

***[To establish whether what assistance and advice was provided by the Help Desks [is this the correct description?] when contacted in respect of cash shortfalls. To establish whether the assistance and advice provided was appropriate]***

There are two main 'Help Desks':

- I. The Network Business Support Centre (NBSC) which provides subpostmasters with support in relation to the day-to-day running of their branches (including accounting issues) and, as such, is the most frequently used port of call for assistance; and
- II. The Horizon Service Desk (HSD) which was, until 2014<sup>1</sup>, operated by Fujitsu and deals with technical issues relating to Horizon e.g. if the system appears to be 'off-line' or the user is having difficulty logging-in. In the event that a technical issue cannot be resolved in a telephone call, the HSD can arrange for an engineer to attend the branch to investigate the issue further.

As part of the investigations undertaken by Post Office in relation to the Scheme (and described in the answer provided for question 4), the Post Office automatically procured logs for each branch's calls to the NBSC for the relevant period. Records of calls made to the NBSC stretch back to 2000 and are available in most cases.

Records for calls to the HSD were only procured where an applicant to the Scheme specifically cited difficulties with hardware or other technical issues with computer equipment as part of their complaint. However, in addition, records of HSD calls were sometimes obtained where NSBC call logs suggested references to technical issues had been made during calls to it. Records of calls to the HSD are only retained for 7 years.

All calls into HSD<sup>2</sup> are classified in one of the following four ways:

- Advice and Guidance
- Out of Scope
- Quality Issue
- Incident

Calls falling within the first three types are referred to NBSC and those falling within the last follow Fujitsu's 'Incident Management Process' through to its resolution, the complexity of which is driven by the severity level assigned to the incident / call.

NBSC call logs record the following information:

- Date
- Incident ID
- FAD code (branch identifier code)
- Office Name
- Caller Name
- Brief Description
- Detailed Description
- Incident Log
- Call type

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<sup>1</sup> Therefore post-dating any applications to the Scheme. The HSD contract was awarded to ATOS in 2014.

<sup>2</sup> When it was operated by Fujitsu

- Activity
- Sub Activity
- Resolution
- Branch

In each case, the full NBSC log was reviewed looking at dates and times where the complainant was alleging discrepancies and/or other issues occurred. It would also be reviewed to see if there were other instances on dates not mentioned in their complaint. All call logs were disclosed to complainants as part of the Post Office's Investigation Reports, along with all other relevant evidence.

It is not always possible to know exactly what advice was given in each case, since NBSC advisors frequently rely on a database covering details of approximately 6,000 different types of incidents to enable them to answer any query that comes into the NBSC. This is known as the Knowledge Base (KB). KB is designed to enable NBSC staff to answer questions on the wide range of queries raised by the branches swiftly, leveraging off previous experiences. Where KB has been used to resolve an issue, 'KB' is all that is recorded in the 'resolution' field on the call log excel sheet. Where the matter is not resolved satisfactorily, records should show it being raised repeatedly.

The NBSC always operated a two-tier escalation process. If the NBSC advisor is unable to resolve the query or issue with the caller, the call is escalated to tier two, where more expert advice will be provided. In cases where this still does not resolve the issue, the Branch Support Team will determine whether further training or face-to-face branch support is required.

Those working in the NBSC receive a four-week training course and two-week floor support. Ongoing training is provided to NBSC staff on new products and services as and when these are introduced. Through quality monitoring and coaching, the Post Office identifies any gaps in training and provides further support to NBSC advisors.

The Post Office currently employs 70 people at the NBSC to receive calls, undertake second line support (where a query cannot be addressed during the telephone call, second line support will liaise with Post Office product teams to source the answer) and carry out administration roles. The NBSC receives around 1,700 calls a day (based on data obtained for 2012/13). NBSC personnel are experienced in Horizon and how branches operate. Many of those working at the NBSC have more than 12 years' experience in the field.

If, during the investigation phase of the Scheme, Post Office identified deficiencies in the assistance provided through either the NBSC or HSD this was reflected in the Post Office's position in respect of the appropriate resolution of the case.

