

Friday, 10 November 2023

1
2 **MS PRICE:** Good morning sir, can you see and hear
3 us.
4 **SIR WYN WILLIAMS:** Yes, thank you very much.
5 **MS PRICE:** May we please call Ms Bernard.
6 **NATASHA PRUDENCIA BERNARD (sworn)**
7 **Questioned by MS PRICE**
8 **MS PRICE:** Can you confirm your full name, please,
9 Ms Bernard?
10 **A.** Natasha Prudencia Bernard.
11 **Q.** You should have in front of you a hard copy of
12 a witness statement in your name, dated
13 16 October of this year. Have you got that
14 there?
15 **A.** Yes.
16 **Q.** If you can turn, please, to page 23 of that
17 document. Does your copy have a visible
18 signature?
19 **A.** Yes, it does.
20 **Q.** Is that your signature?
21 **A.** It is.
22 **Q.** Are the contents of that statement true to the
23 best of your knowledge and belief?
24 **A.** Yes.
25 **Q.** For the purposes of the transcript, the
1

1 that right?
2 **A.** That's correct.
3 **Q.** Are we right that an Investigation Manager is
4 sometimes referred to as a Security Advisor --
5 **A.** That's correct.
6 **Q.** -- but they're essentially the same role?
7 **A.** No, they weren't the same role. At one point we
8 were referred to as Investigation Managers. I'm
9 not sure if that was at the start or in the
10 middle or at the end, but we were also known as
11 Security Advisors and at that point was where
12 Security and Investigation became one --
13 **Q.** I see.
14 **A.** -- as in the role became combined.
15 **Q.** You left the Post Office in February 2011; is
16 that right?
17 **A.** I did, yes.
18 **Q.** How did you come to apply to join the Security
19 team?
20 **A.** If I can -- if I recall correctly, I was working
21 at Acton branch office and I was -- I think
22 I was the manager at the time. The -- somebody
23 from the Post Office Investigation Department
24 came. They were going to interview
25 a subpostmaster who was local in Acton and they
3

1 reference for that is WITN09390100.

2 Thank you for coming to the Inquiry to
3 assist it in its work and for providing the
4 witness statement that you have. As you know,
5 I will be asking questions on behalf of the
6 Inquiry.
7 Today I'm going to be asking you about
8 issues which arise in Phase 4 of the Inquiry,
9 focusing on your involvement as an Investigator
10 within the Security and Investigation Team in
11 the criminal prosecution case study of
12 Mrs Oyeteju Adedayo. Before we turn to that
13 case study, I'm going to be asking you about the
14 Security team and your role and the processes
15 within that.
16 You joined the Post Office in 1985; is that
17 right?
18 **A.** That's correct.
19 **Q.** As a counter clerk initially?
20 **A.** Yes.
21 **Q.** In April 1998 you became an Assistant Branch
22 Manager?
23 **A.** Yes.
24 **Q.** You stayed in this role until June 2000 when you
25 were promoted to an Investigation Manager; is
2

1 needed to use one of our rooms. When the person
2 approached me, I recognised him, I didn't know
3 where from. He said he'd come and talk to me
4 after he'd done the interview with his
5 colleague, and when he came afterwards we
6 realised that we went to school together, and
7 his name was Tony Utting.
8 So I was asking him how he got into
9 Investigations and he told me at that time that
10 they were going to have -- that vacancies were
11 coming out in January 2000. So I applied.
12 **Q.** Was it common for Security and Investigation
13 Team members to be drawn from other non-security
14 areas of the business rather than being
15 recruited externally?
16 **A.** That was the first -- I'd seen people in the
17 Security and Investigation Team in the past.
18 I think then it was called Post Office
19 Investigations Department and it seemed to be --
20 there didn't seem to be many of them and I think
21 at that time they had a huge recruitment
22 campaign and I think they were -- they'd
23 actually taken people from within the Post
24 Office and externally.
25 **Q.** You say in your statement that when you became
4

1 an Investigation Manager you complete the
2 security foundation course; is that right?

3 **A.** Yes, that's correct.

4 **Q.** How long did that course last?

5 **A.** If I remember correctly, I think it was two
6 weeks residential.

7 **Q.** Can you recall now what topics were covered on
8 the course? If you need to refer to your
9 statement, feel free to.

10 **A.** I can -- I've still got them, actually. I think
11 there were 17 or so modules that had to be
12 complete before we started the course and then,
13 on the first day of the course, there was
14 an exam to sit and if you didn't pass that
15 exam -- I think it was a multiple choice as
16 opposed to just an exam -- if you didn't pass
17 then you would have to take it a few days later
18 and then, if you still didn't pass, then you
19 would have -- I think you'd be sent home.

20 And then there was -- at the end of the two
21 weeks there was another exam which you had to
22 pass.

23 **Q.** You say in your statement that you were made
24 aware on the course of Post Office policies,
25 around the duty on an investigator to

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1 working in Twickenham at the time so he was
2 based in Twickenham as well so I think, just
3 because we were both in the same office, he --
4 I could go to him about anything. I would
5 shadow him. He would -- if I remember correctly
6 I think he was reading my reports, as well.
7 I can't remember.

8 **Q.** Who was your line manager when you started in
9 the role?

10 **A.** So my line manager was Paul Fielding, who used
11 to deal with the physical security, and because
12 I was assigned to Investigations I had -- I was
13 kind of supervised, if you like, by Tony Utting
14 because he was more Investigations.

15 **Q.** In the 11 years that followed the initial
16 security foundation course, did you receive any
17 other formal training?

18 **A.** Not that I can recall.

19 **Q.** Looking, then, to other forms of guidance which
20 were available to you, relating to the conduct
21 of investigations, you say at paragraph 21 of
22 your statement that two of the policy documents
23 sent to you by the Inquiry -- please do turn
24 that up if you'd like to -- two of the documents
25 sent to you by the Inquiry for the purposes of

7

1 investigate a case fully and what this meant in
2 practice. From that training, what did you
3 understand the duty to investigate a case fully
4 to mean?

5 **A.** By looking at all lines of inquiry that --
6 that's about all I can remember.

7 **Q.** Were any examples given of how an investigator
8 might seek to comply with that duty in practice?

9 **A.** I can't remember.

10 **Q.** You don't mention in your statement receiving
11 training on disclosure in the context of that
12 security foundation course. Is it right, as you
13 say in your statement, that you cannot recall
14 whether you had any specific training on
15 disclosure while you worked at the Post Office?

16 **A.** I don't remember having training on disclosure
17 during that foundation course. There may well
18 have been but I don't remember it.

19 **Q.** After you were appointed, you were assigned
20 a mentor, weren't you?

21 **A.** Yes.

22 **Q.** This was David Posnett?

23 **A.** That's correct.

24 **Q.** What was his role as a mentor to you?

25 **A.** I could go -- I was working -- I think I was

6

1 preparing your statement were ones which, having
2 reviewed, you think guided you on what needed to
3 be contained in the legal report; is that right?

4 **A.** That's correct, yeah.

5 **Q.** Those two documents were the casework management
6 policies, version 1, dated March 2000, and
7 version 4, dated October 2002. Before we go to
8 those documents can you explain, please, what
9 the legal report was?

10 **A.** The legal report was a report that we would
11 write after we'd completed an investigation,
12 after we'd done the interview and that would be
13 for the Legal team.

14 **Q.** That was prepared by Investigators, was it --

15 **A.** Yes.

16 **Q.** -- who'd been involved? You say the Legal team:
17 who was that?

18 **A.** The Criminal Law Team for Post Office. So Post
19 Office Legal Services I think they were called
20 at the time.

21 **Q.** Was that the process for seeking legal advice on
22 a case for the whole time you were
23 an Investigation Manager?

24 **A.** Yes.

25 **Q.** Could we have on screen, please, the first of

8

1 the casework management policies. The reference
2 is POL00104747. Looking first, please, at
3 page 5 of this document. We can see, scrolling
4 down, please, at section 5, this includes
5 details of the document including an "Effective
6 from" date of March 2000. The "Assurance
7 Details" in the next section appear not to have
8 been completed and, over the page, please, the
9 final review section also appears not to have
10 been completed.

11 So it is possible that this document is not
12 the final approved version. However, the
13 material parts of the wording we're going to
14 look at is materially the same as the later
15 version, which we'll come on to.

16 Going back, please, to page 1 of this
17 document. The "Purpose" of this policy at
18 section 1 is said to be:

19 "The aim of this policy is to ensure that
20 adequate controls are in place to maintain
21 standards throughout investigation processes."

