

Witness Name: Susan Elizabeth Crichton

Statement No.: WITN00220100

Dated: 30 January 2024

POST OFFICE HORIZON IT INQUIRY

FIRST WITNESS STATEMENT OF SUSAN ELIZABETH CRICHTON

I, SUSAN ELIZABETH CRICHTON, SAY AS FOLLOWS:

- 1 My name is Susan Elizabeth Crichton. I was employed by the Post Office Limited ("**POL**") from January 2010 to November 2013.
- 2 Except where I indicate to the contrary, the facts and matters contained in this witness statement are within my own knowledge. Where any information is not within my personal knowledge, I have identified the source of my information or the basis for my belief. The facts in this witness statement are true to the best of my knowledge and belief.
- 3 This witness statement has been prepared in response to the request made by the Horizon IT Inquiry (the "**Inquiry**") pursuant to Rule 9 of the Inquiry Rules 2006, dated 15 September 2023 (the "**Rule 9 Request**"). In this statement, I address each of the questions set out in the Appendix to the Rule 9 Request

and, for ease of reference, I have used the headings set out in those questions. I have been assisted by Stephenson Harwood LLP in relation to the preparation of this witness statement.

4 I understand that the Inquiry has requested confirmation regarding conversations that have taken place between POL, their legal representatives and myself. In this regard, I confirm that POL and their legal representatives provided me with initial administrative assistance at the outset of this matter.

5 Where I refer to specific documents in this statement, copies of those documents are exhibited to this statement (as set out in the index below) and are identified in this statement by the Inquiry's unique reference number for that document.

INTRODUCTION AND BACKGROUND

6 I graduated from Birmingham University with a Degree in Law (LLB) in 1979. Between 1979 and September 1982, I was employed by subsidiaries of Midland Bank. I completed my Articles at Bower & Bailey LLP in Oxford and was admitted as a Solicitor in 1985. I re-joined a subsidiary of Midland Bank in 1985 and worked in their in-house legal department until 1987. After leaving Midland Bank in 1987, I joined Avco Trust Limited as Legal Director. In the Summer of 1999, I joined GE Consumer Finance ("**GE**") as Senior Legal Adviser to the UK business. I was promoted to Legal and Compliance Director for the UK business in 2000, and to General Counsel for Europe in 2001. When I left GE in 2008, I was General Counsel for Europe, the Middle East, and Africa ("**EMEA**"). In 2008, I moved to Skandia International as Head of Risk and Compliance. I joined POL in January 2010 as Head of Legal.

- 7 Regarding my experience in criminal law and civil litigation prior to joining POL, I had no experience of criminal law before I joined POL (other than to a limited extent whilst completing my Articles). My previous experience focussed on the banking sector, specifically consumer finance, corporate transactions, and compliance with financial services regulations. The POL Head of Legal role description (dated May 2009) (the "**POL Role Description**") (**WITN00220101**) provided to me in connection with the recruitment process referred to the Head of Legal role requiring "*experience of financial services and large-scale contract work*" and said that the "*ideal candidate will be a technically strong and highly commercial lawyer*". It made no mention of expertise in either criminal or civil litigation.
- 8 Regarding my reasons for joining POL, first, I was motivated to apply for the role because I wanted to support an institution which was very much part of the fabric of national life, in the context of the network and its importance to the community. Secondly, I believed that my previous experience in assisting with complex transactions and banking arrangements, particularly in the financial services sector, made me a good candidate for the role. Thirdly, further to what was set out in the POL Role Description (**WITN00220101**), the proposed separation of POL and the Royal Mail Group ("**RMG**") and the series of transactions required in connection with that, made it, in my view, an interesting time to join POL.

Head of Legal

- 9 I joined in January 2010 as Head of Legal of POL. A recruitment firm managed the process on behalf of RMG. After several interviews, I was offered and

accepted the role. The interviews were conducted by Doug Evans (RMG General Counsel), Jon Millage (RMG Head of HR and Company Secretary), Alan Cook (POL Managing Director), and Debbie Moore (POL HR Director).

- 10 I was POL's first Head of Legal. On starting at POL, I completed an induction which focussed on POL's core operations. My initial objectives on joining POL were focussed on supporting POL's arrangements with their financial services partners and other commercial arrangements. I also focussed on establishing what work was undertaken by the small legal team based with POL at Old Street, understanding what legal work was undertaken/overseen by the RMG legal teams, and meeting the external law firms who undertook work for RMG and POL. Once the POL and RMG separation structure was formally announced, I began preparatory work for the arrangements. At this stage, POL did not have authorisation or funding from RMG to appoint external lawyers. POL was instead required to rely on the RMG external lawyers. I do not recall there being any written agreement in place between RMG and POL concerning the legal functions. As part of the separation work, there were several other issues to be resolved, including negotiating a commercial agreement with RMG, resolving a number of Pensions issues, and obtaining State Aid approval of the Government's funding proposal for POL. During that period, work also commenced to recruit an Independent Chair for POL. Once Alice Perkins was appointed to that role in September 2011, she recruited independent directors and a representative from the Shareholder Executive ("ShEx"), to form the Board responsible for POL as an independent entity.

- 11 When I joined POL, there was a team of part-time lawyers seconded to POL from RMG. This POL team was often supplemented by secondees from external law firms. The POL Legal Team was based in Old Street and the RMG Legal Team was based in Blackfriars, with the RMG Criminal Law Team based in Victoria Street. Within the POL Legal Team, there was a lawyer who supported the POL Government Services Team in contract negotiations with the Government and a specialist Telecoms Lawyer. The POL Legal Team also provided general support to the Branch Network in respect of contractual matters. The POL Legal Team focussed on financial services, specifically the relationship between POL and the Bank of Ireland. There was limited information sharing or collaboration between the POL and RMG Legal Teams. Criminal and civil litigation, IT contracts, data matters, procurement, competition law, and property matters were dealt with by the RMG legal team.
- 12 On joining POL, I reported to Mr Evans. I had an informal reporting line to Mr Cook (as POL Managing Director) who, in 2010, was succeeded by David Smith, then Mike Moores (who was an interim appointment), and finally, also in 2010, by Paula Vennells.

Company Secretary

- 13 I was appointed POL Company Secretary in January 2010 and had that role until July 2011, when Alwen Lyons took over from me. There were regular Board Meetings which increased in frequency during 2011. These meetings were supported by the RMG Company Secretary Team until Ms Lyons took the role.

Legal and Compliance Director

- 14 When POL separated from RMG in April 2012, my title changed from Head of Legal to Legal and Compliance Director. My employment transferred to POL, as did that of colleagues who were RMG employees and had been seconded to POL. There was no recruitment process for the Legal and Compliance Director role.
- 15 As Legal and Compliance Director, I was responsible for creating the POL Legal, Company Secretarial and Compliance Team. From 1 April 2012, members of the RMG Legal Team (who had previously supported the POL Legal Team) transferred to join the POL Legal Team at Old Street, as did an RMG Property Lawyer and the RMG in-house Criminal Law Solicitor. From April 2012, I became responsible for POL legal matters which had previously been managed by RMG. The POL Legal Team was responsible for providing legal services directly or by engaging external lawyers. The compliance work undertaken predominantly concerned areas of financial services and anti-money laundering arrangements. The Company Secretarial Team was established to support the POL Board and its Sub-Committees. During this period, POL had started working on a proposal to convert into a mutual and I undertook some of the preliminary work on this subject until it was transferred to Susan Barton on her appointment as Strategy Director in September 2012.
- 16 Initially, the Legal, Company Secretarial, and Compliance and Risk Teams reported to me. Until his departure in 2012, Mike Young was the POL Chief Operating Officer. His responsibilities included IT and change procedures, cash in transit, security, and procurement. When Mr Young left, I was assigned

responsibility for the Security Team. My recollection is I was given the task of reviewing the team, with a view to a possible restructuring.

17 When Ms Vennells was appointed as POL CEO, she started to look at the culture of the business. The HR Team were pushing forward this agenda. The restructuring of the security team, referred to above (at paragraph 16), was suggested by Fay Healey (as my HR business partner) in connection with the focus on reviewing the culture of POL.

18 From April 2012, when POL separated from RMG, my direct reporting line was to Ms Vennells as CEO. I explain further below (at paragraph 293) the circumstances of my leaving my role at POL.

HR and Corporate Services Director

19 From September 2012, I was asked to take on the additional role of HR and Corporate Services Director after Pauline Holroyd (who joined in January 2012) left in September 2012. I was asked to take on the responsibility of the HR Team to provide stability and support to a team that were undertaking significant projects as a result of separation as well as their business as usual operational role. This additional role expanded my responsibilities significantly. I was appointed HR and Corporate Services Director after a discussion with Ms Vennells and Ms Perkins. There may also have been another independent director present for the discussion. At the time of my appointment, my understanding was that it was not intended to be a long-term solution and that I would stay in the role on an interim basis, until a permanent solution was found. On reflection, accepting this position meant that I was spread more thinly than I would have preferred, given the nature of my other

roles. In order appropriately to manage the additional responsibilities, I made changes in the reporting lines for the Legal Team. I established a Head of Legal Role and the Company Secretary's reporting line moved from me to Ms Vennells.

- 20 Once I had taken on the additional role of HR and Corporate Services Director, there were reporting to me specialist team leaders for HR, Legal, Compliance, Risk, and Security. The additional role of HR and Corporate Services Director took up significantly more time than I had anticipated. POL was in the process of an organisational redesign, a cultural change programme, a pensions review, and designing a remuneration strategy to incentivise the senior management. My recollection is that the remuneration strategy required Government approval. I reported to Ms Vennells in relation to my role as HR and Corporate Services Director.

General Counsel

- 21 From July 2013, my role became General Counsel. There was no recruitment process for this appointment. As General Counsel, I was asked to focus on managing the outcomes of the Second Sight Review and establishing Project Sparrow. From July 2013, Ms Vennells took over responsibility for POL's HR Function. I continued to report to Ms Vennells as General Counsel. Those reporting to me, with the exception of HR, remained the same as under my previous role. I explain further below (at paragraph 293) the circumstances of my ceasing to be General Counsel.
- 22 Regarding my professional career since leaving POL at the end of 2013, in January 2014, I joined Lloyds TSB Group plc as General Counsel for TSB

Bank plc ("**TSB**") to facilitate its separation from Lloyds Banking Group. I assisted in supporting the final negotiation of TSB's outsourcing agreements with Lloyds Banking Group, compliance with the State Aid obligations, and the IPO of TSB in June 2014. In connection with this role at TSB, I formed the Legal and Company Secretarial Team. In March 2015, Banco de Sabadell made a public offer to acquire TSB. I assisted with the takeover process, which was completed in the Summer of 2015. I retired from TSB in January 2018 and have not held a full-time executive role since then.

KNOWLEDGE OF HORIZON

- 23 I was not aware of the Horizon IT System ("**Horizon**" or "**Horizon System**") when I joined POL. I do not recall Horizon being referred to at any point in the discussions I had prior to my joining or being flagged as part of my induction.
- 24 Regarding the subject of bugs, errors or defects ("**BEDs**"), when I joined POL, I do not recall being aware of any of the BEDs identified by Mr Justice Fraser in the Horizon Issues Judgment (BED2, Callendar Square / Falkirk Bug); nor was I aware, or made aware upon joining, of any other BEDs in the Horizon System or elsewhere within POL.
- 25 As explained above (at paragraph 7), my role, as set out in the POL Role Description (**WITN00220101**), focussed on separation, financial services, and contract work. I was not an IT lawyer and no part of my role concerned POL's IT systems. I was not expected to work with such systems or to have any knowledge or expertise in that area, excepting what was directly connected with carrying out my role as Head of Legal which did not include POL's operational systems. In the event that a contract change in relation to the

Horizon System had to be documented, such change would be carried out by an external lawyer or specialist IT lawyer in the team, in either case they would rely on the IT department to prepare a schedule with the technical changes required to be incorporated.

- 26 Regarding the Computer Weekly article (**POL00041564**) (the "**Article**"), I had not read the Article prior to my joining, nor was it brought to my attention at the time of joining. The Article was published in May 2009, before I joined POL. I do not know what investigatory work was carried out in respect of the matters raised by the Article when it was published.
- 27 Regarding any awareness of the Board and/or Senior Management Team of the presence of BEDs highlighted in the Article, my understanding was that the responsibility for investigating such matters would have been with Mr Young. His remit included oversight and supervision of POL IT functions. Any consideration of the matters raised by the Article would have been led by Mr Young, with significant input from the Branch Network Team.
- 28 Regarding any training received in respect of Horizon, I did not receive any such training. This is true in respect of Horizon or any other POL IT systems (excepting those directly connected with my role referred to above (at paragraph 25)). As explained above (at paragraph 25), there was no focus on Horizon upon my joining nor would I have expected there to be, given my role within POL at this time. Throughout my career, prior to joining POL and in other roles since, I have not received any training on operational systems like Horizon, nor was there any focus on such systems within my responsibilities.

29 Regarding the contract between POL and Fujitsu Services Limited ("**Fujitsu**"), (the "**Fujitsu Contract**"), it is my understanding that, when I joined, the responsibility for managing it sat with the RMG Legal IT and Contracts Team. On joining POL, I asked for a briefing on the Fujitsu Contract. At that time, however, I was told that the RMG Legal Team could not say comprehensively and with certainty what the terms of the Fujitsu Contract were. The Fujitsu Contract had been amended and supplemented numerous times, via various Amendment Agreements and Change of Control Notifications. I refer for example to **POL00090428** and **FUJ00118186**. I therefore agreed with the RMG Legal Team that the starting point should be for a schedule to be drawn up tracking the various amendments and notifications to determine the contractual terms which were in force. From memory, the difficulty of this task was compounded by the lack of a centralised system of document storage and sharing between POL and RMG. There were challenges tracing the various documents which evidenced the Fujitsu Contract. My recollection is that it was eventually possible to piece together the Fujitsu Contract sufficiently for the briefing to take place.

30 My recollection is I received this briefing from an external lawyer at some point during 2010. It is likely the lawyer who gave me the briefing was from Slaughter and May, who acted for RMG at the time the Fujitsu contract was entered into and worked on the various Amendment Agreements, but I cannot now remember specifically who they were nor the exact date I received the briefing. At the point I received the briefing, the focus was on the re-procurement of the Fujitsu Contract and therefore little detail was given to me on the specific terms of the original contract as the expectation at this point

was that the original contract would be superseded. The briefing I received therefore concentrated more on the general provision of services under the Fujitsu Contract, rather than the history and specificity of the terms.

31 In respect of the provision at (i) of Part D of the Annex to the Second Supplemental Agreement (**POL00090428**), as explained above (at paragraph 30), I did not receive a detailed briefing of the Fujitsu Contract nor did I ever review the contract in its entirety, i.e. taking into account the various Supplemental Agreements and Change in Control Notifications amending the original contract. I was, therefore, not aware of this provision.

32 In respect of Clause 5.3 of the Third Supplemental Agreement (at **FUJ00118186**), I was also not specifically aware of this provision, for the reasons set out above (at paragraphs 29 and 30).

33 Regarding the possibility that Horizon was allowed an error rate of 0.5% in respect of the preparation of cash accounts, I was not aware of this detail at the time and do not feel I have the technical knowledge to comment.

34 Regarding discussions of the Horizon System and BEDs which occurred at POL Board or executive management team level, I do not recollect the extent to which, before the separation from RMG, the POL executive management team discussed such issues. Regarding the POL Board, I did not attend all Board meetings after September 2011, but, after Ms Perkins was appointed Chair, I note from the POL Board Minutes provided to me in connection with the Rule 9 Request that there were some discussions around the IT landscape (which would have included Horizon), the deployment of new equipment (for example, Pinpads), and a request for an IT strategy paper. For example, I note

from the POL Board Minutes that, in March 2012, Board approval was granted for the procurement of a new IT system (**POL00021505**).

35 In respect of post separation discussions at Executive Meetings regarding the issues outlined above (at paragraph 34), I recall Horizon, BEDs, alleged integrity issues with Horizon, and possibly sub-post masters ("**SPMs**") balancing branch accounts, being discussed. It is very likely that these discussions would have been prompted by, and therefore focussed on, specific press comments, cases from MPs, or SPM complaints. Consequently, such discussions were reactive in nature, concentrating on responses to, and actions to be taken in respect of, comments and complaints. There were also discussions at Executive Meetings regarding system availability, deployment of new Pinpads, and the procurement of a new updated system to support POL.

36 Prior to joining POL, I was not aware of the Horizon System. I cannot comment on what was said to POL employees regarding Horizon prior to this point. After I joined POL, I recall a response given at an Executive Meeting following a discussion as to how to respond to an article published by Private Eye in late 2011 (**WITN00220102**). The response, given at the Executive Meeting shortly following the publication of the article by Private Eye (referred to above), was along the lines that there were no systemic issues with the Horizon System and was given by Mr Young who had oversight of IT as part of his remit. I understood, at this time, that this was POL's position on the performance of the Horizon System. I asked Mr Young how he had verified his comments and he said, in the same Executive Meeting, that he had undertaken an

appropriate review regarding the Horizon System and, as a result, was satisfied of the accuracy of his statement. At the time, in the context of the Horizon System, my understanding of the phrase "systemic issues" was that it related to a factual situation where there were repeated instances of the same or similar issues, impacting a number of Post Office branches. This is the sense in which I use the phrase in this Statement.

37 I understood that Mr Young had a detailed understanding of the Horizon System and close knowledge of its operational function. I trusted his judgement. I relied on those who had worked with the Horizon System for many years, prior to my joining POL, and had confidence that they understood the intricacies of the system. I would have expected them to recognise any systemic problems and to raise them appropriately with senior colleagues.

38 Concerning when I first became aware of allegations of BEDs or issues regarding the integrity of the Horizon System, as explained above (at paragraph 35), the Executive Team became aware of allegations against the Horizon System in the context of complaints received from SPMs or MPs (on behalf of SPMs in their constituencies). When an allegation or complaint arose, it was my understanding that the IT and Network Teams would consider the matter and would test the system to the extent necessary to assure themselves regarding the concern raised. The IT and Network Teams would then report the results of their analysis to Mr Young who would, in turn, communicate with the Executive Team. On occasion, this may also have involved the Network Director. A suitable response would then be formulated

regarding the complaint received, on the basis of the investigation and analysis carried out with those who knew Horizon best.

PROSECUTORIAL FUNCTION

39 Regarding my knowledge of POL's role in prosecutions, when I joined POL, I was not aware that POL had a role in prosecuting SPMs for theft and false accounting. I cannot specifically recall how I became aware of this role of POL, but it is likely I learned about it through discussions within the Executive Team Meetings. At the time I joined POL, it was not certain how the separation of POL and RMG would work, or indeed if it would happen at all. The position remained that the outsourced arrangements between RMG and POL would continue until separation. The separation took place in April 2012 and, until this time, it was clear that the responsibility for prosecutions and civil litigation to recover debts remained with the RMG Legal Team, with oversight from Mr Evans as RMG General Counsel, followed by Jeff Triggs (after Mr Evans' departure from RMG in December 2010) and subsequently Neil Harnby, who succeeded Mr Triggs and oversaw POL's separation from RMG.

