

WITNESS:VIPINCHANDRA PATEL

STATEMENT NUMBER: WITN0188\_01

EXHIBITS: 0

DATED: Jan 28, 2022

**POST OFFICE HORIZON IT INQUIRY**

**FIRST WRITTEN STATEMENT OF VIPINCHANDRA PATEL**

THIS STATEMENT IS PROVIDED IN RESPONSE TO THE RULE 9 REQUEST OF  
THE PUBLIC INQUIRY DATED 29/10/2021 TO ADDRESS THE HUMAN IMPACT OF  
THE FAILINGS OF THE HORIZON IT SYSTEM

I, MR VIPINCHANDRA PATEL, DATE OF BIRTH  OF

will say as follows:-

**PERSONAL BACKGROUND**

1. I am known as Vipin, and I was born on  in Uganda. I was born one of five children and I am the middle child. My family are
2. I lived in Uganda until my 18th birthday when my family moved to the UK. I attended mainstream schooling in both Uganda and the UK. I had to leave school in Uganda, aged 16, due to the political situation at the time. On arrival in the UK, I studied part-time but did not participate in any further education following A levels.

3. My first job when I arrived in the UK was at Odeon Cinemas. I then had further employment working on the London Underground, for General Electrics and in manufacturing. In 1980, my family bought a shop in Hertfordshire which I worked at for four years. My family then bought another shop in Tottenham which I worked at until 1987.
4. I have been married to my wife [GRO] for 35 years. We have two children, our son [GRO] and our daughter [GRO]  
[GRO]

#### POST OFFICE HISTORY

5. In 1987, I joined the Post Office working initially as a postal officer on the branch office counter. I was promoted to Assistant Manager and further promoted to acting Branch Manager. I held this role for around 3 years. Throughout my time working for the Crown Office, I gained knowledge of the Post Office procedures and received training on the Horizon system. This was basic and did not cover the management functions.
6. In early 2000, my wife and I decided we wanted to move out of London to take over a Post Office and a shop in a more rural area. By this point I had worked in the Crown Office network for 15 years and my wife had significant experience of working in the retail industry. We decided she would run the shop and I would focus on the Post Office.
7. We looked at a number of premises and we eventually found Horspath Post Office and a small village store with an apartment above. The cost of the Post Office, shop and residential property was £315,000.00, plus stamp duty, associated loan costs, agents' fees, and solicitor costs. I began negotiations

- with the Post Office and recall being asked to sign a document. I do not recall being told I would be personally liable for any shortfalls at this time.
8. I financed the purchase of the Post Office, shop, and residential property through a mortgage in the sum of £395,000 for a period of 20 years. We also chose to rent out our property in London as another form of income.
  9. In January 2002, I became the new Sub-Postmaster of Horspath Post Office. I felt a great sense of pride as my grandfather and uncle had been Postmasters in India and my cousin had worked for the Post Office for over 25 years in Tanzania. I wanted to follow in their footsteps. I had great admiration for the Post Office.
  10. I had some experience of the Horizon system from my time at the Crown Post Office, although it was as a low-level teller. My knowledge of management functions and accounting with cash accounts was almost nil; a trainer shadowed me in my branch for four or five days, and that was all the training I had. I would certainly say the training was not to my satisfaction.
  11. I was aware of cases of other Sub-postmasters having been prosecuted and convicted by the Post Office for shortfalls and sentenced from around 2003 to 2004 onwards. Many of their cases had been reported in the media, and I had an open mind until it happened to me.

#### **CRIMINAL ALLEGATIONS AND ANY PROCEEDINGS/CONVICTION**

12. From 2002 to 2008, I did not experience any major issues with the Horizon System apart from a few surpluses or shortfalls that would cancel each other out at the end of the trading period. I found it a difficult system to use from the start as you were totally reliant on what it told you. The main problem was