22 Section 2 covers the "Link to
23 Accountabilities", and identifies "Security
24 Managers".

25 Then section 3.1, "Reporting Standards".

9

1 Just going on to the fifth bullet point:

2 "For cases in England and Wales, sensitive
3 information should be detailed in a separate
4 report clearly marked with the level of
5 sensitivity (In Confidence/In Strictest
6 Confidence etc) and placed in a sealed envelope
7 enclosed in the case papers sent to Legal
8 Services, Criminal Law Division and must be
9 listed on form CS006D and if necessary CS006E as
10 sensitive information."

11 Just pausing there, the asterisk there, and
12 we see where it links up further down, says:

13 "See Post Office Code of Practice under the
14 Criminal Procedure and Investigations Act 1996."

15 Do you know what that document was? Is that
16 document as described there among those provided
17 to you by the Inquiry?

18 **A.** The Post Office Code of Practice?

19 **Q.** Mm.

20 **A.** I can't remember.

21 **Q.** Going further down the page please, there is, at
22 the bottom of the page, a list of things which
23 would count as sensitive information.

24 **A.** Mm-hm.

25 **Q.** Going over the page, please, the first bullet

11

1 This bullet point, the first one here, gives
2 some background to what follows and it reads in
3 this way:

4 "Industrial Tribunals have criticised the
5 practice of refusing to disclose investigation
6 reports to interviewees on the grounds of
7 privilege. As a consequence, it is now business
8 policy to release investigation reports to the
9 subjects of those investigations during the
10 disciplinary process. It is therefore essential
11 that consistent standards are applied by all ...
12 in the Security Community when compiling
13 investigation reports to comply with business
14 requirements whilst avoiding unauthorised
15 disclosure of sensitive material."

16 Moving to the fourth bullet point here, we
17 have this:

18 "In the majority of investigation cases, the
19 investigation report alone will adequate limit.
20 The requirements of both the prosecution and
21 conduct processes. In some cases, however, it
22 is necessary to protect sensitive information
23 which, if disclosed, could damage either ongoing
24 enquiries, the anonymity of informants or the
25 reputation of Consignia."

10

1 point we have here:

2 "Heads of Security should ensure that all
3 face reports are vetted for content before
4 copies are supplied for disciplinary purposes."

5 The next bullet goes on:

6 "In England and Wales, Legal Services will
7 decide what information will be disclosed to the
8 Defence in compliance with the Criminal
9 Procedure and Investigations Act 1996."

10 The next bullet point deals with failures in
11 security or operational procedures which are
12 identified in the course of an inquiry. The
13 bullet point down from that, so the fourth on
14 this page, deals with information concerning
15 procedural failures. It says this:

16 "The issue of dealing with information
17 concerning procedural failures is a difficult
18 one. Some major procedural weaknesses if they
19 become public knowledge have the potential to
20 assist others to commit offences against the
21 Post Office, or to undermine the Prosecution
22 case, or to bring Consignia into disrepute, or
23 to harm relations with major customers such as
24 the DSS or Girobank. Unless the Offender states
25 that he is aware that accounting weaknesses

12

1 exist and that he took advantage of them, it is
2 important not to volunteer that option to the
3 Offender during interview. The usual duties of
4 disclosure under the Criminal Procedure and
5 Investigations Act 1996 still apply."

6 You said in your statement that you
7 remembered using this document to guide you with
8 what needed to be contained in the legal report
9 when you reviewed it for the purposes of
10 preparing your statement. Do you now remember
11 the guidance given in this bullet point that
12 we've just read through? Is that familiar to
13 you?

14 **A.** No, it's not familiar to me.

15 **Q.** What do you understand this paragraph to be
16 instructing someone to do, where a major
17 procedural weakness has been identified in the
18 course of an investigation and it had the
19 potential to undermine the prosecution case or
20 bring the business into disrepute?

21 **A.** It seems like it's saying that you shouldn't
22 bring it up to the suspect offender during
23 an interview, like volunteering that
24 information, because it will give them a way to
25 explain their behaviour. That's what I'm

13

1 29 November 2001.

2 Having looked at both of these documents and
3 having recognised them as the documents that
4 guided you, as you say, on the content of the
5 legal reports, can you help with the way the
6 dates are on this document?

7 **A.** No, not at all. I wouldn't have been involved
8 in -- I wouldn't have been involved in drafting
9 any of this.

10 **Q.** Going back, please, to page 1 of this document
11 and scrolling down a little to the second bullet
12 point, please. We can see that this second
13 bullet point has changed from the last version
14 we looked at and it says this -- the first
15 bullet point remains materially unchanged. The
16 second bullet point says:

17 "As a consequence of this criticism there is
18 now a necessity for Security Managers to prepare
19 two reports, both of which are to be included
20 within the case file. One report is to be
21 clearly marked 'CONFIDENTIAL': (insert name of
22 business) and addressed to our Legal Services.
23 The second report is to be marked
24 'CONFIDENTIAL': (insert name of business) and
25 addressed 'For the attention of the Discipline

15

1 understanding this to mean.

2 **Q.** The terminology that was being used in this
3 paragraph to describe someone being investigated
4 for a potential offence is that of an offender,
5 isn't it, on the terms of that paragraph? Was
6 that the terminology that was used at the time
7 to describe a suspect.

8 **A.** Suspect offender.

9 **Q.** Do you understand that paragraph to include
10 an instruction that accounting weaknesses, which
11 might be relevant to the case against the person
12 being interviewed, should not be disclosed to
13 the suspect at least in interview?

14 **A.** Yes.

15 **Q.** Could we have on screen, please, version 4 of
16 this "Casework Management" document, which is
17 dated October 2002. The reference is
18 POL00104777. Going, please, to page 6 of this
19 document. We see at the bottom of the page,
20 a little further down, please, the date of
21 October 2002. In section 5 a bit further up, we
22 have the "Effective date" as being from February
23 2002 and a last update date of November 2001.
24 Then below that, at section 6, the "Assurance
25 Details" give the last "Assurance Date" as

14

1 Manager'. This is known as the Conduct report."

2 Does that description of those two reports
3 sound right to you in terms of the --

4 **A.** Yes.

5 **Q.** -- reports that you made at the time?

6 Going over the page to page 2, please. The
7 second bullet point down on this page is also
8 different from the last version, and it says:
9 "The Prosecution Support Office will ensure
10 that all investigation reports are vetted for
11 content before copies are supplied for
12 disciplinary purposes."

13 Do you recall there being a Prosecution
14 Support Office which the Post Office Security
15 Team liaised with?

16 **A.** There was one. There was something called the
17 Prosecution Support Office but I can't remember
18 where it was. I can't remember who was in it.

19 **Q.** One bullet point which remains unchanged in all
20 material respects is the fifth bullet point on
21 this page. The wording is the same, isn't it,
22 as the paragraph dealing with "information
23 concerning procedural failures" in the last
24 version we looked at, save that "Consignia" has
25 been replaced with "our Business".

16

1 Turning, then, to the remainder of the
2 policies you reviewed from those sent to you by
3 the Inquiry to assist with the preparation of
4 your statement, these are the ones listed at
5 paragraph 20 of your statement, if you want to
6 have that in front of you.

7 In respect of the Post Office policies, you
8 say in your paragraph 21 of your statement that
9 you do not specifically remember them, but you
10 appreciate that you would have been aware of
11 them at the time of your employment, but the
12 Royal Mail Group ones you do not recall any of
13 or you do not think you would have been aware of
14 them at the time of your employment; is that
15 right?

16 **A.** That's correct, yes.

17 **Q.** Where were the Post Office policies kept so that
18 Post Office employees could access them?

19 **A.** So I only really accessed the policies at the
20 start. I remember during -- either during
21 training, either before training, during
22 training or after training, I can't remember
23 when, it was when we had to look at these a lot.
24 But I don't remember where they were, where they
25 were kept. I don't remember.

17

1 a little blue book that used to be part of my
2 tackle kit.

3 **Q.** I'm sorry, can I ask you to explain that
4 expression as well?

5 **A.** So just all the equipment and stuff that we
6 would take with us, I would have like the Police
7 and Criminal Evidence Act in a pouch, along with
8 the CPIA, small booklet.

9 **Q.** So we can see from the title that this document
10 covers the disclosure of unused material.

11 **A.** Mm-hm.

12 **Q.** It refers in the title to the Criminal Procedure
13 Investigation Act 1996 Codes of Practice. We
14 can see from the bottom of the page that it's
15 dated May 2001. Going to the last page, please,
16 page 4. We can see the last "Assurance Date" is
17 4 May 2001, although again the "Final Review"
18 box appears empty.

