

## PROJECT MAGELLAN

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GENERIC DISCLOSURE REVIEW  
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| Control ID of original document | Document Details  | Extract disclosed  |
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| 108175782                       | Interview transcript of Carole Ann Davies on 3 March 2006 from 11.45 to 12.13. Interview conducted by Gary Thomas and Graham Brander. | Graham Brander: "We are tasked very heavily with trying to recover Post office money so obviously we will be looking to take any money off you without prejudice whenever even if it is a £1000 at a time kind of thing."  |
| 108176722                       | Financial Investigation Events Log for case number POLTD/0506/06/85 (from 23/10/06 to 06/02/08)                                       | Entry dated 22/11/07, with initials "GH": "The Defendant appeared before the Court today. The prosecution was represented by Mr Richard Jory of 9-12 Bell Yard, London, WC2A 2JR and the Defendant was represented by Anita Saran. The Defendant pleaded Guilty to the false accounting counts 2-15 on the Indictment. The case has been adjourned to the 25th January 2008 for pre-sentence reports. The Defendant has been informed that full payment must be made prior to that date. The theft count has remained on file on the understanding that it should be proceeded with if the money is not repaid. It is believed that the Defendant has monies, which will be available at the end of the year. If the Defendant does not repay then consideration will need to be given to the practicalities of proceeding with the charge of theft or whether confiscation proceedings should pursue. I note that the compensation outstanding is £36,644.89. I note that the figure canvassed of £40,201.58 is a sum which includes interest, the greatest sum will no doubt be pursued should confiscation proceedings be brought. It has been made clear to the Defence that there must be some recognition that the Defendant had the money short of theft and that a plea on the basis that the loss was due to the computer not working properly will not be accepted. As stated above the next hearing is on the 25th January 2008." |
| 206000023                       | Interview transcript of Peter Anthony Holmes on 19 September 2008 from 14.11  | On Page 8, 'RD' asks "So what can you tell me about the shortage then?" to which 'PH' responds "I've absolutely no idea." 'RD' says "No idea?" and 'PH' replies "Absolutely no idea unless it's the Horizon that's let us down."   |

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|           | to 14.56. Interview conducted by Robert Daily and Chris Knight.   |   |
| 210001536 | Interview transcript of Barry Shane Capon on 27 January 2009 from 14.10 to 14.53. Interview conducted by Jon Longman and Colin Price.   | On page 3, 'BC' states "I can't be 100% certain but I think our first sort of major problem came when we changed over to the Horizon system and we sent some cheques off and I cut 'em off twice, they've been like cut off twice so then that gave you a deficit and that's where the ball started rolling really and that's, from then onwards."  |
| 206000399 | Investigation Legal Report in the case of Peter Anthony Holmes dated 30 January 2009 (signed by Robert Daily, Fraud Advisor)  | Page 7 of 8: "Mr Holmes also made allegations the Horizon equipment was faulty over a period of time in early 2008. This has been checked and the allegations are unfounded."   |
| 205001518 | "Record of Taped Interview - Short Descriptive Notes - Mr Scott Richard Darlington" date of interview was 12 February 2009, from 15.09 to 15.52. Interview conducted by Christopher Knight and Steve Bradshaw | Page 2: "He (Mr Darlington) goes on to voice his concerns about cash deposits using cards and barcodes are there are (sic) no slips to check against. He thinks errors may have occurred and created shortages."<br>"Another occasion of £11k occurred taking the loss to £27k. Again nothing was found to explain the losses. Mr Darlington admits he did not flag up these discrepancies due to being scared. He said he contacted the Helpline to ask if any bar-coded deposit transaction errors would be noticed, he was told they wouldn't."  |
| 210004177 | Interview Transcript of Nicholas James Clark on 17 March 2009 from 10.34 to 11.18. Interview conducted by Paul Graham Whitaker and Helen Dickinson.   | Page 4: 'NC' states "I know it first started like with like a bad balance and I just couldn't make it right I couldn't settle the cash."<br>"NC states it began in the summer of 2008 and clarified the 'bad balance' was a surprise as he had no idea about it. NC states himself, his Mum and Lyn all work in the office but he had no fear that they had taken any money. NC clarified the 'bad balance' was 2 to 300 down but never got to 1,000."<br><br>'PW' asks "So you're saying you had this bad, this as you term it bad balance and you didn't know what, you didn't know why it had shown up on the branch trading as a shortage?"<br>'NC' replies "No."   |
| 205002378 | Email from Richard Cole of Counsel to Rob Wilson and Jarnail Singh (cc Anthony Vines) dated 16/06/2009 at 08:52. Subject "R v Julian Lewis – Worcester Crown".  | "In this case, the Defendant was convinced that there was a systematic problem with Horizon as was raised in interview. In interview, the loss (£27,800 odd) had been split – pre May 2007 £12k, post May 2007 £15k. The Defendant was willing to pleas to counts 4 and 5 (i.e. 2007 and 2008) but to £15k of loss. I said no to that. Rob then gave me authority to agree to the same if necessary. Eventually the Defendant pleaded to counts 4 and 5 but reflecting the full loss of £27,800 odd. A basis was entered and agreed but was essentially mitigation. The case was adjourned off to 3 August for sentence to enable the Def to sell the Post Office and repay the monies (thus avoiding POCA)." |

