

Thursday, 23 February 2023

1  
2 (10.00 am)  
3 **MR BLAKE:** Good morning, sir. Can you see and hear  
4 me?  
5 **SIR WYN WILLIAMS:** I can indeed, yes.  
6 **MR BLAKE:** Thank you very much. I'm going to call  
7 Mr D'Alvarez, please.  
8 **ALAN D'ALVAREZ (sworn)**  
9 **Questioned by MR BLAKE**  
10 **MR BLAKE:** Thank you very much. Can you give your  
11 full name please.  
12 **A.** Alan George D'Alvarez.  
13 **Q.** Mr D'Alvarez, you have previously given evidence  
14 to this Inquiry. Your witness statement is  
15 WITN04800100 and that's already gone into  
16 evidence. Do you have a copy of that in front  
17 of you? It should be behind tab A.  
18 **A.** Yes, I do.  
19 **Q.** You've confirmed the truth of that statement  
20 before but just to confirm once again, does that  
21 remain true to the best of your knowledge and  
22 belief?  
23 **A.** It does.  
24 **Q.** Thank you. As I say, because you've given  
25 evidence, I'm not going to go into detail about

1

1 UK, just to discuss the situation.  
2 **Q.** Broadly, can you tell us what you concluded in  
3 that report?  
4 **A.** I concluded -- so what I concluded in that  
5 report broadly was the solution that had been  
6 signed up to was different to what I recall when  
7 I was -- that was being discussed with Post  
8 Office when I was still on the account back in  
9 2005. That the approaches being used with  
10 regard to development were not appropriate, and  
11 they should look to do more of a kind of  
12 a classic approach, as opposed to an agile  
13 approach to development, and just gave some  
14 explanations as to what I believe needed to  
15 happen to bring the project under greater  
16 control.  
17 **Q.** Do you know who asked you to do that report?  
18 **A.** I believe it was Lester Young, I believe.  
19 **Q.** Were there concerns about HNG-X at that stage  
20 within Horizon, withing Fujitsu?  
21 **A.** Can I correct myself, I think it was Peter  
22 Jeram.  
23 **Q.** Were there concerns within Fujitsu about how the  
24 project was working?  
25 **A.** It was late. It was already signalling that it

3

1 your background, we already know about that.  
2 Just one question about your background is  
3 really when you first became involved in what we  
4 know as Horizon Online or HNG-X?  
5 **A.** Horizon Online, I got involved in 2009.  
6 **Q.** The reason I ask is I just want to bring one  
7 document to your attention, it's FUJ00116732.  
8 The document itself isn't really important, it's  
9 a PowerPoint presentation but it's page 7 of  
10 that document. It's the fourth entry on page 7.  
11 Thank you. If we could zoom in, it has your  
12 name there. These are documents that are  
13 reviewed and it says there was a previous  
14 independent review by A D'Alvarez, July 2007; do  
15 you remember that involvement at all?  
16 **A.** Yes, I do.  
17 **Q.** What was that?  
18 **A.** I was, at that time, on assignment in the USA,  
19 and on my -- when I was back in the UK for some  
20 meetings that we had, because of my previous  
21 engagement with Post Office, I was asked could  
22 I provide an overview because there were some  
23 issues, could I just talk to some people and  
24 just do a review in my two weeks that I was in  
25 the UK, take two of the four weeks I was in the

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1 was missing its key milestones.  
2 **Q.** Thank you. I'm going to now take you to some  
3 documents that I took Mr Burley to yesterday.  
4 I don't think you've seen all of Mr Burley's  
5 evidence from yesterday; is that right?  
6 **A.** I only saw part of it.  
7 **Q.** It may be that I'm repeating matters I went  
8 through yesterday but that's for your benefit  
9 rather than for everybody else's. Can we look  
10 at FUJ00092754, please. These are the "Notes of  
11 the Horizon Next Generation Joint  
12 Progress/Release Board" of 28 January 2010.  
13 Mr Burley was the chair and you attended that  
14 meeting; is this something you remember in broad  
15 terms?  
16 **A.** These were regular meetings that we had, yes.  
17 **Q.** It's page 3 of that document that I asked  
18 Mr Burley about yesterday, and it's the second  
19 entry on page 3. It says there:  
20 "The delay in the commencement of Volume  
21 testing means that we will not be able to  
22 perform a significant amount of testing before  
23 commencing the Medium Volume Pilot. Hence we  
24 will need a significant amount of data to be  
25 collected from the Live Branches and Data

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1 Centre. The data will also require careful and  
2 thorough analysis.  
3 "AD to confirm how this will be achieved."  
4 Is it your recollection that there was  
5 a reduction in the testing before commencing the  
6 medium volume pilot, howsoever small it may have  
7 been?

8 **A.** So that's specific to the volume testing. So we  
9 had a volume test schedule and with the volume  
10 test schedule it went in stages in different  
11 parts of the system but it also blocked out to  
12 where we would go to 25 per cent volumes,  
13 50 per cent volumes. The intention of all the  
14 testing, what we call laboratory testing, would  
15 be complete before we go to pilot and pilot's  
16 live testing. So the intention was to complete  
17 all the laboratory testing before. We hadn't  
18 completed all the volume testing.

19 We had completed an amount -- I can't recall  
20 where we got to, either 25 per cent or  
21 50 per cent loads. It was assessed that to go  
22 into a pilot and to go to medium volume pilot,  
23 which I believe was around 250 post offices,  
24 that we stressed the system sufficiently.  
25 However, what we proposed was we would

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1 testing up to 50 per cent -- 25 or 50 per cent  
2 load to equivalent to 3,000 to 6,000 post  
3 offices we've tested at scale, in our  
4 laboratories and the medium volume pilot was,  
5 I think, 250 or thereabouts.

6 **Q.** The reference in this particular entry about not  
7 being able to complete a significant amount of  
8 testing before commencing the pilot suggests  
9 that there was less testing.

10 **A.** In the volume.

11 **Q.** In the volume.

12 **A.** Only in the volume, not in the functional  
13 testing of the business application.

14 **Q.** Are there risks involved in reducing the amount  
15 of testing in the volume; howsoever small, are  
16 there risks in reducing that amount of testing?

17 **A.** Our assessment from Fujitsu was no because we'd  
18 done sufficient testing for the amount of stores  
19 that we were going to bounce off -- or post  
20 offices -- were deploying in medium. However,  
21 as I've explained, because it was laboratory  
22 testing, we wanted to put in some additional  
23 controls just to make sure that what we've  
24 tested, the results in testing, correlate to  
25 what we were seeing in live, so give us greater

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1 monitor -- we were already monitoring the  
2 performance at the branches. What we would do  
3 we'd collate those because when you do  
4 laboratory testing it's in sterile conditions.  
5 You don't have the real world rounds and  
6 networks and that, so it's kind of model  
7 testing. So to give us greater assurance,  
8 because we hadn't completed up to full load  
9 testing, we're going to take the performance  
10 statistics and compare them to our testing  
11 statistics or our test results to see whether  
12 what happening live correlates to what we see in  
13 testing, to give us that greater confidence.

14 **Q.** Would it be fair for me to say that that kind of  
15 testing that was carried out, or the analysis of  
16 the data, is less than was originally proposed?

17 **A.** More. When I say the analysis of the data was  
18 more, so we hadn't completed the testing. We  
19 did complete the test within the next four  
20 weeks, four or five weeks. We hadn't completed  
21 the testing at that time. So going into medium  
22 volume pilot, it was -- we hadn't completed the  
23 testing that we had on the schedule. Was it of  
24 material impact? We didn't believe so. So we  
25 did complete all the testing. We completed

6

1 confidence.

2 **Q.** Why would it be proposed originally as an idea?

3 **A.** Proposed?

4 **Q.** Why was it proposed originally that there was  
5 more testing and that amount of testing was  
6 reduced or are you saying it simply wasn't  
7 reduced?

8 **A.** It wasn't reduced. It was completed. We  
9 completed all the testing. It was the  
10 timescales in which we completed the testing.

11 **Q.** So they were over a longer period?

12 **A.** Yes. So we continued testing the performance  
13 whilst we was in pilot. The original plan was  
14 to complete all our laboratory testing before  
15 going into pilot. Only on the performance, we  
16 continued to test whilst we was in pilot.

17 **Q.** Is there an advantage in completing that testing  
18 before the pilot?

19 **A.** It allows the team to focus more on the pilot  
20 because, obviously, we wanted to clear  
21 everything that we had so we can focus all our  
22 attention on supporting the pilot. But I don't  
23 believe it had any material impact on risk or  
24 anything going into the pilot.

25 **Q.** Thank you. I'd like to take you into the next

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1 document, that's FUJ00097159. Again, it's  
 2 a document I took Mr Burley to yesterday. It's  
 3 a meeting of the same day, this time of the  
 4 release authorisation joint board. Again, is  
 5 that something you recall, those meetings?  
 6 **A.** Yes, they were the meetings that we used to  
 7 track our position against the various  
 8 acceptance case.  
 9 **Q.** If we go over the page, please, and it's the  
 10 shaded section that I'm going to start with, it  
 11 says:  
 12 "DC confirmed that there are no outstanding  
 13 High Severity Acceptance Incidents and that all  
 14 other thresholds are within tolerance for  
 15 Acceptance Gateway 3."  
 16 The third paragraph says:  
 17 "However it was agreed that the high  
 18 priority fixes in 'Reset 4' ..."  
 19 Do you remember what Reset 4 was?  
 20 **A.** I believe that's a release that we had, so we  
 21 had a number of releases that we called, and  
 22 that was -- basically will be delivered as  
 23 part -- so we had maintenance releases that went  
 24 out not just for the programme deliverables but  
 25 also just for general maintenance patching and

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1 actually meant with regard to risk and that, but  
 2 one of the options were -- there were some fixes  
 3 that needed to go in and we couldn't progress.  
 4 Others were of less impact, some could be  
 5 cosmetic. Some may be -- and the bigger you  
 6 make a release, the more risk you put on the  
 7 timescales that that release will be complete,  
 8 fully tested and ready to go.  
 9 So it was to -- I think the discussion at  
 10 the meeting was very specific to if we wanted to  
 11 achieve the milestones, was there anything of  
 12 less significance that could wait to a later  
 13 release and would that -- if we did remove that  
 14 from that particular earlier release -- would  
 15 that derisk making a timescale?  
 16 So it was, you know, we'd -- delivering  
 17 a programme, you know, you're always looking at  
 18 the balance of risk and timescales.  
 19 **Q.** Absolutely. So you describe risk against  
 20 progress. Was there, coming from the Post  
 21 Office, a push -- we've spoken about the delay  
 22 in the programme, for example. Were they keen  
 23 on making progress and accepting a greater  
 24 degree of risk?  
 25 **A.** It depends what part of the Post Office, really.

11

1 things, and then the Reset 4 would be the  
 2 programme release that we were to put into that  
 3 maintenance release.  
 4 **Q.** Thank you. So the high priority fixes:  
 5 "... to be delivered as part of [the]  
 6 Maintenance Release ... could constitute a High  
 7 Severity [Acceptance Incident] if not delivered  
 8 in time for the High Volume Pilot ..."  
 9 As you said, it's just over 200 branches.  
 10 If we scroll down, it says there that  
 11 Mr Burley:  
 12 "MB offered an option to remove items from  
 13 Reset 04 which are not regarded as High  
 14 priority -- if they are at risk of missing the  
 15 High Volume Pilot deadline, or affecting the  
 16 delivery of items which are High priority."  
 17 Is it your recollection that Mr Burley and  
 18 the Post Office were trying to make it easier  
 19 and quicker to get the pilot up and running and  
 20 speed things up a bit?  
 21 **A.** It's an option that's discussed. So with all  
 22 programmes you have to balance risk against  
 23 progress. So one of the options that was  
 24 discussed and was -- we, I think we agreed to  
 25 actually take away and understand what that

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1 So within the programme team, we were pretty  
 2 much joined up at the hip, myself and Mark and  
 3 our team and his team, in as much as we had  
 4 a focus on -- there are certain items of  
 5 delivery that you had to get right before we  
 6 progress. Others were up for risk assessment.  
 7 I had pressure from my company. I don't know  
 8 what pressure he got but I'm sure he would have  
 9 got pressure outside because people want to see  
 10 progress.  
 11 **Q.** Was he making clear to you that he was under  
 12 pressure to make progress?  
 13 **A.** We had an approach where, when we had to  
 14 potentially signal delays, we would work  
 15 together to what is the messaging to our joint  
 16 -- you know, do we agree firstly amongst  
 17 ourselves that a delay is the right thing?  
 18 Let's have look at the whole position, look at  
 19 the risk. If we do agree amongst ourselves that  
 20 a delay is the appropriate course, then we would  
 21 work on the messaging to our respective  
 22 organisations because with that comes quite  
 23 a lot of disruption in the organisation, quite  
 24 a lot of disappointment, and what -- we wanted  
 25 to make sure that the messaging was clear.

12

1 So in discussions, it's the normal pressures  
2 of a large programme. People want to see it  
3 succeed. People want to see it go out, and it's  
4 our job to navigate to make sure that we're  
5 protecting -- you know, that the risk is being  
6 managed appropriately.

7 **Q.** If we stick with this document and move to the  
8 penultimate page, page 9, there are a couple of  
9 issues that are mentioned at the bottom of  
10 page 9 and into page 10. These are new actions,  
11 28 January 2010. The first is:

12 "Branch Trading Statements at Coton House  
13 and Warwick. It was confirmed that on screen  
14 error messages had occurred at both offices  
15 which meant that their Branch Trading Statements  
16 could not be completed.

17 "The root cause position at Coton House was  
18 understood, but the Warwick office had  
19 additional complexities."

20 Just pausing there, do you remember this  
21 particular issue?

22 **A.** I remember there were three issues. We refer to  
23 them as the CWD, I think it was Coton, Warwick  
24 and Derby, and when we went into pilot and it's  
25 the -- 10 or 12 offices, I forget how many, but

13

1 **A.** Correct.

2 **Q.** We've seen that only a few days passed and that  
3 postponement was reversed. Do you remember  
4 that?

5 **A.** I recollect that we quickly got to  
6 an understanding of the root cause of the Derby,  
7 and I recollect that we had a fix and that fix  
8 had to go in before we could progress because it  
9 was significant, because it was a data integrity  
10 issue. Geoff Butts led on the other two because  
11 he is my deployment migration manager.

12 If I remember -- I might get these in the  
13 wrong order. I believe Coton was to do with the  
14 migration itself, ie the migration tooling not  
15 completing its data downloads and we had  
16 a workaround, ie we would do the download  
17 through the migration tooling from Horizon to  
18 HNG-X, and I believe we would do a -- we --  
19 someone had written a script to check is it  
20 complete as a compare. If it's not, we will  
21 repeat the downloads to complete it.

22 So we still went through the migration  
23 tooling, so where we were satisfied that whilst  
24 we had to fix the migration tooling, that we  
25 could avoid that happening again.

15

1 there were a small number of offices, we now  
2 moved into a live situation. So what we put in  
3 was a huge amount of support, huge amount of  
4 monitoring, because it's still test, the pilot  
5 is still test, and there were three different  
6 incidents that come up and they are two of the  
7 three.

8 **Q.** Thank you. If we scroll down, "Double  
9 settlement at Derby".

10 **A.** Yes, that's the other one. That's the third.

11 **Q.** Can you tell us about that particular issue?

12 **A.** That was of greater concern because that one had  
13 potential integrity implications. So I remember  
14 at the time -- so I'm much closer to that one,  
15 so I took ownership of that because of the  
16 potential severity of that. The other two were,  
17 on the initial assessment, more to do with  
18 operational rather than integrity.

19 **Q.** Then looking below, it says:

20 "Decision -- Postponement of the next 10  
21 branches. Based on the lack of a known root  
22 cause for AG3.70 [the first of those two] and  
23 AG3.71 [the Derby issue] it was agreed that the  
24 next 10 branches should be postponed until the  
25 impact and way forward is fully understood."

14

1 The Warwick one, I believe that was to do  
2 with reporting, in as much as the underlying  
3 data was correct but there was a report that was  
4 created and it wasn't the report -- figures in  
5 the report were incorrect.

6 **Q.** We'll come to the report issue. I think  
7 ultimately actually the Warwick one involved  
8 a node as well and it's a bit more complicated.

9 **A.** Okay.

10 **Q.** We don't need to go into the detail of that  
11 right now.

12 **A.** However, but I think by the time -- within --  
13 you know, we worked over the weekend on this.  
14 I do remember that everyone was in over the  
15 weekend and we satisfied ourselves that we had  
16 fix for the Derby one, which was the critical  
17 one, and we had, I believe, appropriate way  
18 forwards or we had proposed, because we can only  
19 propose potential workarounds, it's for Post  
20 Office to accept whether they're acceptable or  
21 not. So we had a proposal, which I believe was  
22 accepted.

23 I don't know how quickly we went into, but  
24 it wasn't long, two weeks later we went.

25 **Q.** So the postponement was largely or significantly

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1 because you recognised the importance of matters  
2 that impacted on data integrity?

3 **A.** All three we need to assure ourselves that, you  
4 know, but certainly data -- that there was a way  
5 forward that would -- that we could mitigate any  
6 impact. But certainly data integrity was the  
7 postponement, yes.

8 **Q.** Can we look at FUJ00092875, please. It's page 3  
9 of that document. It's an email from yourself,  
10 which addresses the decision to deploy HNG-X to  
11 a further ten branches. This is 3 February now  
12 so it's very shortly after you explained there  
13 was work over the weekend. It says there:

14 "The decision has been taken to deploy HNG-X  
15 to a further 10 branches with the migration  
16 button being pressed tomorrow for migration to  
17 complete Friday."

18 There were, however, still two outstanding  
19 issues, the first is the branch trading  
20 statement issue, and it says there:

21 "This is where the in day migration process  
22 that happens once a branch hits the migration  
23 button is not correctly migrating across the  
24 summary data. This data is used to produce the  
25 branch trading statement", et cetera.

17

1 **A.** In a sense that if we felt that the risk was  
2 manageable to move forward, and that was our  
3 proposal, we had a workaround to an issue or  
4 something, Post Office, if they say they're not  
5 comfortable, they're the customer. It's their  
6 business. They have the final say on  
7 programmatic decisions.

8 **Q.** It's paragraph 4 of this email that I took  
9 Mr Burley to yesterday and I will read that for  
10 you. It says:

11 "We had a meeting with Post Office this  
12 evening which Mark Burley led from the Post  
13 Office side. Post Office are desperate for  
14 a date to start planning/rescheduling medium  
15 volume pilot. They accepted our position that  
16 we were not able to give this today. I expect  
17 that Mark will be keeping Dave Smith briefed and  
18 my reading is that if we are not in a position  
19 to give a target date by [close of play]  
20 tomorrow it's likely to result in an escalation  
21 to Mike Young."

22 Certainly the impression that's given there  
23 is that pressure is being put on Fujitsu to get  
24 on with things and that, if they don't, then it  
25 will be escalated. Am I wrong to form that

19

1 The second issue being counter pauses in  
2 live:

3 "Yesterday and today a number of branches  
4 reported 'screen freezes' whilst operating  
5 HNG-X."

6 **A.** Mm.

7 **Q.** So is it fair to say that you were very much  
8 aware that there were still outstanding issues  
9 that you needed to get to the bottom of but the  
10 decision was taken to deploy HNG-X to a further  
11 ten branches because you were sufficiently  
12 satisfied with the work you had done over that  
13 weekend?

14 **A.** We proposed that -- we make -- well, we jointly  
15 looked at the position with the joint programme  
16 team and our proposal was to -- we satisfied  
17 ourselves the risk was manageable.

18 **Q.** Thank you. Your evidence is very much about  
19 joint decisions and joint working. Was there  
20 a difference in opinion at all on these kinds of  
21 issues between Fujitsu and the Post Office?

22 **A.** Sometimes. On occasion there would be -- we  
23 would propose something but Post Office would  
24 have the final say.

25 **Q.** In what sense?

18

1 impression?

2 **A.** Get on with things. So the situation is  
3 specific here, is -- so Post Office were  
4 responsible for the business change activities  
5 associated with the programme and we're now into  
6 live pilot and, therefore, there's a lot of  
7 communications, planning, you know, lining up of  
8 post offices. So "desperate" is my word, you  
9 know, that's my word, in as much as, you know,  
10 being a qualified programme manager, and  
11 understanding the pressures that they'll be  
12 under, is that what we had is a situation where  
13 we halted the pilot, we're going cautiously into  
14 the continuance of the low volume pilot, which  
15 was always intended to be around 20 offices.

16 They would have had all the communications,  
17 all the countdowns, people lined up for the  
18 medium volume pilot because you do that many  
19 days before, like 45 days before there's a big  
20 chain. Now we're into a set of uncertainty  
21 where we're signalling in to both organisations  
22 and they're having to signal in to their  
23 business that they've paused and they cannot  
24 confirm dates of when we can line up so the Post  
25 Office would have been communicated to some of

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1 those that they had dates. They now had to be  
2 communicated to, to say they're paused, but we  
3 can't tell them when because we haven't yet got  
4 to the root causes of those problems. So it  
5 wasn't a case of we just need to get on to do  
6 the pilot; we needed to understand how long  
7 would it take us to resolve those problems.

8 So once we get to the root cause we can then  
9 assess is it a quick fix? Is it a long, complex  
10 fix that's going to take several weeks? And we  
11 need to give -- you know, Fujitsu needs to give  
12 Mark and his team an indication as to what are  
13 their planning assumptions they can make so that  
14 when they communicate to post offices, as  
15 opposed to leaving them, we're going to delay  
16 the deployment but we don't know when to, they  
17 can be more certain as to kind of provide that.

18 It kind of -- it's better when you're  
19 communicating out that you can give someone  
20 alternative dates or a clear understanding of  
21 expectations. At this point we couldn't give  
22 Post Office an expectation of how long it will  
23 be before we can go into medium pilot and that  
24 was the key. So for me, my take, he needs to  
25 know that because if he doesn't, the business

21

1 pressure.

2 **Q.** Where was that pressure coming from?

3 **A.** Well, it comes from within because we have  
4 committed to a plan, so -- and then we have to  
5 explain when we, we're not making key milestones  
6 that impact both organisations, and also, now  
7 because we're in pilot, we're not -- you know,  
8 it's not just impacting the people working on  
9 the programme. Delays and issues impact the  
10 business. So that there's the pressure to get  
11 it right, there's a pressure to be clear in  
12 communications and there's a pressure to, you  
13 know, successfully deliver the programme.

14 **Q.** So although "desperate" itself is your  
15 language --

16 **A.** Yes --

17 **Q.** -- you would accept that there was pressure  
18 coming from the Post Office to get on with the  
19 pilot?

20 **A.** And from Fujitsu, yes.

21 **Q.** In terms of an escalation to Mike Young, what  
22 did that involve?

23 **A.** It's my assessment that I needed to brief my  
24 senior executives because it could very well,  
25 that if, by telling post offices that the

23

1 will start to ask questions, it goes up for  
2 their management, it goes to their management,  
3 and it creates a lot of distraction.

4 **Q.** Mr D'Alvarez, did you hear Mr Burley's evidence  
5 on this or have you been told about Mr Burley's  
6 evidence --

7 **A.** I only saw about half hour of his evidence, and  
8 it was really around Horizon, which surprised me  
9 because I didn't recognise him working on  
10 Horizon.

11 **Q.** You were quite careful today to distinguish the  
12 word "desperate" as being your word rather than  
13 his. Is that something you've given some  
14 thought to?

15 **A.** It's just me, you know, just saying that he's  
16 desperate because you asked me because there  
17 pressure.

18 **Q.** Yes.

19 **A.** That's my, you know --

20 **Q.** The impression that you're giving today is that  
21 it was quite a calm atmosphere, and --

22 **A.** *(The witness laughed)*

23 **Q.** -- there wasn't pressure being brought,  
24 despite --

25 **A.** No, there was a lot of pressure. A lot of

22

1 schedule times were being delayed, not giving  
2 them further information as to alternatives and  
3 that, things typically go up the chain, up their  
4 management. They would go up, it would go to  
5 my -- it would go to someone who is sitting over  
6 the programme and then they would call my  
7 executive.

8 So it's a briefing to say "Be prepared, this  
9 is the position, you may well get a call from  
10 Mike Young because he may well get  
11 an escalation, either from within his programme  
12 or from outside his programme".

13 So for them to be aware of the situation and  
14 not be seen not to understand what's happened.  
15 And also I needed to brief Fujitsu as well,  
16 because it's a delay which causes us pain.

17 **Q.** Pain in what sense?

18 **A.** Because we got teams lined up, time is cost.

19 **Q.** Can we look at FUJ00093056, please. This  
20 a "Horizon Next Generation Progress Joint Board  
21 Meeting" of 11 February 2010. Again, Mr Burley  
22 is the chair and you're listed there as  
23 attending.

24 Can we look at page 4. About halfway down  
25 the page on page 4, we get to the BTS issues at

24

1 Warwick again. They're mentioned again and it  
2 says they're new BTS issues in Warwick:

3 "BE to scan for the latest BTS reports from  
4 Warwick", et cetera, et cetera.

5 So that's just an update there in relation  
6 to the Warwick issue that we spoke, the branch  
7 trading statement issue.

8 Over the page, the final substantive entry  
9 in that table, there's a separate issue. It  
10 says:

11 "Error message is seen at branches but not  
12 flagged up by FS [that's Fujitsu] monitoring  
13 systems. The following message [appears]",  
14 et cetera.

15 Was it typical, common, or do you recall  
16 instances where error messages may be seen at  
17 branches, but aren't flagged up to Fujitsu's own  
18 monitoring systems?

19 **A.** So this was a new system. We're going into  
20 pilot. The -- not only -- okay, so if we can  
21 just step back a bit. So the whole premise of  
22 HNG-X had three different elements to it, and  
23 I think the whole premise was the business  
24 processes didn't change, so it wasn't a business  
25 transformation; it was a technical

25

1 the postmaster got impacted or the clerk got  
2 impacted. So that would result in to helpdesk.

3 It may not -- if we monitored that, we may  
4 not have been able to intercept it before the  
5 postmaster, I don't know that particular issue  
6 but that was specific to making sure that our  
7 monitoring was properly tuned through the pilot.

8 **Q.** Irrespective of that particular issue, do you  
9 remember instances where error messages or other  
10 things might be seen by the subpostmaster that  
11 wouldn't be flagged by Fujitsu's own monitoring  
12 systems?

13 **A.** That document reminded me of an instance.  
14 I can't recall one -- others, but there may well  
15 be.

16 **SIR WYN WILLIAMS:** Mr Blake, I'm sorry to interrupt  
17 you but my screen is just showing "Post Office  
18 Horizon IT Inquiry", and I'm not seeing either  
19 of you at the moment.

20 Now, I am. That's fine.

21 **MR BLAKE:** Let's move on to FUJ00094192, we're now  
22 at 18 February. It's another meeting of the  
23 board.

24 Can we look at page 3. Towards the bottom  
25 of page 3, it's again the Warwick issue. We can

27

1 transformation.

2 And it was based on -- I think there were  
3 two key drivers. But there was a data centre  
4 element where we were migrating into Fujitsu  
5 secure data centres. There was a technical  
6 refresh of the back end and there was a refresh  
7 of the application.

8 So with all those we had to -- you know, we  
9 didn't -- it's not a case we're putting a new  
10 application in and we're tuning the system, or  
11 we have a system that's already working; we have  
12 a whole new infrastructure and everything else.  
13 So we had to put in the monitoring and that and  
14 with monitoring, if you put too much -- if you  
15 monitor everything, you can't see the wood for  
16 the trees because, you know, you don't know  
17 what's important.

18 So it's getting the tuning and the  
19 monitoring right. So in the early pilots, part  
20 of the pilot is if we're -- if there are issues  
21 that are being seen in the Post Office that  
22 impact the branches and we didn't pick it up in  
23 our monitoring, we had to make sure our  
24 monitoring was extended for that. But what that  
25 meant was we didn't get advanced sight before

26

1 see there it's shaded, and I mentioned earlier  
2 the issue of, I think -- arranged for a base  
3 unit swapout at Warwick, so it seems as though  
4 the Warwick solution wasn't just a software  
5 solution, it was a hardware solution; is that  
6 a fair interpretation? Node 6? Or is that --  
7 have I misunderstood that?

8 **A.** I don't know the reasons for that. That could,  
9 as I say, Geoff Butts was the lead on the  
10 Warwick one. Whether that was felt as an added  
11 precaution or whether that was felt as  
12 necessary, I couldn't say.

13 **Q.** Are you able to assist us at all with the words  
14 there around not setting a precedent?

15 **A.** We're not setting a precedent that if you have  
16 issues, I'd expect that we don't want to --  
17 every time there's an issue in the Post Office,  
18 that we would go and swap out a counter.  
19 Because that would be not appropriate.

20 **Q.** It would be expensive, certainly?

21 **A.** Not -- and again, that leads me -- those words  
22 lead me to conclude, but without any facts  
23 behind it, that that was just a secondary  
24 precaution, as opposed to a necessary step.

25 **Q.** Can we go over the page, please, to page 4,

28

1 "Volume Testing", so I think you've said volume  
 2 testing was occurring during the pilot.  
 3 **A.** Mm-hm.  
 4 **Q.** "LF reported that problem encountered to date  
 5 with the first phase of volume testing have put  
 6 the target end date of 20th February at risk.  
 7 "GA to reassure that correct resources are  
 8 in place to resolve any problems as soon as  
 9 possible."  
 10 Then you have there LF -- I think that's Lee  
 11 Farman of the Post Office -- was confident that  
 12 the correct focus is now in place. Is this  
 13 something you remember at all?  
 14 **A.** It's just that we took the decision to do volume  
 15 testing and volume testing is quite complex. So  
 16 it's very much stop/start.  
 17 **Q.** It seems as though it was closed because Mr --  
 18 do you remember Lee Farman at all?  
 19 **A.** Yeah, he was in the joint testing. He was one  
 20 of their leads. I believe there was two,  
 21 I can't remember the other person's name. If  
 22 you told me I would. I believe he was on the  
 23 non-functional side of testing.  
 24 **Q.** Was reliance placed on him and the Post Office  
 25 to assure you that you could get on with things

29

1 final report, I think, and it says:  
 2 "PN to check if the proposed workaround is  
 3 acceptable to the business.  
 4 "Permanent fix targeted for R01.08.  
 5 However; this is dependent on the acceptability  
 6 of the workaround, it may need to be a Hot Fix."  
 7 Is this something you recall at all?  
 8 **A.** Isn't that the Warwick issue? It's -- it looks  
 9 similar to the Warwick issue to me.  
 10 **Q.** I think it's fair to bring to your attention the  
 11 entry that is below that, which says:  
 12 "NOTE: for the avoidance of doubt, any  
 13 workarounds have to be agreed by POL before  
 14 implementation."  
 15 Is that something you recall?  
 16 **A.** Yes.  
 17 **Q.** Was that always enforced?  
 18 **A.** Yes.  
 19 **Q.** If we go over the page to page 5, and the bottom  
 20 three entries in that table, we have:  
 21 "MB [I think Mr Burley] thanked GA, DR and  
 22 their teams for all their efforts in ensuring  
 23 that the manual BTS fixes were successful  
 24 applied as required."  
 25 Do you remember at all what the manual BTS

31

1 at that stage? So it seems as though it was  
 2 closed because he was confident that the correct  
 3 focus was in place. You've described a lot of  
 4 your working relationship to be a joint one.  
 5 **A.** Mm-hm.  
 6 **Q.** But certainly it seems to have been closed  
 7 because he had confidence.  
 8 **A.** Yeah. So he would work closely with my test  
 9 lead, Debbie Richardson. They shared the same  
 10 environment. They were both based in Bracknell,  
 11 on the same floor, in the same area.  
 12 **Q.** But she's not mentioned there. Is it because  
 13 ultimately the decision to progress matters lay  
 14 with the Post Office, or --  
 15 **A.** Correct.  
 16 **Q.** Do you recall what the problems were that you  
 17 encountered at that particular stage? It may be  
 18 too specific a question because it's 18 February  
 19 2010.  
 20 **A.** No, I don't recall. I don't recall.  
 21 **Q.** If we scroll down that page, there is the  
 22 reference to the "Trial Report/Final Balance  
 23 Issue". So this is an issue we addressed  
 24 yesterday where the balance sheet prints the  
 25 correct report in the trial report but not the

30

1 fixes were?  
 2 **A.** No.  
 3 **Q.** Then the "Warwick Issue due to BAL node failure"  
 4 is mentioned below that. Does that assist you  
 5 at all with the Warwick issue?  
 6 **A.** I can't recall it.  
 7 **Q.** Can we move on then to FUJ00094268. This was  
 8 an email chain I took Mr Burley to yesterday and  
 9 it relates to the balance trading statement  
 10 issue. It's slightly difficult to read.  
 11 I think if we start at page 10. Was this  
 12 something that you saw in yesterday's evidence  
 13 or --  
 14 **A.** No.  
 15 **Q.** -- do we need to spend a bit of time on the  
 16 actual content?  
 17 **A.** No, I didn't.  
 18 **Q.** Okay, so let's look at page 10.  
 19 **A.** This is in my pack though, I recognise this from  
 20 my pack.  
 21 **Q.** There's an email from Geoff Butts to Will  
 22 Russell, Mark Burley, Barry Evans, et cetera.  
 23 If we go over the page, we can see the issue  
 24 there. You were copied into this email?  
 25 **A.** Yes.

32



1 Q. Can I just ask you to read to yourself that  
2 paragraph and see if that refreshes your memory  
3 about what this particular issue is?

4 A. So:

5 "This is to confirm the position on a fix  
6 for the BTS issue whereby printing the Trial  
7 Balance Report for BTS results in incorrect data  
8 being displayed in the Final Balance Report.  
9 A fix can be delivered and tested for inclusion  
10 within the 01.08 Maintenance Release as  
11 a counter fix. In the meantime, branches need  
12 to use the BTS Trial Balance Report, which is  
13 correct and discard the BTS Final Balance  
14 Report, which is incorrect."

15 Q. Yes. Does that jog your memory about this  
16 particular issue?

17 A. It does. This is what -- Geoff was leading on  
18 the Warwick issue and I did keep abreast as to  
19 the progress on that.

20 Q. So you say keep abreast, some of these are sent  
21 to you, you're copied into some.

22 A. Mm-hm.

23 Q. What kind of a role did you play in this  
24 particular issue?

25 A. Well, Geoff reported in to me, and so when we

33

1 A. I remember Geoff highlighting to me that the  
2 issue was wider and I gave Geoff the advice to  
3 make sure that our legal counsel was now engaged  
4 in making sure. So I believe this was Geoff  
5 looking at the incident as a technical incident,  
6 proposing a workaround, and then the response is  
7 "That workaround, are you sure because it's  
8 a legal document?"

9 So I do remember Geoff raising it, I do  
10 remember specifically me saying to Geoff saying  
11 "Would you make sure that Jean-Pierre is now  
12 engaged on this?"

13 Q. Do you remember whether Geoff was concerned by  
14 the fact that it was a legal document?

15 A. I wouldn't say "concerned", we knew that we now  
16 had to make sure that anything we proposed and  
17 go forward with, our legal people are happy with  
18 our proposal. But, again, ultimately I'd expect  
19 also Post Office to make sure their legal people  
20 were happy with any, if we were to go forward  
21 without a fix. So I don't know what -- I can't  
22 recall how we actually went forward with this  
23 one but if we went forward with a workaround and  
24 not a fix, I would expect everyone to be  
25 consulting their legal counsel as this is

35

1 had -- as I say, earlier in the pilot there are  
2 three significant issues that were raised: one  
3 was at Coton, one was at Warwick, one was at  
4 Derby, ie I said to Geoff I will take ownership  
5 of the Derby one that had -- in the initial  
6 review of those incidents it had data integrity  
7 implications, and he took leadership because  
8 that was his role.

9 He was the person that was heading up  
10 deployments and heading up what we call  
11 Hypercare, ie the additional support given to  
12 pilot sites. He took the leadership or the lead  
13 role in resolving these issues.

14 Q. Can we look at page 9, please, which is  
15 a response to Mr Butts from Mark Burley. If we  
16 scroll down to page 9, he says there:

17 "Geoff

18 "Thanks but can I ask who you have agreed  
19 this workaround with? This is a legal document  
20 and there is a difference between a trial  
21 balance and a Final Balance. I would always  
22 expect CS to have a KEL for this -- if agreed --  
23 to be able to explain the position to any  
24 subpostmaster who calls in."

25 Do you remember this?

34

1 a legal document.

2 Q. Would it be typical where fixes or workarounds  
3 affected what are described as legal documents,  
4 or documents used in legal proceedings, to be  
5 escalated within the company, as you say, to  
6 general counsel and others.

7 A. We had a legal department so if there's anything  
8 which we felt provided an issue with regards to  
9 either integrity or any other legal aspect to  
10 our system, we would engage -- we should engage  
11 and my expectation is we did. I always engaged  
12 the legal and I had advised Geoff in this  
13 instance to engage with our legal team.

14 Q. Was there anybody else within management outside  
15 of legal who you would typically consult with in  
16 relation to those kinds of issues?

17 A. I would certainly inform -- at this stage,  
18 I believe, Gavin Bounds was on the account. He  
19 was the account business unit director. So I'd  
20 make him aware.

21 Q. Can we look at page 4 and scrolling into page 5,  
22 please. This is the -- an email to Phil Norton  
23 from -- I believe it may be from Gareth Jenkins,  
24 and it says:

25 "Phil,

36

1 "Alan D'Alvarez has asked me to respond to  
2 your concerns below.

3 "I'll try and explain the issue and what has  
4 caused it.

5 "I assume you've seen the attached write-up  
6 of the issue which was sent to Barry Evans (and  
7 others) ..."

8 Then there's an explanation of the problem.

9 Do you remember asking anybody to assist  
10 with this particular issue?

11 **A.** So I believe Geoff was on leave. Geoff wasn't  
12 around because Geoff was leading on this. So  
13 Geoff was on leave. So I asked who was  
14 supporting Geoff in the investigations into that  
15 and was told that Gareth was. So I spoke with  
16 Gareth and asked him, "I got a response from  
17 Post Office, Geoff is on leave, could he please  
18 look at this and provide a response to Post  
19 Office?"

20 **Q.** What did you understand Gareth Jenkins' role at  
21 this stage to be?

22 **A.** So Gareth Jenkins' role, he was always on the  
23 Horizon side and when we was migrating over to  
24 HNG-X, because I believe when we went live with  
25 Horizon, he -- we'd become part of a customer

37

1 report being a legal document?

2 **A.** I just recall discussing with Geoff that that  
3 position, because Geoff discussed it with me.

4 **Q.** Do you recall Mr Jenkins as being someone who  
5 was aware of the significance of a report such  
6 as that for legal proceedings?

7 **A.** I'm not aware, but I -- he's our expert so  
8 I would have an expectation that he would be  
9 aware.

10 **Q.** Were you familiar at this time with his  
11 involvement in any criminal or civil  
12 proceedings?

13 **A.** I understood from my original tenure on Horizon  
14 that he and others had given evidence.

15 **Q.** If we look at page 1, there is the email from  
16 Phil Norton at the Post Office to yourself. He  
17 has met with the Finance team to discuss the  
18 issue and he sets out deliverables that he would  
19 like, including:

20 "A complete and comprehensive list of all  
21 products where the volumes on the Final Balance  
22 ... differ ...

23 "A definitive statement detailing:

24 "How this defect has arisen", et cetera,  
25 et cetera, including:

39

1 services and, I believe, an architects group.

2 There was an architects group, general outside  
3 of the programme. And his role was basically as  
4 a senior architect, he was acknowledged on the  
5 account as an expert on the counter  
6 applications.

7 So I'd expect that Geoff, because this is  
8 about balance sheets and things, to go to our  
9 expert on the account as to "Could you now look  
10 at this as an issue" because, as I said, what --  
11 in Horizon, what we did not do was change the  
12 business processes, or it was not a business  
13 transformation it was a refresh of the  
14 technology and how we actually supported their  
15 stuff.

16 So Gareth would be very knowledgeable as to  
17 what the consequence of balance trading  
18 statements are in respect of the business.

19 **Q.** He identifies there in paragraph 4 that there's  
20 a bug in the way that the report is produced  
21 such that some of the in-memory copy of the data  
22 is overwritten when the trial BTS is produced.

23 **A.** Yes.

24 **Q.** Do you recall discussing with Mr Jenkins the  
25 concerns within this email chain about the trial

38

1 "A commitment to support POL in proving the  
2 integrity of the system in any subsequent legal  
3 action (specifically where the difference in the  
4 two reports is used as a means to challenge the  
5 integrity of the system)."

6 Is this something you remember being  
7 requested by the Post Office?

8 **A.** I remember -- well, I obviously received that  
9 e-mail. I don't remember specifically at the --  
10 you know, from memory, but from my pack  
11 I remember I can see I received the email and  
12 I forwarded it to Geoff because, as I said,  
13 Geoff was leading on this particular one. And  
14 then also, in a previous conversation with Geoff  
15 I advised him to make sure that our legal team  
16 was fully engaged with any responses we gave on  
17 this subject.

18 **Q.** Why would Phil have sent it to you rather than  
19 to Geoff?

20 **A.** Perhaps -- well, I was the programme lead.  
21 I was the head person. So I assume Phil felt it  
22 significant enough to send it to the person that  
23 was leading the -- you'd have to ask Phil.

24 **Q.** Was it typical to you to be asked by the Post  
25 Office to provide a commitment to support POL in

40

1 proving the integrity of the system?

2 **A.** No.

3 **Q.** Was this something novel?

4 **A.** I wouldn't say novel. It wasn't something that  
5 was typical. When I saw that -- as soon as  
6 I saw that, I recognised that we needed to  
7 engage our -- you know, make sure that, as it is  
8 a legal document, anything that we propose, we  
9 ourselves assure ourselves that we're not  
10 compromising Post Office.

11 **Q.** Did it concern you at all?

12 **A.** On concern me, it concerned that with all issues  
13 that impact the end customer is a concern. This  
14 was a serious issue and that's why we had, you  
15 know, appointed one of my senior people to take  
16 ownership to getting it resolved. There will be  
17 a number of bugs that will be raised during  
18 a pilot. Many of those just will be managed by  
19 the resolver groups, ie it goes through the  
20 process.

21 The serious of the Coton, Warwick and Derby  
22 was recognised and we put senior people on to  
23 make sure that we understood fully what was  
24 going on and our -- and we had a proper  
25 resolution and that we were satisfied that the

41

1 head of programme and project management for the  
2 public -- private services division which Post  
3 Office was part of.

4 **SIR WYN WILLIAMS:** (Unclear) -- so that I make  
5 sure -- I know there's a transcript but I'd like  
6 to get that name accurate, if I could, please.

7 **A.** Kostuch, K-O-U -- I believe K-O-U-T-U-C-H, (*sic*)  
8 I believe that's the spelling.

9 **SIR WYN WILLIAMS:** Thank you very much.

10 **A.** He was the person that was the head of programme  
11 project management and I said, we have  
12 an incident here, and it's quite significant.  
13 He then engaged the lead technical person in  
14 the -- who was -- the name will come to me, I'm  
15 sure -- and we agreed that we will get  
16 an independent review of the decision because  
17 there was two aspects which I was concerned  
18 about: one, there was that defect which was  
19 an integrity defect; and secondly, we didn't  
20 pick it up in our testing, in our laboratory  
21 testing, we picked it up in the pilot, which is  
22 a test phase. And we needed to understand,  
23 "Well, hold on, if that happens, we can't just  
24 say we fix that bug and just move on. Is there  
25 something inherent?"

43

1 resolution was that the right resolution.

2 **Q.** Having seen in the previous months that there  
3 were these issues cropping up -- bugs, as you  
4 described them -- do you recall your reaction to  
5 being asked to support the Post Office in  
6 proving the integrity of the system in any  
7 subsequent legal action?

8 **A.** My -- I can't recall my reaction but it would be  
9 make sure that our legal counsel understands  
10 that we had this request and anything we provide  
11 back, they need to assure.

12 **Q.** Would you have thought that you could prove the  
13 integrity of the system in any subsequent legal  
14 action?

15 **A.** The -- that's an interesting question. Well,  
16 that's a question which, because of the Derby  
17 incident, there was an incident in Derby in  
18 which there was a double entry, and that clearly  
19 had integrity issues. Because of that incident,  
20 I immediately went to my senior in the  
21 organisation and said, "We've received it" --  
22 and that was Maz Kostuch, so I worked in the  
23 programme project management organisation --

24 **Q.** Sorry that was who, sorry?

25 **A.** Someone called Maz Kostuch. Maz Kostuch was the

42

1 So we arranged for some experts, application  
2 experts, there was two of them, I forget their  
3 names, immediately assigned them to this,  
4 dropped all their other work, and they undertook  
5 a review of the solution of the testing and gave  
6 a report.

7 **MR BLAKE:** We'll come to that report shortly --

8 **A.** So it's that report that led me to have  
9 confidence that the integrity of the system was  
10 good.

11 **Q.** We'll come to some documents but do you recall  
12 the end result of this request from Phil Norton?

13 **A.** It's in my pack. I kind of briefly skimmed over  
14 it but it was a response that Geoff prepared,  
15 went to counsel, and I believe that was sent to  
16 Phil.

17 **Q.** Thank you. We'll go through that now. Can we  
18 look at FUJ00094472. This isn't the response  
19 itself, but this is -- shows the sequence.  
20 These are further board minutes of the  
21 11 March 2010. If we could turn to page 3  
22 please. Thank you.

23 At the bottom there it refers to the "Trial  
24 Report/Final Balance issue":

25 "PN to check if the proposed workaround is

44

1 acceptable to the business", et cetera.

2 But it's the right-hand column that sets out  
3 the sequence, so we have 25 February:

4 "POL have requested that this be a Hot Fix  
5 as it is required before we migrate any further  
6 branches.

7 "Fujitsu to ensure deliverables listed in PN  
8 email ... for current live branches are  
9 included.

10 "[4 March] GB has received feedback on  
11 integrity statement from Fujitsu legal. Info  
12 will be forwarded to PN."

13 Then 11 March:

14 "PN has passed statement to P&BA who are  
15 reviewing with POL Legal team. PN will feed  
16 back to GB."

17 This kind of collaborative approach on  
18 an integrity statement, is this something that  
19 you recall, is this something that was typical?  
20 Am I right or wrong to say that it was  
21 a collaborative approach?

22 **A.** Yes, it was a collaborative approach. We worked  
23 as a joint team.

24 **Q.** Do you recall other collaborative approaches of  
25 this nature with regards to the drafting of

45

1 **Q.** What would your recommendation be, though, for  
2 something that affects the trading statement?

3 How -- looking at a recommendation for the  
4 future or something along those lines, if you  
5 come across an issue that has been phrased as  
6 affecting a legal document, the trading  
7 statement itself, do you think it is sufficient  
8 for it to be placed on the Known Error Log or do  
9 you think more action should be taken to draw  
10 that to subpostmasters' attention?

11 **A.** My understanding was that the workaround was to  
12 use the trial balance report.

13 **Q.** Yes.

14 **A.** If that's a workaround, that workaround will get  
15 communicated to postmasters because it's  
16 a workaround, ie a workaround is there's a known  
17 issue, to work round this issue, this is what  
18 we're asking you to do. We'd also have it on  
19 the known error list because a postmaster may  
20 have forgotten about it or not read the advisory  
21 notice and, therefore, phoned up the service  
22 desk and it will be on a known error so they  
23 could then give that same advice.

24 But a workaround is very much something  
25 which, if it means asking the postmaster or

47

1 an integrity statement?

2 **A.** No.

3 **Q.** In terms of the resolution of this particular  
4 issue, irrespective of the ultimate issue that  
5 this branch trading statement may not ultimately  
6 matter for the sake of this Inquiry, but in  
7 cases of a bug of this nature, would you expect  
8 the Post Office to have told all branches,  
9 cascaded the information down or do you think  
10 that, a bug of this nature, it would be  
11 sufficient for it to be on a Known Error Log for  
12 subpostmasters to call in and, if they have  
13 a problem, that would be known on the Known  
14 Error Log?

15 **A.** So, there's two aspects to that. Firstly, we  
16 had to fix it. So if a Post Office hadn't  
17 received a release, there was no reason to  
18 inform them. I don't know how Post Office  
19 themselves communicated this. Would it be  
20 reasonable to advise those Post Office that were  
21 participating in the pilot test phase? That's  
22 an advisable approach -- I don't know, we didn't  
23 have that discussion -- that they were  
24 responsible for communications to their  
25 business.

46

1 their staff to do something different, that must  
2 be communicated to them for that workaround to  
3 be effective.

4 **Q.** Is your recollection that workarounds were  
5 routinely communicated to subpostmasters or only  
6 communicated to those who phoned the helpdesk  
7 with a problem?

8 **A.** It depends on the workaround. So if the  
9 workaround is as part of your -- what you do for  
10 your daily business, you have to apply this  
11 because the solution is not quite performing as  
12 we expect to it, that should be proactively  
13 communicated. If there's an issue where there  
14 is perhaps a failure -- you gave an example  
15 before an error message. You know, sometimes  
16 error messages could come up.