19 Going back to page 1, please, the
20 "Introduction" here explains that:

21 "The rules relating to the disclosure of
22 unused material to the Defence are laid down in
23 the Criminal Procedure and Investigations Act
24 1996.

25 "In light of the Human Rights Act 1998 the

19

1 **Q.** One of the documents you list at paragraph 20 of
2 your statement as one that you reviewed when we
3 sent it to you is the "Disclosure of Unused
4 Material -- Criminal Procedure and
5 Investigations Act 1996 Codes of Practice"
6 policy, dated May 2001. Could we have that on
7 screen, please. The reference is POL00104762.
8 Did you recognise this document when it was
9 provided to you by the Inquiry for the purposes
10 of preparing your statement?

11 **A.** I think I recognised the wording as opposed to
12 the actual policy. Like it was -- the wording
13 was familiar to me.

14 **Q.** Is it a document you referred to in the same way
15 you referred to the casework management
16 documents, in terms of guiding you?

17 **A.** Not particularly this document, but perhaps the
18 little blue book that is what I would have in my
19 tackle kit. So I think that's where
20 I recognised the wording from, as opposed to
21 recognising the actual policy itself.

22 **Q.** Sorry, can you just say that again? The which
23 book?

24 **A.** The CPIA, it was like a light blue, tiny little
25 A5, I don't know, half the size of an A4 --

18

1 Attorney General has issued new guidelines on
2 the disclosure of unused material. The
3 Guidelines clarify the responsibilities of
4 Investigators, Disclosure Officers, Prosecutors
5 and Defence Practitioners."

6 Then further down the page, please, the
7 "General Principles" section. There's a section
8 here for "Investigators and Disclosure Officers"
9 and an Investigator is defined at that first
10 bullet point as:

11 "An Investigator [being] a person involved
12 in the conduct of a criminal investigation
13 involving Consignia. All Investigators have
14 a responsibility for carrying out the duties
15 imposed on them under this Code, including in
16 particular recording information, and retaining
17 records of information and other material."

18 At the second bullet point we have this:

19 "Investigators and Disclosure Officers must
20 be fair and objective and must work together
21 with prosecutors to ensure that disclosure
22 obligations are met. A failure to take action
23 leading to proper disclosure may result in
24 a wrongful conviction. It may alternatively
25 lead to a successful abuse of process argument

20

1 or an acquittal against the weight of the
2 evidence."

3 The third bullet point:

4 "In discharging their obligations under the
5 statute, code, common law and any operational
6 instructions, investigators should always err on
7 the side of recording and retaining material
8 where they have any doubt as to whether it may
9 be relevant."

10 Moving, then to the second bullet point on
11 this page:

12 "The Disclosure Officer is the person
13 responsible for examining material retained
14 during an investigation, revealing material to
15 Legal Services during the investigation and any
16 criminal proceedings resulting from it, and
17 certifying to Legal Services that he has done
18 this. Normally the Investigator and the
19 Disclosure Officer will be the same person."

20 Do you recall that being the case, that the
21 Investigator and the Disclosure Officer in
22 a case were usually the same person?

23 **A.** No. I never saw myself as a Disclosure Officer;
24 I just saw myself as an Investigator but,
25 according to this, I was both.

21

1 At the time you were an Investigator, did
2 you understand that you had a duty specifically
3 to draw material to the attention of the
4 prosecutor, where you were the Disclosure
5 Officer, where you were in any doubt as to
6 whether something might undermine the
7 prosecution case or assist the defence?

8 **A.** Sorry, can you repeat that?

9 **Q.** I'm sorry, it was a very long question. At the
10 time, when you were an Investigator, did you
11 understand you to have a duty to draw material
12 to the attention of the prosecutor where you
13 were in any doubt as to whether it might
14 undermine the prosecution case or assist the
15 defence?

16 **A.** I think at the time I may not have understood it
17 fully. After leaving the Post Office, I went
18 and had -- I had another job and then I decided
19 that I wanted to get a qualification, and it was
20 only after -- it was only doing the
21 qualification that I think I got a better
22 understanding of disclosing information to --
23 that would undermine the prosecution or assist
24 the defence.

25 **Q.** The bullet point below that reads:

23

1 **Q.** You say similarly in your statement that you
2 cannot recall having any official role in
3 relation to disclosure, other than sourcing and
4 providing documents as and when requested.
5 Should we take that to mean that you do not
6 recall having been the Disclosure Officer in the
7 cases you investigated?

8 **A.** Yes.

9 **Q.** Having now seen the documents provided to you by
10 the Inquiry, do you accept that, at least on
11 some occasions, you were the Disclosure Officer
12 in cases you were investigating?

13 **A.** Yes, I accept that now.

14 **Q.** Going down the page, please, to the bullet point
15 about halfway down the page, under the section
16 in bold, this covers Disclosure Officers making
17 sure that descriptions by Disclosure Officers in
18 non-sensitive schedules are clear. Then the
19 bullet point below this says this:

20 "Disclosure Officers must specifically draw
21 material to the attention of the Prosecutor for
22 consideration where they have any doubt as to
23 whether it might undermine the prosecution case
24 or might reasonably be expected to assist the
25 Defence disclosed by the accused."

22

1 "Disclosure Officers must seek the advice
2 and assistance of prosecutors when in doubt as
3 to their responsibility, and must deal
4 expeditiously with requests by the prosecutor
5 for further information on material which may
6 lead to disclosure."

7 Who was the prosecutor in cases you
8 investigated on behalf of the Post Office?

9 **A.** I'm guessing it would have been the Criminal Law
10 Team, but then the prosecutor was -- I just
11 remember Bell -- I think it was Bell Yard,
12 that's where all the barristers were. I don't
13 know.

14 **Q.** In the context of this instruction, in this
15 document, it may be that you never went to the
16 prosecutor to ask but, had you had a disclosure
17 query and you'd been looking for someone to ask
18 who was the prosecutor, who would you have gone
19 to?

20 **A.** I would probably have asked, if I didn't -- if
21 I was unsure where to put something when I was
22 preparing a committal, it would be my colleagues
23 or the Criminal Law Team or a manager.

24 **Q.** Were you ever in any doubt about your
25 responsibilities as they related to disclosure?

24

1 A. I don't think I fully understood, at the time,
 2 about disclosure. I can't -- I can't really
 3 remember.

4 Q. It is not referenced in this document but were
 5 you aware, when you were an Investigator, that
 6 there was an obligation on a criminal
 7 investigator to pursue lines of inquiry which
 8 pointed away from the guilt of the suspect?

9 A. Yes.

10 Q. Turning then to the process which was followed
 11 from the start of an investigation to
 12 a prosecution being brought, you say at
 13 paragraph 18 of your statement that there was
 14 another team within the Post Office, you refer
 15 to this team as the Casework Function Team, what
 16 was that team's role?

17 A. I think that was the Casework Management Team
 18 and all the cases, I think, used to start, not
 19 necessarily there, because if something was
 20 reported to a line manager, then they may raise
 21 the case themselves and then inform the Casework
 22 Management Team. But there was a team who kind
 23 of dealt with all the admin, so that when the
 24 cases will come from there, they would go to
 25 your line manager, they would then assign

25

1 explain, please, what the training covered and
 2 what process you followed in your interviews?
 3 If you need to refer to paragraph 15, please do.

4 A. I can't remember. I know one of the modules
 5 covered -- I think it covered interviews.
 6 I believe, during the actual training, the
 7 residential training -- I can't remember
 8 specifically about interviews.

9 Q. You say in your statement that you would always
 10 inform the individual of their right to legal
 11 representation and a friend?

12 A. Yes.

13 Q. Do you recall that?

14 A. Yes, I do recall that.

15 Q. In general terms, do you recall there ever being
 16 an occasion when a suspect said something in
 17 interview which led to further enquiries being
 18 made by you as the Investigator?

19 A. I don't recall.

20 Q. You don't recall whether that happened or you
 21 don't recall making further enquiries when
 22 someone said something or raised something in
 23 an interview?

24 A. I'm just trying to think of something specific
 25 and I can't think -- there's nothing that comes

27

1 an Investigator and then, during the course of
 2 the investigation, the -- you may send the file
 3 back to the Casework team who would then put
 4 a memo in and then send it to the Criminal Law
 5 Team.

6 I didn't -- I don't know what their
 7 processes were but I think that's what their --
 8 that's what they spent their time doing.

