

James Arbuthnot

**12 June 2012**

(extract from coverage): MPs meet with Post Office officials to raise subpostmasters' concerns over a payment system that they say has caused inaccuracies for which staff are charged and held legally accountable.

A group of MPs led by the Conservative James Arbuthnot presented a number of cases where subpostmasters have been charged with theft and held responsible for false accounting that they say are the fault of the system they use.

MPs are calling for disputed cases to be examined individually through a robust, transparent process. One of the problems raised by the campaign group, Justice for Subpostmasters Alliance, is that subpostmasters' appeals against theft are dealt with solely by the Post Office, with no independent arbitrator.

**"It is in the interests of everyone involved – constituents, their MPs, and Post Office Ltd – to get this matter resolved,"** said James Arbuthnot MP, who said he was positive about the meeting's outcome.

He was focussed on the 'resolution' being redress such as compensation from the start. He will say that he was optimistic that the Post Office would act in good faith etc but then 'changed' position particularly re scope of scheme (excluding contracts and investigations from review) and, having allowed criminal cases into the scheme then excluded them from mediation.

**Q. This matter has now been going on since around 2008 and none of the people wronged have had proper redress for their ruined lives. Should there not now be an independent inquiry into the way that the Post Office has conducted the scheme, which it changed entirely from that agreed with MPs at the outset?**

**August 2013: Second Sight's interim report:**

**Metro: James Arbuthnot:** “I welcome this report. It does highlight some real issues of concern, some of which the Post Office has already addressed, some of which they are putting proposals forward today to address. **It is fair to say the proportion of subpostmasters affected is small.** Nevertheless we must never forget that some have had their lives devastated.”

**Q. There was some opposition to Second Sight’s involvement because of concerns they would not be independent. I argued for Second Sight to be able to do the work and I welcomed their reports, only for the Post Office to ignore/ misrepresent their findings and refuse to mediate/ compensate. Would the Minister agree to Second Sight meeting directly with concerned MPs?**

**Jo Swinson statement to the House following interim report:**

I want to emphasise that the interim report makes no comment on the safety or otherwise of any conviction of a sub-postmaster for fraud, theft or false accounting. Equally, even if it had, **the Government cannot intervene in the legal process to review or appeal past convictions. These matters can properly be dealt with only by the relevant judicial authorities.** The interim report published yesterday analysed four cases. It found that there was scope for the Post Office to improve aspects of its support and training for sub-postmasters, and it has already taken steps to do so. The Post Office has further proposed a number of measures to build on some of the points made in the Second Sight report on support and training for sub-postmasters. I welcome those initiatives as, I understand, does my right hon. Friend the Member for North East Hampshire (Mr Arbuthnot), who has played a key supporting role in identifying cases for examination in the review.

**Mr James Arbuthnot (North East Hampshire) (Con):** I thank my hon. Friend for making this valuable statement to the House. Does she accept that the Post Office, **which has acted highly commendably** in commissioning this independent review, has a conflict of interest—or, rather, a conflict of duty—in both looking after its sub-postmasters and protecting public money, and that the review has shown that it has fallen too far on the asset recovery side of that conflict? Does she agree that it is essential that the work that needs to be done is not only independent, but seen to be independent of the Post Office? **Does she also agree that some sub-postmasters would never have been prosecuted, sued or disciplined had the new procedures now in place or proposed been in effect earlier,** and that we must look after them and try to provide them with redress, perhaps through the Criminal Cases Review Commission?

**Q. Is it not very telling that the number of PO prosecutions has dropped from around 30 a year to just 2 last year? Whilst that is welcome news it shows that those such as Jo Hamilton should never have been prosecuted.**

**Q. The CCRC might, in truth, not be able to do much because these people were forced to plead guilty and it will be difficult to demonstrate that – they might not get referred to Court of Appeal but surely that should not mean that the Post Office should not provide them with some redress for all they have lost?**

**Jo Swinson:** I sincerely thank my right hon. Friend not only for his question and comments, but for his work acting as a collecting point for some of the concerns. Importantly, it ensured that cases could be looked at anonymously and confidentially, meaning that nobody had to fear bringing them forward. That has played an essential role in this process.

