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ENYO LAW

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Our client: Mr Benjamin Tidswell
Your client: Post Office Limited

29 November 2024

Burges Salmon
One Glass Wharf
Bristol BS2 0ZX

Direct line: [REDACTED] GRO
Andy.McGregor: [REDACTED] GRO

Tel: [REDACTED] GRO
Email to: chris.jackson@ [REDACTED] GRO

Fieldfisher
Riverbank House
2 Swan Lane
London
EC4R 3 TT
Email to: Harrison.cunningham@ [REDACTED] GRO

Dear Burges Salmon and Fieldfisher

Post Office Horizon IT Inquiry (“Inquiry”)

1. We refer to your email to the Inquiry sent on 28 November 2024 at 3:18 pm (“**Your Email**”). We also refer to the Inquiry’s request for information from Mr Tidswell pursuant to Rule 9 of the Inquiry Rules 2006 dated 27 November 2024 (“**Rule 9 Request**”) and the Inquiry’s email of 27 November 2024, in which it requested that you reconsider certain redactions in light of the Rule 9 Request.
2. In Your Email, you note that Post Office Limited (“**Post Office**”) has decided to lift the redactions applied to paragraph 6.4 of POL00448713 in their entirety and to partially lift the redactions applied to paragraph 3.1 of POL00448620. We write to ask you to further reconsider your approach.
3. As you are aware, Mr Staunton gave evidence that Mr Tidswell said that “*the Company had a duty to ensure that people who were guilty remained guilty*”¹ and went on to suggest that this reflected a view that “*the majority of post masters were “guilty as charged”*”.² As we noted in our letter of 12 November 2024, Mr Staunton has taken Mr Tidswell’s statement out of context, with the result that his evidence is misleading. Mr Tidswell’s statement was not an expression of his own personal views, or those of the Post Office board. It was, instead, a reference to legal advice provided to the Post Office board.

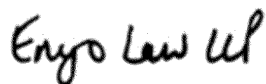
¹ This evidence is at paragraph 49 of Staunton 1 and Transcript page 98 line 6 to page 100 line 2, Transcript page 156 line 21 to page 158 line 2.

² This evidence is at paragraph 49 of Staunton 1 and Transcript page 98 line 6 to page 100 line 2, Transcript page 156 line 21 to page 158 line 2.

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4. The statement which Mr Staunton refers to is contained in paragraph 6.4 of POL00448713. Mr Tidswell's recollection is that legal advice which he was referring to in paragraph 6.4 is contained in the part of paragraph 3.1 of POL00448620 which you have refused to unredact. As such, your approach will not enable the Inquiry to see the advice which Mr Tidswell was referring to and which he has been asked to make a further witness statement in relation to. Therefore, it will not allow the Inquiry to properly contextualise and understand Mr Tidswell's statement in paragraph 6.4 of POL00448713. We consider that this was likely to have been the Inquiry's aim in making the Rule 9 Request.
5. We, therefore, invite you to reconsider your decision not to unredact the balance of paragraph 3.1 in POL00448620. Further, and in any event, we consider that the Post Office has waived privileged in this material, by underacting paragraph 6.4 of POL00448713, which is a reference to this advice. However, we hope that it will be unnecessary to debate this issue, in circumstances where you ought to disclose this material voluntarily in order to assist the Inquiry.
6. The Inquiry has asked Mr Tidswell to respond to the Rule 9 Request by 1pm on 4 December 2024. As such, please respond to this letter as a matter of urgency and by 4pm 29 November 2024 at the latest.

Yours faithfully



Enyo Law LLP

CC: Post Office Horizon IT Inquiry (email to solicitor GRO
Caroline.clements GRO Alice.Newell GRO)

UK Government Investments (email to Sarahjones GRO)

Department for Business & Trade (email to Claire.Jones GRO)

Postmaster Core Participants (email to partners GRO neilhudgell GRO
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