

Witness Statement

(CJ Act 1967, s9; MC Act 1980, ss 5A(3)(a)
and 5B, MC Rules 1981, r 70)



Statement of Robert Oliver FITZGERALD

Age if under 18 Over 18 (If over 18 insert 'over 18')

This statement (consisting of two pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe true.

Dated the 8 day of July 2003

Signature

I am employed by the Post Office and have been so for over 19 years. I currently perform the duties of Investigation Manager (IM) for Post Office Ltd (PO Ltd), and as such I am responsible for carrying out investigations into possible criminal offences against the business.

As part of my duties, on the Friday 7 March 2003, I attended Walton On Thames Modified Scale Payment Sub Post Office (MSPO). Which is located at **GRO**

GRO, with my colleague Dave Posnett (IM). On arrival I was present when Mr Posnett introduced himself to a person I now know to be David Yates. Mr Posnett then spoke with a member of the audit team to clarify the discrepancy identified within the office accounts. Following this Mr Posnett cautioned Mr Yates and asked if he would attend a tape recorded interview that day. Mr Posnett then informed Mr Yates of his legal right to have a solicitor and of his additional post office right to having a friend present throughout the interview. These events were recorded in my notebook.

I was present throughout the tape recorded interview which commenced at 12.10 hours and terminated at 12.54 hours.

Following this I conducted a search of the Post Office secure area. This search commenced at 14.00 hours and terminated at 15.15 hours. During the search I seized a number of items, which

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Continuation of statement of Robert Oliver Fitzgerald

were recorded on a Post Office search record form number CS005.

Myself, Mr Posnett and Mr Paul Dawkins Investigation Team Leader, who had arrived at the office during the search, then followed Mr Yates by car to his home address at **GRO**

GRO On arrival Mr Dawkins and Myself conducted a search of Mr Yates home address. This search commenced at 17.30 hours and terminated at 18.30 hours. During the search I seized a number of items, which were recorded on form CS005.

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Continuation of statement of Robert Oliver Fitzgerald

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