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**From:** Andy Holt [GRO]  
**Sent:** 27/05/2014 17:55:39  
**To:** Parsons, Andrew [/O=BOND PEARCE/OU=First Administrative Group/cn=Recipients/cn=ap6]  
**Subject:** RE: New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May [BD-4A.FID20472253]

Hi Andy

Will you create a final version of this please. I need to submit this to a sub committee early next week (before it is sent out officially).

Thanks

Andy

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**From:** Parsons, Andrew [mailto:[GRO]]  
**Sent:** 19 May 2014 10:17  
**To:** Belinda Crowe; Andy Holt  
**Cc:** David Oliver; Sophie Bialaszewski; Rodric Williams; Kett, Rhiannon  
**Subject:** RE: New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May [BD-4A.FID20472253]

Belinda

Rhiannon and I agree this is a sensible way forward.

A

**Andrew Parsons**

Senior Associate

for and on behalf of Bond Dickinson LLP

*Bond Dickinson*

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**From:** Belinda Crowe [mailto:[GRO]]  
**Sent:** 19 May 2014 09:06  
**To:** Andy Holt; Parsons, Andrew  
**Cc:** David Oliver; Sophie Bialaszewski; Rodric Williams; Kett, Rhiannon; Belinda Crowe  
**Subject:** RE: New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May [BD-4A.FID20472253]

My view is (provided what follows is accurate in terms of Horizon):

In relation to Mr Bates' IR, our response should be that the original response was correct. Whilst a question can be a valid request for information, under the Act, if we have information in our records that answers the question should and will provide it response to the request. We are not required to answer a question if we do not already have the relevant information in recorded form but requesters do have a right to all the relevant recorded information we hold.

In order to answer a yes or no question we need to be able to identify the scope of the question and search through the relevant material. With a totally open ended question that is a considerable task, hence invoking the cost regulations.

However, Mr Bates may find the following information helpful - the link to the SS report.

In relation to the other request I would cut the response down even further and simply say that we note he is not making a request for recorded information and does not want to narrow down his request. He may therefore find the report (link attached) a link about Horizon, commissioned by the Post Office, helpful. The report was published and senior managers were made aware of its contents.

If he requests an IR, I think we should point out (depending on the grounds, of course) we should make it clear the Act only covers recorded information we hold. However we do not have to generate information to answer a request if we do not already hold it in recorded form.

In terms of handling, I think I should speak to Alan Bates under the best practice of trying to clarify what he wants. I would like to do that sooner rather than later unless anyone has any objections. In line with best practice. Sending him the SS report link may be irritating to him and I would prefer that we speak to him before responding along those lines.

In terms of the other requestor, I cannot see from the tone of the correspondence that calling him and explaining the purpose of the Act will assist at all.

Views?

Best wishes  
Belinda

**Belinda Crowe**

148 Old Street, LONDON, EC1V 9HQ



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**From:** Andy Holt  
**Sent:** 15 May 2014 14:38  
**To:** 'andrew.parsons'; Belinda Crowe  
**Cc:** David Oliver; Sophie Bialaszewski; Rodric Williams; 'rhiannon.kett'  
**Subject:** Re: New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May [BD-4A.FID20472253]

Andy

Please go ahead and draft this response. Could you make it sound less like SS identified the bugs. Maybe something like;

"There are 2 issues/bugs explained in the SS report, these were dealt with by teams within the post office and resolved so that Subpostmasters were not negatively impacted from a financial perspective. Senior Management are aware of this report".

On the previous response we avoided making reference to these examples, is it ok to do so this time?

I think these were bugs in Horizon but am waiting for confirmation.

Regards

Andy

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**From:** Parsons, Andrew [mailto: ] GRO  
**Sent:** Wednesday, May 14, 2014 09:41 AM  
**To:** Belinda Crowe; Andy Holt  
**Cc:** David Oliver; Sophie Bialaszewski; Rodric Williams; Kett, Rhiannon < GRO >  
**Subject:** RE: New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May [BD-4A.FID20472253]

Belinda, Andy

I've discussed with Rhiannon here at BD (who knows much more about FOI than I do!).