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| 108075969 | Interview Transcript of Kashmir Kaur Gill on 25 June 2009 from 14.59 to 15.13. Interview conducted by Colin Price and Jon Longman.                      | 'CD' (Christine Donnelly from NFSP) states "Mrs Gill is concerned that she is struggling to express herself clearly because of nerves and everything, a particular point being that she's not trying to attribute the whole £57,000 loss to the possible giving it to the Cashco guy or to the Royal Mail man, that there may also be errors within the ATM machine and other things so she doesn't want it to sound as if she's putting all the blame for the entire shortage on that one incident."   |
| 206000260 | Defence Statement of Peter Anthony Holmes, signed and dated 30 July 2009  | From Paragraph 1: "I believe that either the Horizon system has on occasion been at fault and ultimately created the shortfall by creating incorrect entries."<br>From Paragraph 2: "I do not believe that the Royal Mail has conducted a thorough investigation and did not consider any alternative in relation to the allegation."   |
| 310039684 | Interview Transcript of Gregory Harding on 6 October 2009 from 13.06 to 13.50. Interview conducted by Christopher Knight and Helen Dickinson.           | Page 2: "Mr Harding explains that over the last 4 years he has been suffering shortages in the weekly and monthly balances. He confirms he has been completing the Branch Trading Statements. Mr Harding says he used to try and balance the cash. But to no avail, the losses still occurred."<br><br>Later on Page 2: "Mrs Dickinson explains we are trying to get to the bottom of the matter. Mr Knight says that the money would not disappear. Transactions mistakes are one and theft is another."<br><br>Page 3: "Mr Knight recaps that the money has gone somewhere and that Mr Harding has not taken it. £20,000 over a 4-year period. Mistakes would be overs and shortages. Solely losses could indicate a more deliberate action." |
| 310026871 | Interview Transcript of Peter Malcolm Huxham on 22 October 2009 from 9.50 to 10.34. Interview conducted by Michael Wilcox (MW) and Sara Potterton (SP). | Page 3: 'ML' (presumably should read as 'MW') stated "Let's go to the 29 <sup>th</sup> September then '09 the auditors turned up at your office and there was a shortage of £16,158.56. You tell me in your own words why there's that amount of money missing from the Post Office?"<br>'PH' replied "In my honest own words I have no idea at all."<br><br>Page 5: 'ML' – "Is there any chance at all do you think that this is genuine errors and you've genuinely lost the money each month?"<br>'PH' – "I would like to think so yes."<br>'ML' – "Are you that incompetent to lose £1,000 a month?"<br>'PH' – "I never used to be."<br>'ML' – "So do you think this money?"<br>'PH' – "There is no other answer is there?"                 |

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|           |   | <p>'ML' – "No. It's not even as if you'd left £16,000 lying around on the shelf and somebody came into your shop when you went to the toilet and taken it have they?"</p> <p>'PH' – "I wouldn't have thought so no".</p> <p>'ML' - "So unless somebody is coming into your office every single day or week or month and getting access behind the counter and taking money when you're not there which is highly unlikely isn't it?"</p> <p>'PH' – "Yeah"</p> <p>'ML' – "And you say it's not you?"</p> <p>'PH' – "Most definitely not. I wouldn't get up at 4 o'clock in the morning if I was living the high life would I?"</p>   |
| 108078814 | "New Case Raised" – Case Allocation Sheet. Case Ref POLTD/0910/0172   | In 'Details', it states "Analysis showing that this branch is selling a Postal Order, reversing, and immediately cashing it. Postal Orders should not be able to be cashed once reversed, however due to the way Horizon is polled, if it is cashed the same day the system does not register that it has been reversed."   |
| 108036400 | Memo from Jarnail Singh (Senior Lawyer, Criminal Law Division at Royal Mail) to the POL Fraud Team (cc Colin Prince) dated 18 November 2009 – Post Office Limited v Siobhan Sayer | <p>"It may be prudent that in view of the content of her interview under caution in the presence of her Solicitors at their Offices on the 19<sup>th</sup> September 2008 that the Investigation Officer deals with the following:-</p> <p>1. Statement regarding Mrs Siobhan Sayer's appointments and duties. I should be grateful if the statement could cover her training on Horizon. Please explain in detail how the Horizon system operates and the various documents that it produces such as the Transaction Log, the trial and final balance, cash declaration and the Event log. It would be necessary to explain the various abbreviations used in all these documents. This statement will need to be obtained in order to prove that the computer system was operating correctly at the time and that there was no reason to doubt that etc. Could you also confirm that the Cash Account Final Balances is an accounting document ie that it is made or required for an accounting purpose. It may be useful also to cover in this statement that Mrs Siobhan Sayer also trained a member of staff."</p> |
| 108079225 | Post Office Investigation Legal Report in the case of Hasmukh SHINGADIA from M J Wilcox (Fraud Strand, National Security Team, Post Office Ltd) dated 17 May 2010                 | <p>Page 2: "When asked about the shortage in the accounts he says that it happened about a year ago but could not give an explanation. It can be seen that eventually he admits that the loss has built up over a period of time and he has been inflating the cash figures in the accounts to cover it up. He continually denies having taken the money himself and says that he did not report the losses to anybody."</p> <p>Page 3: "Hasmukh SHINGADIA has admitted to the falsification of Trading Statements from 7th January 2009 through to 10th March 2010 and may therefore have committed offences</p>   |