40 In respect of the discussions had by the POL Board and Executive Management Team regarding POL's role in the prosecutions, as explained above (at paragraph 39), prior to April 2012, RMG was responsible for the prosecution of SPMs. I have no recollection of the POL Board discussing POL's involvement in prosecuting SPMs prior to the separation.

41 After the appointment of Ms Perkins as POL Chair, I note from the Board Minutes of January 2012 (**POL00021503**) that there is a reference (at Minute POLB 12/07) to Private Eye. It is likely that my comments (**POL00021503**) as

to the functionality of the Horizon System reflected assurances of the kind received from Mr Young at Executive Team Meetings around this time, as explained above (at paragraph 36). I further note my reference to Deloitte who, I recollect, conducted a review of Horizon and the audit reports into the Horizon System provided by the RMG Internal Audit Team. My recollection is that this information was also provided to me by Mr Young in connection with his assurances as to the reliability of the Horizon System. The Executive Team would from time to time discuss points regarding the prosecution of SPMs, as part of discussions regarding raised by MPs. My understanding at the time was that the common view of the Executive Management Team was that there were no systemic issues with the Horizon IT System.

42 Regarding the Audit Subcommittee and the Risk & Compliance Committee (**POL00021503**), by expanding the Audit Subcommittee to include Risk and Compliance aspects, it gave the Audit Subcommittee a broader remit to include risk management and the development of a board risk appetite and, in POL's case, a focus on compliance, especially in the context of financial services. The POL Board was in its infancy as a semi-independent entity and I wanted to ensure that the Board was properly alert to regulatory risk and had appropriate procedures in place for dealing with risk.

43 As I explained above (at paragraph 39), when I joined POL, I was not aware that POL prosecuted SPMs, nor was I aware of its remit to bring civil claims to recover shortfalls in branch accounts. As explained above (at paragraphs 39 and 40), when I joined POL, the responsibility for bringing claims and prosecutions against SPMs was with RMG. I therefore had little, if any,

involvement in prosecutions at the time that I joined POL. Over time, my understanding developed. There was a strong sense when I joined that POL and RMG were responsible for public money and that use of the law was fundamental to protect the public interest.

44 Regarding the steps that I took to satisfy myself that POL was acting in compliance with its legal obligations in respect of the prosecutions and civil proceedings, before the separation, I recollect visiting the RMG Criminal Law Team in Victoria Street in early 2012 and spent some time in discussion with Rob Wilson and Jarnail Singh (who were both lawyers in the RMG Criminal Law Team). I sought to understand how they worked and how they managed the prosecution process. As set out above (at paragraphs 39 and 40), at this time, it was made clear to me that responsibility for the prosecutions and bringing of civil proceedings was with the RMG Legal Team until separation was complete. With regard to civil proceedings, the RMG Civil Litigation Team took the lead on taking instructions directly from the POL Operations Team. The RMG Legal Team would also liaise directly with external law firms. For example, in respect of debt recovery, the RMG Civil Litigation Team instructed a number of external firms to act for POL in bringing these claims. I relied on the RMG Criminal and Civil Litigation Teams until separation until April 2012.

45 On the separation of RMG and POL, in early 2012, I learned that Cartwright King ("**CK**") acted as the external lawyers in respect of the prosecutions. I arranged for one of my team, Hugh Flemington, to visit CK to gain an understanding of how they operated and how the RMG Criminal Law Team had worked with them. Mr Flemington arranged for representatives of CK to

come to London to meet with me. At that meeting, we discussed CK's processes and way of working. It is likely that CK confirmed to me, at this time, that they were responsible for compliance with applicable legal obligations for bringing criminal prosecutions. I took comfort from these communications with CK and from the fact that they had had direct links to the POL Security Team and with Mr Singh, the criminal lawyer who had joined my team from RMG. I was confident that CK would directly communicate with the Security Team with whom I understood there was a good relationship. I understood the Security Team would raise any concerns they had. Overall, I placed significant reliance on CK, as the external lawyers, to ensure that POL acted in compliance with its legal obligations in the context of criminal matters. It seemed sensible to me at the time to instruct external lawyers and for them to work with the POL Security Team who had a very detailed understanding of the business.

- 46 As to whether I think these steps were adequate, looking back, I think these were good initial steps in gaining an understanding of the process of how criminal actions were brought by POL and establishing contact with CK. I also recall feeling that, through my meeting with CK after Mr Flemington's visit to CK, I had established a clear path of communication between myself and CK so that, if CK had any concerns which were not resolved by the Security Team or others within my team, they could escalate their concerns directly to me. With hindsight, I naturally wish that I had commissioned an independent review, by a specialist external firm, of the whole process, focussing on the complaints being raised concerning Horizon, from the point of view of the SPMs. At the time, however, I had no reason to believe this was necessary.

With regard to civil actions, I appointed a secondee from an external law firm to the POL Legal Team whilst we recruited a full-time POL Litigation Lawyer to join the team. During this period, the POL secondee continued to liaise with the teams in Chesterfield who were responsible for debt recovery. External firms were instructed to bring proceedings on behalf of POL.

THE POL BOARD

- 47 Regarding my communications with the POL Board in respect of criminal and civil cases, my recollection is that, from January 2010 until early 2012, information was not ordinarily provided to the POL Board concerning these matters. It is likely that this was because, as explained above (at paragraphs 3939 and 40), responsibility for these cases remained with RMG until separation.
- 48 As part of the planning for separation, I agreed with Ms Vennells that the POL Board should be kept informed of ongoing litigation involving POL. As a result, initially the RMG Litigation Team, and subsequently the POL Litigation Team, prepared a Schedule of Litigation Matters to be included in the Board Pack. The Schedule (as can be seen for example at **POL00027558**) was designed to highlight matters where the Claim exceeded £500,000 or had a wider significance for the business. The Schedule's contents were reviewed by me, after consultation with colleagues and external lawyers as appropriate.
- 49 Regarding my attendance at POL Board Meetings, after I ceased to be Company Secretary on 4 July 2011, I did not attend Board Meetings unless I was asked to do so for a particular Agenda item. Ms Vennells and Chris Day (Chief Financial Officer) were members of the POL Board, and Donald Brydon

from Royal Mail Holdings plc ("**RM**") was the Chair until September 2011. I explain further below about membership of the Board (at paragraph 63). Other members of the Executive Team were asked to attend Board Meetings to present on specific areas. Ms Vennells would deliver an update report to the Board. Executive Team members contributed updates from their departments for inclusion in Ms Vennells' update.

50 Regarding the responsibilities of the POL Board of Directors, my understanding was that the Board had collective responsibility for: determining POL's strategic objectives and policies; monitoring progress; appointing appropriate senior management; and accounting for its activities to the shareholder, HM Government. The POL Board also had other specific responsibilities which were detailed in its Terms of Reference (**WITN00220103**).

51 As to the responsibility of the POL Board regarding the bringing of criminal prosecutions, around the time of the separation, I had a conversation with Ms Vennells regarding the Board's involvement in decisions to prosecute. I cannot now recall the outcome of that conversation. I recall that the Board was required to have oversight of any potential prosecution, defence or settlement of litigation cases involving costs which met certain thresholds. At this time, I believe that Board oversight was required for cases involving costs of around £1 million or where the litigation was otherwise material to the group. Within POL, and particularly the Network and Security Teams, there was a strong sense that POL was the custodian of public money and therefore had a responsibility to use the law to protect the public interest in this context. This

was often referred to when decisions were made to take action against individuals.

52 In respect of the Board's oversight of civil litigation, please see the explanation above (at paragraph 48).

53 In respect of the Board's oversight of POL's IT systems, I note from the documents provided to me in connection with the Rule 9 Request that there were several occasions, for example in the POL Board Minutes of 22 September 2011 (**POL00030365**) where the Board received presentations and updates on the IT strategy for POL and the deployment of new equipment. There is also a suggestion (also in the 22 September 2011 Board Minutes) that a deep-dive into IT strategy should be arranged. I cannot, however, now recall whether the conclusions of the review of POL's IT strategy were ever presented to the Board. There was significant Board involvement when an IT system was being re-procured (for example **POL00021505**).

54 Oversight of POL's accounting systems was supported by internal systems and controls, which were verified by external auditors. Post separation, the Board delegated oversight of the accounting systems to the Audit, Risk and Compliance Sub-Committee, who reported to the Board on these matters.

55 As to the oversight of the Board regarding POL's compliance with the Race Relations Act 1978 and the Equality Act 2010 (together the "**Acts**"), the Board had a general obligation to ensure that POL was compliant with relevant legislation, however, I cannot remember in the case of the Acts how this was achieved.

56 In January 2013, codified Terms of Reference were established for the Board (WITN00220103). These provided specific guidance as to the matters the Board was responsible for and how those responsibilities should be discharged. I do not recall being asked by the Board for advice about how they should discharge their responsibilities. Given the passage of time, it is possible that there were such instances and I do not now remember them. It is unlikely, however, that such requests were a common occurrence, otherwise I would probably recall it. By way of context, as explained above (at paragraph 49), from July 2011, I was only asked to attend Board Meetings when I was required to present on a specific agenda item. The Board would require support from me when considering specific matters. For example, I note from the record of Board Action Items (UKGI00016089), which refer to the Board Meeting held in November 2011, that I was asked to assist in relation to procurement procedures. Further, where a matter arose which I felt was necessary to bring to the Board's attention, for example, and as discussed further below (at paragraph 59), briefings before signing the Separation Agreement with RMG, I would raise this with the Board and either arrange a specific meeting with the Board to conduct the briefing outside of the normal Board cycle (as I did for the RMG briefing) or ensure that the matter was included in the items to be considered at the Board Meeting. More generally, in my role as Legal and Compliance Director, I met with new Independent Directors as part of the onboarding process. My recollection is, in broad terms, that these meetings were an opportunity for new Directors to ask questions as they wished. These meetings also offered an opportunity for me to explain my role within POL to new Directors. I took comfort from the fact that POL's

Independent Non-Executive Directors were all experienced. I understood them to have the requisite fundamental knowledge and understanding of their roles and responsibilities and that, if they felt they had a need for further training or guidance on a specific aspect, they would raise it. It was my understanding that, within a large organisation like POL, the Chair had primary oversight for ensuring the Board was offered appropriate training and support.

57 In respect of the separation of responsibilities between the Executive Management Team and the Board, the Board delegated responsibility to the Executive Management Team for the day to day running of the business. As explained above (at paragraph 51), there were certain matters which were reserved for the Board. This included matters such as capital expenditure over a certain threshold. Such matters were initially discussed at Executive level and then presented to the Board for consideration and approval, for example the procurement of a new IT system (**POL00021505**). Each Executive Director had a specific area of responsibility and they would prepare presentations for the Board's consideration and updates for inclusion in the Chief Executive's Board Update.

58 After April 2012, I was responsible for the oversight of criminal prosecutions and civil litigation. Given, as I have explained above (at paragraph 7), I was not a criminal law specialist, I relied to a great extent on CK and POL's internal criminal law team regarding criminal prosecutions. Regarding POL's post-conviction duties to convicted SPMs, my understanding is that this was dealt with primarily by the POL criminal law team, with advice from CK as required. I also took steps to ensure the work done by POL's criminal law team and CK

was independently verified by Brian Altman KC. As mentioned above, I relied significantly on both POL's internal team and external specialists to deal with matters arising from POL's post-conviction duties. I felt at the time that my reliance was reasonably placed and took confidence from the fact that the work done by the POL criminal law team was reviewed and confirmed by both CK and Mr Altman KC. Initially, Mr Young was responsible for IT as part of his role. Responsibility for IT then passed to Lesley Sewell as Interim Chief Operating Officer when Mr Young left in 2012. Mr Day as Chief Financial Officer was responsible for financial results and managing the finance teams.

- 59 Regarding my experience of the POL Board and Executive Committee Meetings as compared with my experience in other organisations, it is unusual in my experience for the senior lawyer in an organisation not to be a permanent attendee at Board Meetings. At POL, I was not invited to attend all Board Meetings in that capacity. Rather, I would attend specific Board Meetings as requested, to provide input in relation to a particular matter, or when I was leading on a matter that required Board input or approval. For example, when I was Legal and Compliance Director, if there was an issue that required input or approval from the Board, for instance the separation agreements with RMG, State Aid Approval, and various Pensions issues, then these would be brought to the Board for discussion or approval. This approach connected with a sense I had that the POL Board preferred input from the Legal function to be restricted to particular points, rather than for the senior in house lawyer to contribute more generally at Board level as a senior executive. This sense was present before separation and became more pronounced after separation. This was different from other organisations in

which I have worked where senior lawyers' contributions were sought more generally, rather than being restricted to particular items or matters. Regarding my sense that the POL Board preferred input from the Legal function to be restricted, my understanding was that Ms Perkins as Chair wanted to manage the number of attendees at Board Meetings in order to encourage debate and to create an environment where challenges could be raised by Board Members, particularly while the Board was in its infancy, in the post separation period. I understood Ms Perkins' approach to be that she and Ms Vennells could talk through the agenda items in their preparation and, only where further input was required in relation to certain points, would other Executives (who were not Board members) be invited to attend Meetings, in order to expand upon particular points as required. For example, I note from the Board Minutes of 23 May 2012 (**POL00021507**) that Ms Holroyd and Ms Lyons were the only attendees not on the Board invited to this particular meeting. A number of topics were therefore covered within the Board Meeting without the relevant Executive responsible for a specific matter being present. The Board Minutes themselves were not typically circulated to the Executive Team. Instead, action items, examples of which can be seen at Item POLB 12/63 (**POL00021507**), would be extracted and sent to the relevant Executive to be progressed.

60 When I joined POL, it was a wholly owned subsidiary of RMG and the Chairman of the POL Board Meetings was Mr Brydon from RM. I do not now recall exactly when the POL Board met. Having considered the documents provided to me in connection with the Rule 9 Request, there is reference to POL Board Meetings occurring on 14 March 2011, 9 May 2011, 17 May 2011,

27 May 2011, and then a meeting in September 2011 where Mr Brydon stood down as Chair and Ms Perkins succeeded him (**POL00030365**). At the same time, Mr Day was appointed as Chief Financial Officer and Mr McCausland was appointed as Senior Independent Director of POL. Mr McCausland's appointment at this meeting was subject to Shareholder approval.

61 As to the leadership style at POL Board Meetings, when I joined, Mr Brydon was the Chair of both RMG and POL, until Ms Perkins was appointed for POL in September 2011. I ceased being Company Secretary (and therefore attending all Board Meetings) in July 2011. The leadership style under Mr Brydon was business-like and did not necessarily encourage debate. Prior to the separation, RMG was very much the dominant party in the relationship with POL. As to the leadership style of Ms Perkins, from my own experience, it is not really possible to describe an overall leadership style. I believe this was her first role as Chair and I had the impression that she was finding her feet after a long period in the different context of the Civil Service. In early 2012, I instigated a conversation with Ms Perkins in which we discussed the approach to be taken towards Board Meetings and Board Minutes. Whilst I do not now specifically remember the detail of this conversation, I recall that Ms Perkins explained to me what she wanted in terms of how often Board Meetings should be held, how the Meetings would run, and the establishment of Board Sub-Committees. Immediately following separation, whilst the POL Board was still in its infancy, Board Meetings were held monthly, with the intention that the frequency of Meetings would reduce once the POL Board became more established. During the conversation with Ms Perkins, she also said that the Board Packs should be circulated five working days in advance

of Board Meetings, in order to give the Directors, specifically the Non-Executive Directors, sufficient time to consider the materials and to ask for clarification, where necessary. With respect to the Minutes, I recall that Ms Perkins' preference was for the Minutes to be a summary of the Meetings, highlighting the action items, rather than a verbatim note of what was said. I understood from our conversation that Ms Perkins was going to establish a line of communication with Ms Lyons so that Ms Perkins could feed back comments and amendments to the Minutes. From recollection, Ms Perkins communicated her amendments to Ms Lyons in person or over the telephone. Ms Perkins and I discussed how Ms Lyons would circulate action items to the Executive Team following Board Meetings, particularly where members of the Executive Team were not invited to the Board Meetings. From memory, Ms Lyons would extract the relevant action items from the Minutes into a Board Action Log which she would send to the respective Executive responsible for the item. I do not now recall the detail of what was discussed with Ms Perkins at that time regarding the establishment of Board Sub-Committees.

62 Prior to the separation, it is likely that Jon Milledge (RMG Company Secretary) or his team drafted the Board Meeting agenda with input from POL on specific items to be considered. From around September 2011, arrangements changed and the agenda was drafted by POL with input from RMG. It is likely that the agenda was drafted by Ms Lyons as POL Company Secretary with input from Ms Perkins.

63 Regarding regular attendees at the POL Board Meeting, prior to September 2011, I note from the documents provided to me in connection with the Rule 9

Request that the Board comprised Mr Brydon, Matthew Lester (RMG Chief Financial Officer), Ms Vennells (POL Managing Director), and Les Owens (RM Non-Executive Director) (**POL00021500**). I attended as POL Company Secretary, as did Mr Milledge as RMG Company Secretary. From January 2012, the POL Directors were: Ms Perkins, Mr McCausland, Mr Owen (who resigned in March 2012), Ms Vennells, and Mr Day. Ms Lyons attended as POL Company Secretary. Additional independent Non-Executive Directors joined the Board, as did Susannah Storey (a representative from ShEx) throughout the early part of 2012. Other members of the Executive Team attended POL Board Meetings for specific items.

64 In respect of the POL Board Sub-Committees, I note from the Minutes of the POL Board of 4 July 2011 that there is reference to an "Accounts Sub-Committee" which met on 15 June 2011 (**POL00021500**). I cannot, however, specifically recall this Sub-Committee or any other Sub-Committee of the POL Board whilst it was a subsidiary of RMG.

65 As regards the reports which were regularly submitted to the POL Board before separation, I cannot now recall the details but, from reviewing the POL Board Minutes which were provided in connection with the Rule 9 Request, I understand that, pre-separation, there was a Health and Safety Report, status reports on outstanding issues (for example, pay negotiations), updates from the Finance Team on results for the year to date, a general update from the Managing Director, as well as reports on significant projects that POL were undertaking at the time (for example, in respect of the Network Transformation Programme and Financial Services).

