discussion on the findings.

I hope this is sufficient for you to conclude your response but please let us know if you require any further information.

Regards,

Stephen

Stephen Clarke | Post Office Shareholder Team
UK Government Investments
Corporate finance and governance in government.

1 Victoria Street | London | SW1H 0ET

T: [REDACTED]
E: [REDACTED]

From: OSBORNE, James [REDACTED]
Sent: 03 December 2018 09:54
To: Clarke, Stephen - UKGI <[REDACTED]>
Cc: [REDACTED]; [REDACTED];
Aldred, Tom - UKGI [REDACTED]; Callard, Richard - UKGI

[REDACTED]; Watson, Richard - UKGI [REDACTED]; Cooper,
Tom - UKGI [REDACTED]; Thompson, Laura - UKGI
[REDACTED]; [REDACTED];
[REDACTED]; [REDACTED];
[REDACTED]

Subject: RE: NAO - POL litigation enquiries

Stephen,

Thanks for response and committing to revert by the end of the week. Subject to review of the advice we intend that the main tenets of our response will be:

- We need to be cautious in our approach as this is a live legal case.
- We've discussed the case with UKGI to understand and confirm that appropriate governance is in place regarding the POL decisions to defend the litigation.
- We have limited our enquiries to understand the role of Government / UKGI as we do not have access rights to look into actions taken by POL in this case.

We will come back to you with any changes to this once we've reviewed the advice.

Kind regards

James

From: Clarke, Stephen - UKGI [REDACTED]
Sent: 29 November 2018 14:17
To: OSBORNE, James [REDACTED]
Cc: [REDACTED]; [REDACTED];
Aldred, Tom - UKGI [REDACTED]; Callard, Richard - UKGI
[REDACTED]; Watson, Richard - UKGI [REDACTED]; Cooper,
Tom - UKGI [REDACTED]; Thompson, Laura - UKGI
[REDACTED]; [REDACTED];
[REDACTED]; [REDACTED];
[REDACTED]

Subject: RE: NAO - POL litigation enquiries

EXTERNAL: This email originated from outside the NAO.

James,

Thanks for your email following up on last week's meeting. It was good to meet you both.

I have noted your request for a copy of advice provided to Baroness Neville-Rolfe following the review by POL's Chair. I am not aware of this advice so will need to check UKGI records and discuss with colleagues who were working on the POL Shareholder team at that time. I'll revert as soon as I can but should be able to do so by the end of next week at the latest.

You have given us a broad outline of the areas that you intend to cover in your response to the

correspondent but we're wondering if it's possible to give us any more detail on what you are intending to say?

Kind regards,

Stephen

Stephen Clarke | Post Office Shareholder Team
UK Government Investments
Corporate finance and governance in government.

1 Victoria Street | London | SW1H 0ET

T: [REDACTED] |

E: [REDACTED]

From: OSBORNE, James [REDACTED]
Sent: 28 November 2018 12:47
To: Clarke, Stephen - UKGI [REDACTED]
Cc: [REDACTED]; [REDACTED];
Aldred, Tom - UKGI [REDACTED]; Callard, Richard - UKGI
[REDACTED]; Watson, Richard - UKGI [REDACTED]; Cooper,
Tom - UKGI [REDACTED]
Subject: RE: NAO - POL litigation enquiries

Stephen,

Thanks for meeting with us last week to discuss the correspondence on the POL case.

We have noted the governance arrangements between UKGI/BEIS and POL including representation on the POL Board and the subcommittee specifically dealing with this issue, engagement between NEDs and ministers and the review of this case performed by the POL chairman at Baroness Neville-Rolfe's request. We plan to respond to the correspondent outlining our engagement with UKGI on this topic, the context of the ongoing legal case and, at a high level, governance arrangements in place. On reflection, to support our response we would like to request a copy of the advice provided to Baroness Neville-Rolfe following the review. Based on our discussions last week, we felt that would be the clearest way for us to obtain evidence to underpin our response.

We will not share this piece of evidence as part of our response or reference it explicitly in the response we draft. Rather it would be to provide us with sufficient assurance to enable us to respond to the correspondence in the manner we have outlined.

Happy to discuss this request, and indeed we would be happy to come over to UKGI to review in hard copy. Grateful if you could let us know when this information could be made available as I appreciate it might not be immediately to hand. We have committed to get back to the correspondent in early December.

Kind regards

James