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|              |   | under the Fraud Act. Although I cannot understand (or accept), that he has “lost” an average of £1000 per month, every month, for 16 months, he consistently denies having taken the money from the Post Office®. This along with the fact that he has not reported it to, or told anybody about the loss does not suggest this is due to unexplained losses. However the admitted offences would seem to be enough to proceed with criminal charges and to instigate POCA proceedings if deemed appropriate.”  |
| 108079215    | Memo from Juliet McFarlane to Post Office Security (cc Mike Wilcox) dated 25 <sup>th</sup> June 2010 in the case of Hasmukh Jetha Shingadia                         | “In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on the charges set out on the attached Schedule. In view of the Defendant’s admission there is a high prospect of success.”   |
| 108078722    | Memo from Juliet McFarlane to Post Office Security (cc Colin Price) dated 2 <sup>nd</sup> July 2010 in the case of Jahira Begum                                     | “In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on the charges set out on the attached Schedule. It is considered that there is a medium prospect of success.”  |
| 200004105    | Backsheet of Prosecution Counsel (John Gibson, India Buildings Chambers) in the case of Jacqueline McDonald   | From entry dated 5.9.10: “Re-arraigned on Ct 2 – Ct 7. Guilty to all counts. Defence should speak to Mr Patel who is employed by Post Office – To show that the post office was suffering with problems after he took over!?! Defence to serve any report no later than 18.10.10. Pros to provide Patel’s details within 14 days”   |
| 310029832    | Letter from Juliet McFarlane to Messrs O’Garra’s Solicitors dated 27 <sup>th</sup> July 2010 regarding the case of Gregory Charles Harding                          | “I have discussed your offer of dealing with this matter in the Crown Court. A decision has been taken to manage this case from the Office although your assistance would be appreciated. We do try the general rule to retain Post Office as opposed to Royal Mail cases subject to some exception. The issue at this present time is that we have a number of cases where the Horizon computerised system is being challenged.”   |
| PO_200019048 | Memo from Rob G Wilson (Head of Criminal Law) to Christopher G Knight (cc Maureen Moors) dated 19 <sup>th</sup> August 2010 regarding the case of Allison Henderson | “I am sure that this case will be one of those cases where the Horizon evidence will be challenged and in due course I expect we will need to obtain expert evidence from Mr Jenkins of Fujitsu.”   |
| 100000449    | Interview Transcript of Alison Lorraine Hall on 28 September 2010 from 11.37 to 12.22. Interview conducted by Chris Knight (CK) and Paul Whitaker (PW).             | Page 2:<br>‘CK’- “Ok can you tell me why there was a cash shortage of £14,000 in the account”<br>‘AH’ – “Well I think it’s all to do with the scratch cards. I’ve been having problems with them for a while now and I should have asked for help earlier on and I didn’t. I can’t see it being anything else. I know sometimes we get discrepancies for missing giro’s and cheques and stuff but I don’t think it’s going to add up to that amount.”<br>“AH said it started at the beginning of the year and she has been trying to rectify the matter by telephoning the helpline and lottery line but things have got on top of her. AH said she requested an audit after her holiday having spoken to Glenys at Chesterfield who put her in |

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|            |  | <p>touch with another lady. AH said she has nothing to hide as she would like the matter sorting out.</p> <p>Page 3:<br/>‘CK’ – “When did it first come to light when did you know that you were having problems?”<br/>‘AH’ – “It’s just the figures the money being down every time I had a transaction correction with the lottery it always put the figures complete, obviously when you get your transaction corrections it changes your figures into your stock and stuff so every time I actually counted what I’d remmed in the figures never showed, never were right and every time I had to put the figures down to what they said I had on hand that’s when I was losing all the time and got it all here.”</p> |
| 1000000463 | Letter from Tracey J Langan (O’Garra Solicitors) to Rob G Wilson dated 30 June 2011 regarding the PCMH in R v Alison Loraine Hall                      | “One point that was made clear was the Prosecution would not accept any criticism or blame concerning the Horizon System. In fairness, that did not appear to form any part of the Defendant’s case.”  |
| 108185337  | Memo from Jarnail Singh to Post Office Security (cc Steve Bradshaw) dated 23 <sup>rd</sup> August 2011 regarding the case of Margery Lorraine Williams | <p>“In my opinion the evidence is sufficient to afford a realistic prospect of conviction of the above named on the charge set out on the attached Schedule.”</p> <p>“In my opinion there is a medium/high prospect of success in this case bearing in mind the Defendant’s admission. It is possible that she may contest the case. If she does she may bring into question her claim that the Horizon system was not working properly. In that instance it would be necessary to contact the Helpline regarding any calls made. The prosecution’s view however is that this should not exclude her admissions made in interview.”</p>  |
| 108083365  | Advice from Counsel Justin Wigoder in the case of Robert John Boyle dated 6.11.2011  | Paragraph 6 - “Is it possible to have a witness statement from a suitably qualified person to state that on 15 and 21 September 2010 the Horizon system was working properly, that no faults with the system were reported by/from Alfreton Post Office. Is there any record on Horizon of these rogue figures mentioned by Boyle?”  |
| 108084423  | Charging Advice from Simon Clarke of Cartwright King Solicitors in the case of Gilliam Romaines dated 29 <sup>th</sup> November 2011                   | Paragraph 9 - “By her own admission Ms Romaine is guilty both of theft of money and of False Accounting. Accordingly there is sufficient evidence upon which to prosecute her. The Code for Crown Prosecutors, by which we are NOT bound but to which it is good practice to have regard to, requires that, as well as the sufficiency of evidence test a prosecutor should also consider whether or not any proposed prosecution is in the public interest notwithstanding that the evidential test is met.”  |
| 108084351  | Letter from Andrew Bolc of Cartwright King Solicitors to Post Office Ltd RE: POL v Lesley Ann Jordan (19 December 2011)                                | “In my opinion the evidence is sufficient to afford a realistic prospect of conviction. The draft charge is attached. In light of her admissions in interview, the prospects of success are good.”   |

