

Witness Name: Anthony Richard Utting

Statement No.: WITN08200200

Dated: 18/04/2025

POST OFFICE HORIZON IT INQUIRY

SECOND WITNESS STATEMENT OF ANTHONY RICHARD UTTING

I, Anthony Richard Utting, will say as follows...

INTRODUCTION

1. I am a former employee of Post Office Ltd and held the position of National Investigation Manager, amongst a number of others.
2. This witness statement is made to assist the Post Office Horizon IT Inquiry (the “**Inquiry**”) with the matters set out in the Rule 9 Request 2 dated 3rd April 2025 (the “**Request**”).

BACKGROUND

3. I have been asked to set out a full account of my involvement in the case of Cleveleys Modified Sub-Post Office. I can say that I have no recollection of having any role or involvement in this case.

4. I have been asked to consider Mr Coyne's report **WITN09020115**. I do not recall ever having seen this report until now and do not remember ever reading it. It appears to relate to the case in question, but as this was a civil matter and I worked in the investigation Team, dealing with Criminal cases only I am not sure why it would have been sent to me. I likewise, have no recollection of ever having any discussions with anybody about the report.

5. I have been asked to consider an advice of Stefan BrochwiczLewinski **POL00142504**. This advice appears to have been forwarded to me by Mr Tony Marsh in an email on 27 July 2004. I do not recall whether I read this advice or not. The email from Tony asked me to ask my operations lead to manage the case and to liaise with Tony if he had any queries or issues. Not being able to remember reading the report, I am unable to recollect what thoughts I may have had about it.

6. I have been asked to comment on Mr Brochwicz-Lewinski's statement about being asked to take into particular account that the Post Office is anxious for the negative computer experts report to be given as little publicity as possible. I cannot say what I would have thought at the time, as I do not recall reading either the advice or the report.

7. I have been asked to consider the email chain forwarded to me by Tony Marsh on 27 July 2004 **POL00142505**. I do not recall receiving this email or any discussions I had with either Tony Marsh prior to the email being sent, or Manish Patel once I received it regarding what he was to do, or how he was to do it. From my way of working, I would suggest that I had a conversation with Manish either by phone, or in person (by phone would be most likely as we worked at different offices and

didn't see each other more than two or three times per month) and then forwarded him the email that Tony had sent me. From the way the email to myself is written by Tony Marsh, I think it would simply have been a case of telling Manish what Tony had sent me and then asking him to take the case on and deal with Tony for any issues that arose. I have no recollection of any activities that Manish undertook and as far as I am aware he did not provide me with any reports of his activities.

8. I have been asked to provide details of any meetings and discussions I had with David Miller after seeing the advice of Mr BrochwiczLewinski. I do not recall having any meetings with anybody relating to this advice. I have been asked to consider both Mr Miller's evidence of 16 April 2024 **INQ00001130** and Mr Marsh's second witness statement **WITN06900200**. After reviewing these two pieces of evidence, I still have no recollection of any meetings on this matter and whilst Mr Miller suggests he met with Tony Marsh, Tony suggests that it was me. I have no recollection, but would say that at that point in time, I had only met Mr Miller once or twice and so do not think I would have had the type of conversation with him that he describes in his evidence about that meeting. Given that Tony Marsh forwarded the email with the advice to me and asked me to put Manish in charge of the matter, suggests that I was still reporting to Tony Marsh at this point. This view is reinforced by Rod Ismay asking who from Tony's team was involved. I only ever reported to the two of them as head of investigations in this period. Regardless of which of them I was working for, I do not understand why either of them would send a member of the criminal investigation team to talk with the COO about a civil case.

9. I have been asked to what extent myself or others considered the implications of the Coyne report for other civil and criminal cases. I have stated that I have no recollection of ever seeing the Coyne Report and I therefore have no recollection of having given it any consideration. I am not aware of who did see the Coyne Report and so cannot guess what was considered.
10. I have been asked to consider the impact of the Cleveleys case on other criminal and civil cases, including that of Lee Castleton. I do not recall there being any impact, but that is simply because I do not recall the Cleveleys case and from my recollection, I don't think it ever came up in respect of any cases I was involved with or oversaw. In respect of the Lee Castleton case, where I had some involvement, I do not recall Cleveleys being mentioned. Though it was a long time ago and it may have been.
11. I have been asked to what extent I reflected on POLs conduct in pursuing shortfalls and/or prosecuting SPMs following the Cleveleys case. I have no recollection of the matter and so cannot say whether I reflected on this case at all. It is difficult to consider hindsight in this matter, as I do not recall what was sent to me and what was said to me. My recollection is that I had no involvement in the Cleveleys case whilst the evidence that has been provided suggests that I was asked to ask Manish Patel to lead on the matter by Tony Marsh.
12. In the evidence I have been provided, there appears to be some confusion around who the Investigation Team reported to. I believe the investigation Team worked to Tony Marsh from 1999 up until a little after he went to do the network transformation project some time in 2004. Both my predecessor, Phil Gerrish and myself worked to Tony Marsh in the Security Team during this period. At this point

Tony and the whole Security Team in POL were employed by Post Office Ltd, with Tony Having a dotted Line to the Corporate Security Director. Soon after Tony moved to the Transformation project the Investigation Team was moved over to the Finance function under Rod Ismay and I continued to report to him until mid 2006, when Tony returned from the project and took over the Security function once more. I continued to report to Tony Marsh until he moved to Corporate Security

Statement of Truth

I believe the content of this statement to be true.

Signed: **GRO** _____

Dated: 18/04/2025 _____

Index to Second Witness Statement of Anthony Richard Utting

No.	URN	Document Description	Control Number
1	WITN09020115	Jason Coyne Expert Opinion 21.04.04 and associated documents	WITN09020115
2	POL00142504	Advice on Evidence and Quantum by S.A Brochwicz-Lewinski in POCL v Julie Wolstenholme, Case No. CR101947	POL-BSFF-0001780
3	POL00142505	Email chain from Tony Marsh to Tony R Utting, Rod Ismay, cc'ing Carol King and others re: Legal case - Cleveleys PO 153 405 Mrs J Wolstenholme	POL-0143796
4	INQ00001130	Transcript (16/04/2024): Post Office Horizon IT Inquiry - David Miller [WITN0347] and David Mills [WITN1095]	INQ00001130
5	WITN06900200	Second Witness Statement of Tony Marsh	WITN06900200