Following publication of Second Sight's conclusions in 2013 and in addition to setting up the Scheme, Post Office also set up a Branch Support Programme which, following discussion with the National Federation of Subpostmasters (NFSP), has introduced improvements to reduce further the risk of human error in branches by Postmasters and their staff. In terms of the NBSC, the volume of calls from branches is now assessed by the NBSC with the branches that have a higher than average call volume being proactively contacted by the Branch Support team to understand the reason for the high level of calls; establish what extra support can be offered and whether any changes need to be made to training.

Using a new information tool NBSC is able to review branch data when assisting a branch with an accounting problem and establish exactly what the branch has done rather than relying on what they say they have done. This assists in providing the branch with the correct advice.

A new system has also been developed to analyse the calls received by NBSC to identify the root cause of the issue; to identify the solution for the branch in the first instance and implement wider business changes if appropriate e.g. content of and method of delivering new product training.

***[7. To establish whether, in the instances where cash shortfalls resulted in a decision to prosecute charges of theft, there was (at the time the charge was made) an appropriate evidential basis for the theft charge.]***

Post Office has consulted external criminal law advisors to assist in responding to the concerns raised about Post Office's prosecutions of postmasters, which include allegations that charges of theft were brought without sufficient evidence, and more generally that prosecutions have resulted in miscarriages of justice.

The steps taken by Post Office to establish whether there is any substance to these concerns have been primarily framed by reference to:

- the policy of considering whether a case meets the tests set out in the Code for Crown Prosecutors before commencing a prosecution, which Code requires Post Office to be satisfied that there is sufficient evidence for a realistic prospect of conviction on each charge and against each defendant, and that the prosecution is in the public interest;
- the prosecutor's duty to disclose to the defendant and/or his lawyers any information that subsequently comes to light which might undermine the prosecution case or support the defendant's case, which duty continues after the prosecution has concluded; and
- legal advice that where an audit discloses a loss and there is also evidence of deliberate falsification of accounts over a period of time, the fact of the loss together with the false entries is often sufficient evidence on which to charge theft.

Against this background, Post Office has taken the following steps:

1. On publication of Second Sight's July 2013 Interim Report, Post Office instructed Cartwright King LLP to review certain past prosecutions to determine whether the report raised anything new which needed to be disclosed in accordance with the prosecutor's disclosure duty.
2. Post Office then had that process reviewed by former First Senior Treasury Counsel Brian Altman QC.
3. Although the Scheme was not designed as a criminal case review but an attempt to determine whether Horizon operated as it should in specific cases (Horizon evidence being only one part of a prosecution), Post Office instructed Cartwright King LLP to review the material generated through the Scheme to determine whether further disclosure would be required, either in the specific case being reviewed or more widely.
4. Cartwright King LLP was also asked to raise with PO any issue it might identify in its review of Scheme material that could raise concerns over the manner in which Post Office conducted a prosecution or prosecutions.
5. Post Office provided to applicants the material generated through the Scheme, including the Post Office Investigation Report and Second Sight Case Review Report prepared for their specific case. It remains open to applicants to use this material to appeal a conviction or sentence if so advised or considered appropriate.

6. Post Office has responded to a number of notices issued by the Criminal Cases Review Commission pursuant to section 17 of the Criminal Appeal Act 1995. Those notices require Post Office to produce and/or preserve materials connected to 20 individual prosecutions (17 of which are connected to Scheme applications), the Scheme, and the review of past prosecutions referred to in 1. above, so as to assist the CCRC investigate whether a Post Office prosecution has resulted in a miscarriage of justice.
7. In connection with the BBC Panorama programme "Trouble at the Post Office" broadcast on 17 August 2015 (which raised with specific reference to one case the allegation that there was insufficient evidence to charge theft), Post Office offered to share with the BBC (on a strictly confidential basis) documents which showed that legal advice had been sought as to the sufficiency of evidence to charge theft in a featured case so that the BBC could verify before broadcast the information provided by third parties.
8. Post Office has written to individuals who claim to have information suggesting there may have been a miscarriage of justice or unsafe conviction, asking them to produce to us that information so that we may consider whether it needs to be disclosed in accordance with the prosecutor's duty of disclosure. No information has been supplied in response to those requests.