

**Witness Name:** GERALD HARBINSON

**Statement No:** WITN08150100

**Dated:** 17 October 2023

**POST OFFICE HORIZON IT INQUIRY**

---

**FIRST WITNESS STATEMENT OF GERALD HARBINSON**

---

I, Gerald Harbinson, will say as follows:

1. I am a former employee of the Post Office Limited (the “**POL**”) and I worked within the organisation for approximately 12 years. During this period I held various positions, including a TV Enquiry Officer, Criminal Investigations Manager, Compliance Manager, Financial Investigator and Financial Investigation Unit Manager.
2. This witness statement is made to assist the Post Office Horizon Inquiry (the “**Inquiry**”) with the matters set out in the Rule 9 Request dated 8 September 2023 (the “**Request**”). The Request contains 92 questions, which I have addressed below. I would like to make the Inquiry aware that I have received legal assistance to produce this statement from my solicitor, Mr Ian Manners

of Ashfords LLP. When seeking to obtain assistance from Ashfords LLP, I was assisted by the POL with the initial stage of confirming the availability of insurance coverage, to cover the associated legal costs.

3. The Request relates to matters that occurred many years ago and some of the documents that have been provided to me are over 20 years old. Due to this passage of time, I have found it difficult to recall precise details on occasion. Nevertheless, what I include in this statement is to the best of my recollection and I where I cannot recall something or I have had to rely on a document provided, I have ensured to state this clearly.

#### **Relevant background**

4. I joined the Post Office at some point in 1998 and left in April 2010, when I left to join Royal Mail.
5. When I first joined in 1998 I was employed as a TV Enquiry Officer. I transferred from this role at some point in 2000, when I was internally recruited into the Post Office Security Team as an Investigation Manager. This role was based within Croydon, London.
6. I would like to flag that whilst this job title contained the word 'Manager', this did not mean that I held a managing position - all other individuals in the same role were also referred to as an 'Investigation Manager.'

7. I can recall that there was a big intake of around 15 to 20 people into the Security Team at the time when I was recruited in 2000. I went into the Investigatory side of the Security Team. There was also a Property side of the team, who I believe dealt with issues relating to locks and security doors at branches, and a Case Management side, who were the central hub that assisted with the processing of matters.
  
8. I do not recall needing any specific school or higher education qualifications to be hired as an Investigation Manager. I think that everyone who was successful in achieving the role was hired internally. As such, I imagine that some experience working under the POL was desired. I do remember that during the interview stage I had to travel to Birmingham to take part in an assessment day. I assume that in order to achieve the role you had to pass the assessments assigned on the day.
  
9. In terms of training for the role of an Investigation Manager, I was required to attend a college in Milton Keynes, where a programme of relevant training was delivered by experienced employees of the Security Team. I cannot remember exactly when the training was delivered, but I remember it being early on in my career and it took place over a few weeks. The training related to various matters relevant to the role, which I deal with in more detail under the sub-heading '*Training, instructions and guidance to investigators within the Security Team*' below. Once the training was complete, we were examined on

our learning and we could only continue in our role if we passed. I recall that I passed all the prescribed training and examinations.

10. We also received training in the form of shadowing. When I initially became an Investigation Manager I would assist a more experienced colleague in carrying out an investigation. I did this until I became experienced enough to lead an investigation of my own. When I was experienced enough to lead an investigation, I would often have Investigation Managers who were newer to the role shadow and assist me.

11. We had team leaders. I initially had Tony Utting and later Paul Dawkins, who would allocate individual cases out to Investigation Managers when they came in from the Case Management Team. If the case was allocated to you, you would then be responsible for running and managing the investigation of that case. Essentially, this involved investigating instances of suspected theft or fraud. For example, I carried out investigations in relation to potential pension allowance fraud, to help identify whether such fraud was committed internally at the POL, or externally. We would usually be referred these cases after anomalies were found in pension documentation, following a review held by a team at a central site in Northern Ireland. I cannot remember the name of the site, but I do believe that all pension documentation for the POL was handled and reviewed there.

12. I also investigated cases where there was a discovery of a cash shortfall at a Post Office branch following an audit. In that situation, the Auditor would report

the shortage to the Security Team. If the matter was then allocated to me by my Team Leader, I would be sent to attend the branch that same day to begin an investigation.

13. When carrying out an investigation I would collate the necessary records and documents (such as reports that the Auditor had printed from the Horizon System on the day), take witness statements from relevant persons and conduct interviews under caution with the relevant persons (for example, the SPM).

14. Following this I would write up a report of findings and open a case file. Once a case file was fully prepared, I would forward it over to my Team Leader for review, who would eventually forward it to casework management to check it over from a procedural standpoint, and they would then arrange for it be sent to the head of the Security Team. I believe Phil Gerrish was the head of the Security Team when I first started. At some point Tony Utting became head of the Security Team, followed by John Scott. However, I cannot remember precisely when these position changes took place.

15. Once the case file was with the head of the Security Team, it is my understanding that they would then liaise with Case Management to get it passed on to the Criminal Law Team in the POL. I do not know if there were any specific factors considered to determine whether to pass it on or not, or whether all case files were passed on in any event. Other than on an evidential basis (which I deal with in paragraphs 18 and 19 below), I do not believe that I

had any involvement with liaising directly with any other POL department during my role as an Investigation Manager. I believe that any other necessary cross department liaison was dealt with by colleagues in a more senior position to me or with casework management.

16. I believe that it was always the decision of the Criminal Law Team whether to pursue a criminal prosecution or not. I do not recall that decision ever being made by anyone in the Security Team, although, potential offences would be listed in the offender report produced by Investigation Managers as part of their investigation. The offender report would have formed part of the case file passed to the Criminal Law Team.

17. Once a case file was passed on to the Criminal Law Team, I believe that the matter would have been allocated to a particular lawyer within that team. I do not know how this allocation was made.

18. In the event that an incident I had investigated was being prosecuted, I would continue to assist the Criminal Law team on an evidential basis. For example, if the Criminal Law Team required additional evidence, the criminal Law Team or my Team Leader would inform me and I'd carry out additional work to obtain such evidence (for example, taking an additional witness statement). Due to the passage of time, I am unable to recall any specific examples of this occurring.

19. We also had to assist the Criminal Law Team with meeting any disclosure obligations. This involved compiling a list of all used and unused evidence in

the investigation, and collating those documents into a bundle. The Criminal Law Team would then deal with any related filing and serving requirements directed by the court.

20. At some point in early 2005 I was internally promoted to the role of Compliance Manager. In this role I reported to David Pardoe, who was my direct line manager. I do not recall needing any minimum qualifications or experience to secure this role, but I do remember having to apply for it and being interviewed. I assume that my previous experience working under the POL umbrella would have been desirable, as the knowledge of processes and procedures I had already gained would have been relevant to the role of a Compliance Manager.

21. My Compliance Manager role was also based in the Croydon area and it involved monitoring how casefiles were being processed through the business, ensuring that the correct steps were being followed from a procedural standpoint. It did not entail any involvement in the actual substance of an investigation. For example, I would check that timescales on matters were being met to help prevent progress from falling behind. If evidence in a case file referred to exhibits, I would double check that the exhibits were labelled and attached in the correct place. I would also ensure that all offender reports were marked with the required red label if required so that the case file could be processed quicker when sent to the Criminal Law Team. I only briefly remained in this position because later in 2005 I became a Financial Investigator for POL.

22. Myself and another colleague, Mick Matthews, were both put forward for the role of Financial Investigator by David Pardoe, which was essentially a new role set up within the Security Team, campaigned by David Pardoe. Unlike my previous positions based in Croydon, the Financial Investigator role had a national remit and myself and Mick Matthews would manage a case load covering all areas of the UK.

23. I do not recall needing any minimum qualifications or experience to secure the role of a Financial Investigator – I can only assume that my experience to date of being an Investigation Manager and a Compliance Manager had provided me with the relevant transferable skills in the eyes of David Pardoe.

24. All training for my Financial Investigator role was provided under the Asset Recovery Agency (ARA), who at that time were the Government department established under the Proceeds of Crime Act 2002 (“**POCA**”) to take action against those benefitting from crime. As far as I am aware, the Financial Investigation Unit within POL were one of the first non-police bodies who applied to exercise powers of recovery under POCA. The ARA took the lead in delivering the relevant training to myself and Mick Matthews in order for us to become Accredited Financial Investigators. In doing so, they provided us with a mentor, Elaine Blewitt, who was an experienced Accredited Financial Investigator in the police. Initially, we received mentoring from Elaine Blewitt and carried out our work under her supervision and accreditation. This continued until we passed the necessary exams in place to become accredited ourselves. I cannot recall what the specific exams were, but I remember them

being very difficult and requiring a lot of preparation and application of the knowledge we had gained from our mentoring and experience so far. I was qualified in POCA parts 2,4 and 8.

25. Once we passed our exams and became accredited, we were able to carry out our duties as an Accredited Financial Investigator independently. We reported to our Senior Authorising Officer, David Pardoe, who would review and approve any work we had done where necessary, in line with ARA Guidance. Later on in my career, I undertook further training provided by the ARA in order to become a Senior Authorising Officer myself.

26. My Role as a Financial Investigator essentially involved the recovery of financial loss suffered by the POL following a conviction for crimes such as theft of POL assets and false accounting. This involved investigating what assets were held by the convicted individual and how they could potentially cover the loss suffered, and the likelihood of recovery. In some cases it also involved making a case for restraint over particular assets found, in order to stop them from being dissipated prior to any application for a confiscation order being awarded following a conviction. Any restraint considered would not be done without the approval of my Senior Authorising Officer (David Pardoe), and ultimately the approval of the Criminal Law Team.

27. I would also put together an application to the court for a confiscation order. In doing so, I would produce a Section 16 Statement, completed on a pro-

forma available from the ARA. Such statement would attach and address all the evidence obtained during my financial investigation against the convicted individual and attempt to logically set out my reasoning, aims and objectives around obtaining a confiscation order, for the judge to consider. It would be passed on to the Criminal Law Team to review and approve. If approved, they would then arrange for it to be served on the Defendant's solicitor and filed at court.

28. In circumstances where the court proceeded to grant a confiscation order, it would always be requested that a compensation order was attached for the same amount. I deal with the reasons for this in detail in paragraph 115 below.

29. Once a confiscation order was obtained, the Financial Investigation Unit did not then take steps to ensure the order was fulfilled. I believe that there were departments around the country who formed part of the ARA, who would do the work required to enforce the confiscation order. I also believe that they would approach the courts to bring about the enforcement of a confiscation order, if necessary. The Financial Investigation Unit would only monitor the progress of the order being enforced, so that we were updated from a recovery standpoint.

30. Whilst a report relating to the investigation in any criminal proceedings was available to us to understand the context of the crime, the Financial Investigator role did not play any part in investigating the potential criminal incident. Our

input did not usually occur until post-conviction. On the rare occasion where an SPM had admitted to actions of theft or false accounting from the outset, a Financial Investigator could start the recovery process earlier than after conviction, however, they would have needed to have a clear rationale explained before a judge to obtain any POCA orders pre-conviction. Due to the passage of time, I cannot remember any specific examples of where this was done.

31. In late 2006 or early 2007 Mick Matthews left the Post Office, which left me with the entire Financial Investigation case load. Due to the large amount of recovery work that existed nationally, 2 more people were brought in to the team to help manage it – Paul Southin and Graham Ward. We were all the same grade in terms of pay, but at some point after they joined, although I do not recall exactly when, I was allocated the role of Financial Investigator Unit Manager, I assume as a result of my experience to date.

