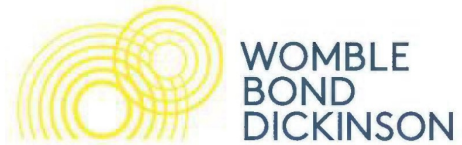


womblebonddickinson.com



11 February 2019

Freeths LLP  
100 Wellington Street  
Leeds  
West Yorkshire  
LS1 4LT

By email only

Womble Bond Dickinson (UK) LLP

Oceana House  
39-49 Commercial Road  
Southampton  
SO15 1GA

Tel: [GRO]  
Fax: [GRO]  
DX: 38517 Southampton 3

andrew.parsons: [GRO]  
Direct: [GRO]

Our ref:  
AP6/AP6/364065.1369  
Your ref:

Email: james.hartley [GRO]; imogen.randal [GRO]

Dear Sirs

### Post Office Group Litigation Horizon Issues Disclosure

We write in response to your letters of 2 October, 18 December, 21 December, 17 January, 22 January, 4, 6 and 8 February 2019.

#### 1. Overarching Response

- 1.1 Before responding to each of your letters in which the Claimants have sought further disclosure from Post Office, given the volume, scope and timing of these requests and the prejudice that these have / are causing to Post Office's trial preparations we feel that it is necessary to remind you of the course that disclosure for the Horizon Issues Trial has taken and our concerns about this.
- 1.2 Please do not feel that it is necessary to provide a response to this section of our letter. We anticipate that there will be disagreement between the parties as to the scope of the disclosure given by Post Office and the subsequent requests made by the Claimants, but given the proximity to the Horizon Issues trial there is limited time for a full debate of these matters.
- 1.3 Disclosure was principally completed in May and August 2018 with little comment or feedback from the Claimants. Then, following the Common Issues trial, the Claimants have produced 13 letters relating to Post Office's disclosure – many of which we have responded to already and this letter addresses the remainder. All your letters have requested further disclosure from Post Office. The total number of requests is understood to be approx. 70 separate requests. There a number of concerns about the way in which these requests have been made which are discussed in paragraphs 1.4 to 1.23 below. Where these concerns arise in relation to a specific letter or disclosure request, greater detail of Post Office's concerns is provided in the latter sections of this letter in response to each letter.

#### Scope

- 1.4 The majority of the Claimants' disclosure requests have not been drafted in line with the Disclosure Pilot Scheme which the parties agreed to adopt. It was ordered (following a contested CMC) that disclosure should be conducted on the basis of Model C (narrow classes or categories of documents). In a small number of instances, the parties agreed, where appropriate for specific

Womble Bond Dickinson (UK) LLP is a limited liability partnership registered in England and Wales under number OC317661. VAT registration number is GB123393627. Registered office: 4 More London Riverside, London, SE1 2AU, where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority.

Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practise law. Please see [www.womblebonddickinson.com/legal](http://www.womblebonddickinson.com/legal) notices for further details.

AC\_154206149\_1

issues, to use Model D (narrow search-based disclosure, without Narrative Documents). A large number of the Claimants' requests have sought disclosure of documents which are not limited by a document type/category, date range or custodian. These requests are not Model C requests. In some instances the requests have been drafted in a way which makes them broader than the alternative Model D approach (since the Claimants have sought disclosure of Narrative Documents). For example, the Claimants have requested documents that relate to background facts that are neither relied upon by witnesses nor central to the Horizon Issues – ie. the request for disclosure of documents relating to the introduction of PING and the rationale behind this introduction. Matters have been further complicated by the fact that the Claimants have presented requests both from the lawyers and from Mr Coyne without, it seems to us, considering the extent of overlap between the two sets of requests or the Court's directions as to the nature and timing of disclosure. The upshot is that, albeit by degrees, the Claimants have effectively requested standard old-style disclosure from Post Office and have disregarded the much narrower and more precise type of disclosure ordered by the Court.

- 1.5 The far-ranging scope of the Claimants' disclosure requests means that Post Office is often unable to even begin to identify and/or locate the documents that the Claimants wish to be provided with. Many of the inquiries which you ask Post Office to carry out potentially cover a 20 year period and as you are aware in many cases Post Office simply does not hold documents in a way which makes searching for categories of documents straightforward. Given that these requests have been made shortly before the Horizon Issues trial, against the background of a claim which has still not been pleaded in any detail by the Claimants, it is even more important for any requests to be narrow so as documents can be gathered, reviewed and disclosed within the time available to do so. Instead of preparing for trial, Post Office's legal team has had to divert resources to discussing with Post Office and Freeths the scope and logistics of giving further disclosure, which has required a considerable undertaking in the redrafting of your requests to make them compliant with Model C as you will see below.

#### **CPR 31.14**

- 1.6 The Claimants have made multiple, scattered requests under CPR 31.14(1)(b) (see Freeths' letters of 21 December 2018 and 22 January 2019).
- 1.7 In particular, the requests in your letter of 22 January 2019 were premised on the basis that Post Office's witnesses had *"been provided with/had sight of document in order to prepare their statements, which have not been disclosed to the Claimants."* CPR 31.14(1)(b) provides that a party may inspect a document mentioned in a witness statement and the witness must make a specific reference to the document or allude to it directly, otherwise CPR 31.14(1)(b) does not apply. Almost none of the requests you have made fall within CPR 31.14. They are new requests for disclosure and it is misleading to present them as if our client has attempted to hold back documents referred to in their witness evidence.
- 1.8 Even if we were incorrect, there has been a substantial delay in making these disclosure requests: our client's evidence having been served on 28 September 2018 and 16 November 2018.
- 1.9 Despite your requests not being within the scope of CPR 31.14(1)(b), Post Office has provided the disclosure sought where the scope of the request is sufficiently clear and it has been reasonable and proportionate to do so. A full response to the requests made in your letter of 22 January 2019 is at section 9 of this letter.

#### **Documents already disclosed**

- 1.10 On numerous occasions the documents which the Claimants have sought disclosure of have already been disclosed. By undertaking analysis of the disclosed documents we have been able to locate the relevant documents on your behalf. Given that the documents have been disclosed electronically and with metadata (where available), the Claimants have the same information available to them as Post Office and should be able to locate these documents themselves. Our concerns about disclosure requests being made before analysis of the disclosed documents has been undertaken was raised in our letter of 10 October 2018, but does not seem to have been



taken into consideration. A good example of this is your request for disclosure of Charles MacLachlan's reports, which had already been disclosed by your clients to us.

- 1.11 Again, undertaking this work on your behalf is taking resources away for the trial preparations and prejudices Post Office's preparations for trial.

#### **Timing**

- 1.12 Disclosure for the Horizon Issues Trial has been split across various CMC Orders:

- 1.12.1 By the Second CMC Order (dated 2 February 2018) the Court ordered that Model C Disclosure and the then draft Practice Direction were to apply
- 1.12.2 The Third CMC Order (dated 1 March 2018) ordered disclosure of Model C classes of documents which primarily related to the Common Issues Trial. However, it also included early disclosure of documents which related to the Horizon Issues Trial, such as:
- (a) Technical documents stored in Dimensions.
  - (b) Known Error Log.
  - (c) Minutes of meetings of Post Office's Board of Directors concerning the roll-out of Horizon and Horizon Online.
  - (d) Contract between Post Office and Fujitsu (ICL).
  - (e) Documents relating to the ability of Post Office (whether itself or by Fujitsu) remotely to detect the occurrence of potential shortfalls or other branch account discrepancies, when the same occurred and whether those discrepancies were caused by bugs, errors and/or defects in the Horizon system; the ability of Post Office and/or Fujitsu to conduct transactions, (by entering, deleting or otherwise altering the same) in postmasters' branches remotely; and Balancing Transactions.

Disclosure of these documents was between 10 and 18 May 2018. This Order also set out a process for introductory demonstrations of Horizon for the IT experts.

- 1.12.3 The Fourth CMC Order (dated 21 June 2018) then provided for the disclosure of documents for the Horizon Issues Trial (known as Stage 3 Disclosure). In the lead up to the CMC on 5 June 2018, at which this Order was made, there was considerable correspondence between the parties as to the scope of disclosure required for the Horizon Issues Trial and the Claimants had a large input into the disclosure that was to be provided by Post Office. It was open to the Claimants to request any documents which they felt needed to be disclosed at this stage. Stage 3 Disclosure was then provided on 1 August 2018.
- 1.13 After the Common Issues trial, which ended 4 months after Stage 3 Disclosure, Post Office has received numerous requests for further disclosure. The majority of these requests could have been encompassed within the scope of Stage 3 Disclosure since the issues and categories were known to your clients. The Claimants did not seek to include these additional documents within the disclosure ordered but have waited until a couple of months before the trial commences to make substantial requests. Post Office's position is that your clients could and should have requested many of these documents long before any witness evidence was served.