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| 108084316         | Letter from Andrew Bolc of Cartwright King Solicitors to Post Office Ltd RE: POL v Rohit Patel (10 January 2012)                 | "In my opinion the evidence is sufficient to afford a realistic prospect of conviction. The draft charge is attached. In light of his admissions in interview, the prospect of success is good."  |
| MichSmi_108028756 | Email from Andrew Carpenter to Helen Dickinson (cc Helen Rose and John Breeden) dated 8 March 2012 RE: Brampton ATM Figures      | "Where I really need help is in her reference to there being an error in the Horizon system. Can either of you analyse the information available against the references she makes so I can make a decision based on facts. It really is a case of me being able to go back to her and dismiss her claims regarding Horizon if there is no evidence to support her claim, similar for the ATM if we could identify what has been done that could have resulted in a loss or identify incorrect entries etc. Unfortunately I am not an expert in interrogating data."   |
| 108085303         | Letter from Andrew Bolc of Cartwright King Solicitors to Post Office Ltd RE: POL v Michelle Yallop (26 April 2012)               | "In my opinion the evidence is sufficient to afford a realistic prospect of conviction in respect of the draft charge for fraud by abuse of position attached. In light of her admissions in interview the prospects of success are good."  |
| 138001812         | Email from Dave Pardoe (Senior Security Manager) to Jarnail A Singh (cc Christopher Knight) RE: Uppal (30 April 2012)            | <p>"Jarnail, as per our face to face conversation of today.</p> <p>Given the circumstances around the health issues proper to the defendant, the potential "loss" of interview two and the general circumstances relating to this case then I concur that prosecution should cease. This action, as we agreed, must be portrayed as to in no way be connected with allegations of system integrity (Horizon challenge) and rather simply reflect the defendant's health issues and associated problems this brings.</p> <p>As we also discussed we may wish to wait a day or two prior to communicating this decision in order that we can establish the basis for an alleged Abuse of Process claim.</p> <p>Regards."</p>                                |
| 108006353         | Investigation Legal Report in the case of Grant Ian Allen. Prepared by Stephen Bradshaw (Security Manager) and dated 1 May 2012. | <p>Page 3 (referring to the interview of Allen on 19 April 2012 at 11.10 by Stephen Bradshaw and Andrew Wise at Royal Mail House in Salford):</p> <p>"Mr ALLEN said that between the period of November 2009 and March 2010 he had to make good losses in the region of £1400 and this amount can be seen in his business accounts.</p> <p>Mr ALLEN explained that during the period of March 2010 and April 2010 there was a discrepancy in the accounts of £3,000, he said that he had checked all the paperwork but could find no explanation for this discrepancy. He then made admissions that this £3,000 was never made good and had been rolled over from each Branch Trading Period to the next until the audit took place in February 2012.</p> |

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|           |   | <p>Mr Allen's explanation for this discrepancy was that due to the relocation of the branch the Horizon system was not communicating (ie Polling) and the data on the Horizon system was not being sent."</p> <p>Page 4 (from continuation of interview summary):</p> <p>"It was said to Mr ALLEN that in 2010 the branch Horizon system would have been upgraded onto Horizon-on-Line and migrated after March 2010. It was further said that he would have been informed that a check of all the cash would be undertaken by the migration officer."</p> <p>Page 6 (under the sub-heading "In Conclusion"):</p> <p>"Mr ALLEN made admissions that he had inflated the cash for a 21 month period but denied theft. He could not explain the shortfall in the cash on hand at the branch but thought the losses were linked to faults within the Horizon system; however she could not produce any evidence to satiate her (sic) claim."</p> |
| 138000743 | Email from Susan Cavender (Guildhall Chambers) to Martin Smith of Cartwright King Solicitors (cc Emma Haley of Cartwright King solicitors) dated 15 May 2012, title "Christopher Bramwell"  | "Following the chat I had with Martin last week (prompted by worries about the very negative email from Fujitsu some time ago, which we have agreed does not need to be disclosed) it was agreed that I would do a full review of the evidence and provide a summary of the same, coupled with a new indictment, giving as an alternative Fraud by abuse of position."  |
| 108000101 | Advice from Martin Smith of Cartwright King Solicitors in the case of Jasvinder Kaur Barang (dated 1 June 2012)   | "The Code for Crown Prosecutors, by which we are not bound but to which it is good practice to have regard, requires a prosecutor to consider not only the sufficiency of evidence test, but also whether or not any proposed prosecution is in the public interest."   |
| 108085489 | Advice from Martin Smith of Cartwright King Solicitors in the case of Mark Raymond Hopson (dated 11 June 2012)  | "The Code for Crown Prosecutors, by which we are not bound but to which it is good practice to have regard, requires that, as well as the sufficiency of evidence test a prosecutor should also consider whether or not any proposed action is in the public interest."   |
| 105001345 | Brief to Counsel (Simon Clarke, although it later states Sarah Porter) in the case of Khayyam Ishaq. Appears to be written by Martin Smith ("Should Counsel require any further information he should not hesitate to contact Martin J Smith of those instructing") | <p>Under the sub-heading "Unusual Case Features":</p> <p>"Before the hearing on 25th July 2012 Mr. Ishaq's solicitor said that the case would be contested. His client had told them that there must have been an error in the accounting system and that the money would be in the accounts somewhere. Mr. Ishaq's solicitor also commented that everyone had heard about the problems with the Horizon system and that</p>  |

