

Witness Name: Susanne Jane Helliwell
Statement No. WITN 09420100
Dated: 14 July 2023

POST OFFICE HORIZON IT INQUIRY

FIRST WITNESS STATEMENT OF SUSANNE JANE HELLIWELL

I, **SUSANNE JANE HELLIWELL**, will say as follows:

1. This witness statement is made to assist the Post Office Horizon IT Inquiry (the "**Inquiry**") with the matters set out in the Rule 9 Request dated 19 May 2023.

Background

2. I have a 2.2 degree from Leeds University. I was admitted as a Solicitor in 1990 and save for a period of approximately 3-4 years when I set up my own business outside of the law, I have practised as a Solicitor since 1990.
3. I am a former employee of Weightmans Solicitors (formerly Weightman Vizards) where I held the position of Solicitor and then Associate. I was employed by Weightmans from January 2000 until around July 2005. I then set up my own business, a ladies' fashion boutique, which commenced trading in early 2006 and ceased trading in the summer of 2009. I joined Lockett Loveday McMahon Solicitors in Manchester in or around later summer 2009 where I was employed until February 2019.
4. I am currently a self-employed Consultant engaged under a Consultancy Agreement with Lockett Loveday McMahon.

Post Office Limited v Mrs J Wolstenholme

Prior knowledge and involvement

5. I cannot specifically recall when I first became involved in these proceedings. I do however note from Trial Bundle A (POL00118218) that the proceedings were initially issued and dealt with by the Legal Services Department of Consignia plc. I would therefore have become involved at some point after the issue of the proceedings in 2001 and prior to the preparation of the Amended Particulars of Claim in February 2003. Weightmans acted for the Post Office at that time in respect of employment claims and other areas of litigation. I was in the employment/commercial litigation department and this case was assigned to me. Whilst the case was assigned to me which meant that I had the day to day conduct of it, I would have been acting under the general supervision of the partner with responsibility for this particular client. I cannot recall which partner at Weightmans had responsibility for the Post Office at this time.

6. To the best of my recollection Mrs Wolstenholme's case was the first proceedings which I was involved in concerning the Horizon IT System. Previously I had no knowledge of the Horizon IT System.

My recollection of the proceedings

7. I have been asked to consider various documents which have been provided to me by the Inquiry. These documents are set out in the Index to my witness statement.

8. Within the Rule 9 Request, I am asked to respond to various questions. I am asked to set out my recollection of this matter and exhibit any relevant documents.

9. Whilst as a result of being provided with the documents I identify and exhibit, I do recall this particular case, my recollection is very limited as my last involvement was approximately 19 years ago. I recall the proceedings were

commenced against Mrs Wolstenholme by the Post Office in the Blackpool County Court claiming sums due arising from losses claimed by the Post Office whilst Mrs Wolstenholme was a Subpostmaster at Cleveleys Post Office and the return of equipment.

10. I also recall that Mrs Wolstenholme defended the proceedings claiming that there were issues with the Horizon system which, she claimed were responsible for incorrectly showing that there were losses on the account. I further recall that Mrs Wolstenholme pursued a Counterclaim against the Post Office but until my consideration of POL00118218 did not recall the specific nature of it. Whilst I recall that the proceedings were settled, I cannot recall the terms agreed and nor specifically when that agreement was reached. I have considered the Advice on Evidence and Quantum by S.A. Brochwicz-Lewinski (POL00118229) and having done so now recall that a payment into Court had been made by the Post Office, at the time of the Advice in July 2004, the Trial was only one month away. The Trial Bundle was prepared in preparation for the Trial which had been listed for three days commencing on 16 August 2004 (P112 of POL00118218).
11. I left Weightmans approximately 18 years ago. I have not retained no client papers whether for this matter or at all from my time at Weightmans and nor would it have been appropriate for me to do so.
12. I understand that the Inquiry is seeking a detailed account of my involvement at all stages in these proceedings. Unfortunately, given the passage of time, I am unable to provide this. I am however assisted by Trial Bundle A at POL00118218 and part of Trial Bundle C at POL00118221 which provide some account of my involvement in the proceedings. I am asked, in particular, to address particular matters, namely:
 - (i) The instructions I received from the Post Office before I began working on this case and any subsequent instructions I received;
 - (ii) Who my primary contact was at (1) the Post Office and (2) Fujitsu Services in relation to this case;