- balancing the accounts at the end of the trading week. I called the Horizon Help Line on many occasions, but I found them to be useless.
13. From 2008, the shortfalls became more frequent. The first one was for £720. I exhausted all enquiries and even after proving I had paid all of the money, I was made to pay the money again. There was no returned credit ever given. Another payment of £6,000 was inadvertently sent to the cash centre which could not be retrieved. In the past, all similar transactions had been correctly paid back to my account.
14. From 2008 to 2010, I had weekly shortfalls between £100 and £600. I made up the shortfalls myself so the accounts would balance. I paid around £10,000 in shortfalls up to end of 2008. By this point, I could no longer afford to pay the shortfalls and due to the increasing pressure, I altered the figures being inputted into the Horizon system to make the system right.
15. The shortfalls became even larger and in January 2010 and July 2010, I located shortfalls of approximately £15,000 and £24,000 respectively. I was made to believe that under the terms of my contract I had no choice but to pay them up.
16. At this stage, my wife and I decided that the business could not survive. We could not continue to pay the amount of money we were paying to cover the shortfalls. We decided to set up an alternative business after we had restructured our investments and decided to go into property business. The Post Office Horizon issues were not being resolved and the money I was putting back into the Post Office was becoming unmanageable.
17. On 8 December 2010, the Post Office carried out an audit. I believe the name of my Regional Manager was Nigel Allen. I do not recall the name of the second auditor. They informed me that they had found a shortfall of £34,673.87. The

- auditors asked for an explanation, and I told them that I had taken the cash to refurbish the shop and pay some outstanding bills. This was not true. It was the pressure that made me say this. I knew I couldn't defend myself against the Post Office.
18. I was immediately suspended and the keys for the Post Office were taken away from me.
19. In January 2011, my contract with the Post Office was terminated. I tried to appeal the termination however this was rejected by the Post Office, and I received confirmation of the termination of my contract in February 2011. Throughout the next month, I attended an interview with the Post Office Investigators, and I was subsequently charged with fraud. I believe I was interviewed by Julia Marwood who I believe was Appeals Adjudicator and who upheld the original decision to terminate my contract.
20. When the summons arrived, which, I was not expecting, I rang the Post Office solicitor who was dealing with my case and asked why I was being prosecuted, since the Post Office had come to no harm as I had already paid the shortfall.
21. The advice of my friends in the legal profession was to plead guilty to the charges or I would go to prison for three years. I felt extremely pressurised and that I had no choice but to plead guilty. I was also advised by the Post Office Solicitors to plead guilty so they would reduce the charges and give me a lesser sentence.
22. On 6 June 2011, I pleaded guilty to a charge of fraud, not really knowing what it meant, and I still don't to this day. I don't know the actual definitions of theft, stealing, fraud etc; I know these terms have specific meanings in law.

23. I was convicted at the Oxford Magistrates Court and sentenced to an 18-week prison sentence, suspended for 12 months, a two-month curfew order and ordered to pay £200 court costs.

24. My conviction was overturned in December 2020.

## **THE HUMAN IMPACT**

25. The human impact which the failings of the Horizon IT System have had and continue to have upon me and my family are set out in the remainder of this statement. The section headings follow the particular questions posed by the Inquiry.

## **WHAT WERE THE CONSEQUENCES OF BEING REQUIRED TO MAKE GOOD APPARENT SHORTFALLS SHOWN BY THE HORIZON IT SYSTEM?**

26. The money I repaid to the Post Office totalled around £80,000.00 including the unaccounted monies I had put in. I had to cash in Insurance and Investment Policies that were in place for my family. I also had to sell my wife's jewellery that had been passed down at least 3 generations which was very hurtful to us both. This can never be replaced.

27. By the time of the audit, there was a shortfall of £34,673.87. I had already made many payments and I did not think the amount outstanding would be this high. I therefore had no choice but to cash in the remaining insurance and investment policies belonging to myself and my wife that we had planned to cash in on retirement. I managed to pay the shortfall amount within seven weeks from the audit, however the Post Office still went ahead with the prosecution. I made the last payment around 4 months before appearing in court.

