

Message

From: Anthony de Garr Robinson [GRO]
Sent: 30/01/2019 11:32:49
To: 'Simon Henderson' [GRO]; Jonathan Gribben [GRO]
CC: Andrew Parsons [GRO]
Subject: RE: Parker 2 [WBDUK-AC.FID27032497]

Dear Jonny,

In Parker's first WS, he said (1) that transaction injections could not be used to benefit anyone, such as (2) by procuring a payment into a bank account.

In para 35 of his second WS, he stands by and defends (2), but accepts that (1) was wrong. He adds that transaction injections could be used to procure payments into gyro accounts, but – as he explains in a footnote – this is because the IT mechanism involved was very different from the IT mechanism involved in procuring payments into banks accounts.

Now, it appears that the IT mechanism involved was not very different at all. This seems to mean that para 35 is wrong (not just the footnote). If so, Parker has to serve a corrective witness statement explaining the true position and why he got it wrong twice before. To be clear, the correction would not merely involve retracting the footnote – indeed, retracting the footnote without changing the conclusion based on that footnote (that gyro payments could be procured but not bank account payments) would create an apparent illogicality in the statement and draw the claimants' attention to the problem with flashing lights.

Unless I have misunderstood your emails, Parker now appears to be telling us that he was completely wrong in his first statement last year and that he was also completely wrong in his statement last night. This is horrifying and the damage that it is likely is incalculable. It seems to me that just writing to delete a footnote when we don't know where we stand could result in increasing the damage substantially.

In short, we can and should say nothing to Freeths until we know the true position. This is urgent. It probably needs to be escalated to the highest level in Post Office and Fujitsu.

I fervently hope I have misunderstood your emails, by the way.

Best wishes,

Tony

From: Simon Henderson [GRO]
Sent: 30 January 2019 10:53
To: 'Jonathan Gribben' [GRO]; Anthony de Garr Robinson [GRO]
Cc: Andrew Parsons [GRO]
Subject: RE: Parker 2 [WBDUK-AC.FID27032497]

OK but what other bank accounts did PO support deposit facilities for? If the only account anyone ever used the PO to make a deposit into was a Giro account, all well and good but is that right? Even if no deposit could be made into 3rd party bank accounts (i.e. NatWest etc) the PO (at least today and I imagine at the relevant time) offers all sorts of savings accounts, ISAs etc. Could FJ have inserted transactions which had the effect of making deposits into (i) 3rd party accounts or (ii) PO accounts? If not, why not?

Best

Simon

From: Jonathan Gribben [mailto: [GRO]
Sent: 30 January 2019 10:48
To: Simon Henderson [GRO]; Anthony de Garr Robinson [GRO]

GRO

Cc: Andrew Parsons GRO

Subject: RE: Parker 2 [WBDUK-AC.FID27032497]

Simon,

Based on FJ's comments this morning, it looks like the statement that a Giro transaction was a type of PO transaction that was different from any other payment to a bank may not be correct, which is why we are proposing to remove the full footnote.

Based on FJ's current comments it appears that a SSC user could inject a transaction into a Giro bank account and any other bank accounts that PO supported deposit facilities, but there would be a paper trail. We need to confirm this with Post Office and I suspect that will take some time, hence the suggestion to remove the footnote and prepare a paper to cover off the point.

Let me know if you want to discuss.

Kind regards

Jonny

Jonathan Gribben

Managing Associate

Womble Bond Dickinson (UK) LLP

d:
m:
t:
e:

GRO

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From: Simon Henderson [[mailto:](#) GRO]

Sent: 30 January 2019 10:38

To: Jonathan Gribben; Anthony de Garr Robinson GRO

Cc: Andrew Parsons

Subject: RE: Parker 2 [WBDUK-AC.FID27032497]

Jonny

This is obviously very concerning. Before we fire off any letter, we need to be absolutely sure we have now got things right. If it is right that Giro was a standard EPOSS transaction and that FJ could have injected a Giro transaction, doesn't it also follow that FJ could have injected a transaction to any bank account? If so, that is a drastic departure from Parker 1 and 2. The paper trail point may help but it doesn't solve the fundamental issue. Parker 2 presently says that a Giro transaction was a type of PO transaction that was different from any other payment to a bank. Is that correct or not?