- (iii) Whether I advised on the merits of the case;
 - (iv) Who else from Weightmans was involved in the case and, if so, what their role was;
 - (v) Which of the documents set out in the Index to my witness statement I was involved in drafting and/or editing and in relation to any documents I drafted, I am asked to identify the sources of information I used.
13. In response to the numbered points set out paragraph 12 above:
- (i) I cannot recall the instructions I received from the Post Office before I began working on this case and any subsequent instructions I received. I can however state that, at all times, I acted in accordance with the information and instructions received from the Post Office;
 - (ii) I recall that my primary contact at the Post Office on this case was Jim Cruise and subsequently Mandy Talbot. I do not recall having a primary contact at Fujitsu as Weightmans were acting on behalf of the Post Office and not Fujitsu Services. Any contact I had with Fujitsu Services would have been primarily in relation to witness statements;
 - (iii) Whilst I cannot recall when and what advice I gave, I would have advised on the merits of the case pm the payment into Court. I would also have advised that an Advice from Counsel be obtained on evidence and quantum (POL00118229);
 - (iv) I cannot recall who else from Weightmans was involved in the case save that, as stated in paragraph 5 above, I would have been acting under the general supervision of the partner with responsibility for this particular client and I would have reported to that particular partner from time to time on the progress of the case and during any file review meetings;
 - (v) I drafted the emails and correspondence from myself to the various individuals to whom the emails and correspondence were addressed.

To the best of my recollection, I was involved in the drafting of the witness statements of Keith Baines and Jan Holmes. The sources of information used for such purposes would have been the written and verbal comments of the individuals concerned and documents provided by the Post Office and Fujitsu Services.

14. I am asked to consider Keith Baines' witness statement at POL00095374. As stated above, I believe I was involved in drafting this witness statement. To the best of my recollection, the process by which I compiled this statement and the sources of information used were written and verbal comments and material information provided by Keith Baines. I should also state that in the case of this statement and indeed all witness statements, Counsel was instructed to review and advise on any amendments and ultimately approve them.

My relationship with individuals at the Post Office and Fujitsu Services

15. It must be appreciated that I was not a key individual in the Weightmans/Post Office relationship. I was a fee-earner assigned to deal with cases, reporting to a partner at Weightmans. I did not deal with senior individuals at the Post Office. However as far as I can recall, I can confirm that it was positive with no issues and a usual solicitor/client relationship. I am also asked what was my view of their approach to these proceedings. To the best of my recollections their approach to the proceedings was based on the information available to them at the time from individuals within the organisation and Fujitsu Services.
16. Fujitsu Services were not Weightmans' client. Weightmans were acting on behalf of the Post Office. To the best of my recollection, my relationship with Fujitsu Services was limited to dealing with witness statements and I do not recall any issues with that or having any particular view regarding their conduct of the proceedings.
17. In response to the request to set out any additional relevant observations that I have concerning those involved in the litigation, I cannot recall any observations I may or may not have had at the time. I do however recall that

those involved in the litigation at the Post Office were surprised and concerned by the Opinion expressed by Jason Coyne of Best Practice Group plc (Instructed pursuant to a Court Order) in his Report concerning the Horizon system (WITN00210101) which prompted Peter Sewell, Implementation Area Manager at the Post Office (WITN04600201) to ask Fujitsu Services to review the Report and provide their comments upon it. I cannot specifically recall which individuals at the Post Office were surprised and concerned by the Opinion of Jason Coyne and nor can I recall what aspects of it they were surprised about save to state that they were surprised about Jason Coyne's Opinion that the technology installed at Cleveleys Sub-Post Office was defective.

18. I am asked what my reaction was to the result of the proceedings at the time. As previously stated, in paragraph 10 above, I cannot recall the specific terms of settlement which were agreed. To the best of my recollection, given the Opinion expressed by Jason Coyne in his Report, whilst Fujitsu Services provided its comments and response to the Report and Jan Holmes of Fujitsu Services provided a witness statement to be used in the proceedings (WITN04600213). Based on the evidence available, it was considered by myself and Counsel that there were clear risks in proceeding with the claim against Mrs Wolstenholme and defending the Counterclaim. The risks in proceeding were acknowledged and accepted by my primary contact at the Post Office and it was therefore agreed that attempts should be made to agree a resolution of the proceedings which is ultimately what occurred.
19. The risks in proceeding with the claim and defence of Mrs Wolstenholme's Counterclaim are set out in some detail in the Advice on Quantum and Evidence (POL00118229). To the best of my recollection, whilst the risk that the Post Office would be unsuccessful in its claim and the risk that Mrs Wolstenholme would be successful in her Counterclaim had been identified prior to obtaining Counsel's Written Advice (POL00118229) and had prompted the payment into Court, given the fact that the Trial was fast approaching and my concerns regarding the risk of proceeding to Trial, I advised that a written Advice be obtained from Counsel on the evidence and quantum.