**WHAT WERE THE COSTS OF MAKING GOOD ALLEGED SHORTFALLS SHOWN BY HORIZON?**

28. The first one was for £720. I exhausted all enquiries and even after proving I had paid all of the money, I was made to pay the money again. There was no returned credit ever given. Another payment of £6,000 was inadvertently sent to the cash centre which could not be retrieved. In the past, all similar transactions had been correctly paid back to my account.
29. From 2008 to 2010, I had weekly shortfalls between £100 and £600. I made up the shortfalls myself so the accounts would balance. I paid around £10,000 in shortfalls up to the end of 2008.
30. The money I repaid to the Post Office in total was around £80,000.00 including the unaccounted monies I had put in. I had to cash in some insurance and investment policies and sell my wife's jewellery.
31. By the time of the audit, there was a shortfall of £34,673.87. I had already made many payments and I did not think the amount outstanding would be this high. I therefore had no choice but to cash in the remaining insurance and investment policies belonging to myself and my wife which we had planned to cash in on retirement.
32. I also recall there being one occasion when I believe I had a £2,000.00 shortfall which was treated as a debt and around £200.00 was deducted from my wage each month. I think this was in the earlier days, around 2002 – 2004, although I am not sure of the exact dates. As these were the earlier years, I had not suspected Horizon as an issue and thought I might have made an error, so I accepted the shortfall.

33. I had to cash in my Royal Mail Pension, sell my wife's gold and cash in investments to pay the Horizon shortfalls.

**HOW WERE YOU AFFECTED WHEN ALLEGED TO BE RESPONSIBLE FOR SHORTFALLS OR DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?**

34. I trusted the Post Office. I thought I worked for one of the most iconic, historic, and pioneering institutions on the planet but instead, they were deceitful and deceptive. I was convinced that the Horizon system was responsible for causing the discrepancies, but I knew I couldn't stand up to them as I could not prove it.

35. I was aware from reading the news that other Postmasters were being convicted and going to prison. The courts weren't accepting their stories. I knew then that the Post Office would have made my life difficult if I argued with them.

36. Throughout the time of paying the shortfalls, I experienced a very low mood, and I was prescribed antidepressants. My mental health progressively got worse as I was investigated. I felt completely drained when I received the court summons and completely lost my zest for life. I had suicidal thoughts from the day that I was suspended. Although I had those thoughts, I did not go through with it as my wife was always with me.

37. I suffered panic attacks and developed a phobia of touching money. I was made to feel like a fraudster and a thief. These thoughts persist in my mind all the time.

**WHAT WERE THE CONSEQUENCES OF BEING HELD RESPONSIBLE FOR SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?**



38. I was convicted of fraud at the Oxford Magistrates Court and sentenced to an 18-week suspended prison sentence, a two-month curfew order and ordered to pay £200 court costs.
39. I felt immense embarrassment and confined myself to the shop and the flat. I could not tell my mother about what had happened. I lost interest in everything and switched myself off from everyone. I was virtually a prisoner. My motivation severely reduced and even running a bath became a chore. I felt lethargic and drained. My health gradually declined, and I developed physical disabilities. I now walk with two sticks permanently.
40. I felt a great shame in seeing others and felt a great sense of guilt for what had happened. I felt fortunate that we were in Oxford away from my family and I did not have to face them.

**WHAT WERE YOUR FINANCIAL LOSSES CAUSED BY ACTION TAKEN AGAINST YOU IN RELIANCE UPON HORIZON DATA?**

41. I lost my Post Office salary.
42. The shop sales on the retail side of the business were down but it is now not as easy to quantify as no records have been kept.
43. The shop declined as the reputational damage to me resulted in a significant reduction in footfall and customers. This affected overall cash flow and income and led to us taking money out of our savings to keep the shop afloat. We had no choice.
44. I was ordered to pay £200 court costs after my trial. I also had to pay £2203.80 in legal costs.

**WHAT EFFECT DID IT HAVE TO BE ACCUSED OF COMMITTING CRIMINAL OFFENCES AS A RESULT OF SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?**

45. My anxiety started straight from discovering the initial shortfall. I was worried about my family. I lived in fear and my sleeping pattern became extremely poor.
46. During the period before the court case, I had feelings of worthlessness, low self-esteem and continuing feelings of unexplained guilt. I could not see a light at the end of the tunnel. I did not see a future. I experienced suicidal thoughts which lasted for many years. The impact on my mental health continues today.
47. My physical health also deteriorated. The symptoms in my back got worse and I was eventually diagnosed with fibromyalgia. I used to be fit and healthy, I would run and go to yoga. I am now physically disabled. I walk with supports and need care and assistance from my wife.
48. I was shunned by the local community and felt facing the public very nerve racking. I was seen as the villain. I was subject to verbal abuse being called a fraudster and a thief. I recall a comment that "no one thought the Post Office could do anything this bad". I was also abused racially. I also found out that those I thought were loyal to me were making comments behind my back.