9 Q. Where a case involved a shortfall having been
 10 identified in a branch on audit, you say in your
 11 statement that the Investigation Team would get
 12 a call from the Audit Team. Can you explain,
 13 please, what happened after that call, from
 14 an investigatory perspective?

15 A. So the audit -- I'm not sure if the Audit Team
 16 contacted the Casework Management Team or their
 17 line manager, who then may then escalate things
 18 but, once the call came into the Investigation
 19 team leader, it would be up to that team leader
 20 to assign -- ask an Investigator to go to the
 21 office to conduct the investigation.

22 Q. You say in your statement at paragraph 15 that
 23 your role included carrying out interviews under
 24 caution of those accused of a criminal offence
 25 and you had full training on this. Can you

26

1 to mind but I'm sure there probably were
 2 occasions when that happened but I can't think
 3 of any -- I can't think of an example right now.

4 Q. Coming, then, to the reports which you completed
 5 once an investigation was done, it appears from
 6 your statement that you recall there being at
 7 least two different reports produced by
 8 Investigators, and that's in line with the
 9 second Casework Management policy we looked at.

10 A. Yes.

11 Q. You say at paragraph 11 you would write a report
 12 to the Contracts and Services Manager, and that
 13 was the conduct report, was it?

14 A. Yes.

15 Q. That report was only allowed to contain facts
 16 about what happened and not an opinion?

17 A. That's correct, yes.

18 Q. But you would also write a report to the
 19 Criminal Law Team --

20 A. Yes.

21 Q. -- in which you could express an opinion on next
 22 steps, including a recommendation on charges; is
 23 that right?

24 A. Yes.

25 Q. Did you have any training in criminal law to

28

1 assist you in making recommendations on charges?
 2 **A.** Not that I can recall.
 3 **Q.** Can you recall what test you were applying when
 4 making recommendations on charges?
 5 **A.** If you'd have asked me this question without me
 6 having seen any of the documents, then
 7 I wouldn't be able to answer but, having read
 8 this, I can recall from this information the
 9 public interest test.
 10 **Q.** You say at paragraph 17 of your statement that,
 11 ultimately, any charging decision was up to the
 12 Criminal Law Team; is that right?
 13 **A.** Yes, that's correct.
 14 **Q.** You reference at paragraph 11 that you thought
 15 you produced a third type of report but you
 16 can't recall now the content or purpose of that
 17 third report. Does that remain the case or have
 18 you remembered anything further about this since
 19 preparing your statement?
 20 **A.** I was convinced that there were three reports
 21 and -- but, having looked at the information,
 22 it's probably why I can't remember because there
 23 wasn't a third report. It may have been --
 24 I always, I just always thought there was three.
 25 I don't know -- I think I was probably wrong.

1 the person being interviewed had made any
 2 significant statement; any kind of schedules
 3 that had been prepared to reflect the evidence.
 4 **Q.** Were the Criminal Law Team reliant on
 5 Investigation Managers to identify potential
 6 sources of information and documents that were
 7 relevant for disclosure?
 8 **A.** Yeah, I'd expect so.
 9 **Q.** Could we have on screen, please, paragraph 19 of
 10 Ms Bernard's statement, that's WITN09390100.
 11 It's page 5 of that document -- a little further
 12 down, just to paragraph 19.
 13 You say here:
 14 "Once we had carried out the investigation,
 15 we would submit the case to the Criminal Law
 16 Team who would look at the evidence and draft
 17 advice on prosecution. If prosecution was going
 18 ahead, we would prepare the committal and issue
 19 the summons."
 20 Who decided whether a prosecution was going
 21 ahead?
 22 **A.** The Criminal Law Team or -- I don't know if it
 23 was down to a particular person. I remember
 24 vaguely prosecution authority but that's not
 25 from memory, that's only through reading this

1 **Q.** You say at paragraph 16 of your statement that,
 2 once you had written your legal report, you
 3 would submit it to the Criminal Law Team with
 4 the relevant documents?
 5 **A.** Mm-hm.
 6 **Q.** Was there a checklist of steps to take and what
 7 information to obtain or any other guidance to
 8 ensure that all relevant information was sent to
 9 the Criminal Law Team?
 10 **A.** I think there was something. Now, I don't know
 11 if it was a policy or if it was something that
 12 had been made or created by a member of the
 13 Security and Investigation Team. So like an aid
 14 for us to follow. But I can recall that there
 15 was something but I don't know who generated it
 16 or created it.
 17 **Q.** Can you remember what it said?
 18 **A.** It was similar to the Casework Management
 19 policy, so I'm guessing it was probably -- it
 20 was based on that.
 21 **Q.** As a matter of practice, what documents would
 22 you provide to the Criminal Law Team?
 23 **A.** So the report; any exhibits; any witness
 24 statements that had been taken; things like
 25 notebook entries; if the customer -- sorry, if

1 bundle. So it would come from them whether we
 2 were going to prosecute.
 3 **Q.** Sorry it would come from who?
 4 **A.** The Criminal Law Team in their advice.
 5 **Q.** Did that change at all, as far as you can
 6 recall, in the 11 years you were
 7 an Investigation Manager?
 8 **A.** I don't recall.
 9 **Q.** Can you recall any times where the Criminal Law
 10 Team recommended that no further action be taken
 11 in respect of the case?
 12 **A.** Are you talking specifically about audit
 13 shortages, or any?
 14 **Q.** Well, any cases across the board, to start with?
 15 **A.** Yes, I think -- I can't remember specifically
 16 but, yes, I'm sure there was.
 17 **Q.** Can you remember any audit shortages --
 18 **A.** Where?
 19 **Q.** -- cases where the Criminal Law Team advised no
 20 further action, as opposed to prosecution?
 21 **A.** I wouldn't be able to name a case, no.
 22 **Q.** In terms of your involvement in disclosure after
 23 the decision had been made to proceed to
 24 prosecution, you say in your statement that the
 25 Criminal Law Team would list additional

1 documents and evidence that they required and it
 2 was your job to source and provide this. Other
 3 than responding to requests from them for
 4 documents, did the Investigation Team conduct
 5 any further evidential inquiries themselves of
 6 their own initiative, after the decision had
 7 been made to proceed with the prosecution?
 8 **A.** I think then an Investigator would -- if there
 9 was something that they felt needed to be
 10 included that wasn't listed in the advice, that
 11 they would do that, yes.
 12 **Q.** Could we have on screen, please, document
 13 reference POL00026980.
 14 This is a "Schedule of Sensitive Material",
 15 which appears to have been prepared by you when
 16 acting in the role of Disclosure Officer. So we
 17 can see your name at the bottom there and the
 18 declaration at the top:
 19 "The Disclosure Officer believes that the
 20 following material, which does not form part of
 21 the prosecution case, IS SENSITIVE."
 22 The copy on screen has the signature
 23 redacted out but I understand you've been
 24 provided with a copy without the redaction; is
 25 that right?

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1 meant that the defence would not be made aware
 2 of it. Did you understand that at the time, in
 3 general, about sensitive schedules?
 4 **A.** Yes, but, looking at this, I thought this had
 5 come from the defence.
 6 **Q.** Was the only sensitivity here that the article
 7 was unhelpful to the Post Office?
 8 **A.** I don't know.
 9 **Q.** Was this the first time that you became aware of
 10 anyone questioning the Horizon system and
 11 blaming it for loss or had you been made aware
 12 of this before?
 13 **A.** I don't recall. I don't recall when I learned
 14 about the Horizon system. If I hadn't have seen
 15 this, I would have probably said that I didn't
 16 know about it until after I left.
 17 **Q.** Setting aside the fact that this document
 18 appears to have come from the defendant, do you
 19 recognise now that the justification given on
 20 this schedule was not a proper justification for
 21 the inclusion of material on a sensitive
 22 schedule?
 23 **A.** Yes.
 24 **MS PRICE:** Sir, if it is convenient to you, may
 25 I ask that we take the morning break a little

35

1 **A.** That's correct, yes.
 2 **Q.** Can you confirm, please, that it is your
 3 signature underneath the redaction?
 4 **A.** Yes, I can confirm that.
 5 **Q.** This document is dated 15 January 2010. There's
 6 just one item listed on this schedule and in the
 7 "Description" column it is:
 8 "Article relating to integrity of Horizon
 9 system, supplied with accompanying letter by
 10 defendant."
 11 Can you recall anything about this article
 12 now?
 13 **A.** No.
 14 **Q.** Would you have read the article, given that you
 15 were providing comment on it in this document?
 16 **A.** If I was supplied with it I would like to think
 17 that I read it, yes.
 18 **Q.** The reason that this was said to be sensitive
 19 was that it could be used as mitigation, ie to
 20 blame Horizon system for loss. On the face of
 21 this, if a document were thought potentially to
 22 benefit the defence in this way, was this not
 23 a case for disclosure, as opposed to against it?
 24 **A.** I would say, yes, now.
 25 **Q.** The placing of an item on a sensitive schedule