- 66 I do not have any recollection concerning the level of IT expertise of those who attended the Board Meetings when I joined POL. In fact, I would not have had the technical understanding myself to have made such an assessment, beyond at a very superficial level. Post-separation, once the POL Board had been fully established, my recollection is that there was no Director with specific experience of, or responsibility for, IT. The technical understanding for the IT systems lay at the Executive Team level, initially with Mr Young, and then with Ms Sewell.
- 67 When members of the Executive Team did not attend Board Meetings, their updates would be provided by Ms Vennells.
- 68 As to whether I considered POL's corporate governance to be effective, when I first joined POL, it was operating as a subsidiary of RMG. Within this structure, my understanding was that its corporate governance was generally effective, drawing on the structures and controls in place for RMG. When POL started on the road to separation, it was necessary to build a new Board both in terms of governance and Independent Directors. It took some time for the new Board to be established and the full Board was not appointed until September 2012. During this period, POL was working to establish a regular rhythm of Board Meetings and reporting. The Board Sub-Committees, including the Remuneration Committee, were established at some point in mid-2012. I recall that, although POL was not obliged to comply with the principles of the UK Corporate Governance Code, I recommended to the Chair that the Code should be consulted and taken account of for the purpose of good governance of POL. Following these discussions, I understood it was

the intention of the Chair, and the Board more generally, to ensure that POL took account of best practice as expressed by the Code. My sense was that in this way the Chair was compliance-minded, which I considered positive and gave me confidence in POL's overall approach to corporate governance. Regarding the question as to whether I considered POL's corporate governance to have been effective throughout my time at POL, I do not recall directly addressing my mind to this question at the time. I recall, as I have explained (at paragraph 59), that there was a period of development after the separation. My sense certainly was the subject of corporate governance was taken seriously by POL, albeit the future nature of the organisation was not clear and there was, for example, discussion about being a mutual (see paragraph 15 above). With hindsight and as mentioned above (at paragraph 66), I feel the Board would have benefitted from a more diverse make-up in terms of the technical knowledge of the Directors and the inclusion of a Director on the Board who had specialist experience and expertise in IT and technologies. At the time, however, I had no reason to believe overall POL corporate governance to be ineffective.

- 69 In respect of the reporting lines between (a) the POL executive management team or (b) the POL Board and RM, in the period before separation, the POL Managing Director/Chief Executive Officer reported to the Chief Executive Officer of RMG. The POL Chief Financial Officer reported to the Chief Financial Officer of RMG. When I started, I reported directly to the General Counsel of RMG. It is likely there were other reporting arrangements that followed a similar pattern, i.e., the POL employee reporting to the RMG counterpart.

70 In respect of the reporting lines between (a) the POL executive management team or (b) the POL Board, and the Department for Business, Enterprise and Regulatory Reform or the Department for Business, Innovation and Skills ("BIS"), I was not myself ordinarily involved with this reporting, but it was clear that the relationship with Government was fundamental to the day to day operation of POL. I note from the POL Board Terms of Reference that the Board are described as accountable to the Shareholder Executive within the Department for Business, Innovation and Skills (WITN00220103). In addition, there was a Government appointee on the POL Board. On separation, the Secretary of State was granted a Special Share in POL which conferred upon them specific rights and privileges. During early 2012, when POL was separating from RMG, I had regular contact with representatives from BIS, particularly in regard to State Aid.

POL EXECUTIVE STRUCTURE

71 Regarding the Executive Management Team's decision-making structure, when I joined POL, my understanding was that POL operated under a scheme of delegated authority from RMG. I cannot now recall any document that expressed this.

72 My general recollection is that the Executive Team met weekly. The arrangements, however, were not always consistent over the course of my employment at POL and various changes were made to the structure and reporting duties of the Executive Team. For example, during the course of 2010, four different individuals had the role of POL Managing Director/Chief Executive Officer.

- 73 The agenda of the Executive Team Meetings was generally set by the Managing Director/Chief Executive Officer with support from the Company Secretary. There were certain "standing agenda" items which were discussed regularly in Executive Team Meetings. These items included, for example, financial results and updates on significant projects (such as the Network Transformation Programme and Government tenders).
- 74 In respect of the regular attendees at the POL Executive Team Meeting, I do not recall anyone from RMG attending the POL Executive Team Meetings, either before or after separation. Attendance at the POL Executive Team Meetings was made up of those executives responsible for managing significant parts of the POL organisation.
- 75 In respect of the nature and responsibility of each of the roles of those on the Executive Team, these changed over time. I summarise here what I recall was the position during my time at POL. The Managing Director/Chief Executive Officer was responsible for running the business at an executive level and reporting to the Board. The Chief Financial Officer was responsible for managing the finance function, the internal systems and controls, the Treasury operations, and Internal Audit. The Network Director managed the network of Post Offices, which included the Crown Offices (owned by the Post Office), the franchised offices, and the offices run by SPMs. The Network Director was also responsible for the Network Transformation Project. The Chief Operating Officer had a remit which included IT and Change, supply chain (including cash management), procurement, and premises. This role changed when Mr Young left in 2012, and IT and Change became the responsibility of Ms Sewell

under the title of Chief Technology Officer. The Marketing Director was responsible for managing the marketing activities for POL. The HR Director oversaw all staff recruitment, retention, development, and reward; and also managed pay negotiations with the Unions. The Head of Legal's remit included oversight of the negotiation of significant contracts and supporting POL's activities from a Legal and Compliance perspective. The Strategy Director was responsible for developing ownership strategy for POL. The Financial Services Director had specific responsibility for financial services which was very much a growing area of focus for POL. The Commercial Director managed the relationship with Government and other partners, including, for example, the provision of telecoms.

76 In respect of the level of IT expertise of Members of the Executive Management Team, the IT expertise was with Mr Young and, after he left in 2012, with Ms Sewell (who was initially Interim Operating Officer and later became Chief Technology Officer).

77 Regarding responsibility for the management and communication of possible or identified problems with the Horizon, this lay with either the Network Director or the Chief Operating Officer. When Mr Young left and Ms Sewell was appointed Chief Technology Officer and promoted to an Executive Team Member, Ms Sewell would also have had this responsibility.

78 The IT and Change Team supported the Executive Team in providing expert advice on technical IT matters, with external support (for example from Fujitsu) where appropriate.

INVOLVEMENT IN RESPONSE TO CONCERNS ABOUT HORIZON

79 In respect of the email from Mike Granville on 26 November 2010 (POL00120561), I do not recollect reviewing this document. It was usual for Mr Granville to coordinate responses to allegations raised by MPs concerning Horizon.

TRIAL OF SEEMA MISRA

80 In respect of the email sent on behalf of Mr Singh on 21 October 2010 (POL00055590) containing an update on the trial of Ms Misra, whilst I recall that I was aware of the case, I was not involved in it apart from receiving the update contained in this email, which went to a number of recipients. Prior to the separation, cases of this kind were handled by the RMG Criminal Law Team.

81 Regarding the statement that the approach to the prosecution of Ms Misra was influenced by a desire to "*set a marker to dissuade the other Defendants from jumping on the Horizon basing bandwagon*", as I have explained above (at paragraph 80), I was not involved with Ms Misra's case and so cannot comment.

ERNST AND YOUNG AUDIT

82 As to the background to the Ernst and Young ("EY") 2009/2010 audit (the "EY Audit") and my involvement in this, I was not responsible for managing or supporting the EY Audit. This responsibility would have been with the POL Finance Team. With regard to the EY Management Letter for the year ended 27 March 2011 (POL00030217), I note that the version contained in the bundle of documents provided in connection with the Rule 9 Request is

undated and unsigned, it is therefore unclear whether this is the final version. As set out above, the responsibility for managing the EY Audit and connected workstreams lay with the POL Finance Team and the responses contained in the EY Management Letter would have come from them with input, as required, from relevant departments within POL.

83 As to my views on EY's findings concerning the Horizon System, Fujitsu's audit controls, and POL's contractual relationship with Fujitsu, I cannot recall whether I saw the EY Management Letter or whether I had any views about the specific recommendations. The responsibility for implementing changes to resolve the issues highlighted in the Report lay with the Chief Operating Officer. It is likely that he or one of his team was responsible for considering the action points. There are also a number of management actions which are designated with different risk levels. It would have been the responsibility of the Chief Operating Officer to interpret what the implications of these findings were for the Horizon System and to report on these as necessary. In some instances, EY confirm that work had already started to address the recommendations, for example, there is mention of the establishment of the Audit Control Governance Board, which was to be established by July 2011. Separately, the Report detailed the work which was to be carried out by Fujitsu, and it would also have been my understanding that the Chief Operating Officer would have liaised directly with Fujitsu regarding these workstreams.

84 From the documents which were provided to me in connection with the Rule 9 Request (referred to below), I note that there are a number of references to

the SAS70 Audit in the Board and Committee Papers. The first states that the Audit references other RMG Systems and that a detailed technology paper to cover the SAS70 Audit was to be prepared and presented at the subsequent Board Meeting (**POL00021500**); the second that negotiations with Fujitsu were ongoing (**POL00030365**); and the third contains a recommendation from the POL Audit and Risk Committee that the SAS70 Audit be undertaken (**POL00021431**). The November 2012 minutes of the Audit, Risk and Subcommittee (**POL00021430**) confirm that the Audit had been commissioned.

85 In respect of the steps that were taken by the POL Board in response to EY's findings, I cannot now remember the specific actions that were taken in response to the recommendations set out. From the documents provided, it is clear that management actions were to be undertaken by both POL and Fujitsu in response to the Horizon findings, which included timing and monitoring mechanisms. As I have set out above (at paragraph 83), I would have expected that the Chief Operating Officer would have actioned the recommendations and communicated as necessary with Fujitsu for their consideration and further action. I recall discussions on a number of occasions regarding Fujitsu being asked to commission an SAS70/ISAE302 Report. Ms Sewell confirmed via email on 1 March 2013 (**POL00105629**) that this had been completed to the satisfaction of EY.

86 As to cost considerations in respect of the SAS70/ISAE302, I do not recall the specifics at the time, but it is likely that cost was a relevant issue for POL. For example, I refer to the discussions relating to the costs of the Audit noted in

the September 2011 Board Minutes (**POL00030365**). Cost was a particularly live issue for POL at this time given the challenges to its financial position. These challenges came from, for example, the reduction in people sending physical mail, the drop in footfall in Post Offices, and concerns about Government funding.

87 In respect of the establishment of the IT Audit & Control Governance Board, I had no involvement with this and have no recollection about it.

88 Concerning the POL Audit, Risk and Compliance Committee Minutes dated 23 May 2012 (**POL00021431**) (the "**Committee Minutes**"), I do not now recall this meeting, nor any discussion relating to the point extracted below: *"the auditors found that the IT systems were insufficiently effective to be fully relied upon for audit control purposes. However, through adopting mitigating procedures, Ernst & Young had been able to rely on the IT systems supporting the POL financial statements. It was noted that the POL and Ernst & Young IT teams were working closely on an agreed plan of further improvements in FY13"*. I note further that the Committee Minutes recommend that Fujitsu provide a SAS70/ISA402 Certificate. The POL Audit, Risk and Compliance Committee was made up of Alasdair Marnoch (as Committee Chairman), Mr McCausland and Ms Perkins. The reference to *"IT Systems"* in the Committee Minutes could likely refer to POLSAP (or a number of other IT systems, rather than to Horizon).

ASSURANCE EXERCISE

89 Regarding the background to the Assurance Review, whilst I do not specifically recall the document provided to me at **POL00029114** (Draft of

Review of Key System Controls in Horizon – Assurance Review February 2012; the "**February Assurance Review**"), it seems to be a review which was prompted by the EY Management Letter. The February Assurance Review, which is the first of five Assurance Reviews referred to in the documents accompanying the Rule 9 Request and produced in respect of Horizon and POLSAP, states that the *"overall objective of the review was to provide assurance that the appropriate IT Management disciplines provide a stable IT Platform, and that suitable internal controls operate over HNGX transactions and the extraction of these for central systems. In the area of management disciplines the review assessed controls over: access to software; change management; capacity monitoring; and system resilience and disaster recovery ... The review also assessed the degree to which actions to address the issues raised in the [EY Management Letter]...have either been progressed by management"*. It is likely that the Finance Team commissioned the review, and it appears that it was carried out by the RMG Internal Audit Team. I was a recipient of the various Assurance Reviews, but I cannot recall being involved in them.

- 90 As for the purpose for which the February Assurance Review was used, it is likely it was used to give assurance as to what changes or compensating controls had been set in place in response to the 2010/2011 EY Audit in advance of 2011/2012 EY Audit. I cannot recall whether the content or purpose was discussed at the Executive Team Meeting. As explained at paragraph 89 above, the Assurance Reviews were carried out by the RMG Internal Audit Team. It is likely that the Internal Audit Review was requested by Mr Day as Chief Financial Officer for POL. The reports for February and

March contained in the documents provided to me in connection with the Rule 9 Request (at **POL00029114** and **POL00027098** respectively), include a broader review of Horizon as well as a review of the items listed in the EY Management Letter, to assess what progress had been made by management on the actions listed in the Management Letter.

MIKE WEIR MP QUESTION

- 91 Regarding my involvement in POL's response to Mr Weir MP's parliamentary questions as attached to Marin Humphrey's email of 9 December 2011 (**POL00120490**), I do not have any recollection of this response. I note the email mentions a "*check step*" with me, but I do not know what this meant. Given the date of the email and the response letter, it is likely POL's response was handled by the RMG Legal Team.
- 92 In respect of letter's statement that "*there is no evidence at all that the Horizon system has in some way been at fault with respect to any financial irregularities discovered in a sub postmaster's account and no cases have been abandoned for reason of any doubt about that system*" (**POL00120490**), as I explained above (at paragraph 91), the letter would have been reviewed by the RMG Legal Team (probably Rebekah Mantle and Emily Springfield) and I was not involved in that work. As I also explained above (at paragraph 41), at this time, my understanding was that a number of reviews and audits had been carried out regarding Horizon and none had indicated any systemic issue.
- 93 Regarding the Cleveleys case, I was not aware of the Brochwicz-Lewinski advice (**POL00118229**) nor was I aware that POL had settled the case in 2004 (as stated in Jan Holmes' email (at **WITN04600215**), which I did not see at the

time). I do not know who in the RMG Legal Team would have handled this case. I do not recall the case being brought to my attention while at POL.

- 94 Regarding the statement included in the letter to Mr Weir MP that "*no cases have been abandoned for reason of any doubt about that system*", for the reasons set out above (at paragraph 93) and my lack of involvement, I cannot comment further on this.

SHOOSMITHS LITIGATION: INITIAL REPONSE

- 95 Regarding POL's response to the Shoosmiths letters of claim, I do not recall being involved. At that time, the RMG Litigation Team led on matters of this kind and liaised with POL employees as appropriate.

- 96 As to the statement set out at paragraph 1.7 of the Significant Litigation Report dated January 2012 (**POL00095587**) that "*our strategy is to defend each claim robustly to deter future claims and we will be responding to each claim in full. At present we consider the legal claims to be weak and the damages claims to be inflated*", this was wording provided to me by the RMG Litigation Team. It is likely that the RMG Litigation Team reached this conclusion on the basis of their analysis of the Shoosmiths claims with assistance from an external law firm, together with the evidence at that time to the effect that there were no material defects or errors with the Horizon System.

- 97 I did not present my Litigation Report to the Board Meeting in December 2011 as I was not invited to the Meeting. As I explained above (at paragraphs 49 and 59), it was fairly common for me not to be invited to Board Meetings at this time. I recall that Ms Perkins had explained to me, as part of an initial

conversation we had after she became Chair, that she liked to control the numbers of attendees at Board Meetings (see also paragraph 59). I understood at the time that Ms Perkins preferred to rely predominantly on the CEO and CFO, and to receive updates from others as and when required. Therefore, I only attended if I was on the Agenda, which I was not on this occasion. It is likely that the Litigation Report was included in the Board Pack.

98 Regarding the presentation I gave to the Board on 12 January 2012, at this stage, the POL Board under Ms Perkins as the new Independent Chair was just starting to operate and to develop a rhythm of regular reporting. At this time, therefore, it was neither usual nor unusual for me to give an oral presentation to the Board. It would happen, at times, that I would be asked to report orally to the Board if members required further clarification after they had received the Board Pack.

99 As to whether the Board challenged my view or the merits of the proposed strategy in the Significant Litigation Report, I cannot now recall. It was, however, usual for there to be discussion with, and among, the Board on the content of reports after they had been presented.

100 Regarding why it was necessary to clear the audit report with external lawyers (as is mentioned at Minute POLB12/07 of the Board Minutes dated 12 January 2012 (**POL00021503**), although I do not recall which audit report I am referring to here, it is likely that I consulted with the RMG Legal Team as, at this point, responsibility for civil claims remained with them.

- 101 Regarding the privileged status of the report, it was standard practice for a document of this nature to be understood to be privileged as it referred to confidential legal advice.
- 102 In respect of the outcome of my work in respect of this report, whilst I do not specifically remember, it is likely that the report was progressed by the RMG Legal Team.
- 103 Regarding the note of the conference with Richard Morgan KC (**POL00107695**), I cannot now recall whether Sabrina Jewtha briefed me on the meeting.
- 104 Whilst I do not recall being briefed on the outcome of the conference, I note that it is briefly addressed in the Summary for the January 2012 Significant Litigation Report, so it is likely there was some communication with me about it.
- 105 Regarding whether POL actioned Mr Morgan KC's suggestion that it request an expert to inspect and report on the Horizon System, I note that there is a suggestion in the note of the conference that POL "*request in an open letter that the SPM's appoint an expert to investigate and report on Horizon. [In order to support the expert investigation] POL would need check that it is possible to access the older versions of Horizon and obtain Fujitsu's agreement to this*". I am unsure as to whether the suggestion that the SPM's appoint an expert was actioned or whether POL investigated accessing earlier versions of the Horizon System.

106 Given the timing, the RMG Litigation Team (together with Bond Dickinson as RMG's external solicitors) were responsible for formulating the strategy, which I assume was informed by Mr Morgan KC's advice. I did not have specific knowledge of the detail of the advice (**POL00107695**) and cannot therefore comment on the extent to which reliance was placed on Mr Morgan KC's advice.

MEETINGS WITH MPs IN 2012

107 In respect of my involvement with POL's engagement with MPs, after Ms Perkins met with Lord Arbuthnot in February 2012, Ms Perkins asked for a proposal for an independent review of the Horizon System. It is likely Ms Sewell led on this given her responsibility for technology as Chief Technology Officer. Whilst I do not now recall the detail of specific conversations, I do recall discussions with Ms Sewell regarding the commissioning of such a report. I think that Ms Sewell asked Deloitte to prepare a proposal. Deloitte then presented on this proposal to POL at some point, but I cannot recall the exact date. Following this presentation, I was party to a discussion with Ms Perkins, Ms Vennells, and possibly others in which Ms Perkins asked me to suggest a forensic investigator (outside of the "*big four*" accounting firms) who would have the skills required to conduct a review of the cases put forward by MPs and who would be able to talk credibly with and gain the confidence of MPs, SPMs and the Justice for Sub Postmaster's Alliance ("**JFSA**"). Ms Perkins stressed that she, Ms Vennells and possibly Mr Marnoch, as chair of the Audit Committee, must meet with any suggested firm and be satisfied as to their ability to deliver a report, and to satisfy her requirements particularly

with the MPs in mind. I discuss the decision to appoint Second Sight rather than Deloitte in more detail at paragraphs 134 to 136 below.