32. As a Financial Investigator Unit Manager, I had to train Paul and Graham to manage their own recovery cases. Later I was also their Senior Authorising Officer. I initially supervised them on caseloads until they were experienced enough themselves. I also held 1-1 training and review sessions with them on any work I had allocated to them. Whilst taking on these new management responsibilities, I continued to hold down a recovery case load of my own.

33. Unlike my role as an Investigation Manager, I did have slightly more direct interaction with the Criminal Law Team when I formed part of the Financial Investigation Unit. For example, on occasion I was consulted in relation to my views on the best mode for recovery and the prospects of a confiscation order being achieved, to assist the Criminal Law Team with making the decision whether to pursue an application for confiscation or not. I would provide my opinion on this in line with training and mentoring from the ARA I had received, and my past experience in the role.

34. In all of my roles in the Security Team, I have only ever been involved in matters relating to criminal proceedings. I do not recall ever assisting in civil matters or proceedings. Of course, not all matters I investigated when I was an Investigation Manager ended up in criminal proceedings. Some would result in no further action, or potentially go down an alternative route. I do not recall what these other routes specially were, however, if it was civil proceedings I did not ever assist further. As for my roles in the Financial Investigation Unit, these always related to criminal proceedings, because as explained above, usually our input only came into play following the conviction of a criminal offence, to assist in recovering the proceeds of such crime.

35. I have been asked what role I may have had in any litigation case strategy. During my time as an Investigation Manager, however, I do not believe I played any part in the litigation case strategy of any matters. As far as I am aware this was a consideration for the Criminal Law team only. As explained earlier in this

statement, when I was in the Financial Investigation Unit I would provide my opinion to the Criminal Law Team in relation to the best mode of recovery and prospects of confiscation, however, I do not believe this that can be considered as litigation case strategy as such. I was simply providing an opinion – I was not mandating that the Criminal Law Team should carry out any specific actions. It was ultimately up to them as to whether they wanted to take on board my opinion.

36. I have also been asked to provide my views on the competence and professionalism of my colleagues and managers. I have always believed that in all of my roles in the Post Office, my colleagues and managers were very professional, competent and hard working. My managers and team leaders in particular were extremely good at their jobs and I aspired to be like them. They taught me a lot and it was because of them I was able to progress and achieve more senior roles within the POL myself.

**The Financial Investigation Unit's role in relation to criminal investigations and prosecutions**

37. I confirm that I have considered the following documents:

- i. "Royal Mail Group Ltd Criminal Investigation and Prosecution Policy" (1 December 2007) ([POL00030578], which appears to be substantially the same as the policy of the same date with a variation on the title at [POL00104812]) (see, in particular, section 3);

- ii. “Royal Mail Group Security – Procedures & Standards – Standards of Behaviour and Complaints Procedure” (version 2, October 2007) ([POL00104806]);
- iii. “Royal Mail Group Crime and Investigation (S2)” (version 3.0, September 2008) ([POL00031004]);
- iv. “Royal Mail Group Crime and Investigation Policy” (version 1.1, October 2009) ([POL00031003]);
- v. “Former Subpostmaster End to End Debt review” (December 2009) ([POL00084977]);
- vi. “Post Office Ltd – Security Policy – Fraud Investigation and Prosecution Policy” (version 2, 4 April 2010) ([POL00030580]);
- vii. “Post Office Ltd Financial Investigation Policy” (4 May 2010) ([POL00030579]);
- viii. “Royal Mail Group Security - Procedures & Standards – The Proceeds of Crime Act 2002 & Financial Investigations” (version 1, September 2010) ([POL00026573]);
- ix. “Royal Mail Group Security - Procedures & Standards – Initiating Investigations” (September 2010) ([POL00104857]);
- x. “Royal Mail Group Ltd Criminal Investigation and Prosecution Policy” (version 1.1, November 2010) ([POL00031008]);
- xi. Post Office Ltd Financial Investigation Policy (version 2, February 2011) ([POL00104853]);

- xii. Post Office Ltd Anti-Fraud Policy (February 2011) ([POL00104855]);
  - xiii. "Royal Mail Group Policy Crime and Investigation S2" (version 3.0, April 2011) ([POL00030786]);
  - xiv. "Post Office Limited: Internal Protocol for Criminal Investigation and Enforcement (with flowchart)", (October 2012) ([POL00104929]);
  - xv. "Undated Appendix 1 - POL Criminal Investigations and Enforcement Procedure (flowchart)", (October 2012) ([POL00105226]);
  - xvi. Draft "Post Office Limited: Criminal Enforcement and Prosecution Policy" (November 2012) ([POL00030602]);
  - xvii. "Conduct of Criminal Investigations Policy" (version 0.2, 29 August 2013) ([POL00031005]);
  - xviii. "Conduct of Criminal Investigations Policy" (version 3, 10 February 2014) ([POL00027863]);
  - xix. "Conduct of Criminal Investigations Policy" (September 2018) ([POL00030902]);
  - xx. "Security & Investigation Financial Investigation Unit Criminal Debt Recovery Process" (in which you are referred to as the FIU Manager) (undated) ([POL00084989]).
38. Following a review, I can see that apart from the first 6 documents in the list (POL00030578), (POL00104812), (POL00104806), (POL00031004), (POL00031003) and (POL00084977) and the final undated document

(**POL00084989**), all other documents appear to postdate my time as an employee of POL. I am therefore unable to comment on those, as I would not have had sight of them.

39. In terms of the first 6 documents in the list, they all seem to relate to overarching policies in place at both Post Office Limited and Royal Mail. I do not believe I was involved in the development or management of any of these documents. Where they are dated within the period I spent working at POL, it is likely that I did have sight of the documents when they were circulated, but with the amount of time that has passed I have no direct recollection of seeing them.
40. Given that it is undated, document (**POL00084989**) seems to be an early attempt of a process map relating to the work undertaken by the Financial Investigation Team, in line with the policies and guidance put in place by the ARA. I suspect myself, Paul and Graham may have been consulted on what to include in the document, but unfortunately I have no recollection of this and I cannot remember ever seeing this document.
41. I note that I am referred to as the Financial Investigations Unit Manager in document (**POL00084989**). This indicates that it must have been created at some point from 2007 onwards, however, I do not recall writing or creating it. It is more likely to have been created some time in 2009, as it refers to the Joint Asset Recovery Database ("**JARD**"). JARD was a system maintained by the ARA to log the actions taken in a Financial Investigation,

and was implemented later on in my career. I believe that the Financial Investigation Unit at the POL only started using JARD from 2009 onwards. We could not access this system internally. We would have to attend a police station computer suite to access it.

42. I have been asked to explain the organisational structure of the Security Team and where the Financial Investigation Unit sat within it. As set out earlier in this statement, the Security Team essentially had 3 distinct arms - Investigatory, Property and Case Management. There were of course individuals who held senior management roles within those arms, such as Team Leaders and Direct Line Managers. We also had the head of the Security Team, who as explained earlier in this statement, changed over time. The Financial Investigation Unit sat within the Investigatory arm of the Security Team. However, as alluded to above they were distinct from Investigation Managers.
43. As far as I am aware, there were no changes to the organisational structure of the Security Team. The only major changes that occurred related to a change in those who held senior positions. For example, as mentioned earlier in my statement, Phil Gerrish was head of the Security Team when I first joined, but this role was eventually taken over by Tony Utting, and later by John Scott.
44. As described earlier in this statement, those who held an Investigation Manager role within the Security team would carry out criminal investigations to assist with the potential prosecution of the accused

individual. The Financial Investigation Unit did not become involved in any aspect of this investigation. They only usually became involved in a matter post-conviction, in order to assist with debt recovery to replace the loss faced by the POL as a result of the crime in question. Once a conviction was obtained, the Financial Investigation Unit would receive the Investigation Manager's report of findings following their investigation into the matter, but this was solely to help with understanding the background of a case, to know which section of POCA to address. Such understanding would also assist with formulating a Section 16 statement made in relation to an application for restraint or confiscation of assets.

45. I have been asked to set out the legislation, policies and / or guidance that governed the conduct of criminal and financial investigations during the period I worked within the Security Team. When I worked as an Investigation Manager within the Security Team, I do not remember any particular internal policies or guidance that governed the work I carried out. I believe that policies were created and introduced over time but I am unable to pinpoint when or what they related to. I can only rely on the policies provided to me with the Request, and as explained above, most of those policies post-date my time at the POL. However, as I was investigating incidents that may have a potential criminal element, which involved carrying out interviews under caution and taking witness statements during an investigation, I was of course required to understand and adhere to The Police and Criminal Evidence Act 1984, and the PACE Codes of Practice. There were other acts that I had to refer to and whilst I would not be able to

reference these from direct memory, I believe that it would have been all the legislation listed in section 3.15 of document (**POL00030580**). When I was recruited in to Security Team as an Investigation Manger, I remember receiving training on this legislation early on to ensure that we understood what was legally required of us.

46. Again, when I joined the Financial Investigation Unit, I believe there were no internal policies or guidance to govern our practice in place. We were a new subsection within the Security Team, therefore, internal policies and guidance documents were yet to be created. We relied on the polices and guidance put in place by the ARA, which our police mentor, Elaine Blewitt, would have made us aware of. Unfortunately I cannot recall what those specific policy or guidance documents were, especially as they evolved continuously in line with developments to POCA and changes within the ARA itself. For example, I believe the introduction of using the JARD system in financial investigations would have instigated a change to ARA policies and practices, but due to the amount of time that has passed, I am unable to recall when those specific policy changes would have occurred.
  
47. As well as following ARA polices and guidance in place, we would have relied heavily on POCA itself to ensure we were carrying out our practice appropriately, as this was the central piece of legislation that governed the activities we carried out as a Financial Investigator.

48. It is clear from document (**POL00084989**) that there was an attempt to put in place an internal policy document to govern the actions carried out in a Financial Investigation, based on POCA and the ARA polices and guidance in place. However, as already stated I have no direct recollection of seeing this document and due to it being undated, it appears to be an early draft, probably put together some time in 2009.
49. As far as I am aware, the practices in place regarding criminal investigations and financial investigations brought against Crown Office employees and SPMs, managers and assistants in regular branches were the same. I don't recall having to follow any polices that were distinct to each. I believe there may have been a point where Crown Office employees were not contractually required to make good any loss discovered in a stock unit, whereas SPMs were, however, I cannot confirm for certain if this difference did exist or when. I am unable to comment on whether there was any difference to the policies and practices from an enforcement perspective, as enforcement was dealt with by the POL Criminal Law Team.

**Decisions about prosecution and criminal enforcement proceedings**

50. As explained earlier in this statement, once I had carried out an initial investigation relating to potential criminal proceedings, I had no further involvement as an Investigation Manager in deciding whether a SPM, their manager(s) and / or assistant(s) or a Crown Office employee should be

prosecuted by the POL. I am therefore unable to comment on what considerations determined whether a prosecution was brought or not. It was my understanding that it was ultimately the Criminal Law Team who decided to pursue a criminal prosecution, although, I am unsure if the Head of the Security Team also had some influence on the decision, given that all case files were reviewed by them before they were sent off to the Criminal Law Team. The only time I had any further involvement following the initial investigation is where additional evidence was required by the Criminal Law Team, or when I had to assist with providing documents for disclosure, after a decision to prosecute had been made.

51. I do not know what test was applied by those making prosecution and charging decisions and I am not aware of the factors that were considered at the evidential and the public interest stage. This was not an area dealt with by Investigation Managers in the Security Team. I believe the Criminal Law Team would have been responsible for carrying out these actions and they did not liaise with us in relation to this.
  