#### **Mr Coyne's Request for Further Information**

- 1.14 The Fourth CMC Order also ordered the inspection of the Peak and TfS systems by the Claimants' IT Expert (Mr Coyne) by 15 June 2018. This was because these systems are integrated databases holding over 200,000 unique records that are not designed to be mass

extracted and disclosed. This inspection took place on 15 June 2018 and Mr Coyne had a standing offer (and indeed binding right under a Court Order) to inspect those systems again on reasonable request (but he never did). As was made clear before the CMC and during Mr Coyne's inspection, it was always possible to extract a small number of Peaks manually for him (indeed he was provided with some following the inspection visit) but the extraction of all 220,000 Peaks and the TFS entries was an altogether different proposition. Following the first inspection, no request for disclosure of the full databases has ever been made by the Claimants.

- 1.15 Alongside disclosure, the Claimants' expert had the opportunity to make requests for further information. The process for this was set out in the Fifth CMC Order. In his requests lodged on 18 May 2018 and 26 June 2018, Mr Coyne sought a significant amount of further documentation and he asked a number of questions about the PEAK and TFS systems. These requests were unclear and despite us seeking clarification, no clarification was provided so Post Office could not answer those questions. Instead, Post Office offered to try to provide voluntary disclosure of the documents stored in these systems. It was made clear in Post Office's responses to Mr Coyne's requests on 6 August 2018 that extraction of these databases would be time-consuming (and at that time it was not even known if it was technically possible.) Fujitsu had to write special software code in order to extract the primary text of these databases in a format that was usable but nevertheless our client committed to doing this voluntarily. Mr Coyne never lodged any objection to this proposal (as he was entitled to do under paragraph 2 of the Fifth CMC Order) and so our client proceeded as agreed. The databases were disclosed on 27 September 2018 and 23 January 2019.
- 1.16 Since providing this disclosure Post Office has been continually criticised by you for providing disclosure of these documents late. As can be seen above, this disclosure was neither late nor even ordered. If the Claimants or Claimants' expert had required further inspection or disclosure of the Peaks / TFS at an earlier stage then it would have been open for the Claimants to request this from Post Office and the Claimants could have done so from June 2018 onwards.
- 1.17 Mr Coyne re-raised some points and posited new questions in a revised request for information made on 14 December 2018. This response was required by the Fifth CMC Order to be provided by 18 August 2018. We have repeatedly asked for an explanation as to why the Claimants disregarded the Court's direction in relation to this but have never received any explanation. This delay has had an impact on disclosure since Mr Coyne's new RFIs were not limited to information requests, but extended to requests for further disclosure. The delay in raising these matters has meant that the parties lost 3 months to locate and disclose the documents sought by the Claimants' expert. Any resulting prejudice through disclosure being given shortly before trial has therefore been caused by the delays of the Claimants and the Claimants' expert.

#### **Letter of claim**

- 1.18 In an attempt to paint a picture that Post Office has been resisting disclosure for long periods, your letter of 22 January 2019 seeks disclosure of 30 categories of documents, some of which are said to have been long standing requests originating from disclosure sought in the Claimants' Letter of Claim dated 28 April 2016. These initial requests were effectively for pre-action disclosure and were entirely superseded by the bespoke disclosure orders that were extensively debated, agreed and made by the Court during 2018.
- 1.19 In any event, we note first that Post Office has disclosed over 510,000 documents and your clients have disclosed less than 1,600 and less than 50 in relation to the Horizon Issues. The volume of disclosure alone shows the lengths that Post Office has gone to give disclosure.
- 1.20 Second, this assertion is simply wrong. Section I of the Letter of Claim sought pre-action disclosure of 32 broad categories of documents. Three of these requests sought documents relating to "bugs". The table below set out these requests and the discussion on them between the parties.



Letter of Claim (16 April 2016)	Letter of Response (28 July 2016)	Freeths letter of 25 August 2016	WBD letter of 13 October 2016
Request 7 - "Post Office internal notes, memoranda, correspondence, emails and briefing documents regarding errors, "bugs" or problems in the Horizon system"	"...the volume of documents that may be covered by this request would be significant. These documents will also not be located in one place. A full disclosure exercise would be required to locate these documents."	"We anticipate that such documents exist, are accessible, and could be provided with the assistance of Fujitsu if required. Please reconsider this request and act reasonably so as to provide the documents we have requested.  We also anticipate you will have previously compiled documents in this category."	"As per our previous explanation, a full disclosure exercise would be required to locate these documents, which at this stage is not reasonable or proportionate."
Request 23 - "Internal memoranda from Fujitsu and PO referred to by Second Sight as identifying a 'Horizon bug' with Horizon Online"	"We do not recognise the document to which you refer. Please provide further details."	"We anticipate you should be in a position to identify these documents and ask that you do so."	"as per our previous response, we do not recognise this documents. Please provide further details so as we can progress your request".
Request 31 - "...The first document to which Second Sight refer is named "Correcting Accounts for "lost" Discrepancies" and was created by a senior engineer at Fujitsu in September 2010. The second is entitled "Receipts/Payments Mismatch issue notes" which appears to be a minute of a joint Post Office and Fujitsu meeting held in August 2010. Please provide copies of these documents."	"These documents will be provided."	"We await the documents you agree to provide, and have no further request at this stage."	"Documents were provided on 31 August 2016"

- 1.21 None of the requests which you made on 26 April 2016 seem to be the same as, or encompassed by, the requests which you have made on 22 January 2019. Further, the lack of engagement by the Claimants in April 2016 to assist Post Office to formulate a narrow class of documents which could be disclosed (given that at this time the GLO had not yet been ordered and there had been no pleadings) or provide further information when asked to do so meant that Post Office was unable to provide the disclosure which you sought. This cannot be a criticism of Post Office.

#### Conclusion on overarching comments

- 1.22 As set out above, there has been a clear procedure for disclosure request, response and order which both parties were meant to comply with in early to mid-2018 and which you have effectively ignored by making repeated last-minute requests outside that procedure and its parameters.

- 1.23 It should also be kept in mind that the Claimants' new demands for further late disclosure fall to be considered against the background of a complete lack of engagement with Post Office's questions about how the Claimants have undertaken their own disclosure. This matter will be addressed in a separate letter once Post Office has had the opportunity to review the Claimants additional disclosure which we were informed of on 7 February 2019.

## **2. Responses to outstanding disclosure requests**

- 2.1 The remainder of this letter sets out Post Office's responses to the Claimants' outstanding disclosure requests.
- 2.2 Post Office has sought to respond to all of your requests. However, given the volume of requests that have been made if you believe that any of your requests have not been responded to it would be appreciated if you could bring these to our attention.

## **3. Requests on 2 October 2018 – documents relating to known bugs / errors**

- 3.1 Further to our letter of 11 January 2019, please find enclosed a disclosure list named "*Dalmellington, Newport and remuneration overpayment*". This list contains the relevant documents sourced from the 59 custodian's email accounts used for Stage 3 Disclosure, which were responsive to the keywords "*Dalmellington*", "*Newport*" and "*Remuneration overpayment*".
- 3.2 A number of documents have not been disclosed since they are privileged (on the basis of legal advice and/or litigation privilege) and some documents have been redacted on the basis of legal advice and/or litigation privilege. These documents have been reviewed by the legal representative in charge of disclosure.
- 3.3 It should be noted that Stage 3 Disclosure specifically excluded emails. The majority of documents which are now being disclosed are emails and therefore did not fall within the scope of a previous disclosure order.