17 We wouldn't necessarily -- it's not  
18 necessarily appropriate just to say to everyone,  
19 "Here's 101 workarounds" or there's ten  
20 workarounds or whatever the number is but that  
21 might be sporadic, comes up once or twice,  
22 therefore it's appropriate for the service desk  
23 to have that as a known error, that if they do  
24 get a call they can say "Ah, it's a known error,  
25 this is how you workaround that error. So it

48

1 depends on the workaround.

2 **Q.** Still on this document, another topic -- I'll  
3 return to this topic but just while we're on  
4 this document -- can we just look at page 5,  
5 please. There's reference there to the  
6 excessive number of recoveries and screen  
7 freezes.

8 If we go to the third entry, the third row  
9 down, it says, "Excessive number of  
10 Recoveries/Screen Freezes" and on 11 March  
11 that's closed, and it says:

12 "Superseded by introduction of r108 at data  
13 centre which has significantly reduced the  
14 screen freezes. The data on recoveries is being  
15 separately progressed by IT and Gareth Jenkins  
16 ..."

17 Do you recall this at all?

18 **A.** I recall there were screen freezes that impacted  
19 the Post Office, and I can see that -- I don't  
20 recall specifically this. I was aware of screen  
21 freezes as an issue.

22 **Q.** How about recoveries? The recovery issue, that  
23 was a particular issue that was identified.

24 **A.** I don't recall that.

25 **Q.** Is it fair to say that it's been closed but it  
49

1 consequences.

2 **Q.** The screen freeze issue itself had been  
3 significantly reduced but not eliminated?

4 **A.** I -- again, I don't recall --

5 **Q.** Can we go to the bottom of page 5. It says:

6 "As per Action 147.01 it was agreed that  
7 rollout would not be [recommended] until  
8 a period of stability had been achieved. GB/WR  
9 to agree what is meant by 'Stability' and what  
10 would be an adequate period."

11 Then if we look in the column next to it on  
12 the page above, 11 March:

13 "A set of criteria has been provided by POL  
14 and this was reviewed for understanding in the  
15 meeting. Fujitsu will provide much supporting  
16 data/evidence by ... 12th March to enable  
17 a decision to be made if pilot can restart",  
18 et cetera.

19 "It was agreed that the data would not be  
20 perfect or complete, but needs to provide  
21 sufficient relevant information if a restart  
22 decision can be made."

23 Again, in terms of the working relationship  
24 between POL and Fujitsu, it seems there that the  
25 criteria provided by the Post Office, in terms  
51

1 hasn't been eliminated because it says that it  
2 significantly reduced the screen freezes but it  
3 doesn't say there are no longer any screen  
4 freezes and, in terms of the recoveries issue,  
5 that's being progressed by Gareth Jenkins; it  
6 hasn't been closed because that issue has been  
7 resolved?

8 **A.** But it says "as per 146" so is 146 open? In  
9 which case, it's been -- that data recovery is  
10 if you go up --

11 **Q.** That's been closed. That's slightly further up  
12 on the same page.

13 **A.** Now, we've got to go to 148.01.

14 **Q.** If we go over the page, that's page 6, it's  
15 about halfway down, it's a new item there,  
16 11 March.

17 **A.** Okay. I don't recall it specifically but it  
18 looks as though they've created an item, so  
19 there was a number of issues all in one, part of  
20 those issues are being addressed, others still  
21 remaining. So it looks to me, I don't recall  
22 this specifically, but it looks to me they've  
23 opened the new action so not to confuse it  
24 with -- the screen freezes may have led to other  
25 consequences and they want to track the other  
50

1 of resuming the rollout -- were Post Office, at  
2 this stage -- so we are 11 March 2010 now -- the  
3 ones who were driving forward the rollout?

4 **A.** Sorry, so when I read that, it's -- I think as  
5 I've explained before, when we take a decision  
6 that the solution is not -- or the risks of  
7 moving forward further with our pilots and/or  
8 deployments is such that we're going to freeze  
9 or have a halt or pause, the -- you know, we  
10 would work jointly but the ultimate decision is  
11 with Post Office.

12 So here, what I read from that is that we've  
13 received a set of restart criteria. So with  
14 this issue, we needed make sure we understood  
15 what would be the basis of us understanding that  
16 it's resolved and to give ourselves confidence  
17 because at the date -- and we're talking about  
18 stability, we're talking about screen freezes,  
19 I can't be sure, but this may be related to  
20 a significant issue we had with Oracle,  
21 an extremely significant issue we had with  
22 Oracle that did impact the offices  
23 intermittently that had migrated to HNG-X in as  
24 much as it loss -- it didn't lose connectivity,  
25 the connectivity hung and they could no  
52

1 longer -- so the screen freezes -- no longer  
2 trade until the branch database come up again.

3 And that was a very significant issue. So  
4 what we had to assure ourselves before we  
5 deployed further, once we've deployed fixes and  
6 things, that we understood what is the criteria  
7 for restarting, and make sure -- and Post Office  
8 had the final say. So is it a period of "N"  
9 number of days, "N" weeks, whatever, is it  
10 acceptable to have? Because if you have  
11 a screen freeze, we had -- in the Oracle issue  
12 that we had, there were regular, you know,  
13 throughout the week, four or five times, where  
14 all the post offices operating in the pilot  
15 would be impacted for a period of 15 minutes to  
16 30 minutes, and that's significant when they're  
17 serving customers.

18 But, again, there could be a screen freeze  
19 for reasons not related to that. So you're not  
20 going to say you had no screen freezes  
21 whatsoever, it could have been an intermittent  
22 one-off screen freeze. So the criteria was very  
23 important, that once you stop a deployment, to  
24 actually understand -- do you understand what  
25 the issue is and, for us to make sure we make

53

1 **Q.** I'm going to return to the balance trading  
2 statement issue. Can we look at -- do you need  
3 a break at all?

4 **A.** I'm fine, thank you.

5 **Q.** Thank you.

6 Sir, just for your information -- I'll deal  
7 with the balance trading statement issue and  
8 then, in about -- well, around 11.30 we may be  
9 able to take a break. I'm hoping that we will  
10 be able to take one longer break this morning,  
11 and not need to take a lunch break. That's my  
12 intention. But my intention yesterday didn't  
13 prove correct, so --

14 **SIR WYN WILLIAMS:** I have every faith in you  
15 bringing home your intentions, Mr Blake.

16 **MR BLAKE:** Thank you, sir.

17 Can we look at FUJ00094265, please. This is  
18 an email, you spoke earlier about raising the  
19 issue with Fujitsu's general counsel and that's  
20 Jean-Pierre Prevost; is that right?

21 **A.** He is the legal representative assigned to Post  
22 Office.

23 **Q.** We have there an email from Geoff Butts saying:  
24 "J-P

25 "Can you review this draft response [in] an

55

1 the right decision, do we have a clear set of  
2 criteria that we're going to apply to the  
3 decision? Have we met that criteria to go  
4 forward?

5 Again, that criteria was also, dare I say  
6 it, to protect the joint programme from people  
7 wanting us to move forward. Come on, you've got  
8 to keep going. So we haven't met this criteria,  
9 or we have met the criteria so we can  
10 demonstrate to ourselves and to our respective  
11 organisations the appropriate time when -- why  
12 is it appropriate to move forward or why is it  
13 not appropriate to move forward?

14 **Q.** You mentioned earlier in your evidence about the  
15 risk versus progress balance.

16 **A.** Yes.

17 **Q.** Were Fujitsu and the Post Office both very much  
18 aware that that is the balance that was in play  
19 at this time when there were those evident  
20 issues still cropping up?

21 **A.** We made them aware. Because that's our job.  
22 I mean our job as programme management is --  
23 that's what we do. So it's my job to make my  
24 organisation aware and Mark's job to make his  
25 organisation aware of that.

54

1 email from Post Office ... about Fujitsu's  
2 approach to resolution and interim management of  
3 a software defect relating to the Final Balance  
4 Report for Branch Trading Statements, and let me  
5 know if any changes are required before it is  
6 sent. I've copied the HNG-X Leadership Team for  
7 information. This issue has been flagged as  
8 critical to fix before the start of rollout."

9 In terms of those names at the top, are they  
10 all Fujitsu names?

11 **A.** Yes.

12 **Q.** Then if we scroll down, these are the answers to  
13 the questions that have been requested by the  
14 Post Office, or proposed answers that are being  
15 run by general counsel. Were you involved in  
16 drafting this in any way?

17 **A.** I would likely have reviewed it. But not  
18 specifically to --

19 **Q.** Do you remember reviewing it?

20 **A.** I don't recall reviewing it but it would be my  
21 normal operation to review it. Although, having  
22 said that, I may have reviewed it as part of  
23 being a CC list.

24 **Q.** If we scroll through it, it explains the cause,  
25 addresses the key questions, and it's the final

56

1 entry, really, that I want to read out now.  
 2 We've seen this document before. It says:  
 3 "Can Fujitsu provide a commitment to support  
 4 POL in proving the integrity of the system in  
 5 any subsequent legal action (specifically where  
 6 the difference in the two reports is used as  
 7 a means to challenge the integrity of the  
 8 system)?"

9 The proposed answer is:

10 "Yes, Fujitsu is willing to positive  
 11 commitment to prove the integrity of the system  
 12 in any subsequent legal action."

13 We do, then, have the final version that was  
 14 sent. Can we look at FUJ00142190, please. It  
 15 seems to have been sent to Mark Burley by  
 16 yourself on 8 April 2010. The email chain  
 17 I just took you to was February, we're now  
 18 moving, so some time has passed. We're in  
 19 April. This says:

20 "Dear Mark,

21 "Please find enclosed a statement detailing  
 22 Fujitsu's position with respect to the Final  
 23 Balance Report issue from the HNG-X pilot. This  
 24 statement has now been confirmed by our  
 25 Commercial, Legal and Programme Leads."

57

1 remember the -- having reviewed the content  
 2 because it wasn't just the legal -- I don't know  
 3 whether this letter contains just the legal  
 4 statement or whether it also has an explanation  
 5 of all the questions or response to all the  
 6 questions that was posed by Phil.

7 **Q.** Let's turn over the page, then.

8 **A.** It does. So it's, basically -- yes.

9 **Q.** What's interesting in this letter is if we turn  
 10 over the page, the final entry here is  
 11 different: only slightly different, but  
 12 significantly different, in its content. Can we  
 13 just blow up that final section and slightly  
 14 above as well, from "Can Fujitsu".

15 It says there:

16 "Can Fujitsu provide a commitment to support  
 17 POL in proving the integrity of the system in  
 18 any subsequent legal action (specifically where  
 19 the two reports is used as a means to challenge  
 20 the integrity of the system)?"

21 That's the question posed and the answer is  
 22 now:

23 "Fujitsu is willing to provide a commitment  
 24 to assist in trying to prove the integrity of  
 25 the system in any subsequent legal action in

59

1 It's sent by you. Do you remember sending  
 2 this letter?

3 **A.** I don't recall specifically sending it.

4 **Q.** Yesterday, Mr Burley couldn't remember what  
 5 happened to this issue. He couldn't remember  
 6 whether a letter was sent or not. We have here  
 7 the letter. Do you remember confirming it with  
 8 Commercial, Legal and Programme Leads at all?

9 **A.** So it is likely that the advice from our counsel  
 10 is it should come from me because I was the head  
 11 of the programme or head of the  
 12 transformation -- lead of transformation. As  
 13 I said, we would have -- I would have reviewed  
 14 that but we would be taking legal counsel  
 15 specific to this statement. It's out of my  
 16 sphere of expertise. So I'm -- I will be solely  
 17 reliant on legal counsel's view on that.  
 18 I haven't seen -- you can -- I don't believe  
 19 this was in my pack, this letter.

20 **Q.** It was in your pack.

21 **A.** It was? Okay. Sorry.

22 **Q.** It certainly has been provided to you or it may  
 23 have -- forgive me, if I'm wrong on that, but in  
 24 any event, it's got your name on it.

25 **A.** These kind of -- I'm stretching my memory. I do

58

1 accordance with the existing contractual  
 2 arrangements."

3 Do you remember that form of words being  
 4 inserted?

5 **A.** I don't recall it, you know, but I can read that  
 6 and that would have been on the recommendation  
 7 of legal counsel.

8 **Q.** The words, before they were changed here, are  
 9 both interesting because they say "Fujitsu is  
 10 willing to provide a commitment to assist in  
 11 trying to prove the integrity of the system".  
 12 So rather than supporting POL improving the  
 13 integrity of the system, they are providing  
 14 a commitment to assist in trying to prove the  
 15 integrity of the system in any subsequent legal  
 16 action. Was Fujitsu at this stage concerned  
 17 that they couldn't actually prove the integrity  
 18 of the system in any legal action or they might  
 19 not be able to prove the integrity of the system  
 20 in any subsequent legal action?

21 **A.** Not to my knowledge.

22 **Q.** Would you have been happy at this stage to have  
 23 put your name to a document that said that you  
 24 are willing to prove the integrity of the system  
 25 in any subsequent legal action?

60

1 A. So, firstly, if you go back to the original  
2 draft --

3 Q. That's FUJ00094265. It's the same wording as  
4 the beginning of that sentence in that original  
5 draft. It's page 2.

6 A. Okay, and it's specific --

7 Q. You can -- perhaps we can bring them --

8 A. No, that's fine.

9 Q. Can we bring those side by side? So it's page 2  
10 of this document and page 2 of the document that  
11 ends 190, and perhaps we can highlight the "Can  
12 Fujitsu" section the final section on that page,  
13 and the final section on the other page.

14 A. It's actually the question, so if the question  
15 is the same I should have read that. So the  
16 question is specific to the two reports. When  
17 I was reviewing and the briefings that I got  
18 with regards to this specific issue, it was very  
19 clear that the underlying data that was held on  
20 the system was correct and it was how we -- how  
21 we presented the reports or how the reports  
22 were -- got their data was where the issue was.  
23 So it wasn't the data on the system, that had  
24 integrity issues, it was how the report was  
25 created, it was an issue where it was going from

61

1 caveatted in that one on the right-hand side  
2 and, as you say, it's a question about can you  
3 prove the integrity of the system. So we can  
4 put aside the branch trading statement issue,  
5 and this addresses really the system as a whole.

6 The final wording -- the initial wording is  
7 we're willing to provide commitment to prove the  
8 integrity of the system, "a commitment to  
9 prove", and now it's not only changed at the  
10 beginning -- so it's "a commitment to assist in  
11 trying to prove the integrity of the system" --  
12 but then also there's that bit about existing  
13 contractual arrangements.

14 Now, forgive me if this wasn't a document  
15 that was provided to you in your pack. That was  
16 would be my fault but looking at it now and  
17 considering it, does it bring back any memories  
18 of this particular issue?

19 A. Not particularly but that first one would be  
20 from our investigations, from our understanding,  
21 our proposal. That would be the programme's  
22 proposal of how confident we were and  
23 comfortable with regard to this. But we take  
24 legal counsel advice. So what comes back I'm  
25 not going to dispute because they are the

63

1 a step in the process where it could have had  
2 data overwritten and therefore, you know, not  
3 had the correct data from the system.

4 So the integrity of the solution on this  
5 issue was not in question. It was -- the report  
6 was taking its information from an incorrect  
7 area of the system, which has volatile memory  
8 and therefore open to change, and the fix was to  
9 make sure it went straight back to the source  
10 information on the branch database.

11 So the integrity of the system specific to  
12 this, there was no -- from my perspective, there  
13 was no issue with the integrity of the system.  
14 I was satisfied when I -- David John's was my  
15 technical lead and I had extreme confidence and  
16 he was satisfied and he explained it to me and  
17 I was satisfied.

18 The question below seems to be a wider -- it  
19 appears to me just a wider statement of any  
20 evidence we might give at any time for any  
21 reason.

22 Q. Absolutely. Actually, I mean, forgive me,  
23 I made a mistake. The wording is actually  
24 different between those two versions if we look  
25 at them now side by side. It's even more

62

1 experts in this matter.

2 Q. Does it suggest that, at this point in time,  
3 Fujitsu didn't have sufficient confidence itself  
4 that it could prove the text of the system?

5 A. I don't think it suggests -- the way I read that  
6 is any computer system may develop a fault which  
7 may, at any time, have some impact on integrity,  
8 as we had the one at Derby. And when we had  
9 that issue at Derby, I -- under -- you know,  
10 I initiated through my line management a review  
11 of the solution.

12 So -- because we were concerned that there  
13 were potential -- and they gave us confidence  
14 what happened at Derby and why it happened we  
15 didn't pick up in testing, we understood that,  
16 and they also looked at the whole system and the  
17 protections we put in.

18 Now, there's -- there may always be a change  
19 that's made on the system or peculiar  
20 circumstances of, you know, events that happen  
21 on a particular machine, which may create  
22 a condition. So you can never absolutely say  
23 all the time but, again, what we should be doing  
24 is supporting by saying this is what we've done  
25 to demonstrate the integrity of the system and

64



1 at the point of whatever investigation you are  
2 on, were there any known incidents raised that  
3 may or may not have an impact on that.

4 But that's, you know, what you'd expect to  
5 happen in any investigation. They wouldn't just  
6 say at a point in time, back in when -- I think  
7 it was February we done that report, because  
8 Derby was at the end of January, wasn't it, and  
9 it was very quickly turned around because it was  
10 so urgent.

11 So, at that point in time, but it doesn't  
12 mean it wouldn't change in the future if  
13 a release goes out potentially as an intended  
14 consequence.

15 **Q.** I'm going to take you to two documents before we  
16 take that break. The first is FUJ00142193.  
17 Forgive me, this may again be one of the  
18 documents that wasn't in your pack. I think  
19 that's the last of the documents that wasn't in  
20 your pack, and these are ones I think have only  
21 gone through our system relatively recently.

22 Please do say if you need more time and  
23 I can provide this to you over the break if you  
24 want to re-read it as well.

25 If we could look at page 3. We'll start by  
65

1 of the integrity of the system. Is that  
2 something that you remember?

3 **A.** Jogged my memory in getting a response. I do  
4 remember immediately -- now I've seen this, I do  
5 recall receiving this and discussing this with  
6 Gavin Bounds, who is the Business Unit Director,  
7 and agreeing that this is now both a legal and  
8 a commercial question being given to Fujitsu.

9 So again, I sent it to legal counsel, but we  
10 also looked at commercially what was our  
11 commercial position. But again, I would take  
12 their advice from this point onwards.

13 **Q.** Would it be typical for the Post Office to  
14 provide, and Post Office Legal to propose, forms  
15 of words to be adopted by Fujitsu?

16 **A.** This will be the first time I've seen it.

17 **Q.** If we go to the first page of this email. From  
18 Phil Norton, 8 April. So this is a day -- the  
19 same day as your letter is dated, and it's sent  
20 to you. I'll just read that out. It says:

21 "Alan

22 "As discussed at the interim JSB, please be  
23 advised that POL do not accept the latest  
24 Fujitsu response. The area that Fujitsu need to  
25 reconsider concerns the proposal from POL Legal

67

1 looking at page 3. We're now at 29 March, and  
2 your letter was 8 April, so just before -- so  
3 this is before your letter was sent.

4 One of the requests from Phil Norton,  
5 looking down that page, the final paragraph  
6 there is they are proposing a form of words:

7 "Can Fujitsu provide a commitment to support  
8 POL in proving the integrity of the system in  
9 any subsequent legal action (specifically where  
10 the difference in the two reports is used as  
11 a means to challenge the integrity of the  
12 system)?

13 "Yes, Fujitsu is willing to provide  
14 commitment to assist in trying to prove the  
15 integrity of the system in any subsequent legal  
16 action."

17 POL Legal are proposing there a different  
18 form of words:

19 "Fujitsu is convinced of the integrity of  
20 the HNG-X system and as such will, at its own  
21 expense, provide a commitment to POL to assist  
22 in trying to prove the integrity of the system  
23 in any subsequent legal action."

24 So it seems there POL Legal is proposing  
25 a statement that says that Fujitsu is convinced  
66

1 that Fujitsu will, at its own expense, provide  
2 a commitment to POL to assist in trying to prove  
3 the integrity of the system in any subsequent  
4 legal action. This was not evident in the  
5 proposed final version of the statement."

6 So there was a version that was proposed  
7 where that form of words was not included.

8 "In the statement from Fujitsu they seek to  
9 limit the cost of their involvement in any  
10 subsequent legal proceedings to be in accordance  
11 with the existing contractual arrangements.

12 "As the error is entirely of Fujitsu's  
13 making they should not seek to limit their  
14 assistance as per the contract. Would you  
15 please arrange for the statement to be revisited  
16 and a more agreeable form of words to be  
17 proposed."

18 Do you remember this?

19 **A.** Not directly, but I do remember that, you know,  
20 there was further conversations with regard to  
21 a proposed legal statement and, as I said, that  
22 then passed it to my direct report on the  
23 account, and we agreed that it needs to go to  
24 Legal and Commercial for a response. But  
25 I cannot recall what that response was.

68

1 **Q.** Do you recall if the letter was changed in any  
 2 way, or the statement?  
 3 **A.** I cannot recall.  
 4 **Q.** They're quite strong words from Phil Norton  
 5 there.  
 6 **A.** Yes.  
 7 **Q.** Did you get the feeling that you were being  
 8 dictated to a bit by POL in relation to this  
 9 issue?  
 10 **A.** I -- I mean, looking at this, it's a thing that  
 11 we often have with customers, you know, who is  
 12 going to bear the liability of any costs going  
 13 forward and, again, that becomes a contractual  
 14 position. Again, you know, it's -- when I saw  
 15 the previous response, it occurs to me that --  
 16 you know, it comes to cross to me that there was  
 17 a specific question asked and the response was  
 18 for a more general thing.  
 19 So whether the discussion -- I do remember  
 20 briefing our legal department as to we had  
 21 a review of the integrity of the solution, we  
 22 got some additional reactions just to kind of  
 23 assure ourselves with regard to strengthening  
 24 our testing and things going forward.  
 25 But in any discussion I've have on any

69

1 **Q.** Can you give us an indication of who these other  
 2 recipients are?  
 3 **A.** Okay, so Debbie Richardson is the head of  
 4 testing, Geoff Butts was the deployment lead,  
 5 Graham Allen was my head of development, Graham  
 6 Welsh was the lead customer service  
 7 representative, which we had engaged in our  
 8 Hypercare. Jean-Philippe Prenovost was our  
 9 legal counsel. John Wheeler, Mark Andrews and  
 10 Kevin Talbot I believe -- I can't say --  
 11 I believe they're Post Office. I don't believe  
 12 they're Fujitsu. Mark Burley is Post Office,  
 13 Will Russell was Geoff Butts' opposite number in  
 14 deployment, and Mark Burley was my opposite  
 15 number.  
 16 **MR BLAKE:** Thank you very much I think that's  
 17 an appropriate time to take our break.  
 18 Sir, I will conclude -- if we take  
 19 a 20-minute break now, I imagine I will be done  
 20 within an hour or so.  
 21 **SIR WYN WILLIAMS:** All right. Just to let you know  
 22 that I may literally have to take a three or  
 23 four-minute break at around 1.00, as it happens,  
 24 Mr Blake, just to take a phone call. But I'm  
 25 sure we will manage it some way or another,

71

1 system, I say that at a point in time, you can  
 2 review and it's fine but it could always be  
 3 a work where something, you know, causes  
 4 a change which could compromise that and we've  
 5 always got to be alert to that and that's why we  
 6 have support.  
 7 **Q.** Thank you, if we just scroll up on this email  
 8 and this is my last question. Are you able to  
 9 assist us with the recipients of this email?  
 10 I see Gareth Jenkins is a recipient. Are you  
 11 aware of him being aware of this particular  
 12 issue?  
 13 **A.** Well, clearly because he's -- I took a -- when  
 14 Geoff was off, I was pointed in his direction  
 15 that Geoff was working with him and others with  
 16 regard to the issues around the branch trading  
 17 statement. So, clearly, I know that Gareth was  
 18 aware and Gareth did respond to Phil Norton. So  
 19 Phil would know that he was engaged so it was  
 20 right for him to be on this.  
 21 **Q.** Would Gareth have been aware that Fujitsu didn't  
 22 want to provide that blanket assurance?  
 23 **A.** He's on this email. So he has got the  
 24 opportunity to be. I didn't discuss it with him  
 25 directly but he's on this email.

70

1 which is reasonable in all the circumstances,  
 2 all right?  
 3 **MR BLAKE:** Absolutely. Unless people get  
 4 particularly hungry we could take two breaks  
 5 this morning and achieve it that way.  
 6 **SIR WYN WILLIAMS:** Well, whatever. As we get closer  
 7 to 1.00, we will review precisely what we are  
 8 going to do. All right.  
 9 **MR BLAKE:** Thank you very much.  
 10 **SIR WYN WILLIAMS:** Thank you, Mr Blake. So  
 11 20 minutes from now.  
 12 **MR BLAKE:** Thank you.  
 13 Mr D'Alvarez remains obviously on oath and  
 14 won't be speaking to anybody about his evidence.  
 15 **SIR WYN WILLIAMS:** Fine, thank you.  
 16 (11.35 am)  
 17 (A short break)  
 18 (11.57 am)  
 19 **MR BLAKE:** Thank you, sir.  
 20 Mr D'Alvarez, can I ask you to look at  
 21 FUJ00094296, please. This is a document from  
 22 around the same time, 3 March 2010, and you'll  
 23 see in the top right-hand corner your name as  
 24 a recipient. There is reference in this email  
 25 chain to a fix to get data for a court case, and

72

1 I just wanted to know if this was a similar  
2 issue, the same issue or something totally  
3 different.

4 Let's look at page 3, the bottom of page 2  
5 and top of page 3. We that have an email there  
6 from Pat Lywood, who is the service  
7 implementation manager, and she says:

8 "I will cross-check these with prayers  
9 [that's something relating to the below].

10 However I suspect, for today at least, that the  
11 fix to get data for the court case may be more  
12 important than these fixes."

13 If we go to page 2, so above that, you say:

14 "Pat,

15 "What is the fix for the court case?"

16 Then if we go above that one and Graham

17 Allen says:

18 "A fix to Audit -- was developed yesterday  
19 and passed through Integration last night."

20 Do you recall what this exchange is about at  
21 all?

22 **A.** I recall there was an incident raised where  
23 they -- with regard to the audit server having  
24 duplicate -- so, basically, having duplicate  
25 records stored to it and when reports were --

73

1 was accurate.

2 **Q.** So does it suggest there that there was an issue  
3 with the accuracy of audit data at that time?

4 **A.** Not accuracy. It's just that it would -- there  
5 would be potentially duplicate records which you  
6 would have to filter out.

7 **Q.** How do you know that it's a duplicate issue  
8 rather than a reliability issue?

9 **A.** I'm only -- I'm presupposing that we had  
10 an issue with audit records and duplicate audit  
11 records, and we had to provide the fix for it.

12 **Q.** You remember there was a specific issue with  
13 duplication?

14 **A.** I remember there was a specific issue with the  
15 audit and I'm just making an assumption that  
16 that is to do with that.

17 **Q.** Similar period but a different issue and I think  
18 it was one you were talking about earlier, can  
19 we look at FUJ00093030 and this the "HNG-X  
20 Counter Review" issue. If we look at that  
21 bottom email, it's an email from Stuart Rye, who  
22 was Stuart Rye?

23 **A.** He's, I believe he's a business consultant, and  
24 he was brought in as part of, I think he was  
25 brought in by -- let's have look at the names,

75

1 the previous system would extract any duplicates  
2 and just have the single version of what  
3 happened, and the new version of what we  
4 implemented did not have that duplicate spotting  
5 extraction purpose -- functionality.

6 So I assume that that is with regard to --  
7 something with regard to the information stored  
8 on the audit server.

9 **Q.** So this is a totally separate issue to the  
10 branch trading statement?

11 **A.** I believe so, yes.

12 **Q.** If we look at page 3, that email, the first  
13 email that I showed you, it refers to a fix to  
14 get data for the court case. Can you assist us  
15 with what that means? It's the top of page 3,  
16 thank you.

17 **A.** No, I can't. That's why I asked Pat, question  
18 mark, "What do you mean, fix for a court case?"

19 **Q.** Did you ultimately understand, having asked that  
20 question, what that meant?

21 **A.** She replied saying it's the audit fix, so  
22 I probably didn't pursue it more other than made  
23 an assumption that they were looking to retrieve  
24 audit records and they wanted that fix in there,  
25 so that the audit records that they retrieved

74

1 David Leask. David Leask, he's the chief  
2 technical person alongside Maz who is the chief  
3 programme person for private sector and they  
4 bought in two people to undertake an independent  
5 review.

6 **Q.** This is exactly that issue you were talking  
7 about earlier in your evidence?

8 **A.** Yes.

9 **Q.** Is that other person Paul Roberts, who was  
10 copied in there?

11 **A.** Yes.

12 **Q.** So they were two interpreter individuals who  
13 were asked to conduct a review --

14 **A.** Correct.

15 **Q.** -- by Fujitsu --

16 **A.** Correct.

17 **Q.** -- because of a concern that Fujitsu had about,  
18 it says there, "the incident of a duplicated  
19 basket at the end of January"; do you remember  
20 that issue?

21 **A.** That is the Derby -- that is the Derby incident  
22 which I immediately engaged with Maz that  
23 I wanted to assure, because it is a serious  
24 incident and we need to understand (i) the  
25 integrity of the solution and (ii) how we missed

76

1 it in testing.

2 **Q.** Thank you. If we scroll up, that email and that  
3 report, the review -- it's volume 1 there,  
4 9 February 2010 -- is sent to Gareth Jenkins by  
5 Graham Allen. Do you know by Gareth Jenkins  
6 would have been asked to comment on that report?

7 **A.** I believe Gareth was the one that was assisting  
8 Geoff in the analysis of -- oh no, sorry this  
9 one? I assume because he is the recognised  
10 counter SME, the subject matter expert, for  
11 Horizon?

12 **Q.** So issues -- a concern that you had internally  
13 in Fujitsu with regards to the integrity of data  
14 because of a duplicated basket, that report was  
15 being sent to Gareth Jenkins because he was the  
16 lead on what issue?

17 **A.** No, he's the SME. He's the subject matter  
18 expert that -- whether he was still working in  
19 the customer services area or whether he was  
20 part of the architecture group, we have subject  
21 matter experts, so he's the recognised a counter  
22 application subject matter expert.

23 **Q.** I'd like to look at that attachment and that can  
24 be found at FUJ00093031, please. This is  
25 version 1 of the report. I know you've been

77

1 one other occurrence, again at Derby but on  
2 a different day and involving a different  
3 clerk."

4 So is that the same Post Office but it's  
5 a different individual?

6 **A.** That's what it says, yes.

7 **Q.** "The net effect would be that the Post Office  
8 and Branch records would not match. Where this  
9 happens, the Post Office investigates the branch  
10 and postmaster, with a view to retraining or  
11 even uncovering fraud. It would seriously  
12 undermine Post Office credibility and possibly  
13 historic cases if it could be shown that  
14 a discrepancy could be caused by a system error  
15 rather than a postmaster/clerk action. Most  
16 importantly, the central database as the system  
17 of recorded would be called into question."

18 Now, at this stage, whose words was that?  
19 Was that the two independent authors who had  
20 written that?

21 **A.** Yes.

22 **Q.** Can we go over the page, please. The second  
23 paragraph there. It says:  
24 "The development team concluded the failure  
25 was caused by a bug and a resolution has been

79

1 handed a version 2 and we'll get to that and  
2 I'll give you time to look at that. But this is  
3 version 1., and that's, it seems, the version  
4 that was attached to that email.

5 Now, the circulation, is that an internal  
6 circulation list; is that right?

7 **A.** At this stage, yes.

8 **Q.** Then you have there the two authors, the  
9 independent authors. I'm going to read to you.  
10 If we scroll down, it explains what the problem  
11 is there. It says:  
12 "On 28th January 2010, the Data  
13 Reconciliation Service ... process detected  
14 an error in a banking transaction. Subsequent  
15 investigations revealed that the Branch database  
16 had two transactions with different JSNs but the  
17 same SSN for a specific Counter on that day but  
18 the 3rd Party banking system only had one  
19 transaction. The clerk did not know that  
20 a duplicate transaction had been created."

21 So as you've said, that is self-evidently  
22 a serious issue?

23 **A.** Yes.

24 **Q.** It then goes on to say:  
25 "An analysis of the database has revealed

78

1 identified which includes further measures to  
2 remove the possibility of this occurring in  
3 future."

4 So there's no dispute here, this was very  
5 much caused by a bug in Horizon Online.

6 **A.** Yes.

7 **Q.** If we go over to page 5, there are the  
8 conclusions. Thank you. It says there in bold:  
9 "Overall, the actions taken to redress the  
10 Derby issue are appropriate. We believe the  
11 Counter Application fully supports the need to  
12 protect the integrity of financial  
13 transactions."

14 What do you understand that statement to  
15 mean?

16 **A.** It means that on the request I didn't want them  
17 to just look at this specific incident because  
18 we've already diagnosed the specific incident  
19 and got a conclusion. I wanted them to look at  
20 how we've implemented the counter application to  
21 see whether there's any flaws in its design or  
22 its implementation.

23 **Q.** My reading of that is that it isn't saying that  
24 it guarantees the integrity of all financial  
25 transactions or anything like that, it's using

80

1 quite careful language that the counter  
 2 application fully supports the need to protect  
 3 the integrity. So it's identifying the need to  
 4 protect the integrity of financial transactions  
 5 rather than signing off the integrity?  
 6 **A.** I took that as, from what we've designed and  
 7 implemented, it fulfils a brief that we have --  
 8 should have high levels of confidence in the  
 9 integrity of the solution. I think it gives  
 10 examples as well as to how we put protections  
 11 in.  
 12 **Q.** Sorry, you've used the word "solution". Did you  
 13 intentionally mean "solution" rather than  
 14 "system"?  
 15 **A.** The -- okay, the system. But the counter  
 16 application solution is what I was looking at.  
 17 So the solution -- okay. I would, in this  
 18 context, one and the same system/solution, the  
 19 solution being we have a counter application.  
 20 Looking at the counter application itself, is it  
 21 defensive against system failures? So the  
 22 system can fail at many different ways, power  
 23 cuts, cables being, you know, intermittent, kind  
 24 of -- all sorts of things could cause a system  
 25 failure. Is the solution robust enough to

81

1 integrity of the system. Looking at this, does  
 2 this look like a statement to the effect that it  
 3 is signing off the integrity of the system?  
 4 **A.** In the previous example, which I believe is the  
 5 Warwick example, the question posed was, could  
 6 we sign off the integrity of our solution with  
 7 regard to the branch trading statement? That  
 8 specific question. And, absolutely, this is  
 9 looking at the application and is it defensive?  
 10 I would like to refer to -- I've said a number  
 11 of times now that, from our position, we've  
 12 satisfied ourselves that what we've implemented  
 13 will demonstrate and actually fulfils  
 14 an integrity brief but things can happen on any  
 15 system which could change that, so that's  
 16 a static point in time.  
 17 **Q.** So it's a point in time that addresses  
 18 a specific problem that this report is  
 19 addressing?  
 20 **A.** And also a request for me to have a design and  
 21 code review of what was implemented to say  
 22 that -- is that appropriate and robust with  
 23 regards to normal system standards for integrity  
 24 of financial data.  
 25 **Q.** Because when we looked at the earlier example,

83

1 manage those error conditions in a way which  
 2 doesn't impact integrity? So I do mean the  
 3 solution, as in the application. Is it  
 4 defensive?  
 5 **Q.** I'm happy for you to take a little bit of time  
 6 just reading that to yourself, that passage in  
 7 bold, just to be absolutely sure that that is  
 8 a fair reading of what is said there.  
 9 **A.** Yes.  
 10 **Q.** So it's your reading of that that actually that  
 11 is saying that the counter application has  
 12 integrity --  
 13 **A.** Yes.  
 14 **Q.** -- not that it supports the need to protect the  
 15 integrity or -- did you not see a distinction  
 16 between those two?  
 17 **A.** I haven't read it that way, personally.  
 18 **Q.** We saw earlier that there was a request from the  
 19 Post Office to provide a commitment to support  
 20 POL in proving the integrity of the system,  
 21 of -- yes, of the system. Was this, do you  
 22 think, meeting that earlier request in any way?  
 23 **A.** I think it was a later request.  
 24 **Q.** Sorry, the later request. Do you think -- you  
 25 were asked for a statement to sign off the

82

1 you drew a very clear distinction between  
 2 signing off the integrity vis à vis the specific  
 3 issue and signing off the integrity of the  
 4 system. Here, you're saying that the -- your  
 5 reading of this report is that, at this point in  
 6 time, it was signing off the integrity of the  
 7 system?  
 8 **A.** Of the application.  
 9 **Q.** The application being the counter application?  
 10 **A.** The counter application, the solution for the --  
 11 what we provided to Post Office for the  
 12 postmasters and their staff to actually  
 13 interoperate with Horizon. So this is the  
 14 integrity of the counter application.  
 15 **Q.** But the counter application must include the  
 16 cash account, for example?  
 17 **A.** Yes, it does.  
 18 **Q.** So it would be signing off the integrity of the  
 19 cash account?  
 20 **A.** Yes.  
 21 **Q.** Do you think that was the author's intention in  
 22 this passage?  
 23 **A.** I've concluded -- my -- I believe so, yes.  
 24 **Q.** Can we turn over the page, please. We're still  
 25 on conclusions. 3.20, there is a conclusion

84

1 that reads as follows:

2 "Stock check is not a reliable method for  
3 catching issues due to the erratic nature of the  
4 stock check occurring."

5 Is that something that you recall or  
6 understand?

7 **A.** Not specifically but stock check, from my  
8 understanding, is just a check of what the  
9 system says it's -- of stock.

10 **Q.** Why might it not be liable?

11 **A.** I can't recall.

12 **Q.** Is that something that occurs on the Horizon  
13 System, the stock check?

14 **A.** I believe a postmaster can do a stock check at  
15 any time.

16 **Q.** It's not a physical stock check of how many  
17 stamps are held in branch; it's something that  
18 is using the Horizon system to compute?

19 **A.** Yes.

20 **Q.** If we turn over the page to "Recommendations",  
21 we have recommendation -- I'm going to take you  
22 to 4.5 and 4.6. 4.5 is:

23 "Consider advising the Post Office of the  
24 benefit of more effective stock control as  
25 an indicator of clerk errors or Fraud."

85

1 **Q.** 4.6:

2 "Review and strengthen negative testing, if  
3 appropriate. The recent problems reflect the  
4 asynchronous nature of the new application and  
5 traditional or historic test cases may not  
6 reflect this."

7 Can you tell us, what is negative testing?

8 **A.** So negative testing, so typically when you test  
9 a system you run a set of tests which  
10 demonstrate that if you go through the right  
11 processes and that and everything is set up  
12 properly the system performs as it should.

13 Negative testing will include things like  
14 what happens if you put in the wrong inputs?  
15 What happens if a cable is disconnected? What  
16 happens if it loses connection with the data  
17 centre? So we would deliberately create  
18 scenarios which is not normal operating  
19 scenarios, to see whether the system recovers  
20 gracefully from those situations.

21 **Q.** So you might have some testing, is it positive  
22 testing; is that the opposite of negative  
23 testing?

24 **A.** Yes.

25 **Q.** Yes, positive testing, where you're testing

87

1 What do you understand that to mean?

2 **A.** I don't at this stage recall what that refers  
3 to.

4 **Q.** I mean, reading it now, what does it seem to you  
5 to mean?

6 **A.** It's given -- it's just highlighting that the  
7 system may allow variances to be input into the  
8 system.

9 **Q.** Does it suggest that there should be another  
10 method in order to assure the Post Office or  
11 assure yourselves that there is, in fact, either  
12 a clerk error or fraud?

13 **A.** That's what it says but I don't recall  
14 specifically back to the intent of that, but  
15 that's what it suggests.

16 **Q.** Would you advise the Post Office of ways in  
17 which to improve the reliability of their  
18 prosecutions for fraud, for example?

19 **A.** I would not but if it felt that Fujitsu felt it  
20 was appropriate to at least have that  
21 conversation then I would pass that advice on.

22 **Q.** So it's not that that recommendation itself is  
23 problematic because it's suggesting that you  
24 advise the Post Office of something?

25 **A.** I don't believe so, no.

86

1 a case where a subpostmaster puts in exactly the  
2 right information, presses exactly the right  
3 keys that you're meant to do?

4 **A.** Following the processes, yes.

5 **Q.** That's positive testing. Negative testing is  
6 what if the subpostmaster presses the wrong key  
7 at a particular time?

8 **A.** Correct -- or what if it goes offline? What if  
9 a cable gets pulled out?

10 **Q.** Absolutely. One of the recommendations here is  
11 there should be more negative testing?

12 **A.** It's to review. Have we created all the  
13 scenarios? Because I believe one of the trigger  
14 points for this was a capacity constraint that  
15 was caused by, I believe -- because we were  
16 monitoring the system all the time during pilot,  
17 we were picture putting diagnostics and  
18 performance monitoring things to make sure  
19 everything was going right and it was believed  
20 that that created a capacity issue, which then  
21 created the issue which led to the incident.

22 And, in our testing, we was looking at  
23 normal as if it was rolled out. We did not take  
24 account of, during the pilot, which is a test  
25 phase, we're going to put additional monitoring

88

1 tools into the thing which created more usage,  
 2 so we didn't stress the system the way.  
 3 So that's something we did miss specifically  
 4 and that's why we missed this in our testing,  
 5 because we assumed it was -- those tools that we  
 6 put in to support the pilot were only there  
 7 temporarily, and that wasn't taken account in  
 8 the testing.

9 **Q.** Thinking back to this morning, the very early  
 10 questions that I was asking you about, and  
 11 I took you to that document that I discussed  
 12 with Mr Burley yesterday, where there is  
 13 a suggestion of reduction in the testing that  
 14 occurred before the pilot took place, and  
 15 I think your evidence was "We didn't cut down on  
 16 the testing, we just did it while the pilot was  
 17 taking place".

18 I mean, looking at that combined with this  
 19 4.6, reflecting on it, do you think that there  
 20 was insufficient negative testing before pilot?

21 **A.** Performance testing isn't negative testing.  
 22 That's non-functional testing.

23 **Q.** Yes.

24 **A.** Negative testing is creating a failure  
 25 condition. So the volume testing is specific to

89

1 it didn't capture this scenario.

2 **Q.** So was there sufficient negative testing before  
 3 the pilot?

4 **A.** When the analysis was done we believe so but  
 5 this in hindsight shows that there was a miss.

6 So in hindsight, on the negative set of  
 7 testing, you could -- it starts to get  
 8 exponential as to how many different failure  
 9 conditions you could create, and it comes to --  
 10 I've seen negative testing where you actually  
 11 question how could you have that scenario where  
 12 this happens at that time and that time? So  
 13 it's a case of you take -- you know, a take  
 14 a balance as to what are the likely scenarios?  
 15 Then you also have some good test resource, and  
 16 we had some very good test resource, that would  
 17 just play about with the system and just do  
 18 what-ifs. But at the time the analysis was done  
 19 and it was believed and, you know, it was  
 20 jointly reviewed with us in the Post Office,  
 21 that the testing in the negative side was  
 22 sufficient but this showed that it could have  
 23 been more robust. But that's in the benefit of  
 24 hindsight.

25 **Q.** We know what subsequently happened, and events

91

1 the data centre and how much loads can the data  
 2 centre take? So it's completely different from  
 3 this scenario.

4 **Q.** Putting aside volume testing, on reflection, and  
 5 looking at this recommendation, do you think  
 6 there was sufficient or insufficient negative  
 7 testing before the pilot took place?

8 **A.** Clearly, this showed that consideration wasn't  
 9 taken to some of the additional tools that we  
 10 were using to monitor the solution during the  
 11 pilot. So it found a weakness in our testing  
 12 that we had to review and we filled that.

13 **Q.** In plain English, do you think there should have  
 14 been more negative testing before the pilot?

15 **A.** There was a miss in the scoping of our negative  
 16 testing. When you say more, we should have --  
 17 there should have been consideration of the  
 18 additional tools that was temporarily in place  
 19 in the pilot, and that was a miss in the test  
 20 analysis.

21 **Q.** Forgive me, "a miss in the test analysis", for  
 22 me, maybe just me, is not plain English. In  
 23 plain English, should there have been negative  
 24 testing before the pilot?

25 **A.** There was negative testing before the pilot, but

90

1 that have affected people's lives. Looking at  
 2 what ultimately happened, do you consider that  
 3 there was sufficient or insufficient negative  
 4 testing?

5 **A.** So I considered at the time our testing was  
 6 sufficient. The pilot phase is also a test  
 7 phase. So this was picked up in a test phase.  
 8 It's a live test. So the pilot phase picked up  
 9 a scenario that we didn't have in our laboratory  
 10 testing and picked up this error before it went  
 11 to general, and it picked it up very, very  
 12 quickly, with just the 10 or 12 post offices  
 13 that was part of the pilot.

14 **Q.** 4.6 isn't just talking about this specific  
 15 scenario. This is talking about negative  
 16 testing more broadly, isn't it?

17 **A.** So they said review -- so once -- so it  
 18 identified that in our laboratory testing, we  
 19 did not cater for this. So the recommendation  
 20 is, "Could you review everything you've done to  
 21 see if you can think of other things you may  
 22 wish to test?" And that action was given to  
 23 Debbie Richardson to do so.

24 **Q.** After receiving the ultimate recommendations,  
 25 and we'll look at the final report, was there

92

1 a significant increase or improvement in, and  
 2 strengthening of, negative testing?  
 3 **A.** I'm aware that there was areas of improvement,  
 4 the size and number I would have to refer back  
 5 to Debbie Richardson, and Lee Farman would know  
 6 as well because they would have reviewed it  
 7 jointly.  
 8 **Q.** So you're not aware of whether there was or  
 9 wasn't a significant improvement in negative  
 10 testing?  
 11 **A.** I'm aware that they reviewed and they  
 12 strengthened testing. How much I can't recall.  
 13 **Q.** Can we go to FUJ00094290, please. This is  
 14 an email from yourself to the general counsel,  
 15 Jean-Philippe Prenovost, and it is the 2 March  
 16 2010. You've attached the "HNG-X Counter Review  
 17 volume 2" that's dated 24 February 2010, and you  
 18 say as follows -- it's entitled "Integrity  
 19 review of HNG-X -- request for review":  
 20 "Jean-Philippe,  
 21 "You may be aware that an incident was  
 22 raised during the HNG-X pilot that there have  
 23 been two instances where a single transaction  
 24 was recorded twice on the system. As you can  
 25 appreciate from your workaround PCI Compliance,

93

1 what we got. So I'm asking him to -- from  
 2 a legal standpoint, are we satisfied with this  
 3 report that we can still fulfil our obligations?  
 4 **Q.** So are you satisfied with -- were you expecting  
 5 legal advice in relation to the overall report,  
 6 rather than comments on individual entries and  
 7 passages?  
 8 **A.** Yeah. I wouldn't, you know -- and also, is  
 9 anything in there something which we need to  
 10 strength then or it's incorrect from a legal  
 11 perspective? So I'd expect Legal to assure  
 12 themselves and to be aware themselves of this  
 13 issue, and how we've addressed this issue.  
 14 **Q.** It certainly seems, at this time, you were very  
 15 live to issues about the integrity of the system  
 16 being critical to be able to support the Post  
 17 Office in litigation. I mean, you're raising  
 18 that issue with him. Was that very much live in  
 19 your mind at the time?  
 20 **A.** Absolutely. It was the number 1 priority that  
 21 was given to me by Mark Burley.  
 22 **Q.** Do you recall, say, in 2009, the *Computer Weekly*  
 23 article about Horizon and concerns that were  
 24 being generated around this period about the  
 25 Horizon System?

95

1 the integrity of the system is critical to be  
 2 able to support Post Office in any litigation  
 3 they choose to take against Postmasters should  
 4 they uncover any financial irregularities. As  
 5 such, we took this issue very seriously and part  
 6 of our rectification plan was sponsor  
 7 an independent review. The report from this  
 8 review is attached and it is my intention to  
 9 share this with Post Office. Prior to sending,  
 10 could I ask you to assure that there are no  
 11 legal issues or consequences associated with the  
 12 content of the review that need to be  
 13 considered."

14 What did you have in mind when you were  
 15 asking Jean-Philippe Prenovost to review that  
 16 report? Were you looking for comments on the  
 17 content of the report and track changes and  
 18 things like that?