Post Office Ltd is the guardian of large amounts of public money, and it is important that it is properly looked after, but that does not mean it cannot also support sub-postmasters in ensuring that their systems work properly and ensure that there is reconciliation and that things tally up. In fact, I would argue that those are complementary duties, because ensuring that sub-postmasters are well supported helps the Post Office with its role in looking after public money.

It is important that any further work is not only independent, but seen to be independent, and clearly the role of Second Sight in that is important, as is the role of the JFSA. I would not go as far as my right hon. Friend, however; **there is no evidence to suggest that any convictions would have been different had these processes and training systems been in place, particularly given that in most of the prosecutions dealt with in the report—not all 47 cases in the report resulted in a prosecution—the sub-postmaster pleaded guilty in the first place.** It is difficult to second guess when somebody has entered a guilty plea.

#### **August 2013 (PO news release – start of scheme)**

Commenting on the announcement, James Arbuthnot MP, who is spearheading interest in the matter at Parliament, said: **“I am very pleased indeed with the working group’s proposed process. To my mind, it represents the very best chance all parties - individual sub-postmasters and mistresses, and the Post Office have of ensuring the best outcome for everyone. It is fair, thorough, and independent.”**

Q. Surely the Post Office should be forced to accept the findings and evidence of independent, expert investigators?

#### **August 2013 (on Nick Wallis blog)**

Good stuff, and I know you will keep your eye on this extremely important issue. But one thing I would challenge you on, namely the payment by the Post Office for the investigation by Second Sight. **The very fact that they were prepared to do that suggested to me that they did want, perhaps against their own apparent interest, to resolve the matter for the good of everyone, themselves included. I thought that was creditable.**

**And someone had to pay for it. I wasn't going to, the Government wouldn't have forked out money from somewhere else to do so, and the Post Office offered to do so despite the risk involved to their reputation. That does contrast (well, IMHO) with the cover ups we've seen elsewhere in the public sector.**

**Q. I believe that the Post Office increasingly allowed the entire matter to be handled by its expensive lawyers whose only aim is to avoid the payment of fair compensation. There should be an inquiry into (at least) the expenditure of public money in this way - millions of pounds have been spent on a cover-up. Is this a matter for the National Audit Office?**

**26 March 2013**

Extracts from notes from meeting with Second Sight (Ian Henderson summarised meeting in an email but JA said 'my recollection of the meeting is somewhat different to his ':

MPs will, in the end, want to know how their individual constituent's case concludes and whether it can be stated that their constituent has been wrongly accused.

....no desire for a wider range of issues to be reported on was mentioned by MPs

**That the Post Office continues to claim confidence in Horizon is factually correct and I emphasised that until cases were put to the Post Office which undermined this confidence, the Post Office's stance was understandable**

There was concern the matter was going on so long and costing POL a lot

**I would not go so far as to support Ian's opinion that 'extensive concern' was expressed about the investigation and prosecution processes the Post Office is following.** My impression is that by large we listened to what was being presented to us by Second Sight....Mike Wood and Kevin Barron certainly did mount some robust questioning, as they should, but to shape this as 'extensive concern' is stretching things a bit I think.

**26 November 2013**

Alice writes to JA re number of applications received to scheme and suggesting meeting in new year.

**14 May 2014**

Paula writes to JA: Shares concerns about progress, outlines what we are doing to accelerate, premature to produce & release thematic report, references SAH writing to Minister to correct inaccuracies in AB's letter to Jenny Willott MP.