## **4. Requests on 18 December 2018 – documents relating to Claimants' witnesses**

- 4.1 The Managing Judge made clear from the outset that the Horizon Issues trial was not intended to be a trial of the merits of individual Claimants' allegations and as we have set out in other correspondence gave directions to that effect. Disclosure for the Horizon Issues Trial was therefore scoped on this basis, with Post Office giving disclosure of documents concerning Horizon in the generic sense (ie. not documents which concerned the operation of Horizon in specific Claimants' circumstances). The disclosure which is now sought by the Claimants is specific to their individual witnesses and therefore would not fall within the scope of the disclosure ordered for the Horizon Issues Trial. The Claimants' obligation, by contrast, was simply to give disclosure of documents relied upon as well as known adverse documents.
- 4.2 It was not until 28 September 2018, some two months after Stage 3 Disclosure was given, when the Claimants served witness evidence from 6 subpostmasters / assistants that Post Office first knew that these individuals would be involved in the Horizon Issues Trial (**the Individual Witnesses**). Despite the Claimants having known the identity of the Claimants' witnesses from at least September 2018 (and presumably long before then) you have waited until 18 December 2018 to make the first disclosure requests for documents relating to these people.
- 4.3 As a result of the above, there has been no order by the Court requiring either party to provide disclosure of documents relating to the Individual Witnesses. This has materially prejudiced our client because had it known that your clients would be relying on individual evidence at trial, it would have sought appropriate disclosure orders as part of Stage 3 Disclosure. Your lack of transparency around your witnesses, and breach of a Court Order in filing this evidence, has deprived our client of that opportunity and risks the trial proceeding on an unfair footing.
- 4.4 Notwithstanding the above, our aim is to try to assist the Court at trial. Pursuant to your requests made on 18 December 2018, a disclosure list named "*Claimants' Horizon Witnesses*" which



contains the relevant, non-privileged documents reviewed by Post Office's witnesses during the production of Post Office's responsive witness statements will be provided to you shortly.

- 4.5 In relation to Mr Singh, this Claimant was one of the 12 Claimants who was considered as a potential Lead Claimant for the Common Issues Trial. During the selection process the parties provided disclosure of a number of documents relating to Mr Singh (disclosed on 19 January 2018 - over a year ago). Mr Singh provided disclosure of his diary entries showing his calls with the NBSC (C-0166-0000015 to C-0166-0000026, C-0166-0000028, C-0166-0000031 to C-0166-0000032) and his transaction receipts (C-0166-0000033 and C-0166-0000034). Post Office also disclosed Mr Singh's NBSC call logs (POL-0000537). Part of your request for disclosure on 18 December 2018 is therefore duplicative of the disclosure that was provided by both parties over a year ago.
- 4.6 Further, as evident from our second letter of 19 January 2018, Post Office holds limited documents in relation to Mr Singh due to the age of his claim and requests for disclosure of documents relating to this Claimant should be made with this in mind.
- 4.7 In relation to Mr Patny, the majority of the documents which you have requested had already been provided either to Mr Patny or Freeths during the course of the parties' correspondence in relation to his suspension. Disclosure of the NBSC call logs and a breakdown of the transaction corrections issued to the branch were disclosed on 12 May 2017 (over a year and a half ago). Further, copies of the transaction and event data was provided on 29 November 2017. Formal disclosure of these documents has not yet been given, and so Begin Bates numbers will be allocated to these documents in the disclosure list to follow.
- 4.8 Lastly, a number of the documents of which you requested disclosure were provided to you with Post Office's responsive witness statements on 16 November 2018 (for example, Mr Latif's and Mr Patny's HSD logs).
- 4.9 The above examples reflect the point made earlier in this letter that due to a lack of diligence on the Claimants' side, our client is having to identify already disclosed documents in order to respond to requests that should not have been made in the first instance.

#### **5. Requests on 21 December 2018 – documents referred to in Post Office's Witness Statements**

- 5.1 A substantive response to your letter of 21 December 2018 was provided by way of our letter of 17 January 2019. The majority of the documents which you requested disclosure of had already been disclosed and by undertaking searches of the disclosed documents we were able to locate these on your behalf. Of note, you requested disclosure of the Horizon System User Guide from 1999/2000 which was included within the Common Issues Trial bundle and referred to on numerous days at the Common Issues Trial (see Day 7, page 192).
- 5.2 As previously requested in our second letter of 10 October 2018, before raising concerns and queries about the disclosure provided by Post Office, please analyse the information, data and documents which have already been provided. The time and effort required to respond to your queries is a matter which will be raised when the costs of disclosure fall to be considered. Further, undertaking this work on your behalf is prejudicing Post Office's preparations for trial.
- 5.3 There were a number of your requests which required Post Office to undertake further analysis to locate and provide disclosure of the documents. This work has now been completed and a disclosure list named "21 December 2018 - responses" will follow shortly.

Request No.	Disclosure Request	Response
7	Audit Reports of Horizon carried out annually by Ernst and Young or otherwise.	A search for further audit reports held in our e-discourse platform has been undertaken. These documents will be disclosed.  In response to the queries raised in your letter of 8

Request No.	Disclosure Request	Response
		<p>February 2019 relating to audit reports:</p> <ul style="list-style-type: none"> <li>Enquiries are being made to understand who was appointed as auditor of Horizon prior to 2011. A response to this query will follow.</li> <li>As explained above, a search for audit reports held in our e-disclosure system (which contains all of the custodian's documents for Stage 3 disclosure) has been run. Post Office does not have an obligation to provide disclosure of all audit reports on Horizon since 2000. Post Office has conducted a reasonable and proportionate search to locate the audit reports and has provided disclosure of these documents.</li> </ul>
9	Advice sent to Subpostmasters in relation to the bug known at Callender Square	<p>We confirmed in our letter of 17 January 2019 that Post Office was in the process of searching for copies of the advice sent to postmasters, but since the bug occurred in 2005 it was not envisaged that Post Office would still hold copies of this advice.</p> <p>Post Office has been unable to locate a copy of this advice, but during this search has come across a number of documents which may be of interest. Disclosure of these documents will be provided.</p>
12	Problem Review Tracker	Fujitsu have provided us with an updated copy of the Problem Review Tracker as at 24 December 2018. Disclosure of this document will be provided.

5.4 We trust that the above responses finalise your requests for disclosure made in the first section of your letter of 21 December 2018.

#### 6. Requests on 21 December 2018 – Horizon Management Council

6.1 In relation to your request for disclosure of documents held by Mr Rees, Ms McGinn and Ms George, you state in your letter of 21 December 2018 that *"there are certain named individuals or teams / groups within the Post Office organisation that the Claimants were not previously aware of..."*. We understand this to be a reference to the Horizon Management Council and the documents held by the three custodians which you identified. We do not agree with your position that the Claimants were not previously aware of these custodians. POL-0218577 ("*[Redacted] Action Summary*") was disclosed on 1 August 2018 and discussed in correspondence between the parties during October 2018. Further, the document was the subject of detailed debate at the Common Issues Trial during November 2018.

6.2 The Claimants were aware of the three custodians detailed in POL-0218577 from as early as August 2018. The Claimants' disclosure request was however not made until 21 December 2018. Nevertheless, Post Office has sought to accommodate the disclosure sought in the time which is available.



- 6.3 In your letter of 8 February 2018 you state that Post Office was required to provide disclosure of the documents sourced from the email accounts of Mr Rees, Ms McGinn and Ms George and the Information Security's team's Sharepoint site pursuant to Schedule 1 of the Fourth CMC Order. Schedule 1 provided for disclosure of documents from three categories of custodians. The emails accounts of Mr Rees, Ms McGinn and the Information Security team's Sharepoint site were not custodians within one of these categories and are therefore not within the scope of the Fourth CMC Order. Further, the categories of documents expressly excluded emails. The disclosure which we are now providing primarily consists of emails sent or received by these custodians. Therefore, the disclosure being provided by Post Office does not fall within the scope of the Fourth CMC Order and any prejudice caused by the delay in receiving these documents has been caused by your client making these requests late.
- 6.4 A Disclosure List which contains the relevant, non-privileged documents from Julie George's email account which were responsive to the search terms set out in our letter of 17 January 2019 is currently being produced and will be provided to you shortly. A number of documents will not be disclosed since they are privileged (on the basis of legal advice and/or litigation privilege) and some documents have been redacted on the basis of legal advice and/or litigation privilege. These documents have been reviewed by the legal representative in charge of disclosure.
- 6.5 When reviewing this disclosure it has come to our attention that 121 of the documents that were responsive to these search terms had already been disclosed. Disclosure of these documents has not been provided a second time.
- 6.6 In respect of the documents from the email accounts of Mr Rees, Ms McGinn and the Sharepoint site of the Information Security team, as explained in our letter of 17 January 2019 these documents needed to be extracted before being reviewed for relevance and privilege. We have now extracted these documents and they have been uploaded to our e-disclosure platform. Before reviewing these documents it is proposed that the keyword search terms (set out in our letter of 17 January 2019) that are applied to these documents are narrowed. The reason for this is that the keyword search terms applied to the email account of Julie George generated a high volume of false positive documents (documents which contained the keywords but were not relevant to the issues in this claim). Of the 9,698 documents reviewed, only 13% of the responsive documents were relevant. The proposed amendments to the search terms will follow shortly in a separate letter.