19 **A.** I was -- it's hard to recall my thoughts at the  
 20 time but I would expect to be asking does this  
 21 -- you know, we have an obligation, we have  
 22 a contractual obligation to support this.  
 23 There's a major issue, a major incident that  
 24 occurred, which obviously has a material impact  
 25 on that obligation. Here's a report to show

94

1 **A.** I don't recall, no. I -- sorry. My attention  
 2 has been drawn to it now. I don't recall  
 3 knowing of it at that time.  
 4 **Q.** Was there anything in particular that  
 5 highlighted this particular issue to your mind  
 6 to raise it as such a significant issue?  
 7 **A.** Reading that *Computer Weekly*, which I done  
 8 probably before Christmas because it was part of  
 9 the Inquiry discussions, that referred to  
 10 Horizon, not HNG-X.  
 11 So when I took on the position to lead the  
 12 programme, the first thing I done, as I would  
 13 with any programme, was to sit with the customer  
 14 and say "What your business priorities? What  
 15 are the priorities? What are your business  
 16 drivers? What are your drivers?" And Mark made  
 17 it very clear to me, number 1, integrity of the  
 18 solution, whatever we put out, we must ensure  
 19 integrity. And, for me, that was sacrosanct.  
 20 **Q.** Can we look at FUJ00094392. It's the bottom  
 21 email of the first page that I'd like to look  
 22 at. Thank you. This is 10 March now. You have  
 23 copied below this email the feedback that you  
 24 have received. So there's been a review of the  
 25 version that you sent to the legal team, and

96



1 this is the feedback. I'm just going to read  
 2 that feedback, if you could scroll down  
 3 slightly -- thank you very much:  
 4 First paragraph, page 2 -- The following  
 5 section is potentially problematic ..."  
 6 That's the section that said:  
 7 "It would seriously undermine the Post  
 8 Office credibility and possibly historic cases  
 9 if it could be shown that a discrepancy could be  
 10 caused by a system error rather than  
 11 a postmaster/clerk [error]. Most importantly,  
 12 the central database as the system of record  
 13 would be called into question'. As discussed,  
 14 there is no need to paint this in the worst  
 15 possible light. I would suggest the following  
 16 as being accurate without being unduly alarmist:  
 17 'If it could be shown that a discrepancy could  
 18 be caused by a system error rather than  
 19 a postmaster/clerk action, it could potentially  
 20 call into question the effectiveness of the  
 21 central database as a system of record'.  
 22 It says there "further to our conversation",  
 23 can you recall the conversation or "further to  
 24 our discussions" on Friday; do you recall the  
 25 discussions about that particular paragraph?

97

1 **Q.** I mean, painting something in the worst possible  
 2 light, that's not necessarily legal advice, is  
 3 it? That's more public relations, isn't it?  
 4 **A.** All I remember is, in the discussions, being  
 5 asked where did that come from? And I said it  
 6 just come from -- and it's why Legal felt that  
 7 we should be factual, that the -- that it would  
 8 be, you know, this issue, if not resolved  
 9 properly, and we reviewed the rest of the  
 10 system, the record of accounts would be done, is  
 11 a better one. You'd need to ask Legal why their  
 12 advice was that. But I would not go against our  
 13 legal advice.  
 14 **Q.** You wouldn't go against their legal advice but  
 15 there's nothing in that italicised section  
 16 that's untrue, is there?  
 17 **A.** So when we say, "possibly historic cases", I'm  
 18 not aware of historic cases. I don't know  
 19 whether or how -- whether that is just general  
 20 discussion points that they've picked up during  
 21 the review or whether they had evidence of that.  
 22 I don't know.  
 23 **Q.** The concern about undermining the integrity of  
 24 the system, the central database as a system of  
 25 record would be called into question, that was

99

1 **A.** I recall a meeting with Legal, just to --  
 2 because they wanted to understand better the  
 3 scenarios and the context and everything else  
 4 around it, not just "You're giving me one  
 5 problem". So I remember a meeting. It was,  
 6 I believe, about an hour long, and lots of  
 7 things were discussed at that meeting. I also,  
 8 I do recall them now, now seeing that, I do  
 9 recall them asking -- I think, as you did -- who  
 10 wrote that, and I said that was written -- that  
 11 wasn't any words from the programme, that was  
 12 written by the reviewers.  
 13 **Q.** So it was the words of independent reviewers.  
 14 It was also very much highlighted in your  
 15 covering email to the general counsel when you  
 16 sent the original draft about the importance of  
 17 the integrity of the system for legal  
 18 proceedings. So it was something that was very  
 19 much in your mind as well, and that was your  
 20 evidence a few moments ago.  
 21 **A.** Yes.  
 22 **Q.** Were you surprised to have received that  
 23 feedback from general counsel?  
 24 **A.** When you say surprised, that's what our legal  
 25 representative wished us to do.

98

1 very much in line with your concern and the very  
 2 purpose of requesting a report, wasn't it?  
 3 **A.** So my concern is the integrity of the solution,  
 4 and does it (1) protect Post Office and their  
 5 employees and (2) does it fulfil our contractual  
 6 requirements? Historic cases has nothing to do  
 7 with HNG-X so why that's in there, I don't know.  
 8 What relevance that has to HNG-X, I don't know.  
 9 **Q.** So we can take out the words "possibly historic  
 10 cases" although it says "possibly" but let's  
 11 take that out. The rest of it, it's accurate,  
 12 isn't it?  
 13 **A.** It could be called into question if not  
 14 resolved.  
 15 **Q.** Let's look at what ultimately happened and the  
 16 prosecution of subpostmasters and the  
 17 overturning of those convictions by the Court of  
 18 Appeal because of the reliability of the data  
 19 that was being used in those prosecutions.  
 20 I mean that was spot on, wasn't it, that section  
 21 in italics?  
 22 **A.** I -- I don't have an opinion on that. It's  
 23 a case, this was a report, looking at HNG-X.  
 24 **Q.** But you could reflect on what's ultimately  
 25 happened. Look at those words in italics and

100

1 agree or disagree whether that actually reflects  
 2 the very reason why we're here?  
 3 **A.** As you put the question to me, yes.  
 4 **Q.** Let's look at FUJ00142175 -- sorry, can we stay  
 5 with that for one second. Point 2:  
 6 "Section 3.19 on page 7 -- You'll recall  
 7 that we cannot really make sense of what was  
 8 being referred to here."  
 9 I've looked back and it looks as though, and  
 10 you can -- we'll go through it -- but it looks  
 11 as though that was actually 3.20 and that was  
 12 one of the conclusions about the stock check  
 13 issue that we just discussed.  
 14 **A.** Mm.  
 15 **Q.** We can have a look at that and see that that  
 16 also comes out. Thank you. We can go back to  
 17 175.  
 18 Can I ask, 175, so FUJ00142175, this is what  
 19 we're told is the final version. It has version  
 20 2.0 at the bottom right-hand corner but we are  
 21 told it is the final version, version 3. Can we  
 22 put up on the screen, I'm going to ask for a bit  
 23 of work on this display once again, I'm afraid.  
 24 It's FUJ00093031. This is the earlier version  
 25 I took you to, just so that we can look at some  
 101

1 side. It says:  
 2 "This report reflects the findings from  
 3 a visit by Paul Roberts and Stuart Rye on  
 4 4th February 2010 and a follow-up review with  
 5 David Johns on 24th February."  
 6 So there was a subsequent follow-up review,  
 7 do you recall that?  
 8 **A.** I don't -- no, I don't recall it.  
 9 **Q.** Thank you. If we look, staying with the  
 10 right-hand side, there is an update that is  
 11 provided at the bottom of that page, that isn't  
 12 present in the first version, and if we could  
 13 zoom in on that update, it says:  
 14 "22nd February: Searches of the database  
 15 since pilot launch and being run daily revealed  
 16 one further incident of a dual settlement (this  
 17 time without a banking transaction). There are  
 18 over 100 branches live as of this date."  
 19 So an update on 22 February, it's happened  
 20 again, this time without a banking transaction,  
 21 so it's a different type of transaction,  
 22 suggests that the issues actually got worse by  
 23 that stage.  
 24 **A.** It shows that another incident was detected.  
 25 **Q.** Does it not show that the incidents -- the  
 103

1 of the changes that happened after that feedback  
 2 had been received.  
 3 Thank you very much. So on the left-hand  
 4 side we have version 1, on the right-hand side  
 5 we have version 2 -- or version 3, actually, is  
 6 the one on the right-hand side. Now, an initial  
 7 difference we see there is that on the -- it's  
 8 initially you're one of the circulation list and  
 9 that's changed to one of the reviewers. Do you  
 10 know why that change was made?  
 11 **A.** Because they're asking for a review, or they,  
 12 sorry, they --  
 13 **Q.** It's ultimately the same document.  
 14 **A.** Yes, sorry. So it is a final report to say that  
 15 those people that was on the circulation list  
 16 had been given the opportunity to review and  
 17 feed back comments.  
 18 **Q.** Because this is the version that's going to go  
 19 to the Post Office, you're named as a reviewer  
 20 rather than part of the circulation list; is  
 21 that right?  
 22 **A.** Correct.  
 23 **Q.** Yes, thank you.  
 24 Then if we look at the third substantive  
 25 paragraph, that has been added on the right-hand  
 102

1 matters got worse? I mean, it's a new incident,  
 2 a different type of transaction.  
 3 **A.** Another issue -- well, a similar symptom but  
 4 a different trigger point.  
 5 **Q.** There are only 100 branches live at that stage.  
 6 Is that what, that's three out of 100 this issue  
 7 is occurring in or known to be occurring in?  
 8 **A.** So there's three known incidents across two post  
 9 offices out of 100 post offices that may have  
 10 had, at that time, several hundred thousand  
 11 transactions, yes.  
 12 **Q.** Well, in terms of branch numbers, what do we  
 13 have? We have three out of 100?  
 14 **A.** Well, two, because two was at Derby.  
 15 **Q.** Was that with two different counter clerks?  
 16 **A.** Sorry, you was just saying in branches.  
 17 **Q.** Yes.  
 18 **A.** Okay, so three incidents.  
 19 **Q.** Three incidents. Some to do -- two of them or  
 20 three of them to do with the banking  
 21 transactions, one not to do with banking  
 22 transactions. It seems to have got worse.  
 23 **A.** They found another incident, yes.  
 24 **Q.** Is there a reason why you can't agree that it  
 25 seems to have got worse? Is there a technical  
 104

1 reason for that?

2 **A.** So if we picked up after two or three days two

3 incidents after a week of going live of a pilot,

4 two incidents, and then in another month you

5 pick up another incident, yes, three is worse

6 than two. It depends how you say has it got

7 worse, ie is it just snowballing, is it just

8 getting continually getting worse? I wouldn't

9 say so but it was another incident detected.

10 **Q.** Involving a different type of transaction?

11 **A.** That's what it says here, yes.

12 **Q.** An additional type of transaction?

13 **A.** A transaction without a banking element.

14 **Q.** Can we go to the second page, please, on both of

15 them. Is that possible? Am I asking too much?

16 Excellent.

17 In fact, we can just look at the new one so

18 42175, if that can just be expanded and we move

19 over to the second page. There is now no

20 mention of that passage that general counsel had

21 suggested should be removed. So that appeared

22 in the first version and it now doesn't appear

23 in the background section. Do you remember that

24 passage being removed?

25 **A.** I don't recall it, no.

105

1 so he was the interface I had for Legal.

2 I don't know his status within Legal.

3 **Q.** Thank you. There we have the two different

4 conclusions. The original conclusion said:

5 "Overall, the actions taken to redress the

6 Derby issue are appropriate. We believe the

7 Counter Application fully supports the need to

8 protect the integrity of financial

9 transactions."

10 Then the new version says:

11 "We believe the ... Application with the

12 identified fix fully supports the need to

13 protect the integrity of financial

14 transactions."

15 Can you assist us with that change?

16 **A.** Unless you applied a fix to the issue that we

17 had, the integrity would not be maintained.

18 **Q.** Would a fix be applied to all counters or just

19 those who raised the issue or just --

20 **A.** All counters. It was part of the release and it

21 also was mandated to be applied prior to going

22 to any other post offices.

23 **Q.** Is it saying here now that the fact that we have

24 applied the fix supports the need to protect the

25 integrity of financial transactions --

107

1 **Q.** You received the email from general counsel

2 saying, "Can this be taken out?"

3 **A.** And that would have gone back to the authors.

4 I would not -- so I'm not the author of this

5 document so I would not personally take it out.

6 I would submit it back to Stuart Rye and Paul

7 Roberts to deal with the feedback comments.

8 **Q.** Do you recall general counsel's advice being

9 taken?

10 **A.** It appears to, if they've taken it out, yes.

11 **Q.** Can we look at page 5, please, of the right-hand

12 side. We can take the left-hand side one off,

13 I think. We're just going to try and get it up

14 on the left-hand side so we can compare the

15 original.

16 We'll just take a moment because it will

17 help to see them side by side, I think. Just to

18 clarify also, I've been asked to clarify,

19 Mr Prenovost or Prevost, he was part of a team

20 to lawyers, he wasn't general counsel. I don't

21 know if that's --

22 **A.** We just call them Legal.

23 **Q.** Was he particularly senior in Legal, from your

24 recollection?

25 **A.** He's the person that I was put in contact with

106

1 **A.** That's what it's saying, yes.

2 **Q.** -- ie the fact that we found the problem and

3 found a solution supports the need to protect

4 the integrity of the financial transactions?

5 **A.** Yes.

6 **Q.** So it's quite specific, is it not, to this

7 particular problem but we discussed earlier

8 about whether this is signing off the system

9 itself or the problem. Doesn't it now seem to

10 be even more specific to the problem rather than

11 the system?

12 **A.** If I -- and I'm looking across at the

13 conclusions and I just looked at 3.6:

14 "The business control at the Counter

15 recognises that dual settlement risk is inherent

16 by having two buttons that can initiate

17 settlement. The business requirement is that

18 the buttons operate on an exclusive basis --

19 ie the use of one ..."

20 So that's not specific to this issue. That

21 is demonstrating how, because you can have two

22 ways of operating into the system, you cannot do

23 them concurrently, because that could cause --

24 So the conclusions are wider, are showing

25 protections that have been put as built in and

108

1 designed in as part of the solution, which is  
2 not to do with that specific issue.

3 **Q.** So you still believe in this later report, later  
4 version, that it is signing off the integrity of  
5 the system itself?

6 **A.** It's validating our design and our  
7 implementation of that design that we should  
8 have confidence of the integrity of the system,  
9 yes.

10 **Q.** Can we go over the page, it's page 7 on the  
11 right-hand side. It's still part of the  
12 conclusions, 3.19 and 3.20. If it's possible to  
13 do a similar thing on the left-hand side.

14 So you'll recall I took you to 3.20, which  
15 is:

16 "Stock check is not a reliable method for  
17 catching issues due to the erratic nature of the  
18 stock check occurring."

19 That doesn't seem to exist in the later  
20 version, and also the recommendation that  
21 related to stock checking. If we could have  
22 a scroll down on the left-hand side if possible,  
23 to the recommendations. You'll recall there was  
24 that recommendation:

25 "Consider advising the Post Office of the  
109

1 up whatever they were carrying out at that  
2 stage?

3 **A.** I don't even understand that advice. I don't  
4 understand what that advice means.

5 **MR BLAKE:** Thank you.

6 Sir, that might be an appropriate moment.  
7 If you're content to take, say, a 15, 20-minute  
8 break now, we could go on after that and I'll be  
9 15 minutes.

10 **SIR WYN WILLIAMS:** Yes, that's fine, Mr Blake.

11 Shall we say we'll start again at 1.10, and then  
12 you will have completed approximately by 1.30.  
13 Is that what you're telling me?

14 **MR BLAKE:** I'll definitely -- I'll conclude my own  
15 questioning by 1.30. There may be some  
16 questions. I may have covered everything. So,  
17 with goodwill, we will --

18 **SIR WYN WILLIAMS:** All right. Anyway, with  
19 a limited time thereafter. Fine. All right.

20 **MR BLAKE:** Thank you very much.

21 (12.53 pm)

(A short break)

23 (1.10 pm)

24 **MR BLAKE:** Thank you very much. We're now going to  
25 move to March 2010. Can we look at FUJ00094958,

111

1 benefit of more effective stock control as an  
2 indicator of clerk errors or fraud."

3 That seems to have been removed in the final  
4 version, as well. Are you able to assist us  
5 with why those were removed?

6 **A.** Because I think, when you asked me that first  
7 question about stock check, I couldn't  
8 understand, on that first one, why that's  
9 relating to the integrity of the system. And  
10 I believe you highlighted that. You know, from  
11 our discussions, we couldn't understand why this  
12 was part of this report, because it's not to do  
13 with how system behaves; it's how postmasters  
14 interacting with the system behaves. And it's  
15 not to do with the subject matter in point.

16 So the advice from Legal was that if it's  
17 not part of anything to do with integrity of the  
18 system, remove it.

19 **Q.** Do you think, looking back, it would have been  
20 helpful for Fujitsu to have taken that  
21 independent recommendation, which was to  
22 consider advising the Post Office of the benefit  
23 of more effective stock control as an indicator  
24 of clerk errors or fraud? Some other system, as  
25 an indicator of clerk errors or fraud, to back  
110

1 please. This is an email exchange of  
2 26 March 2010. You are copied in, it's  
3 forwarded to you by David Keeling. Who was  
4 David Keeling?

5 **A.** David Keeling at that time was the customer  
6 services director.

7 **Q.** He says:

8 "Alan, Peter

9 "Please see Gavin's note below and Dave  
10 Smith's mail."

11 Now, this is forwarding, at the bottom of  
12 that page, an email from David Smith. Do you  
13 remember who David Smith was?

14 **A.** David Smith was Mark Burley's -- Mark Burley  
15 directly reported in to David Smith. I think he  
16 was the head of technology in Post Office.

17 **Q.** This email was in your bundle, have you read it  
18 recently?

19 **A.** I was given it today.

20 **Q.** No, not this email.

21 **A.** Oh, sorry, this one?

22 **Q.** This email you've definitely had for some time.  
23 We can go through it that's fine. It starts  
24 off:

25 "Gavin

112

1 "I want to follow up our earlier telecon  
2 rather more formally.

3 "Whilst we don't yet have a root cause of  
4 today's issue given recent events it is  
5 difficult not to suspect that it might be  
6 related to the introduction of a change. Quite  
7 simply there have been too many incidents where  
8 poor execution of change has caused a problem in  
9 live. The situation demands that Fujitsu take  
10 action that is game changing whether that be  
11 increased rigour, an injection of [I think  
12 'different'] skills or a change in mindset.

13 "I also have to be concerned that we seem to  
14 be ahead of you and finding out for ourselves  
15 that there has been an incident in live rather  
16 than hearing from you. We have been here before  
17 and I will take a lot of convincing that this is  
18 not symptomatic of a reactive mindset. Again we  
19 need to see action that is game changing to  
20 a proactive style of management.

21 "The wider POL business and major  
22 stakeholders have been incredibly patient thus  
23 are. I believe we are now on the cusp of losing  
24 them and if we do then experience tells us that  
25 we could well end up on the front page of the

113

1 Smith will be getting a lot of pressure from his  
2 business and he wants answers from Gavin as to  
3 what are we doing about it.

4 **Q.** Before the break, we were discussing the  
5 independent report that was written and the  
6 conclusions of that report and it was your  
7 belief that that concluded, essentially, that  
8 the counter application had integrity or  
9 something along those lines. Do these kinds of  
10 incidents cause you to doubt such a conclusion,  
11 if that was their conclusion?

12 **A.** This incident was preventing Post Office from  
13 trading. Nothing to do with the integrity of  
14 what was traded. The incident that triggered  
15 this email was post offices could no longer  
16 trade, so it's nothing to do with integrity;  
17 it's to do with the ability of the business, the  
18 business impact of not being able to trade.

19 **Q.** "Quite simply there have been too many incidents  
20 where poor execution of change has caused  
21 a problem in live."

22 Isn't that a broader complaint coming from  
23 the Post Office, that there had been too many  
24 incidents. Rather than just focusing on the one  
25 Oracle issue, this is a broader complaint, isn't

115

1 Daily Mail. That will do damage to the  
2 reputation of both our businesses."

3 This is quite an angry email, I think it's  
4 fair to say. Do you remember it?

5 **A.** I remember with David Keeling drafting  
6 a response on behalf of Gavin, yes.

7 **Q.** That's the document that you were provided with.

8 **A.** Yes.

9 **Q.** But do you remember the actual -- seeing this  
10 email that was forwarded to you?

11 **A.** Yes.

12 **Q.** Yes? Do you remember what "today's issue" was?

13 **A.** The Oracle. The Oracle bug that caused  
14 an intermittent failure to all the pilot post  
15 offices.

16 **Q.** So a significant issue?

17 **A.** Yes.

18 **Q.** Do you think that a letter of this nature was  
19 justified?

20 **A.** I think, as I -- so I'd imagine that David Smith  
21 is under a lot of pressure from the business  
22 because having service outages at the pilot post  
23 offices for a period of time, which is losing  
24 business for those subpostmasters and Crown  
25 Offices, plus requiring compensation, David

114

1 it?

2 **A.** I believe that the Oracle issue triggered this.

3 My understanding is that the previous issues  
4 that have been referred to, have been to do with  
5 maintenance releases that's gone out to the  
6 Horizon estate, was my understanding at the  
7 time.

8 **Q.** So does nothing in this email cause you concern  
9 or to question a statement that the counter  
10 system had integrity?

11 **A.** Had issues with integrity? No.

12 **Q.** We'll look at the response. It's FUJ00094958.  
13 This is a draft response. So in the email we've  
14 just seen, if we scroll up, or we may have  
15 passed it already but in the email we've just  
16 seen it says:

17 "Please see Gavin's note below and Dave  
18 Smith's mail. I've attached a draft note."

19 So that is David Keeling has sent you this  
20 note in response. Do you recall this?

21 **A.** He sent Gavin Bounds this note in response and  
22 I, with David Keeling, drafted this response.

23 **Q.** So you drafted the response?

24 **A.** With David, yes.

25 **Q.** It starts:

116

1 "In response to your note of Friday, I do  
2 understand your concern regarding outages being  
3 contributed to by operational changes in the  
4 live estate and had already enforced the message  
5 of rigorous change control [access] across our  
6 technical and service management teams."

7 I'll move to the final paragraph, it says:

8 "The conflicting needs for deployment  
9 progression and stabilisation [that's the issue  
10 we were talking about earlier] is always  
11 a challenge; which we recognise. However we are  
12 striving to demonstrate stability and continuing  
13 improvements to the existing Horizon Online  
14 branches."

15 So that was a draft response. Are you aware  
16 of whether that response was sent or not?

17 **A.** I assume it was, but I don't know -- if it was,  
18 I was not copied on it, or I don't recall being  
19 copied on it.

20 **Q.** So nothing in the David Smith email caused you  
21 concern with regards to the integrity of the  
22 system. Can we look at FUJ00094958 -- actually,  
23 sorry, FUJ00095107. Did you not think in that  
24 email that Mr Smith himself was questioning the  
25 integrity of the system?

117

1 expressing a frustration that the changes that  
2 were being made were causing other problems,  
3 wasn't he?

4 **A.** Impact to the business, yes, whether --

5 **Q.** Well, impact to the system, as well as the  
6 business.

7 **A.** Could you put the email up again, please?

8 **Q.** Absolutely. If we go back to FUJ00094958. It's  
9 the first paragraph of the bottom email on that  
10 page. He refers to the recent events. He says:

11 "Quite simply there have been too many  
12 incidents where poor execution of change has  
13 caused a problem in live."

14 He's not confining that to some sort of  
15 business problem. I mean, does it not read as  
16 though it's concerned impact on the Horizon  
17 System and problems with the Horizon System,  
18 or --

19 **A.** Okay, so that's very wide. Okay, I don't know  
20 what he meant by that.

21 **Q.** Let's look at FUJ00095107. I'm only going to  
22 deal with this email briefly. Before it comes  
23 on screen, I can tell you it's an email from  
24 Geoff Butts. You're included in the copy list.  
25 It's 6 April, so we're now moving to April, and

119

1 Sorry, putting aside this that's document on  
2 screen currently, the earlier communication from  
3 David Smith from the Post Office, did you not  
4 think that he himself was questioning the  
5 integrity of the system?

6 **A.** I read that document that he was raising  
7 concerns that when changes are made in to the  
8 production system, there's impact against the  
9 business, such as the Oracle issue which has  
10 caused a, you know, lack of trading. It  
11 didn't -- I didn't read it as "I have concerns  
12 on the integrity of the system". He said he is  
13 concerned that, as part of our process of  
14 releasing change into the production, we appear  
15 to disrupt the business.

16 **Q.** Because changes affect other parts of system,  
17 which then can cause errors in the system?

18 **A.** I'm not going to come to that conclusion.

19 **Q.** We've heard in this Inquiry about things like  
20 code regression, when you change code it may  
21 have a negative impact somewhere else, or  
22 something along those lines. Was his complaint  
23 not that --

24 **A.** Code regression?

25 **Q.** I'm taking that as an example. His email was

118

1 he says:

2 "I was asked to provide some criteria for  
3 restarting the High Volume Pilot."

4 He sets out various matters there. You have  
5 added in the issues in square brackets, and by  
6 way of example, we can look at five. This is  
7 the Oracle issue, it says:

8 "A significant reduction in the number of  
9 Oracle 3136 errors seen in live."

10 I think that's your comment:

11 "What is the point of this? The main issue  
12 around Oracle 3136 errors was that it sent the  
13 BRDB into a non-recoverable 'spin' which led to  
14 catastrophic failures."

15 Can you expand? Can you tell us what you  
16 were saying there?

17 **A.** What I'm saying is you can't have a reduction in  
18 the number of Oracle 3136 error messages. If  
19 that error message occurs, you have  
20 a catastrophic failure. Therefore, we have to  
21 fix it before we go forward. We can't have  
22 a reduction.

23 **Q.** We have there nine individual numbered examples  
24 or issues. The number of issues raised here and  
25 your comment on, for example, that Oracle issue,

120

1 again, it doesn't sit well with a commitment to  
 2 the integrity of the system at that time, does  
 3 it?  
 4 **A.** I don't recognise the BAL failures. I don't  
 5 recognise what branch database failures mean in  
 6 the context of (unclear). I clearly didn't  
 7 understand what number 3 was. Outages are not  
 8 integrity related. Number 5 is not integrity  
 9 related. Number 6 is not integrity related.  
 10 **Q.** So you were satisfied at this stage still --  
 11 **A.** Number 7 is a wide -- so, from my recollection,  
 12 those that had a material impact or potential  
 13 impact on integrity of the solution we took very  
 14 seriously and we took to resolution.  
 15 **Q.** Were you open and honest and upfront with the  
 16 Post Office about that?  
 17 **A.** Yes.  
 18 **Q.** Always?  
 19 **A.** Yes.  
 20 **Q.** Let's look at POL00033100. This is the  
 21 acceptance report for HNG-X. It's dated in the  
 22 bottom right-hand corner, 7 July 2010. We have,  
 23 in this document, if we turn to page 9, we can  
 24 see acceptance criteria. I only need to look at  
 25 those very briefly. But by this stage, the

121

1 in simple terms, that the process that -- so the  
 2 overnight cash handling process was a process  
 3 that Post Office had to ensure that there was  
 4 adequate cash levels in each of the branches or  
 5 ATMs. They don't want too much cash at a branch  
 6 they don't want too little cash in the branch  
 7 because if they have too little they run out,  
 8 they have to have emergency releases and things,  
 9 that cost them money.  
 10 So part of the Horizon, and in the HNG-X  
 11 system, will provide a statement called the  
 12 ONCH, the overnight cash handling statement back  
 13 to the centre to say this is the cash position  
 14 at this branch and that will determine whether  
 15 or not the Post Office deliver cash or pick up  
 16 cash from that Post Office to make sure it has  
 17 the right, adequate levels of cash for its  
 18 business.  
 19 The issue here was, introducing HNG-X, the  
 20 postmaster could do something out of the  
 21 sequence to the process and the information  
 22 going back to the centre about the cash position  
 23 was incorrect. Now, the information of the cash  
 24 position in the statement of accounts in the  
 25 branch was correct and, therefore, it could

123

1 stage of this report, 9 July, it says:  
 2 "there are no outstanding HNG-X High  
 3 Severity Acceptance Incidents."  
 4 That's point (b) under 1.1. I'm going to  
 5 look at page 31 in a little more detail. We  
 6 have on page 31 medium Acceptance Incidents and  
 7 there are two of those at that time. Thank you.  
 8 If we look at the table, it says, Low, 146,  
 9 so there are 146 Acceptance Incidents there;  
 10 medium, 2; high, 0. If we go over the page we  
 11 can look at those medium ones at the bottom of  
 12 that page. The first concerns patch management,  
 13 and the second concerns cash declarations. Do  
 14 you remember the cash declarations issue?  
 15 **A.** I don't recall it, no.  
 16 **Q.** If we turn to page 37, it there summarises that  
 17 Acceptance Incident, the cash declarations  
 18 issue. So TS058. Could I ask you to have  
 19 a quick look at that and see if it brings  
 20 back --  
 21 **A.** Oh, okay, the cash holdings, overnight cash  
 22 holdings. I recognise that one, yes.  
 23 **Q.** Can you tell us what that one was, in simple  
 24 terms?  
 25 **A.** So in simple terms -- goodness. As I recall it

122

1 create a situation where the cash position or  
 2 the delivery or collection of cash to that Post  
 3 Office was incorrect, and Post Office was very  
 4 concerned that if a post office or an ATM ran  
 5 out of cash it causes them extra costs because  
 6 they have to go and do that.  
 7 So this was about a process, in as much as  
 8 to -- needed to be reworked so that the accurate  
 9 cash position is put to the centre, so that they  
 10 can do their cash replenishment.  
 11 **Q.** This was a medium severity incident and one  
 12 that, as you said, the Post Office were not  
 13 happy at all about. I'll take you to the  
 14 contemporaneous email on that it's FUJ00097001.  
 15 Can we look at page 6 and 7 of that. You  
 16 have been copied in to this email chain higher  
 17 up. But if we can look at page 6 and 7. Phil  
 18 Norton sets out, if we could scroll down and  
 19 over to the next page, a whole load of reasons  
 20 why he says it needs to be fixed, and I'll just  
 21 highlight for the sake of time the final  
 22 paragraph. So it says:  
 23 "For all these reasons, this defect needs to  
 24 be fixed as a matter of urgency and, contrary to  
 25 the proposal by Fujitsu, without the raising of

124

1 a CR. The Use Case 'obtain daily cash on hand  
2 statements for SAP ADS' was a retained  
3 functionality UC, and therefore HNG should  
4 operate in the same way as Horizon. It doesn't  
5 and therefore this is a defect -- not a Change.  
6 The paper from Gareth at the foot of this mail  
7 gives more detail of the issue and the proposed  
8 fix."

9 This is still the same issue, isn't it?

10 **A.** This overnight cash handling -- obtain daily  
11 cash on hand statements for SAPADS.

12 **Q.** I don't want to rush you, you can have a little  
13 look above, if you like.

14 **A.** Could you please.

15 **Q.** It says, "This [relates to] the feed to SAPADS  
16 having NO cash information ...

17 "The operation implications of this are  
18 significant -- both to the Network and the Cash  
19 Inventory Team."

20 Or is this a different issue?

21 **A.** I think that might be a different issue.

22 **Q.** So there's another issue --

23 **A.** It might be the same. We need to go back to the  
24 technical experts that resolved this issue.

25 **Q.** We can scroll on, if you like, to see if it

125

1 doesn't and therefore this is a defect -- not  
2 a Change."

3 He's specifically referring to this as  
4 defect.

5 **A.** Okay.

6 **Q.** Do you remember the Post Office in this period,  
7 so June 2010, being concerned and raising those  
8 kinds of concerns?

9 **A.** My -- I don't have a direct recollection, but  
10 Phil Norton is just debating, so I'm making  
11 an assumption that a response went back to Post  
12 Office saying this is a change, not a defect,  
13 and they come back saying they believe it is  
14 a defect and, on further investigation, it was  
15 determined to be a defect.

16 **Q.** Were they right to be angry about it?

17 **A.** I don't know if Phil was angry. I mean, can you  
18 show me the email again?

19 **Q.** Absolutely. It's page 7. "Angry" is my word.  
20 It may not be angry but certainly insistent that  
21 it is a defect not a change, because of the  
22 significant implications it would have.

23 **A.** So this email here, was I copied on this email?

24 **Q.** You were copied in the chain, not copied in the  
25 email.

127

1 assists you. Perhaps the final page, page 10,  
2 is the email from Gareth Jenkins. Do you recall  
3 the Post Office in June 2010, getting angry  
4 about what they called a defect, whether it's  
5 the same issue as mentioned in that Acceptance  
6 Incident or not?

7 **A.** It's probably the same issue.

8 **Q.** Probably is the same issue. Do you remember the  
9 Post Office -- this angry email from Phil  
10 Norton?

11 **A.** And can you show me the email, please?

12 **Q.** Page 7. Page 6 and 7, bottom of page 6, top of  
13 page 7. You'll see, if we scroll up to page 5,  
14 you've been copied in.

15 **A.** This email here from Graham Allen?

16 **Q.** Yeah, you're copied in there.

17 **A.** So this email from Graham Allen you're asking me  
18 about?

19 **Q.** Yes. What I've referred to as the angry email,  
20 it is simply the one I read to you before from  
21 Phil Norton which says:

22 "For all of these reasons, this defect needs  
23 to be fixed as a matter of urgency and, contrary  
24 to the proposal by Fujitsu, without the raising  
25 of a CR, the use [et cetera, et cetera]. It

126

1 **A.** So he's -- I think he's being forceful, that it  
2 needed to be fixed, as a matter of urgency, as  
3 a priority.

4 **Q.** Yes, especially as how close it is to ultimate  
5 acceptance of the system?

6 **A.** Yes.

7 **Q.** Can we look at FUJ00097058, still in June 2010.  
8 Is this a document that you recall? It's  
9 a report by somebody called Penny Thomas.

10 **A.** I don't recall it from the time, but I recall it  
11 from the pack that was presented to me.

12 **Q.** What was the issue with the ARQ return, in very  
13 simple terms, and what's said here to be  
14 duplicate transaction records?

15 **A.** So this is -- I think I may have referred to  
16 this earlier, and mistook another potential  
17 issue, where we have an audit record that we  
18 keep, and there are times, just for -- in any  
19 system, records can be sent twice and previous  
20 system that was dealing with audit records on  
21 Horizon had a facility to detect duplicate  
22 records and then to reconcile those.

23 My understanding of this is that the HNG-X  
24 did not do a similar thing and we had to kind of  
25 put in a facility to identify duplicate records.

128



1 Q. If we scroll down it says:  
 2 "A discussion took place between Alan  
 3 Holmes, Gareth Jenkins and Penny Thomas."  
 4 What were their respective positions?  
 5 A. Well, Gareth Jenkins, again, SME. Penny Thomas,  
 6 I am not sure but Alan Holmes was very much  
 7 working in the requirement space and in also  
 8 the -- I think he was a business analyst.  
 9 Q. Point 3, one of the tasks/actions is:  
 10 "Gareth agreed to draft a statement for  
 11 management review detailing the issue for onward  
 12 transition to [Post Office]."  
 13 Then it says:  
 14 "A separate issue was also identified where  
 15 a seemingly duplicated transaction had  
 16 a different NUM and Gareth agreed to review of  
 17 the detail."  
 18 Do you remember that at all?  
 19 A. No.  
 20 Q. No. If we turn over the page:  
 21 "We need to identify which cases provided  
 22 with ARQ returns since the HNG-X application has  
 23 been live have progressed to prosecution and  
 24 identify whether duplicate records were  
 25 included. We will need POL involvement to  
 129

1 the relationship between this duplication of  
 2 transaction records and its potential impact on  
 3 prosecutions?  
 4 A. I do not recall it.  
 5 Q. This is June 2010. Do you know how long this  
 6 particular issue had been going on for?  
 7 A. No. I've read this email trail for my pack, and  
 8 whilst not an excuse, I always take the last two  
 9 weeks of June off on holiday, so that's my --  
 10 I always do that. I was copied. Geoff  
 11 responded, Geoff being my deputy. I do not  
 12 recall this incident, and it may have been  
 13 resolved because, in reading the email trails,  
 14 there was a fix available. It may have been  
 15 fixed by the time I returned and I wasn't  
 16 briefed about it. I just do not recall it.  
 17 Q. Okay, let's look at page 3. The bottom email  
 18 from Guy Wilkerson. Who was Guy Wilkerson?  
 19 A. Guy Wilkerson was part of our -- legal and  
 20 commercial person that was assigned to the  
 21 account.  
 22 Q. So he's --  
 23 A. Guy was more the commercial, and Jean-Pierre was  
 24 the legal.  
 25 Q. Thank you. Guy says:  
 131

1 ensure all instances are covered. A very quick  
 2 review identifies that both West Byfleet and  
 3 Porters Avenue are included here, to what extent  
 4 is not yet known."  
 5 Are you aware of the relevance of  
 6 prosecutions to this particular issue?  
 7 A. No.  
 8 Q. Can we look at FUJ00097046, please. There is  
 9 subsequent discussion of this issue, and let's  
 10 look at page 4 -- page 3 scrolling down to  
 11 page 4. So at the bottom of page 3, there's  
 12 an email from Penny Thomas. You're not at this  
 13 stage copied in. The subject is "Duplication of  
 14 Transaction Records on ARQ Returns". We have  
 15 here number of ARQs affected, 112; 12 ARQs where  
 16 court action is known, that's the fourth  
 17 entry -- 12 ARQs where court action is known;  
 18 number of cases, two; 8 ARQs where witness  
 19 statement requested but has not been provided;  
 20 number of cases, three.  
 21 Are you aware of the relevance of this ARQ  
 22 information to prosecutions?  
 23 A. No.  
 24 Q. Are you aware of concerns within Fujitsu copied  
 25 in there, Gareth Jenkins from Penny Thomas about  
 130

1 "Penny, would the additional transactions  
 2 make any difference to the charges for  
 3 a subpostmaster?"  
 4 If we scroll up, Penny Thomas says:  
 5 "These are original records which have been  
 6 duplicated when copying to Audit Server. We are  
 7 not suggesting that original records have been  
 8 duplicated.  
 9 "If analysis was undertaken on the audit  
 10 data some transactions would be duplicated; both  
 11 plus and minus (we hope!). Analysis on stock  
 12 units could be out as TI would show duplicated  
 13 transfers and equally would TO. Cash on hand  
 14 analysis would also be out."  
 15 Are you able to assist us with what that  
 16 means?  
 17 A. That means specifically that if you don't spot  
 18 there's a duplicate transaction in the audit  
 19 record, not in the record of accounts in the  
 20 Post Office -- so that is -- there's no  
 21 integrity question on the record of accounts.  
 22 However, if you wanted to take a copy from the  
 23 audit server of what happened, in that account,  
 24 and you don't spot there's a duplicate  
 25 transaction in there, then you may double count  
 132

1 that and you may come to the wrong conclusion.  
 2 **Q.** Is that significant for the prosecution of  
 3 subpostmasters?  
 4 **A.** I don't know.  
 5 **Q.** Is it potentially significant?  
 6 **A.** I don't know how this information was used.  
 7 **Q.** Is it significant to the reliability of the  
 8 data?  
 9 **A.** I don't know how this information was used.  
 10 **Q.** If we scroll up to page 2, we have Gareth  
 11 Jenkins responding. He says:  
 12 "Penny,  
 13 "No, that pretty well covers it. NB there  
 14 is no guarantee that the duplicates are even  
 15 complete sessions in which case the sum of all  
 16 transactions may even be out.  
 17 "In summary, any detailed analysis of the  
 18 finances of a Branch which is done with  
 19 duplicate transactions without realising that  
 20 there are duplicates (and so removing them) will  
 21 give incorrect results."  
 22 Does that strike you as a particularly  
 23 serious problem, given that the Post Office was  
 24 involved in the prosecution of subpostmasters  
 25 and others?

133

1 **A.** So I don't know if I had a BlackBerry, certainly  
 2 didn't have an iPhone. So I would receive  
 3 hundreds of emails a day. When I'm on leave,  
 4 I would probably -- I would have taken my laptop  
 5 and I would have scanned just those emails that  
 6 were directly sent to me, not cc'd me. Because  
 7 if it's sent directly to me, I may need to  
 8 forward that email for someone to action on my  
 9 behalf.  
 10 **Q.** So you made a specific decision to only review  
 11 emails that were sent to you rather than copied  
 12 to you?  
 13 **A.** When I'm on leave, yes.  
 14 **Q.** How did you know they were copied to you until  
 15 you've opened them?  
 16 **A.** Because you've got "to", and "cc", and my email  
 17 system is set up for those emails that are sent  
 18 where I am on a "to" list, and the "cc" list  
 19 goes into another folder.  
 20 **Q.** Even on your phone or whatever, you may have  
 21 been taking on holiday?  
 22 **A.** I didn't have access to emails by my phone. As  
 23 I said, I probably took my laptop on holiday.  
 24 **Q.** Your laptop. From Penny Thomas, she says:  
 25 "Guy, should I hold off advising my

135

1 **A.** If this evidence -- if this, sorry, information,  
 2 this data, was used as part of that evidence,  
 3 yes, it would.  
 4 **Q.** Scrolling up, from Guy Wilkerson:  
 5 "Gareth/Penny,  
 6 "I think we need Alan D'Alvarez or Geoff  
 7 Butts to look at this -- I'd hate to have POL  
 8 raise this as an issue with an HNG-X Acceptance  
 9 Board on Tuesday."  
 10 Do you know why your name is being mentioned  
 11 there.  
 12 **A.** Because there's an acceptance board for HNG-X  
 13 and this is an HNG-X issue.  
 14 **Q.** Do you recall that that was, in fact, the  
 15 acceptance board meeting where there was  
 16 acceptance of the HNG-X system?  
 17 **A.** I -- it was a meeting that was scheduled for  
 18 when I was on leave, but I don't believe it took  
 19 place until later.  
 20 **Q.** If we scroll up, were you back in early July?  
 21 **A.** Yes.  
 22 **Q.** Penny Thomas says to Guy Wilkerson and Gareth  
 23 Jenkins, copied in to you -- would you have  
 24 received emails? I mean, 2010, did you have  
 25 probably a BlackBerry or something at that time?

134

1 counterpart on this issue?"  
 2 So Penny Thomas was at Fujitsu. Presumably  
 3 "counterpart" there is a reference to  
 4 a counterpart at the Post Office?  
 5 **A.** I don't recall what Penny Thomas's name is --  
 6 sorry, role was.  
 7 **Q.** It says there "Security Analyst, Customer  
 8 Services".  
 9 **A.** Okay.  
 10 **Q.** Can we scroll up. From Geoff Butts:  
 11 "Please do not make any communication on  
 12 this issue with POL for the moment. We have  
 13 been looking at this today and are waiting to  
 14 determine if a proposed workaround is adequate.  
 15 I will come back to you either tomorrow or  
 16 Monday on progress."  
 17 Then, above, Guy says:  
 18 "My nose never fails!"  
 19 We've seen in this email chain -- yes, we've  
 20 seen in this email chain reference to criminal  
 21 prosecutions, a number of court cases, a number  
 22 of cases where witness statements have been  
 23 requested, et cetera. Given that the Post  
 24 Office were prosecuting subpostmasters,  
 25 assistants and others during this period, do you

136

1 think it was right for Fujitsu to hold off  
 2 telling the Post Office until they had a fix or  
 3 a workaround?  
 4 **A.** Typically what we would do was make sure we had  
 5 the right information, because if you go to --  
 6 if we go to Post Office and say "We have an  
 7 issue", you get a barrage of questions. It  
 8 appears -- only appears, I've got no facts from  
 9 this email -- that there's a workaround. So to  
 10 go to the Post Office and say "We have this  
 11 issue, here's a workaround", is better than "We  
 12 have an issue", and then get 20 emails in the  
 13 next two or three days of "What are you going to  
 14 do? What can we do?" Et cetera.

15 I don't know the scenario of what Geoff was  
 16 managing at the time. It appears that he wanted  
 17 to review the workaround so that we don't go to  
 18 Post Office and propose something that's  
 19 inappropriate, or it's -- and it's robust.

20 **Q.** Was it a culture within Fujitsu at the time to  
 21 do as you say: to hold off telling the Post  
 22 Office until you found the workaround?

23 **A.** No, until we have a clear definition. In Derby,  
 24 we didn't hold off telling the Post Office but  
 25 we had a clear understanding there was an issue

137

1 to discuss the acceptance of HNG-X shortly  
 2 after? Do you know if this issue was raised  
 3 with the Post Office before acceptance?

4 **A.** I would expect it would have done, with any  
 5 either fix or workaround, yeah.

6 **Q.** You would have expected it to have. Did it?

7 **A.** I don't recall.

8 **Q.** Would it have been wrong if it hadn't been  
 9 raised with the Post Office before acceptance?

10 **A.** Yes.

11 **Q.** Do you think Gareth Jenkins understood the  
 12 significance in relation to the provision of  
 13 that kind of information to a criminal court?

14 **A.** I can only go by what he's written there, but he  
 15 appears to have understood that.

16 **Q.** From your discussions with him, and knowledge of  
 17 him as a person, do you believe that he would  
 18 have known?

19 **A.** Technically he's very able. I don't know his  
 20 knowledge of proceedings and evidence and that.

21 **Q.** And how about Penny Thomas?

22 **A.** As I say, I don't recall Penny. I can see, as  
 23 you've pointed out what her role is, but she was  
 24 in a different department within the account.

25 **Q.** What about those assurances about the integrity

139

1 and what the issue was.

2 **Q.** There seems to be a pretty clear identification  
 3 of what the issue is here, just not the  
 4 workaround?

5 **A.** It says, "To determine if a proposed workaround  
 6 is adequate."

7 So I think Geoff -- I'm making an  
 8 assumption, you had need to ask Geoff Butts  
 9 this -- it appears to me from this email he's  
 10 reviewing a workaround, and before he discusses  
 11 it with Post Office, he doesn't want to propose  
 12 something that then we have to withdraw.

13 **Q.** Given that it might impact on whether  
 14 information that's being provided in a criminal  
 15 court is correct or not, do you think it was  
 16 right to hold off telling POL at that stage?

17 **A.** If it was going to be within a day to go back  
 18 with them, that could have been an appropriate  
 19 action.

20 **Q.** Is there any indication there, it says "We've  
 21 been looking at this today", but is there any  
 22 indication that it was going to happen then and  
 23 there? The reason I ask is --

24 **A.** You need to ask Geoff.

25 **Q.** -- is it significant that there was the meeting

138

1 of the system that we've been discussing all day  
 2 today? Do you think they were undermined by  
 3 this issue?

4 **A.** So the integrity of the cash account and  
 5 integrity of the statement of record of what  
 6 happened at a branch, this issue does not  
 7 impact.

8 **Q.** But it impacts on information that's purporting  
 9 to show the integrity of the system, or a system  
 10 that has integrity?

11 **A.** It shows a management information system has  
 12 duplicate records, yes.

13 **Q.** Quickly, can we go to FUJ00097080. This is the  
 14 final email in that chain, 24 June, or the final  
 15 email we have in that chain, 24 June. In fact  
 16 that's the same one as I've just been showing  
 17 you.

18 Can we go back, please, to POL00033100.  
 19 This is the acceptance report we've already  
 20 looked at, 7 July. Shortly after this email  
 21 chain, you're presumably back in the country by  
 22 this stage?

23 **A.** Yes.

24 **Q.** Can we look at page 4. So version 1 was issued  
 25 to the Acceptance Board on 23 June. That's the

140

1 bottom of that page. If we scroll down to  
 2 7 July:  
 3 "This has been updated to reflect changes  
 4 presented to the board arising from new  
 5 Acceptance Incidents", et cetera.  
 6 I believe the meeting actually may have  
 7 taken place on 29 June. Were you at the  
 8 meeting?  
 9 **A.** If it was on 29 June, I would not have been.  
 10 **Q.** Are you sure that you weren't at this meeting?  
 11 Would you have been invited to this meeting?  
 12 **A.** I would have been invited, yes.  
 13 **Q.** Do you recall the final meeting where HNG-X was  
 14 accepted? I may be wrong on the date of the  
 15 29th.  
 16 **A.** I remember attending a meeting in Old Street for  
 17 the acceptance, yes.  
 18 **Q.** At that meeting, before this was published and  
 19 finalised, did you, or anybody at Fujitsu, to  
 20 the best of your knowledge, raise that very  
 21 issue that we've just been discussing?  
 22 **A.** I don't recall.  
 23 **Q.** Because Fujitsu were holding off telling POL  
 24 until they may have a workaround. Do you recall  
 25 anyone informing the Post Office either that

141

1 Would I be wrong to say that?  
 2 **A.** I think you would.  
 3 **Q.** Not telling POL about a significant issue at  
 4 this period, during this period, sounds quite  
 5 significant. Am I wrong on that?  
 6 **A.** I don't know whether POL was told or not.  
 7 **Q.** But there's an email chain that said "Hold off  
 8 telling them"?  
 9 **A.** For a day or two.  
 10 **Q.** Does it say "a day or two"?  
 11 **A.** It says "until tomorrow or Monday." That's what  
 12 I read, sorry. I may have misread that.  
 13 **Q.** It says, "I'll come back to you either today or  
 14 Monday on progress." That's Guy Wilkerson to  
 15 Geoff.  
 16 **A.** Or Geoff to Guy Wilkerson, I would have thought.  
 17 **Q.** "Guy/Penny, please don't make any communication  
 18 on this issue for the moment. We've been  
 19 looking at this today and are waiting to  
 20 determine if a proposed workaround is adequate.  
 21 I'll come back to you either tomorrow or Monday  
 22 on progress."  
 23 **A.** Okay.  
 24 **Q.** So it's not saying that they will come back to  
 25 POL on that issue.