20. In response to the question concerning whether anyone at the Post Office or Fujitsu expressed any concern about bugs, errors or defects in Horizon, to the best of my recollection, the first time any issues concerning errors or defects came to light was in Mr Coyne's Report.
21. I confirm that I have not had any subsequent involvement.

General – Questions

22. I have been asked whether I was involved in any other challenges to the Horizon system other than the Wolstenholme litigation. I have no recollection of being involved in any other challenges to the system.
23. In response to the question as whether there are any other matters which I consider are of relevance to the Inquiry, I confirm that I am not aware of any such matters.

Statement of Truth

I believe the content of this statement to be true.

Signed: .. **GRO** ..

Dated: .. 14 July 2023 ..

POST OFFICE HORIZON IT INQUIRY

INDEX TO FIRST WITNESS STATEMENT OF SUSANNE JANE HELLIWELL

No.	URN	Document Description	Control Number
1.	WITN04600201	Email chain the latest of which is dated 15 August 2003	WITN04600201
2.	FUJ00121515	Email dated 23 February 2004 (attachment below)	POINQ0127729F
3.	FUJ00121512	Letter attached to email dated 23 February 2004	POINQ0127726F
4.	FUJ00121534	Email dated 4 March 2004 (attachments below)	POINQ0127748F
5.	FUJ00121535	Attachment (1) Email to myself from Jason Coyne dated 2 March 2004; and	POINQ0127749F
6.	FUJ00121536	Attachment (2) Letter from myself to Jim Cruise dated 3 March 2004.	POINQ0127750F
7.	FUJ00121690	Email from Jan Holmes to myself and others dated 5 August 2004 (attachments below)	POINQ0127904F
8.	FUJ00121691	Attachment (1) "Fujitsu Services Post Office Account: Analysis of Calls made by Vleveley (sic) Post Office to the Horizon System Helpdesk by Volume and Type; and	POINQ0127905F
9.	FUJ00121692	Attachment (2) "A description of what constitutes Fujitsu Services Post Office Account 1 st to 4 th line support".	POINQ0127906F
10.	FUJ00121696	Email from Jan Holmes to myself and others dated 5 August 2004 (attachment below)	POINQ0127910F
11.	FUJ00121697	Attachment: "Evidence to show that the Cleveleys Post Office had a 'Clean Start' on 10 February 2000".	POINQ0127911F

12.	FUJ00121700	Email from Jan Holmes to myself and others dated 10 August 2004	POINQ0127914F
13.	FUJ00121702	Email chain dated 10 August 2004	POINQ0127916F
14.	FUJ00121704	Email Chain dated 11 August 2004 (attachments below)	POINQ0127918F
15.	FUJ00121705	Attachment (1) "Notes to go with Jan's statement";	POINQ0127919F
16.	FUJ00121706	Attachment (2) "Further notes on Jan's statement"; and	POINQ0127920F
17.	FUJ00121707	Attachment (3) "A description of the support services provided by Fujitsu" (draft).	POINQ0127921F
18.	POL00095374	Unsigned first witness statement of Keith Baines	POL-0094957
19.	POL00088579	A Post Office Policy Document – Postmasters' In Service Debt Policy	POL-0085637
20.	WITN00210101	Letter from Jason Coyne to myself enclosing his "brief note" dated 21 January 2004	WITN00210101
21.	FUJ00121504	A document headed "Review of Expert Witness Report"	POINQ0127718F
22.	WITN04600206	A document headed "Fujitsu Services Post Office Account" Response to the Expert's Reply to Fujitsu Services Submission	WITN04600206
23.	POL00095376	A document headed "Fujitsu Services – Report on Cleveleys Post Office" dated 29 March 2004	POL-0094959
24.	POL00095379	A document headed "Fujitsu Services – Report on Cleveleys Post Office" dated 3 August 2004	POL-0094962

25.	WITN04600211	Email from Keith Baines to Mandy Talbot dated 4 August 2004	WITN04600211
26.	WITN04600213	Unsigned witness statement of Jan Robert Holmes dated August 2004	WITN04600213
27.	FUJ00080715	A document headed "Fujitsu Services – Report on Cleveleys Post Office" dated 1 September 2004	POINQ0086886F
28.	POL00095377	Unsigned second witness statement of Keith Baines dated August 2004	POL-0094960
29.	POL00118218	Trial Bundle A	POL-0120138
30.	POL00118221	Trial Bundle C	POL-0120141
31.	POL00118229	Advice on Evidence and Quantum by S.A Brochwicz-Lewinski	POL-0120149