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Dear Solicitor to the Inquiry

POST OFFICE HORIZON IT INQUIRY: Phase 5/6 Exchange Remediation Assurance Reviews arising from R9(52), Section 21(3) document identified by the Remediation Unit

- 1.1 We write further to the draft first witness statement of Oliver Carlyon, for which an updated version was sent to the Inquiry on 26 April 2024 (the **26 April Witness Statement**). Paragraph 31 of that statement set out assurance reviews that were being undertaken in response to Rule 9(52). The purpose of this letter is to provide an update on the completion of the assurance reviews and provide details of the resulting production PROD081, totalling 13 documents (not inclusive of family).
- 1.2 PROD081 contains one additional document that was identified by the Remediation Unit in the course of its separate activity and flagged to the Post Office Inquiry team as being potentially relevant to Inquiry issues. The document was reviewed and deemed relevant to Section 21(3) and is produced alongside the R9(52) assurance review documents. Further details are provided at paragraph 3.

2 ASSURANCE

- 2.1 At paragraph 31 of the 26 April Witness Statement, we advised that BSF on behalf of Post Office were conducting urgent assurance reviews. These reviews consisted of:
- (a) All documents overturned at tier-two [c.500 documents] resulting in a placeholder production in the Phase 5/6 remediation production¹;
 - (b) Targeted searches for documents with "file note" in the document title or email subject (no documents identified);
 - (c) A 10% sample [440 documents] of all documents overturned to NR at tier-two in the Phase 5/6 exchange remediation (11 documents identified for production) and

¹ This was completed at the time the 26 April Witness statement was filed, and no documents were identified for production, and this is set out in paragraph 31
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- (d) A 20% sample [160 documents] of all documents overturned at tier-two by the specific tier-two reviewer in the P5/6 Remediation review (one document of interest identified for production, see below).
- 2.2 As a result of the four assurance reviews above, 12 documents are identified for production. None of these documents appear to be highly material and relevant.
- 2.3 A document of interest identified in assurance review (d) is not responsive to Section 21(3) but is relevant to the issues set out in that notice and therefore is disclosed for completeness as a document of interest. The document includes an email sent by Patrick Bourke who is giving evidence to the Inquiry on 15 May, but the document does not appear to be highly material to his evidence.
- 2.4 As noted in our email of 9 May, this production closes out assurance conducted in response to R9(52). Post Office will remain ready to respond promptly wherever possible to any queries the Inquiry has of documents produced to date or to further requests that the Inquiry may make.

3 DOCUMENT IDENTIFIED BY REMEDIATION UNIT

- 3.1 The document POL-BSFF-081-0000019 is a transcript of an audio file from a CD identified by Post Office's Remediation Unit (RU). The CD was located in a box labelled 'Rivenhall/Feering' and therefore not responsive to previous searches for Inquiry purposes. The audio file transcribed from the CD was the only file on the relevant CD. The CD was transcribed by the RU and it became apparent it was an interview between Alan Lusher (Contract and Service Manager) and Graham Ward (subpostmaster), and a third unknown individual. However, the transcript was escalated by the RU to Post Office Inquiry Legal as a potential document of interest in respect of more general comments within the content of that interview relating to Fujitsu access. The document was then reviewed by BSFF and confirmed to be broadly responsive to Section 21(3), as it mentions Andrew Winn and there is discussion of Fujitsu remote access on page 7.
- 3.2 Post Office and BSFF have requested that the Remediation Unit continue to escalate any similar documents likely to be of interest to the Inquiry to the Post Office Inquiry Legal team for consideration of relevance, as they did in this case.

4 PRODUCTION

- 4.1 Post Office has instructed KPMG to produce 22 documents to the Inquiry in PROD081, of which:
- (a) 10 documents are produced in native format;
 - (b) 5 documents are produced in image format;
 - (c) 3 documents are overlaid from NR to image/native; and
 - (d) 4 documents are disclosed with a placeholder by reason of irrelevance.
- 4.2 A loadfile accompanies the production identifying whether a document falls into category a, b or c above, alongside the *Witness(es)* field. The Inquiry can use this loadfile to navigate directly to documents which potentially relate to one or more witness(es) but may not necessarily be ones that the witness saw contemporaneously. Overall, 8 documents in PROD081 refer to one or more witness(es).

Yours faithfully

Burgess Salmon LLP Fieldfisher LLP

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