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|           |  | <p>they would probably instruct a forensic expert.” (N.B. hearing on 25<sup>th</sup> July 2012 was the committal hearing).</p> <p>“By letter of 6th August 2012 the Defendant’s solicitors asked for a copy of the unused schedule. Further copies of the Schedule of Non-Sensitive Unused Material and of the covering letter of 12th July 2012 to which the schedule had been attached were sent by DX on 8th August 2012. No Defence Statement has been received and nothing further has been heard from Mr. Ishaq’s solicitors.</p> <p>The officer in the case, Stephen Bradshaw, has been asked to consider whether the Overnight Cash Holdings Data and transaction data may also be used to show that the stamp sales reversals were not genuine.”</p>   |
| 138001544 | Defence Statement of Angela Mary Sefton dated 18/7/12  | <p>Paragraph 5 – “The defendant asserts that significant shortages/losses had been a common experience in the past. Losses started to occur from 2005. The defendant had to make good a great deal of those losses out of her own pocket, but as the losses increased the defendant could not afford to repay them from of her own resources.”</p> <p>Paragraph 11 – “The defendant also prays in aid of her defence the fact that the Post Office computer system known as Horizon installed sometime in 2005 has been the subject of criticism in the press. A firm of solicitors in the Midlands Shoosmiths is acting on behalf of over 1 100 sub-postmasters who in the past have been compelled by the Post Office to repay significant sums of money, or face criminal prosecution presumably. At the heart of their complaint is the fact that the Horizon computer system is to blame for these apparent losses due to some form of technical malfunction.”</p> |
| 138001543 | Defence Statement of Nemesh Patel (undated)  | Paragraph 4 – “The Defendant was also aware that the balances at the Post Office were not always correct. He believed there to be a problem with the operation of the Post Office systems, including the ‘Horizon’ system.”   |
| 200002076 | Attendance note of a telephone call between Martin J Smith and Mark French about the case of Della Lynne Robinson (29 August 2012) | “They do not seem to understand that gain can be something other than the missing money. They also seem to be suggesting she is not dishonest. Don't understand that. MJS mentioned spm contract and dec on BTS. Mentioned Horizon issues just in case that arises and stance PO taking. Mentioned also previous requests for base unit by def solrs.”  |
| 105001643 | Defence Statement of Khayyam Ishaq signed and dated 29/8/12  | <p>Paragraph 7(i):</p> <p>“There was no appropriation of monies. The Post Office “Horizon” software/hardware system had in the past on numerous occasions malfunctioned causing difficulties in reconciling sales,</p>  |

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|  |  | <p>receipt and stock figures. The Defendant had reported the same to the Post Office helpline seeking assistance but little or no successful assistance was afforded to him despite the said requests.”</p> <p>Paragraph 7(ii):<br/>“The Defendant had of necessity to make certain adjustments by way of “reversals” on the Horizon system so as to ensure the sales, receipt and stock figures reconciled. This was done on the basis of clear malfunctioning of the system (and in accordance with the limited training given by the Defendant by the Post Office in the past with very limited support thereafter) and not in order to appropriate any sums of money.”</p> <p>Paragraph 7(iv):<br/>“The defendant contents that upon all core data from the Horizon hardware/software system (used by the Post Office Auditors) being provided to him the defence should be able to demonstrate that all sales, receipt and stock figures properly reconcile.”</p> <p>Paragraph 11:</p> <p>“Without prejudice to the foregoing the Defence specifically request:</p> <ul style="list-style-type: none"> <li>i. The full file of papers relating to this investigation (as the paginated papers served upon the defence to support the prosecution are clearly a small extract of the full file of papers relating to this case);</li> <li>ii. All material to the knowledge of the prosecution in existence (whether in the hands of the prosecution or third parties) that reasonably supports (or is reasonably capable of supporting) the contention that the Post Office Horizon software / hardware system has proved to be unreliable and/or inaccurate and/or unstable and/or susceptible to malfunction and/or otherwise prone to the production of erroneous results;</li> <li>iii. The outcome of all enquiries in relation to other Post Office Staff and/or contractors who have been the subject of investigation by the Post Office or any other investigative body in relation to allegations of dishonesty related to the use of Post Office Horizon hardware / software;</li> </ul> |
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|           |  | <p>iv. The full results (whether provisional or final) of all internal and/or external investigations and/or enquiries and/or reviews (whether instigated by the Post Office or any other body) into the correct functioning of the Post Office Horizon hardware / software system;</p> <p>v. Any internal memoranda and/or guidance notes and/or other material dealing with the correct or incorrect functioning of the Post Office Horizon hardware / software system;</p> <p>vi. All Horizon system data for the period 2nd November 2011 to 31st January 2012 used to produce exhibit SB/21;</p> <p>vii. An indication of the actual Horizon system data as would have been visible to the Defendant showing sales of stamps on dates referred to in Stephen Bradshaw's statement (Pages 17 to 21) and subsequent reversals referred to therein.</p> <p>viii. The original signed statement of Umair Liaqat."</p> |
| 105001678 | Attendance Note of Sarah Porter (Counsel) from the PTPH in the case of Khayyam Ishaq on 4 September 2012 | <p>"I have made it clear that our stance is that Horizon works and is irrelevant in this case because he now accepts making the reversals and we say in doing this he was acting dishonestly to cover his tracks. Any particular problems with the system must be fully particularised before any further disclosure made. Judge has indicated that the ball is in the defs Court.</p> <p>Can we get a log of any calls def may have made to the helpline?</p> <p>Re: specific requests</p> <p>(i) only such material as undermines our case or assists the def in light of the DS should be served.</p> <p>(ii, (iii),(iv) (v) I understand that the Post Office are compiling some sort of database in relation to this, can the progress of this be checked - but until DS further particularised does not require disclosure. See HB's advice in Wylie (case ref:21392).</p> <p>(vi) as above</p>                  |