## 7. Textbooks and articles referred to by Dr Worden

- 7.1 These documents are in the process of being uploaded to Magnum and it would be appreciated if access to these could be provided to Mr Coyne.

## 8. Queries raised on 17 January 2019 - Privileged User logs and MSC Logs

- 8.1 We refer to your letter dated 17 January 2019. Taking each point in turn:

### User IDs

- 8.2 We have taken further instructions from Fujitsu in respect of the additional USERIDs in your schedule and set out descriptions of each user below. Please note that there are some usernames that: 1) do not exist today and never existed in the past as far as Fujitsu are aware. These are identified in the classification column of the list as "Unknown"; and 2) do not exist today but did exist in the past.

Username	Classification	Description
BRDBOMB B	Unknown	Does not exist, there is an OMDBUSER however - the BRDB HLD states "User is used by the OMDB (SYSMAN) to read PONR for HNG-X Branch Migration"
COBEN01	PERSON - SSC	SSC Cath Obeng but also exists below as OPS\$COBEN01

DAVEN01	PERSON - SSC	SSC Darren Avenell but also exists below as OPS\$DAVEN01
EMDB_SUP	SYSTEM	Automated application user, User used by EMDb to maintain EMDb tables for BRDB Estate Management. SELECT on ops\$brdb.brdb_branch_info.ops\$brdb.brdb_branch_node_info, ops\$brdb.rdds_branch_opening_periods
EXI	Unknown	Does not exist on BRDB
LVAGENTUSER1	SYSTEM	Automated application user - used by Near Real Time agents (for example) British Gas smart metering system - able to update & query one table (BRDB_RX_NRT_TRANSACTIONS) via a PL/SQL interface
LVAGENTUSER4	SYSTEM	Same as LVAGENTUSER1 but for agent connecting to BRDB instance 4 (i.e. there are 4 of these users LVAGENTUSER[1-4])
OMDBUSER	SYSTEM	Automated application user, outbound interface to OMDB - the BRDB HLD states "User is used by the OMDB (SYSMAN) to read PONR for HNG-X Branch Migration"
OPS\$ABEST01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Anne Best – SSC current user
OPS\$ACHAM01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Anne Chambers – SSC defunct user
OPS\$AGIBS01	PERSON - POA UNIX	1st line support user (POA Unix), see "POA UNIX User Privileges" section Andy Gibson
OPS\$AKEIL01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" below Andy Keil – SSC defunct user
OPS\$AWOOD01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Adam Woodley – SSC current user
OPS\$BPEAC01		3rd line support user (SSC group), see "SSC User Privileges" below Ben Peacey – SSC defunct user
OPS\$BRDBBTR1	SYSTEM	Application user, used by training counters to access tables held by OPS\$BRDBTR
OPS\$BRDBTR	SYSTEM	Application user owning a number of tables that hold training transaction data only - used to train new Counter users. No "live" transaction data stored within this user.
OPS\$BRSSBTH1	Unknown	This looks to be the BRSS (Branch Support database) batch user - not directly related to BRDB. SYSTEM user with respect to BRSS.
OPS\$CCARD01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Cheryl Card – SSC current user
OPS\$COBEN01		3rd line support user (SSC group), see "SSC User Privileges" section Cath Obeng – SSC defunct user
OPS\$CTU	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges"



RR01		section Clive Turrell – SSC defunct user
OP\$DALL E01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Dave Allen – SSC current user
OP\$DAVE N01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Darren Avenell – SSC current user
OP\$DSE DD01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Dave Seddon – SSC current user
OP\$EASH F01	PERSON - POA UNIX	1st line support user (POA Unix), see “POA UNIX User Privileges” section Ed Ashford
OP\$GMA XW01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Gary Maxwell – SSC current user
OP\$GSIM P01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Garrett Simpson – SSC defunct user
OP\$JBAL L01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section John Ballantyne – SSC defunct user
OP\$JCHA R01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section John Charlton – SSC defunct user
OP\$JHAR R01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Joe Harrison – SSC current user
OP\$JSIM P01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section John Simpkins – SSC current user
OP\$KMIL L01		3rd line support user (SSC group), see “SSC User Privileges” section Kevin Miller – SSC defunct user
OP\$LKIA N01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Lina Kiang – SSC defunct user
OP\$MCR OS01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Mike Croshaw – SSC current user
OP\$MOG GBRDB	SYSTEM	Oracle goldengate replication user - no privileges on BRDB
OP\$MWR IG01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Mark Wright – SSC current user
OP\$NMC KE01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Kevin McKeown – SSC current user
OP\$ORA CLE	Unknown	Does not exist on BRDB
OP\$PCA RR01	PERSON - SSC	3rd line support user (SSC group), see “SSC User Privileges” section Pat Carroll – SSC defunct user
OP\$PSIM P01	PERSON - POA UNIX	1st line support user (POA Unix), see “POA UNIX User Privileges” section Paul Simpson

OPS\$PSTE W01	PERSON - POA UNIX	1st line support user (POA Unix), see "POA UNIX User Privileges" section Paul Stewart
OPS\$RGEL D01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Rob Gelder – SSC current user
OPS\$SEN GL01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Sarah English – SSC defunct user
OPS\$SNEL L02	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Sunil Nellikkentavita – SSC defunct user
OPS\$SPAR K01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Steve Parker – SSC defunct user
OPS\$SSAT T01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Sirous Sattar – SSC current user
OPS\$SSU RX01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Sudip Sur – SSC defunct user
OPS\$VKO NA01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Venkata Subbarao Konakalla – SSC defunct user
OPS\$VRA MA01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Vishnu Ramachandran – SSC defunct user
OPS\$WBR AG01	PERSON - SSC	3rd line support user (SSC group), see "SSC User Privileges" section Wayne Bragg – SSC current user
OPS\$WCA LV01	PERSON - POA UNIX	1st line support user (POA Unix), see "POA UNIX User Privileges" section Wayne Calvert
ORAEXCP LV	SYSTEM	Provides ability for batch users (OPS\$BRDBBLV[1-4]) to insert exception messages into table OPS\$BRDB.BRDB_OPERATIONAL_EXCEPTIONS - insert ability only.
OUTLN	SYSTEM	Oracle supplied account - EXPIRED & LOCKED on 19th July 2015
PK	Unknown	Does not exist on BRDB
QLPSTRAD MIN	Unknown	Does not exist on BRDB – think this is "STRADMIN".
RDDS	Unknown	Does not exist on BRDB - A RDDS username does however exist on the RDDS system (reference data system)
SQUIRLES CAN	Unknown	Does not exist on BRDB – think this is "SQUIRRELS CAN".
SQUIRRELS CAN	PEN TEST	Used by PEN testers, LOCKED on 26th June 2016. User was created as per requests by SecOps. This user can <ul style="list-style-type: none"> <li>• Create any oracle directory object</li> <li>• Create a session (i.e. logon – but not if the user is locked as is the case currently)</li> </ul>



		<ul style="list-style-type: none"> <li>• Create tables within its own schema</li> <li>• Select any table within the database (i.e. read only access), including application/transactional data</li> </ul>
SSC_TOOLS		As per Steve Parker - read-only access database user for support access
STRADMIN	SYSTEM	Does not exist on BRDB - Automated Oracle streams (precursor to Goldengate) account, dropped around 4 or more years ago.
STRMADMIN	Unknown	Does not exist on BRDB – think this is "STRADMIN" in reality
SYSTEM	SYSTEM	Oracle supplied admin account - LOCKED on 11th June 2012
TRBALUSER	SYSTEM	BAL application user - provides access to training schema tables - see previous description provided for "IV. TRBALUSERS"
TWS		User that holds state for batch scheduling software "Tivoli Work Scheduler" - this user has no access to BRDB transactional data
XXXX	Unknown	Does not exist on BRDB

- 8.3 In respect of the usernames that do not exist today and never existed in the past as far as Fujitsu are aware, these are all invalid names, i.e. User IDs which someone tried to use in error and the system did not let them log on because they were not valid. An example of this is as follows:

204928|1|1||BRDBOMDB||prpbdb001|pts/0|100|1017|||||||||Authenticated by:  
DATABASE||brdb|||||20091012140738|||1|8191|0000000000000000||||

- 8.4 The relevant part is highlighted, which resolves to ORA-01017 and belongs to column RETURNCODE.