143

1 there was a problem with the ARQ returns, or  
 2 that that had been resolved?  
 3 **A.** I don't recall. It may have been fixed by that  
 4 point.  
 5 **Q.** Do you think it would have been right to have  
 6 told the Post Office, before HNG-X was accepted,  
 7 about that issue?  
 8 **A.** Yes, but if it was fixed it wouldn't be part of  
 9 the acceptance report.  
 10 **Q.** Well, it may be a concern, though. I mean we've  
 11 seen that email from the Post Office about  
 12 another defect, and I can't remember whether --  
 13 I used "angry", you used "forceful" as the word.  
 14 Wouldn't raising this issue with the Post Office  
 15 have received a forceful response of some sort  
 16 that may call into question acceptance?  
 17 Something of such significance?  
 18 **A.** I don't recall. As I say, Geoff obviously led  
 19 this. I don't know whether it was fixed  
 20 immediately, how quickly it was fixed. The  
 21 email trail which I read -- which, when I saw  
 22 this, seemed to suggest there was a fix. But --  
 23 **Q.** To use -- I think I'll borrow words from  
 24 Mr Stein -- that email chain we saw, it looks as  
 25 though it's a bit of a cover-up at that time.

142

1 **A.** No.  
 2 **Q.** "Tomorrow or Monday".  
 3 Very finally, the very final document I'll  
 4 take you to --  
 5 **SIR WYN WILLIAMS:** Before you do that, Mr Blake, is  
 6 there any evidence that you have seen, written  
 7 evidence, which shows whether or not POL was  
 8 told?  
 9 **MR BLAKE:** Are you asking Mr D'Alvarez?  
 10 **SIR WYN WILLIAMS:** I'm asking both of you, in truth.  
 11 You as Counsel to the Inquiry, in case there was  
 12 a document one way or the other, but I rather  
 13 doubt, given the nature of your questions.  
 14 So I'll ask you, Mr D'Alvarez: have you ever  
 15 seen a document which demonstrates that POL was  
 16 told of this issue?  
 17 **A.** I don't recall seeing one.  
 18 **SIR WYN WILLIAMS:** Right, fine. So if there is such  
 19 a document, no doubt either POL or Fujitsu will  
 20 disclose it.  
 21 **MR BLAKE:** Yes. Ms Page actually has direct  
 22 involvement in this matter to some extent, and  
 23 she may be able to briefly address you on that.  
 24 **SIR WYN WILLIAMS:** Well, I don't need to be  
 25 addressed. If there is a document, no doubt --

144

1 which exists now -- the relevant party will  
2 disclose it. And I'm just asking them to do it,  
3 basically.

4 **MR BLAKE:** Thank you.

5 Final document is FUJ00097140. This is  
6 an email from Graham Welsh, the Migration  
7 Governance Manager. He says:

8 "For the avoidance of any doubt, please  
9 ensure this is cascaded to all the teams. All  
10 the hard work and long hours of the past months  
11 has achieved a position whereby we've entered  
12 into rollout."

13 So 30 June 2010 is confirming that they had  
14 entered into rollout. So shortly after this  
15 email chain. Is that your recollection?

16 **A.** What's the date of this?

17 **Q.** 30 June 2010.

18 **A.** I mean, I don't recall the dates but I do recall  
19 we entered into --

20 **Q.** Are you aware of anything occurring between  
21 24 June and 29 June in regards to that issue, in  
22 communication with the Post Office?

23 **A.** I don't recall anything, no.

24 **MR BLAKE:** Thank you, sir. Those are all of my  
25 questions. I think Ms Page -- no, she doesn't.

145

1 **Q.** Were you aware of the contact with postmasters?

2 **A.** So contact with postmasters, I know there was  
3 a programme led by Graham Welsh, who was  
4 leading, with Geoff Butts, the Hypercare Team to  
5 get feedback. Myself and Mark Burley visited  
6 post offices and spent a morning with post  
7 offices that were having particular  
8 difficulties, to get their feedback and to give  
9 explanations as to what we're doing, and moving  
10 forward. So I personally visited post offices  
11 with Mr Burley.

12 **Q.** In relation to attending the NFSP meeting, in  
13 conjunction with POL programme, did POL have any  
14 involvement in that connection?

15 **A.** When you say "the POL programme", I believe that  
16 reference is to Mark Burley. So Mark had  
17 a standing -- I don't know what he called it,  
18 but he had a committee where he had  
19 representatives from I think both Crown Offices  
20 and postmasters. And we attended those  
21 meetings, as well, as -- to give explanations on  
22 some of the issue that they are seeing what our  
23 approach is to resolution of those issues, so  
24 yes.

25 **MR WHITTAM:** Thank you.

147

1 Mr Whittam has a question or two.

2 **Questioned by MR WHITTAM**

3 **MR WHITTAM:** Very shortly, please, sir.

4 **SIR WYN WILLIAMS:** Of course.

5 **MR WHITTAM:** Richard Whittam on behalf of Fujitsu.

6 I'd be grateful if we could have FUJ00094959 on  
7 the screen, please.

8 Just returning to this, the response you  
9 drafted to what Mr Blake described as the "angry  
10 email" from Dave Smith. When it comes up, if we  
11 look at the fifth paragraph down.

12 "It's already been agreed and acknowledged  
13 that our prime objective is to minimise  
14 disruption and the ability of the branch network  
15 to trade. I am acutely aware of the support and  
16 tolerance of the postmasters and postmistresses  
17 in the HNG-X pilot, and recognise their  
18 patience. To that end, for the last four weeks  
19 we have been proactively calling the PMs in the  
20 pilot to gauge their experiences and to provide  
21 feedback on any issues they had logged to date.  
22 We have also attended the recent NFSP meeting in  
23 conjunction with POL programme."

24 You drafted that. Was that accurate?

25 **A.** I drafted that with Dave Keeling, yes.

146

1 Thank you, sir. That's all I ask.

2 **MR BLAKE:** Sir, Mr Moloney has a very brief question  
3 as well.

4 **SIR WYN WILLIAMS:** Yes.

5 **Questioned by MR MOLONEY**

6 **MR MOLONEY:** Thank you, sir.

7 Mr D'Alvarez, I represent subpostmaster Core  
8 Participants. I've just got one technical  
9 matter to ask you about, and that's the swapping  
10 out of a base unit in a branch. You may  
11 remember that this morning Mr Blake asked you  
12 about issues in the Warwick branch in  
13 February 2010. At a meeting on 11 February it  
14 was noted that there were new BTS issues in  
15 Warwick and the base unit was to be swapped out,  
16 but that was noted as not setting a precedent,  
17 yes? Why were you concerned that it shouldn't  
18 set a precedent?

19 **A.** I wasn't -- when you say -- it's a case of if  
20 you have issues as an office, and because it was  
21 in the pilot site, we wanted to make sure, belt  
22 and braces, that once we've done that, we'd got  
23 a clean view as to what we'd done. I don't  
24 recall the exact nature of why they chose to  
25 swap out the base unit. But if we state what we

148

1 should do every time there's an issue, we should  
 2 make sure we swap out the base unit, that would  
 3 be very disruptive and also costly, and it will  
 4 serve no real purpose. But I do not recall the  
 5 decision making to do that, other than it looks,  
 6 in what I read this morning, like a -- and as  
 7 a belt and braces, let's make sure they have  
 8 a clean start so we eradicate every possibility  
 9 of what could have caused the fault.  
 10 **Q.** So, in essence, it would be important, in order  
 11 to be able to establish what may have gone  
 12 wrong?  
 13 **A.** Yeah, and it was in the pilot. So in the pilot  
 14 we put so much additional support, so much  
 15 additional more analysis. We want to know  
 16 everything that's going on to assure ourselves  
 17 that when we roll out to a large number of  
 18 offices, that it's as robust as we can make the  
 19 solution and the system.  
 20 **Q.** Would you, as a matter of principle, make  
 21 a distinction between the pilot and, as it were,  
 22 ordinary operations, post-rollout, in that  
 23 regard?  
 24 **A.** Yes. A pilot is a test phase.  
 25 **Q.** But would, if there were problems experienced  
 149

1 within an office, would substituting the process  
 2 of swapping it out be a solution that one would  
 3 try?  
 4 **A.** It depends what the issue is.  
 5 **Q.** So in some circumstances it might be right and  
 6 in others it might not?  
 7 **A.** Correct.  
 8 **Q.** In some circumstances you might want to  
 9 investigate whether or not there was an issue  
 10 with the process before -- well, after you'd  
 11 swapped it out?  
 12 **A.** Correct.  
 13 **MR MOLONEY:** Thank you, Mr D'Alvarez.  
 14 **SIR WYN WILLIAMS:** Is that it, Mr Blake?  
 15 **MR BLAKE:** That is it, but I have an answer, and  
 16 a document will be going up on CP View to Core  
 17 Participants in due course. But I've certainly  
 18 just seen correspondence from 30 June, so that  
 19 is the day the email was sent about having  
 20 completed rollout, or entered into rollout, from  
 21 Fujitsu to the Post Office. So there was a --  
 22 so we have the email from Graham Welsh that we  
 23 saw of 30 June at 9.30 in the morning about  
 24 having entered a position whereby they have  
 25 entered rollout. There is an email that will be  
 150

1 coming in due course -- it's unlikely to be an  
 2 email for this witness, it will likely be an  
 3 email for other witnesses -- of the same day in  
 4 which the Post Office are told by Fujitsu of the  
 5 ARQ problem.  
 6 **SIR WYN WILLIAMS:** Right. Fine. Well, no doubt  
 7 that will be put in evidence when appropriate.  
 8 So thank you, Mr D'Alvarez, for giving  
 9 evidence for the second time to the Inquiry.  
 10 Thank you, too, for being flexible enough to  
 11 give evidence today without having a proper  
 12 lunch break, and I extend that thanks to  
 13 everyone else in the room. That was primarily  
 14 for my convenience, so I should own up to that.  
 15 I have inconvenienced you all, but I'm grateful  
 16 to you all.  
 17 So we'll see you again at 10.00 tomorrow,  
 18 yes, Mr Blake?  
 19 **MR BLAKE:** Yes. Thank you very much.  
 20 **SIR WYN WILLIAMS:** Thank you very much.  
 21 (2.08 pm)  
 22 (The hearing adjourned until 10.00 am  
 23 the following day)  
 24  
 25

**I N D E X**

ALAN D'ALVAREZ (sworn) .....	1
Questioned by MR BLAKE .....	1
Questioned by MR WHITTAM .....	146
Questioned by MR MOLONEY .....	148

<p><b>MR BLAKE: [22]</b> 1/3 1/6 1/10 27/21 44/7 55/16 71/16 72/3 72/9 72/12 72/19 111/5 111/14 111/20 111/24 144/9 144/21 145/4 145/24 148/2 150/15 151/19</p> <p><b>MR MOLONEY: [2]</b> 148/6 150/13</p> <p><b>MR WHITTAM: [3]</b> 146/3 146/5 147/25</p> <p><b>SIR WYN WILLIAMS: [20]</b> 1/5 27/16 43/4 43/9 55/14 71/21 72/6 72/10 72/15 111/10 111/18 144/5 144/10 144/18 144/24 146/4 148/4 150/14 151/6 151/20</p> <hr/> <p>'</p> <p><b>'different' [1]</b> 113/12 <b>'if' [1]</b> 97/17 <b>'it' [1]</b> 97/7 <b>'obtain [1]</b> 125/1 <b>'Reset [1]</b> 9/18 <b>'screen [1]</b> 18/4 <b>'spin' [1]</b> 120/13 <b>'Stability' [1]</b> 51/9</p> <hr/> <p><b>0</b></p> <p><b>01.08 [1]</b> 33/10 <b>04 [1]</b> 10/13</p> <hr/> <p><b>1</b></p> <p><b>1.00 [2]</b> 71/23 72/7 <b>1.1 [1]</b> 122/4 <b>1.10 [2]</b> 111/11 111/23 <b>1.30 [2]</b> 111/12 111/15 <b>10 [9]</b> 13/10 13/25 14/20 14/24 17/15 32/11 32/18 92/12 126/1 <b>10 March [1]</b> 96/22 <b>10.00 [3]</b> 1/2 151/17 151/22 <b>100 [5]</b> 103/18 104/5 104/6 104/9 104/13 <b>101 [1]</b> 48/19 <b>11 [1]</b> 45/13 <b>11 February [1]</b> 148/13 <b>11 February 2010 [1]</b> 24/21 <b>11 March [3]</b> 49/10 50/16 51/12 <b>11 March 2010 [2]</b> 44/21 52/2 <b>11.30 [1]</b> 55/8</p>	<p><b>11.35 [1]</b> 72/16 <b>11.57 [1]</b> 72/18 <b>112 [1]</b> 130/15 <b>12 [4]</b> 13/25 92/12 130/15 130/17 <b>12.53 [1]</b> 111/21 <b>12th March [1]</b> 51/16 <b>146 [4]</b> 50/8 50/8 122/8 122/9 <b>147.01 [1]</b> 51/6 <b>148.01 [1]</b> 50/13 <b>15 [1]</b> 111/7 <b>15 minutes [2]</b> 53/15 111/9 <b>175 [2]</b> 101/17 101/18 <b>18 February [2]</b> 27/22 30/18 <b>190 [1]</b> 61/11</p> <hr/> <p><b>2</b></p> <p><b>2 March [1]</b> 93/15 <b>2.0 [1]</b> 101/20 <b>2.08 [1]</b> 151/21 <b>20 [2]</b> 20/15 137/12 <b>20 minutes [1]</b> 72/11 <b>20-minute [1]</b> 111/7 <b>200 [1]</b> 10/9 <b>2005 [1]</b> 3/9 <b>2007 [1]</b> 2/14 <b>2009 [2]</b> 2/5 95/22 <b>2010 [24]</b> 4/12 13/11 24/21 30/19 44/21 52/2 57/16 72/22 77/4 78/12 93/16 93/17 103/4 111/25 112/2 121/22 126/3 127/7 128/7 131/5 134/24 145/13 145/17 148/13 <b>2023 [1]</b> 1/1 <b>20th February [1]</b> 29/6 <b>22 February [1]</b> 103/19 <b>22nd February [1]</b> 103/14 <b>23 February 2023 [1]</b> 1/1 <b>23 June [1]</b> 140/25 <b>24 [1]</b> 140/14 <b>24 February 2010 [1]</b> 93/17 <b>24 June [2]</b> 140/15 145/21 <b>24th February [1]</b> 103/5 <b>25 [1]</b> 7/1 <b>25 February [1]</b> 45/3 <b>25 per cent [2]</b> 5/12 5/20 <b>250 [2]</b> 5/23 7/5 <b>26 March 2010 [1]</b> 112/2 <b>28 January 2010 [2]</b></p>	<p>4/12 13/11 <b>28th January 2010</b> <b>[1]</b> 78/12 <b>29 June [3]</b> 141/7 141/9 145/21 <b>29 March [1]</b> 66/1 <b>29th [1]</b> 141/15</p> <hr/> <p><b>3</b></p> <p><b>3 February [1]</b> 17/11 <b>3 March 2010 [1]</b> 72/22 <b>3,000 [1]</b> 7/2 <b>3.19 [2]</b> 101/6 109/12 <b>3.20 [4]</b> 84/25 101/11 109/12 109/14 <b>3.6 [1]</b> 108/13 <b>30 [3]</b> 145/17 150/18 150/23 <b>30 June 2010 [1]</b> 145/13 <b>30 minutes [1]</b> 53/16 <b>31 [2]</b> 122/5 122/6 <b>3136 [3]</b> 120/9 120/12 120/18 <b>37 [1]</b> 122/16 <b>3rd [1]</b> 78/18</p> <hr/> <p><b>4</b></p> <p><b>4' [1]</b> 9/18 <b>4.5 [2]</b> 85/22 85/22 <b>4.6 [4]</b> 85/22 87/1 89/19 92/14 <b>42175 [1]</b> 105/18 <b>45 days [1]</b> 20/19 <b>4th February [1]</b> 103/4</p> <hr/> <p><b>5</b></p> <p><b>50 per cent [4]</b> 5/13 5/21 7/1 7/1</p> <hr/> <p><b>6</b></p> <p><b>6 April [1]</b> 119/25 <b>6,000 [1]</b> 7/2</p> <hr/> <p><b>7</b></p> <p><b>7 July [2]</b> 140/20 141/2 <b>7 July 2010 [1]</b> 121/22</p> <hr/> <p><b>8</b></p> <p><b>8 April [2]</b> 66/2 67/18 <b>8 April 2010 [1]</b> 57/16</p> <hr/> <p><b>9</b></p> <p><b>9 February [1]</b> 77/4 <b>9 July [1]</b> 122/1 <b>9.30 in [1]</b> 150/23</p> <hr/> <p><b>A</b></p> <p><b>ability [2]</b> 115/17</p>	<p>146/14 <b>able [18]</b> 4/21 7/7 19/16 27/4 28/13 34/23 55/9 55/10 60/19 70/8 94/2 95/16 110/4 115/18 132/15 139/19 144/23 149/11 <b>about [70]</b> 1/25 2/1 2/2 3/19 3/23 4/18 7/6 11/21 14/11 18/18 22/5 22/7 24/24 33/3 33/15 38/8 38/25 43/18 47/20 49/22 50/15 52/17 52/18 54/14 55/8 55/18 56/1 63/2 63/12 72/14 73/20 75/18 76/7 76/17 89/10 91/17 92/14 92/15 95/15 95/23 95/24 97/25 98/6 98/16 99/23 101/12 108/8 110/7 115/3 117/10 118/19 121/16 123/22 124/7 124/13 126/4 126/18 127/16 130/25 131/16 139/21 139/25 139/25 142/7 142/11 143/3 148/9 148/12 150/19 150/23 <b>above [6]</b> 51/12 59/14 73/13 73/16 125/13 136/17 <b>abreast [2]</b> 33/18 33/20 <b>absolutely [10]</b> 11/19 62/22 64/22 72/3 82/7 83/8 88/10 95/20 119/8 127/19 <b>accept [3]</b> 16/20 23/17 67/23 <b>acceptability [1]</b> 31/5 <b>acceptable [4]</b> 16/20 31/3 45/1 53/10 <b>acceptance [25]</b> 9/8 9/13 9/15 10/7 121/21 121/24 122/3 122/6 122/9 122/17 126/5 128/5 134/8 134/12 134/15 134/16 139/1 139/3 139/9 140/19 140/25 141/5 141/17 142/9 142/16 <b>accepted [4]</b> 16/22 19/15 141/14 142/6 <b>accepting [1]</b> 11/23 <b>access [2]</b> 117/5 135/22 <b>accordance [2]</b> 60/1 68/10 <b>account [14]</b> 3/8 36/18 36/19 38/5 38/9 68/23 84/16 84/19 88/24 89/7 131/21</p>	<p>132/23 139/24 140/4 <b>accounts [4]</b> 99/10 123/24 132/19 132/21 <b>accuracy [2]</b> 75/3 75/4 <b>accurate [6]</b> 43/6 75/1 97/16 100/11 124/8 146/24 <b>achieve [2]</b> 11/11 72/5 <b>achieved [3]</b> 5/3 51/8 145/11 <b>acknowledged [2]</b> 38/4 146/12 <b>across [5]</b> 17/23 47/5 104/8 108/12 117/5 <b>action [27]</b> 40/3 42/7 42/14 47/9 50/23 51/6 57/5 57/12 59/18 59/25 60/16 60/18 60/20 60/25 66/9 66/16 66/23 68/4 79/15 92/22 97/19 113/10 113/19 130/16 130/17 135/8 138/19 <b>actions [4]</b> 13/10 80/9 107/5 129/9 <b>activities [1]</b> 20/4 <b>actual [2]</b> 32/16 114/9 <b>actually [21]</b> 10/25 11/1 16/7 35/22 38/14 53/24 60/17 61/14 62/22 62/23 82/10 83/13 84/12 91/10 101/1 101/11 102/5 103/22 117/22 141/6 144/21 <b>acutely [1]</b> 146/15 <b>AD [1]</b> 5/3 <b>added [3]</b> 28/10 102/25 120/5 <b>additional [11]</b> 7/22 13/19 34/11 69/22 88/25 90/9 90/18 105/12 132/1 149/14 149/15 <b>address [1]</b> 144/23 <b>addressed [4]</b> 30/23 50/20 95/13 144/25 <b>addresses [4]</b> 17/10 56/25 63/5 83/17 <b>addressing [1]</b> 83/19 <b>adequate [6]</b> 51/10 123/4 123/17 136/14 138/6 143/20 <b>adjourned [1]</b> 151/22 <b>adopted [1]</b> 67/15 <b>ADS' [1]</b> 125/2 <b>advanced [1]</b> 26/25 <b>advantage [1]</b> 8/17 <b>advice [15]</b> 35/2 47/23 58/9 63/24 67/12 86/21 95/5 99/2</p>
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<b>A</b>	20/17 26/8 28/13 29/13 29/18 31/7 31/22 31/25 32/5 39/20 41/11 41/12 44/4 46/8 49/17 50/19 53/14 55/3 56/10 58/8 59/5 59/5 64/23 71/21 72/1 72/2 72/8 73/21 80/24 81/24 88/12 88/16 99/4 107/18 107/20 111/18 111/19 114/14 124/13 124/23 126/22 129/18 130/1 133/15 140/1 145/9 145/9 145/24 148/1 151/15 151/16 <b>Allen [5]</b> 71/5 73/17 77/5 126/15 126/17 <b>allow [1]</b> 86/7 <b>allows [1]</b> 8/19 <b>along [3]</b> 47/4 115/9 118/22 <b>alongside [1]</b> 76/2 <b>already [10]</b> 1/15 2/1 3/25 6/1 26/11 80/18 116/15 117/4 140/19 146/12 <b>also [29]</b> 5/1 5/11 9/25 23/6 24/15 35/19 40/14 47/18 54/5 59/4 63/12 64/16 67/10 83/20 91/15 92/6 95/8 98/7 98/14 101/16 106/18 107/21 109/20 113/13 129/7 129/14 132/14 146/22 149/3 <b>alternative [1]</b> 21/20 <b>alternatives [1]</b> 24/2 <b>although [3]</b> 23/14 56/21 100/10 <b>always [13]</b> 11/17 20/15 31/17 34/21 36/11 37/22 64/18 70/2 70/5 117/10 121/18 131/8 131/10 <b>am [12]</b> 1/2 19/25 27/20 45/20 72/16 72/18 105/15 129/6 135/18 143/5 146/15 151/22 <b>amongst [2]</b> 12/16 12/19 <b>amount [10]</b> 4/22 4/24 5/19 7/7 7/14 7/16 7/18 8/5 14/3 14/3 <b>analysis [14]</b> 5/2 6/15 6/17 77/8 78/25 90/20 90/21 91/4 91/18 132/9 132/11 132/14 133/17 149/15 <b>analyst [2]</b> 129/8 136/7 <b>Andrews [1]</b> 71/9	<b>angry [10]</b> 114/3 126/3 126/9 126/19 127/16 127/17 127/19 127/20 142/13 146/9 <b>another [14]</b> 27/22 49/2 71/25 86/9 103/24 104/3 104/23 105/4 105/5 105/9 125/22 128/16 135/19 142/12 <b>answer [3]</b> 57/9 59/21 150/15 <b>answers [3]</b> 56/12 56/14 115/2 <b>any [65]</b> 8/23 17/5 28/22 29/8 31/12 34/23 35/20 36/9 39/11 40/2 40/16 42/6 42/13 45/5 50/3 56/5 56/16 57/5 57/12 58/24 59/18 59/25 60/15 60/18 60/20 60/25 62/19 62/20 62/20 63/17 64/6 64/7 65/2 65/5 66/9 66/15 66/23 68/3 68/9 69/1 69/12 69/25 69/25 74/1 80/21 82/22 83/14 85/15 94/2 94/4 96/13 98/11 107/22 128/18 132/2 133/17 136/11 138/20 138/21 139/4 143/17 144/6 145/8 146/21 147/13 <b>anybody [4]</b> 36/14 37/9 72/14 141/19 <b>anyone [1]</b> 141/25 <b>anything [12]</b> 8/24 11/11 35/16 36/7 41/8 42/10 80/25 95/9 96/4 110/17 145/20 145/23 <b>Anyway [1]</b> 111/18 <b>Appeal [1]</b> 100/18 <b>appear [2]</b> 105/22 118/14 <b>appeared [1]</b> 105/21 <b>appears [8]</b> 25/13 62/19 106/10 137/8 137/8 137/16 138/9 139/15 <b>application [25]</b> 7/13 26/7 26/10 44/1 77/22 80/11 80/20 81/2 81/16 81/19 81/20 82/3 82/11 83/9 84/8 84/9 84/9 84/10 84/14 84/15 87/4 107/7 107/11 115/8 129/22 <b>applications [1]</b> 38/6 <b>applied [5]</b> 31/24 107/16 107/18 107/21 107/24 <b>apply [2]</b> 48/10 54/2 <b>appointed [1]</b> 41/15	<b>appreciate [1]</b> 93/25 <b>approach [9]</b> 3/12 3/13 12/13 45/17 45/21 45/22 46/22 56/2 147/23 <b>approaches [2]</b> 3/9 45/24 <b>appropriate [18]</b> 3/10 12/20 16/17 28/19 48/18 48/22 54/11 54/12 54/13 71/17 80/10 83/22 86/20 87/3 107/6 111/6 138/18 151/7 <b>appropriately [1]</b> 13/6 <b>approximately [1]</b> 111/12 <b>April [6]</b> 57/16 57/19 66/2 67/18 119/25 119/25 <b>architect [1]</b> 38/4 <b>architects [2]</b> 38/1 38/2 <b>architecture [1]</b> 77/20 <b>are [101]</b> 2/12 2/12 4/10 7/14 7/15 8/6 9/12 9/14 10/13 10/14 10/16 12/4 13/8 13/9 13/10 14/6 19/13 19/18 21/12 26/20 26/21 28/13 29/7 33/20 34/1 35/7 35/17 36/3 38/18 44/20 45/8 45/14 50/3 50/20 52/2 56/5 56/9 56/12 56/14 60/8 60/13 60/24 63/25 65/1 65/20 66/6 66/17 70/8 70/10 71/2 72/7 80/7 80/10 85/17 91/14 94/10 95/2 95/4 96/15 96/15 96/16 101/20 103/17 104/5 107/6 108/24 108/24 110/4 112/2 113/23 113/23 115/3 117/11 117/15 118/7 121/7 122/2 122/7 122/9 125/17 128/18 130/1 130/3 130/5 130/21 130/24 132/5 132/6 132/15 133/14 133/20 135/17 136/13 137/13 141/10 143/19 144/9 145/20 145/24 147/22 151/4 <b>area [4]</b> 30/11 62/7 67/24 77/19 <b>areas [1]</b> 93/3 <b>aren't [1]</b> 25/17 <b>arisen [1]</b> 39/24 <b>arising [1]</b> 141/4 <b>around [13]</b> 5/23	20/15 22/8 28/14 37/12 55/8 65/9 70/16 71/23 72/22 95/24 98/4 120/12 <b>ARQ [6]</b> 128/12 129/22 130/14 130/21 142/1 151/5 <b>ARQs [4]</b> 130/15 130/15 130/17 130/18 <b>arrange [1]</b> 68/15 <b>arranged [2]</b> 28/2 44/1 <b>arrangements [3]</b> 60/2 63/13 68/11 <b>article [1]</b> 95/23 <b>as [180]</b> <b>aside [3]</b> 63/4 90/4 118/1 <b>ask [17]</b> 2/6 22/1 33/1 34/18 40/23 72/20 94/10 99/11 101/18 101/22 122/18 138/8 138/23 138/24 144/14 148/1 148/9 <b>asked [20]</b> 2/21 3/17 4/17 22/16 37/1 37/13 37/16 40/24 42/5 69/17 74/17 74/19 76/13 77/6 82/25 99/5 106/18 110/6 120/2 148/11 <b>asking [14]</b> 37/9 47/18 47/25 89/10 94/15 94/20 95/1 98/9 102/11 105/15 126/17 144/9 144/10 145/2 <b>aspect [1]</b> 36/9 <b>aspects [2]</b> 43/17 46/15 <b>assess [1]</b> 21/9 <b>assessed [1]</b> 5/21 <b>assessment [4]</b> 7/17 12/6 14/17 23/23 <b>assigned [3]</b> 44/3 55/21 131/20 <b>assignment [1]</b> 2/18 <b>assist [15]</b> 28/13 32/4 37/9 59/24 60/10 60/14 63/10 66/14 66/21 68/2 70/9 74/14 107/15 110/4 132/15 <b>assistance [1]</b> 68/14 <b>assistants [1]</b> 136/25 <b>assisting [1]</b> 77/7 <b>assists [1]</b> 126/1 <b>associated [2]</b> 20/5 94/11 <b>assume [5]</b> 37/5 40/21 74/6 77/9 117/17 <b>assumed [1]</b> 89/5 <b>assumption [4]</b> 74/23 75/15 127/11 138/8
----------	---	--	--	---



<p><b>A</b></p> <p><b>assumptions [1]</b> 21/13</p> <p><b>assurance [2]</b> 6/7 70/22</p> <p><b>assurances [1]</b> 139/25</p> <p><b>assure [12]</b> 17/3 29/25 41/9 42/11 53/4 69/23 76/23 86/10 86/11 94/10 95/11 149/16</p> <p><b>asynchronous [1]</b> 87/4</p> <p><b>at [217]</b></p> <p><b>at page 3 [1]</b> 65/25</p> <p><b>at page 4 [1]</b> 140/24</p> <p><b>at page 5 [1]</b> 106/11</p> <p><b>at page 6 [1]</b> 124/15</p> <p><b>ATM [1]</b> 124/4</p> <p><b>atmosphere [1]</b> 22/21</p> <p><b>ATMs [1]</b> 123/5</p> <p><b>attached [5]</b> 37/5 78/4 93/16 94/8 116/18</p> <p><b>attachment [1]</b> 77/23</p> <p><b>attended [3]</b> 4/13 146/22 147/20</p> <p><b>attending [3]</b> 24/23 141/16 147/12</p> <p><b>attention [5]</b> 2/7 8/22 31/10 47/10 96/1</p> <p><b>audit [16]</b> 73/18 73/23 74/8 74/21 74/24 74/25 75/3 75/10 75/10 75/15 128/17 128/20 132/6 132/9 132/18 132/23</p> <p><b>author [1]</b> 106/4</p> <p><b>author's [1]</b> 84/21</p> <p><b>authorisation [1]</b> 9/4</p> <p><b>authors [4]</b> 78/8 78/9 79/19 106/3</p> <p><b>available [1]</b> 131/14</p> <p><b>Avenue [1]</b> 130/3</p> <p><b>avoid [1]</b> 15/25</p> <p><b>avoidance [2]</b> 31/12 145/8</p> <p><b>aware [28]</b> 18/8 24/13 36/20 39/5 39/7 39/9 49/20 54/18 54/21 54/24 54/25 70/11 70/11 70/18 70/21 93/3 93/8 93/11 93/21 95/12 99/18 117/15 130/5 130/21 130/24 145/20 146/15 147/1</p> <p><b>away [1]</b> 10/25</p>	<p><b>back [36]</b> 2/19 3/8 25/21 26/6 42/11 45/16 61/1 62/9 63/17 63/24 65/6 86/14 89/9 93/4 101/9 101/16 102/17 106/3 106/6 110/19 110/25 119/8 122/20 123/12 123/22 125/23 127/11 127/13 134/20 136/15 138/17 140/18 140/21 143/13 143/21 143/24</p> <p><b>background [3]</b> 2/1 2/2 105/23</p> <p><b>BAL [2]</b> 32/3 121/4</p> <p><b>balance [23]</b> 10/22 11/18 30/22 30/24 32/9 33/7 33/8 33/12 33/13 34/21 34/21 38/8 38/17 39/21 44/24 47/12 54/15 54/18 55/1 55/7 56/3 57/23 91/14</p> <p><b>banking [7]</b> 78/14 78/18 103/17 103/20 104/20 104/21 105/13</p> <p><b>barrage [1]</b> 137/7</p> <p><b>Barry [2]</b> 32/22 37/6</p> <p><b>base [5]</b> 28/2 148/10 148/15 148/25 149/2</p> <p><b>based [3]</b> 14/21 26/2 30/10</p> <p><b>basically [5]</b> 9/22 38/3 59/8 73/24 145/3</p> <p><b>basis [2]</b> 52/15 108/18</p> <p><b>basket [2]</b> 76/19 77/14</p> <p><b>be [184]</b></p> <p><b>bear [1]</b> 69/12</p> <p><b>became [1]</b> 2/3</p> <p><b>because [100]</b> 1/24 2/20 2/22 6/3 6/8 7/17 7/21 8/20 12/9 12/22 14/4 14/12 14/15 15/8 15/9 15/10 16/18 17/1 18/11 20/18 21/3 21/25 22/9 22/16 22/16 23/3 23/7 23/24 24/10 24/16 24/18 26/16 28/19 29/17 30/2 30/7 30/12 30/18 34/7 35/7 37/12 37/24 38/7 38/10 39/3 40/12 42/16 42/19 43/16 47/15 47/19 48/11 50/1 50/6 52/17 53/10 54/21 58/10 59/2 60/9 63/25 64/12 65/7 65/9 70/13 76/17 76/23 77/9 77/14 77/15 80/17 83/25 86/23 88/13 88/15 89/5 93/6 96/8 98/2 100/18</p>	<p>102/11 102/18 104/14 106/16 108/21 108/23 110/6 110/12 114/22 118/16 123/7 124/5 127/21 131/13 134/12 135/6 135/16 137/5 141/23 148/20</p> <p><b>become [1]</b> 37/25</p> <p><b>becomes [1]</b> 69/13</p> <p><b>been [82]</b> 3/5 5/7 17/14 20/25 22/5 27/4 30/6 47/5 49/25 50/1 50/6 50/6 50/9 50/11 51/2 51/8 51/13 53/21 56/7 56/13 57/15 57/24 58/22 60/6 60/22 70/21 77/6 77/25 78/20 79/25 90/14 90/17 90/23 91/23 93/23 96/2 96/24 102/2 102/16 102/25 106/18 108/25 110/3 110/19 113/7 113/15 113/16 113/22 115/19 115/23 116/4 116/4 119/11 124/16 126/14 129/23 130/19 131/6 131/12 131/14 132/5 132/7 135/21 136/13 136/22 138/18 138/21 139/8 139/8 140/1 140/16 141/3 141/9 141/11 141/12 141/21 142/2 142/3 142/5 143/18 146/12 146/19</p> <p><b>before [48]</b> 1/20 4/22 5/5 5/15 5/17 7/8 8/14 8/18 12/5 15/8 20/19 20/19 21/23 26/25 27/4 31/13 45/5 48/15 52/5 53/4 56/5 56/8 57/2 60/8 65/15 66/2 66/3 89/14 89/20 90/7 90/14 90/24 90/25 91/2 92/10 96/8 113/16 115/4 119/22 120/21 126/20 138/10 139/3 139/9 141/18 142/6 144/5 150/10</p> <p><b>beginning [2]</b> 61/4 63/10</p> <p><b>behalf [3]</b> 114/6 135/9 146/5</p> <p><b>behaves [2]</b> 110/13 110/14</p> <p><b>behind [2]</b> 1/17 28/23</p> <p><b>being [50]</b> 3/7 3/9 7/7 13/5 17/16 18/1 19/23 20/10 22/12 22/23 24/1 26/21 33/8 39/1 39/4 40/6 42/5 49/14 50/5 50/20 56/14 56/23 60/3 67/8 69/7</p>	<p>70/11 77/15 81/19 81/23 84/9 95/16 95/24 97/16 97/16 99/4 100/19 101/8 103/15 105/24 106/8 115/18 117/2 117/18 119/2 127/7 128/1 131/11 134/10 138/14 151/10</p> <p><b>belief [2]</b> 1/22 115/7</p> <p><b>believe [50]</b> 3/14 3/18 3/18 5/23 6/24 8/23 9/20 15/13 15/18 16/1 16/17 16/21 29/20 29/22 35/4 36/18 36/23 37/11 37/24 38/1 43/7 43/8 44/15 58/18 71/10 71/11 71/11 74/11 75/23 77/7 80/10 83/4 84/23 85/14 86/25 88/13 88/15 91/4 98/6 107/6 107/11 109/3 110/10 113/23 116/2 127/13 134/18 139/17 141/6 147/15</p> <p><b>believed [2]</b> 88/19 91/19</p> <p><b>below [9]</b> 14/19 31/11 32/4 37/2 62/18 73/9 96/23 112/9 116/17</p> <p><b>belt [2]</b> 148/21 149/7</p> <p><b>benefit [5]</b> 4/8 85/24 91/23 110/1 110/22</p> <p><b>best [2]</b> 1/21 141/20</p> <p><b>better [4]</b> 21/18 98/2 99/11 137/11</p> <p><b>between [10]</b> 18/21 34/20 51/24 62/24 82/16 84/1 129/2 131/1 145/20 149/21</p> <p><b>big [1]</b> 20/19</p> <p><b>bigger [1]</b> 11/5</p> <p><b>bit [9]</b> 10/20 16/8 25/21 32/15 63/12 69/8 82/5 101/22 142/25</p> <p><b>BlackBerry [2]</b> 134/25 135/1</p> <p><b>BLAKE [12]</b> 1/9 27/16 55/15 71/24 72/10 111/10 144/5 146/9 148/11 150/14 151/18 152/4</p> <p><b>blanket [1]</b> 70/22</p> <p><b>blocked [1]</b> 5/11</p> <p><b>blow [1]</b> 59/13</p> <p><b>board [10]</b> 4/12 9/4 24/20 27/23 44/20 134/9 134/12 134/15 140/25 141/4</p> <p><b>bold [2]</b> 80/8 82/7</p> <p><b>borrow [1]</b> 142/23</p>	<p><b>both [14]</b> 13/14 20/21 23/6 30/10 54/17 60/9 67/7 105/14 114/2 125/18 130/2 132/10 144/10 147/19</p> <p><b>bottom [19]</b> 13/9 18/9 27/24 31/19 44/23 51/5 73/4 75/21 96/20 101/20 103/11 112/11 119/9 121/22 122/11 126/12 130/11 131/17 141/1</p> <p><b>bought [1]</b> 76/4</p> <p><b>bounce [1]</b> 7/19</p> <p><b>Bounds [3]</b> 36/18 67/6 116/21</p> <p><b>braces [2]</b> 148/22 149/7</p> <p><b>brackets [1]</b> 120/5</p> <p><b>Bracknell [1]</b> 30/10</p> <p><b>branch [29]</b> 13/12 13/15 17/19 17/22 17/25 25/6 46/5 53/2 56/4 62/10 63/4 70/16 74/10 78/15 79/8 79/9 83/7 85/17 104/12 121/5 123/5 123/6 123/14 123/25 133/18 140/6 146/14 148/10 148/12</p> <p><b>branches [21]</b> 4/25 6/2 10/9 14/21 14/24 17/11 17/15 18/3 18/11 25/11 25/17 26/22 33/11 45/6 45/8 46/8 103/18 104/5 104/16 117/14 123/4</p> <p><b>BRDB [1]</b> 120/13</p> <p><b>break [14]</b> 55/3 55/9 55/10 55/11 65/16 65/23 71/17 71/19 71/23 72/17 111/8 111/22 115/4 151/12</p> <p><b>breaks [1]</b> 72/4</p> <p><b>brief [5]</b> 23/23 24/15 81/7 83/14 148/2</p> <p><b>briefed [2]</b> 19/17 131/16</p> <p><b>briefing [2]</b> 24/8 69/20</p> <p><b>briefings [1]</b> 61/17</p> <p><b>briefly [4]</b> 44/13 119/22 121/25 144/23</p> <p><b>bring [6]</b> 2/6 3/15 31/10 61/7 61/9 63/17</p> <p><b>bringing [1]</b> 55/15</p> <p><b>brings [1]</b> 122/19</p> <p><b>broad [1]</b> 4/14</p> <p><b>broader [2]</b> 115/22 115/25</p> <p><b>broadly [3]</b> 3/2 3/5 92/16</p> <p><b>brought [3]</b> 22/23 75/24 75/25</p>
<p><b>B</b></p> <p><b>BA [1]</b> 45/14</p>				

<b>B</b>	99/12 99/14 100/10 100/24 101/10 101/20 104/3 105/9 108/7 114/9 116/15 117/17 121/25 124/17 127/9 127/20 128/10 129/6 130/19 134/18 137/24 138/21 139/14 139/23 140/8 142/8 142/22 143/7 144/12 145/18 147/18 148/16 148/25 149/4 149/25 150/15 150/17 151/15	105/18 106/2 106/11 106/12 106/14 107/15 108/16 108/21 109/10 111/25 112/23 117/22 118/17 119/23 120/6 120/15 120/15 121/23 122/11 122/23 124/10 124/15 124/17 125/12 125/25 126/11 127/17 128/7 128/19 130/8 136/10 137/14 139/14 139/22 140/13 140/18 140/24 149/18	88/15 97/10 97/18 113/8 114/13 115/20 117/20 118/10 119/13 149/9	<b>choose [1]</b> 94/3 <b>chose [1]</b> 148/24 <b>Christmas [1]</b> 96/8 <b>circulation [5]</b> 78/5 78/6 102/8 102/15 102/20 <b>circumstances [4]</b> 64/20 72/1 150/5 150/8 <b>civil [1]</b> 39/11 <b>clarify [2]</b> 106/18 106/18 <b>classic [1]</b> 3/12 <b>clean [2]</b> 148/23 149/8 <b>clear [12]</b> 8/20 12/11 12/25 21/20 23/11 54/1 61/19 84/1 96/17 137/23 137/25 138/2 <b>clearly [5]</b> 42/18 70/13 70/17 90/8 121/6 <b>clerk [11]</b> 27/1 78/19 79/3 79/15 85/25 86/12 97/11 97/19 110/2 110/24 110/25 <b>clerks [1]</b> 104/15 <b>close [2]</b> 19/19 128/4 <b>closed [7]</b> 29/17 30/2 30/6 49/11 49/25 50/6 50/11 <b>closely [1]</b> 30/8 <b>closer [2]</b> 14/14 72/6 <b>code [4]</b> 83/21 118/20 118/20 118/24 <b>collaborative [4]</b> 45/17 45/21 45/22 45/24 <b>collate [1]</b> 6/3 <b>collected [1]</b> 4/25 <b>collection [1]</b> 124/2 <b>column [2]</b> 45/2 51/11 <b>combined [1]</b> 89/18 <b>come [19]</b> 14/6 16/6 43/14 44/7 44/11 47/5 48/16 53/2 54/7 58/10 99/5 99/6 118/18 127/13 133/1 136/15 143/13 143/21 143/24 <b>comes [9]</b> 12/22 23/3 48/21 63/24 69/16 91/9 101/16 119/22 146/10 <b>comfortable [2]</b> 19/5 63/23 <b>coming [5]</b> 11/20 23/2 23/18 115/22 151/1 <b>commencement [1]</b> 4/20 <b>commencing [3]</b> 4/23 5/5 7/8 <b>comment [3]</b> 77/6
<b>BTS [11]</b> 24/25 25/2 25/3 31/23 31/25 33/6 33/7 33/12 33/13 38/22 148/14 <b>bug [7]</b> 38/20 43/24 46/7 46/10 79/25 80/5 114/13 <b>bugs [2]</b> 41/17 42/3 <b>built [1]</b> 108/25 <b>bundle [1]</b> 112/17 <b>Burley [23]</b> 4/3 4/13 4/18 9/2 10/11 10/17 19/9 19/12 24/21 31/21 32/8 32/22 34/15 57/15 58/4 71/12 71/14 89/12 95/21 112/14 147/5 147/11 147/16 <b>Burley's [4]</b> 4/4 22/4 22/5 112/14 <b>business [35]</b> 7/13 19/6 20/4 20/23 21/25 23/10 25/23 25/24 31/3 36/19 38/12 38/12 38/18 45/1 46/25 48/10 67/6 75/23 96/14 96/15 108/14 108/17 113/21 114/21 114/24 115/2 115/17 115/18 118/9 118/15 119/4 119/6 119/15 123/18 129/8 <b>businesses [1]</b> 114/2 <b>but [134]</b> 1/20 2/9 4/8 5/11 8/22 9/24 11/1 12/8 13/18 13/25 16/3 16/12 16/23 17/4 17/6 18/9 18/23 21/2 21/16 25/11 25/17 26/3 26/24 27/6 27/14 27/17 28/22 30/6 30/12 30/25 34/18 35/18 35/23 39/7 40/10 42/8 43/5 44/11 44/14 44/19 45/2 46/6 47/24 48/20 49/3 49/25 50/2 50/8 50/17 50/22 51/3 51/20 52/10 52/19 53/18 55/12 56/17 56/20 58/14 58/23 59/11 60/5 63/12 63/16 63/19 63/23 64/23 65/4 65/11 67/9 67/11 68/19 68/24 69/25 70/2 70/25 71/24 75/17 78/2 78/16 78/17 79/1 79/4 81/15 83/14 84/15 85/7 86/13 86/14 86/19 90/25 91/4 91/18 91/22 91/23 94/20	<b>button [2]</b> 17/16 17/23 <b>buttons [2]</b> 108/16 108/18 <b>Butts [11]</b> 15/10 28/9 32/21 34/15 55/23 71/4 119/24 134/7 136/10 138/8 147/4 <b>Butts' [1]</b> 71/13 <b>Byfleet [1]</b> 130/2	<b>can't [18]</b> 5/19 21/3 26/15 27/14 29/21 32/6 35/21 42/8 43/23 52/19 71/10 74/17 85/11 93/12 104/24 120/17 120/21 142/12 <b>cannot [5]</b> 20/23 68/25 69/3 101/7 108/22 <b>capacity [2]</b> 88/14 88/20 <b>capture [1]</b> 91/1 <b>careful [3]</b> 5/1 22/11 81/1 <b>carried [1]</b> 6/15 <b>carrying [1]</b> 111/1 <b>cascaded [2]</b> 46/9 145/9 <b>case [16]</b> 9/8 21/5 26/9 50/9 72/25 73/11 73/15 74/14 74/18 88/1 91/13 100/23 125/1 133/15 144/11 148/19 <b>cases [13]</b> 46/7 79/13 87/5 97/8 99/17 99/18 100/6 100/10 129/21 130/18 130/20 136/21 136/22 <b>cash [30]</b> 84/16 84/19 122/13 122/14 122/17 122/21 122/21 123/2 123/4 123/5 123/6 123/12 123/13 123/15 123/16 123/17 123/22 123/23 124/1 124/2 124/5 124/9 124/10 125/1 125/10 125/11 125/16 125/18 132/13 140/4 <b>catastrophic [2]</b> 120/14 120/20 <b>catching [2]</b> 85/3 109/17 <b>cater [1]</b> 92/19 <b>cause [11]</b> 13/17 14/22 15/6 21/8 56/24 81/24 108/23 113/3 115/10 116/8 118/17 <b>caused [14]</b> 37/4 79/14 79/25 80/5	<b>cc [3]</b> 56/23 135/16 135/18 <b>cc'd [1]</b> 135/6 <b>cent [6]</b> 5/12 5/13 5/20 5/21 7/1 7/1 <b>central [4]</b> 79/16 97/12 97/21 99/24 <b>centre [9]</b> 5/1 26/3 49/13 87/17 90/1 90/2 123/13 123/22 124/9 <b>centres [1]</b> 26/5 <b>certain [2]</b> 12/4 21/17 <b>certainly [11]</b> 17/4 17/6 19/22 28/20 30/6 36/17 58/22 95/14 127/20 135/1 150/17 <b>cetera [14]</b> 17/25 25/4 25/4 25/14 32/22 39/24 39/25 45/1 51/18 126/25 126/25 136/23 137/14 141/5 <b>chain [16]</b> 20/20 24/3 32/8 38/25 57/16 72/25 124/16 127/24 136/19 136/20 140/14 140/15 140/21 142/24 143/7 145/15 <b>chair [2]</b> 4/13 24/22 <b>challenge [5]</b> 40/4 57/7 59/19 66/11 117/11 <b>change [22]</b> 20/4 25/24 38/11 62/8 64/18 65/12 70/4 83/15 102/10 107/15 113/6 113/8 113/12 115/20 117/5 118/14 118/20 119/12 125/5 127/2 127/12 127/21 <b>changed [4]</b> 60/8 63/9 69/1 102/9 <b>changes [8]</b> 56/5 94/17 102/1 117/3 118/7 118/16 119/1 141/3 <b>changing [2]</b> 113/10 113/19 <b>charges [1]</b> 132/2 <b>check [15]</b> 15/19 31/2 44/25 73/8 85/2 85/4 85/7 85/8 85/13 85/14 85/16 101/12 109/16 109/18 110/7 <b>checking [1]</b> 109/21 <b>chief [2]</b> 76/1 76/2	
<b>C</b>	<b>cable [2]</b> 87/15 88/9 <b>cables [1]</b> 81/23 <b>call [11]</b> 1/6 5/14 24/6 24/9 34/10 46/12 48/24 71/24 97/20 106/22 142/16 <b>called [10]</b> 9/21 42/25 79/17 97/13 99/25 100/13 123/11 126/4 128/9 147/17 <b>calling [1]</b> 146/19 <b>calls [1]</b> 34/24 <b>calm [1]</b> 22/21 <b>can [125]</b> 1/3 1/5 1/10 3/2 3/21 4/9 8/21 14/11 16/18 17/8 20/24 21/8 21/13 21/17 21/19 21/23 24/19 24/24 25/20 27/24 27/25 28/25 32/7 32/23 33/1 33/9 34/14 34/18 36/21 40/11 44/17 48/24 49/4 49/19 51/5 51/17 51/22 54/9 55/2 55/17 55/25 57/3 57/14 58/18 59/12 59/14 59/16 60/5 61/7 61/7 61/9 61/11 61/11 63/2 63/3 64/22 65/23 66/7 70/1 71/1 72/20 74/14 75/18 77/23 79/22 81/22 83/14 84/24 85/14 87/7 90/1 92/21 93/13 93/24 95/3 96/20 97/23 100/9 101/4 101/10 101/15 101/16 101/18 101/21 101/25 105/14 105/17			