108 Regarding POL's strategy and purpose in engaging with MPs, in my experience, POL engaged with MPs across several different areas, notably in relation to branch closures and the Network Transformation Programme. POL also engaged closely with MPs where an SPM in the MP's constituency had raised a concern or had been prosecuted. Communications with MPs came either directly to the business through the Minister or the JFSA or via the Network Team. Once received by POL, the concern, if it related to an SPM and the Horizon System, would be dealt with by the Network team in combination with the team of Rod Ismay (as POL Head of Product and Branch Accounting) and IT. They would investigate the facts, including the Horizon entries, to establish what had happened in the branch. In the cases of which I was aware, they concluded that the Horizon System had not caused the issue raised.

109 In respect of the steps taken to investigate concerns raised by SPMs and MPs concerning the Horizon System, in my experience and noting that this was not an area where I was closely involved, a letter would be sent to the MP to explain the situation. After that, it was not uncommon for the MPs to be invited into the model office so that the situation in branch could be demonstrated to them. My understanding at the time was that, in this way, the Network Team were able to demonstrate how the issues had occurred and that the Horizon System was not at fault. IT support was provided where necessary.

- 110 In early 2012, I went to Chesterfield with Ms Lyons to see Mr Ismay and address some specific concerns. I cannot now recall the details, but it is likely the concerns related to some of the issues raised by MPs or SPMs. Mr Ismay and his team demonstrated to me how the system worked with regard to these issues. I also wanted to see how the back office support function operated and to confirm how the Help Desk was supporting SPMs. I was again assured, on this trip, that Horizon was a robust system and that the Help Desk provided support to SPMs. I was also reassured, during the course of this visit, that, when various cases were reviewed for MPs on receipt of a specific concern, the review conducted into the Horizon System did not pick up issues with Horizon (for example, of a systemic kind) arising from those cases.
- 111 Regarding the extent to which the POL Board and Senior Management wanted thoroughly to investigate whether the Horizon System had caused shortfalls in branch accounts, my understanding was that the POL Board and Senior Management were very concerned to understand what issues there were with the Horizon System. I recall Ms Perkins being concerned about the criticism of POL by MPs and being keen to establish the position so as to inform the right response to such complaints.
- 112 Regarding the entry at Minute POLB 12/41(c) in the Minutes of the Board Meeting held on 15 March 2012 (**POL00021505**), and Ms Perkins' comments, I am not in a position to comment on what Ms Perkins meant by these comments. My recollection is that POL's approach was to seek to understand complaints about Horizon.

- 113 As to whether there was any discussion of the Significant Litigation Report in the Board Meeting of 15 March 2012, I see that the Litigation Report was noted by the Board (**POL00021505**), but I do not recollect any discussion of the Report. In my experience, had any discussion occurred, this would have been recorded in the Minutes.
- 114 Regarding the extent to which I was involved in "*looking at a further independent study of the issues*", as I have discussed above (at paragraph 107), Deloitte was asked to prepare a proposal regarding an independent review and Ms Perkins asked that I look at other appropriate forensic investigators who would be suitable.
- 115 As to why the intervention of Lord Arbuthnot led to a discussion on engaging an independent study into the Horizon System, my understanding is that his intervention convinced Ms Perkins a further step was needed regarding Horizon. There was a developing sense that the Horizon complaints were not ceasing and so an independent review of the system would be necessary. Regarding the complaints that had been made by SPMs, these were investigated individually and, as I explained above (paragraph 110), I understood the conclusions reached were overall that the Horizon System was not at fault. Regarding the May 2009 Computer Weekly Article, as I have explained above (at paragraph 26), I was not employed by POL at the time the Article was published and therefore I cannot comment on what happened at the time. I do not recall any investigatory work connected to the Article being mentioned subsequently. At this time, I was not aware of the identification of significant BEDs in the Horizon System. My understanding, at this point was

that there were no systemic errors with the Horizon System and the system was not at fault regarding the issues raised by SPMs and MPs.

- 116 Regarding the email from Ms Lyons on 21 March 2012 (**POL00105591**), I do not recall this email or the meeting, but it appears that Ms Lyons had been to see Lord Arbuthnot with Ms Perkins in order to take notes of the meeting and to report on the action points. I do not know why the notes were not circulated.
- 117 Regarding the email from Chris Darvill on 28 March 2012 (**POL00105593**), I cannot now recall it. The email indicates that I had asked Mr Darvill (who was at the time a secondee from Bond Dickinson) who was going to manage the Civil Litigation workstreams post separation. I asked him to contact Mr Wilson in order to ask Mr Wilson for his views about conducting an independent investigation into Horizon.
- 118 I cannot now recall how my own views were influenced by this email, but I would have flagged these points to Ms Perkins as an issue.
- 119 In respect of the suggestion that "*POL has to grit its teeth and get on with prosecuting and defending civil actions*" (**POL00105593**), this was the view communicated to me by the RMG Litigation Team. I did not necessarily agree with the particular words used, which come from Mr Darvill's report of a conversation with Mr Wilson. As far as I can recall, I felt that Mr Darvill should have taken a more balanced approach towards the civil proceedings and shown consideration of other relevant factors, including the overall cost of the proceedings compared with the likelihood of a recovery by POL. Mr Darvill relayed his 28 March 2012 conversation with Mr Wilson to me and I then went to speak to Ms Perkins to flag the points raised in this discussion with her. I

recall, in general terms, Mr Wilson's view being the usual RMG/POL one, sometimes strongly expressed, that POL should focus on protecting public funds, including by prosecuting cases of criminal wrongdoing and recovery through the civil courts. The recovery of lost public funds was a priority. I had the strong impression from Mr Wilson that his view was it was entirely the right course to press on with this approach. At this point, although an independent review of the Horizon to look into the cases raised by MPs had been discussed within POL, this was in its infancy and it was still the intention that Deloitte would undertake the review. As explained below at paragraph 123, I did not have reason to question Horizon's accuracy. I felt POL was being proactive in addressing concerns that had been raised.

120 Regarding my involvement in POL's response to the concerns raised by Oliver Letwin MP (**POL00115849**), I cannot now recall these events or my involvement in the response. I do, however, recall that both Lord Arbuthnot and Mr Letwin MP raised concerns about SPMs in their constituencies during the course of 2012.

121 In respect of the proposed conversation between Ms Vennells and me (in her email to me of 3 April 2012 (**POL00105597**), I cannot recall this conversation or indeed if it took place.

122 Having reviewed Ms Vennells' response to Mr Letwin's concerns (**POL00115849**), I cannot recall what, if any, input I had into Ms Vennells' response.

123 In respect of the statement "*the Horizon system has been rigorously tested using independent assessors and robust procedures...Very often the 'missing'*

funds are a keying or balancing error that can be put right, and training given to ensure it doesn't happen again. These checks and procedures resolve virtually all discrepancies satisfactorily" (which is included in Ms Vennells' response to Mr Letwin), I recall the question of Horizon's reliability being raised on a number of occasions. The words used here reflected the common understanding at the time within POL, and it was an understanding which at the time I shared. I recall one occasion about this time when Mr Young was responding in connection with something Private Eye had printed (**WITN00220102**) and I asked him if he had satisfied himself of the reliability of the Horizon System in order to be able to write a letter refuting the allegations made. As explained above (at paragraph 36), he confirmed to me in an Executive Meeting that he had. In addition, as I have discussed above (at paragraph 110), I visited Chesterfield with Ms Lyons to see Mr Ismay. On that visit, I was reassured as to the reliability of Horizon. I was also reassured that, when various cases were raised by MPs, the subsequent review did not identify issues with Horizon in those cases.

124 Regarding how I prepared for the meeting with Mr Arbuthnot and Mr Letwin, and the meeting plan (**POL00057711**), although I appear on the agenda and distribution list for the meeting, I do not have any recollection of attending this meeting.

125 Regarding Ms Perkins' email of 13 May 2012 (**POL00105601**), I recall meeting with Ms Perkins, Ms Vennells, and Ms Lyons. It is possible that Mr Baker was also present. The meeting was to discuss the change in tone that Ms Perkins had suggested. I also note the reference to the "*Deloitte idea*" in this email. As

I have explained above (at paragraph 107), Ms Perkins wanted to commission an independent investigation into the Horizon System.

126 In respect of how I was briefed for the meeting with Lord Arbuthnot and Mr Letwin on 17 May 2012, I cannot recall who produced the briefing pack (**POL00033825**). It is possible it was Ms Lyons as Company Secretary. I assume this is the final version of the Briefing Pack, after Ms Perkins' comments had been incorporated. It therefore would have also included feedback and comments from all those speaking to their respective sections.

127 Regarding the extent that POL's IT and Problem Management Teams were involved in preparing the briefing, I cannot now recall but, from the Briefing Pack (**POL00033825**), it seems that POL IT Team, POL Network Team and Mr Ismay reviewed and had input into the document. It is also likely that the IT and Change Team had some input into the preparation of the pack; and similarly the Chief Technology Officer.

128 Whilst I cannot recall the meeting, it is likely that the POL IT Team would have spoken to the integrity of Horizon and, if appropriate, the findings of the EY Audit.

129 Regarding the meeting with Lord Arbuthnot and other MPs on 18 June 2012, I cannot now recall how I was involved in the preparation of the Briefing Pack (**POL00096640**). It is likely there was a meeting with Ms Perkins, Ms Vennells, Ms Sewell, Ms Lyons and I where we were briefed on the outputs from the meeting and next steps. It is likely this led to Ms Perkins' request to me regarding commissioning a review by a forensic accountant. Regarding my email to Ms Lyons on 19 June 2012 (**POL00143196**) (in which I forwarded an

email chain containing an email from Lord Arbuthnot in respect of the meeting on 18 June 2012), I cannot now recall this email. It appears from my email (**POL00143196**) that I was forwarding the chain on to Ms Lyons (as she was not copied in on Ms Renner's original email) so Ms Lyons could forward Lord Arbuthnot's message on to the Board/Chair, as necessary. It appears I was frustrated that Ms Walker had sent Lord Arbuthnot's response to Ms Renner and not directly to Ms Lyons. Ms Lyons was the usual point of liaison between Lord Arbuthnot and POL.

THE SEPERATION OF POL FROM THE ROYAL MAIL GROUP

130 Regarding the change in structure of POL after the separation, prior to separation, POL was a subsidiary of RMG, which in turn was owned ultimately by the Government. On separation, the first stage was for POL and RMG to become sister companies (both wholly owned by the Government) and then, prior to the RMG IPO in October 2013, the group was restructured so as to remove POL from the existing corporate structure. When Ms Perkins took the position of POL Chair in September 2011, she was tasked with assembling a new independent Board.

131 In respect of how my role changed following the separation of POL from RMG, on 1 April 2012, most RMG employees who were, at that time, seconded to work at POL were transferred to POL. There were a few RMG employees seconded to POL who chose to stay with RMG. In my case, my role changed to take on oversight for the legal work that was, prior to the separation, undertaken by the RMG Legal Team. This included oversight of the criminal and civil litigation teams.

- 132 Regarding work undertaken to assess risks and compliance issues following POL's separation from RMG, I note that the Committee Minutes (**POL00021431**) record the first meeting of that Committee post separation. The Minutes record the focus on the EY Audit Report, and flag the request that Fujitsu be required to produce a SAS70/ISA402 certificate.
- 133 I had taken on additional responsibilities as part of the separation. I wanted at this time better to understand how to discharge my responsibilities and so I commissioned an in-house review regarding how the functions for which I was responsible were organised, notably concerning Criminal and Civil litigation matters. As part of that review (and as explained above, at paragraph 45), Mr Flemington went with Mr Singh to meet with CK. After this initial due diligence had been conducted, CK came to meet me at Old Street, and we discussed their processes. I asked CK to flag any concerns and to be particularly mindful of any cases involving allegations regarding the Horizon System. I was particularly concerned about such cases given we were considering an independent review into Horizon at this point. I therefore wanted to ensure that, where cases involved Horizon, any evidence relating to the Horizon system was properly considered.

INSTRUCTION OF SECOND SIGHT AND ONGOING CIVIL LITIGATION

- 134 Regarding the background to the appointment of Second Sight Support Services Limited ("**Second Sight**"), as I have explained above (at paragraph 107), I met with Ms Perkins, Ms Vennells, and others, in late May 2012 when we were discussing the appointment of Deloitte to complete the independent review. Ms Perkins was not satisfied with that approach, and (either at or

directly after that meeting) asked me to find a forensic investigator, with the following criteria in mind. They would not be from one of the major accounting firms. They would have the forensic and investigatory skills required. They would be acceptable to the group of MPs involved and would have credibility when talking to SPMs and the JFSA. Ms Perkins stressed that she and Ms Vennells, and possibly Mr Marnoch (as Chair of the Audit Committee) must meet the firm suggested and be satisfied about their ability to deliver and confident in their credibility with stakeholders.

- 135 I had worked with Ron Warmington of Second Sight in my previous role at GE. Mr Warmington was recruited by GE to take the lead in Fraud Management for EMEA and he was a resource I worked with whilst I was General Counsel to investigate and advise on issues. Therefore, further to Ms Perkins' request, I contacted him. I asked if he had any recommendations. I also spoke to another contact, who was not able to assist. Mr Warmington said that Second Sight might be able to support the review and he provided me with further details about his own experience and that of Ian Henderson (**POL00096576**). I sent this information to Ms Perkins. Second Sight then met with Ms Perkins and Ms Vennells. Following this, a meeting was set up with Lord Arbuthnot and other MPs. I cannot recall if Second Sight also met Alan Bates of JFSA at this stage. I then consulted Bond Dickinson on the Second Sight Terms of Reference ("**ToR**") which resulted in the Conference with Richard Morgan KC.
- 136 Ms Perkins and Ms Vennells were responsible for making the decision to appoint Second Sight and instructed me as to what needed to be included in the ToR. I prepared the ToR in collaboration with Bond Dickinson.

- 137 In respect of the reference to "*statutorily authorised powers*" referred to in the ToR circulated to Ms Perkins and Ms Vennells on 6 June 2012 (**POL00029815**), this was, at the time, a not uncommon way within POL of speaking about the legal basis for POL pursuing cases. I can now see it was an inaccurate description. At the time, I understood the use of such a phrase to be simply a reference to POL having a legal basis for bringing the cases.
- 138 I do not now recall all the details of the ToR. Regarding the phrase "*Mysterious Disappearance*" (**POL00029815**), whilst I cannot recall using this phrase, it is likely it came from either the MPs or Second Sight. I note it is used in the ToR (**POL00029815**).
- 139 Regarding my involvement with how POL handled Second Sight and complaints regarding Horizon, at the beginning of the Second Sight review, I was their initial point of contact. POL then established an internal team to support Second Sight's work and particularly their interaction with the Network and Fujitsu. I updated Ms Vennells at my regular meetings with her. I understood from Ms Vennells that she updated Ms Perkins in turn, also on a regular basis. In addition, I recall that Second Sight met with and briefed Ms Perkins and Ms Vennells on progress at least once. It is possible such briefings happened more regularly.
- 140 My recollection is that Second Sight officially began work on the investigation in July 2012. For the first couple of months, the work was slow due to difficulties at POL's end with Second Sight accessing the information and data. I had regular meetings with Second Sight. Ms Lyons and Mr Baker (as Project Manager) were also present at these meetings, as was Ms Van Den Bogerd

(although I recall that she was only appointed to the POL internal project team later in the year). These meetings were an opportunity for Second Sight to explain and POL to seek to resolve challenges Second Sight were facing, for example, in respect of the lack of documentation, understanding of POL acronyms, and access to Fujitsu. My aim in these discussions, and throughout the Second Sight review process, was to facilitate an independent review and to assist in progressing any action points arising from discussions with Second Sight.

141 In respect of my objectives for the Second Sight review, these were to facilitate the review and in particular the provision of information and documentation, as required to Second Sight. I also connected Second Sight with the relevant people at POL who could assist Second Sight with the work of their review. My understanding, in the context of my role in facilitating the Second Sight review, was that I had achieved these objectives within the parameters of the review set by Ms Perkins and Ms Vennells and as contained in the ToR. With hindsight, I refer to what I said above (at paragraph 46).

142 As to whether I became aware of any BEDs or other problems with the integrity of the Horizon System prior to meeting with any parliamentarians, I did not. My understanding at the time was as set out above (at paragraph 123).

143 Concerning conversations I had with members of POL in respect of the ToR, whilst I cannot specifically recall all the conversations had and their details, I certainly had discussions with Ms Perkins regarding the ToR. It was clear to me, from these conversations, that Ms Perkins had a "shopping list" in terms of what she wanted to be included in the ToR. A major concern of Ms Perkins

was to ensure the POL maintained a positive relationship with MPs, as key POL stakeholders. The conversations we had on the drafting of the ToR therefore were influenced by the ToR being in a form that was acceptable to Lord Arbuthnot and other MPs. As to my role in drafting the ToR, as I have explained above (at paragraph 136), I produced the initial draft of the ToR after discussions with Ms Perkins regarding what she wanted included. From memory, I then involved Bond Dickinson with the further versions, analysis, and drafting.

144 In respect of the concerns raised by Ms Perkins and Ms Vennells, my understanding was that Ms Perkins was concerned that POL should cooperate fully with Second Sight's independent investigation and that I should facilitate this. Regarding Ms Vennells' concerns, whilst I cannot recall Ms Vennells conveying her concerns directly to me, I would have expected that Ms Vennells had similar concerns and objectives to Ms Perkins. I understood that Ms Perkins and Ms Vennells were focussed on ensuring that the Second Sight review was conducted effectively and efficiently within the scope of the ToR.

145 As to why it was considered by me appropriate to offer a "*full independent investigation*" just to those SPMs who had not been prosecuted, at this stage, I did not feel SPMs who had been prosecuted should be included in the review. At the end of the ToR provided to Lord Arbuthnot, it stated that the review was to include "*existing cases where concerns have been raised by MPs or Shoosmiths*". I recall there was particular concern within POL about the potential consequences of reopening prosecutions which had been concluded when there was not thought to be a good reason to do so. At this point, I did

not have a reason to question the decisions that had been reached by the Courts.

146 Concerning the preparatory steps taken by POL to prepare the information which was to be provided to Second Sight, as I have explained above (at paragraph 139), we established an internal POL project team to support the Second Sight investigation. Once we had the list of cases to be investigated from the MPs, we obtained the relevant files and provided them to Second Sight for their review. We also provided a high-level briefing on the Horizon System. Although I cannot specifically recall, it is likely that this briefing would have been organised by Mr Baker and prepared and delivered by the IT and Change Team. It was then agreed with Second Sight that we would support them as necessary, on request.