52. I also do not know what advice legal or otherwise, was provided to those making decisions about whether to prosecute and what charges to bring. I simply completed my investigation and passed my findings on.
  
53. Relevant only to my roles within the Financial Investigation Unit, I have been asked in what circumstances were steps to restrain a suspect's assets by

criminal enforcement methods such as confiscation proceedings considered. There is no straight forward answer to this, as the circumstances these steps were taken in depended on various factors, including the extent of the financial loss suffered by the POL, assets of the convicted individual which you have been able to identify, the likelihood that such assets may be disposed of and the need of the defendant to survive on a day to day basis.

54. The decision to put forward a case for enforcement methods such as restraint and confiscation to achieve debt recovery was never taken lightly. You had to take a measured approach with these factors in mind and it always had to be in line with ARA guidance and policies in place and of course, POCA.
55. For example, a restraint or confiscation of assets could not result in a convicted individual struggling to afford to live day to day. Restraint and confiscation also had to be proportionate - you could not propose an application for restraint or a confiscation order against a savings account containing £100,000, where the total recovery required for the Post Office only equated to £10,000.
56. In coming to the consideration that restraint was necessary, another particular consideration was the risk of the convicted individual entering in to receivership with third party organisations to whom the branch owed outstanding money to, as if they entered in to receivership beforehand, a restraint could no longer be issued of their assets.

57. When putting a case forward for the best mode of recovery, you would have to logically set out in a thought process log the reasons for why you believed restraint and confiscation would be an appropriate avenue. Your reasoning would need to be checked by a Senior Authorising Officer and if they agreed, then your considerations would be forwarded to the Criminal Law Team. When I was a Senior Authorising Officer, and also Financial Investigation Unit Manager, Paul and Graham would come to me to set out their thought processes on their caseload, before passing on the considerations to the legal team.
58. Although not impossible, it was a lot harder to justify a case for confiscation where a person had been convicted for false accounting. This is because confiscation essentially relates to removing the convicted person's benefit they received as a result of criminal conduct, in order to recover the losses faced by the POL. It could be extremely difficult to work out what the benefit received actually was in a false accounting case.
59. As alluded to earlier, although Financial Investigators would provide an opinion on the best mode of recovery, we never made the ultimate decision whether criminal enforcement proceedings should be pursued. This decision would have come from the Criminal Law Team, potentially in conjunction with the head of the Security Team too, although I am not certain on this. Therefore I am unable to describe what factors were considered when making decisions around this. I imagine that any opinion received from the Financial Investigators in relation to the best mode of

recovery would have formed part of the considerations, but I do not think it solely determined the decisions that were taken to pursue criminal enforcement proceedings.

60. Even when I was promoted to the Financial Investigation Unit Manager in 2007, I still had no involvement in the decision of whether to pursue criminal enforcement proceedings.

#### **Training, instructions and guidance to investigators within the Security Team**

61. When I first joined the Security Team as an Investigation Manager, very early on I was required to attend a formal training course at a college in Milton Keynes, which was led by 2 or 3 senior members of the Security Team. I recall that Mick Matthews was one of the trainers and I remember he was very thorough in his teaching. Whilst I cannot remember all the modules we were required to learn, I believe that they did cover the following - the duties of investigators to conduct full and thorough investigations, taking witness statements in the course of an investigation, conducting interviews under caution, obtaining evidence in the course of an investigation, seeking evidence from third parties who might hold relevant evidence and drafting investigation reports and the legislation relevant to our role. In order to continue in the role of an Investigation Manager you had to pass an exam at the end of the course. I cannot remember the specific details of that exam, but I do recall passing it.

62. We also learned the processes of an investigation through shadowing more experienced Investigation Managers, as I have touched upon in paragraph 10 above.
63. I do also recall receiving training in relation to other topics such as Health and Safety in the work place, as well as refresher training. For example, I remember going on a search course led by senior members of the Security Team in conjunction with the police, which covered necessary steps to follow when attending a premises and searching it. I cannot recall the specific dates as to when this course took place, but refresher training was provided throughout in relation to various aspects of the role.
64. In relation to training about obtaining information from third parties, particularly Fujitsu, I do recall receiving training on the processes to follow, however, I cannot recall when and how this training was delivered. I deal further with such processes under the sub-heading '*Analysing Horizon data and requesting ARQ data from Fujitsu*' below.
65. I have reviewed (**POL00121639**) and (**POL00121640**). I would like to flag that document (**POL00121640**) is from 2019, therefore, I would never have had sight of this. Whilst document (**POL00121639**) has my name on it, I do not remember the presentation contained within it or ever delivering such presentation. Over the years the Financial Investigation Unit produced and

delivered training to the Security Team on various occasions. Due to the passage of time, I cannot recall what specific training was given.

66. From reviewing the presentation slides within **(POL00121639)**, this particular training appears to be an attempt to raise the understanding and the profile of recovery through POCA and the role of the Financial Investigation Unit within the POL. As the Financial Investigation Unit were not involved in carrying out criminal investigations, I do vaguely remember wanting to get Investigation Managers thinking about the role of Financial Investigators from the outset, so that they could flag anything relevant in the event that the Financial Investigation Unit took on the matter from a recovery standpoint in the future. For example, if during an audit shortage the investigation team attended a home branch and saw that the SPM had a motorhome on the drive, this would be useful information to note down as it illustrates an asset potentially held by the SPM, and such information would assist in carrying out investigations into the SPM's financial affairs.
67. I confirm that I have reviewed the following documents:

- i) The Casework Management document at **[POL00104747]** (version 1.0, March 2000) and **[POL00104777]** (version 4.0, October 2002);
- ii) The Guide to the Preparation and Layout of Investigation Red Label Case Files, Offender reports and Discipline reports (undated), which appears to have been prepared by you **([POL00121569])**;

- iii) The Guide to the Preparation and Layout of Investigation Red Label Case Files, File construction and Appendices A, B & C (dated around September 2005), which appears to have been prepared by you (**[POL00121570]**);
- iv) The Guide to the Preparation and Layout of Investigation Non-Red Label Case Files, File construction and Appendix (dated around September 2005), which appears to have been prepared by you (**[POL00121582]**);
- v) The Guide to the Preparation and Layout of Investigation Red Label Case Files, Case File Reports and Case Closure Report (undated), which appears to have been prepared by you (**[POL00121581]**);
- vi) The document entitled "Identification Codes" (**[POL00118104]**).

68. I have no direct memory of either the 2000 or 2002 version of the Casework Management documents at (**POL00104747**) and (**POL00104777**) and cannot recall if I was provided with these during my roles within the Security Team. In any event, it seems they were directed towards the Casework Management team, which I was not ever part of. However, in terms of the second, third and fourth bullet points on page 2 of the 2000 version and the first, second and third bullet points on page 2 of the 2002 version, I did understand this to be relevant to disclosure obligations. From review of the wording of such bullet points, it appears that information about Horizon

bugs, errors and defects would fall into such disclosure obligations. Had I ever been made aware of Horizon bugs, errors and defects I certainly would have reported this. However, as will be explained in further detail below, at no point in my career as an Investigation Manager was I informed of any Horizon bugs, errors and defects.

69. All investigations were subject to compliance checks, carried out by Compliance Officers/Managers. The purpose of such checks were to simply deal with how casefiles were being processed through the business, ensuring that the correct steps were being followed from a procedural standpoint. I have described this in detail under the sub-heading '*Relevant background*' above.
70. I note that the following documents appear to have been prepared by me and all relate to how case files should be presented: **(POL00121570)**, **(POL00121582)** and **(POL00121581)**. From a review of these documents I believe that during my role as a Compliance Manager, my direct Manager (David Pardoe) asked me to update previous versions of the documents that had been created by Brian Sharkey and Ray Platt, who had left. This was simply a case of copying and pasting the previous version into a new document and adding the amendments requested by David Pardoe. Unfortunately, I cannot remember what the specific amendments were.
71. I have reviewed paragraph 2.15 of the Guide to the Preparation and Layout

of Investigation Red Label Case Files, Offender reports & Discipline reports at **(POL00121569)**. I believe that the rationale behind this was to ensure that all lines of enquiry were followed in an investigation and failures relating to security, supervision and product integrity were reported accordingly. I believe that the wording of such section would encapsulate any failures relating to the Horizon IT system (however, as touched upon above, I never came across any failings with Horizon). Such paragraph confirms my understanding that failings of this sort were to be contained in the confidential offender report. The discipline report was separate to this and was available to the potential discipline offender, so such information would not be included within it as it could negatively impact any ongoing investigations. My understanding in relation to disclosure of such information is that should a case pursue to criminal proceedings after an investigation, then such information would be disclosed by the Criminal Law Team, with the assistance of the Investigation Manager in gathering all disclosable information.

72. I note that the Inquiry has requested that I comment on the rationale behind paragraphs 1.8, 2.4 and 2.5 in **(POL00121581)** and my understanding of its relevance to disclosure obligations. The Inquiry refers to **(POL00121581)** as being the "Guide to the Preparation and Layout of Investigation Red Label Case, Case File Reports and Case Closure Report". I would like to flag that document **(POL00121581)** does not relate to 'Red Label Cases' - it relates to the preparation and layout of 'Investigation Non-Red Label Case Files.' My understanding is that non-red label case files were those that

related to instances that were not going to be pursued via criminal proceedings. As such, there were no disclosure obligations relevant to what is contained in paragraphs 1.8, 2.4 and 2.5 of (**POL00121581**). I believe the rationale behind these paragraphs was to ensure that such failings were identified and reported within the business, so that they could be addressed.

73. I do not recall having any involvement in drafting or reviewing the document entitled "Identification Codes" at (**POL00118104**) and I cannot remember seeing this document. I have a vague recollection of having to follow an Identification Code produced by the police, but I do not know if document (**POL00118104**) represents that and I cannot recall what my view at the time was of the appropriateness of the identification codes described. I do recall that Investigation Managers were instructed to assign identification codes to suspected offenders, but I cannot recall the reasoning behind this.

#### **Analysing Horizon data and requesting ARQ data from Fujitsu**

74. When I was an Investigation Manager in the Security Team, I do not ever recall a situation where a cash shortfall that I was investigating was attributed to problems with Horizon by the SPM's manager(s) or assistant(s) / Crown Office employee(s) subject to the investigation. Therefore, I am unable to comment on what analyses would have been done on Horizon data by the Security Team in such situation, nor on whether ARQ data would have been requested from Fujitsu and if such ARQ data was shared with the SPM in question.

75. I can comment on how Horizon data was obtained and analysed in more general terms where a cash shortage was discovered during an audit. The relevant Horizon printouts were obtained by the Auditor on the day at the branch. If anything further was required during an investigation, for example, printouts from an earlier period to determine at which point the accounts no longer balanced, then you could receive this information directly from Fujitsu. An Investigation Manager could simply ask the Case Management Team to make this request to Fujitsu.
76. I believe that it was common to have a Fujitsu manager as an expert witness in criminal proceedings relating to cash shortages, to provide their own analyses on the data and to determine whether Horizon was operating properly.
77. When I worked in the Financial Investigations Unit, neither myself nor my colleagues in that team would have done any analyses on Horizon data, whether or not a shortfall was attributed to problems with Horizon by SPMs. As explained earlier in this statement, the Financial Investigations Unit did not get involved in any initial investigation leading up to criminal proceedings. All of our actions came after a conviction was obtained.
78. The Financial Investigation Unit never requested Horizon data from Fujitsu, as such data did not assist Financial Investigators in their role. The Horizon

data was useful to Investigation Managers in the Security team who were investigation a potential crime, so they could look at transaction logs and see what was happening on a day to day basis in a branch. It was of no use to Financial Investigators, who were responsible for investigating what assets an individual had after a prosecution decision had been reached. The Horizon data did not contain that information.