**20 May 2014**

**JA responds:** concerned about time case reviews are taking. Agrees Minister has done right thing re letting PV and SAH know about AB's letter but questions why AB not felt able to address PV or SAH directly. JA has written to AB saying he 'would not want to see the Working Group and its process placed in any sort of jeopardy'

**Q. The Post Office has allowed this matter to take years – and now some people have been forced to the CCRC which could take many more months before there is any resolution. Does the Minister accept that no legal claims against the Post Office should be time-barred?**

**12 June 2014**

Response from Paula: will consult with SAH re what should go into update for MPs – also reference to AB letter (and fact that SAH wrote to Minister correcting some of the inaccuracies). Says 'clear the air' meeting not needed at this point.

**2 July 2014**

Letter from Paula providing update of progress of scheme (with numbers from SAH)

**17 July 2014– note from JA to MPs**

Dear Colleague

I had hoped that we might schedule a meeting before summer during which the Post Office might offer us an update on how the mediation scheme is progressing. To this end I have been in correspondence with Paula Vennells, the Chief Executive, to see what might be arranged.

It appears that not a great deal can be added to what was said in our last meeting. **The mediation scheme is progressing, but at a slower pace than any of us would have liked.** Rather than hold a meeting just before Recess that will not reveal more than we already know, I would rather wait until autumn, but I do want to get a date in the diary for a meeting then.

I attach a note that Paula has sent which sets out the progress made since our last meeting. **She has reiterated to me that the integrity of the mediation scheme requires that confidentiality of cases be respected.** In a letter to me she has also said that individual case details may not be shared with us at any point, including at the end of the Scheme.

I would like to believe that at the end of the Scheme we will be presented with a report which shows why and how we got to the stage where so many individuals were (and still are) coming forward with their concerns and their often harrowing stories. **I do believe that the mediation scheme has a good chance of righting things, but we shall all need clarity as to what happened and why, and how it is being put right.**

Yours ever,  
James

**17 September 2014**

JA writes to PV expressing concern following call from Alan – could meetings be made less 'lawyerly'?

**1 October 2014**

Response from Paula re Alan's concerns re WG meetings and attendance at meetings (legal reps). Explains General Counsel is lead PO representative, WG is independent and not appropriate for PV to intervene.



## **17 October 2014**

JA looking for dates re meeting for update

## **17 November 2014**

Paula meets with MPs

Oliver Letwin puts forward proposition that there should be a 'general presumption' that Post Office will agree (save in a few, undefined, exceptional cases) to mediation all cases where this is the recommendation of SS.

## **28 November 2014**

Paula writes to JA to say she has reflected on the meeting and Oliver Letwin's proposal but cannot agree to it. Points out the Post Office has not prevented any case from progressing through the scheme as it was designed. Letter also rejects suggestion that scope of scheme should be broadened and states no reason to seek to change scope retrospectively

## **8 December 2014**

Writes to Paula (and releases both letters to media), disagreeing with her letter of 28 November which outline how the scheme and its processes were operating as designed to. Takes issue re non mediation of criminal cases; scope of scheme (exclusion of contracts and investigations); non representation of postmasters at WG meetings when their case is discussed. Asks that: PO will not take any time barred limitation point in resisting legal claims arising out of the introduction of Horizon and its support arrangements; asks for agreement that no data relating to these cases will be destroyed; asks that PO agrees to Second Sight meeting with MPs re MPs' concerns.

## **December 9 2014**

### **JA press release "MPs lose faith in Post Office Mediation Scheme"**

#### **MPs lose faith in Post Office mediation scheme**

Today a group of MPs campaigning for justice for SubPostmasters announced that they have lost faith in the mediation scheme run by Post Office Ltd. James Arbuthnot, leader of the group of over 140 MPs, said:

"The scheme was set up to help our constituents seek redress and to maintain the Post Office's good reputation. It is doing neither. **It has ended up mired in legal wrangling, with the Post Office objecting to most of the cases even going into the mediation that the scheme was designed to provide.** I can no longer give it my support. I shall now be pursuing justice for SubPostmasters in other ways."