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|           |  | (vii) Bradshaw can deal with this<br><br>(viii) Not necessary to comply but could serve as matter of courtesy”  |
| 105001678 | Email from Martin Smith to Steve Bradshaw on 5 September 2012, forwarding Sarah Porter’s Attendance Note referred to above. Jarnail Singh and Post Office Security cc’d. | “Sarah took a robust stance in relation to Horizon. It will remain to be seen whether allegations of malfunction are particularised. However she has asked that progress be checked in relation to the compilation of the database.<br><br>I will call you later this week to discuss the specific requests in the Defence Case Statement.”   |
| 108085573 | Letter from Andrew Bolc of Cartwright King Solicitors to Post Office Ltd RE: POL v Carole Anne Englefield (04 September 2012)  | “In my opinion the evidence is sufficient to afford a realistic prospect of conviction, in respect of the draft charge attached. In light of her admissions in interview the evidential test is clearly passed and the prospects of conviction are therefore good.”   |
| 138002091 | Email from Jarnail Singh to Gareth Jenkins (cc Penny Thomas, Hugh Flemington, Martin Smith) on 1 October 2012. Subject “HORIZON FUJITSU REPORT VERY URGENT”              | “Dear Mr Jenkins<br>Welcome from your annual leave and your assistance advice in the past prosecution cases and I understand you are assisting my colleagues at present. I need your urgent assist judge has this morning ordered the prosecution to have the following report ready to be served within Seven days.<br>On advise (sic) Post Office Limited have appointed one of their investigators, Helen Rose as disclosure officer dealing with Horizon challenges. She has prepared a document/ spread sheet detailing all such cases, past and present, approximately 20 in total, although none thus far successfully argued in court. Post Office limited have been advised to obtain, an experts report from Fujitsu UK, the Horizon system developers, confirming the system is robust. Post Office Limited maintain the system is robust, but in light of adverse publicity, from legal viewpoint is that defence should be given opportunity to test the system, should they still wish to do so, on consideration of our report.<br><br>You will need to consider the Disclosure officers document/spreadsheet (see attachments) and need to address in your report the following issues:<br><br>1) A description of the horizon system (In laymen’s’ terms so that a jury can understand what it is and what it does)<br>2) A declaration that it has yet to be attacked successfully.<br>3) A summary of the basic attacks made on the system concentrating on any expert reports served in past cases. If there are none then state that no expert has yet been found by any |

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|           |  | <p>defence team civil or criminal to attack the system. (at the moment there seems to be little more than griping by defendants that the system must be at fault without saying how)</p> <p>4) Plainly, like all accounting systems, there is room for human error (Keying in wrong amounts etc) are you able to state that innocent human error is unlikely to produce the types of discrepancies of many thousands of pounds over many months.</p> <p>If you require any further information or wish to discuss please do not hesitate to contact me.</p> <p>Regards<br/>Jarnail Singh<br/>prosecution Lawyer”</p>   |
| 138002578 | Email from Anthony Vines of Civitas Law to Andrew Bolc dated 7 November 2012. Subject – “Hitest Hirani – Cardiff Mags – 6 November 2012”                   | “I recognise that this may turn out to be a tightly defended case with assertions about Horizon etc”   |
| 108000145 | Post Office Investigation Legal Report for the case of Christoher Charles Windle (signed Glyn Burrows and dated 21 <sup>st</sup> November 2012)            | “The cash check revealed a shortage of £7118.97. The stock was £154.40 short. Mr WINDLE could not explain the shortage. He said that his weekly balances had been erratic and he was very frustrated that the branch wasn’t balancing.”  |
| 138001095 | Email from Jarnail Singh to Rachael Panter (cc Steve Bradshaw and Martin Smith) dated 21 February 2013 (“RE: Post Office – 22191 – Prosecution v J Dixon”) | “The Guilty plea to false accounting offered by the defence is acceptable to POL, provided Defendant accepts as part of his Guilty plea in writing that he does not Challenge the integrity or blame or criticises the Horizon system and all losses and costs are paid.”  |
| 138001096 | Email from William Saunders to Rachael Panter dated 25 February 2013. (“RE: Jamie Dixon – Indictment”)   | <p>“I take on board the concerns voiced about criticism of the system. I will ensure that if this is raised in any way, the court will be put right. At the end of the day if he pleads guilty he is admitting that it was him that did wrong, not the system.</p> <p>Feel free to pass that on to the Post Office solicitor.”</p> <p>Rachael Panter forwarded this to Jarnail Singh on 25 February 2013 and stated “Counsel agrees that if there is any mention of Horizon, he will make it clear to the defence that we will go to trial if they make any issue of the Horizon system.”</p> <p>Jarnail Singh replied on 25 February 2013 “The point is we need to have in writing from the defendant before the plea he does not Challenge the integrity or blame or criticises the Horizon system.”</p> |

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| 108005085 | Letter from Andrew Bolc of Cartwright King Solicitors to Jarnail Singh RE: POL v Kris Edward Martin (1 March 2013)             | "In my opinion the evidence is sufficient to afford a realistic prospect of conviction, in respect of the draft charges attached for theft and false accounting. In light of his admissions in interview, the prospects of success are good."   |
| 100000034 | Mediation Application Form of Allison Henderson (signed and dated 9/9/13)  | <p>"I was advised by the lawyers to accept the false accounting charge, although I felt bullied and intimidated as PO were intimating that they would seek a custodial sentence if I was found guilty of theft. The PO lawyers also said that the dropping of the theft charge was subject to any Horizon issues not being mentioned in court. I wanted to mention the problems with the Horizon system in court but the lawyers said that I could not – that's not how this works."</p> <p>"When the Horizon system was introduced to my PO I was given one and a half days of training – these were group sessions at the Links Hotel in West Runton, Norfolk. The sessions were mainly instructor spoken with a couple of small sessions on a mock up system. I had not ever used a computer prior to that time and was told by the PO not to worry as you do not have to be computer literate to work the system. I eventually managed to sell product using the system but had massive issues with the balancing. My line manager gave me a "cheat sheet" that had been produced by another sub-postmaster but this was of little help. My line manager did not understand the balancing aspect either. I struggled to understand the reams of paperwork generated by the system during balancing. If there were figures that did not tally I had no understanding of where to look to identify the error(s). All I could do was recount stock and cash, if the error was not there I did not know where else to go. I tried on many occasions to get assistance from the helpline but invariably there was no answer or they said they would call back and did not. I felt that I was under pressure to keep the office open so I just followed the accepted procedure and made the figures tally."</p> |
| 108043571 | Initial Advice of Andrew Bolc of Cartwright King Solicitors dated 13 <sup>th</sup> September 2013 in the case of Tirath Chahal | Paragraph 12: "It is assumed that the safe data itself and any alarm system data is not interfaced or reliant on the Horizon system. Nevertheless, ultimately the case is based on Horizon data with regard to quantum, irrespective of the fact that the defendant categorically states that he put £78K into the 40-minute delay safe on the night before the audit. It is likely that this defendant will grasp at any potential defence available to him, and therefore an attempt to jump on the Horizon bandwagon must be anticipated."   |
| 100000204 | Medication Application Form of Scott Darlington (signed and dated 26/9/2013)   | <p>"I believe the cash shortages experienced at my branch were created by software and/or hardware issues and the lack of audit trails associated within the Horizon system."</p> <p>"I telephoned the Post Office helpline to report and ask for assistance regarding the issue occurring early 2008."</p>   |