Best

Simon

From: Jonathan Gribben [[mailto:](#) GRO]

Sent: 30 January 2019 10:30

To: Anthony de Garr Robinson GRO

Cc: Simon Henderson [GRO]; Andrew Parsons [GRO]
Subject: Parker 2 [WBDUK-AC.FID27032497]

Tony,

Yesterday FJ informed us that a Giro bank is also an AP transaction (like bill payments) - it is the only type of bank account that is and all other banking deposits go through a totally different path. We included it as a footnote to Steve's statement (para. 35). FJ have now told us that Giro Bank Transactions are not AP, but standard EPOSS Transactions and that prior to online banking (introduced in 2003), POL did support some (but not all) other banks with deposit and cheque cashing facilities which were also EPOSS transactions. They think that there was also a paper trail for those transactions too (so they would be detectable during Post Office's reconciliation processes) and we will pick this up with POL to confirm, but the immediate point is that we need to provide a replacement version of Steve's statement with the footnote referred to above removed. Our suggestion is to send Freeths a version without the footnote by email as follows:

"Dear Sirs,

It has come to our attention that the witness statement we provided yesterday contained a footnote in error. Please find attached a replacement version.

Yours faithfully"

We will then produce a paper to bottom out the above points.

Please let me know if you agree with this approach.

Kind regards

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP

d: [GRO]
m:
t:
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Simon Henderson
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T: [GRO]
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From: Gareth Jenkins [[mailto:](#) GRO]
Sent: 30 January 2019 07:22
To: [pete.newsome@](#) GRO; [Christopher.Jay@](#) GRO; [Legal.Defence@](#) GRO; Jonathan Gribben
Cc: Andrew Parsons; [Dave.Ibbett@](#) GRO
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes

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Hi Jonny,

Sorry, but you didn't send me the actual question until I'd gone off line around 4ish yesterday, so other than the phone call I had from Pete, I didn't see the emails until late last night.

A further clarification:

1. The Giro Bank Transactions are not AP, but standard EPOSS Transactions. I don't know how info on them got to Giro Bank – it may well be that Giro Bank worked off the paper trail and then sent summaries to POL which they then reconciled with the Horizon feed. POL would need to provide the details.
2. Prior to online banking (introduced in 2003), POL did support some (but not all) other banks with deposit and cheque cashing facilities. Again these were EPOSS (not AP) transactions. I assume that there was also a paper trail here and it would work in a similar way to Giro Bank. Again it is POL that need to define the process. All Horizon did was provide the buttons to record the electronic part of the transaction.

Is there any point in me re-reading Steve's statement? I'm out this morning, but could do so this afternoon.

Hope this helps.

Best wishes

Gareth

From: pete.newsome@GRO [mailto:GRO]
Sent: 29 January 2019 19:45
To: Christopher.Jay@GRO; Legal.Defence@GRO; jonathan.gribben@GRO
Cc: andrew.parsons@GRO; Dave.Ibbett@GRO; gi.jenkins@GRO
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes

Jonny

I read out the questions and then interpreted Gareth's answers into my own words.

Pete

Sent from my Android phone using Symantec TouchDown (www.symantec.com)

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

From: Jonathan Gribben@GRO
Received: Tuesday, 29 Jan 2019, 17:33
To: Newsome, Pete@GRO; Jay, Christopher@GRO; Defence Legal (Chris Jay,)@GRO
CC: Andrew Parsons@GRO; Ibbett, Dave@GRO; Gareth Jenkins@GRO
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes

Pete,

Thanks. When you say you have had to interpret, do you mean interpret my email and/or what Gareth has said, or do you mean you passed on my email and Gareth confirmed that it is correct?