Following a meeting between the Chief Executive of Post Office Ltd, Paula Vennells, and a small group of MPs to discuss the MPs' concerns, the Chief Executive wrote a letter setting out the Post Office's position. That letter and James Arbuthnot's reply are attached hereto.

Andrew Bridgen MP said: "MPs have been working with the Post Office for two years now in the belief that they would work towards a solution to this issue. It would appear that this belief is increasingly looking misplaced."

Mike Wood MP said: "Either the Post Office is awash with criminals who open Sub Post Offices for personal gain or something has gone terribly wrong. MPs are inclined to believe the latter and we are all shocked that the Post Office seems not to want to get to the bottom of all this."

Kevan Jones MP said: "My constituent has lost everything – his livelihood, his house, his good name, and he is not the only person who faced ruin."

Huw Irranca-Davies MP said: "The mediation process has failed even those sub-postmasters who were originally included. But there are also many who fell outside the scheme, and have had no chance to be heard. They all deserve fair play, they all deserve justice, so the fight goes on."

#### Background:

Following complaints brought to over 140 MPs by SubPostmasters in their constituencies, the group of MPs persuaded the Post Office to review cases where individual SubPostmasters had been accused of false accounting and sometimes prosecuted for fraud.

The Post Office appointed independent forensic accountants, Second Sight, to conduct investigations within the boundaries of a mediation scheme administered by a Working Group, chaired by retired Court of Appeal Judge Sir Anthony Hooper and comprising Second Sight, Alan Bates who set up and runs the Justice for SubPostmasters Alliance, and representatives of the Post Office.

All enquiries: Susanne Charlett

T: GRO

E: GRO

#### **R4 Today Programme: December 9 2014 James Arbuthnot MP, Defence Select Committee Chair –**

**James Arbuthnot accused the Post Office of trying to "sabotage" its own mediation scheme on allegations of false accounting.**

"At considerable public expense, the Post Office set up this mediation scheme, but sadly they are now trying to sabotage that very mediation scheme that they set up. And they're doing this in secret. It's an extraordinary story; **they're trying to bar from mediation 90% of the sub postmasters for whom it was set up.**

**“They’re arguing, for example, that those who... pleaded guilty to false accounting shouldn’t have the mediation scheme available to them, despite having agreed expressly with MPs that those who had pleaded guilty to false accounting should have it available to them.**

“So they’re doing it in secret. They’re doing it at a stage when there is no legal representation available to these sub postmasters, because they’re trying to bar these people from the mediation scheme... It’s an extraordinary story and I’m afraid I have no confidence that the Post Office is trying to clear it up.”

On the scale of the problem, Mr Arbuthnot said:

“One single miscarriage of justice ought to galvanise the nation. I’ve got more than 140 MPs, some of them with more than one case; this is not a small problem.”

**Q. If the CCRC decide there have been miscarriages of justice, the compensation (if any is provided) will fall on the taxpayer and not the Post Office. Surely there should be agreement that proper compensation will be paid for by the Post Office?**

#### **One Show – December 9 2015**

*James Arbuthnot:*

*The Post Office seems to have spent a large amount of public money on setting up a mediation scheme which it is then trying to prevent SubPostmasters from making use of. It is an awful way of behaving – really is.*

*Nick Wallis: You must be furious?*

*James Arbuthnot: I am devastated frankly, yes.*

#### **JA website 16 December 2014**

#### **James galvanizes Westminster debate on Post Office cases, 2.30pm Wednesday 17 December 2014**

I have been leading a group of over 140 MPs all of whom have constituents who have been subPostmasters affected by shortfalls which have mysteriously appeared during the course of their business and for which they have been made liable by the Post Office. This has led to enormous distress for the subPostmasters, who have lost their businesses and often their houses, and had their reputations tarnished. I have been the coordinator of MPs who for years have been fighting for some form of redress to be available to those who have not committed any wrongdoing.



at 2.30pm on Wednesday 17 December 2014 there will be a 90 minute Adjournment Debate in Westminster Hall of the Post Office Mediation Scheme. The background to this is as follows.