147 Regarding my involvement in the discussions regarding the statement in Ms Lyons' email of 11 June 2012 that "*Sub postmasters who have been prosecuted will not be involved although their cases will still be reviewed*" (**POL00096608**), as I have noted above (at paragraph 145), the ToR provided that all the cases raised by MPs and Shoosmiths should be included in the review. My understanding, at this time, was this was the position agreed between Ms Perkins and Lord Arbuthnot as to the parameters of the review.

148 Regarding Ms Lyons' reference to my "*anxiety*" in her email to Ms Vennells of 9 June 2012 (**POL00096606**), I recall that I was concerned about including the Misra case in the list of cases to be reviewed. There had been adverse publicity for POL regarding the case. I had no reason to believe at the time that the outcome of the case had not been correct. I understood, however, that

concerns had been raised about the case, which did not relate to its outcome, but rather to Ms Misra's pregnancy during her trial and sentencing, and the publicity she received in this period. I was therefore concerned that, as this case had previously been highly publicised, its inclusion would be likely to generate additional publicity. I felt that high levels of publicity regarding one particular case could cause a distraction and might infringe on the independence of the review. POL had, at the time of the initial prosecution, sought external legal advice regarding the case of Ms Misra. Ms Perkins wanted Ms Misra's case included and it formed part of the list of cases for Second Sight. As I have explained above (at paragraph 143), Ms Perkins was concerned about maintaining good relationship with the MPs and so cases like that of Ms Hamilton and Ms Misra were in Ms Perkins' category for inclusion.

149 As to my involvement in POL's responses to the Shoosmiths claims during this period, I do not recall being involved with these claims at this time. After separation in April 2012, Bond Dickinson were the external law firm managing this litigation together with their secondee in the POL Litigation Team.

150 In respect of the conference with Mr Morgan KC on 12 June 2012 (POL00006484), I recall that the conference resulted from a conversation I had with Bond Dickinson regarding the commissioning of an independent review. It is likely that they suggested a conference with Mr Morgan KC to discuss this review. Mr Morgan KC was very much against the undertaking of an independent review of the Horizon System. I understand he was concerned that the investigation would re-open cases which in his mind had been properly dealt with either through POL investigation, or by the Courts. As can

be seen from the summary of the conference with him (**POL00006484**), he therefore believed that the investigation would only harm the interests of POL.

151 In respect of the statement contained in the summary of the conference with Mr Morgan KC prepared by Bond Dickinson that "*POL will be damned if they do and damned if they don't*" (**POL00006484**), I understood this point of view in that POL was under pressure from different sides. I recollect that I flagged this to Ms Perkins and Ms Vennells in a meeting following the conference.

152 As to the extent that POL's investigation of potential BEDs in the Horizon System was influenced by a concern to guard against negative findings in respect of the Horizon System, from my perspective, the investigation was undertaken precisely to assess whether there were issues with the Horizon System in the context of the allegations by the SPMs. If there were issues with the Horizon System which could mean that, in certain circumstances, the system was not reliable, then it was important to me that POL understood the position fully. Up to this point, although I had seen allegations regarding Horizon, my understanding was that any such allegations had been properly considered and rejected on good grounds, i.e. when they had been investigated by a combination of the Network Team, the IT Team, and the team led by Mr Ismay.

153 In regard to the POL Board Meeting held on 19 September 2012, I note from the Minutes (**POL00021509**) that I attended the Board Meeting. I cannot, however, now recall the details of the meeting or why I was in attendance.

154 As to whether I provided any details regarding the conference with Mr Morgan KC to the Board at the 19 September 2012 Meeting, as I explained above (at

paragraph 153), I cannot now recall the meeting. It is likely that I briefed Ms Vennells and Ms Perkins at some point following the conference. My expectation in those circumstances would have been that they would have informed the Board.

155 As to any update I may have delivered to the Board at the 19 September 2012 meeting regarding the criminal prosecutions brought by POL, I cannot now recall the meeting. It is likely that any discussions I had were with Ms Perkins and Ms Vennells, who would then have updated the Board, further to my discussions with them.

156 Regarding my involvement in the negotiations with the JFSA and Lord Arbuthnot in respect of the inclusion of the JFSA cases in the Second Sight review, my recollection is mostly confined to the information contained in the documents provided in connection with the Rule 9 Request. I do, however, recall concluding an agreement with POL, Second Sight and the JFSA as to the inclusion of the JFSA cases in the review. This was at some point before Christmas 2012. The agreement was reached due to a combination of the view that the JFSA cases should be included in the review and Second Sight's request that more recent cases were provided to them for analysis and investigation. I understood, from discussions with Mr Warmington, that Second Sight requested more recent cases as these were more straightforward for them to review. The inclusion of the JFSA cases in the Second Sight review, therefore, seemed a good way of meeting both objectives. I did not object to including these cases but felt that POL needed to provide the JFSA with assurance regarding the treatment of SPMs during

the review. For this reason, and at the request of the JFSA, the "immunity agreement" was put in place, to give reassurance to JFSA members.

157 As to my view on Martin Edwards' email on 4 October 2012 regarding Mr Bates' concerns about POL's approach to prosecutions (**POL00097030**), I flagged this concern to the POL Security Team. Whilst they strongly disputed the allegation, cases were not, at this point, brought in reliance on Horizon data and, as far as I was concerned, this has been the case since the POL separation. The concerns raised by Mr Bates (as set out in Mr Edwards' email) also formed part of the reason why I subsequently asked John Scott (Head of Security) to undertake a review of the cases before criminal proceedings were commenced.

158 Regarding the extent that POL considered volunteering cases for Second Sight to consider based on known instances of BEDs in the Horizon System, POL's approach was to investigate the cases flagged to MPs, cases where Shoosmiths had been instructed or, following the agreement with the JFSA, cases that came through the JFSA. The Second Sight review was intended to be an independent review into the Horizon System, as expressed in the ToR.

159 In respect of my involvement in drafting the briefing to Ms Vennells on 18 October 2012 (**POL00097310**: the document indicates this briefing was given to Ms Vennells in December 2012), as Mr Baker was project manager in respect of the Second Sight review, it is likely that he drafted the briefing, with assistance from the other POL Teams involved in the review. It is unlikely I would have been involved in the drafting of this email to Ms Vennells. As far as I recall, the attached agreement was based on a draft from the JFSA, which

had been amended by Bond Dickinson, with input from POL and Second Sight. I do not recall having any involvement in the drafting of this agreement.

160 As to the statement from the briefing prepared for Ms Vennells regarding the fact that the JFSA had requested that POL inform the SPM community about the investigation and the note that POL had not yet done this due to concern of creating a high volume of low value cases (**POL00097310**), my recollection is that Second Sight were concerned with getting more recent cases which they could investigate and which had more general applicability. I understood, from discussions with Mr Warmington, that the older cases were more difficult for Second Sight to investigate and were taking a great deal of time to analyse properly. There were, therefore, concerns within POL about creating an influx of cases which would hinder the progress of the investigation further and delay any findings. The investigation was, however, subsequently advertised to the SPMs in the early part of 2013, possibly in the Sub Space magazine and also through the JFSA.

THE SECOND SIGHT INVESTIGATION

161 Regarding my involvement with the Second Sight investigation, I understood my role was to ensure that Second Sight received all the information, data and explanations they requested. I also connected Second Sight with the relevant people within POL who were able to assist with their investigation. It took some time for the Second Sight work to get going due to delays in POL providing the required data caused by difficulties in locating much of the information and developing a system to scan in the documents (so Second Sight could review the documents remotely). Second Sight split the work, with Mr Warmington

interviewing the SPMs and Mr Henderson working on the forensic investigation. I periodically briefed Ms Vennells and the Executive Team on the progress of the investigation. For the first few months, however, it was relatively slow moving. In October 2012, there was a meeting between Lord Arbuthnot, Ms Vennells, and Mr Bates, which resulted in the inclusion of the JFSA in the investigation and the "immunity agreement". In early 2013, cases in addition to those provided by MPs came in via the JFSA route. During the course of the investigation, it is likely there were regular updates between Second Sight and the POL Team.

162 In respect of the email chain between me, Ms Lyons, and others on 28 January 2013 (**POL00059567**), whilst I cannot specifically recall the context of this email or the reason for my comments, it is likely that my intention in these emails was to convey that the Second Sight investigation should focus on the Horizon System in accordance with the ToR. In my initial email, I believe I had understood Mr Warmington's email to mean that the transaction corrections were not related to Horizon.

163 As to why I did not consider the transaction corrections to be a Horizon issue, although I cannot remember the specific details of this email chain, it is likely that this is how I interpreted Mr Warmington's email. It is clear however that I misinterpreted what was said, and Ms Lyons subsequently corrected me.

164 I had no knowledge that Fujitsu was able remotely to manipulate counter transaction data in Horizon. I felt it was important to confirm the position and to establish whether there was evidence to support the allegations made by Mr Rudkin, as communicated to me by Mr Warmington (**POL00029561**). I

therefore checked within POL that this data could not be remotely manipulated and that we had evidence to confirm this was the case (**POL00029615**). I do not now recollect the specifics of any of these conversations, but the responses I received fully aligned with my general understanding, throughout my time at POL, that Fujitsu did not have any ability at all to alter or edit counter data, i.e. without the SPM being aware of these changes. For example, I note, that both Ms Sewell and Mr Allchorn confirmed to me in mid-June 2013 that Fujitsu had no means of accessing the live data (**POL00029605**).

165 In respect of the steps I took in response to Mr Warmington's emails to me in February 2013 (**POL00029561** and **POL00059816**), I asked Mr Baker to investigate the facts as presented in Mr Warmington's emails. I instructed him to establish with Fujitsu whether it had such a building in Basingstoke and, if it did, whether their entry log recorded Mr Rudkin being in the building; and further, in the event there was such a building, what it was used for. I also asked a colleague from the POL Second Sight Team to visit the building in Basingstoke. My intention in this regard was to investigate what had been alleged, in order to find the evidence either way.

166 In respect of my involvement in preparing POL's response to the Spot Reviews, as far as I can recall, I had little or no direct involvement. It is likely that the responses to the Spot Reviews were put together by technical experts on the matters raised.

167 Regarding POL's strategy in responding to the Spot Reviews, although I cannot now recall the details, from the information provided to me in connection with the Rule 9 Request (**POL00097521**), I can see that POL's

strategy, as set out by Mr Baker in his email of 20 February, was to ensure that the responses provided were transparent and factually accurate.

168 As to the involvement of POL's IT department and problem management team in reviewing the Spot Reviews, from those copied on Mr Baker's email (**POL00097558**), it appears that there was involvement from the POL IT Team, Network and Mr Ismay's team.

169 As to my knowledge of Fujitsu's ability remotely to alter the counter data and whether this knowledge changed over time, I have explained my understanding of this above (at paragraph 164). In response to Mr Warmington's emails on the matter, I commenced a due diligence exercise to look into what was raised. I did not, at this point, know about BEDs or Fujitsu's ability remotely to alter the counter data. The relevant allegations were in the process of being investigated by POL.

170 Concerning my statement in my email to Ms Vennells on 19 March 2013 that *"there is no evidence of wide spread systemic failure of the Horizon system from the work that they have completed"* (**POL00097719**), it is likely that this statement came from the meeting that I had with Second Sight in March 2013 (as referenced in **POL00097719**). I understood from Mr Henderson and Mr Warmington at this meeting that Second Sight had communicated to Ms Vennells that, although they had not completed enough case reviews to enable them to come to a final view on the Horizon System, from the reviews they had done to date, they had found no evidence of a systemic failing.

171 I would understand the term *"systemic failure"* (**POL00097719**) to be a generic failure of the Horizon System so that a number of branches would be impacted

by the same issue. The issues set out in the draft Second Sight interim report were issues with the Horizon System but were not, in Second Sight's view, generally applicable to the network. I had not seen evidence, at this point, to suggest that these were occurrences happening across the network. Regarding why, in my understanding "*systemic failure*" did not include "*duplicate transactions, loss of audit trails and accounting issues at the end of a trading period*", it is likely that these were issues that had previously been raised with POL and reviewed by the IT/Network Teams which Second Sight still had to write up as Spot Reviews for POL to comment on. There were some outstanding points on which Second Sight were yet to provide their conclusions.

172 As to why POL used the word "*systemic*" in relation to Horizon, this had become an integral part of POL's statements regarding the Horizon System. Ongoing reliance on Horizon depending on it being dependable from a systemic point of view.

173 Regarding my recollection of any conversations within POL concerning the meeting discussed in Lord Arbuthnot's email to me on 26 March 2013 (**POL00097876**), I cannot now recall any specific discussions which were had, although it is likely such discussions did take place.

174 As to whether my or anyone else's attitude to Second Sight changed as a result of this email (**POL00097876**), I do not recall that my (or anyone else's) attitude changed.

175 Regarding my email to Ms Vennells on 22 May 2013 in respect of the conversations I had had with Second Sight (**POL00098338**), whilst I do not

remember what these specific conversations were about, I regularly updated Ms Vennells on the progress of the Second Sight investigation and discussions I had with them. I did not take notes of every meeting I had. It was not unusual for me to update Ms Vennells verbally, without sending a written summary. Generally, I would send an email summary of a meeting if the meeting discussed something specific which needed noting or actioning.

176 In respect of the Board's request for an update on the Horizon position with the Second Sight review on 21 May 2013 (**POL00021513**), I do not now recall this. As I explained above (at paragraph 175), I regularly updated Ms Vennells on the review. It is likely that Ms Vennells used my update in her report for the Board and that this led to questions from the Board. It was not unusual for the Board to ask for further information or updates on the review, or indeed other matters included in Ms Vennells' report. Apart from Board meetings, Ms Vennells met with Ms Perkins, at least monthly, and updated her. I would have expected these updates to have included information about Second Sight's progress.

177 Concerning the extent of my involvement in the preparation of the brief to Ms Vennells dated 23 May 2013 (**POL00098317**), I do not recall being involved in preparing this brief. Generally, briefs of this kind regarding meetings with MPs would be drafted in the first instance by Ms Vennells' Chief of Staff or by the Communications Director.

178 I have been asked about the sentence in Ms Lyons' email (**POL00105632**) which refers to a "*move away from 'there are no bugs in Horizon' to 'there are known bugs in every computer system this size but they are found and put*

right and no sub postmaster is disadvantaged by them". In respect of this shift in language in discussions of BEDs within the Horizon System, I cannot now recall exactly this transition. From reading the documents provided to me in connection with the Rule 9 Request (referred to below), however, I understand the change flowed from the comments made by MPs and, for example, what was said by Lord Arbuthnot in his email to me on 26 March 2013 (**POL00097876**). It is likely the change was also a reaction to the two issues that Mr Jenkins had identified in the Horizon System and brought to the attention of Second Sight. Ms Vennells was responsible for determining the POL messaging outputs at this time, supported by the Communications Team. I cannot now recall whether this shift in language was regarded a significant change by POL.

179 As to why I previously believed there were no bugs in the Horizon System, as I have explained above (at paragraph 123), this had been my settled understanding based on what I was told and I did not have reason to believe otherwise. The work being undertaken by Second Sight led to a development in my understanding. It was becoming clear that there were a number of issues with training and SPM support which needed to be improved. Some time after May 2013, at Ms Vennells' request, a process was put in place so that the suspension and termination of SPMs could not happen until a review had been carried out by the Network Director or me, as an extra control.

180 Regarding whether I considered that this change in position justified a review of past convictions, I recall that the change in position was picked up as part of the review carried out by CK. On 7 May 2013 (**POL00006541**), Mr Williams

asked Mr Smith whether disclosure was required regarding these matters. Mr Smith's view was that such disclosure was not required. It is likely that I would have relied on these views at the time.

181 Regarding any conversations between me and other members of POL concerning the outcome of the meeting (**POL00098373**), I cannot recall now whether or not there were any such discussions.

182 Concerning the draft report by Helen Rose dated 12 June 2013 (**FUJ00086811**), I became aware of the report at some point after its production. It is likely Mr Singh brought the report to my attention although I cannot now recall whether I received a copy of the report from him. It is likely the report would initially have been circulated to the Security Department and then to Mr Singh, as he was primarily responsible for POL's criminal cases. It is also likely that, once Mr Singh had considered the report, he would have discussed disclosure with CK. I understand from the documents provided to me in connection with the Rule 9 Request (**POL00006485**), that CK's view was that the report should be disclosed.

183 In respect of the email from Mr Allchorn to Ms Sewell on 16 June 2013 (**POL00029605**), I understand this email chain was generated in response to Second Sight's queries concerning Mr Rudkin's allegations regarding Fujitsu's ability to alter counter data in the Horizon System without the knowledge of the SPMs or counter staff. Ms Sewell's summary states that Fujitsu had informed her that what was involved in 2008 was a test system with no access to live data. I do not now recall this email chain but I did not have any reason at the time to believe otherwise.

184 In respect of the statement "*for perspective, there is live access available at Bracknell, and there would have been in the Horizon days too. However, this access is available only to Fujitsu SSC (System Support Centre) team, who provide expert support to helpdesk staff... the SSC team follow strict protocols relating to access and interrogation of live data, and their access is logged and auditable*" in James Brett's email on 13 June 2013 (**POL00029605**), I do not now recall this paragraph or it being brought to my attention at the time. I would have expected the matter to have been followed up at the time, in order for there to be an understanding of how the access to live data was used, a demonstration of how it worked, and the audit trail. As explained above (at paragraph 164), I was concerned to ensure that the allegations raised by Mr Rudkin had been thoroughly investigated and that there was evidence available to support POL's responses to these claims (**POL00029615**).

SECOND SIGHT'S INTERIM REPORT AND THE MEDIATION SCHEME

185 Regarding the background to Project Sparrow, the project was established to take forward the work started by Second Sight. I recall a discussion took place between Ms Perkins and Ms Vennells (amongst others) in which Ms Perkins and Ms Vennells raised their concerns that the Second Sight investigation was taking an undue amount of time and the cost was rapidly increasing. Although no deadline had been set for the review when the initial specification for the investigation was put together, and the ToR drafted, it was understood by POL that Second Sight would work efficiently to conduct a review of the cases raised by MPs. There was an expectation that this would not need to take a long while. With the passage of time, and as it became clear that more time

was required, there was increasing frustration that no material conclusions had been reached and costs were rising. Therefore, the Project Sparrow team were tasked with considering alternatives to continue the review started by Second Sight on a wider scale and in a more cost-effective way. Ms Vennells was concerned about efficiency and prioritisation regarding the work of Project Sparrow.

186 In respect of the frequency of Project Sparrow meetings, at this time, as Project Sparrow had just started, it is likely the meetings were held weekly. Whilst I cannot remember all the attendees, I recall that Ms Vennells, Mr Day, Ms Sewell, Ms Van Den Bogerd, and Mr Baker were all involved in the Project Sparrow Team. The Project Sparrow team reported to the POL Board.