- 8.5 The confirmation of the explanation for each is shown in this table:

Username	Classification	Description
BRDBOMDB	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
EXI	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
OPS\$BRSSBTH1	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
OPS\$ORACLE	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied. There is also an instance of ORA-01013 user requested cancel of current operation

		which suggests the user entered ctrl-c to cancel the logon operation before the user could be informed that the logon was denied.
PK	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
QLPSTRADMIN	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
RDDS	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
SQUIRLESCAN	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
STRMADMIN	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied
XXXX	Unknown	Examination of the audit files reveals that the username entered was deemed as invalid. ORA-01017: invalid username/password; logon denied

8.6 In respect of SSC user privileges, SSC users (those identified as "PERSON – SSC" under Classification) will typically have the following privileges/roles:

8.6.1 the ability to create the following objects within their own schema/user:

(a) create cluster, create index, create procedure, create sequence, create table, create trigger, create type.

8.6.2 granted the "SSC" role which contains the "MONITOR" role and which in turn contains "CONNECT", allowing a user to log onto the database.

8.6.3 granted the "SELECT ANY TABLE" privilege which allows the user read access to any table within the database.

8.6.4 granted the ability to execute a single function owned by OPS\$BRDB, FN\_BRDB\_EXTRACT\_CLOB. This function reads large text strings out of the database and makes it available to the user.

8.6.5 "PAF\_COUNTER" role which contains:

(a) SELECT on 2 tables PAF\_OWNER.PAF\_ADDRESS\_POINT\_[A|B]. Postcode Address Finder data as provided by Royal Mail, used by the Counter to do address lookups.

8.6.6 granted the "SELECT ANY DICTIONARY" privilege which allows the user to read the oracle data dictionary tables (i.e. not application related).



- 8.6.7 granted the ability to execute the following executable functions:
- (a) OPS\$SUPPORTTOOLUSER.PKG\_BRDB\_CLEAR\_RO\_LOCK – allows an SSC user to remove a rollover lock from a branch
  - (b) OPS\$SUPPORTTOOLUSER.PKG\_BRDB\_CLEAR\_SU\_LOCK – allows an SSC user to remove a stock unit rollover lock from a specific branch
  - (c) OPS\$SUPPORTTOOLUSER.PKG\_BRDB\_RO\_FAD\_FYR – allows an SSC user to roll a branch over to a different financial year
  - (d) OPS\$SUPPORTTOOLUSER.PKG\_BRDB\_UPD\_RVY\_TXN – allows an SSC user to update recovery data
  - (e) OPS\$SUPPORTTOOLUSER.PKG\_BRDB\_TXN\_CORRECTION – framework to allow user to insert fully audited balancing records into a BRDB transaction table (made against node ID 99).
- 8.7 In respect of POA Unix user privileges, POA Unix users (those identified as "PERSON – POA UNIX" under Classification) will typically have the following privileges/roles:
- 8.7.1 granted the "CONNECT" ROLE which allows the user to log onto the database.
  - 8.7.2 granted the "EXP\_FULL\_DATABASE" ROLE which allows the user to export data from the database using Oracle export tools. Note this is an Oracle supplied/defined role.
  - 8.7.3 granted the "SELECT ANY TABLE" privilege.
  - 8.7.4 granted "SELECT ANY DICTIONARY" which allows the user to read the oracle data dictionary tables (i.e. not application related).
  - 8.7.5 granted the "SELECT ANY TABLE" privilege which allows the user read access to any table within the database.
  - 8.7.6 granted the ability to create the following objects within the user's own schema:
    - (a) create cluster, create index, create procedure, create sequence, create table, create trigger, create type.
  - 8.7.7 granted the "UNXADM" role which contains the following role:
    - (a) granted the "DBA" role. This is an Oracle supplied role for use by database administrators (DBAs). Lots of privileges are granted to this role so users have the ability to update/delete/insert into any of the Branch database tables.
  - 8.7.8 Granted the ability to execute the following executable functions:
    - (a) OPS\$SUPPORTTOOLUSER.PKG\_BRDB\_TXN\_CORRECTION – framework to allow the user to insert fully audited balancing records into a BRDB transaction table (made against node ID 99).

**DML == Data Manipulation Language**

- 8.8 DML is a generic database term (i.e. not specific to Oracle) references to which are plentiful on the internet. It was included to give context to terms such as SELECT, UPDATE, INSERT.

**SSC\_tools**

- 8.9 "SSC\_TOOLS" is a read-only access database user (DRS, TES, APS2, TPS, LFS, BRDB, BRSS) used for support tools such as HORIce and "Smiley". It was introduced in 2014 as part of the introduction of Service Level Reporting using HORIce.

**OCP records**

- 8.10 These have been disclosed to you, as per our letter dated 24 January 2019.

**9. Requests on 22 January 2019 – Witness Statement disclosure**

- 9.1 In this letter you have made a number of further requests for documents based on assertions that: (1) there are gaps in our client's disclosure; and/or (2) our client's witnesses *"have been provided with/had sight of documents in order to prepare their statements, which have not been disclosed to the Claimants"*. As explained above, under CPR 31.14 disclosure of documents on the basis of a witness having sight of them is not the correct test to be applied. In relation to the gaps in our clients' disclosure, save for a small number of exceptions, your requests are new and wide ranging requests for further disclosure for which the Claimants have not attempted to draft as a Model C request. Although you assert that there are gaps in our client's disclosure, you have made no attempt to point to any provisions of the Second, Third or Fourth CMC Orders that our client is said to have breached. We respond to your requests below but if you seriously wish to maintain the position that Post Office has not complied with CMC Orders, please explain which disclosure obligations have not been fulfilled by Post Office. We reserve our client's right to respond further in the event that you seek to articulate your assertion in this regard.

**Paul Smith requests**

- 9.2 Your requests for disclosure of documents relating to TCs issued, challenged and successfully challenged; the introduction of the TC case management system and records from that system; and the decisions to issue TCs and resolve disputes about TCs are all outside of the scope of the Horizon Issues Trial.
- 9.3 As already explained in our letter dated 8 August 2018, the full extent of Post Office's back-office reconciliation procedures (i.e. the procedures by which TCs are issued and disputes in relation to TCs resolved) are not within the scope of the Horizon Issues Trial.
- 9.4 It should be noted that paragraph 10 of the Third CMC order required our client to *"[...] prepare a document, from the information available [...], setting out the aggregate volume and value of Transaction Corrections issued annually since 1999"*. That document was provided to you under cover of our letters dated 18 May 2018 and 28 June 2018 and our client has therefore satisfied its obligation under paragraph 10 of the Third CMC Order. Further, Category 25 of the Stage 2 Disclosure required Post Office to disclose *"Post Office written policies, process documents, and formal internal guidance documents (not emails) regarding the issuing of Transaction Corrections."* A review of the documents disclosed under this category should provide adequate information for the purposes of the Horizon Issues Trial.
- 9.5 If the Claimants wish to continue to pursue this request for disclosure, please could you confirm which Horizon Issue(s) these documents are relevant to and provide a revised request by way of a Model C class of documents.
- 9.6 Finally, your request for documents on which Dr. Worden has made assumptions is incorrect. Dr. Worden refers to facts presented to him in Mr Smith's statement, not documents. There are therefore no documents to be disclosed under this request.



**Responses to requests made in the schedule**

9.7 Please find enclosed at Schedule 1 of this letter our responses to the disclosure requests which were made in the schedule to your letter of 21 January 2019.