A decade or so ago the Post Office introduced a new computer accounting system called Horizon for its sub Post Offices. Shortly thereafter subPostmasters began to find discrepancies appearing in their accounts (which they were required to balance at the end of each day in order to trade the following day). Eventually these discrepancies led to subPostmasters being prosecuted by the Post Office for false accounting and theft, some of them going to prison. If you would like to listen to accounts of how this happened, they are to be found on Radio 5 Live at

<http://www.bbc.co.uk/radio/player/b04tcfw6>, about 1 hour 10 minutes from the start, and on the Today programme, <http://www.bbc.co.uk.radio.player/b04tjdlg>, about 1 hour and 32 minutes from the start.

Growing concern was felt about the dependability of the Horizon system, and MPs approached the Post Office asking for a resolution of these concerns. Following an independent interim report by forensic accountants Second Sight the Post Office set up a mediation scheme to deal with those cases which have given rise to concern.

In recent months MPs have discovered that the Post Office was using the procedures of that Mediation Scheme to argue that most of the cases giving rise to concern should not, despite what was agreed with MPs, be permitted to go through mediation. This was done without the Post Office's telling MPs they were doing it. I therefore have written to the Post Office to say that **I no longer have faith in the Post Office Board's commitment to a fair resolution of this issue.**

I will be pursuing my campaign for justice in other ways.

#### **17<sup>th</sup> December 2014 Adjournment debate – Westminster Hall**

##### **Extracts:**

On the Horizon system, the jury is still out on the software itself, but the fact that no software fault of any major size has yet been found does not mean that none exists.

As my hon. Friend suggests, and as my hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald) suggested earlier, **it is becoming increasingly untenable for the**

**Post Office to act as its own prosecutor without the independent look that the Crown Prosecution Service would bring. My impression is that the Post Office shares that view, and the sooner it can get rid of its responsibility to prosecute—I believe it should happen today—the better.**

Second Sight did not identify major software issues in its interim report. It must follow that the mediation scheme was set up to deal with the issues of support and the surrounding issues relating to the sub-postmasters. The Post Office agreed to a mediation scheme that was to include those who had pleaded guilty. It is almost too obvious to say this, but in view of what the Post Office has been doing I have to do so: **I would never have agreed to a mediation scheme that excluded people who pleaded guilty, such as my constituent, Jo Hamilton.** I would not have agreed to one, and neither would right hon. and hon. Members throughout the House.

That is what the Post Office agreed; let me turn to what it actually did. In the working group for the mediation scheme, the Post Office began this year to argue that the issues of concern that were identified by Second Sight should be excluded from mediation—for example, the absence or ignorance of contracts, and the failure of audits and investigations—despite its agreement with Members of Parliament that the scheme would cover the issues in the interim report. I understand that the Post Office has been arguing in recent months at the working group stage to exclude 90% of the cases coming before the working group, despite everybody's understanding that exclusion from mediation was to be the exception, not the rule. Extraordinarily, the Post Office argued to exclude people who had pleaded guilty, despite its express agreement to the contrary with me and other right hon. and hon. Members, and despite the fact that it knew that we would not have agreed to a mediation scheme otherwise.

The Post Office has been arguing that these cases should be excluded. It has been doing it at a stage of the process when there is not professional representation in front of the working group, because no professional advisers have appeared before it. Even the sub-postmasters have not appeared in front of the working group when the Post Office is arguing that they should be excluded from mediation. Despite the Post Office's heralding the payment of professional support for all those sub-postmasters, in practice it is a sham. It is doing it in the interests of the integrity of the scheme.

