

**Thomas Penny**

**From:** Jones David M  
**Sent:** 05 February 2010 17:10  
**To:** jarnail.a.singh **GRO**  
**Cc:** Jenkins Gareth GI; Thomas Penny  
**Subject:** RE: WEST BYFLEET ISSUES - SEEMA MISRA - Legally Privileged  
**Importance:** High

Jarnail

This is an email that I received earlier from Gareth. You will see that he is clear that in order to answer Counsel's question about any issues he needs to be able to check the underlying transaction logs to be able to say whether there were any issues. On the specific issues you raise Gareth's view is:

2. He needs information and time to research the background to this case before providing any response;
3. He is not currently in a position to make a clear statement. It is possible for there to be problems where transactions have been "lost" in particular circumstances due to locking issues. When this happens then we have events in the underlying eventing logs to indicate that there was an issue. Whenever we provide transaction logs to POL we check for any such events. In the case of West Byfleet we have not been asked to provide any transaction logs and so have not made these checks.
4. Gareth has reviewed the statement by Eleanor Nixon. There is nothing technical there for him to comment on. If POL are able to expand on exactly what they did to resolve the issues and what they found to be the issues there, then he could comment on that. At first glance it is purely a case of incorrect use of the system and clearly with any system if incorrect information is input then incorrect results come out.

I hope that helps.

**David**

David M Jones, Head of Legal  
UK Private Sector Division

FUJITSU

Mob: **GRO**E-mail: **GRO**

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**From:** Jenkins Gareth GI  
**Sent:** 05 February 2010 16:06  
**To:** Jones David M; Thomas Penny  
**Subject:** RE: WEST BYFLEET ISSUES - SEEMA MISRA - Legally Privileged

David / Penny,

Brief responses as follows, but not sure that I should put them in a Witness Statement:

2. I need [Jones David M] information and time to research the background to this case before providing any response

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3. This is where I'm reluctant to make a clear statement. I am aware of one problem where transactions have been lost in particular circumstances due to locking issues. When this happens we have events in the eventing logs to indicate that there was an issue and whenever we provide transaction logs to POL we check for any such events. In the case of West Byfleet we have not provided any transaction logs and so have not made these checks.

4. I have reviewed the statement by Eleanor Nixon. There is nothing technical there for me to comment on. If POL are able to expand on exactly what they did to resolve the issues and what they found to be the issues there, then I could comment on that. At first glance it is purely a case of incorrect use of the system and clearly with any system if incorrect information is input then incorrect results come out.

If you feel it OK to pass this onto POL then that's fine by me, but I'm reluctant for it to go further without POL's agreement and understanding of the potential implications.

David

David M Jones, Head of Legal  
UK Private Sector Division

FUJITSU  
Swan House, The Causeway, Staines, Middlesex TW18 3BF UK  
Tel: #  
Mob: **GRO**  
Fax: **GRO**  
E-mail: **GRO**  
Web: <http://uk.fujitsu.com>

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-----Original Message-----

From: marilyn.benjamin **GRO** On  
Behalf Of jarnail.a.singh **GRO**  
Sent: 05 February 2010 15:50  
To: Jones David M  
Cc: Jenkins Gareth GI; Thomas Penny  
Subject: WEST BYFLEET ISSUES - SEEMA MISRA - Legally Privileged

Dear David and Penny,

On first glance points 2 - 4 have not been answered which I reproduce below.

2) My barrister telephoned me yesterday evening and requested that I find out any information that Fujitsu may hold in relation to an office called Callender Square in Falkirk. Apparently, Anne Chambers a Systems Specialist employed by Fujitsu was cross examined and it is said that she had full knowledge of an error in the Horizon system at this Post Office. Our barrister would like Gareth to deal with this matter and expand upon whatever issue Anne Chambers raised at court within his witness statement.

3) When Gareth completes his statement could he also mention whether there are any known problems with the Horizon system that Fujitsu are aware of. If none could this be clarified in the statement.

4) Could Gareth read the statement from Eleanor Nixon attached below and respond in his statement to the points raised by Eleanor Nixon about

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Horizon.

(See attached file: Eleanor Nixon Statement.rtf)

Could you please give this matter your urgent attention and look forward to hearing from you.

Jarnail A Singh  
Senior Lawyer  
Criminal Law Team

Tel.No: **GRO**  
Fax.No:

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Royal Mail Group Limited registered in England and Wales registered number  
4138203 registered office 3rd Floor, 100 Victoria Embankment, London, EC4Y  
OHQ

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