**10. Requests on 4 February 2019 - Witness Statement disclosure**

10.1 We refer to our comments in section 4 above in relation to the requests made in your letter of 18 December 2018. These comments apply equally to the requests which you made on 4 February 2019. In response to your requests for disclosure:

Request No	Request	Response
<b>Mr Anup and Mr Akash Patny</b>		
1.	<p>Please disclose all documents relating to the acknowledged Horizon system outage (Mrs Van Den Bogerd paragraph 61, and also 103 in relation to Mrs Burke), and its effects on branches.</p> <p>We anticipate these documents will have been considered by Mrs Van Den Bogerd and/or her small team and therefore fall within our 18 December 2018 requests, but if for any reason they were not, please in any event disclose them.</p>	<p>The request for disclosure of "<i>all documents</i>" is not a Model C request for a narrow class or category of documents and this broad request has been made 1 month before the commencement of trial. You have made the widest possible requests which we cannot realistically comply with just before the trial – and moreover we do not understand why since we cannot see any issue which this admitted outage goes to. We cannot see any proper basis for this request.</p> <p>Disclosure of the documents relating to Mr Patny which Mrs Van Den Bogerd had reference to when preparing her witness statements will be disclosed in the list "<i>Claimants' Horizon Witnesses</i>".</p> <p>If further documents are sought then please could you provide a disclosure request by way of a Model C narrow class of documents.</p>
2.	Please confirm if the document referred to at paragraph 62 (POL-0444069) is the document that Mrs Van Den Bogerd intended to rely on and if not, please identify the correct document reference.	POL-0444069 is the HSD call logs relating to Mr Patny's branch for May 2016. The correct document is the NBSC call logs, which will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".
3.	Please identify and disclose the document(s) intended to be referred to at paragraph 63 (the current exhibit reference (POL-0444059) does not relate to this branch) and, if different, subsequent references to "The branch's transaction and event data" (paragraph 65), and the references to cash declarations.	<p>POL-0444059 is the event log for Ms Burke's branch during May 2016.</p> <p>The transaction, event and filtered data for Mr Patny's branch for May 2016 which will be disclosed in the list "<i>Claimants' Horizon Witnesses</i>".</p> <p>Details of the cash declarations which are made reference to will be disclosed in the list "<i>Claimants' Horizon Witnesses</i>".</p>
4.	Please in any event ensure your response to our 18 December 2018 request includes all available transaction data for the Spencefield	Disclosure of the transaction and event data for the Spencefield branch was given on 29

Request No	Request	Response
	branch relating to the events of 9 May 2016, including for the avoidance of doubt, unfiltered ARQ data for that date.	November 2017.  Formal disclosure of the transaction and event has been given as POL-044405 and POL-0444075. The filtered ARQ data will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".
5.	Please confirm if the document referred to at paragraph 71 (POL-00444060) is the intended document reference, and in any event disclose all available data for the period 22 to 24 February 2016, including in relation to cash declarations.	POL-0444060 is the event data for Mr Patny's branch during February 2016. The document which was intended to be referred to was the transaction data for the Spencefield branch was disclosed on 29 November 2017.  Formal disclosure of the transaction data will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".  The cash declarations for February 2016 will also be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".
6.	Please disclose requests for and relating to the Credence report referred to within the disclosed NBSC call log (see entry on 21 June 2016) and any other related documents which were generated at this time relating to the issuing of a transaction correction.	The TC data was already disclosed to Mr Patny on 12 May 2017. Formal disclosure of this document will be provided in the list " <i>Claimants' Horizon Witnesses</i> ". Further enquires are being made as to the credence report.  Your request for " <i>any other related documents</i> " relating to the issuing of a transaction correction is not a Model C request for a narrow class or category of documents and this broad request has been made 1 month before the commencement of trial. You have made the widest possible requests which we cannot realistically comply with just before the trial – and moreover we cannot see any issue which this goes to. We cannot see any proper basis for this request.
<b>Mr Jayesh Tank</b>		
7.	Mrs Van Den Bogerd refers to NBSC logs (at paragraphs 77, 79 and 83) but provides no exhibit. Please ensure your response to our 18 December 2018 request includes a complete set of NBSC call logs for the Fleckney Post Office for the period Mr Tank was Subpostmaster (May 2006 to March 2017).	Disclosure of these documents will be provided in the list " <i>Claimants' Horizon Witnesses</i> ". The call logs cover the date range of January 2001 to March 2017
<b>Mr Adress Latif</b>		
8.	Mrs Van Den Bogerd refers to " <i>the ARQ data</i> " at paragraph 90, without exhibit. Please identify the intended document.	The reference to " <i>ARQ data</i> " is to the transaction data for the branch which referred to the exhibit mentioned in the



Request No	Request	Response
		previous sentence.
9.	Also at paragraph 90, Mrs Van Den Bogerd exhibits transactional data for June to August 2015. We anticipate that data outside of this range was identified by Post Office and considered by Mrs Van Den Bogerd and/or her small team, and our 18 December 2018 request seeks disclosure of that data. As Post Office must recognise, Mr Latif may have misremembered the date of this incident.	Disclosure of the transaction and event data which were referred to by Mrs Van Den Bogerd has been disclosed as: POL-0444063, POL-0444062, POL-0444061, POL-044407. The remaining data and filtered data will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".  These documents cover the date ranges of June to August 2015 and January to March 2018.
10.	Mrs Van Den Bogerd refers to a review of the NBSC logs (at paragraph 93) but provides no exhibit. Please ensure your response to our 18 December 2018 request includes a complete set of NBSC call logs for the Caddington Post Office for the period Mr Latif was Subpostmaster (October 2001 onwards).	The NBSC call logs for Mr Latif will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ". The document will cover the date ranges of June 2016 to May 2017.
11.	Please confirm if the document referred to at paragraph 98 (POL-0444076) is the intended document, and if not provide the document to which Mrs Van Den Bogerd intended to refer.	POL-0444076 is the event data for Mr Latif's branch during March 2018. The document which was intended to be referred to was the transaction data for January 2018, which will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".
12.	Please identify and disclose the document to which Mrs Van Den Bogerd refers at paragraph 99.	The event log for January 2018 will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".
13.	Please disclose documents recording or relating to the decision to issue the transaction correction referred to at paragraph 100, and the transaction correction itself.	The TC data for Latif's branch will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".  Your request for " <i>documents recording or relating to the decision to issue the transaction</i> " is not a Model C request for a narrow class or category of documents and this broad request has been made 1 month before the commencement of trial. This is a very wide request which we cannot realistically comply with just before the trial – and moreover we cannot see any issue which this goes to. We cannot see any proper basis for this request
<b>Mrs Angela Burke</b>		
14.	We have requested documents relating to the admitted national system outage, at point 1 above, which applies equally in Mrs Burke's case.	See our response to Request No 1 above.
15.	Please ensure your response to our 18	The transaction, event and filtered data for

Request No	Request	Response
	December 2018 request includes all available transaction data for the Newport branch relating to the events of 9 May 2016, including for the avoidance of doubt, unfiltered ARQ data for that date.	the Newport branch will be disclosed in the list " <i>Claimants' Horizon Witnesses</i> ".
16.	Please disclose documents recording or relating to the decision to issue the transaction correction referred to at paragraph 110, and the transaction correction itself	<p>The TC data for Burke's branch will be disclosed in the list "<i>Claimants' Horizon Witnesses</i>".</p> <p>Your request for "<i>documents recording or relating to the decision to issue the transaction</i>" is not a Model C request for a narrow class or category of documents and this broad request has been made 1 month before the commencement of trial. This is a very wide request which we cannot realistically comply with just before the trial – and moreover we cannot see any issue which this goes to. We cannot see any proper basis for this request.</p>

10.2 We trust that the above responses provides clarity of the documents referred to in Mrs Van Den Bogerd's witness statement and a full response to your letter of 4 February 2019.

#### 11. Queries raised on 6 February 2019 – Oracle Audit Table

11.1 Your letter states that "*[t]his information should have been provided along with your client's disclosure and the delay in receiving it is unacceptable.*" Post Office is required to provide disclosure of documents. There is no further obligation on Post Office to explain the contents of documents or provide assistance with the interpretation of them. Post Office has done so on a number of occasions not because it is required to do so, but so as to assist the Claimants. This should not be mistaken with a requirement for Post Office to provide further information. Further and as we have explained on numerous occasions, Post Office is not in control of a number of documents which you request disclosure of and is reliant on the assistance of Fujitsu to locate and disclose documents. The information which you have requested was not readily available to Post Office since it is data held by Fujitsu.