What conclusions must we reach, therefore? The Post Office has built up the hopes of sub-postmasters so the scheme has their support. It has broken its word to Members of Parliament in so many different respects that it is frankly bewildering. There are many ways to describe it, but I think the best is to say that the Post Office has been duplicitous. It has spent public money on a mediation scheme that it has set out to sabotage.

The Post Office spokesman also said that, "It's not yet over." If it was up to the Post Office, it would be; the Post Office is trying to close down the mediation scheme. **And for some who have been through mediation it is actually over, because they have experienced legal bullying and the Post Office has no intention of getting to the bottom of what went wrong. Documents have been destroyed or lost.**

Not only is the Post Office doing this in breach of its word to Members of Parliament and in breach of its duties to the people it works with—the sub-postmasters—but it is undermining and belittling the work of the forensic accountants whom it chose. It is the independence of these

accountants, which MPs initially questioned but which we now welcome, that the Post Office finds hard to take.

**What allowance has been made by the Post Office for the fact that historically its support was so poor? So far as I can tell, none. What allowance has been made for the contract term that provides that the weakest links in the Post Office—the sub-postmasters—have to be found guilty unless they prove their innocence? So far as I can tell, none. This is not the way that our criminal law should work. What has happened to the money that the Post Office got from people such as Jo Hamilton via the South Warnborough village? Did it get taken into Post Office profits?** This is, essentially, an issue of Post Office culture—the protection of assets at the expense of people.

I did not, as some newspaper reports suggested, withdraw the support of 150 MPs, because I have no right to do so. I withdrew my own personal support and what right hon. Members and hon. Members do now is, of course, up to them.

However, there are other avenues that need to be taken. **We need a review by the Government, because we own this organisation. That review must be entirely independent of the Post Office, which has shown it cannot be trusted on the issue. Possibly there should be a special ombudsman.**

In my letter to the chief executive of the Post Office, I asked for three things. I asked for no further destruction of documents, and by documentation I mean not only the documentation for those people who are within the mediation scheme but the documentation for those people who have not managed, for one reason or another, to get into the scheme. They have been mentioned already.

**I hope the Government can prevent the Post Office from pleading the statute of limitations,** because sub-postmasters' legal actions—some of them caused by the behaviour of the Post Office—should not be barred by the passage of time. I hope that the Post Office and the Government can agree that hon. and right hon. Members should be briefed by Second Sight, not on individual cases, but on the way the mediation scheme has gone.

I wrote a letter to the Post Office at the beginning of last week asking for these things, but I have had no response.

**Q. Statute of limitations should not be used?**

**Q. The Post Office should no longer be allowed to prosecute – this should be done through CPS?**

**Q. The Post Office have never put in place the commitment they gave at the start – to have an independently overseen way of resolving disputes – what will happen about that?**

**Tessa Munt (Wells) (LD):** My right hon. Friend has already mentioned that evidence needed to investigate complaints by the applicants should not be destroyed. Might he, in his position as leader of this debate, make sure that the Minister asks that the Post Office guarantees that the material gathered and produced by Second Sight remains in Second Sight's possession and that control of it cannot be given up and that it cannot be destroyed if or when the Post Office instructs Second Sight to do just that?

**Mr Arbuthnot:** My hon. Friend makes an interesting, worthwhile point. I hope that Second Sight will indeed have a role to play. It is meant to be independent: that is how my hon. Friend the Minister described it in last year's statement. I hope that its approach to documents will be equally independent. I hope that the Minister is able to assure us of that.

There may be a role for the Select Committee on Business, Innovation and Skills. I am pleased that its Chairman, the hon. Member for West Bromwich West (Mr Bailey) has been in his place today. There should be an investigation by the **Criminal Cases Review Commission** off its own bat, and even those who have pleaded guilty should be able to take advantage of such an investigation. There will be a role for the courts. I think, therefore, that there will need to be a fund to help sub-postmasters in those actions. It would be good to think that the Post Office itself could, of its own accord, modify its own behaviour. I wish I did think that, but I do not.