**WHAT WERE THE CONSEQUENCES OF BEING CONVICTED OF A CRIMINAL OFFENCE AS A RESULT OF SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?**

49. I was sentenced to an 18-week prison sentence, suspended for 12 months, a two-month curfew order and ordered to pay £200 court costs. I also had to pay £2203.80 in legal costs.

50. My wife and I still own the shop and residential property. My wife continued to run the shop and we made the decision to transfer it into my wife's name.
51. The Post Office was kept open for a short while with a relief Sub-Postmaster, but I terminated the agreement as she did not keep up with paying rent. The Post Office has remained closed since September 2011.
52. We currently live in the flat above the shop.
53. I am now in receipt of disability benefits for my physical limitations. I can offer limited assistance to my wife in the shop serving customers behind the till only. I am unable to do any physical work required within the shop and I cannot walk further than 10-15 metres without running out of breath.

**WHAT EFFECT DID THESE ISSUES HAVE UPON YOUR RELATIONSHIPS WITH YOUR FAMILY, FRIENDS, COLLEAGUES AND LOCAL COMMUNITY?**

54. Throughout the whole ordeal, my family has been constantly concerned about my welfare. I have had a severe mood change especially towards the closest members of my family and they have complained a lot about my irritability, snappiness, and angry outbursts. I have tried to hide my uncontrollable emotions from my children however they often see me cry and ask, "Dad are you crying?".
55. The relationship with my wife has been impacted. She has had to deal with my physical health problems and my mental health problems. I have been continuously angry for over ten years. I have provided no help or assistance to her, and she has had to make me motivated to do the simplest everyday tasks. She once described me as "a zombie" in the house.

56. The relationships with my wider family have also been affected. I avoid phoning them due to the underlying guilt of what happened to me. I had planned to visit my family but due to my criminal record, I was unable to visit my brother in America, cousins in Canada, or my nephew in Australia. This put a strain on our relationships. I felt very dishonest, but I could not bring myself to tell them what had happened.

57. The local newspaper reported my conviction. I felt like I had let myself and my family down and I was completely humiliated. The Parish Council tried to make our life very difficult and told us to sell up the shop and leave the village. My reputation was tarnished.

**PLEASE DESCRIBE THE DIRECT AND INDIRECT EFFECT WHICH THESE ISSUES HAD UPON THE MEMBERS OF YOUR FAMILY?**

58. My wife has had to deal with increased pressure following my conviction. She has had to run the business with very limited help. I have been unable to assist, and my conviction made us lose our staff. Due to my physical and mental health, she has had to look after the children and look after the household whilst also caring for me. This has had a significant impact on her mental health, and I am aware she often cried, and still cries, when I am not around.

59. My children have also had extremely humiliating experiences.

**CONCLUDING REMARKS**

60. For the past 11 years, I feel my life has been wasted. The Post Office has ruined my life. The deterioration of my physical and mental health has been attributed to the interactions with the Post Office. I still experience severe anxiety and I

have been diagnosed with Post Traumatic Stress Disorder, that I have been told is likely to continue for the rest of my life. I have been told by my spinal surgeon that I am likely to become paralysed.

61. Without even talking about the Post Office, my mind wanders back to it and any conversations relating to the Post Office, directly or indirectly, brings back the trauma of what happened to me.

62. I always knew Horizon was responsible for what happened, but I was never listened to.

### Statement Of Truth

I believe that the facts stated in this witness statement are true.

Signed:

**GRO**

V.A PATEL (Jan 28, 2022 10:37 GMT)

Position Or

Office Held:

Print Full

Date of signature: Jan 28, 2022

Name: VIPINCHANDRA PATEL

FILE REFERENCE:

**GRO**