11.2 In response to your queries, Fujitsu have confirmed the numerical codes mean:

0 UNKNOWN	70 ALTER RESOURCE COST	162 DROP JAVA
1 CREATE TABLE	71 CREATE MATERIALIZED VIEW LOG	163 CREATE OPERATOR
2 INSERT	72 ALTER MATERIALIZED VIEW LOG	164 CREATE INDEXTYPE
3 SELECT	73 DROP MATERIALIZED VIEW LOG	165 DROP INDEXTYPE
4 CREATE CLUSTER	74 CREATE MATERIALIZED VIEW	166 ALTER INDEXTYPE
5 ALTER CLUSTER	75 ALTER MATERIALIZED VIEW	167 DROP OPERATOR
6 UPDATE	76 DROP MATERIALIZED VIEW	168 ASSOCIATE STATISTICS
7 DELETE	77 CREATE TYPE	169 DISASSOCIATE STATISTICS
8 DROP CLUSTER	78 DROP TYPE	170 CALL METHOD
9 CREATE INDEX	79 ALTER ROLE	171 CREATE SUMMARY
10 DROP INDEX	80 ALTER TYPE	172 ALTER SUMMARY
11 ALTER INDEX	81 CREATE TYPE BODY	173 DROP SUMMARY
12 DROP TABLE	82 ALTER TYPE BODY	174 CREATE DIMENSION
13 CREATE SEQUENCE	83 DROP TYPE BODY	175 ALTER DIMENSION
14 ALTER SEQUENCE	84 DROP LIBRARY	176 DROP DIMENSION
15 ALTER TABLE		



16	DROP SEQUENCE	85	TRUNCATE TABLE	177	CREATE CONTEXT
17	GRANT OBJECT	86	TRUNCATE CLUSTER	178	DROP CONTEXT
18	REVOKE OBJECT	88	ALTER VIEW	179	ALTER OUTLINE
19	CREATE SYNONYM	91	CREATE FUNCTION	180	CREATE OUTLINE
20	DROP SYNONYM	92	ALTER FUNCTION	181	DROP OUTLINE
21	CREATE VIEW	93	DROP FUNCTION	182	UPDATE INDEXES
22	DROP VIEW	94	CREATE PACKAGE	183	ALTER OPERATOR
23	VALIDATE INDEX	95	ALTER PACKAGE	192	ALTER SYNONYM
24	CREATE PROCEDURE	96	DROP PACKAGE	197	PURGE
25	ALTER PROCEDURE	97	CREATE PACKAGE BODY		USER_RECYCLEBIN
26	LOCK	98	ALTER PACKAGE BODY	198	PURGE DBA_RECYCLEBIN
27	NO-OP	99	DROP PACKAGE BODY	199	PURGE TABLESPACE
28	RENAME	100	LOGON	200	PURGE TABLE
29	COMMENT	101	LOGOFF	201	PURGE INDEX
30	AUDIT OBJECT	102	LOGOFF BY CLEANUP	202	UNDROP OBJECT
31	NOAUDIT OBJECT	103	SESSION REC	204	FLASHBACK DATABASE
32	CREATE DATABASE LINK	104	SYSTEM AUDIT	205	FLASHBACK TABLE
33	DROP DATABASE LINK	105	SYSTEM NOAUDIT	206	CREATE RESTORE POINT
34	CREATE DATABASE	106	AUDIT DEFAULT	207	DROP RESTORE POINT
35	ALTER DATABASE	107	NOAUDIT DEFAULT	208	PROXY AUTHENTICATION
36	CREATE ROLLBACK SEG	108	SYSTEM GRANT		ONLY
37	ALTER ROLLBACK SEG	109	SYSTEM REVOKE	209	DECLARE REWRITE
38	DROP ROLLBACK SEG	110	CREATE PUBLIC SYNONYM		EQUIVALENCE
39	CREATE TABLESPACE	111	DROP PUBLIC SYNONYM	210	ALTER REWRITE
40	ALTER TABLESPACE	112	CREATE PUBLIC DATABASE LINK		EQUIVALENCE
41	DROP TABLESPACE	113	DROP PUBLIC DATABASE LINK	211	DROP REWRITE
42	ALTER SESSION	114	GRANT ROLE		EQUIVALENCE
43	ALTER USER	115	REVOKE ROLE	212	CREATE EDITION
44	COMMIT	116	EXECUTE PROCEDURE	213	ALTER EDITION
45	ROLLBACK	117	USER COMMENT	214	DROP EDITION
46	SAVEPOINT	118	ENABLE TRIGGER	215	DROP ASSEMBLY
47	PL/SQL EXECUTE	119	DISABLE TRIGGER	216	CREATE ASSEMBLY
48	SET TRANSACTION	120	ENABLE ALL TRIGGERS	217	ALTER ASSEMBLY
49	ALTER SYSTEM	121	DISABLE ALL TRIGGERS	218	CREATE FLASHBACK
50	EXPLAIN	122	NETWORK ERROR		ARCHIVE
51	CREATE USER	123	EXECUTE TYPE	219	ALTER FLASHBACK
52	CREATE ROLE	128	FLASHBACK		ARCHIVE
53	DROP USER	129	CREATE SESSION	220	DROP FLASHBACK
54	DROP ROLE	130	ALTER MINING MODEL		ARCHIVE
55	SET ROLE	131	SELECT MINING MODEL	225	ALTER DATABASE LINK
56	CREATE SCHEMA	133	CREATE MINING MODEL	305	ALTER PUBLIC DATABASE
57	CREATE CONTROL FILE	134	ALTER PUBLIC SYNONYM		LINK
59	CREATE TRIGGER	135	DIRECTORY EXECUTE		
60	ALTER TRIGGER	136	SQL*LOADER DIRECT PATH		
61	DROP TRIGGER		LOAD		
62	ANALYZE TABLE	137	DATAPUMP DIRECT PATH		
63	ANALYZE INDEX		UNLOAD		
64	ANALYZE CLUSTER	157	CREATE DIRECTORY		
65	CREATE PROFILE	158	DROP DIRECTORY		
66	DROP PROFILE	159	CREATE LIBRARY		
67	ALTER PROFILE	160	CREATE JAVA		
68	DROP PROCEDURE	161	ALTER JAVA		

Yours faithfully

Womble Bond Dickinson (UK) LLP

Womble Bond Dickinson (UK) LLP



## SCHEDULE 1

## Responses to disclosure requests made in the schedule attached to Freeths' letter of 22 January 2019

Request No	Disclosure Request	Response to Request
<b>Godeseth 1</b>		
1.	<p>Paragraph 17.2(c)</p> <ul style="list-style-type: none"> <li>i. Documents regarding the introduction of PING and the rationale behind this, including documents setting out the options to an SOM on receiving a PING (including the screen options that the SPM will see);</li> <li>ii. Documents recording instructions to SPMs regarding Transaction Acknowledgements, including the dispute process and how Post Office resolves TA dispute process</li> </ul>	<ul style="list-style-type: none"> <li>i. Mr Godeseth's statement does not contain any reference to the introduction of PING.  Further, the documents which you are seeking disclosure of relate to background facts that are not relied upon by witnesses or central to the Horizon Issues. Therefore, the documents would fall within the definition of a Narrative Document. The parties have agreed to adopt Model C disclosure and in the exceptions where Model D disclosure has been adopted instead, Narrative Documents have been excluded. The disclosure you are now seeking is akin to Model E disclosure. In any event, as part of disclosure of the Dimensions documents, Post Office has already provided disclosure of POL-0122708 (and its family documents). TST/SOT/HTP/1510 is understood to relate to the introduction and requirements of PING</li> <li>ii. Mr Godeseth explains the concept of Transaction Acknowledgments (TA) in paragraph 17.2(c) of his first statement. The TA dispute process is outside the scope of the Horizon Issues Trial.  In any event, Post Office has already provided disclosure of a number of documents showing the instructions given to SPMs regarding the TA process (the below list is not intended to be exhaustive but to assist with locating further relevant documents): POL-0171120, POL-0171121, POL-0176868, POL-0176870, POL-0183342, POL-0177607, POL-0177608</li> </ul>
2.	<p>Paragraph 31</p> <ul style="list-style-type: none"> <li>iii. The underlying documents which set out the figures that Mr Godeseth makes reference to, including any documents regarding approaching or exceeding the contractually agreed limit and the claims for/payments of/discussions surrounding penalty payments.</li> <li>iv. Examples of ARQ requests made by Post Office.</li> </ul>	<ul style="list-style-type: none"> <li>iii. Enquires are made and a response to this request will follow shortly.</li> <li>iv. Please find enclosed the process flowchart which explains how ARQ requests are made and the ARQ Request Form. A disclosure list containing these documents will follow shortly.</li> </ul>
3.	<p>Paragraphs 34 – 46</p> <ul style="list-style-type: none"> <li>v. Disclosure of procedures relating to Legacy Horizon Riposte, the ability to inject</li> </ul>	<ul style="list-style-type: none"> <li>v. Enquires are made and a response to this request will follow shortly.</li> </ul>

