

Witness Name: Jan Robert Holmes

Statement No.: WITN04600200

Dated: 27 JANUARY 2023

POST OFFICE HORIZON IT INQUIRY

SECOND WITNESS STATEMENT OF JAN ROBERT HOLMES

I, JAN ROBERT HOLMES, will say as follows:

1. I have been asked to provide a Rule 9 Witness Statement in regard to my involvement in the Cleveleys Post Office incident. The request also asked me to identify the individual in Pathway who became responsible for audit data extractions and associated witness statements after the responsibility passed from me in May 2000. Finally, the request asked for me to set out any matters that I would like to address to the questions posed by Mr Edward Henry KC during my hearing. I was also asked, at my hearing on 16th November 2022, to provide any further Witness Statements that I had produced while I was in post.
2. I shall deal with Cleveleys first, the other Witness Statements next and the other matters at the end of this Statement.

Cleveleys (August 2003 to August 2004)

3. My first involvement with Cleveleys was via an email from a Pathway colleague, Peter Sewell who worked in Security, asking if I would be able to take on the task. The email, dated 15th August 2003, included preliminary emails from Kevin Parker (POL) and Jim Cruise (POL) (Email from Peter Sewell to Jan Holmes re: Cleveleys, WITN04600201).
4. On 21st August 2003 I responded to Jim Cruise with our preliminary observations, including a statement of what we could do to help (Email from Jan Holmes to Jim Cruise re: Cleveleys – Horizon Equipment, WITN04600202).
5. Nothing further was heard until 6th February 2004 when we received a letter from Post Office Limited (POL) containing a copy of the Expert's report (Note : I do not have a record of this report). On 12th February 2004, following a discussion with Jim Cruise (POL), who was critical of the Expert's report and was looking to challenge it, I produced a review of the report for internal Fujitsu Services Post Office Account consumption (Note re: Pathway internal response to Expert's report, WITN04600203). This would form the basis of a more formal response to POL issued by Colin Lenton-Smith (Pathway Commercial and Financial Director), sent to Keith Baines (POL Contract Manager) on 20th February 2004 (Letter from Mr Colin Lenton-Smith to Mr Keith Baines re: Post Office Counters Ltd v Mrs Julie Wolstenholme, FUJ00121512). Keith Baines asked if he could share our response with the Expert, which we agreed to, but as can be seen it did not alter his opinion (Email from Jason Coyne to Weightman Vizards re: Post Office Limited v Mrs J Wolstenholme, FUJ00121535). A further response was

produced by me for Fujitsu Services Post Office Account dated 12th March 2004 (Note re: Response to The Expert's Reply to Fujitsu Services' Submission, WITN04600206) but my understanding is that this was not forwarded to the Expert as explained in the Jim Cruise email of 19th March 2004 (Email from Jan Holmes to Colin Lenton-Smith re: Cleveleys Update, FUJ00121571). Keith Baines was made aware of this.

6. Nothing more was heard until 6th April 2004 when Jim Cruise provided an update (Email from Jan Holmes to Colin Lenton-Smith re: Cleveleys PO Mrs J Wolstenholme, FUJ00121602) regarding POL's latest offer to the PM. Again, all went silent so I made my own enquiries with POL in June 2004 and was surprised to hear that Jim Cruise had taken early retirement and the case was being handled by Mandy Talbot (Email from Jan Holmes to Colin Lenton-Smith re: Cleveleys, FUJ00121637). Mandy was herself critical of the Expert's report.
7. A conference Call was held on 3rd August 2004 (Email from Jan Holmes to Keith Baines re: Actions post Conference Call - Cleveleys, FUJ00121686) involving POL, Pathway and Pathway's lawyers Masons where a series of actions were accepted by Pathway to provide information relevant to the forthcoming court case. On 4th August 2004 Keith Baines provided a POL statement as to how they, POL, assured themselves that Horizon was 'Fit For Purpose' (Email from Keith Baines to Mandy Talbot re: Wolstenholme case, WITN04600211 and Note re: How Post Office Confirmed that Horizon was fit-for-purpose, WITN04600212). I was not involved in the production of that document and it describes the 'what'

of POL's assurances about 'Fit For Purpose'. I was not privy to the full extent of POL's actions so cannot comment on their efficacy.