<b>C</b>	<b>compromise [1]</b> 70/4	<b>consider [4]</b> 85/23	<b>copying [1]</b> 132/6	81/1 81/15 81/19
<b>comment...</b> [2]	<b>compromising [1]</b>	92/2 109/25 110/22	<b>Core [2]</b> 148/7	81/20 82/11 84/9
120/10 120/25	41/10	<b>consideration [2]</b>	150/16	84/10 84/14 84/15
<b>comments [4]</b> 94/16	<b>compute [1]</b> 85/18	90/8 90/17	<b>corner [3]</b> 72/23	93/16 104/15 107/7
95/6 102/17 106/7	<b>computer [3]</b> 64/6	<b>considered [2]</b> 92/5	101/20 121/22	108/14 115/8 116/9
<b>commercial [7]</b>	95/22 96/7	94/13	<b>correct [20]</b> 3/21	<b>counterpart [3]</b>
57/25 58/8 67/8 67/11	<b>concern [13]</b> 14/12	<b>considering [1]</b>	15/1 16/3 29/7 29/12	136/1 136/3 136/4
68/24 131/20 131/23	41/11 41/12 41/13	63/17	30/2 30/15 30/25	<b>counters [2]</b> 107/18
<b>commercially [1]</b>	76/17 77/12 99/23	<b>constitute [1]</b> 10/6	33/13 55/13 61/20	107/20
67/10	100/1 100/3 116/8	<b>constraint [1]</b> 88/14	62/3 76/14 76/16 88/8	<b>country [1]</b> 140/21
<b>commitment [17]</b>	117/2 117/21 142/10	<b>consult [1]</b> 36/15	102/22 123/25 138/15	<b>couple [1]</b> 13/8
40/1 40/25 57/3 57/11	<b>concerned [12]</b>	<b>consultant [1]</b> 75/23	150/7 150/12	<b>course [4]</b> 12/20
59/16 59/23 60/10	35/13 35/15 41/12	<b>consulting [1]</b> 35/25	<b>correctly [1]</b> 17/23	146/4 150/17 151/1
60/14 63/7 63/8 63/10	43/17 60/16 64/12	<b>contact [3]</b> 106/25	<b>correlate [1]</b> 7/24	<b>court [11]</b> 72/25
66/7 66/14 66/21 68/2	113/13 118/13 119/16	147/1 147/2	<b>correlates [1]</b> 6/12	73/11 73/15 74/14
82/19 121/1	124/4 127/7 148/17	<b>contains [1]</b> 59/3	<b>correspondence [1]</b>	74/18 100/17 130/16
<b>committed [1]</b> 23/4	<b>concerns [12]</b> 3/19	<b>contemporaneous</b>	150/18	130/17 136/21 138/15
<b>committee [1]</b>	3/23 37/2 38/25 67/25	<b>[1]</b> 124/14	<b>cosmetic [1]</b> 11/5	139/13
147/18	95/23 118/7 118/11	<b>content [6]</b> 32/16	<b>cost [3]</b> 24/18 68/9	<b>cover [1]</b> 142/25
<b>common [1]</b> 25/15	122/12 122/13 127/8	59/1 59/12 94/12	123/9	<b>covered [2]</b> 111/16
<b>communicate [1]</b>	130/24	94/17 111/7	<b>costly [1]</b> 149/3	130/1
21/14	<b>conclude [3]</b> 28/22	<b>context [3]</b> 81/18	<b>costs [2]</b> 69/12 124/5	<b>covering [1]</b> 98/15
<b>communicated [8]</b>	71/18 111/14	98/3 121/6	<b>Coton [6]</b> 13/12	<b>covers [1]</b> 133/13
20/25 21/2 46/19	<b>concluded [6]</b> 3/2 3/4	<b>continually [1]</b> 105/8	13/17 13/23 15/13	<b>CP [1]</b> 150/16
47/15 48/2 48/5 48/6	3/4 79/24 84/23 115/7	<b>continuance [1]</b>	34/3 41/21	<b>CR [2]</b> 125/1 126/25
48/13	<b>conclusion [7]</b> 80/19	20/14	<b>could [64]</b> 2/11 2/21	<b>create [4]</b> 64/21
<b>communicating [1]</b>	84/25 107/4 115/10	<b>continued [2]</b> 8/12	2/23 10/6 11/4 11/12	87/17 91/9 124/1
21/19	115/11 118/18 133/1	8/16	13/16 15/8 15/25 17/5	<b>created [8]</b> 16/4
<b>communication [4]</b>	<b>conclusions [8]</b> 80/8	<b>continuing [1]</b>	23/24 28/8 29/25	50/18 61/25 78/20
118/2 136/11 143/17	84/25 101/12 107/4	117/12	37/17 38/9 42/12 43/6	88/12 88/20 88/21
145/22	108/13 108/24 109/12	<b>contract [1]</b> 68/14	44/21 47/23 48/16	89/1
<b>communications [4]</b>	115/6	<b>contractual [6]</b> 60/1	52/25 53/18 53/21	<b>creates [1]</b> 22/3
20/7 20/16 23/12	<b>concurrently [1]</b>	63/13 68/11 69/13	62/1 64/4 65/25 70/2	<b>creating [1]</b> 89/24
46/24	108/23	94/22 100/5	70/4 72/4 79/13 79/14	<b>credibility [2]</b> 79/12
<b>company [2]</b> 12/7	<b>condition [2]</b> 64/22	<b>contrary [2]</b> 124/24	81/24 83/5 83/15 91/7	97/8
36/5	89/25	126/23	91/9 91/11 91/22	<b>criminal [4]</b> 39/11
<b>compare [3]</b> 6/10	<b>conditions [3]</b> 6/4	<b>contributed [1]</b> 117/3	92/20 94/10 97/2 97/9	136/20 138/14 139/13
15/20 106/14	82/1 91/9	<b>control [6]</b> 3/16	97/9 97/17 97/17	<b>criteria [12]</b> 51/13
<b>compensation [1]</b>	<b>conduct [1]</b> 76/13	85/24 108/14 110/1	97/19 100/13 100/24	51/25 52/13 53/6
114/25	<b>confidence [10]</b> 6/13	110/23 117/5	103/12 108/23 109/21	53/22 54/2 54/3 54/5
<b>complaint [3]</b> 115/22	8/1 30/7 44/9 52/16	<b>controls [1]</b> 7/23	111/8 113/25 115/15	54/8 54/9 120/2
115/25 118/22	62/15 64/3 64/13 81/8	<b>convenience [1]</b>	119/7 122/18 123/20	121/24
<b>complete [13]</b> 5/15	109/8	151/14	123/25 124/18 125/14	<b>critical [4]</b> 16/16 56/8
5/16 6/19 6/25 7/7	<b>confident [3]</b> 29/11	<b>conversation [4]</b>	132/12 138/18 146/6	94/1 95/16
8/14 11/7 15/20 15/21	30/2 63/22	40/14 86/21 97/22	149/9	<b>cropping [2]</b> 42/3
17/17 39/20 51/20	<b>confining [1]</b> 119/14	97/23	<b>couldn't [8]</b> 11/3	54/20
133/15	<b>confirm [4]</b> 1/20 5/3	<b>conversations [1]</b>	21/21 28/12 58/4 58/5	<b>cross [2]</b> 69/16 73/8
<b>completed [13]</b> 5/18	20/24 33/5	68/20	60/17 110/7 110/11	<b>cross-check [1]</b> 73/8
5/19 6/8 6/18 6/20	<b>confirmed [4]</b> 1/19	<b>convictions [1]</b>	<b>counsel [20]</b> 35/3	<b>Crown [2]</b> 114/24
6/22 6/25 8/8 8/9 8/10	9/12 13/13 57/24	100/17	35/25 36/6 42/9 44/15	147/19
13/16 111/12 150/20	<b>confirming [2]</b> 58/7	<b>convinced [2]</b> 66/19	55/19 56/15 58/9	<b>CS [1]</b> 34/22
<b>completely [1]</b> 90/2	145/13	66/25	58/14 60/7 63/24 67/9	<b>culture [1]</b> 137/20
<b>completing [2]</b> 8/17	<b>conflicting [1]</b> 117/8	<b>convincing [1]</b>	71/9 93/14 98/15	<b>current [1]</b> 45/8
15/15	<b>confuse [1]</b> 50/23	113/17	98/23 105/20 106/1	<b>currently [1]</b> 118/2
<b>complex [2]</b> 21/9	<b>conjunction [2]</b>	<b>copied [20]</b> 32/24	106/20 144/11	<b>cusp [1]</b> 113/23
29/15	146/23 147/13	33/21 56/6 76/10	<b>counsel's [2]</b> 58/17	<b>customer [8]</b> 19/5
<b>complexities [1]</b>	<b>connection [2]</b> 87/16	96/23 112/2 117/18	106/8	37/25 41/13 71/6
13/19	147/14	117/19 124/16 126/14	<b>count [1]</b> 132/25	77/19 96/13 112/5
<b>Compliance [1]</b>	<b>connectivity [2]</b>	126/16 127/23 127/24	<b>countdowns [1]</b>	136/7
93/25	52/24 52/25	127/24 130/13 130/24	20/17	<b>customers [2]</b> 53/17
<b>complicated [1]</b> 16/8	<b>consequence [2]</b>	131/10 134/23 135/11	<b>counter [25]</b> 18/1	69/11
<b>comprehensive [1]</b>	38/17 65/14	135/14	28/18 33/11 38/5	<b>cut [1]</b> 89/15
39/20	<b>consequences [3]</b>	<b>copy [4]</b> 1/16 38/21	75/20 77/10 77/21	<b>cuts [1]</b> 81/23
	50/25 51/1 94/11	119/24 132/22	78/17 80/11 80/20	<b>CWD [1]</b> 13/23

<b>D</b>	<b>Debbie [4]</b> 30/9 71/3 92/23 93/5	<b>Derby [21]</b> 13/24 14/9 14/23 15/6 16/16 34/4 34/5 41/21 42/16 42/17 64/8 64/9 64/14 65/8 76/21 76/21 79/1 80/10 104/14 107/6 137/23	<b>different [29]</b> 3/6 5/10 14/5 25/22 48/1 59/11 59/11 59/12 62/24 66/17 73/3 75/17 78/16 79/2 79/2 79/5 81/22 90/2 91/8 103/21 104/2 104/4 104/15 105/10 107/3 125/20 125/21 129/16 139/24	35/8 35/14 36/1 39/1 41/8 47/6 49/2 49/4 57/2 60/23 61/10 61/10 63/14 72/21 89/11 102/13 106/5 114/7 118/1 118/6 121/23 128/8 144/3 144/12 144/15 144/19 144/25 145/5 150/16
<b>D'Alvarez [16]</b> 1/7 1/8 1/12 1/13 2/14 22/4 37/1 72/13 72/20 134/6 144/9 144/14 148/7 150/13 151/8 152/2	<b>decision [15]</b> 14/20 17/10 17/14 18/10 29/14 30/13 43/16 51/17 51/22 52/5 52/10 54/1 54/3 135/10 149/5	<b>deserve [1]</b> 11/15 <b>describe [1]</b> 11/19 <b>described [4]</b> 30/3 36/3 42/4 146/9	<b>difficult [2]</b> 32/10 113/5	<b>documents [8]</b> 2/12 4/3 36/3 36/4 44/11 65/15 65/18 65/19
<b>daily [5]</b> 48/10 103/15 114/1 125/1 125/10	<b>declarations [3]</b> 122/13 122/14 122/17	<b>design [4]</b> 80/21 83/20 109/6 109/7	<b>difficulties [1]</b> 147/8	<b>does [23]</b> 1/20 1/23 32/4 33/15 33/17 59/8 63/17 64/2 75/2 83/1 84/17 86/4 86/9 94/20 100/4 100/5 103/25 116/8 119/15 121/2 133/22 140/6 143/10
<b>damage [1]</b> 114/1	<b>defect [15]</b> 39/24 43/18 43/19 56/3 124/23 125/5 126/4 126/22 127/1 127/4 127/12 127/14 127/15 127/21 142/12	<b>designed [2]</b> 81/6 109/1	<b>direct [3]</b> 68/22 127/9 144/21	<b>doesn't [12]</b> 21/25 50/3 65/11 82/2 105/22 108/9 109/19 121/1 125/4 127/1 138/11 145/25
<b>dare [1]</b> 54/5	<b>defensive [3]</b> 81/21 82/4 83/9	<b>desk [2]</b> 47/22 48/22	<b>direction [1]</b> 70/14	<b>doing [3]</b> 64/23 115/3 147/9
<b>data [42]</b> 4/24 4/25 5/1 6/16 6/17 15/9 15/15 16/3 17/2 17/4 17/6 17/24 17/24 26/3 26/5 33/7 34/6 38/21 49/12 49/14 50/9 51/16 51/19 61/19 61/22 61/23 62/2 62/3 72/25 73/11 74/14 75/3 77/13 78/12 83/24 87/16 90/1 90/1 100/18 132/10 133/8 134/2	<b>definitely [2]</b> 111/14 112/22	<b>desperate [5]</b> 19/13 20/8 22/12 22/16 23/14	<b>directly [5]</b> 68/19 70/25 112/15 135/6 135/7	<b>don't [85]</b> 4/4 6/5 8/22 12/7 16/10 16/23 19/24 21/16 26/16 27/5 28/8 28/16 30/20 30/20 35/21 40/9 46/18 46/22 49/19 49/24 50/17 50/21 51/4 56/20 58/3 58/18 59/2 60/5 64/5 71/11 86/2 86/13 86/25 96/1 96/2 99/18 99/22 100/7 100/8 100/22 103/8 103/8 105/25 106/20 107/2 111/3 111/3 113/3 117/17 117/18 119/19 121/4 121/4 122/15 123/5 123/6 125/12 127/9 127/17 128/10 132/17 132/24 133/4 133/6 133/9 134/18 135/1 136/5 137/15 137/17 139/7 139/19 139/22 141/22 142/3 142/18 142/19 143/6 143/17 144/17 144/24 145/18 145/23 147/17 148/23
<b>data/evidence [1]</b> 51/16	<b>definition [1]</b> 137/23	<b>despite [1]</b> 22/24	<b>director [3]</b> 36/19 67/6 112/6	<b>discuss [4]</b> 3/1 39/17 70/24 139/1
<b>database [10]</b> 53/2 62/10 78/15 78/25 79/16 97/12 97/21 99/24 103/14 121/5	<b>definitive [1]</b> 39/23	<b>detail [5]</b> 1/25 16/10 122/5 125/7 129/17	<b>disagree [1]</b> 101/1	<b>discussed [10]</b> 3/7 10/21 10/24 39/3 67/22 89/11 97/13 98/7 101/13 108/7
<b>date [9]</b> 19/14 19/19 29/4 29/6 52/17 103/18 141/14 145/16 146/21	<b>degree [1]</b> 11/24	<b>detailed [1]</b> 133/17	<b>disappointment [1]</b> 12/24	<b>discusses [1]</b> 138/10
<b>data/evidence [1]</b> 51/16	<b>delay [6]</b> 4/20 11/21 12/17 12/20 21/15 24/16	<b>detailing [3]</b> 39/23 57/21 129/11	<b>discard [1]</b> 33/13	<b>discussing [6]</b> 38/24 39/2 67/5 115/4 140/1 141/21
<b>database [10]</b> 53/2 62/10 78/15 78/25 79/16 97/12 97/21 99/24 103/14 121/5	<b>delayed [1]</b> 24/1	<b>detect [1]</b> 128/21	<b>disclose [2]</b> 144/20 145/2	<b>discussions [7]</b> 11/9 46/23 69/19 69/25 99/20 129/2 130/9
<b>dated [3]</b> 67/19 93/17 121/21	<b>delays [2]</b> 12/14 23/9	<b>detected [3]</b> 78/13 103/24 105/9	<b>disconnect [1]</b> 87/15	<b>discusses [1]</b> 138/10
<b>dates [4]</b> 20/24 21/1 21/20 145/18	<b>deliberately [1]</b> 87/17	<b>determine [4]</b> 123/14 136/14 138/5 143/20	<b>discrepancy [3]</b> 79/14 97/9 97/17	<b>discusses [1]</b> 138/10
<b>Dave [5]</b> 19/17 112/9 116/17 146/10 146/25	<b>deliver [2]</b> 23/13 123/15	<b>determined [1]</b> 127/15	<b>discuss [4]</b> 3/1 39/17 70/24 139/1	<b>discusses [1]</b> 138/10
<b>David [19]</b> 62/14 76/1 76/1 103/5 112/3 112/4 112/5 112/12 112/13 112/14 112/15 114/5 114/20 114/25 116/19 116/22 116/24 117/20 118/3	<b>deliverables [3]</b> 9/24 39/18 45/7	<b>develop [1]</b> 64/6	<b>discussed [10]</b> 3/7 10/21 10/24 39/3 67/22 89/11 97/13 98/7 101/13 108/7	<b>discusses [1]</b> 138/10
<b>day [14]</b> 9/3 17/21 67/18 67/19 78/17 79/2 135/3 138/17 140/1 143/9 143/10 150/19 151/3 151/23	<b>delivered [4]</b> 9/22 10/5 10/7 33/9	<b>developed [1]</b> 73/18	<b>discussed [10]</b> 3/7 10/21 10/24 39/3 67/22 89/11 97/13 98/7 101/13 108/7	<b>discusses [1]</b> 138/10
<b>days [6]</b> 15/2 20/19 20/19 53/9 105/2 137/13	<b>delivering [1]</b> 11/16	<b>development [4]</b> 3/10 3/13 71/5 79/24	<b>discusses [1]</b> 138/10	<b>discusses [1]</b> 138/10
<b>DC [1]</b> 9/12	<b>delivery [3]</b> 10/16 12/5 124/2	<b>diagnosed [1]</b> 80/18	<b>discusses [1]</b> 138/10	<b>discusses [1]</b> 138/10
<b>deadline [1]</b> 10/15	<b>demonstrate [5]</b> 54/10 64/25 83/13 87/10 117/12	<b>diagnostics [1]</b> 88/17	<b>discusses [1]</b> 138/10	<b>discusses [1]</b> 138/10
<b>deal [3]</b> 55/6 106/7 119/22	<b>demonstrates [1]</b> 144/15	<b>dictated [1]</b> 69/8	<b>discusses [1]</b> 138/10	<b>discusses [1]</b> 138/10
<b>dealing [1]</b> 128/20	<b>demonstrating [1]</b> 108/21	<b>did [34]</b> 6/19 6/25 11/13 22/4 23/22 33/18 33/23 36/11 37/20 38/11 41/11 52/22 69/7 70/18 74/4 74/19 78/19 81/12 82/15 88/23 89/3 89/16 92/19 94/14 98/9 99/5 117/23 118/3 128/24 134/24 135/14 139/6 141/19 147/13	<b>discusses [1]</b> 138/10	<b>discusses [1]</b> 138/10
<b>Dear [1]</b> 57/20	<b>department [3]</b> 36/7 69/20 139/24	<b>didn't [27]</b> 6/24 22/9 25/24 26/9 26/22 26/25 32/17 43/19 46/22 52/24 55/12 64/3 64/15 70/21 70/24 74/22 80/16 89/2 89/15 91/1 92/9 118/11 118/11 121/6 135/2 135/22 137/24	<b>display [1]</b> 101/23	<b>discusses [1]</b> 138/10
<b>debating [1]</b> 127/10	<b>dependent [1]</b> 31/5	<b>differs [1]</b> 39/22	<b>displayed [1]</b> 33/8	<b>discusses [1]</b> 138/10
	<b>depends [5]</b> 11/25 48/8 49/1 105/6 150/4	<b>difference [7]</b> 18/20 34/20 40/3 57/6 66/10 102/7 132/2	<b>dispute [2]</b> 63/25 80/4	<b>discusses [1]</b> 138/10
	<b>deploy [3]</b> 17/10 17/14 18/10		<b>disrupt [1]</b> 118/15	<b>discusses [1]</b> 138/10
	<b>deployed [2]</b> 53/5 53/5		<b>disruption [2]</b> 12/23 146/14	<b>discusses [1]</b> 138/10
	<b>deploying [1]</b> 7/20		<b>disruptive [1]</b> 149/3	<b>discusses [1]</b> 138/10
	<b>deployment [6]</b> 15/11 21/16 53/23 71/4 71/14 117/8		<b>distinction [3]</b> 82/15 84/1 149/21	<b>discusses [1]</b> 138/10
	<b>deployments [2]</b> 34/10 52/8		<b>distinguish [1]</b> 22/11	<b>discusses [1]</b> 138/10
	<b>deputy [1]</b> 131/11		<b>distract [1]</b> 22/3	<b>discusses [1]</b> 138/10
			<b>division [1]</b> 43/2	<b>discusses [1]</b> 138/10
			<b>do [159]</b>	<b>discusses [1]</b> 138/10
			<b>document [39]</b> 2/7 2/8 2/10 4/17 9/1 9/2 13/7 17/9 27/13 34/19	<b>discusses [1]</b> 138/10

<p><b>D</b></p> <p><b>down...</b> [17] 24/24 30/21 34/16 46/9 49/9 50/15 56/12 66/5 78/10 89/15 97/2 109/22 124/18 129/1 130/10 141/1 146/11</p> <p><b>download</b> [1] 15/16</p> <p><b>downloads</b> [2] 15/15 15/21</p> <p><b>DR</b> [1] 31/21</p> <p><b>draft</b> [8] 55/25 61/2 61/5 98/16 116/13 116/18 117/15 129/10</p> <p><b>drafted</b> [5] 116/22 116/23 146/9 146/24 146/25</p> <p><b>drafting</b> [3] 45/25 56/16 114/5</p> <p><b>draw</b> [1] 47/9</p> <p><b>drawn</b> [1] 96/2</p> <p><b>drew</b> [1] 84/1</p> <p><b>drivers</b> [3] 26/3 96/16 96/16</p> <p><b>driving</b> [1] 52/3</p> <p><b>dropped</b> [1] 44/4</p> <p><b>dual</b> [2] 103/16 108/15</p> <p><b>due</b> [5] 32/3 85/3 109/17 150/17 151/1</p> <p><b>duplicate</b> [15] 73/24 73/24 74/4 75/5 75/7 75/10 78/20 128/14 128/21 128/25 129/24 132/18 132/24 133/19 140/12</p> <p><b>duplicated</b> [7] 76/18 77/14 129/15 132/6 132/8 132/10 132/12</p> <p><b>duplicates</b> [3] 74/1 133/14 133/20</p> <p><b>duplication</b> [3] 75/13 130/13 131/1</p> <p><b>during</b> [9] 29/2 41/17 88/16 88/24 90/10 93/22 99/20 136/25 143/4</p>	<p><b>effectiveness</b> [1] 97/20</p> <p><b>efforts</b> [1] 31/22</p> <p><b>either</b> [11] 5/20 24/11 27/18 36/9 86/11 136/15 139/5 141/25 143/13 143/21 144/19</p> <p><b>element</b> [2] 26/4 105/13</p> <p><b>elements</b> [1] 25/22</p> <p><b>eliminated</b> [2] 50/1 51/3</p> <p><b>else</b> [5] 26/12 36/14 98/3 118/21 151/13</p> <p><b>else's</b> [1] 4/9</p> <p><b>email</b> [87] 17/9 19/8 32/8 32/21 32/24 36/22 38/25 39/15 40/11 45/8 55/18 55/23 56/1 57/16 67/17 70/7 70/9 70/23 70/25 72/24 73/5 74/12 74/13 75/21 75/21 77/2 78/4 93/14 96/21 96/23 98/15 106/1 112/1 112/12 112/17 112/20 112/22 114/3 114/10 115/15 116/8 116/13 116/15 117/20 117/24 118/25 119/7 119/9 119/22 119/23 124/14 124/16 126/2 126/9 126/11 126/15 126/17 126/19 127/18 127/23 127/23 127/25 130/12 131/7 131/13 131/17 135/8 135/16 136/19 136/20 137/9 138/9 140/14 140/15 140/20 142/11 142/21 142/24 143/7 145/6 145/15 146/10 150/19 150/22 150/25 151/2 151/3</p> <p><b>emails</b> [7] 134/24 135/3 135/5 135/11 135/17 135/22 137/12</p> <p><b>emergency</b> [1] 123/8</p> <p><b>employees</b> [1] 100/5</p> <p><b>enable</b> [1] 51/16</p> <p><b>enclosed</b> [1] 57/21</p> <p><b>encountered</b> [2] 29/4 30/17</p> <p><b>end</b> [8] 26/6 29/6 41/13 44/12 65/8 76/19 113/25 146/18</p> <p><b>ends</b> [1] 61/11</p> <p><b>enforced</b> [2] 31/17 117/4</p> <p><b>engage</b> [4] 36/10 36/10 36/13 41/7</p> <p><b>engaged</b> [8] 35/3 35/12 36/11 40/16 43/13 70/19 71/7</p> <p>76/22</p> <p><b>engagement</b> [1] 2/21</p> <p><b>English</b> [3] 90/13 90/22 90/23</p> <p><b>enough</b> [3] 40/22 81/25 151/10</p> <p><b>ensure</b> [5] 45/7 96/18 123/3 130/1 145/9</p> <p><b>ensuring</b> [1] 31/22</p> <p><b>entered</b> [6] 145/11 145/14 145/19 150/20 150/24 150/25</p> <p><b>entirely</b> [1] 68/12</p> <p><b>entitled</b> [1] 93/18</p> <p><b>entries</b> [2] 31/20 95/6</p> <p><b>entry</b> [10] 2/10 4/19 7/6 25/8 31/11 42/18 49/8 57/1 59/10 130/17</p> <p><b>environment</b> [1] 30/10</p> <p><b>equally</b> [1] 132/13</p> <p><b>equivalent</b> [1] 7/2</p> <p><b>eradicate</b> [1] 149/8</p> <p><b>erratic</b> [2] 85/3 109/17</p> <p><b>error</b> [25] 13/14 25/11 25/16 27/9 46/11 46/14 47/8 47/19 47/22 48/15 48/16 48/23 48/24 48/25 68/12 78/14 79/14 82/1 86/12 92/10 97/10 97/11 97/18 120/18 120/19</p> <p><b>errors</b> [7] 85/25 110/2 110/24 110/25 118/17 120/9 120/12</p> <p><b>escalated</b> [2] 19/25 36/5</p> <p><b>escalation</b> [3] 19/20 23/21 24/11</p> <p><b>especially</b> [1] 128/4</p> <p><b>essence</b> [1] 149/10</p> <p><b>essentially</b> [1] 115/7</p> <p><b>establish</b> [1] 149/11</p> <p><b>estate</b> [2] 116/6 117/4</p> <p><b>et</b> [14] 17/25 25/4 25/4 25/14 32/22 39/24 39/25 45/1 51/18 126/25 126/25 136/23 137/14 141/5</p> <p><b>et cetera</b> [11] 17/25 25/4 25/4 25/14 39/24 39/25 45/1 51/18 136/23 137/14 141/5</p> <p><b>Evans</b> [2] 32/22 37/6</p> <p><b>even</b> [7] 62/25 79/11 108/10 111/3 133/14 133/16 135/20</p> <p><b>evening</b> [1] 19/12</p> <p><b>event</b> [1] 58/24</p> <p><b>events</b> [4] 64/20</p>	<p>91/25 113/4 119/10 ever [1] 144/14</p> <p><b>every</b> [4] 28/17 55/14 149/1 149/8</p> <p><b>everybody</b> [1] 4/9</p> <p><b>everyone</b> [4] 16/14 35/24 48/18 151/13</p> <p><b>everything</b> [9] 8/21 26/12 26/15 87/11 88/19 92/20 98/3 111/16 149/16</p> <p><b>evidence</b> [26] 1/13 1/16 1/25 4/5 18/18 22/4 22/6 22/7 32/12 39/14 51/16 54/14 62/20 72/14 76/7 89/15 98/20 99/21 134/1 134/2 139/20 144/6 144/7 151/7 151/9 151/11</p> <p><b>evident</b> [2] 54/19 68/4</p> <p><b>evidently</b> [1] 78/21</p> <p><b>exact</b> [1] 148/24</p> <p><b>exactly</b> [3] 76/6 88/1 88/2</p> <p><b>example</b> [10] 11/22 48/14 83/4 83/5 83/25 84/16 86/18 118/25 120/6 120/25</p> <p><b>examples</b> [2] 81/10 120/23</p> <p><b>Excellent</b> [1] 105/16</p> <p><b>excessive</b> [2] 49/6 49/9</p> <p><b>exchange</b> [2] 73/20 112/1</p> <p><b>exclusive</b> [1] 108/18</p> <p><b>excuse</b> [1] 131/8</p> <p><b>execution</b> [3] 113/8 115/20 119/12</p> <p><b>executive</b> [1] 24/7</p> <p><b>executives</b> [1] 23/24</p> <p><b>exist</b> [1] 109/19</p> <p><b>existing</b> [4] 60/1 63/12 68/11 117/13</p> <p><b>exists</b> [1] 145/1</p> <p><b>expand</b> [1] 120/15</p> <p><b>expanded</b> [1] 105/18</p> <p><b>expect</b> [12] 19/16 28/16 34/22 35/18 35/24 38/7 46/7 48/12 65/4 94/20 95/11 139/4</p> <p><b>expectation</b> [3] 21/22 36/11 39/8</p> <p><b>expectations</b> [1] 21/21</p> <p><b>expected</b> [1] 139/6</p> <p><b>expecting</b> [1] 95/4</p> <p><b>expense</b> [2] 66/21 68/1</p> <p><b>expensive</b> [1] 28/20</p> <p><b>experience</b> [1]</p>	<p>113/24</p> <p><b>experienced</b> [1] 149/25</p> <p><b>experiences</b> [1] 146/20</p> <p><b>expert</b> [6] 38/5 38/9 39/7 77/10 77/18 77/22</p> <p><b>expertise</b> [1] 58/16</p> <p><b>experts</b> [5] 44/1 44/2 64/1 77/21 125/24</p> <p><b>explain</b> [3] 23/5 34/23 37/3</p> <p><b>explained</b> [4] 7/21 17/12 52/5 62/16</p> <p><b>explains</b> [2] 56/24 78/10</p> <p><b>explanation</b> [2] 37/8 59/4</p> <p><b>explanations</b> [3] 3/14 147/9 147/21</p> <p><b>exponential</b> [1] 91/8</p> <p><b>expressing</b> [1] 119/1</p> <p><b>extend</b> [1] 151/12</p> <p><b>extended</b> [1] 26/24</p> <p><b>extent</b> [2] 130/3 144/22</p> <p><b>extra</b> [1] 124/5</p> <p><b>extract</b> [1] 74/1</p> <p><b>extraction</b> [1] 74/5</p> <p><b>extreme</b> [1] 62/15</p> <p><b>extremely</b> [1] 52/21</p>	<p><b>F</b></p> <p><b>facility</b> [2] 128/21 128/25</p> <p><b>fact</b> [7] 35/14 86/11 105/17 107/23 108/2 134/14 140/15</p> <p><b>facts</b> [2] 28/22 137/8</p> <p><b>factual</b> [1] 99/7</p> <p><b>fail</b> [1] 81/22</p> <p><b>fails</b> [1] 136/18</p> <p><b>failure</b> [8] 32/3 48/14 79/24 81/25 89/24 91/8 114/14 120/20</p> <p><b>failures</b> [4] 81/21 120/14 121/4 121/5</p> <p><b>fair</b> [7] 6/14 18/7 28/6 31/10 49/25 82/8 114/4</p> <p><b>faith</b> [1] 55/14</p> <p><b>familiar</b> [1] 39/10</p> <p><b>Farman</b> [3] 29/11 29/18 93/5</p> <p><b>fault</b> [3] 63/16 64/6 149/9</p> <p><b>February</b> [17] 1/1 17/11 24/21 27/22 29/6 30/18 45/3 57/17 65/7 77/4 93/17 103/4 103/5 103/14 103/19 148/13 148/13</p> <p><b>February 2010</b> [1]</p>
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<b>F</b>	74/24 75/11 107/12 107/16 107/18 107/24 120/21 125/8 131/14 137/2 139/5 142/22 <b>fixed</b> [9] 124/20 124/24 126/23 128/2 131/15 142/3 142/8 142/19 142/20 <b>fixes</b> [8] 9/18 10/4 11/2 31/23 32/1 36/2 53/5 73/12 <b>flagged</b> [4] 25/12 25/17 27/11 56/7 <b>flaws</b> [1] 80/21 <b>flexible</b> [1] 151/10 <b>floor</b> [1] 30/11 <b>focus</b> [5] 8/19 8/21 12/4 29/12 30/3 <b>focusing</b> [1] 115/24 <b>folder</b> [1] 135/19 <b>follow</b> [3] 103/4 103/6 113/1 <b>follow-up</b> [1] 103/6 <b>following</b> [5] 25/13 88/4 97/4 97/15 151/23 <b>follows</b> [2] 85/1 93/18 <b>foot</b> [1] 125/6 <b>forceful</b> [3] 128/1 142/13 142/15 <b>forget</b> [2] 13/25 44/2 <b>forgive</b> [5] 58/23 62/22 63/14 65/17 90/21 <b>forgotten</b> [1] 47/20 <b>form</b> [6] 19/25 60/3 66/6 66/18 68/7 68/16 <b>formally</b> [1] 113/2 <b>forms</b> [1] 67/14 <b>forward</b> [18] 14/25 17/5 19/2 35/17 35/20 35/22 35/23 52/3 52/7 54/4 54/7 54/12 54/13 69/13 69/24 120/21 135/8 147/10 <b>forwarded</b> [4] 40/12 45/12 112/3 114/10 <b>forwarding</b> [1] 112/11 <b>forwards</b> [1] 16/18 <b>found</b> [6] 77/24 90/11 104/23 108/2 108/3 137/22 <b>four</b> [6] 2/25 6/19 6/20 53/13 71/23 146/18 <b>four-minute</b> [1] 71/23 <b>fourth</b> [2] 2/10 130/16 <b>fraud</b> [7] 79/11 85/25 86/12 86/18 110/2 110/24 110/25 <b>freeze</b> [5] 51/2 52/8	53/11 53/18 53/22 <b>freezes</b> [11] 49/7 49/10 49/14 49/18 49/21 50/2 50/4 50/24 52/18 53/1 53/20 <b>freezes'</b> [1] 18/4 <b>Friday</b> [3] 17/17 97/24 117/1 <b>front</b> [2] 1/16 113/25 <b>frustration</b> [1] 119/1 <b>FS</b> [1] 25/12 <b>FUJ00092754</b> [1] 4/10 <b>FUJ00092875</b> [1] 17/8 <b>FUJ00093030</b> [1] 75/19 <b>FUJ00093031</b> [2] 77/24 101/24 <b>FUJ00093056</b> [1] 24/19 <b>FUJ00094192</b> [1] 27/21 <b>FUJ00094265</b> [2] 55/17 61/3 <b>FUJ00094268</b> [1] 32/7 <b>FUJ00094290</b> [1] 93/13 <b>FUJ00094296</b> [1] 72/21 <b>FUJ00094392</b> [1] 96/20 <b>FUJ00094472</b> [1] 44/18 <b>FUJ00094958</b> [4] 111/25 116/12 117/22 119/8 <b>FUJ00094959</b> [1] 146/6 <b>FUJ00095107</b> [2] 117/23 119/21 <b>FUJ00097001</b> [1] 124/14 <b>FUJ00097046</b> [1] 130/8 <b>FUJ00097058</b> [1] 128/7 <b>FUJ00097080</b> [1] 140/13 <b>FUJ00097140</b> [1] 145/5 <b>FUJ00097159</b> [1] 9/1 <b>FUJ00116732</b> [1] 2/7 <b>FUJ00142175</b> [2] 101/4 101/18 <b>FUJ00142190</b> [1] 57/14 <b>FUJ00142193</b> [1] 65/16 <b>Fujitsu</b> [55] 3/20 3/23 7/17 18/21 19/23 21/11 23/20 24/15 25/12 26/4 45/7 45/11	51/15 51/24 54/17 56/10 57/3 57/10 59/14 59/16 59/23 60/9 60/16 61/12 64/3 66/7 66/13 66/19 66/25 67/8 67/15 67/24 67/24 68/1 68/8 70/21 71/12 76/15 76/17 77/13 86/19 110/20 113/9 124/25 126/24 130/24 136/2 137/1 137/20 141/19 141/23 144/19 146/5 150/21 151/4 <b>Fujitsu's</b> [6] 25/17 27/11 55/19 56/1 57/22 68/12 <b>fulfil</b> [2] 95/3 100/5 <b>fulfils</b> [2] 81/7 83/13 <b>full</b> [2] 1/11 6/8 <b>fully</b> [8] 11/8 14/25 40/16 41/23 80/11 81/2 107/7 107/12 <b>functional</b> [3] 7/12 29/23 89/22 <b>functionality</b> [2] 74/5 125/3 <b>further</b> [15] 17/11 17/15 18/10 24/2 44/20 45/5 50/11 52/7 53/5 68/20 80/1 97/22 97/23 103/16 127/14 <b>future</b> [3] 47/4 65/12 80/3	<b>general</b> [15] 9/25 36/6 38/2 55/19 56/15 69/18 92/11 93/14 98/15 98/23 99/19 105/20 106/1 106/8 106/20 <b>generated</b> [1] 95/24 <b>Generation</b> [2] 4/11 24/20 <b>Geoff</b> [47] 15/10 28/9 32/21 33/17 33/25 34/4 34/17 35/1 35/2 35/4 35/9 35/10 35/13 36/12 37/11 37/11 37/12 37/13 37/14 37/17 38/7 39/2 39/3 40/12 40/13 40/14 40/19 44/14 55/23 70/14 70/15 71/4 71/13 77/8 119/24 131/10 131/11 134/6 136/10 137/15 138/7 138/8 138/24 142/18 143/15 143/16 147/4 <b>George</b> [1] 1/12 <b>get</b> [32] 10/19 12/5 15/12 18/9 19/23 20/2 21/5 21/8 23/10 23/18 24/9 24/10 24/25 26/25 29/25 43/6 43/15 47/14 48/24 69/7 72/3 72/6 72/25 73/11 74/14 78/1 91/7 106/13 137/7 137/12 147/5 147/8 <b>gets</b> [1] 88/9 <b>getting</b> [7] 26/18 41/16 67/3 105/8 105/8 115/1 126/3 <b>give</b> [19] 1/10 6/7 6/13 7/25 19/16 19/19 21/11 21/11 21/19 21/21 47/23 52/16 62/20 71/1 78/2 133/21 147/8 147/21 151/11 <b>given</b> [17] 1/13 1/24 19/22 22/13 34/11 39/14 67/8 86/6 92/22 95/21 102/16 112/19 113/4 133/23 136/23 138/13 144/13 <b>gives</b> [2] 81/9 125/7 <b>giving</b> [4] 22/20 24/1 98/4 151/8 <b>go</b> [61] 1/25 5/12 5/15 5/21 5/22 9/9 11/3 11/8 13/3 15/8 16/10 21/23 24/3 24/4 24/4 24/5 28/18 28/25 31/19 32/23 35/17 35/20 38/8 44/17 49/8 50/10 50/13 50/14 51/5 54/3 61/1 67/17
			<b>G</b>	
			<b>GA</b> [2] 29/7 31/21 <b>game</b> [2] 113/10 113/19 <b>Gareth</b> [27] 36/23 37/15 37/16 37/20 37/22 38/16 49/15 50/5 70/10 70/17 70/18 70/21 77/4 77/5 77/7 77/15 125/6 126/2 129/3 129/5 129/10 129/16 130/25 133/10 134/5 134/22 139/11 <b>Gareth/Penny</b> [1] 134/5 <b>Gateway</b> [1] 9/15 <b>gauge</b> [1] 146/20 <b>gave</b> [6] 3/13 35/2 40/16 44/5 48/14 64/13 <b>Gavin</b> [6] 36/18 67/6 112/25 114/6 115/2 116/21 <b>Gavin's</b> [2] 112/9 116/17 <b>GB</b> [3] 45/10 45/16 51/8 <b>GB/WR</b> [1] 51/8	

<b>G</b>	135/25 136/17 143/14 143/16 143/17	100/25 102/1 103/19 132/23 140/6	75/23 75/23 76/1 77/17 77/17 77/21 106/25 119/14 127/3 128/1 128/1 131/22 138/9 139/14 139/19	15/18 17/10 17/14 18/5 18/10 25/22 37/24 52/23 56/6 57/23 66/20 75/19 93/16 93/19 93/22 96/10 100/7 100/8 100/23 121/21 122/2 123/10 123/19 125/3 128/23 129/22 134/8 134/12 134/13 134/16 139/1 141/13 142/6 146/17
<b>go...</b> [29] 68/23 73/13 73/16 79/22 80/7 87/10 93/13 99/12 99/14 101/10 101/16 102/18 105/14 109/10 111/8 112/23 119/8 120/21 122/10 124/6 125/23 137/5 137/6 137/10 137/17 138/17 139/14 140/13 140/18	<b>Guy/Penny</b> [1] 143/17	<b>happening</b> [2] 6/12 15/25	<b>head</b> [8] 40/21 43/1 43/10 58/10 58/11 71/3 71/5 112/16	<b>HNG-X</b> [34] 2/4 3/19 15/18 17/10 17/14 18/5 18/10 25/22 37/24 52/23 56/6 57/23 66/20 75/19 93/16 93/19 93/22 96/10 100/7 100/8 100/23 121/21 122/2 123/10 123/19 128/23 129/22 134/8 134/12 134/16 139/1 141/13 142/6 146/17
<b>goes</b> [7] 22/1 22/2 41/19 65/13 78/24 88/8 135/19	<b>H</b>	<b>happens</b> [8] 17/22 43/23 71/23 79/9 87/14 87/15 87/16 91/12	<b>heard</b> [1] 118/19	<b>hold</b> [7] 43/23 135/25 137/1 137/21 137/24 138/16 143/7
<b>going</b> [47] 1/6 1/25 4/2 6/9 6/21 7/19 8/15 8/24 9/10 20/13 21/10 21/15 25/19 41/24 52/8 53/20 54/2 54/8 55/1 61/25 63/25 65/15 69/12 69/12 69/24 72/8 78/9 85/21 88/19 88/25 97/1 101/22 102/18 105/3 106/13 107/21 111/24 118/18 119/21 122/4 123/22 131/6 137/13 138/17 138/22 149/16 150/16	<b>had</b> [110] 2/20 3/5 4/16 5/9 5/19 6/23 8/21 8/23 9/20 9/21 9/23 12/3 12/5 12/7 12/13 12/13 13/14 13/18 14/12 15/7 15/8 15/15 15/19 15/24 16/15 16/17 16/18 16/21 18/12 19/3 19/11 20/12 20/16 21/1 21/1 25/22 26/8 26/13 26/23 30/7 34/1 34/5 34/6 35/16 36/7 36/12 39/14 41/14 41/24 42/10 42/19 46/16 51/2 51/8 52/20 52/21 52/23 53/4 53/8 53/11 53/12 53/20 61/23 62/1 62/3 62/15 64/8 64/8 69/20 71/7 75/9 75/11 76/17 77/12 78/16 78/18 78/20 79/19 90/12 91/16 99/21 102/2 102/16 104/10 105/20 107/1 107/17 112/22 115/8 115/23 116/10 116/11 117/4 121/12 123/3 128/21 128/24 129/15 131/6 135/1 137/2 137/4 137/25 138/8 142/2 145/13 146/21 147/16 147/18 147/18	<b>hard</b> [2] 94/19 145/10	<b>held</b> [2] 61/19 85/17	<b>holding</b> [1] 141/23
<b>gone</b> [5] 1/15 65/21 106/3 116/5 149/11	<b>halfway</b> [2] 24/24 50/15	<b>hardware</b> [1] 28/5	<b>help</b> [1] 106/17	<b>holdings</b> [2] 122/21 122/22
<b>good</b> [4] 1/3 44/10 91/15 91/16	<b>halt</b> [1] 52/9	<b>has</b> [45] 2/11 17/14 37/1 37/3 39/17 39/24 45/10 45/14 47/5 49/13 50/6 51/13 56/7 57/18 57/24 58/22 59/4 62/7 70/23 78/25 79/25 82/11 94/24 96/2 100/6 100/8 101/19 102/25 105/6 113/8 113/15 115/20 116/19 118/9 119/12 123/16 129/22 130/19 140/10 140/11 141/3 144/21 145/11 146/1 148/2	<b>helpdesk</b> [2] 27/2 48/6	<b>holiday</b> [3] 131/9 135/21 135/23
<b>goodness</b> [1] 122/25	<b>halted</b> [1] 20/13	<b>have</b> [216]	<b>helpful</b> [1] 110/20	<b>Holmes</b> [2] 129/3 129/6
<b>goodwill</b> [1] 111/17	<b>hand</b> [19] 45/2 63/1 72/23 101/20 102/3 102/4 102/6 102/25 103/10 106/11 106/12 106/14 109/11 109/13 109/22 121/22 125/1 125/11 132/13	<b>haven't</b> [4] 21/3 54/8 58/18 82/17	<b>Hence</b> [1] 4/23	<b>home</b> [1] 55/15
<b>got</b> [29] 2/5 5/20 12/8 12/9 15/5 21/3 24/18 27/1 27/1 37/16 50/13 54/7 58/24 61/17 61/22 69/22 70/5 70/23 80/19 95/1 103/22 104/1 104/22 104/25 105/6 135/16 137/8 148/8 148/22	<b>handed</b> [1] 78/1	<b>having</b> [14] 20/22 42/2 56/21 59/1 73/23 73/24 74/19 108/16 114/22 125/16 147/7 150/19 150/24 151/11	<b>her</b> [1] 139/23	<b>honest</b> [1] 121/15
<b>Governance</b> [1] 145/7	<b>handing</b> [3] 123/2 123/12 125/10	<b>he</b> [73] 12/8 12/8 12/11 12/11 15/11 21/24 21/25 24/10 29/19 29/19 29/22 30/2 30/7 30/8 34/7 34/9 34/12 34/16 36/18 37/17 37/22 37/25 38/4 38/19 39/8 39/14 39/16 39/18 39/18 43/10 43/13 55/21 58/5 62/16 62/16 70/19 70/23 75/24 75/24 77/9 77/15 77/18 77/19 106/19 106/20 106/23 107/1 112/7 112/15 115/2 116/21 118/4 118/6 118/12 118/12 119/3 119/10 119/10 119/20 120/1 120/4 124/20 129/8 133/11 137/16 138/10 138/11 139/14 139/17 145/7 147/17 147/18 147/18	<b>here</b> [22] 20/3 43/12 52/12 58/6 59/10 60/8 80/4 84/4 88/10 101/2 101/8 105/11 107/23 113/16 120/24 123/19 126/15 127/23 128/13 130/3 130/15 138/3	<b>hoping</b> [1] 55/9
<b>gracefully</b> [1] 87/20	<b>happen</b> [5] 3/15 64/20 65/5 83/14 138/22	<b>hasn't</b> [2] 50/1 50/6	<b>here's</b> [3] 48/19 94/25 137/11	<b>Horizon</b> [28] 2/4 2/5 3/20 4/11 15/17 22/8 22/10 24/20 27/18 37/23 37/25 38/11 39/13 77/11 80/5 84/13 85/12 85/18 95/23 95/25 96/10 116/6 117/13 119/16 119/17 123/10 125/4 128/21
<b>Graham</b> [9] 71/5 71/5 73/16 77/5 126/15 126/17 145/6 147/3 150/22	<b>happened</b> [13] 24/14 58/5 64/14 64/14 74/3 91/25 92/2 100/15	<b>hate</b> [1] 134/7	<b>high</b> [12] 9/13 9/17 10/4 10/6 10/8 10/13 10/15 10/16 81/8 120/3 122/2 122/10	<b>hour</b> [3] 22/7 71/20 98/6
<b>grateful</b> [2] 146/6 151/15		<b>have</b> [216]	<b>highlight</b> [2] 61/11 124/21	<b>hours</b> [1] 145/10
<b>greater</b> [6] 3/15 6/7 6/13 7/25 11/23 14/12		<b>haven't</b> [4] 21/3 54/8 58/18 82/17	<b>highlighted</b> [3] 96/5 98/14 110/10	<b>House</b> [2] 13/12 13/17
<b>group</b> [3] 38/1 38/2 77/20		<b>having</b> [14] 20/22 42/2 56/21 59/1 73/23 73/24 74/19 108/16 114/22 125/16 147/7 150/19 150/24 151/11	<b>highlighting</b> [2] 35/1 86/6	<b>how</b> [40] 3/23 5/3 13/25 16/23 21/6 21/22 35/22 38/14 39/24 46/18 47/3 48/25 49/22 61/20 61/20 61/21 61/24 63/22 75/7 76/25 80/20 81/10 85/16 90/1 91/8 91/11 93/12 95/13 99/19 105/6
<b>groups</b> [1] 41/19		<b>he</b> [73] 12/8 12/8 12/11 12/11 15/11 21/24 21/25 24/10 29/19 29/19 29/22 30/2 30/7 30/8 34/7 34/9 34/12 34/16 36/18 37/17 37/22 37/25 38/4 38/19 39/8 39/14 39/16 39/18 39/18 43/10 43/13 55/21 58/5 62/16 62/16 70/19 70/23 75/24 75/24 77/9 77/15 77/18 77/19 106/19 106/20 106/23 107/1 112/7 112/15 115/2 116/21 118/4 118/6 118/12 118/12 119/3 119/10 119/10 119/20 120/1 120/4 124/20 129/8 133/11 137/16 138/10 138/11 139/14 139/17 145/7 147/17 147/18 147/18	<b>him</b> [13] 22/9 29/24 36/20 37/16 40/15 70/11 70/15 70/20 70/24 95/1 95/18 139/16 139/17	
<b>guarantee</b> [1] 133/14		<b>he's</b> [20] 22/15 39/7 70/13 70/23 70/25	<b>himself</b> [2] 117/24 118/4	
<b>guarantees</b> [1] 80/24			<b>hindsight</b> [3] 91/5 91/6 91/24	
<b>Guy</b> [12] 131/18 131/18 131/19 131/23 131/25 134/4 134/22			<b>hip</b> [1] 12/2	