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|           |  | <p>“There was no help or investigation into this issue whatsoever. I was simply asking how I was going to pay. The shortfall was subsequently deducted from my remuneration.”</p> <p>“Thorough checking of supporting transaction documentation failed to identify errors which would have accounted for the supposed cash shortages. However some cash transaction streams (eg cash payments into Girobank accounts) have no audit trail and could not be checked. I believe that the supposed shortages were caused by lack of audit trail and/or software/hardware issues with the Horizon system.”</p>  |
| 108044791 | Case Closure Notification for the case of Janet Coldicutt from Jim Coney (Security Manager) to Post Office Security and Darrell Kennedy (cc Anita Bravata, Sally Smith, Michelle Stevens, John M Scott) dated 18 November 2013 | “Sufficient evidence obtained for a false accounting charge, however, considering the amount involved and the fact that the money has been paid back, it is considered not in the financial interest of POL to prosecute. Also concerns regarding negative publicity and second sight report, Cartwright King recommended no further action. This recommendation was approved by John Scott on 4 November 2013.”  |
| 108178524 | Advice from Harry Bowyer at Cartwright King Solicitors dated 4 February 2014 in the case of Philip Dauncey   | <p>Paragraphs 1-3:</p> <p>“This case has caused concern to the POL Accredited Financial Investigator, Dave Posnett, that “the court would hold a dim view of the fact we applied for Restraint Orders but then assets have been frozen whilst there have been ‘undue delays in continuing the proceedings or the prosecutor does not intend to proceed’.</p> <p>Mr Posnett is certainly right in bringing his concerns forward in this case and each case should be kept under review as time between audit and intended prosecution continues.</p> <p>In my view, for the reasons set out below, this case does not give any undue cause for concern.”</p> <p>Paragraph 15: “Owing to the current furore in relation to the Horizon system there is very likely to be a challenge to the Horizon system. Post Office Ltd is investigating the instruction of an expert to give the Horizon System a clean bill of health. Once that expert is instructed this case can be rapidly put into order to prosecute.”</p> <p>Paragraph 16: “This is not a case where there are any undue delays in continuing the proceedings or that the prosecutor does not intend to proceed. The delay in this case is still</p> |

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|           |   | less than 7 months which is well within normal bounds for a serious allegation of fraud/theft and such delay as there is is quite justifiable in the context of a Post Office prosecution. The moratorium on the issue of summonses until the instruction of a suitable expert cannot be equated with a lack of intent to prosecute.”  |
| 108178533 | Email from Jarnail Singh to Chris Aujard, Sophie Bialaszewski, Belinda Crowe, David Oliver I, Dave Posnett, John M Scott (cc Jessica Madron and Rob King) dated 27 May 2014 with subject “REF 23 – Post Office Ltd -v- Dauncey” | (Attached is the Second Review, which is document 108178534 below)<br><br>“Dear All<br>I have attached the copy of second review advice of the above case from our external Lawyers Cartwright King.<br>No doubt you will note observations in this particular case. Essentially the discharge of the restraint order has made it more difficult if not impossible for POL to recover any money through any pro conviction proceedings. Of course there is delay whilst waiting for expert report. Accordingly as a decision maker I am of the view Mr Dauncey should be written to by Dave Posnett as matter of urgency to inform him no proceedings be taken against him. The circulation of this advice needs to be controlled to avoid any future potential problems.<br>Regards<br>Jarnail”   |
| 108178534 | “Second Charging Review” prepared in the case of Philip Dauncey by Simon Clarke of Cartwright King Solicitors (dated 23 May 2014). This was attached to the email at 108178533.   | Paragraphs 13-15: “Other Factors”<br><br>“I note that, since the review of the 26th February, POL has for compassionate reasons agreed to lift the Restraint Order on Mr. Dauncey’s property.<br><br>The following paragraphs of the draft Prosecution Policy are relevant:<br><br>“3.6 Post Office Ltd. will ensure that the decision whether to prosecute in any individual case will be taken in a timely manner, so as to avoid unnecessary stress and uncertainty in those subject to such a decision.”<br>“4.7 No prosecution will be commenced or continued in circumstances where it is, or it becomes likely, that the courts would regard the prosecution as oppressive, unfair or an abuse of the process of the court”<br><br>The availability of a Horizon expert report is presently unknown, although it is unlikely to be available within the next few months.”<br><br>Paragraphs 18-20: “Prosecution Policy” |