### **Relationship with others**

79. I have been asked to describe my involvement with Cartwright King Solicitors, including the level of interaction I had with them in a case. I believe that Cartwright King Solicitors were the firm that The Post Office Criminal Law Team allocated work to when cases were based in the London area. I believe they were the barristers or advocates that would take cases through the court system.
80. When I was an Investigation Manager in the Security Team, I do recall having some communication with barristers or advocates from Cartwright King Solicitors, when they were instructed on cases that I had investigated, in and around London and South East. However, I cannot recall what this communication was about, or the specific individuals that I communicated with. Usually the first contact I would have with any barristers would be at court on the day of a hearing, where a brief discussion would be held about the case and what was trying to be achieved. I do recall on the rare occasion I attended a conference with counsel and the lawyer with conduct of a case

from the Criminal Law Team, however, I cannot recall a specific case in which I did this or the reason as to why I attended.

81. When I was a Financial Investigator, I recall being consulted more often by Cartwright King Solicitors, as at that time I was probably just as experienced in the process of Financial Investigations as they were. I cannot recall any specific cases or reasons in which I was consulted, but I do vaguely remember a situation where a defendant challenged a restraint order, and a barrister or advocate asked my opinion on varying a restraint order. Nevertheless, there is a chance that this was a barrister or advocate from a different firm, as when I was Financial Investigator I had a national remit, so I would have had communication with barristers and advocates based all over the UK.

### **Prosecution of Tahir Mahmood**

82. I do not have any direct recollection of this case and therefore I can only rely on what is contained in the documents provided to me with the Request.
83. I have been asked to consider a memo dated 30 November 2005 at (**POL00047756**). I confirm that I have reviewed this, and from such review I believe that the point in which I became involved in the matter involving Mr Mahmood would have been on the day that memo was sent to me. It is clear from that memo that Collin Price was the Investigation Manager, who had

investigated the incident and potential crime itself. The memo goes on to say that Mr Mahmood's sentence was listed for 12<sup>th</sup> December 2005 and that Counsel seeks instruction as to whether the loss of £33,0000 should be recovered by way of a compensation order or application for a confiscation Order under POCA. It seems, therefore, that I am copied in to the memo as the case would have been allocated to me to carry out the necessary financial investigations and provide an opinion to the Criminal Law Team on what the best mode of recovery would be. The Criminal Law Team would have then provided instructions to counsel, either taking on board my opinions or not.

84. I cannot directly remember what my understanding of the case would have been at the time, but based on the contents of the memo dated 30 November 2005, I believe I would have understood that Mr Mahmood had been found guilty of offences that caused a £33,000 loss to the Post Office and that he was due to be sentenced on 12<sup>th</sup> December 2005. I would have also understood that the matter would be passed to myself in the Financial Investigation Unit to investigate the benefit that would have been gained as a result of committing the crime, and what assets existed to assist in determining the best mode for recovery.

85. I cannot recall if I was involved in any other proceedings against SPMs involving the Horizon IT system prior to this case, during my time as an Investigation Manager or as a Financial Investigator. However, I can say for

certain that I would not have had any involvement in any decision relating to the recovery of investigation costs at any point in my career path with the POL.

86. Unfortunately, I do not have any recollection on whether or not I provided my view to the Criminal Law Team on the best mode of recovery. As such, I am unable to comment on whether any opinion I provided influenced the Criminal Law Team's decision on the method by which recovery of "the loss" should be sought.
87. I have considered the letters dated 13 January 2006 at (**POL00047799**) and 1 February 2006 at (**POL00047817**). These are simply applications to the relevant bodies to receive the necessary information when carrying out my financial investigations in the case. At the time these letters were sent by me, I was still undergoing my training to become an Accredited Financial Investigator. I believe this is why PC Rowntree applied for a production order on my behalf (as indicated at (**POL00047799**)) and why I state in the letters that I was being mentored by officers from the Metropolitan Police. Nevertheless, it would have been my decision to apply for a production order as part of the financial investigations I was undertaking – I just had to seek assistance from police mentors at this time, as without doing so it is unlikely the information would be released to me as I was not accredited.

88. I have also been asked to consider the documents at (**POL00047825**), (**POL00047838**), (**POL00044858**), (**POL00047840**), (**POL00047841**) and (**POL00047826**), which I can see are further requests. Again, it would have been my decision to make these requests when carrying out my financial investigations, however, as I was still training and not yet accredited by the ARA at the time, I would have had to seek guidance and approval of the accredited mentors at the Police.
89. As I have no direct recollection of the case involving Mr Mahmood, I am unable to recall any specific information I obtained during the course of the financial investigations. I can only confirm that it would have been any information that was received following any requests I made. The information would also have been appended to any Section 16 Statement that I eventually drafted in the case.
90. Whilst I cannot remember what specific information I obtained in this case, I believe that I would have compiled any information that was received and asked my police mentor to review it and check if I had obtained everything that was required. It is my understanding that they were a Senior Authorising Officer. At this point I believe David Pardoe was still training to become a Senior Authorising Officer so I could not yet go to him for approval. Once approval and authorisation was received from my Police Mentor, I would have sent everything over to the Criminal Law Team to consider. From reading the document at (**POL00047756**), I believe Juliet

Macfarlane was the legal case worker in this matter, so it is likely I would have forwarded the information directly to her. I believe she would have then arranged for it to be submitted to the defence.

91. I do not have any direct recollection of the confiscation proceedings against Mr Mahmood. I can only rely on the documents provided which illustrates that the Criminal Law team did decide to pursue an application for a confiscation order, but I have not had any site of any advice I gave in relation to the prospects of pursuing this route. I also do not know if there was a hearing in respect of the confiscation proceedings.

92. I have been asked what my view is of how the proceedings were conducted by POL. If this question relates to the criminal proceedings which led to a conviction, I do not feel that I can provide any view on this as I was not involved those proceedings. I also do not feel that I can provide any valuable viewpoint on the confiscation proceedings as I simply do not remember the case.

### **Prosecution of Hughie Noel Thomas**

93. I confirm that I have reviewed all the following documents that were provided in relation to this prosecution:

- i) memo dated 26 September 2006 at **[POL00048180]**
  - ii) memo dated 7 November 2006 at **[POL00048229]**.
  - iii) memo dated 7 September 2007 at **[POL00049024]**
  - iv) Document **POL00069056\_007]**
  - v) email dated 31 October 2007 (and the email chain beneath) at **[POL00044917]**
94. Unfortunately I do not have any direct recollection of this case and therefore I can only rely on the documents provided to me with the Request.
95. From such documents I can see that this was a case that Mick Matthews dealt with all the way through to confiscation. The reason why I am also copied in to the memo dated 7 November 2006 at (**POL00048229**) falls down to the fact that it was just myself and Mick Matthews who worked in the Financial Investigation Unit at the time, and we worked closely with one another. Therefore, we would usually both be copied into correspondence and memos before cases had been allocated between us, and more generally to assist with covering each other's case load in the event that one of us were absent.
96. The memo dated 7 September 2007 at (**POL00049024**) and addressed specifically to me states *'this case was being dealt with by Mick Matthews.'* The memo appears to be the Criminal Law Team providing with me an

update as to where the case had got to. I believe this was sent to me because Mick was leaving the Financial Investigation Unit around this time, and therefore his open matters were being handed over to me.

97. The email chain at (**POL00044917**) dated 31 October 2007 between Mick Matthews and Clive Burton from the Finance Department clearly shows that it was Mick who dealt with the case all the way through to confiscation. Again, I believe the reason that Mick forwarded this email chain to me was because he was leaving the Financial Investigation Unit and was handing over his ongoing matters to me.

98. I can see that I am sent a memo at (**POL00048180**) from the Criminal Law Team on 26 September 2006 to ask if a confiscation application was being pursued. I believe this is simply the Criminal Law Team chasing up on how far Financial Investigations had got and if an application had any prospect. I am unsure why this was sent to me and not Mick, given that it appears he had conduct of this case. In any event, I believe this memo is worded ambiguously and should not be read to indicate that it was me or Mick who would have made the ultimate decision to proceed to confiscation in this case. It was always the Criminal Law Team who had the last say on this. I am unsure how they would have come to the decision to proceed with confiscation.

99. It appears that any involvement I had after the confiscation order was made

by the court was to deal with some issues in relation to the terms of confiscation order being exercised in order to achieve recovery.

100. I have been asked to explain why I stated the following at (POL00069056\_007) - "*it would appear that Mr Thomas has not been full and frank with the receivers .*" Unfortunately I do not remember why I said this. It appears from the letter received from the Insolvency Service attached to the email chain at (POL00069056\_007), that Mr Thomas had gone into receivership, and informed the receiver that certain assets were already taken by POL. However, at this time I do not think it was standard practice for us to place a restraint on or seize pensions. This was something that was implemented much later during my time as a Financial Investigator, although, I do not recall when. As such, I may have made this statement because Mr Thomas told the receiver that the POL had seized his private pension, where it is unlikely this was the case. However, this is simply an assumption based on the contents and timing of (POL00069056\_007) and I cannot confirm this for certain.

101. I have been asked what my view is of how the proceedings against Hughie Noel Thomas were conducted by POL. If this question relates to the criminal proceedings which led to a conviction, I do not feel that I can provide any view on this as I was not involved those proceedings. I also do not feel that I can provide any valuable viewpoint on the confiscation proceedings as I simply do not remember the case, nor was I heavily involved in the

confiscation proceedings, as the documents provided illustrate that I took over the matter to deal with any outstanding queries after Mick left.

**Prosecution of Josephine Hamilton**

102. I confirm that I have reviewed all the following documents that were provided in relation to the prosecution of Josephine Hamilton:

- i) memo dated 12 April 2006 at **[POL00047903]**
- ii) Compliance Case Review Report dated 18 April 2006 at **[POL00047945]**.
- iii) memo dated 12 December 2006 at **[POL00048309]**.
- iv) memo dated 30 January 2007 at **[POL00048454]**
- v) the emails of 9 and 10 October 2007 at **[POL00049083]**
- vi) the memo dated 15 November 2007 at **[POL00049154]**
- vii) memo dated 19 November 2007 at **[POL00044388]**
- viii) emails dated 16 and 19 November 2007 at **[POL00049168]**.
- ix) closure report emailed on 10 September 2007 at **[POL00049025]**,
- x) memo dated 6 February 2008 at **[POL00049535]**
- xi) memo dated 18 February 2008 at **[POL00052733]**
- xii) Court of Appeal in *Josephine Hamilton & Others v Post Office Limited* [2021 EWCA Crim 577 at **POL00113278** (and in particular at paragraphs 142 to 148).

103. Unfortunately, I do not have any direct recollection of this case and therefore I can only rely on what is contained in the documents provided to me.

Following a review of the memo dated 12 April 2006 at (**POL00047903**) and the Compliance Case Review Report dated 18 April 2006 (**POL00047945**), it appears that at this time I was still dealing with some matters as a Compliance Manager in the Security Team, whilst slowly transitioning over to the Financial Investigations Unit. The memo at (**POL00047903**) illustrates that Graham Brander was the Investigation Manager carrying out the criminal investigation in this matter, and in the memo he is providing me an update in relation to why there was a delay in the case. The Compliance Case Review Report at (**POL00047945**) illustrates that I had reviewed how far the case had progressed, which would have included a review of Graham's memo, and in response I noted that I would review the file again in a month. I do not know from direct memory how far the case had progressed. I can only rely on what Graham has written in his memo dated 12 April 2006. It was also not my role as a Compliance Officer to provide a view on the case.