<b>H</b>	<b>I could [1]</b> 43/6	<b>I obviously [1]</b> 40/8	<b>I wanted [1]</b> 76/23	80/1 92/18 107/12
<b>how... [10]</b> 108/21	<b>I couldn't [1]</b> 28/12	<b>I only [3]</b> 4/6 22/7	<b>I was [24]</b> 2/18 2/19	129/14
110/13 110/13 128/4	<b>I did [1]</b> 33/18	121/24	2/21 2/25 3/7 3/8	<b>identifies [2]</b> 38/19
131/5 133/6 133/9	<b>I didn't [6]</b> 22/9 32/17	<b>I personally [1]</b>	40/20 40/21 43/17	130/2
135/14 139/21 142/20	70/24 80/16 118/11	147/10	49/20 58/10 61/17	<b>identify [3]</b> 128/25
<b>however [9]</b> 5/25	135/22	<b>I probably [2]</b> 74/22	62/14 62/17 70/14	129/21 129/24
7/20 9/17 16/12 17/18	<b>I do [15]</b> 16/14 35/9	135/23	81/16 89/10 94/19	<b>identifying [1]</b> 81/3
31/5 73/10 117/11	35/9 58/25 67/3 67/4	<b>I provide [1]</b> 2/22	106/25 112/19 117/18	<b>ie [9]</b> 15/14 15/16
132/22	68/19 69/19 82/2 98/8	<b>I rather [1]</b> 144/12	120/2 131/10 134/18	34/4 34/11 41/19
<b>howsoever [2]</b> 5/6	98/8 117/1 131/4	<b>I read [8]</b> 52/4 52/12	<b>I wasn't [2]</b> 131/15	47/16 105/7 108/2
7/15	131/11 149/4	64/5 118/6 126/20	148/19	108/19
<b>huge [2]</b> 14/3 14/3	<b>I don't [43]</b> 4/4 8/22	142/21 143/12 149/6	<b>I went [1]</b> 4/7	<b>ie I said [1]</b> 34/4
<b>hundred [1]</b> 104/10	12/7 30/20 30/20	<b>I recall [6]</b> 3/6 49/18	<b>I will [7]</b> 19/9 34/4	<b>ie is [1]</b> 105/7
<b>hundreds [1]</b> 135/3	35/21 40/9 46/18	73/22 98/1 122/25	58/16 71/18 71/19	<b>ie it [1]</b> 41/19
<b>hung [1]</b> 52/25	49/19 49/24 50/17	128/10	73/8 113/17	<b>ie the [4]</b> 15/14 34/11
<b>hungry [1]</b> 72/4	50/21 56/20 58/18	<b>I received [1]</b> 40/11	<b>I worked [1]</b> 42/22	108/2 108/19
<b>Hypercare [3]</b> 34/11	60/5 64/5 71/11 86/2	<b>I recognise [2]</b> 32/19	<b>I would [23]</b> 35/24	<b>ie we [1]</b> 15/16
71/8 147/4	86/13 86/25 96/2	122/22	36/17 39/8 56/17	<b>if [162]</b>
<b>I</b>	100/22 103/8 103/8	<b>I recognised [1]</b> 41/6	58/13 67/11 81/17	<b>ifs [1]</b> 91/18
<b>I advised [1]</b> 40/15	105/25 106/20 107/2	<b>I recollect [2]</b> 15/5	83/10 86/19 86/21	<b>ii [1]</b> 76/25
<b>I also [2]</b> 98/7 113/13	111/3 111/3 117/17	15/7	93/4 94/20 96/12	<b>imagine [2]</b> 71/19
<b>I always [3]</b> 36/11	117/18 121/4 122/15	<b>I remember [11]</b>	99/12 106/4 106/5	114/20
131/8 131/10	125/12 127/9 128/10	13/22 14/13 15/12	135/2 135/4 135/4	<b>immediately [5]</b>
<b>I am [3]</b> 27/20 129/6	134/18 139/22 141/22	35/1 40/8 40/11 75/14	135/5 139/4 141/9	42/20 44/3 67/4 76/22
135/18	144/24 145/18 145/23	98/5 99/4 114/5	141/12	142/20
<b>I ask [7]</b> 2/6 34/18	148/23	141/16	<b>I wouldn't [3]</b> 41/4	<b>impact [25]</b> 6/24 8/23
72/20 94/10 101/18	<b>I done [2]</b> 96/7 96/12	<b>I represent [1]</b> 148/7	95/8 105/8	11/4 14/25 17/6 23/6
122/18 138/23	<b>I drafted [1]</b> 146/25	<b>I returned [1]</b> 131/15	<b>I wrong [2]</b> 19/25	23/9 26/22 41/13
<b>I asked [3]</b> 4/17	<b>I expect [1]</b> 19/16	<b>I right [1]</b> 45/20	143/5	52/22 64/7 65/3 82/2
37/13 74/17	<b>I extend [1]</b> 151/12	<b>I said [8]</b> 38/10 40/12	<b>I'd [12]</b> 8/25 28/16	94/24 115/18 118/8
<b>I asking [1]</b> 105/15	<b>I forget [1]</b> 44/2	43/11 58/13 68/21	35/18 36/19 38/7 43/5	118/21 119/4 119/5
<b>I assume [5]</b> 37/5	<b>I forwarded [1]</b> 40/12	98/10 99/5 135/23	77/23 95/11 96/21	119/16 121/12 121/13
40/21 74/6 77/9	<b>I gave [1]</b> 35/2	<b>I saw [3]</b> 41/5 41/6	114/20 134/7 146/6	131/2 138/13 140/7
117/17	<b>I got [2]</b> 2/5 37/16	69/14	<b>I'll [16]</b> 37/3 49/2 55/6	<b>impacted [5]</b> 17/2
<b>I be [1]</b> 143/1	<b>I had [4]</b> 12/7 36/12	<b>I say [8]</b> 1/24 6/17	67/20 78/2 111/8	27/1 27/2 49/18 53/15
<b>I believe [35]</b> 3/14	62/15 107/1	28/9 34/1 54/5 70/1	111/14 111/14 117/7	<b>impacting [1]</b> 23/8
3/18 3/18 5/23 9/20	<b>I have [4]</b> 55/14	139/22 142/18	124/13 124/20 142/23	<b>impacts [1]</b> 140/8
15/13 15/18 16/1	118/11 150/15 151/15	<b>I see [1]</b> 70/10	143/13 143/21 144/3	<b>implementation [4]</b>
16/21 29/20 35/4	<b>I haven't [2]</b> 58/18	<b>I sent [1]</b> 67/9	144/14	31/14 73/7 80/22
36/18 36/23 37/11	82/17	<b>I should [2]</b> 61/15	<b>I'm [47]</b> 1/6 1/25 4/2	109/7
37/24 38/1 43/7 43/8	<b>I hold [1]</b> 135/25	151/14	4/7 9/10 12/8 14/14	<b>implemented [5]</b>
44/15 71/10 71/11	<b>I imagine [1]</b> 71/19	<b>I spoke [1]</b> 37/15	27/16 27/18 39/7	74/4 80/20 81/7 83/12
74/11 75/23 77/7 83/4	<b>I immediately [2]</b>	<b>I suspect [1]</b> 73/10	43/14 55/1 55/4 55/9	83/21
84/23 85/14 88/13	42/20 76/22	<b>I think [44]</b> 3/21 7/5	58/16 58/23 58/25	<b>implications [4]</b>
88/15 98/6 110/10	<b>I initiated [1]</b> 64/10	10/24 11/9 13/23 16/6	63/24 65/15 71/24	14/13 34/7 125/17
113/23 116/2 141/6	<b>I just [8]</b> 2/6 2/23	16/12 25/23 26/2 28/2	75/9 75/9 75/15 78/9	127/22
147/15	33/1 39/2 57/17 73/1	29/1 29/10 31/1 31/10	82/5 85/21 93/3 93/11	<b>importance [2]</b> 17/1
<b>I can [7]</b> 1/5 40/11	108/13 131/16	31/21 32/11 52/4 65/6	95/1 97/1 99/17	98/16
49/19 60/5 65/23	<b>I kind [1]</b> 44/13	65/18 65/20 71/16	101/22 101/23 106/4	<b>important [5]</b> 2/8
119/23 139/14	<b>I know [4]</b> 43/5 70/17	75/17 75/24 81/9	108/12 118/18 118/25	26/17 53/23 73/12
<b>I can't [11]</b> 5/19	77/25 147/2	82/23 89/15 98/9	119/21 120/17 122/4	149/10
27/14 29/21 32/6	<b>I made [1]</b> 62/23	106/13 106/17 110/6	127/10 135/3 135/13	<b>importantly [2]</b> 79/16
35/21 42/8 52/19	<b>I may [6]</b> 56/22	112/15 113/11 114/3	138/7 144/10 145/2	97/11
71/10 74/17 85/11	111/16 128/15 135/7	114/20 120/10 125/21	151/15	<b>impression [3]</b> 19/22
93/12	141/14 143/12	128/1 128/15 129/8	<b>I've [18]</b> 7/21 52/5	20/1 22/20
<b>I cannot [2]</b> 68/25	<b>I mean [10]</b> 54/22	134/6 138/7 142/23	56/6 67/4 67/16 69/25	<b>improve [1]</b> 86/17
69/3	69/10 86/4 89/18	143/2 147/19	83/10 84/23 91/10	<b>improvement [3]</b>
<b>I clearly [1]</b> 121/6	95/17 99/1 100/20	<b>I took [9]</b> 4/3 9/2	101/9 106/18 116/18	93/1 93/3 93/9
<b>I concluded [2]</b> 3/4	104/1 127/17 145/18	14/15 32/8 70/13 81/6	126/19 131/7 137/8	<b>improvements [1]</b>
3/4	<b>I mentioned [1]</b> 28/1	89/11 101/25 109/14	140/16 148/8 150/17	117/13
<b>I considered [1]</b> 92/5	<b>I might [1]</b> 15/12	<b>I understood [1]</b>	<b>idea [1]</b> 8/2	<b>improving [1]</b> 60/12
<b>I copied [1]</b> 127/23	<b>I misunderstood [1]</b>	39/13	<b>identification [1]</b>	<b>inappropriate [1]</b>
	28/7	<b>I used [1]</b> 142/13	138/2	137/19
	<b>I needed [1]</b> 24/15	<b>I want [2]</b> 57/1 113/1	<b>identified [5]</b> 49/23	<b>incident [29]</b> 10/7



<b>I</b>	63/6 102/6 <b>initially</b> [1] 102/8 <b>initiate</b> [1] 108/16 <b>initiated</b> [1] 64/10 <b>injection</b> [1] 113/11 <b>input</b> [1] 86/7 <b>inputs</b> [1] 87/14 <b>Inquiry</b> [7] 1/14 27/18 46/6 96/9 118/19 144/11 151/9 <b>inserted</b> [1] 60/4 <b>insistent</b> [1] 127/20 <b>instance</b> [2] 27/13 36/13 <b>instances</b> [4] 25/16 27/9 93/23 130/1 <b>insufficient</b> [3] 89/20 90/6 92/3 <b>Integration</b> [1] 73/19 <b>integrity</b> [106] 14/13 14/18 15/9 17/2 17/6 34/6 36/9 40/2 40/5 41/1 42/6 42/13 42/19 43/19 44/9 45/11 45/18 46/1 57/4 57/7 57/11 59/17 59/20 59/24 60/11 60/13 60/15 60/17 60/19 60/24 61/24 62/4 62/11 62/13 63/3 63/8 63/11 64/7 64/25 66/8 66/11 66/15 66/19 66/22 67/1 68/3 69/21 76/25 77/13 80/12 80/24 81/3 81/4 81/5 81/9 82/2 82/12 82/15 82/20 83/1 83/3 83/6 83/14 83/23 84/2 84/3 84/6 84/14 84/18 93/18 94/1 95/15 96/17 96/19 98/17 99/23 100/3 107/8 107/13 107/17 107/25 108/4 109/4 109/8 110/9 110/17 115/8 115/13 115/16 116/10 116/11 117/21 117/25 118/5 118/12 121/2 121/8 121/8 121/9 121/13 132/21 139/25 140/4 140/5 140/9 140/10 <b>intended</b> [2] 20/15 65/13 <b>intent</b> [1] 86/14 <b>intention</b> [6] 5/13 5/16 55/12 55/12 84/21 94/8 <b>intentionally</b> [1] 81/13 <b>intentions</b> [1] 55/15 <b>interacting</b> [1] 110/14 <b>intercept</b> [1] 27/4	<b>interesting</b> [3] 42/15 59/9 60/9 <b>interface</b> [1] 107/1 <b>interim</b> [2] 56/2 67/22 <b>intermittent</b> [3] 53/21 81/23 114/14 <b>intermittently</b> [1] 52/23 <b>internal</b> [1] 78/5 <b>internally</b> [1] 77/12 <b>interoperate</b> [1] 84/13 <b>interpretation</b> [1] 28/6 <b>interpreter</b> [1] 76/12 <b>interrupt</b> [1] 27/16 <b>into</b> [39] 1/15 1/25 5/22 6/21 8/15 8/24 8/25 10/2 13/10 13/24 14/2 16/10 16/23 20/5 20/13 20/20 21/23 25/19 26/4 32/24 33/21 36/21 37/14 79/17 86/7 89/1 97/13 97/20 99/25 100/13 108/22 118/14 120/13 135/19 142/16 145/12 145/14 145/19 150/20 <b>introducing</b> [1] 123/19 <b>introduction</b> [2] 49/12 113/6 <b>Inventory</b> [1] 125/19 <b>investigate</b> [1] 150/9 <b>investigates</b> [1] 79/9 <b>investigation</b> [3] 65/1 65/5 127/14 <b>investigations</b> [3] 37/14 63/20 78/15 <b>invited</b> [2] 141/11 141/12 <b>involve</b> [1] 23/22 <b>involved</b> [6] 2/3 2/5 7/14 16/7 56/15 133/24 <b>involvement</b> [6] 2/15 39/11 68/9 129/25 144/22 147/14 <b>involving</b> [2] 79/2 105/10 <b>iPhone</b> [1] 135/2 <b>irregularities</b> [1] 94/4 <b>irrespective</b> [2] 27/8 46/4 <b>is</b> [359] <b>isn't</b> [13] 2/8 31/8 44/18 80/23 89/21 92/14 92/16 99/3 100/12 103/11 115/22 115/25 125/9 <b>issue</b> [161] <b>issued</b> [1] 140/24 <b>issues</b> [38] 2/23 13/9	13/22 17/19 18/8 18/21 23/9 24/25 25/2 26/20 28/16 34/2 34/13 36/16 41/12 42/3 42/19 50/19 50/20 54/20 61/24 70/16 77/12 85/3 94/11 95/15 103/22 109/17 116/3 116/11 120/5 120/24 120/24 146/21 147/23 148/12 148/14 148/20 <b>it</b> [487] <b>it's</b> [146] 2/7 2/8 2/9 2/10 4/17 4/18 6/4 6/6 9/1 9/2 9/9 10/9 10/21 13/1 13/3 13/24 14/4 15/20 16/8 16/19 17/8 17/9 17/12 19/5 19/8 19/20 21/18 22/15 23/8 23/23 24/8 24/16 26/9 26/18 27/22 27/25 28/1 29/14 29/16 30/18 31/8 31/10 32/10 35/7 43/12 44/8 44/13 45/2 47/15 48/17 48/22 48/24 49/25 50/9 50/14 50/15 52/4 52/16 54/23 56/25 58/1 58/15 58/24 59/8 61/3 61/5 61/6 61/9 61/14 62/25 63/2 63/9 63/10 67/19 69/10 69/14 70/2 74/15 74/21 75/4 75/7 75/21 77/3 79/4 80/25 81/3 82/10 83/17 85/9 85/16 85/17 86/6 86/6 86/22 86/23 88/12 90/2 91/13 92/8 93/18 94/19 95/10 96/20 99/6 100/11 100/22 101/24 102/7 102/13 103/19 103/21 104/1 108/1 108/6 109/6 109/10 109/11 109/12 110/12 110/13 110/14 110/16 112/2 114/3 115/16 115/17 116/12 119/8 119/16 119/23 119/25 121/21 124/14 126/4 126/7 127/19 128/8 135/7 137/19 137/19 142/25 143/24 146/12 148/19 149/18 151/1 <b>italicised</b> [1] 99/15 <b>italics</b> [2] 100/21 100/25 <b>item</b> [2] 50/15 50/18 <b>items</b> [3] 10/12 10/16 12/4 <b>its</b> [10] 4/1 15/15	59/12 62/6 66/20 68/1 80/21 80/22 123/17 131/2 <b>itself</b> [11] 2/8 15/14 23/14 44/19 47/7 51/2 64/3 81/20 86/22 108/9 109/5
<b>J</b>			<b>J-P</b> [1] 55/24 <b>January</b> [5] 4/12 13/11 65/8 76/19 78/12 <b>Jean</b> [7] 35/11 55/20 71/8 93/15 93/20 94/15 131/23 <b>Jean-Philippe</b> [4] 71/8 93/15 93/20 94/15 <b>Jean-Pierre</b> [3] 35/11 55/20 131/23 <b>Jenkins</b> [16] 36/23 38/24 39/4 49/15 50/5 70/10 77/4 77/5 77/15 126/2 129/3 129/5 130/25 133/11 134/23 139/11 <b>Jenkins'</b> [2] 37/20 37/22 <b>Jeram</b> [1] 3/22 <b>job</b> [5] 13/4 54/21 54/22 54/23 54/24 <b>jog</b> [1] 33/15 <b>Jogged</b> [1] 67/3 <b>John</b> [1] 71/9 <b>John's</b> [1] 62/14 <b>Johns</b> [1] 103/5 <b>joined</b> [1] 12/2 <b>joint</b> [11] 4/11 9/4 12/15 18/15 18/19 18/19 24/20 29/19 30/4 45/23 54/6 <b>jointly</b> [4] 18/14 52/10 91/20 93/7 <b>JSB</b> [1] 67/22 <b>JSNs</b> [1] 78/16 <b>July</b> [6] 2/14 121/22 122/1 134/20 140/20 141/2 <b>July 2007</b> [1] 2/14 <b>June</b> [16] 126/3 127/7 128/7 131/5 131/9 140/14 140/15 140/25 141/7 141/9 145/13 145/17 145/21 145/21 150/18 150/23 <b>June 2010</b> [5] 126/3 127/7 128/7 131/5 145/17 <b>just</b> [92] 1/20 2/2 2/6 2/23 2/24 3/1 3/13 7/23 9/24 9/25 10/9 13/20 21/5 22/15 22/15 23/8 25/5 25/21	

<b>J</b>	69/14 69/16 70/3 70/17 70/19 71/21 73/1 75/7 77/5 77/25 78/19 81/23 91/13 91/19 91/25 93/5 94/21 95/8 99/8 99/18 99/22 100/7 100/8 102/10 106/21 107/2 110/10 117/17 118/10 119/19 127/17 131/5 133/4 133/6 133/9 134/10 135/1 135/14 137/15 139/2 139/19 142/19 143/6 147/2 147/17 149/15 <b>knowing [1]</b> 96/3 <b>knowledge [5]</b> 1/21 60/21 139/16 139/20 141/20 <b>knowledgeable [1]</b> 38/16 <b>known [17]</b> 14/21 46/11 46/13 46/13 47/8 47/16 47/19 47/22 48/23 48/24 65/2 104/7 104/8 130/4 130/16 130/17 139/18 <b>Kostuch [4]</b> 42/22 42/25 42/25 43/7	57/25 58/8 <b>Leask [2]</b> 76/1 76/1 <b>least [2]</b> 73/10 86/20 <b>leave [6]</b> 37/11 37/13 37/17 134/18 135/3 135/13 <b>leaving [1]</b> 21/15 <b>led [8]</b> 15/10 19/12 44/8 50/24 88/21 120/13 142/18 147/3 <b>Lee [3]</b> 29/10 29/18 93/5 <b>left [5]</b> 102/3 106/12 106/14 109/13 109/22 <b>left-hand [5]</b> 102/3 106/12 106/14 109/13 109/22 <b>legal [79]</b> 34/19 35/3 35/8 35/14 35/17 35/19 35/25 36/1 36/3 36/4 36/7 36/9 36/12 36/13 36/15 39/1 39/6 40/2 40/15 41/8 42/7 42/9 42/13 45/11 45/15 47/6 55/21 57/5 57/12 57/25 58/8 58/14 58/17 59/2 59/3 59/18 59/25 60/7 60/15 60/18 60/20 60/25 63/24 66/9 66/15 66/17 66/23 66/24 67/7 67/9 67/14 67/25 68/4 68/10 68/21 68/24 69/20 71/9 94/11 95/2 95/5 95/10 95/11 96/25 98/1 98/17 98/24 99/2 99/6 99/11 99/13 99/14 106/22 106/23 107/1 107/2 110/16 131/19 131/24 <b>less [4]</b> 6/16 7/9 11/4 11/12 <b>Lester [1]</b> 3/18 <b>let [2]</b> 56/4 71/21 <b>let's [14]</b> 12/18 27/21 32/18 59/7 73/4 75/25 100/10 100/15 101/4 119/21 121/20 130/9 131/17 149/7 <b>letter [11]</b> 58/2 58/6 58/7 58/19 59/3 59/9 66/2 66/3 67/19 69/1 114/18 <b>levels [3]</b> 81/8 123/4 123/17 <b>LF [2]</b> 29/4 29/10 <b>liability [1]</b> 69/12 <b>liable [1]</b> 85/10 <b>light [2]</b> 97/15 99/2 <b>like [15]</b> 8/25 20/19 39/19 43/5 77/23 80/25 83/2 83/10 87/13 94/18 96/21	118/19 125/13 125/25 149/6 <b>likely [5]</b> 19/20 56/17 58/9 91/14 151/2 <b>limit [2]</b> 68/9 68/13 <b>limited [1]</b> 111/19 <b>line [3]</b> 20/24 64/10 100/1 <b>lined [2]</b> 20/17 24/18 <b>lines [3]</b> 47/4 115/9 118/22 <b>lining [1]</b> 20/7 <b>list [10]</b> 39/20 47/19 56/23 78/6 102/8 102/15 102/20 119/24 135/18 135/18 <b>listed [2]</b> 24/22 45/7 <b>literally [1]</b> 71/22 <b>litigation [2]</b> 94/2 95/17 <b>little [5]</b> 82/5 122/5 123/6 123/7 125/12 <b>live [22]</b> 4/25 5/16 6/12 7/25 14/2 18/2 20/6 37/24 45/8 92/8 95/15 95/18 103/18 104/5 105/3 113/9 113/15 115/21 117/4 119/13 120/9 129/23 <b>lives [1]</b> 92/1 <b>load [3]</b> 6/8 7/2 124/19 <b>loads [2]</b> 5/21 90/1 <b>locks [1]</b> 101/9 <b>Log [3]</b> 46/11 46/14 47/8 <b>logged [1]</b> 146/21 <b>long [7]</b> 16/24 21/6 21/9 21/22 98/6 131/5 145/10 <b>longer [6]</b> 8/11 50/3 53/1 53/1 55/10 115/15 <b>look [66]</b> 3/11 4/9 12/18 12/18 17/8 24/19 24/24 27/24 32/18 34/14 36/21 37/18 38/9 39/15 44/18 49/4 51/11 55/2 55/17 57/14 62/24 65/25 72/20 73/4 74/12 75/19 75/20 75/25 77/23 78/2 80/17 80/19 83/2 92/25 96/20 96/21 100/15 100/25 101/4 101/15 101/25 102/24 103/9 105/17 106/11 111/25 116/12 117/22 119/21 120/6 121/20 121/24 122/5 122/8 122/11 122/19 124/15 124/17 125/13 128/7 130/8 130/10 131/17	134/7 140/24 146/11 <b>looked [7]</b> 18/15 64/16 67/10 83/25 101/9 108/13 140/20 <b>looking [24]</b> 11/17 14/19 35/5 47/3 63/16 66/1 66/5 69/10 74/23 81/16 81/20 83/1 83/9 88/22 89/18 90/5 92/1 94/16 100/23 108/12 110/19 136/13 138/21 143/19 <b>looks [7]</b> 31/8 50/18 50/21 50/22 101/10 142/24 149/5 <b>lose [1]</b> 52/24 <b>loses [1]</b> 87/16 <b>losing [2]</b> 113/23 114/23 <b>loss [1]</b> 52/24 <b>lot [10]</b> 12/23 12/24 20/6 22/3 22/25 22/25 30/3 113/17 114/21 115/1 <b>lots [1]</b> 98/6 <b>low [2]</b> 20/14 122/8 <b>lunch [2]</b> 55/11 151/12 <b>Lywood [1]</b> 73/6
<b>K</b>	<b>K-O-U [1]</b> 43/7 <b>K-O-U-T-U-C-H [1]</b> 43/7 <b>Keeling [7]</b> 112/3 112/4 112/5 114/5 116/19 116/22 146/25 <b>keen [1]</b> 11/22 <b>keep [4]</b> 33/18 33/20 54/8 128/18 <b>keeping [1]</b> 19/17 <b>KEL [1]</b> 34/22 <b>Kevin [1]</b> 71/10 <b>key [6]</b> 4/1 21/24 23/5 26/3 56/25 88/6 <b>keys [1]</b> 88/3 <b>kind [13]</b> 3/11 6/6 6/14 21/17 21/18 33/23 44/13 45/17 58/25 69/22 81/23 128/24 139/13 <b>kinds [4]</b> 18/20 36/16 115/9 127/8 <b>knew [1]</b> 35/15 <b>know [91]</b> 2/1 2/4 3/17 11/16 11/17 12/7 12/16 13/5 16/13 16/23 17/4 20/7 20/9 20/9 21/11 21/16 21/25 22/15 22/19 23/7 23/13 26/8 26/16 26/16 27/5 28/8 35/21 40/10 41/7 41/15 43/5 46/18 46/22 48/15 52/9 53/12 56/5 59/2 60/5 62/2 64/9 64/20 65/4 68/19 69/11	<b>L</b> <b>laboratories [1]</b> 7/4 <b>laboratory [8]</b> 5/14 5/17 6/4 7/21 8/14 43/20 92/9 92/18 <b>lack [2]</b> 14/21 118/10 <b>language [2]</b> 23/15 81/1 <b>laptop [3]</b> 135/4 135/23 135/24 <b>large [2]</b> 13/2 149/17 <b>largely [1]</b> 16/25 <b>last [5]</b> 65/19 70/8 73/19 131/8 146/18 <b>late [1]</b> 3/25 <b>later [8]</b> 11/12 16/24 82/23 82/24 109/3 109/3 109/19 134/19 <b>latest [2]</b> 25/3 67/23 <b>laughed [1]</b> 22/22 <b>launch [1]</b> 103/15 <b>lawyers [1]</b> 106/20 <b>lay [1]</b> 30/13 <b>lead [12]</b> 28/9 28/22 30/9 34/12 40/20 43/13 58/12 62/15 71/4 71/6 77/16 96/11 <b>leadership [3]</b> 34/7 34/12 56/6 <b>leading [5]</b> 33/17 37/12 40/13 40/23 147/4 <b>leads [4]</b> 28/21 29/20		
			<b>M</b> <b>machine [1]</b> 64/21 <b>made [11]</b> 51/17 51/22 54/21 62/23 64/19 74/22 96/16 102/10 118/7 119/2 135/10 <b>mail [5]</b> 40/9 112/10 114/1 116/18 125/6 <b>main [1]</b> 120/11 <b>maintained [1]</b> 107/17 <b>maintenance [6]</b> 9/23 9/25 10/3 10/6 33/10 116/5 <b>major [3]</b> 94/23 94/23 113/21 <b>make [38]</b> 7/23 10/18 11/6 12/12 12/25 13/4 18/14 21/13 26/23 35/3 35/11 35/16 35/19 36/20 40/15 41/7 41/23 42/9 43/4 52/14 53/7 53/25 53/25 54/23 54/24 62/9 88/18 101/7 123/16 132/2 136/11 137/4 143/17 148/21 149/2 149/7 149/18 149/20 <b>making [11]</b> 11/15 11/23 12/11 23/5 27/6 35/4 68/13 75/15 127/10 138/7 149/5	

<b>M</b>	<b>maybe [1]</b> 90/22	<b>messages [5]</b> 13/14 25/16 27/9 48/16 120/18	<b>money [1]</b> 123/9	<b>Mr D'Alvarez [10]</b> 1/7 1/13 22/4 72/13 72/20 144/9 144/14 148/7 150/13 151/8
<b>manage [2]</b> 71/25 82/1	<b>Maz [5]</b> 42/22 42/25 42/25 76/2 76/22	<b>messaging [3]</b> 12/15 12/21 12/25	<b>monitor [3]</b> 6/1 26/15 90/10	<b>Mr Jenkins [2]</b> 38/24 39/4
<b>manageable [2]</b> 18/17 19/2	<b>MB [2]</b> 10/12 31/21	<b>met [4]</b> 39/17 54/3 54/8 54/9	<b>monitored [1]</b> 27/3	<b>Mr Moloney [1]</b> 148/2
<b>managed [2]</b> 13/6 41/18	<b>me [50]</b> 1/4 6/14 21/24 22/8 22/15 22/16 27/13 28/21 28/22 29/22 31/9 33/25 35/1 35/10 37/1 39/3 41/12 43/14 44/8 50/21 50/22 56/4 58/10 58/23 62/16 62/19 62/22 63/14 65/17 69/15 69/16 83/20 90/21 90/22 90/22 95/21 96/17 96/19 98/4 101/3 110/6 111/13 126/11 126/17 127/18 128/11 135/6 135/6 135/7 138/9	<b>method [3]</b> 85/2 86/10 109/16	<b>monitoring [14]</b> 6/1 14/4 25/12 25/18 26/13 26/14 26/19 26/23 26/24 27/7 27/11 88/16 88/18 88/25	<b>Mr Moloney [1]</b> 148/2 <b>Mr Prenovost [1]</b> 106/19
<b>management [15]</b> 22/2 22/2 24/4 36/14 42/23 43/1 43/11 54/22 56/2 64/10 113/20 117/6 122/12 129/11 140/11	<b>mean [22]</b> 54/22 62/22 65/12 69/10 74/18 80/15 81/13 82/2 86/1 86/4 86/5 89/18 95/17 99/1 100/20 104/1 119/15 121/5 127/17 134/24 142/10 145/18	<b>might [15]</b> 15/12 27/10 48/21 60/18 62/20 85/10 87/21 111/6 113/5 125/21 125/23 138/13 150/5 150/6 150/8	<b>months [2]</b> 42/2 145/10	<b>Ms [2]</b> 144/21 145/25 <b>Ms Page [2]</b> 144/21 145/25
<b>manager [4]</b> 15/11 20/10 73/7 145/7	<b>means [11]</b> 4/21 40/4 47/25 57/7 59/19 66/11 74/15 80/16 111/4 132/16 132/17	<b>migrate [1]</b> 45/5	<b>more [32]</b> 3/11 6/17 6/18 8/5 8/19 11/6 14/17 16/8 21/17 47/9 62/25 65/22 68/16 69/18 73/11 74/22 85/24 88/11 89/1 90/14 90/16 91/23 92/16 99/3 108/10 110/1 110/23 113/2 122/5 125/7 131/23 149/15	<b>much [37]</b> 1/6 1/10 12/2 12/3 14/14 16/2 18/7 18/18 20/9 26/14 29/16 43/9 47/24 51/15 52/24 54/17 71/16 72/9 80/5 90/1 93/12 95/18 97/3 98/14 98/19 100/1 102/3 105/15 111/20 111/24 123/5 124/7 129/6 149/14 149/14 151/19 151/20
<b>managing [1]</b> 137/16	<b>meant [7]</b> 11/1 13/15 26/25 51/9 74/20 88/3 119/20	<b>migrated [1]</b> 52/23	<b>morning [8]</b> 1/3 55/10 72/5 89/9 147/6 148/11 149/6 150/23	<b>must [3]</b> 48/1 84/15 96/18
<b>mandated [1]</b> 107/21	<b>meantime [1]</b> 33/11	<b>migrating [3]</b> 17/23 26/4 37/23	<b>Most [2]</b> 79/15 97/11	<b>my [71]</b> 2/19 2/20 2/24 12/7 15/11 19/18 20/8 20/9 21/24 22/19 23/23 23/23 24/5 24/6 27/17 30/8 32/19 32/20 36/11 39/13 40/10 41/15 42/8 42/8 42/20 44/13 47/11 54/23 54/23 55/11 55/12 56/20 58/15 58/19 58/25 60/21 62/12 62/14 63/16 64/10 67/3 68/22 70/8 71/5 71/14 80/23 84/23 85/7 94/8 94/19 96/1 100/3 111/14 116/3 116/6 121/11 127/9 127/19 128/23 131/7 131/9 131/11 135/4 135/8 135/16 135/22 135/23 135/25 136/18 145/24 151/14
<b>manual [2]</b> 31/23 31/25	<b>measures [1]</b> 80/1	<b>migration [11]</b> 15/11 15/14 15/14 15/17 15/22 15/24 17/15 17/16 17/21 17/22 145/6	<b>move [11]</b> 13/7 19/2 27/21 32/7 43/24 54/7 54/12 54/13 105/18 111/25 117/7	<b>myself [3]</b> 3/21 12/2 147/5
<b>many [10]</b> 13/25 20/18 41/18 81/22 85/16 91/8 113/7 115/19 115/23 119/11	<b>medium [13]</b> 4/23 5/6 5/22 6/21 7/4 7/20 19/14 20/18 21/23 122/6 122/10 122/11 124/11	<b>mind [4]</b> 94/14 95/19 96/5 98/19	<b>Mr [51]</b> 1/7 1/9 1/13 4/3 4/4 4/13 4/18 9/2 10/11 10/17 19/9 22/4 22/4 22/5 24/21 27/16 29/17 31/21 32/8 34/15 38/24 39/4 55/15 58/4 71/24 72/10 72/13 72/20 89/12 106/19 111/10 117/24 142/24 144/5 144/9 144/14 146/1 146/2 146/9 147/11 148/2 148/5 148/7 148/11 150/13 150/14 151/8 151/18 152/4 152/6 152/8	
<b>March [14]</b> 44/21 45/10 45/13 49/10 50/16 51/12 51/16 52/2 66/1 72/22 93/15 96/22 111/25 112/2	<b>meetings [5]</b> 2/20 4/16 9/5 9/6 147/21	<b>mindset [2]</b> 113/12 113/18	<b>MR BLAKE [12]</b> 1/9 27/16 55/15 71/24 72/10 111/10 144/5 146/9 148/11 150/14 151/18 152/4	
<b>mark [19]</b> 12/2 19/12 19/17 21/12 32/22 34/15 57/15 57/20 71/9 71/12 71/14 74/18 95/21 96/16 112/14 112/14 147/5 147/16 147/16	<b>memories [1]</b> 63/17	<b>minimise [1]</b> 146/13	<b>Mr Burley [13]</b> 4/3 4/13 4/18 9/2 10/11 10/17 19/9 24/21 31/21 32/8 58/4 89/12 147/11	
<b>Mark's [1]</b> 54/24	<b>memory [7]</b> 33/2 33/15 38/21 40/10 58/25 62/7 67/3	<b>minus [1]</b> 132/11	<b>Mr Burley's [3]</b> 4/4 22/4 22/5	
<b>match [1]</b> 79/8	<b>mention [1]</b> 105/20	<b>minute [3]</b> 71/19 71/23 111/7	<b>Mr Butts [1]</b> 34/15	
<b>material [4]</b> 6/24 8/23 94/24 121/12	<b>mentioned [8]</b> 13/9 25/1 28/1 30/12 32/4 54/14 126/5 134/10	<b>mind [4]</b> 94/14 95/19 96/5 98/19		
<b>matter [13]</b> 46/6 64/1 77/10 77/17 77/21 77/22 110/15 124/24 126/23 128/2 144/22 148/9 149/20	<b>message [5]</b> 25/11 25/13 48/15 117/4 120/19	<b>misread [1]</b> 143/12		
<b>matters [5]</b> 4/7 17/1 30/13 104/1 120/4		<b>miss [5]</b> 89/3 90/15 90/19 90/21 91/5		
<b>may [56]</b> 4/7 5/6 11/5 24/9 24/10 25/16 27/3 27/3 27/14 30/17 31/6 36/23 46/5 47/19 50/24 52/19 55/8 56/22 58/22 64/6 64/7 64/18 64/21 65/3 65/3 65/17 71/22 73/11 86/7 87/5 92/21 93/21 104/9 111/15 111/16 116/14 118/20 127/20 128/15 131/12 131/14 132/25 133/1 133/16 135/7 135/20 141/6 141/14 141/24 142/3 142/10 142/16 143/12 144/23 148/10 149/11		<b>missed [2]</b> 76/25 89/4		
		<b>missing [2]</b> 4/1 10/14		
		<b>mistake [1]</b> 62/23		
		<b>mistook [1]</b> 128/16		
		<b>misunderstood [1]</b> 28/7		
		<b>mitigate [1]</b> 17/5		
		<b>Mm [5]</b> 18/6 29/3 30/5 33/22 101/14		
		<b>Mm-hm [3]</b> 29/3 30/5 33/22		
		<b>model [1]</b> 6/6		
		<b>Moloney [3]</b> 148/2 148/5 152/8		
		<b>moment [5]</b> 27/19 106/16 111/6 136/12 143/18		
		<b>moments [1]</b> 98/20		
		<b>Monday [5]</b> 136/16 143/11 143/14 143/21 144/2		

<b>N</b>	94/10 96/1 97/14 103/8 105/19 105/25 112/20 115/15 116/11 122/2 122/15 125/16 129/19 129/20 130/7 130/23 131/7 132/20 133/13 133/14 137/8 137/23 144/1 144/19 144/25 145/23 145/25 149/4 151/6	<b>number 1 [2]</b> 95/20 96/17 <b>number 3 [1]</b> 121/7 <b>Number 5 [1]</b> 121/8 <b>Number 6 [1]</b> 121/9 <b>Number 7 [1]</b> 121/11 <b>numbered [1]</b> 120/23 <b>numbers [1]</b> 104/12	127/12 129/12 132/20 133/23 136/4 136/24 137/2 137/6 137/10 137/18 137/22 137/24 138/11 139/3 139/9 141/25 142/6 142/11 142/14 145/22 148/20 150/1 150/21 151/4	<b>onward [1]</b> 129/11 <b>onwards [1]</b> 67/12 <b>open [3]</b> 50/8 62/8 121/15 <b>opened [2]</b> 50/23 135/15 <b>operate [2]</b> 108/18 125/4 <b>operating [4]</b> 18/4 53/14 87/18 108/22 <b>operation [2]</b> 56/21 125/17 <b>operational [2]</b> 14/18 117/3 <b>operations [1]</b> 149/22 <b>opinion [2]</b> 18/20 100/22 <b>opportunity [2]</b> 70/24 102/16 <b>opposed [3]</b> 3/12 21/15 28/24 <b>opposite [3]</b> 71/13 71/14 87/22 <b>option [2]</b> 10/12 10/21 <b>options [2]</b> 10/23 11/2 <b>or [145]</b> 2/4 5/20 6/11 6/15 6/20 7/1 7/5 7/19 8/6 8/23 10/15 13/25 16/18 16/20 16/25 19/3 21/20 22/5 24/12 25/15 26/10 27/1 27/9 28/6 28/11 30/14 32/13 34/12 36/2 36/4 36/9 38/12 39/11 45/20 46/9 47/4 47/8 47/20 47/25 48/5 48/19 48/20 48/21 51/20 52/6 52/7 52/9 52/9 53/13 54/9 54/12 56/14 58/6 58/11 58/22 59/4 59/5 60/18 61/21 64/19 65/3 69/2 71/20 71/22 71/25 73/2 77/19 79/10 80/21 80/25 82/15 85/5 85/25 86/10 86/12 87/5 88/8 90/6 92/3 92/12 93/1 93/8 94/11 95/10 97/23 99/19 99/21 101/1 102/5 102/11 104/7 104/19 105/2 106/19 107/18 107/19 108/9 110/2 110/24 110/25 113/12 115/8 116/9 116/14 117/16 117/18 118/21 119/18 120/24 121/12 123/4 123/15 123/15 124/1 124/2 124/4 125/20 126/6 134/6 134/25 135/20
<b>nature...</b> [4] 109/17 114/18 144/13 148/24 <b>navigate [1]</b> 13/4 <b>NB [1]</b> 133/13 <b>necessarily [3]</b> 48/17 48/18 99/2 <b>necessary [2]</b> 28/12 28/24 <b>need [36]</b> 4/24 16/10 17/3 21/5 21/11 31/6 32/15 33/11 42/11 55/2 55/11 65/22 67/24 76/24 80/11 81/2 81/3 82/14 94/12 95/9 97/14 99/11 107/7 107/12 107/24 108/3 113/19 121/24 125/23 129/21 129/25 134/6 135/7 138/8 138/24 144/24 <b>needed [11]</b> 3/14 11/3 18/9 21/6 23/23 24/15 41/6 43/22 52/14 124/8 128/2 <b>needs [8]</b> 21/11 21/24 51/20 68/23 117/8 124/20 124/23 126/22 <b>negative [24]</b> 87/2 87/7 87/8 87/13 87/22 88/5 88/11 89/20 89/21 89/24 90/6 90/14 90/15 90/23 90/25 91/2 91/6 91/10 91/21 92/3 92/15 93/2 93/9 118/21 <b>net [1]</b> 79/7 <b>network [2]</b> 125/18 146/14 <b>networks [1]</b> 6/6 <b>never [2]</b> 64/22 136/18 <b>new [14]</b> 13/10 25/2 25/19 26/9 26/12 50/15 50/23 74/3 87/4 104/1 105/17 107/10 141/4 148/14 <b>next [9]</b> 4/11 6/19 8/25 14/20 14/24 24/20 51/11 124/19 137/13 <b>NFSP [2]</b> 146/22 147/12 <b>night [1]</b> 73/19 <b>nine [1]</b> 120/23 <b>no [51]</b> 7/17 9/12 22/25 30/20 32/2 32/14 32/17 41/2 46/2 46/17 50/3 52/25 53/1 53/20 61/8 62/12 62/13 74/17 77/8 77/17 80/4 86/25	<b>node [3]</b> 16/8 28/6 32/3 <b>non [3]</b> 29/23 89/22 120/13 <b>non-functional [2]</b> 29/23 89/22 <b>normal [5]</b> 13/1 56/21 83/23 87/18 88/23 <b>Norton [11]</b> 36/22 39/16 44/12 66/4 67/18 69/4 70/18 124/18 126/10 126/21 127/10 <b>nose [1]</b> 136/18 <b>not [154]</b> <b>note [7]</b> 31/12 112/9 116/17 116/18 116/20 116/21 117/1 <b>noted [2]</b> 148/14 148/16 <b>Notes [1]</b> 4/10 <b>nothing [6]</b> 99/15 100/6 115/13 115/16 116/8 117/20 <b>notice [1]</b> 47/21 <b>novel [2]</b> 41/3 41/4 <b>now [52]</b> 4/2 14/1 16/11 17/11 20/5 20/20 21/1 23/6 27/20 27/21 29/12 35/3 35/11 35/15 38/9 44/17 50/13 52/2 57/1 57/17 57/24 59/22 62/25 63/9 63/14 63/16 64/18 66/1 67/4 67/7 71/19 72/11 78/5 79/18 83/11 86/4 96/2 96/22 98/8 98/8 102/6 105/19 105/22 107/23 108/9 111/8 111/24 112/11 113/23 119/25 123/23 145/1 <b>NUM [1]</b> 129/16 <b>number [28]</b> 9/21 14/1 18/3 41/17 48/20 49/6 49/9 50/19 53/9 71/13 71/15 83/10 93/4 95/20 96/17 120/8 120/18 120/24 121/7 121/8 121/9 121/11 130/15 130/18 130/20 136/21 136/21 149/17	<b>oath [1]</b> 72/13 <b>objective [1]</b> 146/13 <b>obligation [3]</b> 94/21 94/22 94/25 <b>obligations [1]</b> 95/3 <b>obtain [1]</b> 125/10 <b>obviously [5]</b> 8/20 40/8 72/13 94/24 142/18 <b>occasion [1]</b> 18/22 <b>occurred [3]</b> 13/14 89/14 94/24 <b>occurrence [1]</b> 79/1 <b>occurring [7]</b> 29/2 80/2 85/4 104/7 104/7 109/18 145/20 <b>occurs [3]</b> 69/15 85/12 120/19 <b>off [23]</b> 7/19 53/22 70/14 81/5 82/25 83/3 83/6 84/2 84/3 84/6 84/18 106/12 108/8 109/4 112/24 131/9 135/25 137/1 137/21 137/24 138/16 141/23 143/7 <b>offered [1]</b> 10/12 <b>office [107]</b> 2/21 3/8 10/18 11/21 11/25 13/18 16/20 18/21 18/23 19/4 19/11 19/13 19/13 20/3 20/25 21/22 23/18 26/21 27/17 28/17 29/11 29/24 30/14 35/19 37/17 37/19 39/16 40/7 40/25 41/10 42/5 43/3 46/8 46/16 46/18 46/20 49/19 51/25 52/1 52/11 53/7 54/17 55/22 56/1 56/14 67/13 67/14 71/11 71/12 79/4 79/7 79/9 79/12 82/19 84/11 85/23 86/10 86/16 86/24 91/20 94/2 94/9 95/17 97/8 100/4 102/19 109/25 110/22 112/16 115/12 115/23 118/3 121/16 123/3 123/15 123/16 124/3 124/3 124/4 124/12 126/3 126/9 127/6	<b>offices [25]</b> 5/23 7/3 7/20 13/14 13/25 14/1 20/8 20/15 21/14 23/25 52/22 53/14 92/12 104/9 104/9 107/22 114/15 114/23 114/25 115/15 147/6 147/7 147/10 147/19 149/18 <b>offline [1]</b> 88/8 <b>often [1]</b> 69/11 <b>oh [3]</b> 77/8 112/21 122/21 <b>okay [17]</b> 16/9 25/20 32/18 50/17 58/21 61/6 71/3 81/15 81/17 104/18 119/19 119/19 122/21 127/5 131/17 136/9 143/23 <b>Old [1]</b> 141/16 <b>on [211]</b> <b>once [9]</b> 1/20 17/22 21/8 48/21 53/5 53/23 92/17 101/23 148/22 <b>ONCH [1]</b> 123/12 <b>one [65]</b> 2/2 2/6 10/23 11/2 14/10 14/12 14/14 16/1 16/7 16/16 16/17 27/14 28/10 29/19 30/4 34/2 34/3 34/3 34/5 35/23 40/13 41/15 43/18 50/19 53/22 55/10 63/1 63/19 64/8 65/17 66/4 73/16 75/18 77/7 77/9 78/18 79/1 81/18 88/10 88/13 98/4 99/11 101/5 101/12 102/6 102/8 102/9 103/16 104/21 105/17 106/12 108/19 110/8 112/21 115/24 122/22 122/23 124/11 126/20 129/9 140/16 144/12 144/17 148/8 150/2 <b>one-off [1]</b> 53/22 <b>ones [3]</b> 52/3 65/20 122/11 <b>Online [4]</b> 2/4 2/5 80/5 117/13 <b>only [20]</b> 4/6 7/12 8/15 15/2 16/18 22/7 25/20 48/5 59/11 63/9 65/20 75/9 78/18 89/6 104/5 119/21 121/24 135/10 137/8 139/14	