Our view is that because Post Office is aware of the Second Sight report, it therefore does hold information about Horizon related faults and therefore needs to give an affirmative answer the FOI questions. There may well be a number of other issues out there that are currently unknown or untraceable but that is not being requested at present and any further request for that level of detail could potentially be opposed on cost grounds.

One tricky point is that my understanding of the 2 bugs raised in the SS report is that arguably those bugs did not occur in the Horizon system - they occurred in a separate but connected system (**Rodric** - shout if I've got this wrong). At some point in the future, we may wish to argue that the bugs were not in Horizon and therefore need to be careful about giving a "yes" answer to the FOI questions as this may not be actually correct.

There is also Belinda's important point below about FOI being about recorded info and not yes/no questions.

We therefore recommend using the following language in the response that (i) avoids the yes/no problem but (ii) does answer the question posed.

"Second Sight have produced an interim report that states that there are two "bugs" in the Horizon system. This report has been passed to senior management at Post Office."

It also avoids having POL clearly stating "yes" there are bugs in Horizon which will undoubtedly be then misused by AB at some later point.

This can then be top and tailed to make clear that we believe we have complied with FOIA and reject Tony Williams request that we speak to every board member.

If you agree, we can draft some responses to both requests for your consideration.

Kind regards  
Andy

**Andrew Parsons**  
Senior Associate



for and on behalf of Bond Dickinson LLP

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**From:** Belinda Crowe [<mailto:> GRO]  
**Sent:** 13 May 2014 17:58  
**To:** Parsons, Andrew; Andy Holt  
**Cc:** Belinda Crowe; David Oliver ; Sophie Bialaszewski  
**Subject:** FW: New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May  
**Importance:** High

Andy (both)

Please see below. In my view:

- a) Our response was not wrong in that we have asked him, I think, to narrow down the request.
- b) Fol is about the provision of information, not answering questions so it's not a yes or no point.

We can probably point out the document to which Kerry refers when we prepare the response to the internal review response but I think we should do so in the context of 'in the absence of any clarification we can point to the report on our website etc etc. or some such.

Best wishes  
belinda

**Belinda Crowe**

148 Old Street, LONDON, EC1V 9HQ

GRO Postline: GRO  
GRO

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**From:** Kerry F Moodie  
**Sent:** 13 May 2014 12:14  
**To:** Angela Van-Den-Bogerd; Belinda Crowe  
**Cc:** Martin Humphreys; Mike Granville; Rodric Williams; Nick Beal; Peter D Johnson; Ruth X Barker; Nina Arnott; Sophie Bialaszewski  
**Subject:** New Requests: APP201405130915 & FOI201405130944 - Horizon Software Faults Impacting on Accuracy of Accounts - Reply Due by: 29 May  
**Importance:** High

Hi Angela/Belinda,



Please find attached a request for an Internal Review (Complaint) about our recent handling of the request from Alan Bates on his request for our awareness of software faults, which he is now stating was for a yes/no answer. Additionally we have now received a request for information from Tony Williams who we believe to be the spmr from Boston Spa, essentially asking the same yes/no question.

The Internal Review will need to be managed and referred to the Information Law Appeals Panel for a decision (next sitting 16 June), however both requests can be managed together and the same response provided and approved by the panel.

It is clear from the original request from Mr Bates (attached) that he was asking if there was awareness if the information was held on faults in the software impacting on the accuracy of accounts. Neither of the requests has set a time limit period of findings, although in our reply to Alan Bates we had asked for clarification on his request.

In order to understand a bit more about this issue I have just reviewed the 'Interim Report into alleged problems with the Horizon system' found on the Post Office website, I have noted a particular paragraph which reads:

*8.2. Our preliminary conclusions are:*

*a) We have so far found no evidence of system wide (systemic) problems with the Horizon software;*

*b) We are aware of 2 incidents where defects or 'bugs' in the Horizon software gave rise to 76 branches being affected by incorrect balances or transactions, which took some time to identify and correct*

In light of the above, it appears the information provided to Mr Bates initially was incorrect and under the spirit of the Act we should have shared the above information with the applicant.

Therefore can you review the new requests and let me know your views on the findings above and this possible way forward.

Regards,

Kerry Moodie I Information Rights Manager

1<sup>st</sup> Floor, Old Street Wing, 148 Old Street, London, EC1V 9HQ



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