104. I was not involved in conducting the criminal investigation of Ms Hamilton's case. As such, I cannot comment on whether the information about Ms Hamilton's ill health affected how the investigation was conducted. I also had no involvement whatsoever in the decision to charge Ms Hamilton. As explained earlier on in this statement, my role as a Compliance Manager did not entail any involvement in the substance of criminal investigations. I simply dealt with the procedural aspects of a case to make sure that case files were being progressed efficiently and were presented correctly.

105. I have reviewed the memo dated 12 December 2006 at (**POL00048309**) and memo dated January 2007 at (**POL00048454**). Although I am copied in to both memos, I did not have any involvement in the preparation of the case before Ms Hamilton's appearance in the magistrates' court. I was also not the disclosure officer in these proceedings, so I would not have completed the schedule of unused material. The disclosure officer would have been Graham Brander as he was the Investigation Manager working on the case. It was usual that the individual responsible for conducting the investigation would also be the disclosure officer and would be involved in the disclosure process. I believe the reason I am copied in to these memos is to either keep me updated on the progress of the case in my capacity as a Compliance Officer/Manager, or because I was later to have some involvement in the matter in my role as a Financial Investigator, as indicated in the emails of 9 and 10 October 2007 at (**POL00049083**), the memo dated 15 November 2007 at (**POL00049154**), the memo dated 19 November 2007 at (**POL00044388**) and the emails dated 16 and 19 November 2007 at (**POL00049168**).

106. From considering those documents, the only involvement I did seem to have in my capacity as a financial Investigator is to provide an opinion in relation to the following request made to me from Juliet McFarlane in her memo dated 15 November 2007 at (**POL00049154**):

*“ Ged Could you let me have your views as to confiscation in this matter, and if appropriate the prospect of recovery under such an order. A copy of the Indictment is attached.”*

107. In my response to Juliet dated 16 November 2007 (found within **(POL00049168)**) I summarise my opinion as followed –

*“My opinion*

*1. Charge her with theft and go to confiscation, or*

*2. Accept a plea of false accounting and go to confiscation*

*3. If she pays us before we can always draw back out of the case but we need minimum £40,201.58”*

108. I also I state in that email that *“I am never confident with false accounting charges in relation to recovery under POCA 2002 and the theft charges makes life so much easier.”*

109. This illustrates that my opinion was that pursuing a charge of theft and going to confiscation would be the more logical option in this case. The basis for this view is that whilst it is not impossible, it is extremely difficult to determine the benefit received by a defendant as a result of committing the crime of false accounting. Confiscation is effectively the recovery of financial loss suffered by the POL as a result of criminal conduct. The value of such loss is determined by the financial benefit received by the offender in committing

such crime. In cases of theft it is much easier to determine the benefit as the figure is clear cut – it is the physical amount they have stolen and any interest accrued on that value in line with Retail Price Index. It is not as clear cut with false accounting because you would need to agree how the offender benefitted and in what amount. If it hadn't been found that they had stolen money, what was the total of their financial gain? This was a very difficult answer to determine.

110. Clearly my opinion did not determine the charging decision as the Criminal Law Team decided to drop the charge of theft and pursue false accounting charges anyway. I had no input in relation to the decision to drop the theft charge against Ms Hamilton. Such decision could only be made by the Criminal Law Team.
111. I do not remember whether I provided any further advice in respect of the confiscation further to that contained in my email at (**POL00049168**). I also cannot remember if I had any further involvement at all, nor what sources of information I considered if I did.
112. From reviewing the closure report emailed on 10 September 2007 at (**POL00049025**), the memo dated 6 February 2008 at (**POL00049535**) and the memo dated 18 February 2008 at (**POL00052733**), I can see that the case was concluded by way of a compensation order only and Ms Hamilton

re-paid the loss via cheque to the Post Office in the sum of £36,644.89. I have no direct recollection of what my view of this result in the case against Ms Hamilton would have been at the time, however, I believe that it is likely that I would have considered it a successful recovery of loss, and therefore a good result for the POL.

113. Unfortunately I do not have any recollection of what my view was in relation to the decision to drop the theft charge. All I am able to confirm is that I believed it was usually more difficult to pursue confiscation in false accounting offences. It appears here however, that only compensation was pursued.

114. I have no recollection of the process in which the alleged loss was recovered in this particular case. I can only rely on the documents provided to me, which illustrates that the loss was paid back via a cheque from Ms Hamilton's solicitors.

115. I am able to comment in more general terms on the process by which alleged losses were recovered. Where a confiscation order was obtained from the court, the financial assets that got confiscated from a defendant would be paid into the central account of a unit operated by the ARA. There were various ARA units around the country. I believe the ARA would then use the confiscated assets to drive training and further POCA confiscations. However, where the POL had suffered a loss, it would be requested that a

compensation order was attached to the confiscation order for the same amount, (which was effectively for the same actual money, there was no double jeopardy in this) so that the confiscated assets could be forwarded on to the POL as a form of compensation once it was confiscated.

116. I have been asked what my view is of how the proceedings against Josephine Hamilton were conducted by POL. If this question relates to the criminal proceedings which led to a conviction, I do not feel that I can provide any view on this as I was not involved in the substance of those proceedings. I also do not feel that I can provide any valuable viewpoint on the confiscation proceedings as I simply do not remember the case, nor do I remember if I had any further involvement beyond providing my opinion in my email dated 16 November 2007.

117. I have also been asked to consider the Judgment of the Court of Appeal in Josephine Hamilton & Others v Post Office Limited [2021 EWCA Crim 577 at (**POL00113278**) and provide my reflections on the way the investigation and prosecution of Ms Hamilton was conducted by the POL. Again, I do not feel like I can provide a valuable reflection on this as I was not involved in the substance Criminal Proceedings.

#### **Prosecution of Janet Skinner**

118. I confirm that I have reviewed all the following documents that were

provided in relation to the prosecution of Janet Skinner:

- i) memo dated 25 September 2007 at **[POL00049061]**
- ii) memo dated 9 July 2008 at **[POL00049840]**
- iii) memo dated 28 July 2008 at **[POL00049916]**.
- iv) memo of 19 August 2008 at **[POL00049946]**
- v) the memo dated 20 August 2008 at **[POL00049976]**
- vi) memo dated 1 September 2008 at **[POL00050022]**.

119. Unfortunately, I do not have any direct recollection of this case and therefore I can only rely on what is contained in the documents provided to me. From a review of the memo dated 25 September 2007 at (**POL00049061**), I believe that the financial investigations in this case were dealt with by Mick Matthews all the way through to the decision of the Criminal Law Team to pursue confiscation proceedings. I believe I am simply copied in to this memo so that the Financial Investigation Unit were updated on matters as I believe Mick had already left by this point. It appears that I had to see the final stages of the matter through in relation to obtaining the confiscation order, and receiving the confiscated funds.

120. I do not recall having any input or providing Mick with any assistance in relation to any financial investigations that he carried out in this matter. I also had no input in relation to any criminal investigations that led to the prosecution, carried out by the Security Team.

121. Unfortunately, I cannot recall the report sent by Ms McFarlane, referred to in the memo dated 9 July 2008 at (**POL00049840**). I can see that I am copied in to the memos dated 9 July 2008 (**POL00049841**) and 28 July 2008 (**POL00049916**) in relation to my required attendance at court, however, I do not recall in what capacity I attended. I believe that I would have had to go in place of Mick as he had already left his position in the Financial Investigation Unit by the time of the hearing. I have no recollection of whether counsel contacted me on the date of the hearing.
122. I can see from the memo dated 19 August 2008 at (**POL00049946**) that the Criminal Law team confirmed to me that confiscated funds were lodged with the North East unit, and that such funds would be forwarded on to the POL. This illustrates the standard process of recovery via an ARA confiscation unit, as described earlier in this statement.
123. I have been asked what my view is of how the proceedings against Janet Skinner were conducted by POL. If this question relates to the criminal proceedings which led to a conviction, I do not feel that I can provide any view on this as I was not involved in the substance of those proceedings. I also do not feel that I can provide any valuable viewpoint on the confiscation proceedings as I simply do not remember the case, and it appears that I only stepped in to tie up matters once Mick had left.

**Prosecution of Susan Rudkin**

124. I confirm that I have reviewed all the following documents that were provided in relation to the prosecution of Susan Rudkin:
- i) the memo from Jarnail Singh dated 18 November 2008 at **[POL00050392]**
  - ii) My witness statement at **[POL00050040]**
  - iii) the investigation report at **[POL00046485]**
  - iv) the memo dated 26 March 2009 at **[POL00124636]**
  - v) the case closure report at **[POL00046555]**,
  - vi) the memo dated 6 May 2009 at **[POL00124632]**,
  - vii) memo dated 6 July 2009 at **[POL00124651]**
  - viii) the s. 16 statement at **[POL00124659]**
  - ix) the Land Registry form at **[POL00124653]**
  - x) the draft penal notice at **[POL00124660]**
  - xi) the memo dated 26 August 2009 at **[POL00124641]**.
  - xii) the annotated email chain dated September 2008 at **[POL00061322]**.
125. The memo from Jarnail Singh dated 18 November 2008 at **(POL00050392)** appears to relate to the case of Seema Misra, and therefore it does not

assist me with my recollection of the case involving Susan Rudkin I note that the Request does not ask any questions in relation to Seema Misra – I would like to flag to the Inquiry that in any event, I have no recollection of that case.

126. I also do not remember the case of Susan Rudkin in great detail and have had to rely heavily on the documents provided to me. Prior to reading those documents I only had a vague recollection of Susan Rudkin and her husband who was the SPM and I could remember that I carried out the financial investigations into Mrs Rudkin's financial affairs in respect of the recovery under POCA 2002.

127. I had no involvement in the criminal investigations carried out prior to the criminal prosecution being brought. I can see from paragraph 6 of my undated statement in support of an application for a restraint order against Mrs Rudkin at (**POL00050040**), that I had no knowledge of what the case concerned until I was informed by Mike Wilcox, the officer in charge of the criminal investigation. I have no recollection of when Mike Wilcox provided me with this information.

128. It is clear from my statement at (**POL00050040**) that Mrs Rudkin admitted to actions of false accounting and theft of POL money during an interview under caution with the investigation officers on 20 August 2008. Due to such admission, I would have been able to begin financial investigations into her

financial affairs prior to a conviction being obtained. This explains why I took the actions described in paragraphs 8 – 14 of my statement, whilst criminal investigations were ongoing.

129. In terms of providing a detailed account of matters, including any investigations I undertook and the sources of information I considered, I have to defer entirely to the evidence and information contained in the above-mentioned documents and provided in relation to this prosecution. This is because I had no direct involvement in the criminal investigation, and I have no direct memory of the specific actions I carried out during my financial investigations.

130. In the email chain at (**POL00061322**) I can see that I state that Mrs Rudkin had a criminal lifestyle for the purposes of the POCA 2002. I believe I would have simply come to this conclusion in line with the interpretation of 'criminal lifestyle' provided under POCA. I set this justification and reasoning out in my email immediately after stating Mrs Rudkin had a criminal lifestyle. The application of this interpretation is also provided in my Section 16 Statement, which explains that committing an offence over a period of at least six months and benefitting from such offence in total of not less than £5000 fell into such interpretation.