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1 early. I've just finished one topic and the
 2 next topic is a little lengthier.
 3 **SIR WYN WILLIAMS:** Yes, by all means. So what's the
 4 time by now? Well, we'll call it 10.55, so
 5 11.10?
 6 **MS PRICE:** Yes, sir, thank you.
 7 **SIR WYN WILLIAMS:** Fine.
 8 (10.53 am)
 9 (A short break)
 10 (11.10 am)
 11 **MS PRICE:** Hello, sir. Can you see and hear us?
 12 **SIR WYN WILLIAMS:** Yes, thank you.
 13 **MS PRICE:** Could we have on screen, please,
 14 paragraph 38 of Ms Bernard's statement. That is
 15 WITN09390100, page 13 of that document.
 16 Paragraph 38 reads:
 17 "I can also recall having training on how
 18 the Horizon system worked and that it
 19 essentially worked as a giant calculator."
 20 This description of Horizon as a giant
 21 calculator, where or who did that come from?
 22 **A.** That was just how we referred to it.
 23 **Q.** What did you understand by that?
 24 **A.** That it was just like a calculator. You know,
 25 whatever you put into it, it calculated it and

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1 threw it out.

2 **Q.** What did your training on Horizon consist of?

3 **A.** So to start with, when I first joined the Post
4 Office, there wasn't any Horizon or anything.
5 I don't remember when but there was a system
6 called ECCO that came next and I was very
7 familiar with that, and then, when I was working
8 at Acton and I was -- Acton branch office, and
9 I was due to start working as an Investigator in
10 the June, I don't remember if Horizon had come
11 in to Acton at that point.

12 When I started work as an Investigator,
13 I think it was a case -- it wasn't formal
14 training, I think it was a case of just going --
15 I used to work at Croydon, the offices there and
16 there was a branch office downstairs. And
17 I think it was a case of just arranging with the
18 Branch Manager to go and sit behind someone for
19 a few days. So it was just sitting next to
20 somebody and watching them. There was no -- it
21 wasn't -- as far as I can recall.

22 **Q.** You say in your statement that, when you were
23 investigating an investigation for a shortfall,
24 you would usually request ARQ data from Fujitsu
25 as part of your investigation and that you did

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1 provided to the subpostmaster.

2 **Q.** You say that an extract was provided to the
3 Criminal Law Team rather than the full ARQ data.
4 So can you just explain what that extract might
5 be?

6 **A.** So this could be anything, not just necessarily
7 ARQ data. It could be a schedule that was
8 prepared, it could be, let's say, an extract --
9 if we had -- at the time of the audit, we'd
10 asked the auditor to run off the reports from
11 the Horizon system, it may be that you'd look
12 through it and you might just photocopy
13 an extract from that.

14 **Q.** From Fujitsu, you recall dealing with Penny
15 Thomas but not Gareth Jenkins; is that right?

16 **A.** That's correct.

17 **Q.** How often would you speak to Penny Thomas?

18 **A.** I don't know. Not on a regular basis.

19 **Q.** Was she the person that you regularly spoke to
20 when you asked for ARQ data?

21 **A.** Do you know, I don't remember how we had to
22 request the information. I don't think it
23 involved a phone call. There was probably
24 a process in place but I don't remember what
25 that process was. I can't imagine it was

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1 that as a matter of course. Do you recall,
2 though, there being a limit on the number of ARQ
3 requests which could be provided by Fujitsu?

4 **A.** Yes.

5 **Q.** Do you ever recall being told you could not have
6 the ARQ data in a case because of those limits?

7 **A.** Not that you couldn't have it but that you might
8 have to wait until the following month. I think
9 it was -- there was a limit to the amount that
10 could be requested during a particular period.
11 So you may have to wait until the start of the
12 next period to request something.

13 **Q.** You say at paragraph 46 of your statement, and
14 if we can go to that, please, this is page 15,
15 you say:

16 "I cannot recall whether or not the data was
17 provided to the subpostmaster but I assume that
18 it would have been during disclosure. If
19 relevant, an extract from a report might be
20 provided to the Criminal Law Team within the
21 investigation documents."

22 So you assume that it would have been
23 provided during disclosure. Do you know that
24 that was the case?

25 **A.** No. I can only assume that it was -- that --

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1 phoning her and asking her.

2 **Q.** Just trying to understand the context in which
3 you recall dealing with Penny Thomas, can you
4 help with that at all?

5 **A.** I remember speaking to her and I know I met her
6 but I can't recall what the conversation was
7 about or ...

8 **Q.** In cases involving Horizon data, how was
9 a financial loss or shortfall proved?

10 **A.** The auditors would verify the cash and stock
11 that was on hand at the audit, and then that
12 would be compared to what the Horizon system
13 says and the difference would either show
14 an over or a short. That's my understanding.

15 **Q.** David Posnett was your mentor.

16 **A.** Mm-hm.

17 **Q.** Did he remain your mentor for the whole time you
18 were an Investigator?

19 **A.** No, he would be somebody, as well as anybody
20 else in the Investigation Team. I could go to
21 any one of them.

22 **Q.** Did he ever discuss with you any problems with
23 the functioning of the Horizon system?

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

25 **Q.** Did he or anyone else ever discuss with you the

40

1 potential for problems with the system to impact
 2 upon a subpostmaster's ability to balance in
 3 branch?
 4 **A.** I don't remember any conversations about the
 5 Horizon system.
 6 **Q.** It may follow but were you ever aware, in the
 7 time you were an Investigator with the Post
 8 Office, that balancing problems could result
 9 from bugs, errors or defects in the system?
 10 **A.** No.
 11 **Q.** I'd like to turn, please, to your involvement in
 12 the investigation of Mrs Adedayo. You say in
 13 your statement that you have no direct memory of
 14 this case. Does that remain the case now?
 15 **A.** Yes.
 16 **Q.** Having seen the documents sent to you by the
 17 Inquiry, can you explain, please, how you came
 18 to be involved in Mrs Adedayo's case?
 19 **A.** I think -- looking at the documentation, I was
 20 asked to attend the office. I don't know who
 21 asked me but I was asked to go and attend the
 22 office. I don't remember how I got there.
 23 I don't remember if I took a train or if
 24 somebody picked me up. I don't remember at all.
 25 **Q.** You cover your involvement in your statement
 41

1 signed by Mrs Adedayo and witnessed by the
 2 auditor on the day of the audit. Have you now
 3 seen a copy of that note?
 4 **A.** Yes.
 5 **Q.** Was this provided to you by the auditor on the
 6 day of the audit?
 7 **A.** That's what I would assume, yes.
 8 **Q.** Can we have that note on screen, please. It is
 9 OADE0000001. We see at the bottom left there
 10 "Witnessed by JR Valan". That was the Auditor,
 11 was it?
 12 **A.** Well, it says "Deepak". I don't know who
 13 JR Valan is. I'm guessing. I think it says
 14 Deepak Valani.
 15 **Q.** We have the audit report from 5 September and
 16 that is signed by the Branch Auditor Deepak
 17 Valani --
 18 **A.** Mm-hm.
 19 **Q.** -- and we can see that it is signed, although
 20 that signature is redacted, by Mrs Adedayo
 21 a little further down.
 22 At the top of this note, Mrs Adedayo used
 23 the word "confessed". It says, "confessed the
 24 auditor". Was it usual for a subpostmaster to
 25 sign confession documents in front of an Auditor
 43

1 starting at paragraph 54, so please do have that
 2 in front of you if it would help. It appears
 3 from paragraph 54 and the underlying documents,
 4 that you went to the branch on 5 September 2005
 5 to commence an investigation after the audit
 6 identified an apparent shortfall of £52,864.08.
 7 It's the figure you give in your statement. Is
 8 it right that you attended with your colleague,
 9 Adrian Morris?
 10 **A.** Yes, that's correct.
 11 **Q.** You say that you introduced yourself to
 12 Mrs Adedayo, do you know what you would have
 13 said to her about your role?
 14 **A.** That we're here to talk to her about the audit
 15 shortage, probably something like that.
 16 **Q.** You say she agreed to a voluntary interview.
 17 What steps did you take to investigate the case
 18 before you interviewed Ms Adedayo?
 19 **A.** I would probably have spoken to the auditors.
 20 I don't recall.
 21 **Q.** Did you seek to obtain any evidence before the
 22 interview?
 23 **A.** I don't -- I can't remember. I don't know.
 24 **Q.** It appears from the content of the interview
 25 that you were in possession of a note which was
 42