8. On 11th August 2004 I received a draft Witness Statement from Suzanne Helliwell at Weightmans, which was based on a draft document sent to her by me that described the four levels of support offered by the Horizon solution (Draft Witness Statement of Jan Holmes for Post Office Counter Ltd v Mrs Julie Wolstenholme, WITN04600213) which I subsequently signed and returned (Email from Jan Holmes to David Barker re: Cleveleys WS - Final, WITN04600214) notifying Masons. I do not recall any conversations with POL regarding the production of this statement.
9. I attended court but was not required as POL had made an increased offer to the PM and she had dropped her case. My email to Bill Mitchell, the then Security Manager at Pathway on 16th August, effectively closed this down from my perspective (Email from Jan Holmes to William Mitchell re: Cleveleys, WITN04600215). I was not briefed as to my 'witness role' which I assumed to be providing oral evidence in support of the written Witness Statement.
10. I think it's fair to say that I was exasperated with POL and their handling of this issue, not Cleveleys per se but their handling of their Expert witness and their lack of communication, including a 3 year delay in involving us. POL, specifically Jim Cruise and Mandy Talbot had both verbally expressed concerns about precedent should the Expert's report become common knowledge and had asked for our assistance in challenging it. We expended considerable time and effort into assisting them, I was in contact with Pathway Customer Services Help Desk

staff, Reconciliation staff and Technical Support to provide relevant information. However, POL did not subsequently pass on our final response and offer of on-site assistance to the Expert for his consideration.

Camberwell Green (January 2001)

11. In January 2001 I was asked to provide a Witness Statement for an investigation that was being conducted at Camberwell Green. This was at the request of POL (Consignia) under Change Request CR0214 raised by Charles Leighton, then Internal Crime Manager, Post Office Network, PON Security, on 20th December 2001 (ICL Pathway Change Request (CR0214): ICL Pathway to provide evidence in a Consignia prosecution case, WITN04600224). The request was subject to a Change Control Note (ICL Pathway Change Control Note (CCN 910): ICL Pathway to provide evidence in a Consignia prosecution case, WITN04600216). The resultant Witness Statement (Witness Statement of Jan Holmes re: Camberwell Green, WITN04600217) was produced but I do not know what happened to it post-production or if it ever found its way into Court.

Department of Works & Pensions (January to March 2003)

12. In January 2003 I was notified by Graham Ward (POL) of a series of Audit Data Extractions that were required by the Department of Works and Pensions to support a number of investigations in the Coventry region (Email from Jan Holmes to Colin Lenton-Smith re: Recent DWP Prosecution, WITN04600218). The resultant Witness Statement (Witness Statement of Jan Holmes re: DWP, WITN04600219) was produced but as with Camberwell Green I do not know what happened to it or if it was used.

Holderness Road (June 2003)

13. On 16th June 2003 a Detective Constable Allen wrote to Peter Sewell (Pathway Security) requesting assistance with a criminal investigation into the outlet on Holderness Road, Hull. I do not know how DC Allen obtained Peter's contact details but I suspect we accepted the task on the grounds that it was a Police matter. The resultant Witness Statement (Witness Statement of Jan Holmes re: Holderness Road, FUJ00121873) was despatched to DC Allen under cover letter (WITN04600219) on 24th June 2003. As with Camberwell Green and the DWP work I do not know what happened to it or if it was used.

Additional Matters

14. When I left Pathway in May 2000 my responsibilities in all Audit matters, including audit data extractions, passed to Brian Mooney. When I returned in 2001 Brian Mooney had left and I retained all Audit matters apart from audit data extractions. This activity had passed to Customer Services, headed by Stephen Muchow, under the Security function, then managed by Graham Hooper. The individual conducting audit data extractions and producing supporting Witness Statements in that unit at that time was Jane Bailey.
15. In the matter of Mr Henry KC. I was under the impression that this Inquiry was about finding the facts about what happened back in the 1990s and 2000s. This was reflected in my Witness Statement and questions from Counsel which were based on my knowledge and the facts applicable to me and my role at the time. I was not expecting to be taken down a string of 'what-if' scenarios that I could not possibly answer without applying hindsight or speculation, which could raise

doubts about the decisions and actions actually taken at that time. My knowledge of the facts at that time were as they were and that cannot be re-written.