131. From reading the email chain at (**POL00061322**) the Inquiry will see that although Mrs Rudkin had not yet been prosecuted by this point, she had

admitted to false accounting to cover up losses experienced over a period exceeding 2 years, and she had admitted to theft through taking cash from the POL to cover general bills. An audit carried out at the branch on 20<sup>th</sup> August 2008 found that such actions led to a shortage in the Post Office accounts of £43,856.89. It is clear, therefore, that Mrs Rudkin's actions fulfilled the requirements for her to be considered to be living a 'criminal lifestyle' under POCA, in line with the interpretation that POCA provides.

132. I do not believe that there were any consequences as such to this conclusion I drew. I was simply providing my opinion to the Criminal Law Team based on my financial investigations carried out and application of POCA. I do not know whether my opinion had any influence on the Criminal Law team's approval to proceed with pursuing an application for restraint.

133. I cannot remember directly, but from a review of the documents I believe that it was me who made the decision that an application for a restraint order was appropriate in this case. However, my reasoning would have had to be considered by a Senior Authorising Officer and their authorisation would have to ultimately be approved by the Criminal Law team. I was a Senior Authorising Officer myself at this time, but this did not mean I could authorise my own decisions – I would have had to seek authorisation from another Senior Authorising Officer, and the email chain at **(POL00061322)** illustrates that I consulted Dave Pardoe in this case.

134. The decision to make an application for a restraint order was not taken lightly and it most definitely would not have been applied for in every case. An application for restraint was only made when there was a real risk of an SPM dissipating assets prior to a confiscation and compensation order being obtained from the court. For example, this risk might be considered if during financial investigations evidence came to light that an SPM had misinformed us about the existence of assets. Further to this, there was a likelihood of suspects entering into receivership and in consequence assets being available to satisfy any future confiscation order set. In this scenario, it would be vital to obtain a restraint order first, as once receivership had been entered in to, you could no longer make an application for a restraint order. The decision to make an application for a restraint order was always carefully measured, and we had to log our reasoning for pursuing the route of restraint in a thought process log. We would have to discuss this log with a Senior Appropriate Officer before advice was given to the Criminal Law Team, and such log was available for inspection by the ARA at any point.
135. Whenever confirmation was provided from the Criminal Law Team that an application for restraint was being pursued, it would then be the role of the individual with conduct of the financial investigations to draft and submit that application statement in support for the court. Proformas for such statement would be available from the ARA.

136. I believe the reason why the Financial Investigator assumed this role and not the Criminal Law Team is because they were better placed to draft the statement in support, having directly carried out the financial investigations to which the statement would refer. As such, I believe that no one would have asked me to write my statement in support at (**POL00050040**) – I would have just done it in line with standard practice once the Criminal Law Team confirmed that the application would go ahead. Unfortunately, I cannot remember when this was confirmed to me.

137. From my recollection, some courts dealt with restraint application administratively. From a review of the documents I can see this application was being dealt with at Croydon Court. I believe that Croydon Court did require attendance when considering restraint applications, in which case it is likely that I did attend court in relation to the application for restraint against Mrs Rudkin. However, I do not have any direct recollection of attending.

138. I have no recollection of considering the reasonableness of applying for a restraint order in respect of the robbery which took place at Ibstock Sub Post Office in 2006. I do not believe I ever considered this or applied for any application in relation to this.

139. I note from my email dated 25 February 2009 at (**POL00046513**) to Jarnail A Singh (the principle lawyer on this case), that at this point I advised that

a confiscation and compensation figure of £44,689.22 should be sought. This is clearly higher than the shortage of £43,894.15 in the POL accounts that was discovered. The reason I advise to seek this increased amount is because it accounts for the loss plus any increase of value to such loss when acquired as a benefit, in line with Retail Price Index. This was a calculation that I was required to carry out as part of my role as a Financial Investigator, and such calculation would have to be shown in the Section 16 statement I produced in support of an application to the court for a confiscation order. I would like to flag to the Inquiry that my final calculation provided to the court in this matter can be found in paragraphs 9 to 10.1 of my Section 16 statement at **(POL00124659)**. This calculation shows that the total benefit received was calculated to be much higher the stolen amount, however, the overall figure for recovery was negotiated down to only cover the theft amount.

140. I have been asked to consider the memo dated 26 March 2009 at **(POL00051248)** and explain why was it necessary to pursue confiscation if Mr Rudkin was repaying the sum owed to POL. I believe that this would have simply been a belt and braces approach to ensure that the recovery could be enforced by the court in the event that such payments stopped.

141. I have considered the documents at **(POL00051371)**, **(POL00052343)**, **(POL00051446)**, **(POL00051792)**, **(POL00051800)**, **(POL00052022)**, **(POL00052072)**, **(POL00052308)**, **(POL00052308)**, **(POL00052349)**. I can

see from the documents provided to me that Mr Dove was Counsel in this case, but unfortunately I am unable to recall any discussions I may have had with him. I believe that it is likely that I did attend the confiscation hearing in this matter, but I do not remember any specific details of it. I defer entirely to the updates provided in relation to the progression of the matter, contained within these documents.

142. It would have been considered necessary to apply for both a confiscation order and a compensation order for the same amount in this matter to ensure that the confiscated funds were forwarded to the POL by the relevant ARA unit as a form of compensation, as explained earlier in this statement.

143. I do not feel that I am able to comment on the result of the criminal prosecution brought against Mrs Rudkin, as I had no direct involvement in it. In terms of the POCA proceedings in which I was directly involved in, I cannot recall what my view of the result would have been at the time. However, I believe it is likely that I would have felt that it was a successful result as we obtained an order that would achieve recovery of the financial loss faced by the POL, which was caused by a crime of theft that Mrs Rudkin had admitted to from the outset.

144. I have reviewed the email chain from October 2009 at (**POL00053389**) and the email chain from January 2010 at (**POL00060428**). I do not have any

knowledge of the circumstances in which Mr Rudkin repaid the loss owed to POL as I was not involved in any arrangements concerning this. I can see from these documents that deductions from Mr Rudkin's salary of £1000 were made each month. I believe that these payments would have been offset against the confiscation order against Mrs Rudkin, but I have no knowledge of the circumstances in which that arrangement was made. It is likely that a member of the Personnel Department of the POL who dealt in SPM contracts would have been involved in bringing about such arrangement.

145. I cannot remember the discussion I had with Contracts Advisor, Paul Williams, as referred to in **(POL00053389)**. I believe the reason I would have advised Paul Williams that the deductions from Mr Rudkin's salary should continue is for the reasons set out in that email – Mr Rudkin had a Contract for Services which contained a clause regarding payment for losses, and as the confiscation order was made against Mrs Rudkin, then they should be treated individually as though they were agent and clerk. From hindsight, I believe in providing this advice I would have also been considering the fact that the order needed to be met, and with the current arrangement in place it appeared it was on track to be met.

146. I have considered the memo dated 23 February 2010 at **(POL00054182)** and can see that I have simply been copied in for information. The application for the extension of the confiscation order would have been

made by Mrs Rudkin as a defendant either directly to the court or through her lawyers, therefore, I am unable to explain the circumstances in which such application was made.

147. Following a review of the emails dated 16 August 2010 (**POL00055170**), I can see that I had already left the Financial Investigation Unit and any further conduct in this matter was handed over to Graham Ward. I do not recall having any involvement in the discussion about the appropriateness of a certificate of inadequacy, as referred to in this email chain.

148. As far as I can remember, the circumstances in which a certificate of inadequacy would be considered appropriate was when the terms of a confiscation order could no longer be met, for example, the equity from an asset was no longer realisable as it had changed in value.

149. From a review of the documents provided to me and in considering the case from hindsight, I do not think that anything should have been done differently from a Financial Investigation standpoint. I believe that all the correct procedures were followed in the POCA proceedings and I feel comfortable that in the end, the POL simply achieved a resolution that would recover the financial loss suffered in relation to an offence which the defendant admitted to. In terms of the criminal prosecution itself, I do not feel that I can provide any valuable comment in relation to whether the case should have been conducted differently, as I had no direct involvement.

**Prosecution of Mr Julian Wilson**

150. I confirm that I have reviewed all the following documents that were provided in relation to the prosecution of Julian Wilson:

- i) report dated 2 December 2008 at **[POL00119142]**
- ii) witness statement of Graham Ward dated 16 December 2008 at **[POL00064718\_001]**
- iii) the antecedents document at **[POL00051185]**
- iv) emails from January 2009 at **[POL00050726]**
- v) memo dated 9 February 2009 at **[POL00050878]**
- vi) memo dated 28 May 2009 at **[POL00051720]**
- vii) Advice at **[POL00119150]**
- viii) memo dated 15 July 2009 at **[POL00052047]**.

151. I do not have any direct recollection of this case, therefore, I can only rely on what is contained in the documents provided to me. From a review of the witness statement of Graham Ward dated 16 December 2008 at **(POL00064718\_001)** it is clear that Graham had conduct of this case and as per paragraph 4 of that statement, I was the Senior Authorising Officer.

152. The documents indicate that I did not carry out any investigations into the

financial affairs of Mr Wilson. These investigations would have been done by Graham, and any involvement I had would have only been to review and authorise his work.

153. As already explained, it was the role of a Senior Authorising Officer (also referred to as a 'supervising officer' in the Request) to go through a financial investigator's work and to provide authorisation if it was believed that the findings and reasoning of the investigator justified taking steps to advise the Criminal Law Team to pursue an application for restraint and or confiscation. I remember on various occasions acting as a Senior Authorisation Officer, although I cannot recall any specific cases, where I turned cases back to Financial Investigators if I believed they had not explored all possible routes of enquiry in order to justify their reasoning to pursue restraint or confiscation.

154. I cannot recall directly every step I took in authorising the application for restraint in this case, but I imagine Graham would have spoken to me briefly about the case background, presented his findings to me and discussed his reasons for why he believed an application for restraint should be pursued. It may have been the case that I agreed with his reasoning straight away and provided authorisation for his work, or I could have asked him to make further enquiries into matters. Unfortunately, I do not remember.

155. From reviewing the emails from January 2009 at (**POL00050726**) and the

memo dated 9 February 2009 at (**POL00050878**), I can see that Graham made an application for restraint, and following the order being made for restraint the defence wished to vary the terms of the order. It appears that Graham had discussed the variation order with me as his Senior Authorising Officer to check that it was ok. It would usually be the Defendant in a case who would seek to vary a restraint order. I cannot remember specific circumstances when this would happen, but clearly in this matter it was to enable Mr Wilson to use two accounts that were restrained.

156. I would like to flag that the advice note of Counsel referred to as document (**POL0011915**) appears to be another copy of the memo from Mr Singh dated 28 May 2009 at (**POL00051720**). Such memo refers to the advice note and is clearly directed to Gary Thomas as the Investigation Manger in the criminal proceedings. It is clear that criminal proceedings are still ongoing as the subject matter of the memo relates to the Plea and Case Management hearing. I believe that myself and Graham are copied in simply to receive background information, in the event the case would be forwarded to the Financial Investigation Unit to assist with any further POCA proceedings following a conviction. As such, neither myself or Graham would have responded to Mr Singh's memo and Counsel's advice.

157. From my reading of the memo dated 15 July 2009 at (**POL00052047**), it appears that Mr Singh has received a letter to inform that there has been a registration of a re-mortgage against Mr and Mrs Wilson's property, and he

is forwarding this information to Graham and myself. I do not have any knowledge of who decided to register that charge, and I can't recall having any involvement in such registration. It is possible that this was forwarded by Mr Singh to assist Graham, as Graham may have already started investigating into Mr Wilson's financial affairs by this point. I believe this because the memo shows that a sentencing hearing was arranged for 3<sup>rd</sup> August 2009, which indicates that a conviction was obtained.