Request No	Disclosure Request	Response to Request
	messages at the correspondence server and how the inserted messages appeared.	
4.	Paragraph 58.2 vi. Disclosure of "BRDB_TXN_CCRR_TOOL_JOURNAL"	vi. We understand from Fujitsu that this is a table in a database and it may not be possible to extract the data. Enquires are ongoing to understand whether and in what format the table could be extracted.
5.	Paragraph 58.5 vii. Disclose an audit log which records the number of uses of the branch correction tool.	vii. This has been requested from Fujitsu and we expect to be in a position to provide it within 7 days.
6.	Paragraph 59.4 viii. Disclose any documents which relate to management, analysis or audit of the information in this table.	viii. As explained in row 5 of the table in our first letter dated 17 January 2019, disclosure of relevant information held by Fujitsu was given on 21 December 2018 under Begin Bates numbers of POL-0444105 -> POL-0447287.
7.	Paragraph 59.6 ix. Disclose any documents which relate to management, analysis or audit of the MSC information.	ix. As explained in row 6 of the table in our first letter dated 17 January 2019, disclosure of the MSC logs was given on 21 December 2018 under Begin Bates numbers of POL-0444102, POL-0444103 and POL-0444104. Your request for further documents relating to the management, analysis or audit of the information is not a valid request under CPR 31.14(1)(b), nor is it a Model C request for a narrow class or category of documents. This is a very wide request which we cannot realistically comply with just before the trial. We cannot see any proper basis for this request
<b>Memberby 1</b>		
8.	Paragraph 11 x. Disclosure of any internal Post Office or Fujitsu documents commenting on the audit outcomes or required actions.	x. Additional audit reports were voluntarily disclosed to you on 30 January 2019 and under paragraph 5.3 of this letter.  This request does not specify a date range, custodians or keywords. It is therefore not a Model C request for disclosure and is unworkable in the time available. This is a very wide request which we cannot realistically comply with just before the trial – and moreover we cannot see any issue which this goes to. We cannot see any proper basis for this request
<b>Phillips 1</b>		
9.	Paragraph 11-12 xi. Disclose documents relating to	xi. Post Office's process in relation to the Branch Dispute



Request No	Disclosure Request	Response to Request
	Post Office's procedures in its use of the Branch Dispute Form, including internal actions taken on receipt.	Form is detailed in Ms Phillips' statement and a copy of the form is exhibited to Mrs Phillip's statement. Enquires are being made to understand whether a document relating to Post Office's procedures in relation to use of the Branch Dispute Form exists.
<b>Van den Bogerd 2</b>		
10.	<p>Paragraph 35</p> <p>xii. Confirmation of whether Post Office has conducted searches across its documents using the exact phrase "phantom transaction"?</p>	<p>xii. Post Office has not conducted such a search. The meaning of the phrase "<i>across its documents</i>" is not clear and we do not believe there to be a way for Post Office to run a keyword search across the entirety of its IT infrastructure.</p> <p>However, running a search for the word "<i>phantom transaction</i>" across the documents that Post Office is currently hosting in our e-disclosure platform returns 40 documents, 31 of which have already been disclosed. Disclosure of the remaining 9 documents will be provided shortly.</p>
11.	<p>Paragraph 176</p> <p>xiii. Disclose documents that relate to the change in accounting process from the Cash Account to Branch Trading.</p>	<p>xiii. Post Office does not understand the focus of this request. If it is related to the fact of the change, the position is as set out in the first witness statement of David Johnson.</p> <p>Further, the documents which you are seeking disclosure of relate to background facts that are not relied upon by witnesses or central to the Horizon Issues. Therefore, the documents would fall within the definition of a Narrative Document. The parties have agreed to adopt Model C disclosure and in the exceptions where Model D disclosure has been adopted instead Narrative Documents have been excluded. The disclosure you are now seeking is akin to Model E disclosure.</p>
12.	<p>Paragraph 188.2</p> <p>xiv. Disclose documents which record the process of monitoring calls to the helpline and which record the outcome of that monitoring.</p>	<p>xiv. We refer to our letter of 28 June 2018, in which we explained the disclosure of POL-0031913 (NBSC Incident SLA Summary). We asked you to explain the basis on which further disclosure of these documents should be provided. No response has been received to this query. Post Office has already provide disclosure of 63 documents with the file name "<i>SLA Summary</i>" which we understand to fall within your revised request for disclosure. Post Office has also already provided disclosure of the Horizon Helpdesk standing data, An example of this is POL-0052754.</p>
13.	<p>Paragraph 188.4</p> <p>xv. Disclose the branch user forum records.</p>	<p>xv. A keyword search of the documents already disclosed shows that 118 documents have been disclosed which contain the phrase "<i>branch user forum</i>". In particular, POL-0220828, POL-0219748, POL-0220834, POL-0219749, POL-0219763 and POL-0217391 are records</p>

Request No	Disclosure Request	Response to Request
		<p>from the branch user forum and POL-0220858, POL-0219764, POL-0220899, POL-0220909 are minutes from the branch user forum.</p> <p>A number of similar documents that have not yet been disclosed have been located. These are being reviewed for relevance and privilege and will be disclosed shortly.</p>
<b>Godeseth 2</b>		
14.	<p>Various</p> <p>xvi. Disclose any letter or other communication sent to any SPM relating to the Local Suspense bug based on the draft at section 4 of Exhibit TOG2 pages 7 to 12, or otherwise;</p> <p>xvii. Disclose all additional documents relating to this bug, that have not previously been disclosed.</p>	<p>xvi. Post Office has carried out searches and has been unable to locate these documents. Please also see the disclosure provided under section 5.3 above.</p> <p>xvii. Post Office provided specific Peak references in relation to this issue on 17 January 2019 in response to a request by Mr Coyne in response to a Request for Further Information. The request for "<i>all additional documents</i>" is too broad and is not a Model C request.</p>
15.	<p>Paragraphs 12-16</p> <p>xviii. Disclose all additional documents relating to Callendar Square that have not previously been disclosed.</p>	<p>xviii. Post Office provided specific Peak references in relation to this issue on 17 January 2019 in response to a request by Mr Coyne in response to a Request for Further Information. The request for "<i>all additional documents</i>" is too broad and is not a Model C request. Please also see the disclosure provided under section 5.3 above</p>
16.	<p>Paragraph 45</p> <p>xix. Disclose all additional documents relating to receipts and payments mismatch that have not previously been disclosed.</p>	<p>xix. Post Office provided specific Peak references in relation to this issue on 17 January 2019 in response to a request by Mr Coyne in response to a Request for Further Information. The request for "<i>all additional documents</i>" is too broad and is not a Model C request.</p>
17.	<p>Paragraphs 55-61</p> <p>xx. Disclose documents relating to "4 items still to be confirmed", "no corrections obvious in database Post Office to advice is any corrections etc. raised" referred to within internal page 3 of the Fujitsu presentation at TOG2 pages 13 to 27, including (1) any communications with affected SPMs and (2) any TCs issued.</p>	<p>xx. Post Office has already agreed to carry out a search for documents relating to this issue (see our letter dated 11 January) and disclosure of these document has been provided under cover of this letter (see section 3 above). If following a review of these documents further disclosure is sought please could you confirm the class of documents that you are seeking to be disclosed.</p>



Request No	Disclosure Request	Response to Request
<b>Mather 1</b>		
18.	Paragraph 7 and 15 xxi. Disclose documents which record whether the recommendation referred to in the Helen Rose Report was implemented and if so, when.	xxi. An explanation on this matter can be found at paragraph 13 of Ms Mather's statement.
19.	Paragraph 19 xxii. Disclose any and all guidance notes setting out the circumstances under which ARQ requests can be made and authorised.	xxii. Please find enclosed the process flowchart which explains how ARQ requests are made and the ARQ Request Form. A disclosure list containing these documents will follow shortly.
<b>Smith 1</b>		
20.	xxiii. Various	xxiii. Please see our response above.
<b>Dunks 1</b>		
21.	Paragraph 6.3 xxiv. Disclose documents relating to (i) management, control or audit of the ARQs; and (ii) the process of ARQ extraction.	xxiv. Please see POL-0440079 for details of the maintenance and monitoring of Audit Record Queries. There is also an Audit Extraction Client User Manual (POL-0215531). This has already been disclosed to you. Enquires are being made to understand whether there are any other documents which would fall within your disclosure request.
<b>Parker 1</b>		
22.	Appendix 1 and 2 xxv. Disclose documents relied upon or referred to by the team from SSC who produced the tables and explanations contained within them at Appendix 1 and 2.	xxv. Confirmation is being sought from Fujitsu on this matter.