1 on the day of an audit revealing a shortfall?
 2 **A.** I've known Auditors in the past who, if the
 3 subpostmaster says something, they may either
 4 write a note at the time or ask the person
 5 making the statement to write it out at the
 6 time.
 7 **Q.** There are obvious problems, are there not, with
 8 this being done on the spot like this, before
 9 a subpostmaster has had the opportunity to
 10 consider the position or take legal advice;
 11 would you agree with that?
 12 **A.** I wasn't there when -- I don't know what the
 13 circumstances of this was. I wasn't there.
 14 **Q.** Did you ask what the circumstances were?
 15 **A.** I don't remember.
 16 **Q.** Because Auditors are not trained in the conduct
 17 of criminal investigations, are they, and none
 18 of the safeguards of an interview are present in
 19 these circumstances --
 20 **A.** Mm-hm.
 21 **Q.** -- are they?
 22 **A.** I agree with that, yeah.
 23 **Q.** Do you recall being told anything by the Auditor
 24 about the circumstances in which this note came
 25 into being?
 44

- 1 A. I don't remember.
- 2 Q. Did you give any consideration to the
3 possibility that an Auditor may have said or
4 done something that made both the written note
5 and the subsequent confession in interview
6 unreliable?
- 7 A. No.
- 8 Q. Coming to the interview, you have said in your
9 statement that your practice was always to
10 inform an individual being interviewed of their
11 right to legal representation and a friend.
12 What did you say to Mrs Adedayo about her legal
13 rights at the start of and during the interview?
14 I think you've had the opportunity to read the
15 transcripts of that interview now.
- 16 A. I'm sorry, can you say that again?
- 17 Q. Putting it a different way. In this case, did
18 you do that? Did you tell Mrs Adedayo about her
19 legal rights at the start of the interview?
- 20 A. Er ...
- 21 Q. We can look to that interview, if it helps you.
- 22 A. Yes, please. I mean, yes, I would say I did,
23 without looking at it.
- 24 Q. So the reference is POL00066742.
- 25 A. Yeah.

45

- 1 Q. It's page 25 of the document we just had up
2 POL00066742, page 25, please.
- 3 A. Oh, yes.
- 4 Q. So you say, three entries down:
5 "Yeah, I've got that note here in front of
6 me. Can you read it out for me please?"
7 Mrs Adedayo does read it out.
- 8 A. Mm-hm.
- 9 Q. Just beneath that, you say:
10 "All right, and you signed that?"
11 The response is, "Yup".
12 "You agree you wrote that?"
13 "Yes, oh yes."
14 Then you note it's been witnessed by the
15 Auditor. Over the page:
16 "Okay, he's signed that as well."
- 17 A. Mm-hm.
- 18 Q. Looking further down that page, did you ask
19 Mrs Adedayo about the circumstances in which the
20 note came to be written and witnessed by the
21 Auditor?
- 22 A. It doesn't appear so, no.
- 23 Q. Did you ask her whether what she said in it was
24 correct?
- 25 A. I don't think so.

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- 1 Q. Starting on page 3 of that document, going about
2 halfway down and in bold, by Natasha Bernard at
3 00.01.43, you appear to be providing the
4 caution.
- 5 A. Mm-hm.
- 6 Q. Do you have the hard copy in front of you?
- 7 A. Yes, I do.
- 8 Q. You do. Do you want to just have a look through
9 and check if you can answer the question based
10 on having a look? Looking, for example, at
11 page 7, if we can have page 7 on the screen as
12 well, please.
- 13 Further down the page, please.
- 14 A. Yeah, she was offered a solicitor.
- 15 Q. I'm sorry, your answer wasn't quite caught there
16 by -- it won't be caught by the transcriber.
17 Can you say that again?
- 18 A. She was offered -- yeah, she was asked if she
19 wanted to speak to a solicitor or if she wanted
20 legal representation.
- 21 Q. The note which we've just looked at, you asked
22 Mrs Adedayo to read that note out in her
23 interview, didn't you? If we need to go to that
24 section of interview, we can.
- 25 A. Yes, please.

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- 1 Q. But you did, on page 26, if we can go to the top
2 of the page again, please, three entries down,
3 give Mrs Adedayo an opportunity to explain the
4 shortage that we have in the Post Office
5 Accounts.
- 6 A. Sorry, can you say that again?
- 7 Q. Yes. Yes, that third entry there says:
8 "Okay, um, well what I want to do now, is to
9 give you an opportunity to explain erm, the
10 shortage that we have in the post office
11 accounts."
12 So you were giving her an opportunity to
13 explain the shortage.
- 14 A. Yes.
- 15 Q. Before you asked that question -- or at any
16 point before this -- did you explain to
17 Mrs Adedayo what the basis was for saying there
18 was a shortage?
- 19 A. No, it doesn't appear so.
- 20 Q. What explanation was given by Mrs Adedayo in
21 this interview to you?
- 22 A. The explanation for?
- 23 Q. For the shortage?
- 24 A. The shortage? That she'd used the money to pay
25 people that she'd borrowed money from.

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1 Q. Did you manage to pinpoint with any precision
2 what amounts Mrs Adedayo was saying were paid to
3 her lenders and when?
4 A. Only from what's in the tape summary. So it
5 seems like there was £10,000 initially, followed
6 by two amounts of £20,000, during the months
7 just before the audit shortage was identified.
8 Q. Did you seek any further evidence following the
9 interview with Mrs Adedayo as to the payments of
10 those amounts?
11 A. I'm sorry, I don't know what you mean.
12 Q. Did you ask Mrs Adedayo for any documentation
13 relating to the payment of those sums?
14 A. During the interview.
15 Q. After the interview, did you make any further
16 enquiries?
17 A. I can't remember.
18 Q. Was any data sought from Horizon -- sorry, was
19 any data sought from Fujitsu in this case,
20 whether any ARQ data or other type of data?
21 A. I don't know if there was but if, there was, it
22 would have been -- it would have made up part of
23 the case file. It would have been in the
24 exhibits.
25 Q. You wrote your report for the Criminal Law Team

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1 report and, if we can turn to page 5 of the
2 document, it's one line at the top:
3 "Given the admissions made by Mrs ADEDAYO
4 there is no reason why she should not be charged
5 with false accounting."
6 What was the basis for this conclusion?
7 A. I would probably have looked at false accounting
8 and see if it met all the points, if that makes
9 sense.
10 Q. Mrs Adedayo having said what she did in
11 interview and having read the note, as far as
12 you were concerned, was that the end of the
13 enquiries into the shortfall?
14 A. I don't remember.
15 Q. Mrs Adedayo was prosecuted following advice from
16 the Criminal Law Team in this case. What
17 further involvement did you have in the case
18 once this decision was made? If you need to
19 refer to your statement, please do.
20 A. Is this after -- are you asking after she was
21 prosecuted?
22 Q. Yes.
23 A. I don't recall having anything further to do,
24 unless there was any kind of financial
25 investigation afterwards.

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1 after the interview. Can we have that on
2 screen, please. It is POL00044366, and if we
3 can go, please, to the fifth page of that.
4 Scrolling down, please, you can see your name
5 there and the date of 8 September 2005. Going
6 back to the first page, please and scrolling
7 down a bit, we can see there the identification
8 of the "Designated Prosecution Authority" --
9 A. Mm-hm.
10 Q. -- who is listed as Tony Utting.
11 A. Mm-hm.
12 Q. Is that right?
13 A. Yes, it is.
14 Q. The discipline manager is Keith Long. Have you
15 reviewed this document for the purposes of
16 preparing your statement? Have you read it?
17 A. I read it but I don't know if I read it before
18 or after we did the -- I think probably during
19 the witness statement, yes.
20 Q. Okay. But you have, at this point in time, read
21 it --
22 A. I've read it, yes.
23 Q. -- since the Inquiry sent it to you?
24 A. Yes.
25 Q. You gave a recommendation as to charge in this

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1 Q. If you can look, please, to paragraph 67 of your
2 statement.
3 If we can have that up, please, on screen
4 it's WITN09390100, page 21, please.
5 Just before we come to paragraph 67 you, say
6 at paragraph 66:
7 "I do not think that I was the Disclosure
8 Officer in this case and I cannot remember ever
9 holding this official title."
10 We've been to the other schedule and I think
11 you've revised your evidence on that point.
12 Do you remember giving any consideration to
13 disclosure in this case?
14 A. I don't remember.
15 Q. Paragraph 67, you refer here to a memo from
16 Debbie Helszajn, which states that:
17 "... Mrs Adedayo appeared at Chatham
18 Magistrates Court on 19 January 2006 and pleaded
19 guilty to the three charges and accepted the
20 further offences set out in the Schedule of
21 TICs. She advises that I should attend the
22 sentencing hearing. This was a normal course of
23 action as all Investigation Managers were asked
24 to attend sentencing hearings and write
25 something up after the sentencing to conclude

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1 the case. I have no direct memory of the
2 sentencing hearing and therefore cannot confirm
3 whether or not I did actually attend. However,
4 it would not have been unusual for me to arrange
5 for someone else from the team to go in my place
6 if I could not attend."