<p><b>O</b></p> <p><b>or... [24]</b> 136/15 137/2 137/13 137/19 138/15 139/5 140/9 140/14 141/19 142/1 143/6 143/9 143/10 143/11 143/13 143/16 143/21 144/2 144/7 144/12 144/19 146/1 150/9 150/20</p> <p><b>Oracle [13]</b> 52/20 52/22 53/11 114/13 114/13 115/25 116/2 118/9 120/7 120/9 120/12 120/18 120/25</p> <p><b>order [3]</b> 15/13 86/10 149/10</p> <p><b>ordinary [1]</b> 149/22</p> <p><b>organisation [5]</b> 12/23 42/21 42/23 54/24 54/25</p> <p><b>organisations [4]</b> 12/22 20/21 23/6 54/11</p> <p><b>original [9]</b> 8/13 39/13 61/1 61/4 98/16 106/15 107/4 132/5 132/7</p> <p><b>originally [3]</b> 6/16 8/2 8/4</p> <p><b>other [24]</b> 9/14 14/10 14/16 15/10 27/9 29/21 36/9 44/4 45/24 50/24 50/25 61/13 71/1 74/22 76/9 79/1 92/21 107/22 110/24 118/16 119/2 144/12 149/5 151/3</p> <p><b>others [11]</b> 11/4 12/6 27/14 36/6 37/7 39/14 50/20 70/15 133/25 136/25 150/6</p> <p><b>our [72]</b> 6/10 6/11 7/3 7/17 8/14 8/21 9/7 12/3 12/15 12/21 13/4 18/16 19/2 19/15 26/23 26/23 27/6 35/3 35/17 35/18 36/10 36/13 38/8 39/7 40/15 41/7 41/24 42/9 43/20 43/20 52/7 54/10 54/21 54/22 57/24 58/9 63/20 63/20 63/21 65/21 67/10 69/20 69/24 71/7 71/8 71/17 83/6 83/11 88/22 89/4 90/11 90/15 92/5 92/9 92/18 94/6 95/3 97/22 97/24 98/24 99/12 100/5 109/6 109/6 110/11 113/1 114/2 117/5 118/13 131/19 146/13</p>	<p>147/22</p> <p><b>ourselves [14]</b> 12/17 12/19 16/15 17/3 18/17 41/9 41/9 52/16 53/4 54/10 69/23 83/12 113/14 149/16</p> <p><b>out [44]</b> 5/11 6/15 9/24 13/3 21/19 28/18 39/18 45/2 57/1 58/15 65/13 67/20 75/6 88/9 88/23 96/18 100/9 100/11 101/16 104/6 104/9 104/13 106/2 106/5 106/10 111/1 113/14 116/5 120/4 123/7 123/20 124/5 124/18 132/12 132/14 133/16 139/23 148/10 148/15 148/25 149/2 149/17 150/2 150/11</p> <p><b>outages [3]</b> 114/22 117/2 121/7</p> <p><b>outside [4]</b> 12/9 24/12 36/14 38/2</p> <p><b>outstanding [4]</b> 9/12 17/18 18/8 122/2</p> <p><b>over [28]</b> 8/11 9/9 10/9 16/13 16/14 17/13 18/12 24/5 25/8 28/25 31/19 32/23 37/23 44/13 50/14 59/7 59/10 65/23 79/22 80/7 84/24 85/20 103/18 105/19 109/10 122/10 124/19 129/20</p> <p><b>overall [3]</b> 80/9 95/5 107/5</p> <p><b>overnight [4]</b> 122/21 123/2 123/12 125/10</p> <p><b>overturning [1]</b> 100/17</p> <p><b>overview [1]</b> 2/22</p> <p><b>overwritten [2]</b> 38/22 62/2</p> <p><b>own [6]</b> 25/17 27/11 66/20 68/1 111/14 151/14</p> <p><b>ownership [3]</b> 14/15 34/4 41/16</p> <hr/> <p><b>P</b></p> <p><b>pack [11]</b> 32/19 32/20 40/10 44/13 58/19 58/20 63/15 65/18 65/20 128/11 131/7</p> <p><b>page [97]</b> 2/9 2/10 4/17 4/19 9/9 13/8 13/8 13/10 13/10 17/8 24/24 24/25 24/25 25/8 27/24 27/25 28/25 28/25 30/21 31/19 31/19 32/11</p>	<p>32/18 32/23 34/14 34/16 36/21 36/21 39/15 44/21 49/4 50/12 50/14 50/14 51/5 51/12 59/7 59/10 61/5 61/9 61/10 61/12 61/13 65/25 66/1 66/5 67/17 73/4 73/4 73/5 73/13 74/12 74/15 79/22 80/7 84/24 85/20 96/21 97/4 101/6 103/11 105/14 105/19 106/11 109/10 109/10 112/12 113/25 119/10 121/23 122/5 122/6 122/10 122/12 122/16 124/15 124/17 124/19 126/1 126/1 126/12 126/12 126/12 126/13 126/13 127/19 129/20 130/10 130/10 130/11 130/11 131/17 133/10 140/24 141/1 144/21 145/25</p> <p><b>page 1 [1]</b> 39/15</p> <p><b>page 10 [4]</b> 13/10 32/11 32/18 126/1</p> <p><b>page 2 [7]</b> 61/5 61/9 61/10 73/4 73/13 97/4 133/10</p> <p><b>page 3 [14]</b> 4/17 4/19 17/8 27/24 27/25 44/21 66/1 73/4 73/5 74/12 74/15 130/10 130/11 131/17</p> <p><b>page 31 [2]</b> 122/5 122/6</p> <p><b>page 37 [1]</b> 122/16</p> <p><b>page 4 [6]</b> 24/24 24/25 28/25 36/21 130/10 130/11</p> <p><b>page 5 [6]</b> 31/19 36/21 49/4 51/5 80/7 126/13</p> <p><b>page 6 [3]</b> 50/14 124/17 126/12</p> <p><b>page 7 [7]</b> 2/9 2/10 101/6 109/10 126/12 126/13 127/19</p> <p><b>page 9 [5]</b> 13/8 13/10 34/14 34/16 121/23</p> <p><b>pain [2]</b> 24/16 24/17</p> <p><b>paint [1]</b> 97/14</p> <p><b>painting [1]</b> 99/1</p> <p><b>paper [1]</b> 125/6</p> <p><b>paragraph [13]</b> 9/16 19/8 33/2 38/19 66/5 79/23 97/4 97/25 102/25 117/7 119/9 124/22 146/11</p> <p><b>paragraph 4 [2]</b> 19/8 38/19</p> <p><b>part [27]</b> 4/6 9/23 10/5 11/25 26/19</p>	<p>37/25 43/3 48/9 50/19 56/22 75/24 77/20 92/13 94/5 96/8 102/20 106/19 107/20 109/1 109/11 110/12 110/17 118/13 123/10 131/19 134/2 142/8</p> <p><b>Participants [2]</b> 148/8 150/17</p> <p><b>participating [1]</b> 46/21</p> <p><b>particular [25]</b> 7/6 11/14 13/21 14/11 27/5 27/8 30/17 33/3 33/16 33/24 37/10 40/13 46/3 49/23 63/18 64/21 70/11 88/7 96/4 96/5 97/25 108/7 130/6 131/6 147/7</p> <p><b>particularly [4]</b> 63/19 72/4 106/23 133/22</p> <p><b>parts [2]</b> 5/11 118/16</p> <p><b>party [2]</b> 78/18 145/1</p> <p><b>pass [1]</b> 86/21</p> <p><b>passage [4]</b> 82/6 84/22 105/20 105/24</p> <p><b>passages [1]</b> 95/7</p> <p><b>passed [6]</b> 15/2 45/14 57/18 68/22 73/19 116/15</p> <p><b>past [1]</b> 145/10</p> <p><b>Pat [3]</b> 73/6 73/14 74/17</p> <p><b>patch [1]</b> 122/12</p> <p><b>patching [1]</b> 9/25</p> <p><b>patience [1]</b> 146/18</p> <p><b>patient [1]</b> 113/22</p> <p><b>Paul [3]</b> 76/9 103/3 106/6</p> <p><b>pause [1]</b> 52/9</p> <p><b>paused [2]</b> 20/23 21/2</p> <p><b>pauses [1]</b> 18/1</p> <p><b>pausing [1]</b> 13/20</p> <p><b>PCI [1]</b> 93/25</p> <p><b>peculiar [1]</b> 64/19</p> <p><b>Penny [16]</b> 128/9 129/3 129/5 130/12 130/25 132/1 132/4 133/12 134/5 134/22 135/24 136/2 136/5 139/21 139/22 143/17</p> <p><b>penultimate [1]</b> 13/8</p> <p><b>people [14]</b> 2/23 12/9 13/2 13/3 20/17 23/8 35/17 35/19 41/15 41/22 54/6 72/3 76/4 102/15</p> <p><b>people's [1]</b> 92/1</p> <p><b>per [9]</b> 5/12 5/13 5/20 5/21 7/1 7/1 50/8 51/6 68/14</p> <p><b>perfect [1]</b> 51/20</p>	<p><b>perform [1]</b> 4/22</p> <p><b>performance [6]</b> 6/2 6/9 8/12 8/15 88/18 89/21</p> <p><b>performing [1]</b> 48/11</p> <p><b>performs [1]</b> 87/12</p> <p><b>perhaps [5]</b> 40/20 48/14 61/7 61/11 126/1</p> <p><b>period [12]</b> 8/11 51/8 51/10 53/8 53/15 75/17 95/24 114/23 127/6 136/25 143/4 143/4</p> <p><b>Permanent [1]</b> 31/4</p> <p><b>person [11]</b> 34/9 40/21 40/22 43/10 43/13 76/2 76/3 76/9 106/25 131/20 139/17</p> <p><b>person's [1]</b> 29/21</p> <p><b>personally [3]</b> 82/17 106/5 147/10</p> <p><b>perspective [2]</b> 62/12 95/11</p> <p><b>Peter [2]</b> 3/21 112/8</p> <p><b>phase [9]</b> 29/5 43/22 46/21 88/25 92/6 92/7 92/7 92/8 149/24</p> <p><b>Phil [19]</b> 36/22 36/25 39/16 40/18 40/21 40/23 44/12 44/16 59/6 66/4 67/18 69/4 70/18 70/19 124/17 126/9 126/21 127/10 127/17</p> <p><b>Philippe [4]</b> 71/8 93/15 93/20 94/15</p> <p><b>phone [3]</b> 71/24 135/20 135/22</p> <p><b>phoned [2]</b> 47/21 48/6</p> <p><b>phrased [1]</b> 47/5</p> <p><b>physical [1]</b> 85/16</p> <p><b>pick [5]</b> 26/22 43/20 64/15 105/5 123/15</p> <p><b>picked [7]</b> 43/21 92/7 92/8 92/10 92/11 99/20 105/2</p> <p><b>picture [1]</b> 88/17</p> <p><b>Pierre [3]</b> 35/11 55/20 131/23</p> <p><b>pilot [70]</b> 4/23 5/6 5/15 5/22 5/22 6/22 7/4 7/8 8/13 8/15 8/16 8/18 8/19 8/22 8/24 10/8 10/15 10/19 13/24 14/4 19/15 20/6 20/13 20/14 20/18 21/6 21/23 23/7 23/19 25/20 26/20 27/7 29/2 34/1 34/12 41/18 43/21 46/21 51/17 53/14 57/23 88/16 88/24 89/6 89/14</p>
---	---	--	---	--

<b>P</b>	66/17 66/21 66/24 67/23 67/25 68/2 69/8 82/20 113/21 129/25 134/7 136/12 138/16 141/23 143/3 143/6 143/25 144/7 144/15 144/19 146/23 147/13 147/13 147/15 <b>POL Legal [3]</b> 66/17 66/24 67/25 <b>POL00033100 [2]</b> 121/20 140/18 <b>poor [3]</b> 113/8 115/20 119/12 <b>Porters [1]</b> 130/3 <b>posed [3]</b> 59/6 59/21 83/5 <b>position [22]</b> 9/7 12/18 13/17 18/15 19/15 19/18 24/9 33/5 34/23 39/3 57/22 67/11 69/14 83/11 96/11 123/13 123/22 123/24 124/1 124/9 145/11 150/24 <b>positions [1]</b> 129/4 <b>positive [4]</b> 57/10 87/21 87/25 88/5 <b>possibility [2]</b> 80/2 149/8 <b>possible [6]</b> 29/9 97/15 99/1 105/15 109/12 109/22 <b>possibly [5]</b> 79/12 97/8 99/17 100/9 100/10 <b>post [122]</b> 2/21 3/7 5/23 7/2 7/19 10/18 11/20 11/25 16/19 18/21 18/23 19/4 19/11 19/12 19/13 20/3 20/8 20/24 21/14 21/22 23/18 23/25 26/21 27/17 28/17 29/11 29/24 30/14 35/19 37/17 37/18 39/16 40/7 40/24 41/10 42/5 43/2 46/8 46/16 46/18 46/20 49/19 51/25 52/1 52/11 53/7 53/14 54/17 55/21 56/1 56/14 67/13 67/14 71/11 71/12 79/4 79/7 79/9 79/12 82/19 84/11 85/23 86/10 86/16 86/24 91/20 92/12 94/2 94/9 95/16 97/7 100/4 102/19 104/8 104/9 107/22 109/25 110/22 112/16 114/14 114/22 115/12 115/15 115/23 118/3 121/16 123/3 123/15	123/16 124/2 124/3 124/4 124/12 126/3 126/9 127/6 127/11 129/12 132/20 133/23 136/4 136/23 137/2 137/6 137/10 137/18 137/21 137/24 138/11 139/3 139/9 141/25 142/6 142/11 142/14 145/22 147/6 147/6 147/10 149/22 150/21 151/4 <b>post-rollout [1]</b> 149/22 <b>postmaster [10]</b> 27/1 27/5 47/19 47/25 79/10 79/15 85/14 97/11 97/19 123/20 <b>postmasters [8]</b> 47/15 84/12 94/3 110/13 146/16 147/1 147/2 147/20 <b>postmistresses [1]</b> 146/16 <b>postponed [1]</b> 14/24 <b>postponement [4]</b> 14/20 15/3 16/25 17/7 <b>potential [7]</b> 14/13 14/16 16/19 64/13 121/12 128/16 131/2 65/13 75/5 97/5 97/19 133/5 <b>power [1]</b> 81/22 <b>PowerPoint [1]</b> 2/9 <b>prayers [1]</b> 73/8 <b>precaution [2]</b> 28/11 28/24 <b>precedent [4]</b> 28/14 28/15 148/16 148/18 <b>precisely [1]</b> 72/7 <b>premise [2]</b> 25/21 25/23 <b>Prenovost [4]</b> 71/8 93/15 94/15 106/19 <b>prepared [2]</b> 24/8 44/14 <b>present [1]</b> 103/12 <b>presentation [1]</b> 2/9 <b>presented [3]</b> 61/21 128/11 141/4 <b>pressed [1]</b> 17/16 <b>presses [2]</b> 88/2 88/6 <b>pressure [16]</b> 12/7 12/8 12/9 12/12 19/23 22/17 22/23 22/25 23/1 23/2 23/10 23/11 23/12 23/17 114/21 115/1 <b>pressures [2]</b> 13/1 20/11 <b>presumably [2]</b> 136/2 140/21 <b>presupposing [1]</b>	75/9 <b>pretty [3]</b> 12/1 133/13 138/2 <b>preventing [1]</b> 115/12 <b>previous [9]</b> 2/13 2/20 40/14 42/2 69/15 74/1 83/4 116/3 128/19 <b>previously [1]</b> 1/13 <b>Prevost [2]</b> 55/20 106/19 <b>primarily [1]</b> 151/13 <b>prime [1]</b> 146/13 <b>principle [1]</b> 149/20 <b>printing [1]</b> 33/6 <b>prints [1]</b> 30/24 <b>prior [2]</b> 94/9 107/21 <b>priorities [2]</b> 96/14 96/15 <b>priority [6]</b> 9/18 10/4 10/14 10/16 95/20 128/3 <b>private [2]</b> 43/2 76/3 <b>proactive [1]</b> 113/20 <b>proactively [2]</b> 48/12 146/19 <b>probably [7]</b> 74/22 96/8 126/7 126/8 134/25 135/4 135/23 <b>problem [18]</b> 29/4 37/8 46/13 48/7 78/10 83/18 98/5 108/2 108/7 108/9 108/10 113/8 115/21 119/13 119/15 133/23 142/1 151/5 <b>problematic [2]</b> 86/23 97/5 <b>problems [8]</b> 21/4 21/7 29/8 30/16 87/3 119/2 119/17 149/25 <b>proceedings [6]</b> 36/4 39/6 39/12 68/10 98/18 139/20 <b>process [12]</b> 17/21 41/20 62/1 78/13 118/13 123/1 123/2 123/2 123/21 124/7 150/1 150/10 <b>processes [4]</b> 25/24 38/12 87/11 88/4 <b>produce [1]</b> 17/24 <b>produced [2]</b> 38/20 38/22 <b>production [2]</b> 118/8 118/14 <b>products [1]</b> 39/21 <b>programmatic [1]</b> 19/7 <b>programme [32]</b> 9/24 10/2 11/17 11/22 12/1 13/2 18/15 20/5 20/10 23/9 23/13 24/6 24/11	24/12 38/3 40/20 42/23 43/1 43/10 54/6 54/22 57/25 58/8 58/11 76/3 96/12 96/13 98/11 146/23 147/3 147/13 147/15 <b>programme's [1]</b> 63/21 <b>programmes [1]</b> 10/22 <b>progress [16]</b> 4/12 10/23 11/3 11/20 11/23 12/6 12/10 12/12 15/8 24/20 30/13 33/19 54/15 136/16 143/14 143/22 <b>Progress/Release [1]</b> 4/12 <b>progressed [3]</b> 49/15 50/5 129/23 <b>progression [1]</b> 117/9 <b>project [5]</b> 3/15 3/24 42/23 43/1 43/11 <b>proper [2]</b> 41/24 151/11 <b>properly [3]</b> 27/7 87/12 99/9 <b>proposal [9]</b> 16/21 18/16 19/3 35/18 63/21 63/22 67/25 124/25 126/24 <b>propose [6]</b> 16/19 18/23 41/8 67/14 137/18 138/11 <b>proposed [20]</b> 5/25 6/16 8/2 8/3 8/4 16/18 18/14 31/2 35/16 44/25 56/14 57/9 68/5 68/6 68/17 68/21 125/7 136/14 138/5 143/20 <b>proposing [4]</b> 35/6 66/6 66/17 66/24 <b>prosecuting [1]</b> 136/24 <b>prosecution [4]</b> 100/16 129/23 133/2 133/24 <b>prosecutions [6]</b> 86/18 100/19 130/6 130/22 131/3 136/21 <b>protect [10]</b> 54/6 80/12 81/2 81/4 82/14 100/4 107/8 107/13 107/24 108/3 <b>protecting [1]</b> 13/5 <b>protections [3]</b> 64/17 81/10 108/25 <b>prove [17]</b> 42/12 55/13 57/11 59/24 60/11 60/14 60/17 60/19 60/24 63/3 63/7 63/9 63/11 64/4 66/14
----------	---	--	--	--

<b>P</b>	89/10 111/16 137/7 144/13 145/25 <b>quick [3]</b> 21/9 122/19 130/1 <b>quicker [1]</b> 10/19 <b>quickly [6]</b> 15/5 16/23 65/9 92/12 140/13 142/20 <b>quite [15]</b> 12/22 12/23 22/11 22/21 29/15 43/12 48/11 69/4 81/1 108/6 113/6 114/3 115/19 119/11 143/4	<b>reasons [5]</b> 28/8 53/19 124/19 124/23 126/22 <b>reassure [1]</b> 29/7 <b>recall [83]</b> 3/6 5/19 9/5 25/15 27/14 30/16 30/20 30/20 31/7 31/15 32/6 35/22 38/24 39/2 39/4 42/4 42/8 44/11 45/19 45/24 49/17 49/18 49/20 49/24 50/17 50/21 51/4 56/20 58/3 60/5 67/5 68/25 69/1 69/3 73/20 73/22 85/5 85/11 86/2 86/13 93/12 94/19 95/22 96/1 96/2 97/23 97/24 98/1 98/8 98/9 101/6 103/7 103/8 105/25 106/8 109/14 109/23 116/20 117/18 122/15 122/25 126/2 128/8 128/10 128/10 131/4 131/12 131/16 134/14 136/5 139/7 139/22 141/13 141/22 141/24 142/3 142/18 144/17 145/18 145/18 145/23 148/24 149/4 <b>receive [1]</b> 135/2 <b>received [12]</b> 40/8 40/11 42/21 45/10 46/17 52/13 96/24 98/22 102/2 106/1 134/24 142/15 <b>receiving [2]</b> 67/5 92/24 <b>recent [4]</b> 87/3 113/4 119/10 146/22 <b>recently [2]</b> 65/21 112/18 <b>recipient [2]</b> 70/10 72/24 <b>recipients [2]</b> 70/9 71/2 <b>recognise [7]</b> 22/9 32/19 117/11 121/4 121/5 122/22 146/17 <b>recognised [5]</b> 17/1 41/6 41/22 77/9 77/21 <b>recognises [1]</b> 108/15 <b>recollect [2]</b> 15/5 15/7 <b>recollection [7]</b> 5/4 10/17 48/4 106/24 121/11 127/9 145/15 <b>recommendation</b> <b>[10]</b> 47/1 47/3 60/6 85/21 86/22 90/5 92/19 109/20 109/24 110/21 <b>recommendations</b> <b>[4]</b> 85/20 88/10	92/24 109/23 <b>recommended [1]</b> 51/7 <b>reconcile [1]</b> 128/22 <b>Reconciliation [1]</b> 78/13 <b>reconsider [1]</b> 67/25 <b>record [8]</b> 97/12 99/10 99/25 128/17 132/19 132/19 132/21 140/5 <b>record' [1]</b> 97/21 <b>recorded [2]</b> 79/17 93/24 <b>records [18]</b> 73/25 74/24 74/25 75/5 75/10 75/11 79/8 128/14 128/19 128/20 128/22 128/25 129/24 130/14 131/2 132/5 132/7 140/12 <b>recoverable [1]</b> 120/13 <b>recoveries [5]</b> 49/6 49/10 49/14 49/22 50/4 <b>Recoveries/Screen</b> <b>[1]</b> 49/10 <b>recovers [1]</b> 87/19 <b>recovery [2]</b> 49/22 50/9 <b>rectification [1]</b> 94/6 <b>redress [2]</b> 80/9 107/5 <b>reduced [6]</b> 8/6 8/7 8/8 49/13 50/2 51/3 <b>reducing [2]</b> 7/14 7/16 <b>reduction [5]</b> 5/5 89/13 120/8 120/17 120/22 <b>refer [3]</b> 13/22 83/10 93/4 <b>reference [7]</b> 7/6 30/22 49/5 72/24 136/3 136/20 147/16 <b>referred [5]</b> 96/9 101/8 116/4 126/19 128/15 <b>referring [1]</b> 127/3 <b>refers [4]</b> 44/23 74/13 86/2 119/10 <b>reflect [4]</b> 87/3 87/6 100/24 141/3 <b>reflecting [1]</b> 89/19 <b>reflection [1]</b> 90/4 <b>reflects [2]</b> 101/1 103/2 <b>refresh [3]</b> 26/6 26/6 38/13 <b>refreshes [1]</b> 33/2 <b>regard [11]</b> 3/10 11/1 63/23 68/20 69/23 70/16 73/23 74/6 74/7	83/7 149/23 <b>regarded [1]</b> 10/13 <b>regarding [1]</b> 117/2 <b>regards [7]</b> 36/8 45/25 61/18 77/13 83/23 117/21 145/21 <b>regression [2]</b> 118/20 118/24 <b>regular [2]</b> 4/16 53/12 <b>related [7]</b> 52/19 53/19 109/21 113/6 121/8 121/9 121/9 <b>relates [2]</b> 32/9 125/15 <b>relating [3]</b> 56/3 73/9 110/9 <b>relation [6]</b> 25/5 36/16 69/8 95/5 139/12 147/12 <b>relations [1]</b> 99/3 <b>relationship [3]</b> 30/4 51/23 131/1 <b>relatively [1]</b> 65/21 <b>release [14]</b> 4/12 9/4 9/20 10/2 10/3 10/6 11/6 11/7 11/13 11/14 33/10 46/17 65/13 107/20 <b>releases [4]</b> 9/21 9/23 116/5 123/8 <b>releasing [1]</b> 118/14 <b>relevance [3]</b> 100/8 130/5 130/21 <b>relevant [2]</b> 51/21 145/1 <b>reliability [4]</b> 75/8 86/17 100/18 133/7 <b>reliable [2]</b> 85/2 109/16 <b>reliance [1]</b> 29/24 <b>reliant [1]</b> 58/17 <b>remain [1]</b> 1/21 <b>remaining [1]</b> 50/21 <b>remains [1]</b> 72/13 <b>remember [54]</b> 2/15 4/14 9/19 13/20 13/22 14/13 15/3 15/12 16/14 27/9 29/13 29/18 29/21 31/25 34/25 35/1 35/9 35/10 35/13 37/9 40/6 40/8 40/9 40/11 56/19 58/1 58/4 58/5 58/7 59/1 60/3 67/2 67/4 68/18 68/19 69/19 75/12 75/14 76/19 98/5 99/4 105/23 112/13 114/4 114/5 114/9 114/12 122/14 126/8 127/6 129/18 141/16 142/12 148/11 <b>reminded [1]</b> 27/13 <b>remove [4]</b> 10/12
<b>prove... [2]</b> 66/22 68/2 <b>provide [24]</b> 2/22 21/17 37/18 40/25 42/10 51/15 51/20 57/3 59/16 59/23 60/10 63/7 65/23 66/7 66/13 66/21 67/14 68/1 70/22 75/11 82/19 120/2 123/11 146/20 <b>provided [11]</b> 36/8 51/13 51/25 58/22 63/15 84/11 103/11 114/7 129/21 130/19 138/14 <b>providing [1]</b> 60/13 <b>proving [7]</b> 40/1 41/1 42/6 57/4 59/17 66/8 82/20 <b>provision [1]</b> 139/12 <b>public [2]</b> 43/2 99/3 <b>published [1]</b> 141/18 <b>pulled [1]</b> 88/9 <b>purporting [1]</b> 140/8 <b>purpose [3]</b> 74/5 100/2 149/4 <b>pursue [1]</b> 74/22 <b>push [1]</b> 11/21 <b>put [26]</b> 7/22 10/2 11/6 14/2 19/23 26/13 26/14 29/5 41/22 60/23 63/4 64/17 81/10 87/14 88/25 89/6 96/18 101/3 101/22 106/25 108/25 119/7 124/9 128/25 149/14 151/7 <b>puts [1]</b> 88/1 <b>putting [4]</b> 26/9 88/17 90/4 118/1	<b>R</b> <b>R01.08 [1]</b> 31/4 <b>r108 [1]</b> 49/12 <b>raise [3]</b> 96/6 134/8 141/20 <b>raised [9]</b> 34/2 41/17 65/2 73/22 93/22 107/19 120/24 139/2 139/9 <b>raising [8]</b> 35/9 55/18 95/17 118/6 124/25 126/24 127/7 142/14 <b>ran [1]</b> 124/4 <b>rather [19]</b> 4/9 14/18 22/12 40/18 60/12 75/8 79/15 81/5 81/13 95/6 97/10 97/18 102/20 108/10 113/2 113/15 115/24 135/11 144/12 <b>re [1]</b> 65/24 <b>re-read [1]</b> 65/24 <b>reaction [2]</b> 42/4 42/8 <b>reactions [1]</b> 69/22 <b>reactive [1]</b> 113/18 <b>read [24]</b> 19/9 32/10 33/1 47/20 52/4 52/12 57/1 60/5 61/15 64/5 65/24 67/20 78/9 82/17 97/1 112/17 118/6 118/11 119/15 126/20 131/7 142/21 143/12 149/6 <b>reading [9]</b> 19/18 80/23 82/6 82/8 82/10 84/5 86/4 96/7 131/13 <b>reads [1]</b> 85/1 <b>ready [1]</b> 11/8 <b>real [2]</b> 6/5 149/4 <b>realising [1]</b> 133/19 <b>really [7]</b> 2/3 2/8 11/25 22/8 57/1 63/5 101/7 <b>reason [7]</b> 2/6 46/17 62/21 101/2 104/24 105/1 138/23 <b>reasonable [2]</b> 46/20 72/1	<b>reasons [5]</b> 28/8 53/19 124/19 124/23 126/22 <b>reassure [1]</b> 29/7 <b>recall [83]</b> 3/6 5/19 9/5 25/15 27/14 30/16 30/20 30/20 31/7 31/15 32/6 35/22 38/24 39/2 39/4 42/4 42/8 44/11 45/19 45/24 49/17 49/18 49/20 49/24 50/17 50/21 51/4 56/20 58/3 60/5 67/5 68/25 69/1 69/3 73/20 73/22 85/5 85/11 86/2 86/13 93/12 94/19 95/22 96/1 96/2 97/23 97/24 98/1 98/8 98/9 101/6 103/7 103/8 105/25 106/8 109/14 109/23 116/20 117/18 122/15 122/25 126/2 128/8 128/10 128/10 131/4 131/12 131/16 134/14 136/5 139/7 139/22 141/13 141/22 141/24 142/3 142/18 144/17 145/18 145/18 145/23 148/24 149/4 <b>receive [1]</b> 135/2 <b>received [12]</b> 40/8 40/11 42/21 45/10 46/17 52/13 96/24 98/22 102/2 106/1 134/24 142/15 <b>receiving [2]</b> 67/5 92/24 <b>recent [4]</b> 87/3 113/4 119/10 146/22 <b>recently [2]</b> 65/21 112/18 <b>recipient [2]</b> 70/10 72/24 <b>recipients [2]</b> 70/9 71/2 <b>recognise [7]</b> 22/9 32/19 117/11 121/4 121/5 122/22 146/17 <b>recognised [5]</b> 17/1 41/6 41/22 77/9 77/21 <b>recognises [1]</b> 108/15 <b>recollect [2]</b> 15/5 15/7 <b>recollection [7]</b> 5/4 10/17 48/4 106/24 121/11 127/9 145/15 <b>recommendation</b> <b>[10]</b> 47/1 47/3 60/6 85/21 86/22 90/5 92/19 109/20 109/24 110/21 <b>recommendations</b> <b>[4]</b> 85/20 88/10	92/24 109/23 <b>recommended [1]</b> 51/7 <b>reconcile [1]</b> 128/22 <b>Reconciliation [1]</b> 78/13 <b>reconsider [1]</b> 67/25 <b>record [8]</b> 97/12 99/10 99/25 128/17 132/19 132/19 132/21 140/5 <b>record' [1]</b> 97/21 <b>recorded [2]</b> 79/17 93/24 <b>records [18]</b> 73/25 74/24 74/25 75/5 75/10 75/11 79/8 128/14 128/19 128/20 128/22 128/25 129/24 130/14 131/2 132/5 132/7 140/12 <b>recoverable [1]</b> 120/13 <b>recoveries [5]</b> 49/6 49/10 49/14 49/22 50/4 <b>Recoveries/Screen</b> <b>[1]</b> 49/10 <b>recovers [1]</b> 87/19 <b>recovery [2]</b> 49/22 50/9 <b>rectification [1]</b> 94/6 <b>redress [2]</b> 80/9 107/5 <b>reduced [6]</b> 8/6 8/7 8/8 49/13 50/2 51/3 <b>reducing [2]</b> 7/14 7/16 <b>reduction [5]</b> 5/5 89/13 120/8 120/17 120/22 <b>refer [3]</b> 13/22 83/10 93/4 <b>reference [7]</b> 7/6 30/22 49/5 72/24 136/3 136/20 147/16 <b>referred [5]</b> 96/9 101/8 116/4 126/19 128/15 <b>referring [1]</b> 127/3 <b>refers [4]</b> 44/23 74/13 86/2 119/10 <b>reflect [4]</b> 87/3 87/6 100/24 141/3 <b>reflecting [1]</b> 89/19 <b>reflection [1]</b> 90/4 <b>reflects [2]</b> 101/1 103/2 <b>refresh [3]</b> 26/6 26/6 38/13 <b>refreshes [1]</b> 33/2 <b>regard [11]</b> 3/10 11/1 63/23 68/20 69/23 70/16 73/23 74/6 74/7	83/7 149/23 <b>regarded [1]</b> 10/13 <b>regarding [1]</b> 117/2 <b>regards [7]</b> 36/8 45/25 61/18 77/13 83/23 117/21 145/21 <b>regression [2]</b> 118/20 118/24 <b>regular [2]</b> 4/16 53/12 <b>related [7]</b> 52/19 53/19 109/21 113/6 121/8 121/9 121/9 <b>relates [2]</b> 32/9 125/15 <b>relating [3]</b> 56/3 73/9 110/9 <b>relation [6]</b> 25/5 36/16 69/8 95/5 139/12 147/12 <b>relations [1]</b> 99/3 <b>relationship [3]</b> 30/4 51/23 131/1 <b>relatively [1]</b> 65/21 <b>release [14]</b> 4/12 9/4 9/20 10/2 10/3 10/6 11/6 11/7 11/13 11/14 33/10 46/17 65/13 107/20 <b>releases [4]</b> 9/21 9/23 116/5 123/8 <b>releasing [1]</b> 118/14 <b>relevance [3]</b> 100/8 130/5 130/21 <b>relevant [2]</b> 51/21 145/1 <b>reliability [4]</b> 75/8 86/17 100/18 133/7 <b>reliable [2]</b> 85/2 109/16 <b>reliance [1]</b> 29/24 <b>reliant [1]</b> 58/17 <b>remain [1]</b> 1/21 <b>remaining [1]</b> 50/21 <b>remains [1]</b> 72/13 <b>remember [54]</b> 2/15 4/14 9/19 13/20 13/22 14/13 15/3 15/12 16/14 27/9 29/13 29/18 29/21 31/25 34/25 35/1 35/9 35/10 35/13 37/9 40/6 40/8 40/9 40/11 56/19 58/1 58/4 58/5 58/7 59/1 60/3 67/2 67/4 68/18 68/19 69/19 75/12 75/14 76/19 98/5 99/4 105/23 112/13 114/4 114/5 114/9 114/12 122/14 126/8 127/6 129/18 141/16 142/12 148/11 <b>reminded [1]</b> 27/13 <b>remove [4]</b> 10/12
<b>Q</b> <b>qualified [1]</b> 20/10 <b>question [30]</b> 2/2 30/18 42/15 42/16 59/21 61/14 61/14 61/16 62/5 62/18 63/2 67/8 69/17 70/8 74/17 74/20 79/17 83/5 83/8 91/11 97/20 99/25 100/13 101/3 110/7 116/9 132/21 142/16 146/1 148/2 <b>question' [1]</b> 97/13 <b>Questioned [6]</b> 1/9 146/2 148/5 152/4 152/6 152/8 <b>questioning [3]</b> 111/15 117/24 118/4 <b>questions [10]</b> 22/1 56/13 56/25 59/5 59/6				

<p><b>R</b></p> <p><b>remove... [3]</b> 11/13 80/2 110/18</p> <p><b>removed [4]</b> 105/21 105/24 110/3 110/5</p> <p><b>removing [1]</b> 133/20</p> <p><b>repeat [1]</b> 15/21</p> <p><b>repeating [1]</b> 4/7</p> <p><b>replenishment [1]</b> 124/10</p> <p><b>replied [1]</b> 74/21</p> <p><b>report [55]</b> 3/3 3/5 3/17 16/3 16/4 16/5 16/6 30/22 30/25 30/25 31/1 33/7 33/8 33/12 33/14 38/20 39/1 39/5 44/6 44/7 44/8 44/24 47/12 56/4 57/23 61/24 62/5 65/7 68/22 77/3 77/6 77/14 77/25 83/18 84/5 92/25 94/7 94/16 94/17 94/25 95/3 95/5 100/2 100/23 102/14 103/2 109/3 110/12 115/5 115/6 121/21 122/1 128/9 140/19 142/9</p> <p><b>Report/Final [2]</b> 30/22 44/24</p> <p><b>reported [4]</b> 18/4 29/4 33/25 112/15</p> <p><b>reporting [1]</b> 16/2</p> <p><b>reports [9]</b> 25/3 40/4 57/6 59/19 61/16 61/21 61/21 66/10 73/25</p> <p><b>represent [1]</b> 148/7</p> <p><b>representative [3]</b> 55/21 71/7 98/25</p> <p><b>representatives [1]</b> 147/19</p> <p><b>reputation [1]</b> 114/2</p> <p><b>request [9]</b> 42/10 44/12 80/16 82/18 82/22 82/23 82/24 83/20 93/19</p> <p><b>requested [5]</b> 40/7 45/4 56/13 130/19 136/23</p> <p><b>requesting [1]</b> 100/2</p> <p><b>requests [1]</b> 66/4</p> <p><b>require [1]</b> 5/1</p> <p><b>required [3]</b> 31/24 45/5 56/5</p> <p><b>requirement [2]</b> 108/17 129/7</p> <p><b>requirements [1]</b> 100/6</p> <p><b>requiring [1]</b> 114/25</p> <p><b>rescheduling [1]</b> 19/14</p> <p><b>Reset [3]</b> 9/19 10/1</p>	<p>10/13</p> <p><b>Reset 4 [1]</b> 9/19</p> <p><b>resolution [8]</b> 41/25 42/1 42/1 46/3 56/2 79/25 121/14 147/23</p> <p><b>resolve [2]</b> 21/7 29/8</p> <p><b>resolved [8]</b> 41/16 50/7 52/16 99/8 100/14 125/24 131/13 142/2</p> <p><b>resolver [1]</b> 41/19</p> <p><b>resolving [1]</b> 34/13</p> <p><b>resource [2]</b> 91/15 91/16</p> <p><b>resources [1]</b> 29/7</p> <p><b>respect [2]</b> 38/18 57/22</p> <p><b>respective [3]</b> 12/21 54/10 129/4</p> <p><b>respond [2]</b> 37/1 70/18</p> <p><b>responded [1]</b> 131/11</p> <p><b>responding [1]</b> 133/11</p> <p><b>response [27]</b> 34/15 35/6 37/16 37/18 44/14 44/18 55/25 59/5 67/3 67/24 68/24 68/25 69/15 69/17 114/6 116/12 116/13 116/20 116/21 116/22 116/23 117/1 117/15 117/16 127/11 142/15 146/8</p> <p><b>responses [1]</b> 40/16</p> <p><b>responsible [2]</b> 20/4 46/24</p> <p><b>rest [2]</b> 99/9 100/11</p> <p><b>restart [3]</b> 51/17 51/21 52/13</p> <p><b>restarting [2]</b> 53/7 120/3</p> <p><b>result [3]</b> 19/20 27/2 44/12</p> <p><b>results [4]</b> 6/11 7/24 33/7 133/21</p> <p><b>resuming [1]</b> 52/1</p> <p><b>retained [1]</b> 125/2</p> <p><b>retraining [1]</b> 79/10</p> <p><b>retrieve [1]</b> 74/23</p> <p><b>retrieved [1]</b> 74/25</p> <p><b>return [3]</b> 49/3 55/1 128/12</p> <p><b>returned [1]</b> 131/15</p> <p><b>returning [1]</b> 146/8</p> <p><b>returns [3]</b> 129/22 130/14 142/1</p> <p><b>revealed [3]</b> 78/15 78/25 103/15</p> <p><b>reversed [1]</b> 15/3</p> <p><b>review [39]</b> 2/14 2/24 34/6 43/16 44/5 55/25 56/21 64/10 69/21</p>	<p>70/2 72/7 75/20 76/5 76/13 77/3 83/21 87/2 88/12 90/12 92/17 92/20 93/16 93/19 93/19 94/7 94/8 94/12 94/15 96/24 99/21 102/11 102/16 103/4 103/6 129/11 129/16 130/2 135/10 137/17</p> <p><b>reviewed [10]</b> 2/13 51/14 56/17 56/22 58/13 59/1 91/20 93/6 93/11 99/9</p> <p><b>reviewer [1]</b> 102/19</p> <p><b>reviewers [3]</b> 98/12 98/13 102/9</p> <p><b>reviewing [5]</b> 45/15 56/19 56/20 61/17 138/10</p> <p><b>revisited [1]</b> 68/15</p> <p><b>reworked [1]</b> 124/8</p> <p><b>Richard [1]</b> 146/5</p> <p><b>Richardson [4]</b> 30/9 71/3 92/23 93/5</p> <p><b>right [42]</b> 4/5 12/5 12/17 16/11 23/11 26/19 42/1 45/2 45/20 54/1 55/20 63/1 70/20 71/21 72/2 72/8 72/23 78/6 87/10 88/2 88/2 88/19 101/20 102/4 102/6 102/21 102/25 103/10 106/11 109/11 111/18 111/19 121/22 123/17 127/16 137/1 137/5 138/16 142/5 144/18 150/5 151/6</p> <p><b>right-hand [11]</b> 45/2 63/1 72/23 101/20 102/4 102/6 102/25 103/10 106/11 109/11 121/22</p> <p><b>rigorous [1]</b> 117/5</p> <p><b>rigour [1]</b> 113/11</p> <p><b>risk [16]</b> 8/23 10/14 10/22 11/1 11/6 11/18 11/19 11/24 12/6 12/19 13/5 18/17 19/1 29/6 54/15 108/15</p> <p><b>risks [3]</b> 7/14 7/16 52/6</p> <p><b>Roberts [3]</b> 76/9 103/3 106/7</p> <p><b>robust [5]</b> 81/25 83/22 91/23 137/19 149/18</p> <p><b>role [8]</b> 33/23 34/8 34/13 37/20 37/22 38/3 136/6 139/23</p> <p><b>roll [1]</b> 149/17</p> <p><b>rolled [1]</b> 88/23</p> <p><b>rollout [10]</b> 51/7 52/1 52/3 56/8 145/12 145/14 149/22 150/20</p>	<p>150/20 150/25</p> <p><b>room [1]</b> 151/13</p> <p><b>root [6]</b> 13/17 14/21 15/6 21/4 21/8 113/3</p> <p><b>round [1]</b> 47/17</p> <p><b>rounds [1]</b> 6/5</p> <p><b>routinely [1]</b> 48/5</p> <p><b>row [1]</b> 49/8</p> <p><b>run [4]</b> 56/15 87/9 103/15 123/7</p> <p><b>running [1]</b> 10/19</p> <p><b>rush [1]</b> 125/12</p> <p><b>Russell [2]</b> 32/22 71/13</p> <p><b>Rye [4]</b> 75/21 75/22 103/3 106/6</p> <p><b>S</b></p> <p><b>sacrosanct [1]</b> 96/19</p> <p><b>said [24]</b> 10/9 29/1 34/4 38/10 40/12 42/21 43/11 56/22 58/13 60/23 68/21 78/21 82/8 83/10 92/17 97/6 98/10 99/5 107/4 118/12 124/12 128/13 135/23 143/7</p> <p><b>sake [2]</b> 46/6 124/21</p> <p><b>same [23]</b> 9/3 30/9 30/11 30/11 47/23 50/12 61/3 61/15 67/19 72/22 73/2 78/17 79/4 81/18 102/13 125/4 125/9 125/23 126/5 126/7 126/8 140/16 151/3</p> <p><b>SAP [1]</b> 125/2</p> <p><b>SAPADS [2]</b> 125/11 125/15</p> <p><b>satisfied [12]</b> 15/23 16/15 18/12 18/16 41/25 62/14 62/16 62/17 83/12 95/2 95/4 121/10</p> <p><b>saw [10]</b> 4/6 22/7 32/12 41/5 41/6 69/14 82/18 142/21 142/24 150/23</p> <p><b>say [57]</b> 1/24 6/14 6/17 18/7 18/24 19/4 19/6 21/2 24/8 28/9 28/12 33/20 34/1 35/15 36/5 41/4 43/24 45/20 48/18 48/24 49/25 50/3 53/8 53/20 54/5 60/9 63/2 64/22 65/6 65/22 70/1 71/10 73/13 78/24 83/21 90/16 93/18 95/22 96/14 98/24 99/17 102/14 105/6 105/9 111/7 111/11 114/4 123/13 137/6 137/10 137/21 139/22 142/18</p>	<p>143/1 143/10 147/15 148/19</p> <p><b>saying [19]</b> 8/6 22/15 35/10 35/10 55/23 64/24 74/21 80/23 82/11 84/4 104/16 106/2 107/23 108/1 120/16 120/17 127/12 127/13 143/24</p> <p><b>says [66]</b> 2/13 4/19 9/11 9/16 10/10 14/19 17/13 17/20 19/10 25/2 25/10 31/1 31/11 34/16 36/24 49/9 49/11 50/1 50/8 51/5 57/2 57/19 59/15 66/25 67/20 73/7 73/17 76/18 78/11 79/6 79/23 80/8 85/9 86/13 97/22 100/10 103/1 103/13 105/11 107/10 112/7 116/16 117/7 119/10 120/1 120/7 122/1 122/8 124/20 124/22 125/15 126/21 129/1 129/13 131/25 132/4 133/11 134/22 135/24 136/7 136/17 138/5 138/20 143/11 143/13 145/7</p> <p><b>scale [1]</b> 7/3</p> <p><b>scan [1]</b> 25/3</p> <p><b>scanned [1]</b> 135/5</p> <p><b>scenario [6]</b> 90/3 91/1 91/11 92/9 92/15 137/15</p> <p><b>scenarios [5]</b> 87/18 87/19 88/13 91/14 98/3</p> <p><b>schedule [4]</b> 5/9 5/10 6/23 24/1</p> <p><b>scheduled [1]</b> 134/17</p> <p><b>scoping [1]</b> 90/15</p> <p><b>screen [21]</b> 13/13 27/17 49/6 49/10 49/14 49/18 49/20 50/2 50/3 50/24 51/2 52/18 53/1 53/11 53/18 53/20 53/22 101/22 118/2 119/23 146/7</p> <p><b>script [1]</b> 15/19</p> <p><b>scroll [21]</b> 10/10 14/8 30/21 34/16 56/12 56/24 70/7 77/2 78/10 97/2 109/22 116/14 124/18 125/25 126/13 129/1 132/4 133/10 134/20 136/10 141/1</p> <p><b>scrolling [3]</b> 36/21 130/10 134/4</p> <p><b>Searches [1]</b> 103/14</p> <p><b>second [8]</b> 4/18 18/1 79/22 101/5 105/14</p>
---	--	---	---	---