158. I have been asked what my view is of how the proceedings against Julian Wilson were conducted by POL. If this question relates to the criminal proceedings which led to a conviction, I do not feel that I can provide any view on this as I was not involved in the substance of those proceedings. I also do not feel that I can provide any valuable viewpoint on the POCA proceedings as I have no direct recollection of the case and from review of the documents provided to me, it was Graham who carried out the investigation into Mr Wilson's financial affairs.

#### **Prosecution of Mr Peter Holmes**

159. I confirm that I have reviewed all the following documents that were provided in relation to the prosecution of Peter Holmes:

- i) the memo dated 28 April 2009 at **[POL00051356]**
- ii) emails dated 30 January 2009 at **[POL00050817]** and **[POL00050819]**

iii) memo dated 8 September 2009 at **[POL00052429]**.

iv) emails dated 30 March 2010 at **[POL00054543]**.

160. I would like to flag that the memo dated 28 April 2009 at **(POL00051356)** relates to the prosecution of Mr and Mrs Wilson, therefore, it does not assist me with my recollection of the case involving Mr Holmes. It also does not assist me with elaborating on my responses in relation to the Prosecution of Mr Wilson above.

161. I do not remember the specific facts of the case against Peter Holmes in great detail but from reviewing the other documents provided in connection with this prosecution, it appears that I was Financial Investigator with conduct of the matter. Before reviewing the documents I did vaguely recall that this was a matter in which financial investigations ceased early on. This is because it involved a false accounting charge against an employee of an SPM and not an SPM themselves. It would have been almost impossible to attribute a financial benefit received by an employee of an SPM through their actions of false accounting, so confiscation proceedings were withdrawn. My recollection of this was confirmed when reviewing the emails dated 30 March 2010 at **(POL00054543)**.

162. I have reviewed the emails dated 30 January 2009 at **(POL00050817)** and **(POL00050819)** and I am not entirely sure what the checks I authorised were. It could have been the very early standard credit searches to retrieve

information about bank and credit accounts held in the parties' names and whether there were any CCJs issued against them, but I can't say for certain as it is not clear from such emails.

163. I had no input into any decision made in relation to the plea being offered, as referred to in the memo dated 8 September 2009 at (**POL00052429**). This would have been a consideration for the Criminal Law Team and I believe Ms McFarlane is just updating me on matters. Unfortunately I cannot remember any conversations I had with Ms McFarlane about this case and I cannot recall why a copy of the accountant's report submitted by the defence was sent to me by Ms McFarlane to consider. I can only assume that Mr Holmes' legal team were using the document in argument of his defence, and with it being a document containing financial information, it was forwarded to me as part of the Financial Investigation Unit.

164. I believe that the only involvement I had in the confiscation process before it was withdrawn was in my capacity as the Financial Investigator, looking into the financial affairs of the parties and gathering evidence to see if there was enough to warrant confiscation proceedings. The reason as to why I advised on withdrawing confiscation proceedings in this case is set out clearly by myself within the emails dated 30 March 2010 at (**POL00054543**) and I have expanded on this in paragraph 161 above. Once confiscation proceedings were withdrawn, I would have had no further involvement in the case, including in any civil proceedings or recovery through the SPMs

contract.

165. I have been asked what my view is of how the proceedings against Peter Homes were conducted by POL. If this question relates to the criminal proceedings which led to a conviction, I do not feel that I can provide any view on this as I was not involved in the substance of those proceedings. I also do not feel that I can provide any valuable view on the POCA proceedings as I do not directly recall the case in great detail, and in any event, confiscation proceedings were ultimately withdrawn.

**Knowledge of bugs, errors and defects in the Horizon system**

166. I was not aware of any concerns regarding the robustness of the Horizon IT system during my entire career within the POL. As far as I was aware, the system operated as was expected.

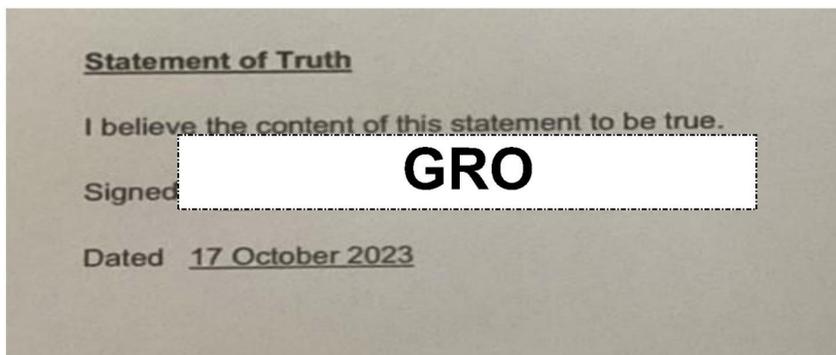
167. As explained earlier in this statement, whenever criminal proceedings were pursued following an investigation carried out by the Security Team, I recall that one of the witnesses on the list to provide evidence in such proceedings would be a Fujitsu Manager. I believe that they would be required to confirm whether or not the Horizon data obtained was reliable at the time in which a shortage was discovered on the system. If I had ever been made aware that there was a potential problem with the robustness of the Horizon IT system, I would have raised this with senior colleagues and flagged to them

that in my opinion any criminal investigation would need to cease.

**Other Matters**

168. Other than what I have already provided in my statement above, I have no further reflections on these matters, or on any other matters that are relevant to the Inquiry's Term of Reference.

169. There are also no other matters that I wish to bring to the attention of the Chair of the Inquiry.



**Index to First Witness Statement of Gerald Harbinson**

<b>No</b>	<b>URN</b>	<b>Document Description</b>	<b>Control Number</b>
1.	POL00030578	S02 Royal Mail Group Criminal Investigation and Prosecution Policy December 2007	POL-0027060
2.	POL00104812	Royal Mail Group Ltd Criminal Investigation and Prosecution Policy	POL-0080444
3.	POL00104806	Royal Mail Group Security – Procedures and Standards: Standards of behaviour and complaints procedure No.10-X v2	POL-0080438
4.	POL00031004	RMG Policy - Crime and Investigation (S2) - version 3.0	POL-0027486
5.	POL00031003	Royal Mail Group Crime and Investigation Policy v1.1 October 2009	POL-0027485
6.	POL00084977	Post Office, Former SPM End to End Debt Review v.0.5	POL-0082035
7.	POL00030580	Post Office Ltd - Security Policy: Fraud Investigation and Prosecution Policy v2	POL-0027062
8.	POL00030579	Post Office Ltd Financial Investigation Policy, May 2010	POL-0027061
9.	POL00026573	RMG Procedures & Standards - Proceeds of Crime Act 2002 & Financial Investigations doc 9.1 V1	POL-0023214
10.	POL00104857	Royal Mail Group Security Procedures & Standards: Initiating Investigations doc 2.1	POL-0080489
11.	POL00031008	RMG Ltd Criminal Investigation and Prosecution Policy v1.1 November 2010	POL-0027490
12.	POL00104853	Post Office's Financial Investigation Policy	POL-0080485
13.	POL00104855	Post Office Ltd. Anti-Fraud Policy	POL-0080487

14.	POL00030786	Royal Mail Group Policy - Crime and Investigation (S2) v3 effective from April 2011, owner Tony March, Group Security Director	POL-0027268
15.	POL00104929	Post Office Limited: Internal Protocol for Criminal Investigation and Enforcement (with flowchart)	POL-0080561
16.	POL00105226	Undated Appendix 1 - POL Criminal Investigations and Enforcement Procedure (flowchart)	POL-0080851
17.	POL00030602	POL: Criminal Enforcement and Prosecution Policy	POL-0027084
18.	POL00031005	Conduct of Criminal Investigation Policy for the Post Office. (Version 0.2)	POL-0027487
19.	POL00027863	Conduct of Criminal Investigations Policy v0.3	POL-0024504
20.	POL00030902	Final Draft of the Post Office Conduct of Criminal Investigation Policy	POL-0027384
21.	POL00084989	POL Financial Investigation Unit Business Process Documentation - Security & Investigation Debt Process text	POL-0082047
22.	POL00121639	Post Office "Financial Investigations Partnership for Recovery Presentation" by Ged Harbinson and Graham Ward	POL-0127901
23.	POL00121640	Financial Investigations Partnership for Recovery Presentation on Compliance	POL-0127902
24.	POL00104747	Investigation Policy: Casework Management (England & Wales) v1.0	POL-0080387
25.	POL00104777	Investigation Policy: Casework Management (England & Wales) v4.0	POL-0080417
26.	POL00121569	Post Office Investigation team - compliance - Guide to the Preparation and Layout of	POL-0127832

		Investigation Red Label Case Files - Offender reports & Discipline reports.	
27.	POL00121570	POL Investigation Team Compliance - Guide to the Preparation and Layout of Investigation Red Label Case Files prepared by Ged Harbinson	POL-0127833
28.	POL00121582	Post Office Ltd Investigation Team Compliance Guide to the Preparation and Layout of Investigation Non-Red Label Case Files	POL-0127845
29.	POL00121581	Post Office Ltd Investigation Team Compliance Guide to the Preparation and Layout of Investigation Non-Red Label Case Files. Case File Reports and Case Closure Report	POL-0127844
30.	POL00118104	Appendix 6 - Identification codes (undated - date taken from parent email)	VIS00012693
31.	POL00047756	Memo from J A McFarlane to Investigation Team Post Office Limited re: Regina v Tahir Mahmood, Birmingham Crown Court Sentence - 12th December 2005 Case No: 0506/0061	POL-0044235
32.	POL00047799	Letter from Ged Harbinson, Investigation Manager Post Office Ltd to Lloyds Bank PLC, Court Production Order Unit.	POL-0044278
33.	POL00047817	Letter from Ged Harbinson Investigation Manager Post Office Ltd to Susan at Land Registry Coventry.	POL-0044296
34.	POL00047825	Tahir Mahmood case study: Letter from Ged Harbinson to Courtney Weston at Allied Dunbar RE: DPA section 29 - investigation proceeds of crime - request for policy holder and payment details	POL-0044304
35.	POL00047838	Letter from Ged Harbinson to Churchill Insurance FAO. Counter Fraud Services re:	POL-0044317

		DATA Protection Act 1998 Section 29.	
36.	POL00044858	Request for financial details of Tahir Mahmood from Inland Revenue.	POL-0041337
37.	POL00047840	Confidential Enquiry from Ged Harbinson, Post Office Investigation Manager to Pat Calouri Intelligence Office Counter Fraud Services Churchill Court MP30.	POL-0044319
38.	POL00047841	Letter from Ged Harbinson to Lloyds Bank PLC re: Your Ref: 30929900969160 Our ref: POLTD/0506/0061	POL-0044320
39.	POL00047826	Tahir Mahmood case study: Letter from Ged Harbinson to Sharon McIntyre at Scottish Widows REL DPA section 29 - investigation of proceeds of crime - request for policy holder and payment details for account	POL-0044305
40.	POL00048180	Hughie Noel Thomas Case Study: Internal PO Memo from J A McFarlane to Ged Harbinson requesting whether they are proceeding with confiscation in R v Hughie. - Re Regine v Hughie Noel Thomas	POL-0044659
41.	POL00048229	Letter from Phil Taylor to Investigation Team Post Office Limited and Diane Matthews re Regina v Hughie Noel Thomas, Caernarfon Crown Court. POLTD/0506/0401.	POL-0044708
42.	POL00049024	Memo from Juliet McFarlane to Ged Harbinson re Regina v Hughie Noel Thomas. POLTD/0506/0401.	POL-0045503
43.	POL00069056_007	Email chain from Ged Harbinson to Clive Burton - attached Letter from Insolvency Service to POL re Hughie Noel Thomas - Gaerwen PO (Branch Code 160/604) POLTD/05/06/0401.	POL-0065535_007