Kind regards

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP



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From: pete.newsome@GRO [mailto:GRO]
Sent: 29 January 2019 17:22
To: Jonathan Gribben; Christopher.Jay@GRO; Legal.Defence@GRO
Cc: Andrew Parsons; Dave.Ibbett@GRO; Gareth Jenkins
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

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Jonny

I talked to Gareth and the answer is below. I have had to interpret as Gareth was not able to send a response.

Pete

Pete Newsome
Account Manager
DHL and Post Office Account, Fujitsu UK&I

Tel: [REDACTED] GRO
E-Mail: [REDACTED] GRO
Web: <http://uk.fujitsu.com>
Web: uk.fujitsu.com

My normal working week is Monday to Thursday



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From: Jonathan Gribber [REDACTED] GRO >
Sent: Tuesday, January 29, 2019 5:04 PM
To: Newsome, Pete [REDACTED] GRO; Jay, Christopher <[REDACTED] GRO>
Cc: Andrew Parsons [REDACTED] GRO; Ibbett, Dave [REDACTED] GRO >
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Yes it has been sent to Gareth, but it is:

How is it possible for SSC to inject a GIRO bank transfer into a set of branch accounts but it isn't possible to inject another bank deposit? Gareth's answer Giro Bank paying in was possible into accounts by AP as it was introduced before on line banking so you needed was the account number and detailed knowledge of the system so theoretically it was possible. But there was a paper work trail to back this up that the sub-postmaster had to send in to POL which should then reconcile to the AP transaction file from Horizon. (Post Office would understand how it worked). A report was produced daily to reconcile against the Horizon feed, any discrepancy Post Office may find where the paper work was not present would be discussed with the branch at the time. Post Office can describe what would happen if the paperwork was not available.

Steve thinks the answer is:

I think the answer is that Giro bank is also an AP transaction (like bill payments). It is the only type of bank account that is. All other banking deposits go through a totally different path. **There may have been other banks who had similar facilities before on line banking was introduced in 2004? but you would have to ask Post Office as they were AP transactions.**

Thanks

Jonny

Jonathan Gribben

Managing Associate

Womble Bond Dickinson (UK) LLP

d: **GRO**
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t:
e:

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From: [pete.newsome](#) **GRO**
Sent: 29 January 2019 16:59
To: Jonathan Gribben; [Christopher.Jay](#) **GRO**
Cc: Andrew Parsons; [Dave.Ibbett](#) **GRO**
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Hi

What is the question? Has it been sent to Gareth already?

Pete

Pete Newsome

Account Manager

DHL and Post Office Account, Fujitsu UK&I

Tel: **GRO**

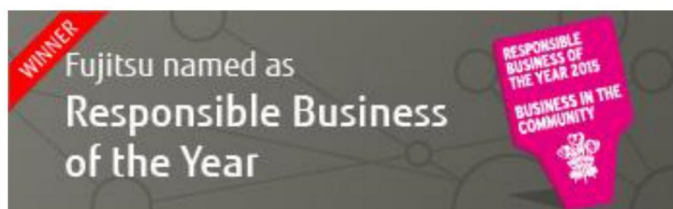
E-Mail: **GRO**

Web: <http://uk.fujitsu.com>

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From: Jonathan Gribben <[redacted] GRO>
Sent: Tuesday, January 29, 2019 4:58 PM
To: Newsome, Pete <[redacted] GRO>; Jay, Christopher <[redacted] GRO>
Cc: Andrew Parsons <[redacted] GRO>
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Pete,

Steve has signed his statement and we are holding it subject to one point that Gareth Jenkins needs to check. Can you make contact with Gareth and ask him to do that ASAP please?