**Mr Arbuthnot:** To be clear, I have not lost faith in Sir Anthony Hooper as the chair of the working group. I have never said, however, that 90% of the cases have been rejected. I have said that the Post Office has recently argued that 90% of the cases should be rejected, and that that is where the breach of faith and the lack of straightforward dealing lies.

**Q.** Not only should there be another Select Committee inquiry but the Minister should surely make very clear that its findings will be accepted and acted upon and that her department will ensure this?

**14 January 2015**

Mark Davies writes to JA referencing WH debate, providing fact sheet on the scheme and offering confidential meeting about Jo Hamilton case.

**22 January 2015**

JA writes to Paula asking her to answer (following his letter of 8 Dec):

1. Will you agree to retaining any and all data held by the Post Office which is relevant to the cases under consideration?
2. Will you agree not to take any time barred limitation point in resisting legal claims arising out of the introduction of Horizon and its support arrangements?
3. Will you agree to MPs meeting Second Sight to discuss our concerns to hear their take on the matter?

**3 February 2015**



Select Committee: written evidence from JA

## **24 February 2015**

PV replies, referencing Mark D's letter and

1. ...there is no reason why POL should not be able to use a limitation defence where appropriate, bearing in mind that ultimately it is something a court will rule on
2. No plans to destroy information, all of which is being provided to SS and applicants as part of the process of the scheme
3. Content for PO to organise a briefing on the scheme for MPs, perhaps via the All Party Parliamentary Post Office Group, that SS could attend.

## **March 11 2015 PMQ**

**James Arbuthnott:** Is he aware that in the Post Office mediation scheme, the Post Office has just sacked independent investigators Second Sight and told them to destroy all their papers. Does he agree that it is essential that Second Sight's second report should not be suppressed but should be supplied to sub postmasters and MPs, starting with BIS committee.

**David Cameron:** Makes a very important point - know he has consistently raised concerns from sub sub-postmasters about operation of Post Office IT system and the Post Office mediation schemes. BIS committee should be given all relevant information. Whilst Got should not interfere with independent mediation process, will ask SoS for Business to write to him about this concern and ensure the select committee can do its job properly

## **18 March 2015**

JA writes to PV saying declining meeting that Mark D offered. Points out SS were 'refused access' to documents they need to assess Jo Hamilton case: "Whatever conclusions you as CEO have reached to my mind rest on very shaky ground".

## **26 March 2014**

PV writes to JA regretting his decision and underlining that she does not believe she has broken agreement to him.

## **20<sup>th</sup> April 2015 (Second Sight Report)**

Speaking to the BBC Radio 4's Today programme he called for a judge-led investigation into the Post Office's handling of the issue.

He said: "These have been people who have been pillars of the community and who have had their reputations dragged through the mud, who have been sent to prison, some of them.

"I understand at least one has committed suicide. They've been made bankrupt, they've had their contracts with Post Office terminated."



Mr Arbuthnot said he believed there needed to be a judge-led, independent investigation into what had happened.

### **22/4/2015 (Guardian comments)**

There is a curiously similar pattern of behaviour going on here to the Chinook Helicopter crash on the Mull of Kintyre in 1994. This was based on claims that the engine speed control software was unreliable, but the review board blamed the pilots and stuck to their positions.

Several hotly contested enquiries including one called for by John Major later found the software was indeed not proven reliable, and that this had been deliberately hidden by the RAF investigator team.

The similarity with this crash and the Post Office investigators comes down to the investigators withheld evidence, aggressively challenged alternative views, and because of their implied position of trust by the RAF meant it was hard for RAF superiors outside that chain of command to challenge them.

It seems a very similar type of behaviour is going on here too. Will the PO investigators be caught out here as the RAF ones eventually were, or are they confident of their facts, in which case they will have no difficulty supplying evidence to a third party enquiry.