44.	POL00044917	Email from Mick F Matthews to Ged Harbinson, cc'd Paul Dann, Clive Burton and others re: HUGHIE NOEL THOMAS - SUSPENDED POSTMASTER GAERWEN POST OFFICE - BRANCH CODE: 160/604Q	POL-0041396
45.	POL00047903	Letter from Graham Brander, Investigation Manager to Ged Harbinson, Investigation Team Compliance Manager.	POL-0044382
46.	POL00047945	Compliance Case Review Report from Ged Harbinson to Graham Brander.	POL-0044424
47.	POL00048309	Memo from Juliet McFarlane to Investigations Team Post Office Limited, re Royal Mail Group plc v Josephine Hamilton Aldershot Magistrates Court. POLTD/0506/0685.	POL-0044788
48.	POL00048454	Memo from J McFarlane to Investigation Team Post Office Limited, RE: service of committal papers (R v. Hamilton)	POL-0044933
49.	POL00049083	Email from Graham Brander to Jennifer Andrews, Juliet McFarlane, Dave Pardoe and others re: Fw: Hamilton	POL-0045562
50.	POL00049154	Josephine Hamilton Case Study: Memo from Juliet McFarlane to POL Investigation Team and others re: Regina v Josephine Hamilton (South Warnborough) Winchester Crown Court Mention - 19th November 2007 (POLTD/0506/0685)	POL-0045633
51.	POL00044388	Josephine Hamilton case study: Memorandum from Miss J A McFarlane to Investigation Team Post Office Limited, cc Graham Brander, Ged Harbinson and Dave Pardoe RE: R v Josephine Hamilton	POL-0040867

		mentions hearing 19/11/2007 - update after hearing	
52.	POL00049168	Email from Graham Brander to Juliet McFarlane, Ged Harbinson and Paul Dawkins re Josephine Hamilton. POLTD/0506/0685.	POL-0045647
53.	POL00049025	Email from Graham Brander to Nigel Allen re Case Closure Reporting South Wamborough.	POL-0045504
54.	POL00049535	Josephine Hamilton case study: [Internal Memo from Ged Harbinson to Dave Pardoe re: Investigation Ref: - POLTD/506/0685 - OFFICE South Warnborough / SUSPECT NAME Josephine Hamilton]	POL-0046014
55.	POL00052733	Josephine Hamilton Case Study: Memo from Phil Taylor to POL Investigation Team Re Regina v Josephine Hamilton - Winchester Crown Court 4th February 2008	POL-0049212
56.	POL00113278	Approved Judgment between Josephine Hamilton & Others and Post Office Limited	POL-0110657
57.	POL00049061	Janet Skinner case study: Memo from Juliet McFarlane to Investigation Team POL cc Geb Harbinson re R v Janet Louise Skinner Confiscation Hearing - enclosing confiscation order and minute	POL-0045540
58.	POL00049840	Memo from Ms McFarlane to Fraud Team Post Office Ltd re R v Janet Louise Skinner	POL-0046319
59.	POL00049916	Janet Skinner: [Memo from J.A. McFarlane to Fraud Team Post Office Limited cc: Ged Harbinson re: Regina v Janet Louise Skinner Hull  crown Court - Case No: POLTD/0607/0108]	POL-0046395
60.	POL00049946	Memorandum from Juliet McFarlane to Fraud Team Post Office Limited cc Ged Harbinson. Re: "Regina v	POL-0046425

		Janet Louise Skinner Hull Crown Court - 26th August 2008 Case No: POLTD/0607/0108".	
61.	POL00049976	Memorandum from Juliet McFarlane to Fraud Team Post Office Limited cc Ged Harbinson. Re: "Regina v Janet Louise Skinner Hull Crown Court - 26th August 2008 Case No: POLTD/0507/0108".	POL-0046455
62.	POL00050022	Memorandum from Juliet McFarlane to Fraud Team Post Office Limited cc Ged Harbinson. Re: "Regina v Janet Louise Skinner Hull Crown Court - 29th August 2008 Case No: POLTD/0607/0108".	POL-0046501
63.	POL00050392	Letter from Jarnail Singh, Senior Lawyer to Fraud Team Post Office Limited c.c. Ged Harbinson re: POST OFFICE LIMITED v SEEMA MISRA	POL-0046871
64.	POL00050040	Susan Rudkin case study: [Witness statement of Gerald Harbinson in support of an application for a restraint order]	POL-0046519
65.	POL00046485	Investigation report in re to theft/money laundering in re to Susan Jane Rudkin	POL-0042964
66.	POL00124636	Memo from Debbie Helszajn to Fraud Team Post Office Limited, RE: Regina V Susan Rudkin, Case No. POLTD/0809/0101, plea before venue	POL-0130917
67.	POL00046555	Email from Mike Wilcox to Paul X Williams re Case Closure Reporting for Susan Rudkin	POL-0043034
68.	POL00124632	Memo from Rob Wilson to Fraud Team Post Office Limited, cc Mike Wilcox, Ged Harbinson and Press Office RE: Regina v Susan Jane Rudkin, Report on Final	POL-0130913

		Result, Case No: POLTD/0809/0101	
69.	POL00124651	Susan Rudkin Crim Case Study - Letter from Ged Harbinson to Jarnail Singh re RUDKIN and Confiscation (section 16 (3) statement under POCA 2002	POL-0130932
70.	POL00124659	Susan Rudkin Criminal Case Study: Statement of Information relevant in accordance with section 16 (3) of POCA 2002 - R v Susan Jane Rudkin, prepared by Gerald Owen Harbinson	POL-0130940
71.	POL00124653	Criminal Case Study: Susan Rudkin - Post Office Ltd Land Registry Check Form for 118 – 120 High Street, IBSTOCK, Leicester LE67 6LJ	POL-0130934
72.	POL00124660	Susan Rudkin Case Study - Restraint Order Prohibiting Disposal of assets in the Matter of Susan Jane Rudkin	POL-0130941
73.	POL00124641	Memo from Jarnail Singh to Fraud Team Post Office Limited cc Mike Wilcox, Ged Harbinson and Graham Ward re R v Susan Rudkin - Confiscation Order made	POL-0130922
74.	POL00061322	Email chain from Ged Harbinson to Mike Wilcox cc Graham Brander re: Fw: Ibstock Sub Post Office (re Restraint)	POL-0057801
75.	POL00046513	Email from Ged Harbinson to Jamail Singh regarding POLTD/0809/0101 Susan Rudkin	POL-0042992
76.	POL00051248	Memo from Debbie Helszajn to Fraud Team Post Office Limited c.c. Mike Wilcox, Ged Harbinson and Press Office RE: R v Rudkin (Guilty Plea to theft on 23 March 2009)	POL-0047727
77.	POL00051371	Letter from John H. Dove. to Mr. J. Singh re: Regina - v - Susan Jane Rudkin.	POL-0047850

78.	POL00052343	Susan Rudkin case study: note of hearing - confiscation order and compensation order	POL-0048822
79.	POL00051446	Email from Ged Harbinson to Jarnail Singh re confiscation timetable Susan Rudkin	POL-0047925
80.	POL00051792	Email from Ged Harbinson to Jarnail Singh, Mike Wilcox. Re: Regina v Susan Jane Rudkin	POL-0048271
81.	POL00051800	Letter from Jarnail Singh to Fraud Team Post Office Ltd re: R -v- SUSAN JANE RUDKIN	POL-0048279
82.	POL00052022	POST OFFICE LTD CONFIDENTIAL; INVESTIGATION, PERSONNEL, Memo from Jarnail Singh to Ged Harbinson Re: RUDKIN and Confiscation (section 16 (3) statement under POCA 2002.	POL-0048501
83.	POL00052072	Letter from Jarnail Singh to Post Office Security c.c. Mike Wilcox and others re: REGINA v SUSAN JANE RUDKIN	POL-0048551
84.	POL00052308	Email from Marilyn Benjamin to Angela May on behalf of Clerks Re: R v Susan Jane Rudkin hearing.	POL-0048787
85.	POL00052349	Memo Letter from Jarnail Singh to Mike Wilcox, Graham Ward and Ged Harbinson. Re: Regina v Susan Jane Rudkin Stafford Crown Court Confiscation Proceedings under the Proceeds of crime act - 19th August 2009	POL-0048828
86.	POL00053389	Email from Rob Wilson to Paul Williams re Ibstock 223 227 solicitors letter	POL-0049868
87.	POL00054182	Memo from Jarnail Singh to Post Office Security and Ged Harbinson re: REGINA v SUSAN JANE RUDKIN STAFFORD CROWN COURT SATISFACTION OF CONFISCATION ORDER	POL-0050661

88.	POL00055170	Email chain from Marilyn Benjamin to Jarnail A Singh re: FW: Regina v Susan Jane Rudkin	POL-0051649
89.	POL00119142	POST OFFICE LTD CONFIDENTIAL: INVESTIGATION Julian Wilson	POL-0119061
90.	POL00064718_001	Graham Ward's witness statement in support of an application for a restraint order (Section 41 Proceeds of Crime Act 2002) against Julian Wilson.	POL-0061197_001
91.	POL00051185	Report into antecedents of Mr Julian Wilson, including details of property owned.	POL-0047664
92.	POL00050726	Julian Wilson case study: Email from Graham C Ward to Jarnail A Singh, RE: FW: Post Office Ltd v Julian Wilson	POL-0047205
93.	POL00050878	Letter from Jarnail Singh to Fraud Team Post Office Limited, Re: Post Office Limited v Julian Wilson	POL-0047357
94.	POL00051720	Letter from Jarnail Singh to Fraud Team Post Office Limited c.c. Gary Thomas and others re: REGINA v JULIAN WILSON	POL-0048199
95.	POL00119150	Memo from Jarnail Singh to Fraud Team Post Office Limited cc Gary Thomas, Graham Ward, and another re Regina v Julian Wilson - Enclosing counsel's advice and copies of other documents lodged with the Court	POL-0119069
96.	POL00052047	Letter from Jarnail Singh to Fraud Team Post Office Limited c.c. Graham Ward and others re: REGINA v JULIAN WILSON	POL-0048526
97.	POL00064718_001	Graham Ward's witness statement in support of an application for a restraint order (Section 41 Proceeds of Crime Act 2002) against Julian Wilson.	POL-0061197_001

98.	POL00051356	Letter from Jarnail Singh to Fraud Team Post Office Limited re: POST OFFICE LIMITED v JULIAN WILSON AND KAREN WILSON	POL-0047835
99.	POL00050817	Peter Holmes case study: Email from Ged Harbinson to Intelligence Transactions and Criminal Intelligence, RE: Intelligence Check Request	POL-0047296
100.	POL00050819	Email from Ged Harbinson to Intelligence transactions and criminal intelligence, RE: Authorising checks of Peter Holmes	POL-0047298
101.	POL00052429	Memo from J A McFarlane to Post Office Security, RE: R v Peter Anthony Holmes, Newcastle Upon Tyne Crown Court, Mention, W/L W/C 14th Sept 2009	POL-0048908
102.	POL00054543	Email from Andrew Daley to John Breeden re Holmes	POL-0051022