187 As to my involvement in the consideration of and response to Second Sight's Interim Report (the "**Interim Report**") (**POL00099063**), I recall that I received an early draft of the Interim Report and had some concerns that the wording of the initial draft did not accurately reflect the work that had been carried out and the results of Second Sight's reviews as had been previously discussed with me. These concerns were raised with Second Sight and discussed at a meeting on 1 July 2013.

188 Regarding my involvement in the briefing given to the Board on Second Sight as referenced in Mr Edward's email of 1 July 2013 (**POL00098877**), I do not recall being involved with this briefing.

189 As to the basis on which POL distinguished "*systemic issues*" from "*anomalies*" (**POL00098878**), I do not recall that this distinction was ever specifically discussed. It is likely that, regarding the distinction, I would have

thought that systemic issues would affect a range of POL branches across the network, whereas anomalies were isolated in nature and affected only a small number of SPMs at a small number of branches when a specific set of circumstances arose, for example, the two issues flagged in the Interim Report. It is worth bearing in mind that POL had over 11,500 branches in 2013 and, therefore, it would have seemed to me reasonable that a distinction should be drawn between localised issues and those affecting the network.

190 Regarding why the two "*bugs*" originally identified by Mr Jenkins and then included in the Interim Report were described as "*red herrings*" (**POL00098878**), I do not now recall. It is likely that I would have understood at the time that, although two bugs had been identified, they impacted a small number of branches when viewed in the context of the whole POL network. In this context, these issues did not indicate that there was a larger, broader problem, i.e. when viewed in the context of the network as a whole. I also recall there was an argument at the time that the issues were identified by the Horizon System itself and so there was reason to believe that, if there were any further isolated issues of that kind, Horizon System could identify them.

191 The meeting held with Second Sight on 1 July 2013 was held so that POL and Fujitsu could give feedback on the first draft of Second Sight's report. This process was envisaged in the agreement with Second Sight in June 2012 and reiterated in the December 2012 Agreement. There was an earlier draft of the Interim Report produced by Second Sight, prior to the draft circulated by Mr Henderson on 5 July 2012 (**POL00099063**). This earlier draft was not among the documents provided in connection with the Rule 9 Request. It was in

response to this earlier draft that the 1 July meeting occurred. Those present at the meeting would likely have been Ms Sewell, Ms Lyons, Mr Baker, Mr Warmington, Mr Henderson, and representatives from Fujitsu. I note from the documents provided to me in connection with the Rule 9 Request that the POL Board was updated following the meeting with Second Sight on 1 July 2013 (**POL00098878**).

192 As to my views on the statement: "*we believe JA may feel that any interim findings which disclose any issue with Horizon should result in past criminal prosecutions by Post Office Limited being reopened and overturned*" (**POL00115919**), at the time, POL was working with CK on disclosure matters. I would have expected CK to have advised POL regarding any actions that POL needed to take, including regarding past cases. In this regard, I refer to what I said above (at paragraph 180) concerning the email correspondence between Mr Williams and Mr Smith (**POL00006541**).

193 In respect of the statement "*we believe SS has not found evidence of systemic problems with the Horizon computer system*" (**POL00115919**), I do not recall what I thought about it at the time, but, in summary, I would have thought this understanding was based on the work Second Sight had carried out and they evidence they had assessed. I emphasise that I did not at the time understand there were any systemic issues with Horizon. I understand this statement was based on the contents of the draft Interim Report and Second Sight's conclusion that they had found no systemic issues with Horizon.

194 In respect of paragraph 26 of the briefing note to Ms Vennells dated 2 July 2013 (**POL00115919**), I do not now recall exactly what steps were being

taken, but I recall that, such steps involved further discussions with CK regarding POL's disclosure obligations in connection with the Interim Report.

195 In respect of how POL satisfied itself as to the accuracy of the description of the two "*anomalies*" included within the Interim Report, the details of these anomalies were provided by Mr Jenkins directly to Second Sight. I recall that Second Sight then discussed the issues raised by Mr Jenkins with, I believe, Ms Van Den Bogerd. It is likely that these issues were also raised with the POL Network Team who would have reviewed the anomalies, with assistance from the POL IT Team. The internal POL Second Sight project team assisted with the write up of the anomalies based on the information received.

196 Regarding the statement "*we have always had other evidence which contributed to the prosecution e.g., the behaviour of SPM, failure to mention Horizon problem until trial, other staff using Horizon without incident*" (**POL00115919**), it is likely this statement came directly from the POL Criminal Litigation Team. At the time, I did not feel I had a reason not to rely on the views of the colleagues in that team and I did not have separate source of information or analysis.

197 In respect of the conference calls which are mentioned in the email from Nina Arnott on 02 July 2013 (**POL00107953**), I do not have any recollection of these calls.

198 As to the extent I was involved in the briefing prepared for the meeting with Lord Arbuthnot (**POL00098898**), whilst I cannot remember exactly, it is likely that that I would have contributed in respect of the Second Sight process as

well as the progress and remit of the review. It is likely I was also involved in providing an update on the situation regarding prosecutions.

199 In respect of the statement "*since the start of the SS investigation, we have not pursued a criminal conviction which relies solely on Horizon computer system evidence*" (**POL00098898**), I cannot recall why no examples of corroboration evidence were included.

200 As to examples of the type of additional evidence, other than Horizon data which had been used in prosecutions since Second Sight's investigation, whilst I cannot now recall specific examples, I note there is reference to such evidence in the documents provided to me with the Rule 9 Request, such as the case of Mrs Wolstenholme (**POL00118229** and **WITN04600215**).

201 As to whether I believed that there was no reason to believe that the identification of two exceptions meant there were other undiscovered issues, at the time, that was my belief. The Second Sight work was independent and identified two bugs, originally flagged by Mr Jenkins. My understanding at the time was that, if there were further issues with the Horizon System, these would have been identified and raised by Second Sight, through the work POL had commissioned. I have explained above (at paragraph 190) my understanding that the Horizon System had itself identified these two issues.

202 Regarding Mr Edwards' email to Ms Vennells on 04 July 2013 (**POL00099003**), whilst I do not specifically recall this email, it is likely my input would have been around the process of the Second Sight review and the importance of their independence. It is likely that the reference in the second

paragraph to the "*introductory sections of the report*" refers to the first draft of the report (rather than the draft shared by Mr Henderson on 5 July 2013).

203 In respect of the statement "*the report from the independent forensic accountants was not as factual as expected and could lead to loose language at the MP meeting*" (**POL00099003**), as explained above (at paragraph 202), it is likely this is a reference to an earlier draft of the report, not the 5 July draft. Some parts of the early draft were not as well drafted as we were expecting, and they could have been clearer. I was concerned that such lack of clarity in the drafting could lead to misunderstanding or misinterpretation later. I felt it was important that the report was factually accurate and that statements made in the report which were factual (rather than a matter of opinion) should be correct and reliable.

204 As to any steps taken in respect of the content of the draft Interim Report, my objective when reviewing the Interim Report was to ensure that it was factually accurate, balanced, and reliable. This was consistent with my understanding of how I had been originally tasked as part of establishing the review.

205 Regarding my views on the statements at 6.1, 7.1 and 12.2(a) of the Interim Report (**POL00099063**), I do not now recall exactly what I thought of them. It is likely I would have understood them to be the findings of Second Sight which had been reached based on the review that they had conducted of the cases and the evidence. I did not see the statements as saying that there was a systemic problem with Horizon.

206 Regarding my views on the final version of the Interim Report, I felt that it was a fair reflection of the work that had been done by Second Sight. I considered

it to be well balanced. It accurately reflected the ToR and was conducted within the remit set in respect of the review. I felt that the objective had been achieved and I had done the job requested of me. As I have explained above (paragraph 202), I was concerned that the independence of the work was maintained and the findings could be reliable for deciding next steps.

207 As to conversations which were had with POL senior management concerning the interim report, there were many conversations about it within the Executive Team. I cannot now recall specifics of these conversations. In general terms, I understood that, although the Executive Team members who had been involved in the process (in particular the Finance Director, the Network Director, and the IT and Change Director) were reasonably satisfied with the result, there were, as explained above (at paragraph 185), concerns about the cost of the review, the amount of work that was being created by the review, and the volume of cases still to be reviewed.

208 Regarding my involvement in the process of reviewing past convictions, following the publication of the Interim Report, which included the reference to the two bugs identified by Mr Jenkins, and the Helen Rose report, CK advised on disclosure regarding this material, in order to comply with POL's legal obligations. CK produced a protocol for this disclosure which involved a review exercise. CK also suggested that POL hold a weekly conference call at which those working on Horizon, the POL Criminal Law Team, and the POL Security Team would meet to pool information and discuss updates regarding the Horizon System, with minutes being taken and retained. My role in this process was to ensure that this procedure was followed and that the plan

actioned. My aim was to ensure that there were checks and balances in place to ensure that this review process was conducted in a timely and reliable fashion.

209 As to whether, following the publication of the Interim Report, POL tried to bring Second Sight's involvement in the review to an end, considerations of cost and progress were to the fore. There was significant concern within POL regarding the number of cases which remained to be reviewed, the cost that had been incurred to date, and the likely future cost. As explained above (at paragraph 185), it was suggested by Ms Vennells that an alternative review process should be undertaken, which would be more cost effective and would make possible the review of the remainder of the cases within a reasonable timeframe.

210 Regarding the extent I was involved in POL's approach to determining what was disclosed to convicted SPMs, as explained above (at paragraph 192), POL took advice on disclosure from CK. My understanding was this advice from CK was followed by POL and CK's activities were monitored and discussed by POL on a weekly basis. I, and so far as I am aware my colleagues at POL, placed reliance on CK in respect of compliance with these disclosure requirements. It was the POL practice to ask CK's views in respect of disclosure, as can be seen from the emails between Mr Williams and Mr Smith in respect of the Interim Report (**POL00006541**).

211 Regarding whether there was a desire not to disclose the Interim Report to convicted SPMs, POL asked CK to disclose all information that CK determined met the disclosure protocol, as explained above (at paragraph 208). My

understanding was that, further to CK's consideration and advice regarding POL's disclosure obligations, the finalised Interim Report was disclosed to SPMs.

212 In respect of Mr Flemington's statement in his email "*the report confirms that no systemic problems have been found in relation to the Horizon system*" (**POL00115982**), although I do not now recall the email, my understanding is that this was a direct quote from the Interim Report, which expressed the view referred to. I did not at the time have a reason not to rely on that view.

213 Regarding the emails between Ms Vennells, myself and others (**POL00099056**), these set out POL's response to the publication of the Interim Report and the plan to develop an action list to deal with some of the issues raised in the report.

214 Regarding the steps taken in response to the emails, as explained above (at paragraph 213), Project Sparrow was established. Regarding prosecutions, POL was, as described above (at paragraphs 192 and 208), already looking at the disclosure process with CK and was discussing with CK the immediate steps which needed to be taken in connection with disclosure requirements.

215 In respect of the email from Ms Sewell on 9 July 2013 (**POL00116057**), this referred to the start of the work on Project Sparrow. As can be seen from the email, there were a number of work streams that flowed from the findings in Interim Report and the list indicated who from POL was going to take the lead on each work stream.

216 As to bullet point three of Ms Sewell's email under the heading "*Technical Consideration (Lesley)*" (**POL00116057**), it is likely that this was a suggestion from Ms Sewell. I cannot, however, remember whether we discussed this at the meeting on 9 July 2013 or whether the suspense account was put in place before I left.

217 Regarding the statement included in the Significant Litigation Report prepared for July 2013 (**POL00027548**) that "*Second Sight's initial findings (based on its review of 4 of the 47 cases being considered) conclude that while there are no systemic problems with Horizon...*", the text in the Report goes on to say "*there are two specific bugs which gave rise to errors in a number of branches' accounts. Second Sight also highlighted shortcomings in POL's internal training and support to SPMs in relation to the Horizon System*". On reflection, the summary of the Interim Report included here could have been more detailed. My view, however, is that the words, set out in full, fairly summarise, albeit in brief terms, the findings of the Interim Report. Further it is my recollection that I also provided a longer, more detailed report to the Board which supplemented the summary contained in the Litigation Report. The Interim Report was also circulated in full to the Board for their review prior to it being discussed with MPs and uploaded to the POL website.

218 In respect of my report to the Board dated 12 July 2013 (**POL00099218**), Annex 1 states that the "*Post Office have been advised by our external criminal lawyers to undertake a review of all cases going back to the time of the migration from old Horizon to Horizon online (aka HHNGX) – 1st January 2010 – and this has already begun*". 1 January 2010 was suggested as

appropriate for the start date for the review, as I had been informed by the POL Network Team and POL IT Team that all the branches were balanced at this date so as to facilitate the move from the old Horizon System to the new Horizon online system. It therefore made sense to use this date, rather than 1 April 2012.

219 As to my views at this point of POL's disclosure obligations in respect of the Interim Report, as explained above (at paragraph 211), CK had been instructed to conduct an analysis and to advise concerning POL's disclosure obligations. My understanding is that POL followed this advice from CK. In any case where the Interim Report could be relevant, the document should have been disclosed. I understood that CK had developed a process to identify such cases.

220 The recommendation to establish a Working Party came about in response to the discussions had by the Executive Team concerning the Interim Report. The intention of the Working Party was to establish an approach which would allow the work started by Second Sight to be completed, albeit in a different way.

221 In respect of the extract from the Board Action Log dated 16 July 2013 (**POL00095438**), I refer to my explanation above (at paragraph 134) regarding the process pursuant to which Second Sight were asked to undertake the Horizon review. With regards to Ms Vennells action point, I would not have seen this at the time, however, it is likely this led to the comments referred to below (at paragraphs 239 to 242).

- 222 As to the feedback received from the Board following the 16 July 2013 Board Meeting and further to my report, Mr Marnoch came to see Ms Lyons and me to discuss the Board report and the Interim Report. We spent some time with him explaining the background to the reports and what the plans were going forward, including the disclosure exercise which was being undertaken by CK.
- 223 As to whether I was asked to lead any area of work, as set out in Ms Sewell's email on 9 July 2013 (**POL00060679**), I was asked to lead on one of the work streams.
- 224 Regarding my working relationship with Ms Perkins, my role meant that I had contact with her from time to time, although it would depend on what issues arose and whether my input was required. I would describe our relationship as professional. It was cool. As explained above (at paragraph 143), Ms Perkins was very focused on the POL relationship with MPs and minimising any negative press regarding POL. My sense was that Ms Perkins' view was that the Interim Report should have been addressed to the MPs and written for them as the primary audience.
- 225 In respect of the email chain between Ms Vennells and myself on 12 July 2013 (**POL00099179**), this relates to a letter which had been sent to the Minister concerning an SPM who had been suspended and was appealing against his suspension. This case was flagged as relevant to Second Sight's point regarding how POL treated its SPMs. As part of the response to Second Sight, it had been agreed that no SPM would have their contract terminated until the POL Network Director or I had had been involved (see paragraph 179 above). I recollect that I had a number of conversations with Mr Woodrow and my

recollection is he was reinstated. The central issue was I recall around business rates on ATMs at his branches.

226 In respect of the email chain between Ms Vennells and Ms Perkins on 14 July 2013 (**POL00099223**), I was not copied in on these emails at the time, but they appear to be concerned with whether I would be prepared to take on responsibility for Project Sparrow.

227 Regarding the reference to my "*consult[ing] a lawyer*" (**POL00099223**), I do not know what this is a reference to. I spoke at about this time (on behalf of POL) to a lawyer at Bond Dickinson regarding Project Sparrow. However, he did not provide any advice to POL that I can recall.

228 As to the statement that I had said that I was "*feeling very low*" and had "*let this happen to the business*" (**POL00099223**), I do not recall saying this to Ms Vennells and I do not know to what Ms Vennells was referring. This was, however, a period of particular stress for myself and colleagues at POL and it is possible Ms Vennells was referring to a perception she had.

229 In respect of POL's work in responding to the CCRC, I sent the CCRC letter (**POL00040190**) to CK and asked them to prepare a response. I believe that the document provided in conjunction with the Rule 9 Request (**POL00039995**) is their response. Their paper sets out the system they were using for the disclosure review which had been discussed and agreed with me previously. As explained above (at paragraphs 192 and 208), CK had said that review of cases was to enable a decision to be made as to whether disclosure of the Interim Report was required. At my request, CK provided regular

progress updates so that POL could monitor developments (see above at paragraph 208).

230 Concerning the legal advice received in respect of this response, I was concerned to get an independent view that what had been proposed was an adequate response in the circumstances. Therefore, after discussion with Bond Dickinson, I instructed them to obtain advice from an experienced KC. Whilst the review being undertaken by CK appeared to me at the time to be a credible plan, I was keen to get a separate, independent view.

231 In respect of why I thought their advice felt odd (**POL00039996**), I was concerned that they might not be sufficiently independent and this could influence their approach and views.

232 As to why POL's response to CCRC (**POL00040012**) came from me and not Ms Vennells, it is likely that Ms Vennells asked me to reply as she was on holiday at this time.

233 In respect of whether my role and responsibilities changed in July 2013, from that time, I no longer had responsibility for HR and my title changed to General Counsel. There was no consultation regarding the change in responsibility for HR. Ms Vennells sent an email following the July Board Meeting stating that HR would now be reporting to her.

234 Regarding my working relationship with Ms Vennells, it was professional throughout on both sides, although I considered the way she dealt with the change in HR reporting lines to have been odd. After the Board Meeting in July 2013, referred to in Mr Marnoch's email of 27 July 2013 (**POL00116114**),

Ms Vennells sent an email stating that HR would, from that point onwards, be reporting to her and that I was to "resume" my role as GC, focussing on supporting the Second Sight Review. I did not attend the Board Meeting in July and I therefore cannot comment on what took place there and the thinking behind Ms Vennells' assuming responsibility for the HR function. I felt, however, the way she went about notifying me of this decision, via email and without any form of discussion or consultation, was odd.

235 In respect of my involvement in the creation of the Mediation Scheme (the "**Scheme**"), my objective was to find a review process which would be less dependent on Second Sight as there were a number of cases which were waiting to be reviewed and I could not see how Second Sight would be able to cope with that volume. As is evident from the documents provided in connection with the Rule 9 Request, and as I understood at the time, concerning the establishment of Project Sparrow and the Interim Report action points, POL wanted more control over, and transparency in relation to, the costs of the review. I also wanted to give SPMs a voice to express their issues with POL and hopefully to get resolution of some or, if possible, all of the issues. I also hoped that the issues raised by SPMs could be fed back into POL so that POL could use the feedback to adjust its working practices. We workshopped the proposal with POL, Second Sight and the JFSA. The workshop was facilitated by Bond Dickinson and after some debate we agreed a process. At a subsequent meeting (after discussion with the POL Chief Executive Officer and Chief Financial Officer) a funding proposal to support SPMs was put in place. The funding structure agreed covered legal fees and, I think although cannot be entirely sure, forensic accountant expenses. A

system of registration for claims was also put in place and it was available to all SPMs whether or not they had been prosecuted. When I left in late September 2013, there was a process to put in place an independent Chair of the Scheme. The candidate for this position had been suggested by Ms Linnell of the JFSA.