Kind regards

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP



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From: [pete.newsome](#) <[redacted] GRO>
Sent: 29 January 2019 16:49
To: Jonathan Gribben; [Christopher.Jay](#) <[redacted] GRO>
Cc: Andrew Parsons
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

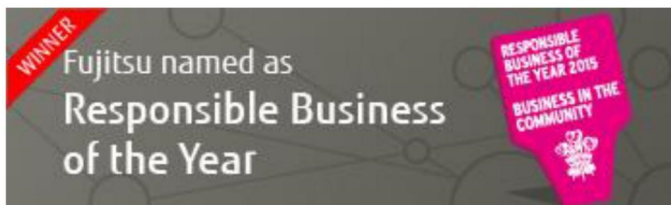
Jonny

Is available for a call now. Try his mobile. 5.30 is when he needs to stop.....

Pete

Pete Newsome
Account Manager
DHL and Post Office Account, Fujitsu UK&I
Tel: [REDACTED] GRO
E-Mail: [REDACTED] GRO
Web: <http://uk.fujitsu.com>
Web: uk.fujitsu.com

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From: Jonathan Gribben <[REDACTED] GRO>
Sent: Tuesday, January 29, 2019 4:41 PM
To: Jay, Christopher <[REDACTED] GRO> Newsome, Pete <[REDACTED] GRO>
Cc: Andrew Parsons <[REDACTED] GRO>
Subject: FW: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Chris, Pete,

We are close to finalising Steve's statement and it really needs to go today, but he is saying he isn't available after 5:30. Would you be able to speak to him to explain the importance of this please?

Kind regards

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP

d: [REDACTED]
m: [REDACTED]
t: [REDACTED]
e: [REDACTED] **GRO**

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From: ParkerSP [REDACTED] **GRO**
Sent: 29 January 2019 16:27
To: Jonathan Gribben
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes

No, can't be available after 5:30

From: Jonathan Gribben [REDACTED] **GRO**
Sent: Tuesday, January 29, 2019 4:21 PM
To: Parker, Steve <[REDACTED] **GRO** h>
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes

Steve,

I should have said, we really do need to get this out today. Are you available this evening?

Thanks

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP

d: [REDACTED]
m: [REDACTED]
t: [REDACTED]
e: [REDACTED] **GRO**

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From: Jonathan Gribben
Sent: 29 January 2019 16:13
To: 'ParkerSP' [REDACTED] **GRO**
Cc: Matthew.Lenton [REDACTED] **GRO**; Dave.Ibbett [REDACTED] **GRO**; Lucy Bremner; John.Simpkins [REDACTED] **GRO**; Andrew Parsons

Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Steve,

Thank you for this. Updated version attached. We are down to one point to bottom out, which is the GIRO bank theory in para. 35. The bit we are struggling with is that if it is possible to deposit money in a Giro bank account, how is it not possible to deposit money in a normal account. Why is a paper slip necessary for this type of account?

It might be worth having a quick call on this. Are you free?

Kind regards

Jonny

From: ParkerSP@GRO
Sent: 29 January 2019 14:47
To: Jonathan Gribben
Cc: Matthew.Lenton@GRO; Dave.Ibbett@GRO; Lucy Bremner; John.Simpkins@GRO; Andrew Parsons
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

[Latest comments / change marked](#)

Steve

From: Jonathan Gribben@GRO
Sent: Tuesday, January 29, 2019 12:07 PM
To: Parker, Steve@GRO
Cc: Lenton, Matthew@GRO; Ibbett, Dave@GRO; Lucy Bremner@GRO; Simpkins, John@GRO; Andrew Parsons@GRO
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]
Importance: High

Steve,

Please see attached the updated version of your statement and a comparison showing the changes made.

Can we discuss the comments at 2:00pm please?

