

Witness Name: Joanne Swinson

Statement No.: WITN10190200

Dated: 5 September 2025

POST OFFICE HORIZON IT INQUIRY

SECOND WITNESS STATEMENT OF JOANNE SWINSON

I, Joanne Swinson, will say as follows.

1. I make this witness statement in response to the Inquiry's request for evidence dated 8 August 2025 ("**the second Rule 9 request**"). I have previously provided a written statement to the Inquiry dated 19 June 2024 [WITN10190100] ("**my first witness statement**") and gave oral evidence to the Inquiry on 19 July 2024 [INQ00001178]. This statement should be read together with the evidence I have previously given.
2. The second Rule 9 request refers to paragraph 23(b) of my first witness statement and asks me to clarify and confirm my understanding, as at around 8 July 2013, about the scope of a case review that I was informed

Post Office Limited (“**POL**”) had commissioned external lawyers to conduct. At paragraph 23(b), which forms part of a more detailed chronological account of my knowledge relating to Horizon, I refer to a note prepared by the Shareholder Executive (“**ShEx**”) officials which, amongst other things, set out “POL’s proposed next steps” following receipt of the draft Second Sight report [UKGI00001695] (an attachment to [UKGI00001693]). The note was emailed to my private office on 5 July 2013 though, as explained at paragraph 23 of my first witness statement, I believe I first received and read it on 8 July 2013.

3. In paragraph 23(b) of my first witness statement, I refer to paragraph 2.6 of the ShEx note, which reads “*POL has commissioned external lawyers to review all cases where legal action against a SPM has been initiated by POL since separation or may be pending) in the light of the interim report findings.*” and comment “*It was not explained what part of the report made it necessary to review past prosecutions, and I do not think I asked, though it seemed a proactive and responsible step for POL to take. Overall, the note was reassuring.*”
4. For the avoidance of any confusion, I should explain that when I stated in my first witness statement “*It was not explained what part of the report made it necessary to review past prosecutions*”, this was a direct response to question 21.2 in the Rule 9 request dated 14 May 2024, in

which I was asked to consider the words in the note “*POL has commissioned external lawyers to review all cases where legal action against a SPM has been initiated by POL since separation or may be pending) in the light of the interim report findings*” and then asked “*What, if anything, were you told regarding the perceived need to commission external lawyers to review past convictions?*” In answering that question, I was not suggesting that at the time I received and read the ShEx note I understood or believed that there was a perceived need to commission external lawyers to review past convictions. Indeed, I was briefed repeatedly, including in the documents I reviewed in preparation for making the statement in Parliament on 9 July 2013, “*There is nothing to suggest any convictions are unsafe, and the report is clear that there are no systemic issues with Horizon.*”

5. The second Rule 9 request asks me, specifically:

- a. To confirm that I understood the information that “*POL has commissioned external lawyers to review all cases where legal action against a SPM has been initiated by POL since separation or may be pending*” to mean or include the prosecution of SPMs by POL.
- b. To confirm what I was referring to when I said “*it seemed a proactive and responsible step for POL to take*”, and in particular whether this was a reference to a review of cases that included past prosecutions

of SPMs by POL.

c. If this was a reference to a review of cases that included past prosecutions of SPMs by POL, that the reference to “*it seemed*” is a reference by me to a thought process that occurred when I read the ShEx note on (probably) 8 July 2013.

6. In attempting to answer these questions, I should begin by explaining that I received and read the ShEx note over 12 years ago and, whilst I can remember the generalities, my memory of the detailed specifics concerning my understanding and precise thought processes at the time I read it is far from perfect.