16. There were a number of areas where I felt that he used terminology that devalued what we provided to POL and our efforts in providing it. For example, I did not “deride” the Expert’s opinion in my Cleveleys report. Scrutiny of documents (FUJ00121512 & WITN04600206) will show that we expended a considerable amount of time and effort putting together a challenge to some of his assertions. An activity that we were asked to do by POL (WITN04600203 & FUJ00121637).
17. His assertion that if Bob Martin was requesting 200 data extractions to investigate a population of 18,000 outlets and that it must equate to a 1% failure rate which would be ‘reputationally disastrous to Fujitsu’ is simply incorrect. His conclusion is invalid since we had no knowledge of what Bob Martin’s investigations might be about. It could have been missing pencils following a stocktake.
18. There was a suggestion from him (and from Counsel) that perhaps I/Pathway/Fujitsu could or should have done more to challenge or query the volume of POL’s audit data requests, and the use they were being put to. We were not there to run due diligence over POL’s various litigations and prosecutions and I’m certain that had we tried we would have been told where to go in no uncertain terms.
19. Finally, he wanted to take issue with what Pathway provided to POL in terms of data retrievals and the presentation of data from the audit solution. In June 1998,

in the absence of any lead from POL, I had to instigate correspondence with POL Internal Audit (and BA who were still involved at that time) in an attempt to get them to articulate what they wanted and what they were expecting to see in their retrievals (Letter from Jan Holmes to Hilary Stewart re: Audit Data Retrieval Scenarios, WITN04600222). Their general inability to specify form, content or volume, meant we had to make certain assumptions. The retrieval requirements were eventually captured in the document IA/REQ/002 (ICL Pathway Audit Data Retrieval Requirements IA/REQ/002, WITN04600223) and included such information as had been received from POL and BA. His assertion that, and I paraphrase, 'we gave the customer what we wanted to give them as opposed to what they wanted' is unwarranted and does not reflect the efforts made to understand what it was they actually wanted.

Statement of Truth

I believe the content of this statement to be true.

Signed

GRO

Dated : 27/01/2023

Index to Second Witness Statement of Jan Robert Holmes

No	URN	Document Description
1	WITN04600201	Email from Peter Sewell to Jan Holmes re: Cleveleys
2	WITN04600202	Email from Jan Holmes to Jim Cruise re: Cleverleys – Horizon Equipment
3	WITN04600203	Note re: Pathway internal response to Expert's report
4	FUJ00121512	Letter from Mr Colin Lenton-Smith to Mr Keith Baines re: Post Office Counters Ltd v Mrs Julie Wolstenholme
5	FUJ00121535	Email from Jason Coyne to Weightman Vizards re: Post Office Limited v Mrs J Wolstenholme
6	WITN04600206	Note re: Response to The Expert's Reply to Fujitsu Services' Submission
7	FUJ00121571	Email from Jan Holmes to Colin Lenton-Smith re: Cleveleys Update
8	FUJ00121602	Email from Jan Holmes to Colin Lenton-Smith re: Cleveleys PO Mrs J Wolstenholme
9	FUJ00121637	Email from Jan Holmes to Colin Lenton-Smith re: Cleveleys
10	FUJ00121686	Email from Jan Holmes to Keith Baines re: Actions post Conference Call - Cleveleys
11	WITN04600211	Email from Keith Baines to Mandy Talbot re: Wolstenholme case
12	WITN04600212	Note re: How Post Office Confirmed that Horizon was fit-for-purpose
13	WITN04600213	Draft Witness Statement of Jan Holmes for Post Office Counter Ltd v Mrs Julie Wolstenholme
14	WITN04600214	Email from Jan Holmes to David Barker re: Cleveleys WS - Final
15	WITN04600215	Email from Jan Holmes to William Mitchell re: Cleveleys

16	WITN04600216	ICL Pathway Change Control Note (CCN 910): ICL Pathway to provide evidence in a Consignia prosecution case
17	WITN04600217	Witness Statement of Jan Holmes re: Camberwell Green
18	WITN04600218	Email from Jan Holmes to Colin Lenton-Smith re: Recent DWP Prosecution
19	WITN04600219	Witness Statement of Jan Holmes re: DWP
20	FUJ00121873	Witness Statement of Jan Holmes re: Holderness Road
21	WITN04600221	Letter from Jan Holmes to DC Allen re: Holderness Road
22	WITN04600222	Letter from Jan Holmes to Hilary Stewart re: Audit Data Retrieval Scenarios
23	WITN04600223	ICL Pathway Audit Data Retrieval Requirements IA/REP/002
24	WITN04600224	ICL Pathway Change Request (CR0214): ICL Pathway to provide evidence in a Consignia prosecution case