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|              |  | <p>“The removal of the Restraint Order represents new material which engages the provisions of the draft Prosecution Policy. Clearly Paragraphs 3.6 and 4.7 of the draft Policy are engaged. Dealing with Paragraph 4.7 first and shortly, given the view expressed in the preceding paragraph I cannot advise the continued investigation and prosecution of Mr. Dauncey is, or is likely to become, “....oppressive, unfair or an abuse of the process of the court”</p> <p>A consideration however of paragraph 3.6 of the draft Policy (for which see para. 14 I above) reveals a difficulty. The continued unavailability of a Horizon expert witness prolongs delay and may well be regarded as inconsistent with decision-making “...in a timely manner,.” and the avoidance of “....unnecessary stress and uncertainty in those subject to such a decision”</p> <p>Paragraph 4.5.ix of the draft Policy also bites: a. Paragraph 4.5.ix. Cost. Consideration of the recovery or likelihood of recovery of any loss or shortage is required. Given that the Restraint Order is no longer in place, it is much less likely that POL will recover either the loss or prosecution costs. Thus I reassess the now heavy financial risk to POL to militate against prosecution. This finding represents a significant and substantial change as against circumstances prevailing at the last Review in February.”</p> |
| 117000335    | Amended Defence Statement for Damien Peter Owen (undated)  | Paragraph 3: “The Defendant does not know whether the accounting procedures adopted to produce this information are accurate nor whether there is a shortfall as alleged. Further, it is Mr Owen’s understanding that the accounting systems operated by the Post Office are notorious for producing imbalance anomalies.”  |
| 210001561    | ‘In Confidence’ Memo from Keith Kinrade (Lead Auditor) to Sue Muddeman (Contracts Advisor) cc Jason Collins, Jon Archer, Julia Mann and Outlet Intervention Team (undated) | This is a report of the audit of the Post Office Heath Road branch on 8 January 2009 by Keith Kinrade and Mark Condon. It stages on page 2 of the report: “Mr Barry Capon’s father was present for some of the audit and said that he felt some of the shortages were due to the migration to Horizon which had taken place in 2000/2001.”  |
| PO_200019081 | Amended Defence Statement in the case of Allison Henderson (signed, undated)   | Paragraph 2: “The defendant offers no particular explanation and does not understand why there is a discrepancy, however does believe that any discrepancy(s) are the result of a malfunction of the Horizon computerised accounting system. The defendant also believes that any discrepancy could have been discovered by the Post Office auditor, particularly as he initially alleged £18,000 was missing, this was reduced to the alleged sum in a matter of minutes. Further investigation by the auditor would have discovered the whereabouts of the alleged missing sum.”  |

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| 210001656        | Note on Indictment and Advice on Evidence in the case of Barry Capon (undated, J. Alistair Smith of 9-12 Bell Yard) | <p>Paragraph 2:</p> <p>“At present the defendant is charged in Count 1 with simple theft. This has the benefit of being a straightforward charge for the jury making a simple assertion that the defendant appropriated the missing funds for his own benefit. The prosecution can rely on the inference that the defendant is the most likely beneficiary of the subsequent false accounting and thus the most likely perpetrator of the theft. In addition his failure to disclose mounting and continuing losses suggest he knew they were not innocent losses and his evasiveness in interview impact negatively on his credibility. One concern with this charge is that it requires the prosecution to demonstrate the loss results from actions of dishonesty to the benefit of the defendant. I note in the Investigating Officer’s report he expresses the following:</p> <p>‘In summary, I have <i>no evidence to show that the shortages were not caused by clerical errors</i> within the Post Office and both defendants have denied stealing any money.’ (emphasis added)</p> <p>The issue of whether the relevant losses can be attributed to clerical errors or dishonesty is clearly central to the issue of theft and demonstrating a real, as opposed to potential, loss is equally important. I note that the defendant asserts in interview that the recorded losses were as a result of clerical errors and gives one example – a double listed Giro Cheque (see para 7 below). Efforts have been made to examine the potential sources of error and rule them out. In terms of the Giro payments it seems possible to demonstrate the absence of duplication etc. It would be useful for those investigation to consider possible alternative sources of ‘clerical errors’ and whether they can ruled out through retrievable evidence. I realised that this seems to be answering the defendant’s points before he makes them but in the event of a not guilty plea it is predictable that he will attempt to rely on clerical errors to negate actual loss.”</p> |
| GA_564_438001178 | Amended Schedule of Information for Senapathy Narenthiran (signed and dated 2/12/2017)                              | <p>“I estimate that I contacted the Helpline 2-3 times per week with regards to problems relating to alleged shortfalls and/or balancing. It was a long time ago. The Helpline always told me to roll the account over as it would balance itself out. It never did. It was the same story again and again. I also contacted the Helpline 2-3 times per month about hardware errors. I cannot, however, remember the advice that was provided.”</p>   |
| 133000064        | Amended Schedule of Information for William David Graham (signed and dated 2/12/2017)                               | <p>In answer to the question “Contacted Helpline to seek advice re: Horizon and/or alleged shortfalls?”, he states “pending access to any helpline call logs that Post Office may hold, my recollections are as follows: Yes. I estimate that I contacted the Helpline about once a month with regard to problems relating to alleged shortfalls and/or balancing.”</p>   |

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|                  |   | In answer to the question “Was there an investigation carried out by the Defendant relating to alleged shortfalls?” he states “in relation to the alleged 2004 shortfall, I was told that this was being investigated. I was never however provided with any details. I raised this with the subpostmaster, who confirmed that nothing had been provided by Post Office.”   |
| GA_351_438001082 | Amended Schedule of Information for Gurnam Singh Gill (signed and dated 05/12/2017) | In answer to the question “Contacted Helpline to seek advice re: Horizon and/or alleged shortfalls?”, he states “pending access to any helpline call logs that Post Office may hold, my recollections are as follows: Yes. I estimate that I contacted the Helpline 2-3 times per week with regard to problems relating to alleged shortfalls and/or balancing. The Helpline was not generally able to help my wife (Kashmir Kaur-Gill) and I to resolve the issues with the alleged shortfalls. The only advice that the Helpline gave me was to make good the alleged shortfalls, either by putting cash into the systems or settling the alleged shortfalls centrally. I had called the Helpline quite regularly at the beginning, but after a couple of months of calling the Helpline, they told me that by now I should be able to operate the system by myself.” |