Kind regards

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP

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GRO

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From: ParkerSP [GRO]
Sent: 29 January 2019 10:52
To: Jonathan Gribben
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Yes, will do

From: Jonathan Gribben <[GRO]>
Sent: Tuesday, January 29, 2019 10:40 AM
To: Parker, Steve <[GRO]>
Cc: Lenton, Matthew [GRO]; Ibbett, Dave <[GRO]>; Lucy Bremner <[GRO]>; Simpkins, John [GRO]; Gareth Jenkins [GRO]
Subject: RE: SP Second Witness Statement: Possible examples to use - effective software fixes [WBDUK-AC.FID27032497]

Steve,

Thank you for this.

I'm working on the statement now – next (and hopefully final version) will be with you within 30 minutes. We need to get it out today, so please can you review on receipt? I'll send you a comparison so you can easily see the changes made.

Kind regards

Jonny

Jonathan Gribben
Managing Associate
Womble Bond Dickinson (UK) LLP

d: [GRO]
m: [GRO]
t: [GRO]
e: [GRO]

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From: ParkerSP [GRO]
Sent: 29 January 2019 09:10
To: Jonathan Gribben
Cc: Matthew.Lenton [GRO]; Dave.Ibbett [GRO]; Lucy Bremner; John.Simpkins [GRO]; Gareth Jenkins [GRO]
Subject: SP Second Witness Statement: Possible examples to use - effective software fixes

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Jonny, we've been looking at some potential examples to use within the witness statement. Suggest WBD have a look and decide if it is useful to add them as examples?

Effective Software Fixes

[PC0089918](#): PSteed2847N - reverse a rem, but when this has been reversed it is doubling up on a balance

+ve: Already mentioned in statement but still shows a quick software error turn round

28/04/03: SSC (Paul Steed) identified error

28/04/03: Paul Steed updated and sent to MSU to handle discrepancy with FAD & POL

30/04/03: Development identify error

01/05/03: Work Package generated: PWY_WP_16353 B3S30R

07/05/03: Tested on LST. Fix released.

09/05/03: I have spoken to the PM to say that the software fix was sent down and became active on 07-May-2003 and so there should be no recurrences of the original problem.

[PC0123699](#): 28/07/05 ...payments and receipts are mismatched...PM states he was balancing on node 2 but there was discrepancies...

-ve: Initial SSC response was erroneous, to send back to Helpdesk.

+ve: Fast fix to live for financial issue

+ve: Demonstrates passing to MSU to tie up financial impact with POL

+ve: Example of looking at more than one site, diligence identifying other sites with issue

+ve: Shows how an initial R&P error is seen by PM and support are subsequently able to identify other events that tie it in to other sites

28/07/05: Incorrectly sent back by SSC ...Balancing problems should be dealt with initially by NBSC...

28/07/05: ...Have spoken with the PM and advised...All that remains now is for us to try and identify the root cause of the discrepancy which may take a while. As per usual we will forward our findings on to the MSU who will advise POL accordingly...

29/07/05 With development. Work Package PWY_WP_22602 generated

01/08/05: BI3S80R_WP22602 is now ready for test

02/08/05: Release PinICL [PC0123865](#)

08/08/05: This has passed testing in LST and is being returned to RM for live pilot.

09/08/05: sent out to the Pilot 100 successfully

05/09/05: Applied to all live outlets and now in the live Generic Prodlists roll-outs using both S70 and S80 spares

When the PM went to produce a trail balance a discrepancy was shown but at the bottom the receipts and payment totals did not match.

The £170 discrepancy was down to an APS txn message that had no product number and no primary or secondary mappings. There was a critical event raised on 21st Jul on counter 9 which helped to identify this (Event Id:4 with the text "**Error Message: Failed to generate EPOSSCore transaction grammar**").

As the txn message was incomplete it was omitted from the rollover 'calculations' and thus caused the discrepancy reported.

When I checked the tivoli event archives yesterday I found that 216 of these events had been logged in the past 7 days at different offices/counters

Looks like whenever the event is raised it is either down to a cancelled quantum txn

Have checked out a sample of 40 to 50 sites and they're all at S80 so its probably safe to assume its an S80 problem.

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