<b>S</b>	135/7 135/11 135/17 150/19 <b>sentence [1]</b> 61/4 <b>separate [3]</b> 25/9 74/9 129/14 <b>separately [1]</b> 49/15 <b>sequence [3]</b> 44/19 45/3 123/21 <b>serious [5]</b> 41/14 41/21 76/23 78/22 133/23 <b>seriously [4]</b> 79/11 94/5 97/7 121/14 <b>serve [1]</b> 149/4 <b>server [4]</b> 73/23 74/8 132/6 132/23 <b>service [7]</b> 47/21 48/22 71/6 73/6 78/13 114/22 117/6 <b>services [5]</b> 38/1 43/2 77/19 112/6 136/8 <b>serving [1]</b> 53/17 <b>sessions [1]</b> 133/15 <b>set [9]</b> 20/20 51/13 52/13 54/1 87/9 87/11 91/6 135/17 148/18 <b>sets [4]</b> 39/18 45/2 120/4 124/18 <b>setting [3]</b> 28/14 28/15 148/16 <b>settlement [4]</b> 14/9 103/16 108/15 108/17 <b>several [2]</b> 21/10 104/10 <b>severity [5]</b> 9/13 10/7 14/16 122/3 124/11 <b>shaded [2]</b> 9/10 28/1 <b>Shall [1]</b> 111/11 <b>share [1]</b> 94/9 <b>shared [1]</b> 30/9 <b>she [6]</b> 73/7 74/21 135/24 139/23 144/23 145/25 <b>she's [1]</b> 30/12 <b>sheet [1]</b> 30/24 <b>sheets [1]</b> 38/8 <b>short [2]</b> 72/17 111/22 <b>shortly [6]</b> 17/12 44/7 139/1 140/20 145/14 146/3 <b>should [27]</b> 1/17 3/11 14/24 36/10 47/9 48/12 58/10 61/15 64/23 68/13 81/8 86/9 87/12 88/11 90/13 90/16 90/17 90/23 94/3 99/7 105/21 109/7 125/3 135/25 149/1 149/1 151/14 <b>shouldn't [1]</b> 148/17 <b>show [6]</b> 94/25 103/25 126/11 127/18	132/12 140/9 <b>showed [3]</b> 74/13 90/8 91/22 <b>showing [3]</b> 27/17 108/24 140/16 <b>shown [3]</b> 79/13 97/9 97/17 <b>shows [5]</b> 44/19 91/5 103/24 140/11 144/7 <b>sic [1]</b> 43/7 <b>side [22]</b> 19/13 29/23 37/23 61/9 61/9 62/25 62/25 63/1 91/21 102/4 102/4 102/6 103/1 103/10 106/12 106/12 106/14 106/17 106/17 109/11 109/13 109/22 <b>sight [1]</b> 26/25 <b>sign [2]</b> 82/25 83/6 <b>signal [2]</b> 12/14 20/22 <b>signalling [2]</b> 3/25 20/21 <b>signed [1]</b> 3/6 <b>significance [4]</b> 11/12 39/5 139/12 142/17 <b>significant [24]</b> 4/22 4/24 7/7 15/9 34/2 40/22 43/12 52/20 52/21 53/3 53/16 93/1 93/9 96/6 114/16 120/8 125/18 127/22 133/2 133/5 133/7 138/25 143/3 143/5 <b>significantly [5]</b> 16/25 49/13 50/2 51/3 59/12 <b>signing [8]</b> 81/5 83/3 84/2 84/3 84/6 84/18 108/8 109/4 <b>similar [6]</b> 31/9 73/1 75/17 104/3 109/13 128/24 <b>simple [4]</b> 122/23 122/25 123/1 128/13 <b>simply [5]</b> 8/6 113/7 115/19 119/11 126/20 <b>since [2]</b> 103/15 129/22 <b>single [2]</b> 74/2 93/23 <b>sir [11]</b> 1/3 55/6 55/16 71/18 72/19 111/6 145/24 146/3 148/1 148/2 148/6 <b>sit [2]</b> 96/13 121/1 <b>site [1]</b> 148/21 <b>sites [1]</b> 34/12 <b>sitting [1]</b> 24/5 <b>situation [7]</b> 3/1 14/2 20/2 20/12 24/13 113/9 124/1 <b>situations [1]</b> 87/20	<b>size [1]</b> 93/4 <b>skills [1]</b> 113/12 <b>skimmed [1]</b> 44/13 <b>slightly [5]</b> 32/10 50/11 59/11 59/13 97/3 <b>small [3]</b> 5/6 7/15 14/1 <b>SME [3]</b> 77/10 77/17 129/5 <b>Smith [11]</b> 19/17 112/12 112/13 112/14 112/15 114/20 115/1 117/20 117/24 118/3 146/10 <b>Smith's [2]</b> 112/10 116/18 <b>snowballing [1]</b> 105/7 <b>so [289]</b> <b>software [2]</b> 28/4 56/3 <b>solely [1]</b> 58/16 <b>solution [30]</b> 3/5 28/4 28/5 28/5 44/5 48/11 52/6 62/4 64/11 69/21 76/25 81/9 81/12 81/13 81/16 81/17 81/18 81/19 81/25 82/3 83/6 84/10 90/10 96/18 100/3 108/3 109/1 121/13 149/19 150/2 <b>some [37]</b> 2/19 2/22 2/23 3/13 4/2 7/22 11/2 11/4 11/5 20/25 22/13 33/20 33/21 38/21 44/1 44/11 57/18 64/7 69/22 71/25 87/21 90/9 91/15 91/16 101/25 104/19 110/24 111/15 112/22 119/14 120/2 132/10 142/15 144/22 147/22 150/5 150/8 <b>somebody [1]</b> 128/9 <b>someone [6]</b> 15/19 21/19 24/5 39/4 42/25 135/8 <b>something [39]</b> 4/14 9/5 18/23 19/4 22/13 29/13 31/7 31/15 32/12 40/6 41/3 41/4 43/25 45/18 45/19 47/2 47/4 47/24 48/1 67/2 70/3 73/2 73/9 74/7 85/5 85/12 85/17 86/24 89/3 95/9 98/18 99/1 115/9 118/22 123/20 134/25 137/18 138/12 142/17 <b>sometimes [2]</b> 18/22 48/15 <b>somewhere [1]</b>	118/21 <b>soon [2]</b> 29/8 41/5 <b>sorry [19]</b> 27/16 42/24 42/24 52/4 58/21 77/8 81/12 82/24 96/1 101/4 102/12 102/14 104/16 112/21 117/23 118/1 134/1 136/6 143/12 <b>sort [2]</b> 119/14 142/15 <b>sorts [1]</b> 81/24 <b>sounds [1]</b> 143/4 <b>source [1]</b> 62/9 <b>space [1]</b> 129/7 <b>speaking [1]</b> 72/14 <b>specific [26]</b> 5/8 11/10 20/3 27/6 30/18 58/15 61/6 61/16 61/18 62/11 69/17 75/12 75/14 78/17 80/17 80/18 83/8 83/18 84/2 89/25 92/14 108/6 108/10 108/20 109/2 135/10 <b>specifically [16]</b> 35/10 40/3 40/9 49/20 50/17 50/22 56/18 57/5 58/3 59/18 66/9 85/7 86/14 89/3 127/3 132/17 <b>speed [1]</b> 10/20 <b>spelling [1]</b> 43/8 <b>spend [1]</b> 32/15 <b>spent [1]</b> 147/6 <b>sphere [1]</b> 58/16 <b>spoke [3]</b> 25/6 37/15 55/18 <b>spoken [1]</b> 11/21 <b>sponsor [1]</b> 94/6 <b>sporadic [1]</b> 48/21 <b>spot [3]</b> 100/20 132/17 132/24 <b>spotting [1]</b> 74/4 <b>square [1]</b> 120/5 <b>SSN [1]</b> 78/17 <b>stabilisation [1]</b> 117/9 <b>stability [3]</b> 51/8 52/18 117/12 <b>staff [2]</b> 48/1 84/12 <b>stage [20]</b> 3/19 30/1 30/17 36/17 37/21 52/2 60/16 60/22 78/7 79/18 86/2 103/23 104/5 111/2 121/10 121/25 122/1 130/13 138/16 140/22 <b>stages [1]</b> 5/10 <b>stakeholders [1]</b> 113/22 <b>stamps [1]</b> 85/17 <b>standards [1]</b> 83/23 <b>standing [1]</b> 147/17
----------	---	--	---	---

<b>S</b>	<b>striving [1]</b> 117/12	57/3 59/16 66/7 70/6	110/18 110/24 116/10	<b>telecon [1]</b> 113/1
<b>standpoint [1]</b> 95/2	<b>strong [1]</b> 69/4	82/19 89/6 94/2 94/22	117/22 117/25 118/5	<b>tell [7]</b> 3/2 14/11 21/3
<b>start [9]</b> 9/10 19/14	<b>Stuart [4]</b> 75/21	95/16 146/15 149/14	118/8 118/12 118/16	87/7 119/23 120/15
22/1 29/16 32/11 56/8	75/22 103/3 106/6	<b>supported [1]</b> 38/14	118/17 119/5 119/17	122/23
65/25 111/11 149/8	<b>stuff [1]</b> 38/15	<b>supporting [5]</b> 8/22	119/17 121/2 123/11	<b>telling [9]</b> 23/25
<b>starts [3]</b> 91/7 112/23	<b>style [1]</b> 113/20	37/14 51/15 60/12	128/5 128/19 128/20	111/13 137/2 137/21
116/25	<b>subject [7]</b> 40/17	64/24	134/16 135/17 140/1	137/24 138/16 141/23
<b>state [1]</b> 148/25	77/10 77/17 77/20	<b>supports [7]</b> 80/11	140/9 140/9 140/11	143/3 143/8
<b>statement [41]</b> 1/14	77/22 110/15 130/13	81/2 82/14 107/7	149/19	<b>tells [1]</b> 113/24
1/19 17/20 17/25 25/7	<b>submit [1]</b> 106/6	107/12 107/24 108/3	<b>system/solution [1]</b>	<b>temporarily [2]</b> 89/7
32/9 39/23 45/11	<b>subpostmaster [6]</b>	<b>sure [33]</b> 7/23 12/8	81/18	90/18
45/14 45/18 46/1 46/5	27/10 34/24 88/1 88/6	12/25 13/4 26/23 27/6	<b>systems [3]</b> 25/13	<b>ten [3]</b> 17/11 18/11
47/2 47/7 55/2 55/7	132/3 148/7	35/3 35/4 35/7 35/11	25/18 27/12	48/19
57/21 57/24 58/15	<b>subpostmasters [7]</b>	35/16 35/19 40/15	<b>T</b>	<b>tenure [1]</b> 39/13
59/4 62/19 63/4 66/25	46/12 48/5 100/16	41/7 41/23 42/9 43/5	<b>tab [1]</b> 1/17	<b>terms [12]</b> 4/15 23/21
68/5 68/8 68/15 68/21	114/24 133/3 133/24	43/15 52/14 52/19	<b>table [3]</b> 25/9 31/20	46/3 50/4 51/23 51/25
69/2 70/17 74/10	136/24	53/7 53/25 62/9 71/25	122/8	56/9 104/12 122/24
80/14 82/25 83/2 83/7	<b>subpostmasters' [1]</b>	82/7 88/18 123/16	<b>take [42]</b> 2/25 4/2 6/9	122/25 123/1 128/13
116/9 123/11 123/12	47/10	129/6 137/4 141/10	8/25 10/25 21/7 21/10	<b>test [22]</b> 5/9 5/10
123/24 129/10 130/19	<b>subsequent [18]</b>	148/21 149/2 149/7	21/24 34/4 41/15 52/5	6/11 6/19 8/16 14/4
140/5	40/2 42/7 42/13 57/5	<b>surprised [3]</b> 22/8	55/9 55/10 55/11	14/5 30/8 43/22 46/21
<b>statements [7]</b> 13/12	57/12 59/18 59/25	98/22 98/24	63/23 65/15 65/16	87/5 87/8 88/24 90/19
13/15 38/18 56/4	60/15 60/20 60/25	<b>suspect [2]</b> 73/10	67/11 71/17 71/18	90/21 91/15 91/16
125/2 125/11 136/22	66/9 66/15 66/23 68/3	113/5	71/22 71/24 72/4 82/5	92/6 92/7 92/8 92/22
<b>static [1]</b> 83/16	68/10 78/14 103/6	<b>swap [3]</b> 28/18	85/21 88/23 90/2	149/24
<b>statistics [2]</b> 6/10	130/9	148/25 149/2	91/13 91/13 94/3	<b>tested [4]</b> 7/3 7/24
6/11	<b>subsequently [1]</b>	<b>swapout [1]</b> 28/3	100/9 100/11 106/5	11/8 33/9
<b>status [1]</b> 107/2	91/25	<b>swapped [2]</b> 148/15	106/12 106/16 111/7	<b>testing [91]</b> 4/21 4/22
<b>stay [1]</b> 101/4	<b>substantive [2]</b> 25/8	150/11	113/9 113/17 124/13	5/5 5/8 5/14 5/14 5/16
<b>staying [1]</b> 103/9	102/24	<b>swapping [2]</b> 148/9	131/8 132/22 144/4	5/17 5/18 6/4 6/7 6/9
<b>Stein [1]</b> 142/24	<b>substituting [1]</b>	150/2	<b>taken [13]</b> 17/14	6/10 6/13 6/15 6/18
<b>step [3]</b> 25/21 28/24	150/1	<b>sworn [2]</b> 1/8 152/2	18/10 47/9 80/9 89/7	6/21 6/23 6/25 7/1 7/8
62/1	<b>succeed [1]</b> 13/3	<b>symptom [1]</b> 104/3	90/9 106/2 106/9	7/9 7/13 7/15 7/16
<b>sterile [1]</b> 6/4	<b>successful [1]</b> 31/23	<b>symptomatic [1]</b>	106/10 107/5 110/20	7/18 7/22 7/24 8/5 8/5
<b>stick [1]</b> 13/7	23/13	113/18	135/4 141/7	8/9 8/10 8/12 8/14
<b>still [17]</b> 3/8 14/4	<b>such [10]</b> 38/21 39/5	<b>system [122]</b> 5/11	<b>taking [5]</b> 58/14 62/6	8/17 29/1 29/2 29/5
14/5 15/22 17/18 18/8	52/8 66/20 94/5 96/6	5/24 25/19 26/10	89/17 118/25 135/21	29/15 29/15 29/19
49/2 50/20 54/20	115/10 118/9 142/17	26/11 36/10 40/2 40/5	<b>Talbot [1]</b> 71/10	29/23 43/20 43/21
77/18 84/24 95/3	144/18	41/1 42/6 42/13 44/9	<b>talk [1]</b> 2/23	44/5 64/15 69/24 71/4
109/3 109/11 121/10	<b>sufficient [10]</b> 7/18	57/4 57/8 57/11 59/17	<b>talk [1]</b> 2/23	77/1 87/2 87/7 87/8
125/9 128/7	46/11 47/7 51/21 64/3	59/20 59/25 60/11	<b>talking [7]</b> 52/17	87/13 87/21 87/22
<b>stock [16]</b> 85/2 85/4	90/6 91/2 91/22 92/3	60/13 60/15 60/18	52/18 75/18 76/6	87/23 87/25 87/25
85/7 85/9 85/13 85/14	92/6	60/19 60/24 61/20	92/14 92/15 117/10	88/5 88/5 88/11 88/22
85/16 85/24 101/12	<b>sufficiently [2]</b> 5/24	61/23 62/3 62/7 62/11	<b>target [2]</b> 19/19 29/6	89/4 89/8 89/13 89/16
109/16 109/18 109/21	18/11	62/13 63/3 63/5 63/8	<b>targeted [1]</b> 31/4	89/20 89/21 89/21
110/1 110/7 110/23	<b>suggest [5]</b> 64/2 75/2	63/11 64/4 64/6 64/16	<b>tasks [1]</b> 129/9	89/22 89/24 89/25
132/11	86/9 97/15 142/22	64/19 64/25 65/21	<b>tasks/actions [1]</b>	90/4 90/7 90/11 90/14
<b>stop [2]</b> 29/16 53/23	<b>suggested [1]</b>	66/8 66/12 66/15	129/9	90/16 90/24 90/25
<b>stop/start [1]</b> 29/16	105/21	66/20 66/22 67/1 68/3	<b>team [17]</b> 8/19 12/1	91/2 91/7 91/10 91/21
<b>stored [2]</b> 73/25 74/7	<b>suggesting [2]</b> 86/23	70/1 74/1 78/18 79/14	12/3 12/3 18/16 21/12	92/4 92/5 92/10 92/16
<b>stores [1]</b> 7/18	132/7	79/16 81/14 81/15	36/13 39/17 40/15	92/18 93/2 93/10
<b>straight [1]</b> 62/9	<b>suggestion [1]</b> 89/13	81/18 81/21 81/22	45/15 45/23 56/6	93/12
<b>Street [1]</b> 141/16	89/13	81/24 82/20 82/21	79/24 96/25 106/19	<b>tests [1]</b> 87/9
<b>strength [1]</b> 95/10	<b>suggests [4]</b> 7/8 64/5	83/1 83/3 83/15 83/23	125/19 147/4	<b>text [1]</b> 64/4
<b>strengthen [1]</b> 87/2	86/15 103/22	84/4 84/7 85/9 85/13	<b>teams [4]</b> 24/18	<b>than [23]</b> 4/9 6/16
<b>strengthened [1]</b>	<b>sum [1]</b> 133/15	85/18 86/7 86/8 87/9	31/22 117/6 145/9	14/18 22/12 40/18
93/12	<b>summarises [1]</b>	87/12 87/19 88/16	<b>technical [10]</b> 25/25	60/12 73/12 74/22
<b>strengthening [2]</b>	122/16	89/2 91/17 93/24 94/1	26/5 35/5 43/13 62/15	75/8 79/15 81/5 81/13
69/23 93/2	<b>summary [2]</b> 17/24	95/15 95/25 97/10	76/2 104/25 117/6	95/6 97/10 97/18
<b>stress [1]</b> 89/2	133/17	97/12 97/18 97/21	125/24 148/8	102/20 105/6 108/10
<b>stressed [1]</b> 5/24	<b>Superseded [1]</b>	98/17 99/10 99/24	<b>Technically [1]</b>	113/16 115/24 135/11
<b>stretching [1]</b> 58/25	49/12	99/24 108/8 108/11	139/19	137/11 149/5
<b>strike [1]</b> 133/22	<b>support [16]</b> 14/3	108/22 109/5 109/8	<b>technology [2]</b> 38/14	<b>thank [47]</b> 1/6 1/10
	34/11 40/1 40/25 42/5	110/9 110/13 110/14	112/16	1/24 2/11 4/2 8/25

<p><b>T</b></p> <p><b>thank...</b> [41] 10/4 14/8 18/18 43/9 44/17 44/22 55/4 55/5 55/16 70/7 71/16 72/9 72/10 72/12 72/15 72/19 74/16 77/2 80/8 96/22 97/3 101/16 102/3 102/23 103/9 107/3 111/5 111/20 111/24 122/7 131/25 145/4 145/24 147/25 148/1 148/6 150/13 151/8 151/10 151/19 151/20</p> <p><b>thanked</b> [1] 31/21</p> <p><b>thanks</b> [2] 34/18 151/12</p> <p><b>that</b> [855]</p> <p><b>that I</b> [6] 19/8 23/23 43/4 61/17 74/13 89/11</p> <p><b>that's</b> [89] 1/15 4/8 5/8 9/1 9/20 10/21 14/10 14/10 19/22 20/9 21/10 22/19 25/5 25/12 26/11 27/20 29/10 41/14 42/15 42/16 43/8 46/21 47/14 49/11 50/5 50/11 50/11 50/14 53/16 54/21 54/23 55/11 55/19 59/21 61/3 61/8 64/19 65/4 65/19 70/5 71/16 73/9 74/17 78/3 79/6 83/15 86/13 86/15 88/5 89/3 89/4 89/22 91/23 93/17 97/6 98/24 99/2 99/3 99/16 100/7 102/9 102/18 104/6 105/11 106/21 108/1 108/20 110/8 111/10 112/23 114/7 116/5 117/9 118/1 119/19 120/10 122/4 130/16 131/9 137/18 138/14 140/8 140/16 140/25 143/11 143/14 148/1 148/9 149/16</p> <p><b>their</b> [32] 13/15 19/5 20/22 21/13 22/2 22/2 24/3 29/20 31/22 31/22 35/19 35/25 38/14 44/2 44/4 46/24 48/1 61/22 67/12 68/9 68/13 84/12 86/17 99/11 99/14 100/4 115/11 124/10 129/4 146/17 146/20 147/8</p> <p><b>them</b> [32] 6/10 13/23 21/3 21/15 24/2 24/13 42/4 44/2 44/3 46/18 48/2 54/21 61/7 62/25</p>	<p>80/16 80/19 98/8 98/9 104/19 104/20 105/15 106/17 106/22 108/23 113/24 123/9 124/5 133/20 135/15 138/18 143/8 145/2</p> <p><b>themselves</b> [3] 46/19 95/12 95/12</p> <p><b>then</b> [43] 10/1 12/20 14/19 19/24 21/8 23/4 24/6 29/10 32/3 32/7 35/6 37/8 40/14 43/13 45/13 47/23 51/11 55/8 56/12 57/13 59/7 63/12 68/22 73/16 78/8 78/24 86/21 88/20 91/15 95/10 102/24 105/4 107/10 111/11 113/24 118/17 128/22 129/13 132/25 136/17 137/12 138/12 138/22</p> <p><b>there</b> [196]</p> <p><b>there's</b> [35] 20/6 20/19 23/10 23/11 23/12 25/9 28/17 32/21 36/7 37/8 38/19 43/5 46/15 47/16 48/13 48/19 49/5 63/12 64/18 80/4 80/21 94/23 96/24 99/15 104/8 118/8 125/22 130/11 132/18 132/20 132/24 134/12 137/9 143/7 149/1</p> <p><b>thereabouts</b> [1] 7/5</p> <p><b>thereafter</b> [1] 111/19</p> <p><b>therefore</b> [10] 20/6 47/21 48/22 62/2 62/8 120/20 123/25 125/3 125/5 127/1</p> <p><b>these</b> [20] 2/12 4/10 4/16 13/10 15/12 18/20 33/20 34/13 42/3 44/20 56/12 58/25 65/20 71/1 73/8 73/12 115/9 124/23 126/22 132/5</p> <p><b>they</b> [83] 3/11 8/11 9/6 10/14 11/22 14/6 19/4 19/6 19/15 19/24 20/16 20/23 21/1 21/1 21/13 21/14 21/16 24/4 24/6 30/9 30/10 42/11 44/4 46/12 46/23 47/22 48/23 48/24 50/25 52/25 56/9 60/8 60/9 60/13 60/17 60/18 63/25 64/13 64/16 65/5 66/6 68/8 68/13 73/23 74/23 74/24 74/25 76/3 76/12 92/17 93/6 93/11 93/11 94/3 94/4</p>	<p>98/2 99/21 102/11 102/12 104/23 111/1 123/5 123/6 123/7 123/7 123/8 124/6 124/9 126/4 127/13 127/13 127/16 135/14 137/2 140/2 141/24 143/24 145/13 146/21 147/22 148/24 149/7 150/24</p> <p><b>they'll</b> [1] 20/11</p> <p><b>they're</b> [12] 16/20 19/4 19/5 20/22 21/2 25/1 25/2 53/16 69/4 71/11 71/12 102/11</p> <p><b>they've</b> [5] 20/23 50/18 50/22 99/20 106/10</p> <p><b>thing</b> [7] 12/17 69/10 69/18 89/1 96/12 109/13 128/24</p> <p><b>things</b> [19] 10/1 10/20 19/24 20/2 24/3 27/10 29/25 38/8 53/6 69/24 81/24 83/14 87/13 88/18 92/21 94/18 98/7 118/19 123/8</p> <p><b>think</b> [66] 3/21 4/4 7/5 10/24 11/9 13/23 16/6 16/12 25/23 26/2 28/2 29/1 29/10 31/1 31/10 31/21 32/11 46/9 47/7 47/9 52/4 64/5 65/6 65/18 65/20 71/16 75/17 75/24 81/9 82/22 82/23 82/24 84/21 89/15 89/19 90/5 90/13 92/21 98/9 106/13 106/17 110/6 110/19 112/15 113/11 114/3 114/18 114/20 117/23 118/4 120/10 125/21 128/1 128/15 129/8 134/6 137/1 138/7 138/15 139/11 140/2 142/5 142/23 143/2 145/25 147/19</p> <p><b>Thinking</b> [1] 89/9</p> <p><b>third</b> [5] 9/16 14/10 49/8 49/8 102/24</p> <p><b>this</b> [334]</p> <p><b>Thomas</b> [10] 128/9 129/3 129/5 130/12 130/25 132/4 134/22 135/24 136/2 139/21</p> <p><b>Thomas's</b> [1] 136/5</p> <p><b>thorough</b> [1] 5/2</p> <p><b>those</b> [44] 6/3 9/5 14/22 21/1 21/4 21/7 26/8 28/21 34/6 36/16 41/18 46/20 47/4 48/6 50/20 54/19 56/9 61/9</p>	<p>62/24 82/1 82/16 87/20 89/5 100/17 100/19 100/25 102/15 107/19 110/5 114/24 115/9 118/22 121/12 121/25 122/7 122/11 127/7 128/22 135/5 135/17 139/25 145/24 147/20 147/23</p> <p><b>though</b> [11] 28/3 29/17 30/1 32/19 47/1 50/18 101/9 101/11 119/16 142/10 142/25</p> <p><b>thought</b> [3] 22/14 42/12 143/16</p> <p><b>thoughts</b> [1] 94/19</p> <p><b>thousand</b> [1] 104/10</p> <p><b>three</b> [18] 13/22 14/5 14/7 17/3 25/22 31/20 34/2 71/22 104/6 104/8 104/13 104/18 104/19 104/20 105/2 105/5 130/20 137/13</p> <p><b>three days</b> [2] 105/2 137/13</p> <p><b>thresholds</b> [1] 9/14</p> <p><b>through</b> [13] 4/8 15/17 15/22 27/7 41/19 44/17 56/24 64/10 65/21 73/19 87/10 101/10 112/23</p> <p><b>throughout</b> [1] 53/13</p> <p><b>Thursday</b> [1] 1/1</p> <p><b>thus</b> [1] 113/22</p> <p><b>Ti</b> [1] 132/12</p> <p><b>time</b> [60] 2/18 6/21 9/3 10/8 14/14 16/12 24/18 28/17 32/15 39/10 54/11 54/19 57/18 62/20 64/2 64/7 64/23 65/6 65/11 65/22 67/16 70/1 71/17 72/22 75/3 78/2 82/5 83/16 83/17 84/6 85/15 88/7 88/16 91/12 91/12 91/18 92/5 94/20 95/14 95/19 96/3 103/17 103/20 104/10 111/19 112/5 112/22 114/23 116/7 121/2 122/7 124/21 128/10 131/15 134/25 137/16 137/20 142/25 149/1 151/9</p> <p><b>times</b> [4] 24/1 53/13 83/11 128/18</p> <p><b>timescale</b> [1] 11/15</p> <p><b>timescales</b> [3] 8/10 11/7 11/18</p> <p><b>today</b> [12] 18/3 19/16 22/11 22/20 73/10 112/19 136/13 138/21 140/2 143/13 143/19 151/11</p>	<p><b>today's</b> [2] 113/4 114/12</p> <p><b>together</b> [1] 12/15</p> <p><b>told</b> [11] 22/5 29/22 37/15 46/8 101/19 101/21 142/6 143/6 144/8 144/16 151/4</p> <p><b>tolerance</b> [2] 9/14 146/16</p> <p><b>tomorrow</b> [7] 17/16 19/20 136/15 143/11 143/21 144/2 151/17</p> <p><b>too</b> [11] 26/14 30/18 105/15 113/7 115/19 115/23 119/11 123/5 123/6 123/7 151/10</p> <p><b>took</b> [23] 4/3 9/2 14/15 19/8 29/14 32/8 34/7 34/12 57/17 70/13 81/6 89/11 89/14 90/7 94/5 96/11 101/25 109/14 121/13 121/14 129/2 134/18 135/23</p> <p><b>tooling</b> [4] 15/14 15/17 15/23 15/24</p> <p><b>tools</b> [4] 89/1 89/5 90/9 90/18</p> <p><b>top</b> [5] 56/9 72/23 73/5 74/15 126/12</p> <p><b>topic</b> [2] 49/2 49/3</p> <p><b>totally</b> [2] 73/2 74/9</p> <p><b>Towards</b> [1] 27/24</p> <p><b>track</b> [3] 9/7 50/25 94/17</p> <p><b>trade</b> [4] 53/2 115/16 115/18 146/15</p> <p><b>traded</b> [1] 115/14</p> <p><b>trading</b> [19] 13/12 13/15 17/19 17/25 25/7 32/9 38/17 46/5 47/2 47/6 55/1 55/7 56/4 63/4 70/16 74/10 83/7 115/13 118/10</p> <p><b>traditional</b> [1] 87/5</p> <p><b>trail</b> [2] 131/7 142/21</p> <p><b>trails</b> [1] 131/13</p> <p><b>transaction</b> [17] 78/14 78/19 78/20 93/23 103/17 103/20 103/21 104/2 105/10 105/12 105/13 128/14 129/15 130/14 131/2 132/18 132/25</p> <p><b>transactions</b> [15] 78/16 80/13 80/25 81/4 104/11 104/21 104/22 107/9 107/14 107/25 108/4 132/1 132/10 133/16 133/19</p> <p><b>transcript</b> [1] 43/5</p> <p><b>transfers</b> [1] 132/13</p> <p><b>transformation</b> [5] 25/25 26/1 38/13</p>
--	--	---	--	--

<b>T</b>	<b>uncertainty [1]</b> 20/20	113/25 116/14 119/7	139/19 141/20 144/3	<b>we [475]</b>
<b>transformation... [2]</b>	<b>unclear [2]</b> 43/4	123/15 124/17 126/13	144/3 146/3 148/2	<b>we'd [7]</b> 6/3 7/17
58/12 58/12	121/6	132/4 133/10 134/4	149/3 151/19 151/20	11/16 37/25 47/18
<b>transition [1]</b> 129/12	<b>uncover [1]</b> 94/4	134/20 135/17 136/10	<b>view [4]</b> 58/17 79/10	148/22 148/23
<b>trees [1]</b> 26/16	<b>uncovering [1]</b> 79/11	142/25 146/10 150/16	148/23 150/16	<b>we'll [12]</b> 16/6 44/7
<b>trial [9]</b> 30/22 30/25	<b>under [6]</b> 3/15 12/11	151/14	<b>vis [2]</b> 84/2 84/2	44/11 44/17 65/25
33/6 33/12 34/20	20/12 64/9 114/21	<b>update [4]</b> 25/5	<b>vis à vis [1]</b> 84/2	78/1 92/25 101/10
38/22 38/25 44/23	122/4	103/10 103/13 103/19	<b>visit [1]</b> 103/3	106/16 111/11 116/12
47/12	<b>underlying [2]</b> 16/2	<b>updated [1]</b> 141/3	<b>visited [2]</b> 147/5	151/17
<b>trigger [2]</b> 88/13	61/19	<b>upfront [1]</b> 121/15	147/10	<b>we're [35]</b> 6/9 13/4
104/4	<b>undermine [2]</b> 79/12	<b>urgency [3]</b> 124/24	<b>volatile [1]</b> 62/7	20/5 20/13 20/20
<b>triggered [2]</b> 115/14	97/7	126/23 128/2	<b>volume [29]</b> 4/20	20/21 21/15 23/5 23/7
116/2	<b>undermined [1]</b>	<b>urgent [1]</b> 65/10	4/23 5/6 5/8 5/9 5/9	23/7 25/19 26/9 26/10
<b>true [1]</b> 1/21	140/2	<b>us [24]</b> 3/2 6/7 6/13	5/18 5/22 6/22 7/4	26/20 27/21 28/15
<b>truth [2]</b> 1/19 144/10	<b>undermining [1]</b>	7/25 14/11 21/7 24/16	7/10 7/11 7/12 7/15	41/9 47/18 49/3 52/8
<b>try [3]</b> 37/3 106/13	99/23	28/13 52/15 53/25	10/8 10/15 19/15	52/17 52/18 54/2
150/3	<b>understand [19]</b>	54/7 64/13 70/9 71/1	20/14 20/18 29/1 29/1	57/17 57/18 63/7 66/1
<b>trying [8]</b> 10/18 59/24	10/25 21/6 24/14	74/14 87/7 91/20	29/5 29/14 29/15 77/3	84/24 88/25 101/2
60/11 60/14 63/11	37/20 43/22 53/24	98/25 107/15 110/4	89/25 90/4 93/17	101/19 106/13 111/24
66/14 66/22 68/2	53/24 74/19 76/24	113/24 120/15 122/23	120/3	119/25 147/9
<b>TS058 [1]</b> 122/18	80/14 85/6 86/1 98/2	132/15	<b>volume 2 [1]</b> 93/17	<b>we've [30]</b> 7/3 7/23
<b>Tuesday [1]</b> 134/9	110/8 110/11 111/3	<b>USA [1]</b> 2/18	<b>volumes [3]</b> 5/12	11/21 15/2 42/21
<b>tuned [1]</b> 27/7	111/4 117/2 121/7	<b>usage [1]</b> 89/1	5/13 39/21	50/13 52/12 53/5 57/2
<b>tuning [2]</b> 26/10	<b>understanding [12]</b>	<b>use [6]</b> 33/12 47/12	<b>W</b>	64/24 70/4 80/18
26/18	15/6 20/11 21/20	108/19 125/1 126/25	<b>wait [1]</b> 11/12	80/20 81/6 83/11
<b>turn [8]</b> 44/21 59/7	47/11 51/14 52/15	142/23	<b>waiting [2]</b> 136/13	83/12 95/13 116/13
59/9 84/24 85/20	63/20 85/8 116/3	<b>used [15]</b> 3/9 9/6	143/19	116/15 118/19 136/19
121/23 122/16 129/20	116/6 128/23 137/25	17/24 36/4 40/4 57/6	<b>want [17]</b> 2/6 12/9	136/19 138/20 140/1
<b>turned [1]</b> 65/9	<b>understands [1]</b> 42/9	59/19 66/10 81/12	13/2 13/3 28/16 50/25	140/19 141/21 142/10
<b>twice [3]</b> 48/21 93/24	<b>understood [9]</b> 13/18	100/19 133/6 133/9	57/1 65/24 70/22	143/18 145/11 148/22
128/19	14/25 39/13 41/23	134/2 142/13 142/13	80/16 113/1 123/5	<b>weakness [1]</b> 90/11
<b>two [47]</b> 2/24 2/25	52/14 53/6 64/15	<b>using [3]</b> 80/25 85/18	123/6 125/12 138/11	<b>week [2]</b> 53/13 105/3
14/6 14/16 14/22	139/11 139/15	90/10	149/15 150/8	<b>weekend [4]</b> 16/13
15/10 16/24 17/18	<b>undertake [1]</b> 76/4	<b>V</b>	<b>wanted [12]</b> 7/22	16/15 17/13 18/13
26/3 29/20 40/4 43/17	<b>undertaken [1]</b> 132/9	<b>validating [1]</b> 109/6	8/20 11/10 12/24 73/1	<b>Weekly [2]</b> 95/22
44/2 46/15 57/6 59/19	<b>undertook [1]</b> 44/4	<b>variances [1]</b> 86/7	74/24 76/23 80/19	96/7
61/16 62/24 65/15	<b>unduly [1]</b> 97/16	<b>various [2]</b> 9/7 120/4	98/2 132/22 137/16	<b>weeks [9]</b> 2/24 2/25
66/10 72/4 76/4 76/12	<b>unit [7]</b> 28/3 36/19	<b>version [26]</b> 57/13	148/21	6/20 6/20 16/24 21/10
78/8 78/16 79/19	67/6 148/10 148/15	68/5 68/6 74/2 74/3	<b>wanting [1]</b> 54/7	53/9 131/9 146/18
82/16 93/23 104/8	148/25 149/2	77/25 78/1 78/3 78/3	<b>wants [1]</b> 115/2	<b>well [37]</b> 16/8 18/14
104/14 104/14 104/15	<b>units [1]</b> 132/12	96/25 101/19 101/19	<b>Warwick [23]</b> 13/13	23/3 23/24 24/9 24/10
104/19 105/2 105/2	<b>Unless [2]</b> 72/3	101/21 101/21 101/24	13/18 13/23 16/1 16/7	24/15 27/14 33/25
105/4 105/6 107/3	107/16	102/4 102/5 102/5	25/1 25/2 25/4 25/6	40/8 40/20 42/15
108/16 108/21 122/7	<b>unlikely [1]</b> 151/1	102/18 103/12 105/22	27/25 28/3 28/4 28/10	43/23 55/8 59/14
130/18 131/8 137/13	<b>until [11]</b> 14/24 51/7	107/10 109/4 109/20	31/8 31/9 32/3 32/5	65/24 70/13 72/6
143/9 143/10 146/1	53/2 134/19 135/14	110/4 140/24	33/18 34/3 41/21 83/5	81/10 93/6 98/19
<b>type [4]</b> 103/21 104/2	137/2 137/22 137/23	<b>version 1 [1]</b> 77/25	148/12 148/15	104/3 104/12 104/14
105/10 105/12	141/24 143/11 151/22	<b>versions [1]</b> 62/24	<b>was [471]</b>	110/4 113/25 119/5
<b>typical [6]</b> 25/15 36/2	<b>untrue [1]</b> 99/16	<b>versus [1]</b> 54/15	<b>wasn't [26]</b> 8/6 8/8	119/5 121/1 129/5
40/24 41/5 45/19	<b>up [66]</b> 3/6 6/8 7/1	<b>very [53]</b> 1/6 1/10	16/4 16/24 21/5 22/23	133/13 142/10 144/24
67/13	10/19 10/20 12/2 12/6	11/10 17/12 18/7	25/24 28/4 37/11 41/4	147/21 148/3 150/10
<b>typically [4]</b> 24/3	14/6 20/7 20/17 20/24	18/18 23/24 29/16	59/2 61/23 63/14 65/8	151/6
36/15 87/8 137/4	22/1 24/3 24/3 24/4	38/16 43/9 47/24 53/3	65/18 65/19 89/7 90/8	<b>Welsh [4]</b> 71/6 145/6
<b>U</b>	24/18 25/12 25/17	53/22 54/17 61/18	93/9 98/11 100/2	147/3 150/22
<b>UC [1]</b> 125/3	26/22 34/9 34/10 37/5	65/9 71/16 72/9 80/4	100/20 106/20 119/3	<b>went [15]</b> 4/7 5/10
<b>UK [3]</b> 2/19 2/25 3/1	42/3 43/20 43/21	84/1 89/9 91/16 92/11	131/15 148/19	9/23 13/24 15/22
<b>ultimate [4]</b> 46/4	47/21 48/16 48/21	92/11 94/5 95/14	<b>way [16]</b> 14/25 16/17	16/23 16/24 35/22
52/10 92/24 128/4	50/10 50/11 53/2	95/18 96/17 97/3	17/4 38/20 56/16 64/5	35/23 37/24 42/20
<b>ultimately [9]</b> 16/7	54/20 59/13 64/15	98/14 98/18 100/1	69/2 71/25 72/5 82/1	44/15 62/9 92/10
30/13 35/18 46/5	70/7 77/2 87/11 92/7	100/1 101/2 102/3	82/17 82/22 89/2	127/11
74/19 92/2 100/15	92/8 92/10 92/11	111/20 111/24 119/19	120/6 125/4 144/12	<b>were [110]</b> 2/22 3/10
100/24 102/13	99/20 101/22 103/4	121/13 121/25 124/3	<b>ways [3]</b> 81/22 86/16	3/19 3/23 4/16 6/1
	103/6 105/2 105/5	128/12 129/6 130/1	108/22	7/19 7/20 7/25 8/11
	106/13 111/1 113/1			9/6 10/2 10/18 11/2

<b>W</b>	101/7 101/18 104/6 104/12 105/11 108/1 111/4 111/13 114/12 115/3 115/14 119/20 120/11 120/15 120/17 121/5 121/7 122/23 126/4 126/19 128/12 129/4 130/3 132/15 132/23 136/5 137/4 137/13 137/14 137/15 138/1 138/3 139/14 139/23 139/25 140/5 143/11 146/9 147/9 147/17 147/22 148/23 148/25 149/6 149/9 149/11 150/4 <b>what's [6]</b> 24/14 26/17 59/9 100/24 128/13 145/16 <b>what-ifs [1]</b> 91/18 <b>whatever [7]</b> 48/20 53/9 65/1 72/6 96/18 111/1 135/20 <b>whatsoever [1]</b> 53/21 <b>Wheeler [1]</b> 71/9 <b>when [53]</b> 2/3 2/19 3/6 3/8 6/3 6/17 12/13 13/24 20/24 21/3 21/14 21/16 21/18 23/5 33/25 37/23 37/24 38/22 41/5 52/4 52/5 53/16 54/11 54/19 61/16 62/14 64/8 65/6 69/14 70/13 73/25 83/25 87/8 90/16 91/4 94/14 96/11 98/15 98/24 99/17 110/6 118/7 118/20 132/6 134/18 135/3 135/13 142/21 146/10 147/15 148/19 149/17 151/7 <b>when I [2]</b> 96/11 142/21 <b>where [48]</b> 5/12 5/20 12/13 15/23 17/21 20/12 20/21 23/2 25/16 26/4 27/9 30/24 36/2 39/21 40/3 48/13 53/13 57/5 59/18 61/22 61/25 62/1 66/9 68/7 70/3 73/22 79/8 87/25 88/1 89/12 91/10 91/11 93/23 99/5 113/7 115/20 119/12 124/1 128/17 129/14 130/15 130/17 130/18 134/15 135/18 136/22 141/13 147/18 <b>whereby [3]</b> 33/6 145/11 150/24 <b>whether [31]</b> 6/11 16/20 28/10 28/11 35/13 58/6 59/3 59/4	69/19 77/18 77/19 80/21 87/19 93/8 99/19 99/19 99/21 101/1 108/8 113/10 117/16 119/4 123/14 126/4 129/24 138/13 142/12 142/19 143/6 144/7 150/9 <b>which [68]</b> 5/23 8/10 10/13 10/16 13/15 16/16 16/21 17/10 19/12 20/14 22/8 24/16 31/11 33/12 33/14 34/14 36/8 37/6 42/16 42/18 43/2 43/17 43/18 43/21 47/25 49/13 50/9 62/7 64/6 64/21 70/4 71/7 72/1 75/5 76/22 80/1 82/1 83/4 83/15 86/17 87/9 87/18 88/20 88/21 88/24 89/1 94/24 95/9 96/7 109/1 109/14 110/21 114/23 117/11 118/9 118/17 120/13 126/21 129/21 132/5 133/15 133/18 142/21 142/21 144/7 144/15 145/1 151/4 <b>while [2]</b> 49/3 89/16 <b>whilst [6]</b> 8/13 8/16 15/23 18/4 113/3 131/8 <b>Whittam [4]</b> 146/1 146/2 146/5 152/6 <b>who [27]</b> 3/17 24/5 34/18 34/24 36/15 37/13 39/4 42/24 43/14 45/14 48/6 52/3 67/6 69/11 71/1 73/6 75/21 76/2 76/9 76/12 79/19 98/9 107/19 112/3 112/13 131/18 147/3 <b>whole [7]</b> 12/18 25/21 25/23 26/12 63/5 64/16 124/19 <b>whose [1]</b> 79/18 <b>why [24]</b> 8/2 8/4 40/18 41/14 54/11 54/12 64/14 70/5 74/17 85/10 89/4 99/6 99/11 100/7 101/2 102/10 104/24 110/5 110/8 110/11 124/20 134/10 148/17 148/24 <b>wide [2]</b> 119/19 121/11 <b>wider [5]</b> 35/2 62/18 62/19 108/24 113/21 <b>Wilkerson [7]</b> 131/18 131/18 131/19 134/4 134/22 143/14 143/16 <b>will [56]</b> 4/21 4/24 5/1	5/3 9/22 11/7 15/20 19/9 19/17 19/25 21/22 22/1 32/21 34/4 41/16 41/17 41/18 43/14 43/15 45/12 45/15 47/14 47/22 51/15 55/9 58/16 66/20 67/16 68/1 71/13 71/18 71/19 71/25 72/7 73/8 83/13 87/13 106/16 111/12 111/17 113/17 114/1 115/1 123/11 123/14 129/25 133/20 136/15 143/24 144/19 145/1 149/3 150/16 150/25 151/2 151/7 <b>willing [6]</b> 57/10 59/23 60/10 60/24 63/7 66/13 <b>wish [1]</b> 92/22 <b>wished [1]</b> 98/25 <b>withdraw [1]</b> 138/12 <b>within [19]</b> 3/20 3/23 6/19 9/14 12/1 16/12 23/3 24/11 33/10 36/5 36/14 38/25 71/20 107/2 130/24 137/20 138/17 139/24 150/1 <b>withing [1]</b> 3/20 <b>without [10]</b> 28/22 35/21 97/16 103/17 103/20 105/13 124/25 126/24 133/19 151/11 <b>WITN04800100 [1]</b> 1/15 <b>witness [5]</b> 1/14 22/22 130/18 136/22 151/2 <b>witnesses [1]</b> 151/3 <b>won't [1]</b> 72/14 <b>wood [1]</b> 26/15 <b>word [7]</b> 20/8 20/9 22/12 22/12 81/12 127/19 142/13 <b>wording [4]</b> 61/3 62/23 63/6 63/6 <b>words [16]</b> 28/13 28/21 60/3 60/8 66/6 66/18 67/15 68/7 68/16 69/4 79/18 98/11 98/13 100/9 100/25 142/23 <b>work [11]</b> 12/14 12/21 17/13 18/12 30/8 44/4 47/17 52/10 70/3 101/23 145/10 <b>workaround [33]</b> 15/16 19/3 31/2 31/6 34/19 35/6 35/7 35/23 44/25 47/11 47/14 47/14 47/16 47/16 47/24 48/2 48/8 48/9 48/25 49/1 93/25	136/14 137/3 137/9 137/11 137/17 137/22 138/4 138/5 138/10 139/5 141/24 143/20 <b>workarounds [6]</b> 16/19 31/13 36/2 48/4 48/19 48/20 <b>worked [3]</b> 16/13 42/22 45/22 <b>working [10]</b> 3/24 18/19 22/9 23/8 26/11 30/4 51/23 70/15 77/18 129/7 <b>world [1]</b> 6/5 <b>worse [7]</b> 103/22 104/1 104/22 104/25 105/5 105/7 105/8 <b>worst [2]</b> 97/14 99/1 <b>would [139]</b> 5/12 5/14 5/25 6/2 6/14 8/2 10/1 11/13 11/14 12/8 12/14 12/20 15/16 15/18 17/5 18/22 18/23 18/23 20/16 20/25 21/7 23/17 24/4 24/4 24/5 24/6 27/2 28/18 28/19 28/20 29/22 30/8 34/21 35/11 35/24 36/2 36/10 36/15 36/17 38/16 39/8 39/8 39/18 40/18 42/8 42/12 46/7 46/10 46/13 46/19 47/1 51/7 51/10 51/19 52/10 52/15 53/15 56/17 56/20 58/13 58/13 58/14 60/6 60/22 63/16 63/19 63/21 67/11 67/13 68/14 70/19 70/21 74/1 75/4 75/5 75/6 77/6 79/7 79/8 79/11 79/17 81/17 83/10 84/18 86/16 86/19 86/21 87/17 91/16 93/4 93/5 93/6 94/20 96/12 97/7 97/13 97/15 99/7 99/10 99/12 99/25 106/3 106/4 106/5 106/6 107/17 107/18 110/19 127/22 132/1 132/10 132/12 132/13 132/14 134/3 134/23 135/2 135/4 135/4 135/5 137/4 139/4 139/4 139/6 139/8 139/17 141/9 141/11 141/12 142/5 143/1 143/2 143/16 149/2 149/10 149/20 149/25 150/1 150/2 <b>wouldn't [11]</b> 27/11 35/15 41/4 48/17 65/5
----------	---	---	--	---

**W**

**wouldn't...** [6] 65/12  
 95/8 99/14 105/8  
 142/8 142/14  
**WR** [1] 51/8  
**write** [1] 37/5  
**write-up** [1] 37/5  
**written** [7] 15/19  
 79/20 98/10 98/12  
 115/5 139/14 144/6  
**wrong** [12] 15/13  
 19/25 45/20 58/23  
 87/14 88/6 133/1  
 139/8 141/14 143/1  
 143/5 149/12  
**wrote** [1] 98/10

**Y**

**yeah** [6] 29/19 30/8  
 95/8 126/16 139/5  
 149/13  
**yes** [88] 1/5 1/18 2/16  
 4/16 8/12 9/6 14/10  
 17/7 22/18 23/16  
 23/20 31/16 31/18  
 32/25 33/15 38/23  
 45/22 47/13 54/16  
 56/11 57/10 59/8  
 66/13 69/6 74/11 76/8  
 76/11 78/7 78/23 79/6  
 79/21 80/6 82/9 82/13  
 82/21 84/17 84/20  
 84/23 85/19 87/24  
 87/25 88/4 89/23  
 98/21 101/3 102/14  
 102/23 104/11 104/17  
 104/23 105/5 105/11  
 106/10 108/1 108/5  
 109/9 111/10 114/6  
 114/8 114/11 114/12  
 114/17 116/24 119/4  
 121/17 121/19 122/22  
 126/19 128/4 128/6  
 134/3 134/21 135/13  
 136/19 139/10 140/12  
 140/23 141/12 141/17  
 142/8 144/21 146/25  
 147/24 148/4 148/17  
 149/24 151/18 151/19  
**yesterday** [13] 4/3  
 4/5 4/8 4/18 9/2 18/3  
 19/9 30/24 32/8 55/12  
 58/4 73/18 89/12  
**yesterday's** [1] 32/12  
**yet** [3] 21/3 113/3  
 130/4  
**you** [469]  
**you'd** [4] 40/23 65/4  
 99/11 150/10  
**you'll** [5] 72/22 101/6  
 109/14 109/23 126/13  
**you're** [21] 11/17  
 21/18 22/20 24/22

33/21 53/19 84/4  
 87/25 88/3 93/8 95/17  
 98/4 102/8 102/19  
 111/7 111/13 119/24  
 126/16 126/17 130/12  
 140/21  
**you've** [18] 1/19 1/24  
 4/4 22/13 29/1 30/3  
 37/5 54/7 77/25 78/21  
 81/12 92/20 93/16  
 112/22 126/14 135/15  
 135/16 139/23  
**Young** [4] 3/18 19/21  
 23/21 24/10  
**your** [64] 1/10 1/14  
 1/21 2/1 2/2 2/7 2/11  
 4/8 5/4 10/17 18/18  
 22/12 23/14 30/4  
 31/10 33/2 33/15 37/2  
 42/4 47/1 48/4 48/9  
 48/10 54/14 55/6  
 55/15 58/20 58/24  
 60/23 63/15 65/18  
 65/20 66/2 66/3 67/19  
 72/23 76/7 82/10 84/4  
 89/15 93/25 95/19  
 96/5 96/14 96/15  
 96/16 98/14 98/19  
 98/19 100/1 106/23  
 112/17 115/6 117/1  
 117/2 120/10 120/25  
 134/10 135/20 135/24  
 139/16 141/20 144/13  
 145/15  
**yourself** [6] 17/9 33/1  
 39/16 57/16 82/6  
 93/14  
**yourselves** [1] 86/11

**Z**

**zoom** [2] 2/11 103/13