7. Dealing with the questions in turn, I do not have a specific recollection of reading the statement that “*POL has commissioned external lawyers to review all cases where legal action against a SPM has been initiated by POL since separation or may be pending*”. Looking at the documents now, I do not think it would have stood out to me as it reads as broadly helpful albeit relating to a narrow and small set of current cases only. In the short time available, my attention would have been focused on what I needed to know to be able to answer questions from MPs following the publication of the Second Sight interim report, which considered a group of past cases. The content of the report was unfamiliar to me, and the summary note contained various technical references so I would have wanted to get my

head around the details to the extent possible in the time I had. The three lines of paragraph 2.6 in dozens of pages of documents were not highlighted as particularly significant: the legal review was not included in the Lines to Take section, nor in the draft statement for me to say in Parliament, nor in the 6 page document of advice on answers to likely questions in Parliament, which had 3 pages on Next Steps and Prosecutions ([UKGI00001818], an attachment to [UKGI00001817]). I do not remember whether I assumed the legal review to mean or include, specifically, a review of prosecutions of SPMs by POL and, looking back, I doubt that I would have assumed this. Reflecting on the language of the note now, the words “initiated” and “pending” in the context of post-separation time period of April 2012 onwards suggest to me that this was a review of current cases in the pipeline and not yet completed, that would be considered afresh in light of the Second Sight report. Briefings from my officials and POL had emphasised to me that only a tiny proportion of SPMs were the subject of legal action, so I would not have envisaged that there would be many cases at all in this time period. I do not think I had a clear view of how long it would take from initiating legal action to prosecution, though from general impressions of investigations and legal processes I imagine that it would be many months, so it would not have been obvious to me that cases in this post-separation category would include any prosecutions. Indeed it is still not clear to me, looking at this now, whether this legal review did or did not include any actual prosecutions. Either way,

I would have expected a ministerial note of this kind to clearly summarise everything I needed to know, including stating directly if a review of criminal prosecutions was to take place, its scope and anticipated timeline, and how to answer MPs' questions about it as it related to their constituents. I do not have any recollection of spending time in July 2013 analysing exactly what was meant by this part of the ShEx note, and am very doubtful that I would have done so then, given I was under pressure to absorb large quantities of information in a short time. In an attempt to shed some light on this question, I have gone back to the other documents I received around this time (all of which are exhibited to my first witness statement and have been disclosed to the Inquiry), and none refer to a review of criminal prosecutions.

8. Putting this together, I have seen no documents from that time informing me in terms that there was to be a review of criminal prosecutions. While I do not recall (one way or the other) whether I understood that there was to be such a review, I think if I had understood that to be the case that I would have sought further briefing on it: the lack of such briefing documents suggests that this was not my understanding. I do recall forming the general impression at the time, from what I was being told, that POL and its leadership were taking the issues seriously; I am sure that I would have seen the legal review of recently initiated and pending cases as part of this, but I think the likelihood is that I did not give further thought to the precise

scope of the legal review at the time.

9. Turning to the reference in my first witness statement to "*it*" seeming "*a proactive and responsible step for POL to take*", as I have stated above (and previously) I recall having the general impression at around the time of the ShEx note that POL was taking the Horizon problems seriously and generally behaving responsibly. I have no doubt that the information that POL had commissioned an external legal review would have contributed to that impression. The "*it*" is a reference to that review. And, whilst I have no specific memory of what went through my mind in relation to the legal review at the time I read the ShEx note, I would certainly have seen the decision to commission it as a proactive and responsible step for POL to take, and am sure I would have formed that view at the time.

Statement of truth

I believe the content of this statement to be true.

Signed: **GRO**

Dated: 5 Sept 2025

Index to Second Witness Statement of Joanne Swinson

No.	URN	Document Description	Control Number
1	WITN10190100	First Witness Statement of Jo Swinson	WITN10190100
2	INQ00001178	Transcript (19/07/2024): Post Office Horizon IT Inquiry - Jo Swinson [WITN1019] and Dame Moya Greene [WITN1031]	INQ00001178
3	UKGI00001695	Narrative and summary of the Second Sight report	UKGI012509-001
4	UKGI00001693	Email from Peter Batten to Swinson MPST cc Will Gibson, Mike Whitehead and others RE Draft Second Sight report into POL Horizons system	UKG1012507-001
5	UKGI00001818	JFSA Q&A Document regarding Horizon	UKGI012632-001
6	UKGI00001817	Email from Peter Batten to Will Gibson, Mike Whitehead and Swinson MPST re: JFSA Q&A	UKGI012631-001