7 Can we take it that you can't help any
8 further than that as to whether you actually did
9 attend the sentencing?
10 **A.** I don't think I did because -- but then I don't
11 know. I've seen in the documentation there was
12 some reference to somebody doing a full report
13 and I think that person was called John
14 Thornewell, following -- so I think maybe -- it
15 wasn't unusual -- because I lived in Croydon and
16 this was Maidstone or somewhere, that Legal
17 Services may have said that we're going to be
18 sending somebody anyway. So I don't remember
19 going.

20 **Q.** You have now, I think, read the statement from
21 Mrs Adedayo that she gave for the purposes of
22 this Inquiry and read the transcript of her
23 evidence given in the Human Impact hearings; is
24 that right?

25 **A.** Yes.

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1 'Well, there you are, it's peculiar to you'.

2 "And that was when I thought, 'In the whole
3 of the United Kingdom only me?' I didn't know
4 what to do. That was when I started inventing
5 the story because if I'm the only one in the
6 United Kingdom, who is going to listen to me?"

7 Can you recall a conversation to this effect
8 happening before the interview or at any point?

9 **A.** Not at all.

10 **Q.** Are you saying that that conversation didn't
11 happen or that you can't recall whether it did?

12 **A.** I think if it did happen, I would have
13 remembered it.

14 **MS PRICE:** Sir, those are all the questions that
15 I have for Ms Bernard. There are some questions
16 from Core Participants. Shall I proceed to turn
17 to them?

18 **SIR WYN WILLIAMS:** Yes, please. Yes.

19 **MS PRICE:** I think starting with Ms Page.

20 **Questioned by MS PAGE**

21 **MS PAGE:** Ms Bernard, I act for a number of
22 subpostmasters, including Ms Adedayo who sits to
23 my right.

24 Now, I'd like to go back to the interview
25 transcript, first of all, because what I'd like

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1 **Q.** Could we have the transcript of Mrs Adedayo's
2 oral evidence to the Inquiry on screen, please.
3 It is INQ00001039. I'm going, please, to
4 page 21 of that document.

5 There are some internal page numbers on the
6 bottom of each of the four squares of this page.
7 At internal page 81, Mrs Adedayo was asked about
8 her interview with you and Adrian Morris. At
9 the top of page 82, she is asked what evidence
10 was produced to her to evidence the shortfall
11 and she says underneath that, three lines down:
12 "... the cash accounts, the report from the
13 computer [that] was the only thing they showed
14 me ..."

15 Then she is asked this is line 13:

16 "Did you ask whether anyone else had
17 experienced discrepancies?"

18 The answer was this:

19 "I did. When we went downstairs and the
20 argument was going backwards and forwards
21 I turned around and I said, 'Has anyone else
22 experienced this?' They turned around, they
23 said 'Have you heard of it? Have you heard of
24 it anywhere?' I said 'No', which is true,
25 'I didn't hear anything about it'. They said,

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1 to do is look at what was said to you about the
2 supposed £50,000 that was mentioned first of all
3 in the written document, and then questions were
4 asked in the interview about it. So if we go to
5 POL00066742, please. If we go down, first of
6 all, to page 28, Mrs Adedayo says:

7 "So that I can put the money back. It
8 wasn't intentional, doing it at all. So I get
9 them the £20,000 at that point, again."

10 You say:

11 "And when was that?"

12 She says:

13 "Oh, it was the right period of time.

14 "No, but when?"

15 She says:

16 "I would say in the last, everything can
17 change in the last couple of months, two
18 months."

19 Then:

20 "So when did you give them this £20,000?"

21 The reply is:

22 "I gave them roundabout, I would say about
23 June."

24 So that's the first extract. If we could
25 then, please, hold that thought and go down to

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1 page 35, where you pick up that thought, and if
 2 we go down to -- yes, just -- if we pick up at
 3 27.50. Your question is:
 4 "Okay, so you've, you've paid off the
 5 £20,000, that accounts for £20,000."
 6 Mrs Adedayo says:
 7 "No, 30, so far that I've given them the
 8 remaining 20 to get them off me."
 9 You say:
 10 "So how much have you given them?"
 11 Mrs Adedayo says:
 12 "I've given them 50."
 13 If we go over to the next page, again
 14 following this same thread, if we go down
 15 a little bit, just stop there. Thank you,
 16 sorry, just tiny bit up. Your question at
 17 28.13:
 18 "So how did you take this money? How, how
 19 did?"
 20 Mrs Adedayo says:
 21 "I, I told Joan."
 22 You say:
 23 "No, no how did, what exactly did you do?
 24 What did you come in, did you just come in and
 25 take £50,000?"

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1 "And the remaining £50,000 was in July,
 2 August, I gave it to them", and then she
 3 continues with her explanation.
 4 So, in other words, we're getting a very,
 5 very scrambled account, aren't we, of how much
 6 money was paid and when; would you accept that?
 7 **A.** Absolutely.
 8 **Q.** When you get that sort of question and answers
 9 in an interview, does it cause you any concern?
 10 **A.** Looking back at this interview, reading this,
 11 I was very confused. So I can only imagine that
 12 I was probably confused during the interview.
 13 **Q.** That can come down. Thank you.
 14 We've looked at the document that was
 15 apparently signed before the interview and we
 16 can read it out again, if you like. In fact,
 17 I think it probably makes sense if we do that.
 18 So let's just go to OADE0000001, please. If we
 19 read it out in full, it says:
 20 "I have today 5th of September 2005
 21 confessed [probably 'to'] the auditor regarding
 22 the sum of £50,000 taking, with my mentioning it
 23 to my assistant that I was going to be
 24 repossessed and since [probably 'have'] equity
 25 no mortgage on the Rainham Road property have

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1 She says:
 2 "No, no, no."
 3 You say:
 4 "Okay, so tell me exactly what you did."
 5 She says:
 6 "I did the £10,000, because I thought if
 7 I can get a mortgage, remortgage, I will put the
 8 £10,000 back in the Post Office."
 9 Just pausing there for a moment, at this
 10 point we've had 20,000, 30,000, and now we're
 11 back to 10,000, as the opening gambit, if you
 12 like. If we go a bit further down to page 39,
 13 and if we go to a little further down to 30.54,
 14 and you say:
 15 "So you paid £10,000 in June to these
 16 people, and when did you pay the rest?"
 17 "I, I gave them £20,000 in July."
 18 Then you say:
 19 "And you gave them £20,000. So £10,000 in
 20 June, £20,000 in July?"
 21 If we just go over the page. We then get
 22 Mrs Adedayo says:
 23 "Yes."
 24 "Natasha Bernard: And?"
 25 Mrs Adedayo says:

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1 already applied for £50,000 loan to pay back to
 2 the Post Office as this has never been my
 3 intention to steal or take somebody else's money
 4 which I have never done before in all my 6 years
 5 here."
 6 Would you accept that actually that does not
 7 confess to theft or, indeed, any other crime?
 8 **A.** I can't remember what the points to prove for
 9 theft are, I don't know.
 10 **Q.** You can't recall what the points to prove for
 11 theft are, is that what you just said?
 12 **A.** Yes.
 13 **Q.** Well, do you recall that it's to take money and
 14 to not give it back, in layman's terms?
 15 **A.** I remember it was part of it.
 16 **Q.** What we have here is somebody saying they were
 17 going to give it back, don't we?
 18 **A.** Yes.
 19 **Q.** All right. Well, the Auditor who took this
 20 "confession" evidently was not trained in what
 21 you call the points of theft, was he?
 22 **A.** I don't know.
 23 **Q.** Well, would you have expected an Auditor to be
 24 trained in the points of theft?
 25 **A.** No.