236 As to the information passed to the Government regarding the Scheme, I do not now recall the details. The email chain between involving Mr Batten (at **UKGI00001900**) indicates that I sent a draft of the proposal to the Shareholder Executive on 12 August 2013 in response to a request from them.

237 In respect of my email to Mr Parsons on 23 July 2013 regarding the fact that Mr Williams had mentioned in his email on 22 July 2013 that Mr Parsons was going to "*add a para on Director's liabilities re failure*" (**POL00040001**), I was not at the July Board Meeting and therefore I cannot comment on what the conversation was or how this came up. I do not, however, believe that this matter affected POL's handling of SPM complaints concerning Horizon.

238 In respect of my meeting with Ms Vennells on 24 July 2013 (referenced in **POL00116110**), whilst I cannot remember the details, it is likely this was our first one-to-one since the publication of the Interim Report, as I was not in the Board Meeting. It is therefore likely that I provided an update on progress.

239 As to Ms Vennells' comments in her email to Ms Perkins on 26 July 2013 (**POL00118496**), I was not at the time aware of Ms Vennells' criticisms of me.

240 As to whether I considered these criticisms to be fair, they were never communicated to me and I do not consider them to be fair. I have held a

number of senior roles during my career and these are not criticisms I have ever faced from colleagues. The criticisms are surprising to me and particularly so as, in my POL performance review for the year 2013 (which would have been held a few weeks before this email), I received a score of four, which indicated high achievement (with five being the top grade).

241 Regarding Ms Vennells' basis for these comments, I do not know what the basis was.

242 In respect of whether I consider these criticisms to be fair with hindsight, on reflection I think that, at the time, I was in a position where I was stretched too thinly. With hindsight, I would not have taken on the additional responsibility of HR.

243 Regarding the discussion I had with Ms Perkins referred to in Ms Perkins' email on 31 July 2013 (**POL00116114**), this was a difficult meeting. Ms Perkins was frustrated that, as she saw it, Second Sight had not been controlled and the content of their report had not been managed in the way Ms Perkins wanted. I reminded Ms Perkins that Second Sight had been instructed as independent specialists so that there could be an independent view reached regarding Horizon, and that this was inconsistent with the approach to control to which Ms Perkins referred. Ms Perkins was also not content with what she saw as the spiralling costs of Second Sight. I accepted that cost was an area where there could have been better controls in place, although I reminded Ms Perkins that I had made it clear during the appointment process that the cost was to be incurred on a time and materials basis. Therefore, with the addition of the JFSA cases to the review process

and the difficulties around finding documents, the increased cost was inevitable.

244 As to whether I had been criticised for not keeping the Board up to date in the past, I had never previously been criticised in that way. As explained above (at paragraph 49 and 59), it was the POL practice for the Board attendees from the Executive Team to be limited generally to the Chief Executive Officer and Chief Financial Officer, with others being invited to present papers on specific issues to the Board as relevant. Other updates were fed into the Chief Executive's report which Ms Vennells delivered at every Board Meeting. Separately, my recollection is that Second Sight provided updates to Ms Perkins regarding their work and progress.

245 As to any changes I made to the way I updated the Board following my meeting with Ms Perkins, for the Board Meeting in September 2013, I prepared a written paper although I cannot remember whether I was asked to present on it or not at the meeting.

246 Regarding whether I was aware at the time of Ms Vennells and Ms Perkins' criticisms (as contained in Ms Perkins' email to Ms Vennells on 02 August 2013 (**POL00108058**)), I was not aware of them.

247 In respect of whether I considered these criticisms to be fair, I refer to my explanation above (at paragraph 240). I was not aware of these criticisms at the time. They were not criticisms I have faced from colleagues before or since.

248 In respect of the basis on which these criticisms were made, I do not know what the basis was.

249 As to whether, on reflection, I consider these criticisms to be fair, I refer to my explanation above (at paragraph 242).

REVIEW OF CONVICTIONS AND PROSECUTORIAL POLICY AND WORK ON THE MEDIATION SCHEME

250 I did not undertake any review of POL's prosecution policy upon joining POL. The relevant function did not come within my responsibilities at that time. When I joined POL, it was some time before I understood that the RMG Legal Team managed both criminal and civil litigation matters on behalf of POL. This was not flagged to me at interview or during my induction. Those activities did not relate to any part of the objectives that I was given by POL upon joining. Responsibility for all litigation matters remained with the RMG Legal Teams until April 2012. There was some work done with the RMG Legal Team in connection with the separation to allow me to gain an understanding of the nature and volume of the work that would be transferring. Further, in connection with the criminal litigation matters, as explained above (at paragraph 44), I visited the RMG Criminal law Team in Victoria Street at some point in early 2012. In connection with this visit, I recall that the RMG Legal Team explained the internal process as well as the fundamental role of CK. It was made very clear to me during this meeting that responsibility, oversight, and reporting for criminal matters remained with that RM team until legal separation occurred.

251 Concerning my involvement with POL's strategy and actions in respect of past convictions that involved the use of data from the Horizon System, as explained above (at paragraph 133), I met with CK so that they could explain to me their proposal regarding disclosure. I felt that it was important that this process was undertaken speedily and effectively I therefore monitored their delivery. I also communicated the requirement for a disclosure exercise to be undertaken by CK to the Board. It was not part of my responsibilities to inform those in Government as that relationship was principally owned by Ms Vennells.

252 Regarding the draft paper to the POL Board on Prosecution Policy (**POL00039969**), after separation it was necessary to review the RMG prosecution policies to make sure that they continued to be appropriate for POL as an independent business. This was one of the policies and I had asked for a paper to be produced to outline the current position and the various options. It is likely this had input from various teams in POL, including the Mr Singh and the POL Security team. I do not believe that this went to the POL Board, but I may have discussed it with Ms Vennells. It is likely I was waiting for the Second Sight review to be completed before taking this any further.

253 In respect of whether I wrote "*do we want to say this in a Board Document*" (**POL00039969**), I do not recall writing this.

254 As to whether the ability to discontinue a case where a defendant may successfully challenge the Horizon System was seen as a negative matter, it is fair to say that this accurately reflected the POL position at this time, albeit in the broader context of what was generally thought to be the case in POL,

i.e. that there was not a systemic problem with Horizon. There was certainly an approach within POL, strongly to protect the reputation of Horizon. My understanding was that this determination came in part from those who had used and relied on the Horizon System for decades, and in particular those in the IT and Network teams. There was, among these colleagues, an instinct to defend Horizon.

255 In respect of changes to POL's prosecutorial function following separation from RMG, Mr Singh transferred to POL. He reported to Mr Flemington (POL Head of Legal), who in turn reported to me. At some point around the time of the separation, I recollect that I made it clear (including to the Security Team) that no further prosecutions were to be commenced which were reliant on Horizon evidence.

256 In respect of the email from Ms Vennells on 27 June 2013 (**POL00098774**), it is likely I was on away on holiday and Mr Warmington of Second Sight had either delivered an initial draft of their report or met with Ms Vennells. In my absence, Mr Warmington had provided Ms Vennells with a summary of the issues. She telephoned me to discuss them. I said I would consider it further and come back to her on my return. I was due back in the office on the following Monday, 1 July 2013.

257 As to my involvement in the review of criminal convictions instituted by POL, please see below (at paragraph 264).

258 In respect of to whom Simon Clarke's advice (**POL00040000**) would have been circulated, I would have sent the advice to the POL Legal Team, including Mr Flemington and Mr Williams, as well as to Andrew Parsons at

Bond Dickinson. It was not normal practice to circulate advice received from Counsel to the Board or generally within POL, outside of the POL Legal Team. As explained above (at paragraph 133), I had met with CK earlier in July 2013 to agree the process for the disclosure of the documents referred to in the Advice and that process was already underway at the time the advice was received. Updates were provided regularly to the Board regarding the review and the disclosure exercise.

259 As to my view of Mr Clarke's advice, whilst I do not specifically remember reading this document at the time, I recall that the contents of the advice had previously formed part of the face to face discussion I had with CK when we agreed on their disclosure proposal. At the time of our meeting, I asked CK immediately to start actioning the review and disclosure process, which was to include past prosecutions and prosecutions which were pending.

260 As to the response to the advice, as explained above (at paragraph 259), I do not specifically recall reading this document at the time. It is, however, highly likely that a summary of the advice was included in the Board Report for the July 2013 Board Meeting. It is likely that this summary update would have focussed on the disclosure exercise that was by then underway, rather than the possibility of finding a new expert witness. From my perspective, this was because establishing POL's disclosure requirements and complying with these requirements was more of a pressing, long-term issue at this time. I felt that finding another expert witness could wait until the disclosure issue had been resolved, and could then form part of Mr Altman KC's Board presentation once he had completed his review in October 2013.

261 As to the email chain between Ms Lamb and others from 16 October 2013 (FUJ00156876), in respect of the statement that the South Warborough case was chosen as an example to "*reassure James Arbuthnot of the integrity of Horizon*", this does not appear to be referred to in the email chain provided (at FUJ00156876) nor do I have any recollection of this.

262 As to the meeting described in the email from Mr Harvey of 19 September 2013 (FUJ00156876), whilst I cannot recall the detail of this meeting, it would have been necessary to meet with Fujitsu to explain the Scheme and let them know what assistance we would require from them in connection with this. Further, it would have been necessary to update Fujitsu on the position with regard to finding another expert witness.

263 As to why I sought to discuss CK's advice regarding Mr Jenkins being tainted with Fujitsu, although I cannot specifically now recall, it is likely that this was because CK had asked me to flag this point to Fujitsu given the need to find another expert witness.

264 In respect of my involvement in the review of criminal cases and the instruction of Mr Altman KC, first, as to the review, CK were conducting the review of the criminal cases as per the protocol that had been prepared by them and agreed with POL. Secondly, in respect of the appointment of Mr Altman KC, based on their long term involvement with RMG, and then POL litigation cases, I instructed Bond Dickinson to set up a conference with a suitable KC to review and advise on the adequacy of the process that CK were undertaking and to raise any other issues that should be considered. As can be seen from the correspondence provided to me in connection with the Rule 9 Request

(**POL00040003**), there was an additional view that the Leading Counsel chosen could attend a POL Board Meeting or Audit Committee Meeting to provide their views directly.

265 In respect of my views on Mr Clarke's advice on the retention of material (**POL00006799**), I had a telephone call from CK giving me an overview of this note which was then followed by the Advice. I was shocked to receive the Advice as I had no idea what he was referring to, as can be seen from my letter dated of 16 August 2013 (**POL00006797**). In this letter, I assured CK that the review meeting was in place and that there were attendees from both CK and Bond Dickinson together with representatives from the Security Team, the Network Team, and the IT Team. I also confirmed that the meeting had the appropriate level of support to ensure that any minutes or documents produced from the meeting were appropriately stored and communicated. I believe that I let all the participants know that the meetings must continue and reminded them of their obligations as set out in the Advice.

266 In respect of whether I was briefed on Mr Altman KC's August advice (**POL00006583**), I cannot now recall when I received the advice and I do not recall reading it or the detail. It is likely it was sent initially to Bond Dickinson, who would then have been in touch with POL about it.

267 As to whether I or Senior Management gave any consideration to Mr Altman KC's query regarding Mr Jenkins' non-disclosure, my recollection is that, at this stage, CK were operating the review on the basis that we were disclosing the Interim Report, which looked into the issues raised by Mr Jenkins and the

Helen Rose report. I understood, at the time, that my POL colleagues were aware that any similar issues would have to be disclosed.

268 As to any steps that I or senior management took in respect of the issues raised in Mr Altman KC's August advice, in respect of the "*geographical limit of the review and the temporal limit of the review*" (**POL00006583**), I recall that CK had a plan in place to address disclosure in Scotland and Northern Ireland. In respect of the interim recommendations at paragraph 24 of Mr Altman KC's advice, I cannot recall the next steps.

269 Regarding the conference with Mr Altman KC on 9 September 2013 and the reference to "*some cultural issues at the start*" (**POL00006485**), I can see from the contemporaneous note of the meeting (**POL00139866**) (in which I am referred to as Susan Crichton and SC refers to Simon Clarke), that it was Simon Clarke who made the comments regarding culture and the difficulty of getting various departments to work together. It is likely that Mr Clarke was referring to the fact that POL operated in silos and, it was often difficult to break these down to enable inter-departmental collaboration. Because of this internal challenge, I wanted Mr Scott to Chair the Horizon meetings to ensure as far as possible, a free flow of information, both internally and externally. I note further from the note of the meeting that there is a reference to the protocol which was going to be produced and which Mr Altman KC was to review. It was felt that the protocol would provide important parameters and structure for conduct at the meetings which would, in turn, assist in encouraging collaboration and mutual assistance between the parties attending.

270 In respect of the statement that "*there was likely to be a band wagon approach in relation to defendants challenging their position*" (**POL00006485**), I did not know at this point what the outcome would be. This was one of the possible outcomes of revisiting the prosecutions.

271 In respect of Mr Jenkins, whilst I cannot remember the details of the conversation, nor whether I flagged internally Mr Smith's comments, it is likely that Mr Singh would have acted on this, which would have been in accordance with my expectations.

272 As to the statement that "*prior to the HOL rollout [1 January 2010] there was a cash audit done so that all POL branches balanced*" (**POL00006485**), it is likely that this information would have come, when we were trying to find a logical date from which to work, from the POL Network Team, the team that rolled out HNGX, or IT (as further explained above (at paragraph 218)).

273 In respect of the action taken following the conference with Mr Altman KC, most importantly, with regard to previous prosecutions, CK continued with their review.

274 As to POL's decisions relating to disclosure at this point, POL's approach at this time was to follow the advice it had received from CK. The Interim Report was at this time in the public domain and accessible. On reflection, once that process of receiving the advice from CK had been completed, that would have been the time to consider notifying all SPMs regarding these materials.

275 In respect of whether I consider POL's approach to have been justifiable, as explained above (at paragraph 274), after the initial CK advice regarding

disclosure had been complied with, that would have been an appropriate time to revisit POL's disclosure obligations and review past prosecutions.

276 In respect of whether I consider this to have been a missed opportunity, with hindsight it is regrettable that more was not done at this point to review past prosecutions. It is also regrettable that more was not made of the Mediation Scheme.

277 As to the extent that I relied on legal advice when making decisions in respect of what to disclose in terms of Horizon data, as explained above (at paragraph 45), I very much relied on legal advice from those, internally and externally, whom I understood at the time to be specialists with very considerable relevant experience. With hindsight and as explained above (at paragraph 274), more of the material POL had should have been disclosed sooner and more generally.

278 Regarding the further work carried out to procure another expert witness, this was carried out by CK. There were significant challenges finding an expert with the necessary ability, qualification and experience, given the nature and complexity of the Horizon System.

279 Regarding my email to Mr Parsons on 30 August 2013 attaching the "*Lessons Learned*" Terms of Reference (**POL00040029**), I cannot now recall the email or the background. I do not recall discussions about the objectives. I did not have any input into drafting the Terms of Reference.

- 280 As to the statement included in the Terms of Reference: "*what is the function of Horizon?...*" (**POL00040032**), as explained above (at paragraph 279), I do not recall.
- 281 As to why the terms of reference stated that the matters under "*early indicators*" were "*not to be reported on*" (**POL00040032**), I do not know. As far as I was aware, this work had already been carried out by the date of the Terms of Reference.
- 282 In respect of Ms Vennells' comments in her email of 29 August 2013 (**POL00040029**), I do not know what she intended by these comments.
- 283 Regarding the issues and recommendations raised by Mr Clarke and Mr Altman KC in respect of the handling of past convictions, these were not raised with me at the time, and I do not know why they were not included in the scope of the review.
- 284 In respect of the outcome of the review, I do not know what happened. I left POL with effect from end November 2013. I was on annual leave for the majority of October 2013 and then on gardening leave for the whole of November.
- 285 In respect of why POL had not yet developed an initial position on the pros and cons of continuing to bring prosecutions by September 2013 (**POL00027134**), I believe that POL was waiting for the updated advice from Mr Altman KC, which we were due to receive in October 2013.
- 286 In respect of whether I was aware that Ms Vennells considered the exchange between me and Mr Bates to be "*unhelpful*", I was not.

- 287 As to whether I was aware that someone was asked to investigate Mr Griffiths' background (**POL00116133**), I do not recall being asked to do that. I do not know if anyone else was instructed to do so.
- 288 As to any effect that Mr Griffiths' death had on how POL handled SPMs' complaints concerning the Horizon System, I do not know.
- 289 In respect of Mr Smith's email dated 26 September 2013 (**POL00066817**), and the extent to which this advice affected POL's position in respect of convicted SPMs, I cannot recall seeing this email. I believe that I was out of the office at this time following the announcement of my resignation earlier that week. My recollection is that we had included convicted SPMs in the Mediation process.
- 290 As to when I reviewed Mr Altman KC's advice of 15 October 2013 (**POL00006581**), I have no recollection of seeing this advice. As explained above (at paragraph 284), I was on holiday at the time Mr Altman KC's advice came in. It is likely it was dealt with by my successor, Mr Aujard. I therefore cannot comment on the contents of the advice, or the steps taken by POL as a result.
- 291 In respect of the agenda for the Executive Committee Meeting on 22 October 2013 (**POL00027534**), as explained above (at paragraph 284), I was not in the office for the majority of October 2013 and therefore it is unlikely I attended the meeting. If I did attend, it is likely Ms Van Den Bogerd would have delivered the update on Horizon as I had been out of the office and due leave POL.
- 292 In respect of the email from Mr Singh to me on 28 July 2013, and forwarded to Mr Aujard on 15 November 2013 (**POL00060974**), this appears to be Mr

Singh providing Mr Aujard with the background information at the beginning of his role at POL. I offered Mr Aujard a formal handover and I think we met briefly in late October 2013 when I was back from holiday.

RESIGNATION

293 Regarding the end of my employment with POL, a range of factors contributed to my decision to leave. POL did not propose that I should leave the business or threaten to dismiss me. I came, however, to the settled decision to resign following the Board Meeting in July 2013 and my effective demotion by Ms Vennells shortly after that Meeting. I felt there had been a gradual decline in Ms Perkins' trust in and support for me. Further, following conversations with both Ms Perkins and Ms Vennells, I understood Ms Perkins no longer had confidence in me. My lines of communication with Ms Perkins had broken down and I felt, at this point, Ms Perkins did not want to rebuild a working relationship. Once the mediation scheme had been set up, I felt it was in the best interests of POL for me to leave and formally to hand over the scheme to my successor. As to the practicalities of my leaving POL, I had taken independent legal advice on my position. Taking account of a number of factors, and after discussions with POL, I entered into a settlement agreement. My final day of employment at POL was the last day of November 2013.

