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Our client: Mr Benjamin Tidswell

12 November 2024

Post Office Horizon IT Inquiry
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Dear Post Office Horizon IT Inquiry

Post Office Horizon IT Inquiry

1. We refer to the ongoing hearing for phase 7 of the Horizon IT Inquiry (“**Inquiry Hearing**”). We also refer to the First Witness Statement of Henry Eric Staunton (“**Staunton 1**”), the transcript of Mr Staunton’s oral evidence at the Inquiry Hearing (“**Transcript**”), and our previous requests for documents which Mr Staunton has referred to in his evidence.
2. Mr Staunton has given evidence about comments that Mr Tidswell allegedly made at a Post Office Limited (the “**Post Office**”) board meeting on 24 January 2023. Mr Staunton gave evidence that the Post Office board received legal advice in relation to the scheme for overturned historic convictions at this meeting.¹ He also gave evidence that Mr Tidswell had said that “*the Company had a duty to ensure that people who were guilty remained guilty*”.² He then went on to suggest that reflected a view that “*the majority of post masters were “guilty as charged”*”.³
3. Mr Staunton has taken Mr Tidswell’s statement out of context, with the consequence that his evidence on this point is misleading. Mr Staunton also appears to refer to material that is subject to legal advice privilege. We understand that redactions on the basis of privilege have been made to an earlier section in the minutes which covers the same subject matter (namely, the approach to be taken to cases in the Crown Court and the application of the Full Code Test in the Code for Crown Prosecutors). It is not clear to us whether the passage referred to by Mr Staunton is also redacted in the version of the minutes you have, but Mr Tidswell’s recollection is that the passage in question was a reference to legal advice provided to the Post Office board, and was not an expression of Mr Tidswell’s own personal views. As such, Mr Staunton’s evidence on this point is misleading and ought to be disregarded. Further, for the avoidance of any doubt, Mr Tidswell disagrees with Mr Staunton’s

¹ This evidence is at paragraph 47 to 49

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.

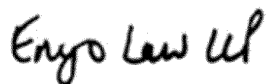
³ This evidence is at paragraph 49 of Staunton 1 and Transcript page 98 line 6 to page 100 line 2, Transcript page 156 line 21 to page 158 line 2.

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suggestion that Mr Tidswell considered that the majority of post masters were “guilty as charged”. That is not and has never been his view. He also does not agree with Mr Staunton’s suggestion⁴ that Mr Staunton raised the subject with Mr Tidswell subsequent to the meeting. That did not happen and is untrue.

4. If it would assist the Inquiry, Mr Tidswell is willing to record the points made above in a witness statement. If the Inquiry wishes him to do so, please provide us with copies of POL00448713 and POL00448620 (being the relevant Post Office meeting minutes).

Yours faithfully



Enyo Law LLP

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⁴ See for example Transcript at page 157, lines 6 to 8.