Extracts other coverage:

In reaction to the latest report, former MP James Arbuthnot, who was the most vocal of the 140 MPs campaigning on behalf of subpostmasters, said the report confirmed there may have been serious miscarriages of justice perpetrated by the Post Office.

“The Post Office is now **trying to cover up these miscarriages of justice**, by suggesting that the report contains no evidence. It is packed with evidence, despite the shameful determination of the Post Office to refuse to give the independent investigators the documents they needed – and which the Post Office had promised to provide,” he said.

“The obstructive behaviour of the Post Office towards MPs and, as we now know, the independent investigators tends to underline how badly the Post Office behaved towards subpostmasters. It is no longer enough for the government to leave to the Post Office the further investigation that needs to be carried out now. **We now have to have a judicial inquiry that can properly get to the bottom of what has actually happened,**” added Arbuthnot

Computer Weekly: Retiring MP James Arbuthnot is determined to get to the bottom of problems with the Post Office accounting system and supporting processes that led to subpostmasters being blamed for account shortfalls.

Arbuthnot (*pictured*), Conservative MP for Hampshire North East who is stepping down from parliament after 28 years, has been the most vocal of a group of 140 MPs campaigning for redress of subpostmaster grievances.

Speaking to Computer Weekly this week, Arbuthnot expressed disappointment that a written answer to his question during prime minister's questions on 11 March, which subsequently came from business secretary Vince Cable, followed the Post Office's line closely. In response to the written answer to his question, written by Cable, Arbuthnot told Computer Weekly: "The secretary of state has chosen to listen carefully to his advisors and the Post Office on this matter rather than seeking to understand why over 140 of his fellow MPs have outstanding cases and unresolved concerns about the matter. This is a shame. I remain quietly confident that the truth will be revealed in due course and I intend to pursue this matter until that happens."

Arbuthnot questioned whether Second Sight, the independent investigation company appointed by the Post Office, has been able to conduct its investigation as thoroughly as it wants.

"I am not alone in doubting the claim made by the Post Office that the independent investigators had access to all the information they needed to conduct a thorough investigation of all cases. This suggestion was rejected by one of the investigators in his evidence to the BIS Select Committee in January. It is not the Post Office but the independent investigators who should determine what the investigators need."

At prime minister's questions Arbuthnot asked: "Is my right honourable friend aware that in connection with the Post Office mediation scheme, the Post Office has just sacked the independent investigator, Second Sight, and told it to destroy all its papers? Does he agree that it is essential that Second Sight's second report should not be suppressed, but should be supplied to sub-postmasters and MPs, starting with the member for West Bromwich West (BIS chair Mr Bailey) and the Business, Innovation and Skills Select Committee?"

Prime minister David Cameron replied: "My right honourable friend makes an important point. I know that he has consistently raised the concerns of some sub-postmasters about the operation of the Post Office IT system and the matter of the Post Office mediation scheme. BIS is currently taking evidence on this issue, and it should be given all the relevant information. The government should not interfere with the independent mediation process, but I will ask the

business secretary to write to my right honourable friend about his concern and to ensure that the Business Committee can do its job properly.”

**BBC Panorama 17 August 2015**

**James Arbuthnot, former MP:** I don't think it is a criminal act which she committed. I think it's much more likely to have been a fault in the computer itself and the fact that she was pressurised into admitting to a criminal act, I think, doesn't mean that this miscarriage of justice should stand. It needs to be overturned.

**John Sweeney:** The man who led the parliamentary campaign believes the Post Office has unfairly prosecuted postmasters.

**JA:** It is certainly an abuse of power. It is a big organisation bullying individuals with no ability to cope in ways which sometimes see them sent to prison, made bankrupt, it is their livelihood. We own this organisation that is behaving in this way. It is disgusting.

**JA:** I am afraid I think it is time she went. It is one of the most shocking things that I came across while I was a member of parliament, and I am still utterly shocked by it.

**Q.** Paula Vennells has abused the scheme – she should be asked to resign now?