GENERAL

294 Concerning the extent to which I believe that, whilst employed by POL I provided sufficient information on the relevant issues to the Board, I always acted appropriately based on the information available to me. I communicated properly with the Board and with senior colleagues. I did not usually attend

Board Meetings after I stopped being Company Secretary (i.e. unless I was specifically invited) and so I was not aware of all of the content of those meetings. It is possible, with hindsight, that the information provided by senior colleagues to the Board could have been better. It is also possible that, if there had been better information provided in this way, there would have been improved analysis by the Board.

295 Regarding the extent to which POL management expressed surprise or concern in relation the number of SPMs that were suspected of fraud and/or prosecuted, at the time, POL management did not on the whole express such surprise or concern. Most colleagues had been at POL for a long while and their view, over time and based on their experience, appeared to me to be that they were not surprised by the number of SPMs who were suspected of fraud or prosecuted.

296 As to the extent to which the Board, ShEx/UK Government or BEIS maintained effective oversight of POL in relation to Horizon, from my experience the instigation of the Second Sight review came from the Board Chair and was supported by the Chief Executive Officer. I therefore think that the Board should have been able to have oversight of the process. With regard to ShEx/UK Government and BEIS, I had only limited awareness of what information was given to them, beyond the materials included in the documents concerning the Rule 9 Request.

297 In respect of how POL handled challenges to the integrity of the Horizon System, I recognise that POL's approach to such challenges could be seen as defensive. POL would take the individual cases and work through them in

the model office in order to seek to show that Horizon operated as it should. It is possible that this defensiveness could have influenced the POL approach to SPMs generally, and in particular the lack of emphasis by POL on SPM training and support.

298 As to POL's approach to prosecutions and the disclosure of information to convicted SPMs, on reflection, once the first wave of disclosure was complete in about October 2013, POL (at Board Level) should have considered whether the disclosure exercise should have been taken further, so that a further review took place into the cases of SPMs who had been convicted on the basis of Horizon data.

299 In respect of whether POL's approach to the Mediation Scheme represented a missed opportunity to allow SPMs to access justice at an earlier stage, whilst I cannot comment on how the Scheme was managed after I left, at the time of my leaving, I felt that there was in place a Scheme that might help to resolve some of the issues if all parties worked together. We had even managed, by the time I left, to put in place a panel of advisors (including legal and forensic) to support the SPMs, and funding for them. I therefore felt that the Scheme had the potential to bring some level of resolution to the issues connected to the Horizon System.

300 Regarding whether I believe that others within POL could have done anything different in respect of these issues, the only knowledge I can draw on is from my time at POL. This is a difficult question for me to answer because of, for example, the number of people involved, the factual complexity, and the long chronology. I would say that, once we had completed the disclosure process

in October 2013 and perhaps while the Mediation process was ongoing, this would have been the time to take a step back and to reflect on the situation.

301 There is nothing else of relevance to the Terms of Reference of which I understand the Chair should be aware.

302 I would like to add that this statement reflects what I can recall to the best of my ability. This has been a difficult exercise to complete. While preparing this statement, I have thought carefully about what I remember and what I would ordinarily do. The materials provided by the Inquiry have been of some assistance in assisting my recollection of the events. With the passage of over a decade since the events, however, my memory is inevitably hazy in places. I nevertheless hope that this statement is of value to the Inquiry in explaining my role at POL and my working practices at the time.

ADDITIONAL QUESTIONS

I have been asked by the Inquiry to consider a number of additional questions. I have set out my responses to these further questions below.

303 In respect of the email chain between Ms Van Den Bogerd and Mr Baker on 10 May 2013 (**POL00144588**), I note that I am not copied in on these emails. As to Mr Baker's comment that the POL Legal Team were taking a cautious approach towards the Second Sight report, I am not sure to what this relates, nor do I have any recollection of such comments being made within the POL Legal Team. I was concerned at the time that the Second Sight review was conducted independently and the responses given to Second Sight were accurate.

304 In respect of my email to Mr Williams on 11 July 2013 (**POL00145359**), and my query as to why the Helen Rose report was created, it is likely that I was attempting to establish the purpose of the report. At this stage, I do not recall that I was aware that the Security Team were involved in commissioning reports such as the one produced by Helen Rose nor that they communicated directly with Gareth Jenkins. I therefore wanted to understand how often such issues were brought directly to the attention of the Security Team and investigated by them, and from there, how the issues raised and any corresponding findings, were circulated to the Criminal Law Team, external lawyers and the Branch Network. I was interested in establishing the intended purpose of the Helen Rose report, why a decision had been made by the Security Team to commission it, and how findings would be communicated to the relevant departments, particularly in the context of the ongoing Second Sight investigation.

305 As to why POL explored maintaining legal professional privilege over the Helen Rose report, I cannot remember specifically. It is likely, however, that this was suggested by Mr Williams, as POL's civil litigation lawyer (**POL00145359**).

306 As to the statement in Mr Scott's email to me on 14 August 2013 (**POL00139690**) that I was frustrated with the production of the Helen Rose report, as I have explained above (at paragraph 304), I was not involved or consulted regarding the commissioning of the report. I also understood the same was true for Mr Singh. I was surprised that such a report could come into existence without the knowledge of the Criminal Law team. I wanted to

understand whether there were other reports similar to the Helen Rose Report in existence and if so, how and if findings from such reports were communicated to the relevant departments and implemented. In addition, the incident to which the report related occurred in October 2012, yet the report was not commissioned until February 2013 and was only finalised in July 2013. I therefore wanted to establish the reason for this delay and how the results were communicated, especially as a detailed review into Horizon through the Second Sight investigation was underway at this point.

307 In respect of any briefing I gave to Mr Scott in relation to the regular Horizon call, I cannot recollect specific directions given to Mr Scott on this subject. It is likely that I asked him to Chair the weekly meetings in order to ensure continued focus from the POL teams involved in the review process and to facilitate a free flow of information. The weekly calls were suggested by CK as a means of keeping the relevant teams within POL as well as external parties (CK and Bond Dickinson) up to date with any issues arising and the progress of the review. I also recall suggesting a centralised repository which contained all the information produced in connection with the weekly calls, including minutes, so that this information could be easily accessed by all interested parties, including the external law firms and to ensure there was an accurate record of the issues being raised.

308 As to whether I agree with Mr Scott's statement in his email to me on 14 August 2013 that I had asked him to provide "*an under the radar escalation point from across the business*", I have no recollection of using this phrase (**POL00139690**). As I have discussed above (at paragraph 307), I was in full

agreement with CK that these calls should occur. I proactively sought to ensure that there was an open dialogue during these calls to permit the free flow of information between all relevant parties and that accurate records of the calls were kept by implementing systems which allowed documents relating to the calls to be stored. These records could be accessed by all parties, both internal to POL and external.

309 In respect of whether I was aware of any documents being shredded or otherwise destroyed in connection with the Horizon regular call, I was not. My email to Mr Scott (**POL00139690**) indicates that I was concerned that the meetings were not operating as envisaged and that accurate records were not being kept. As I have explained above (at paragraphs 307 and 308), it was my primary concern that there was a collaborative dialogue between all the parties on the Horizon calls and that documents relating to the calls were stored centrally where they could be accessed by interested parties.

310 In respect of Mr Singh's email to me on 31 July 2012 (**POL00058155**) concerning the final draft of "our story", I do not recollect this specific document, nor has the document been provided to me in connection with the Rule 9 Request. From the context of Mr Singh's email, however, it appears to have been written as a template response to queries which were expected to be received in relation to the Second Sight review process, setting out the review that was being undertaken, its scope and parameters, and what the outcome of the review would seek to achieve.

Statement of truth

I believe the content of this statement to be true.

Signed

GRO

Dated: 30 January 2024

Index to the First Witness Statement of Susan Elizabeth Crichton

<u>NO.</u>	<u>URN</u>	<u>DOCUMENT DESCRIPTION</u>	<u>CONTROL NUMBERS</u>
1	WITN00220101	The POL Head of Legal role description (May 2009).	WITN00220101
2	POL00041564	Bankruptcy, Prosecution and Disrupted Livelihoods, Postmasters tell their story: report by Rebecca Thomson (May 2009).	POL-0038046
3	POL00090428	Annex to Second Supplemental Agreement (Fujitsu Contract).	POL-0087397
4	FUJ00118186	Third Supplemental Agreement (Fujitsu Contract).	POINQ0124350F
5	POL00021505	Minutes of the meeting of the board of directors (Post Office Limited) (March 2012).	POL0000038
6	WITN00220102	Private Eye Article (2011)	WITN00220102
7	POL00021507	Post Office Limited Minutes of the Meeting of the Board of Directors (23 May 2012)	POL00021507
8	WITN00220103	POL Board Terms of Reference	WITN00220103
9	POL00027558	Significant Litigation Report (Claims over £500.000 or those of a sensitive nature) (September 2012).	POL-0024199
10	POL00030365	Minutes of the meeting of the board of directors (Post Office Limited) (September 2011).	POL-0026847
11	UKGI00016089	Post Office Limited Board Status Report	UKGI00016089
12	POL00021500	Post Office Limited Minutes of the Meeting of the Board of Directors (4 July 2011)	POL0000033
13	POL00120561	Email chain – update on JFSA and Horizon issues and urgent response needed for BIS (November 2010).	POL-0126174
14	POL00055590	Email chain – Regina v Seema Misra – Guilford Crown Court – Trial – Attack on Horizon (October 2010).	POL-0052069

15	POL00030217	Post Office Limited – Management Letter for the year ended 27 March 2011 (March 2011).	POL-0026699
16	POL00021430	Minutes of a meeting of the Audit, Risk and Compliance Sub-Committee (Post Office Limited) (November 2012).	POL-0018060
17	POL00105629	Email chain – management control audit: SAS70 for Fujitsu (March 2013).	POL-0104594
18	POL00021431	Minutes of a meeting of the Audit, Risk and Compliance Sub-Committee (Post Office Limited) (May 2012).	POL-0018061
19	POL00029114	Review of Key System Controls in Horizon – Post Office Limited (February 2012).	POL-0025596
20	POL00027098	Review of key system controls in Horizon, Post Office Limited (March 2012).	POL-0023739
21	POL00120490	Email chain – Mike Weir MP: PQs on Horizon response for sign off (December 2011).	POL-0126156
22	POL00118229	Post Office Counters Limited v Mrs Julie Wolstenholme – advice on evidence and quantum (July 2004).	POL-0120149
23	WITN04600215	Email chain – Cleveleys (August 2004).	WITN04600215
24	POL00095587	Post Office Limited Board – Significant Litigation Report (POLB (12) 12) (January 2012).	POL-0095170
25	POL00021503	Minutes of the meeting of the board of directors (Post Office Limited) (January 2012).	POL0000036
26	POL00107695	Note of conference with Richard Morgan KC (October 2011).	POL-0105986
27	POL00105591	Email chain – James Arbuthnot (March 2012).	POL-0104608
28	POL00105593	Email chain – comments from Rob Wilson (March 2012).	POL-0104610
29	POL00115849	Letter from Post Office Limited to Mr Letwin (April 2012).	POL-0114586
30	POL00105597	Email chain – Oliver Letwin (MP) (April 2012).	POL-0104597

31	POL00057711	Arbuthnot/Letwin Preparation Meeting (May 2012).	POL-0054190
32	POL00105601	Email chain – initial papers (May 2012).	POL-0104599
33	POL00033825	Pack for James Arbuthnot and Oliver Letwin meeting scheduled for 17 May 2012 (May 2012).	POL-0030760
34	POL00096640	Pack for meeting with James Arbuthnot and other MPs Meeting Scheduled for 18 th June 2012 (June 2012).	POL-0096223
35	POL00143196	Email Chain – message from James Arbuthnot to Tadge Channer at Shoosmiths – Post Office / Horizon (June 2012)	POL00143196
36	POL00096576	Second Sight proposal to carry out Review (June 2012).	POL-0096159
37	POL00029815	Post Office Ltd – proposal for an independent review of past cases: Terms of Reference (June 2012).	POL-0026297
38	POL00096608	Email chain – forensic accountant reviews: James Arbuthnot (June 2012).	POL-0096191
39	POL00096606	Email chain – 2 nd sight TOR (continuance) (June 2012).	POL-0096189
40	POL00006484	Summary of Conference at Maitland Chambers, 12 June 2012 (June 2012).	POL-0017789
41	POL00021509	Minutes of the meeting of the board of directors (Post Office Limited) (September 2012).	POL0000042
42	POL00097030	Email chain – read out of James Arbuthnot / JFSA Meeting (October 2012).	POL-0096613
43	POL00097310	MP Cases Review of Horizon, update December 2012 (December 2012).	POL-0096893
44	POL00059567	Email chain – issuance of TCs (January 2013).	POL-0056046
45	POL00029561	Email Ron Warmington (February 2013).	POL-0026043
46	POL00029615	Email chain – SR005 Response (June 2013)	POL-0026097
47	POL00029605	Email Chain – In Confidence: Second Sight Line of Enquiry (June 2013)	POL-0026087

48	POL00059816	Email Ron Warmington (February 2013).	POL00059816
49	POL00097521	Email Chain – Horizon Investigation: Spot Reviews (February 2013)	POL-0097104
50	POL00097558	Email chain – First three spot reviews (February 2013).	POL-0097141
51	POL00097719	Email chain – legally privileged and confidential. Re Horizon (March 2013).	POL-0097302
52	POL00097876	Email chain – Second Sight note from meeting 25 March (March 2013).	POL-0097459
53	POL00098338	Email chain – Second Sight (May 2013).	POL-0097921
54	POL00021513	Minutes of a meeting of the board of directors (Post Office Limited) (May 2013).	POL0000046
55	POL00098317	Briefing for Paula / James Arbuthnot meeting for 23 May 2013 (May 2013).	POL-0097900
56	POL00105632	Email chain – James’s brief (May 2013).	POL-0104602
57	POL00006541	Email chain – Advanced Draft of Report (May 2013).	POL-0017595
58	POL00098373	Email chain – JA call (May 2013).	POL-0097956
59	FUJ00086811	Horizon Data Lepton SPSO 191320 (Helen Rose) (June 2013).	POINQ0092982F
60	POL00006485	Note of Conference with Brian Altman KC (September 2013).	POL-0017790
61	POL00099063	Interim report into alleged problems with the Horizon system (July 2013).	POL-0098646
62	POL00098877	Email chain – Discussion notes for Board on Second Sight (July 2013).	POL-0098460
63	POL00098878	Notes for Board update on Second Sight investigation, 01 July 2013 (July 2013).	POL-0098461
64	POL00115919	Internal briefing note to Paula V: Second Sight review into Horizons, implications of interim report (July 2013).	POL-0116921
65	POL00107953	Email chain – Horizon comms call (July 2013).	POL-0110880
66	POL00098898	Email chain – JA meeting brief (July 2013).	POL-0098481

67	POL00099003	Email chain – board email (draft email to board on update on second sight investigation) (July 2013).	POL-0098586
68	POL00115982	Email chain – draft Horizon statement 2 (July 2013).	POL-0116984
69	POL00099056	Email chain – proposed way forward (July 2013).	POL-0098639
70	POL00116057	Email chain – actions (July 2013).	POL-0117059
71	POL00027548	Significant Litigation Report (Claims over £500.000 or those of a sensitive nature) – Post Office Limited (July 2013).	POL-0024189
72	POL00099218	Post Office Ltd – Board – Update following the publication of the Interim Report on Horizon (July 2013).	POL-0098801
73	POL00095438	Post Office Limited – extract from board action log (July 2013).	POL-0095021
74	POL00060679	Email chain – thoughts on next steps (July 2013).	POL-0057158
75	POL00099179	Email chain – The case for independence in the Post Office appeals system (July 2013).	POL-0098762
76	POL00099223	Email chain – The case for independence in the Post Office appeals system (July 2013).	POL-0098806
77	POL00040190	CCRC Letter to POL CEO re Horizon Computer System (July 2013).	POL-0036672
78	POL00039995	Draft Paragraphs for Insertion into reply to CCRC (July 2013).	POL-0036477
79	POL00039996	Email chain – CCRC Letter (July 2013).	POL-0036478
80	POL00040012	Letter from POL to Mrs S Berlin (Criminal Case Review Commission) re Horizon Computer System (July 2013).	POL-0036494
81	POL00116114	Email chain – Board note on Horizon (July 2013).	POL-0117114
82	UKGI00001900	Email chain – Horizon review workflow (August 2013).	UKGI012714-001

83	POL00040001	Email chain – Horizon Issues: draft board update (July 2013).	POL-0036483
84	POL00116110	Email chain – notes of the meeting on 22 July (July 2013).	POL-0117110
85	POL00118496	Email chain – file note from conversation with Susan C (July 2013).	POL-0119613
86	POL00108058	Email chain – personal and confidential (August 2013).	POL-0110925
87	POL00039969	Post Office Ltd Board – Prosecution Policy Paper (April 2012).	POL-0036451
88	POL00098774	Email chain – Second Sight Investigation, update (June 2013).	POL-0098357
89	POL00040000	Simon Clarke Advice (July 2013).	POL-0036482
90	FUJ00156876	Email chain – Second Sight and expert determination (October 2013).	POINQ0163070F
91	POL00040003	CCRC Suggested Response; Gareth Jenkins Advice (July 2013).	POL-0036485
92	POL00006799	Advice on Disclosure, the Duty to Record and Retain Material - Simon Clarke (Cartwright Solicitors) (August 2013).	POL-0017591
93	POL00006797	Letter to Mr A Cash (Cartwright King Solicitors) regarding disclosure from Susan C. (August 2013).	POL-0017615
94	POL00006583	Interim Review of Cartwright King's Current Process - Brian Altman KC (August 2013).	POL-0017668
95	POL00139866	Notes of Meeting with BAQC 9/9/13	POL00139866
96	POL00040029	Email chain – Terms of Reference (August 2013).	POL-0036511
97	POL00040032	Post Office: Lessons Learned, review of handling of alleged issues/concerns about Horizon: Terms of Reference (July 2013).	POL-0036514
98	POL00027134	Post Office Ltd Board – Project Sparrow update by Susan C. (September 2013).	POL-0023775

99	POL00116133	Email chain – update Mark to Paula (September 2013).	POL-0117132
100	POL00066817	Email chain – note of meeting with Sir Anthony Hooper (September 2013).	POL-0063296
101	POL00006581	Post Office Ltd – General Review by Brian Altman KC (October 2013).	POL-0017666
102	POL00027534	Executive Committee Agenda – Post Office Limited (October 2013).	POL-0024175
103	POL00060974	Email chain – 2 nd sight and QC (November 2013).	POL-0057453
104	POL00144588	Email chain – Spot review responses (May 2013)	POL00144588
105	POL00145359	Email chain – POL v Ishaq: proposed letter to defence solrs (July 2013)	POL00145359
106	POL00139690	Email chain – Weds call (August 2013)	POL00139690
107	POL00058155	Email chain – 2 nd Sight Review Draft (July 2013)	POL-0054634