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1 Q. Had you been trained in what ought to happen if
2 a suspect makes statements prior to a formal
3 interview?
4 A. To make a note of it, yeah.
5 Q. So when confronted with an Auditor who has
6 carried out some form of interview prior to your
7 arrival, what should you have done?
8 A. I don't know.
9 Q. Sorry?
10 A. I don't know.
11 Q. You don't know now or didn't know then?
12 A. I don't know now.
13 Q. Did you know at the time?
14 A. I don't know.
15 Q. You don't know whether you were trained in what
16 you should do in that situation?
17 A. I can't remember.
18 Q. Do you recall ever, in that situation, making
19 a note to yourself of what has been said?
20 A. I don't recall.
21 Q. Do you remember anything about the principles
22 around taking contemporaneous notes or notes as
23 soon as possible thereafter and asking suspects
24 whether they are prepared to read over them,
25 whether they accept them, whether they signed to

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1 and their investments on the line, didn't they,
2 when you interviewed them?
3 A. Yes.
4 Q. All of that could disappear pretty much
5 overnight for them, couldn't it?
6 A. Yes.
7 Q. Did it ever occur to you that they were
8 vulnerable and that you were wielding quite
9 a lot of power over them?
10 A. No.
11 Q. Did it ever occur to you that they might be
12 particularly susceptible to inducements or
13 threats?
14 A. I don't know whether it occurred to me. I'm
15 guessing that in their position they were open
16 to -- they may well have been threatened.
17 Q. Well, then, just considering what was said in
18 interview, the confusing, as you say, nature of
19 it, and considering a few other points, let's
20 just look at how the actual loss, the figure of
21 the loss, was arrived at.
22 We are told that the audit cash shortage was
23 £53,000, just a little over £53,000, and that
24 was a £52,864 cash shortfall, after stock
25 differences were taken out of the equation. So

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1 say they're true? Do you know anything -- do
2 you recall anything about having done that at
3 all in your time at the Post Office?
4 A. I can remember contemporaneous notes but not all
5 the things that you've just mentioned, no.
6 Q. When you were trained in interviewing, were you
7 also trained in other aspects of interviews?
8 Were you trained, for example, in the provisions
9 around unreliable confessions?
10 A. No, I don't remember that at all.
11 Q. So you never were taught anything about the
12 possibility that things that might be said or
13 done that might render confessions unreliable?
14 A. I don't remember that, no.
15 Q. No. Leaving aside your training, did it ever
16 occur to you that the people you encountered in
17 these particular types of cases, these audit
18 shortfall cases, were not just managers of post
19 offices but were proprietors? They owned their
20 businesses.
21 A. Mm-hm.
22 Q. They had everything to lose, didn't they?
23 A. Yes.
24 Q. They could be suspended, dismissed, prosecuted.
25 They had their reputations and their livelihoods

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1 52,864 cash shortfall. The note signed by
2 Mrs Adedayo mentioned £50,000 --
3 A. Mm-hm.
4 Q. -- and that was what was then picked up and
5 picked over in interview. Why did you consider
6 the confession to be reliable, given that it
7 could only explain the removal of £50,000 and
8 not £52,000 or even the overall shortfall of
9 £53,000?
10 A. I'm sorry, I don't understand.
11 Q. Well, there was a confession note -- quotes
12 "confession note" -- that mentions £50,000 --
13 A. Yes.
14 Q. -- but the shortfall was said to be at least
15 £52,000?
16 A. Mm-hm.
17 Q. How could the confession to £50,000 be reliable
18 if the cash shortfall was larger than that?
19 A. It was Ms Adedayo that wrote the £50,000. The
20 audit shortage was £52,000. I don't --
21 Q. Yes, well you had told her about the £52,000
22 shortfall and yet, nevertheless, her
23 "confession" never amounted to £52,000, did it?
24 A. This what she wrote, though.
25 Q. Well, that's right.

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1 A. Mm-hm.
 2 Q. Did it not occur to you that it was unreliable?
 3 A. No. This is -- she wrote this herself.
 4 Q. Yes, as we've just, I hope, established, with
 5 the Auditor there and with you yourself
 6 recognising a certain susceptibility, in the
 7 circumstances, to inducements and threats. Yes?
 8 A. *(No audible answer)*
 9 Q. We've looked also at your report to the lawyers
 10 in which you recommended that Mrs Adedayo could
 11 be charged on the basis of this confession. So
 12 what that was, effectively, was cherrypicking
 13 from her account interview and the confession
 14 document, in the sense that you said it could be
 15 relied upon to charge her with false accounting
 16 but, obviously, all the parts where she put
 17 forward her explanations, which would undermine
 18 dishonest intent, which would undermine any
 19 dishonesty at all, were to be disregarded. Do
 20 you take my point?
 21 A. I thought my -- in the report, I just reported
 22 what she said and what I said. I wasn't
 23 cherrypicking anything.
 24 Q. Did it ever occur to you that the problems in
 25 her account and the contradictions in her

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1 since had their convictions overturned. I only
 2 want to ask you about two documents.
 3 A. Okay.
 4 Q. They relate to a case for a client we represent
 5 called Mrs Pauline Stonehouse. You weren't the
 6 investigating officer in her case and I just
 7 want to give a bit of background before we go to
 8 the documents, to perhaps save some time in
 9 context.
 10 A. Okay.
 11 Q. The Inquiry is familiar with the findings in
 12 *Allen & others* in the Court of Appeal where on
 13 10 December 2021, Ms Stonehouse's conviction in
 14 2008 for false accounting was overturned. In
 15 that case, the Post Office accepted that hers
 16 was an unexplained shortfall case and evidence
 17 from Horizon was essential to the prosecution.
 18 She was entitled to a proper investigation of
 19 the reliability of Horizon and to receive
 20 disclosure in relation to Horizon Issues.
 21 The Post Office accepted that this did not
 22 happen and that Mrs Stonehouse's prosecution was
 23 therefore unfair and an affront to justice.

24 To understand the documents we're going to,
 25 I'm just going to read two paragraphs from the

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1 account came from the fact that none of it was
 2 true?
 3 A. I didn't -- I think it's quite clear in my
 4 report that I didn't believe what she was
 5 telling me.
 6 Q. But you believed it enough to rely on the
 7 "confession" elements?
 8 A. It was -- the "confession" isn't my word, it's
 9 hers.
 10 Q. Looking back, do you think you were really
 11 trained in investigative interviewing or were
 12 you just trained to get "confessions" --
 13 A. No.
 14 Q. -- in whatever manner you could?
 15 A. No. I wouldn't describe it like that at all.
 16 MS PAGE: Thank you, sir. Those are my questions.
 17 SIR WYN WILLIAMS: Thank you, Ms Page. Anyone else?
 18 **Questioned by MS PATRICK**
 19 MS PATRICK: Sir, it's Ms Patrick. We have number
 20 of questions. We should be very short.
 21 SIR WYN WILLIAMS: Yes, fine.
 22 MS PATRICK: Thank you.
 23 Good morning, Ms Bernard, my name is Angela
 24 Patrick and I act for a number of subpostmasters
 25 who were prosecuted and convicted but who have

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1 Court of Appeal, so that we can shortcut a lot
 2 of other information.
 3 Paragraph 19 of the judgment, it reads:
 4 "On 7 June 2007, Mrs Stonehouse was
 5 interviewed. She agreed she'd inflated her cash
 6 figure to conceal the shortfall. She denied
 7 stealing any of the money. She said that she
 8 knew it was wrong to declare a false figure but
 9 she did not know what else to do."
 10 Then at paragraph 20:
 11 "In a defence statement dated 15 February
 12 2008, Mrs Stonehouse denied dishonesty and
 13 expressly raised the reliability of Horizon.
 14 She said that she would require an expert to
 15 analyse the POL accounts and the accounting
 16 system which was open to abuse. In
 17 correspondence of the same date, her solicitors
 18 emphasised concerns about Horizon."
 19 It goes on to explain what the solicitors
 20 had said.
 21 Now, if we turn to the two documents I'd
 22 like to ask you some questions about, the first
 23 of those is FUJ00122540. You can see it's
 24 a short two-page email thread. Can you see that
 25 there, Ms Bernard?

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1 A. I can.
 2 Q. If we start at the very top on the page there
 3 you can see there's a reference to
 4 an attachment. Can you see that, Ms Bernard?
 5 A. Attached is --
 6 Q. A WS Seaburn, can you see that?
 7 A. Yes.
 8 Q. I only raise that because Seaburn was
 9 Mrs Stonehouse's branch.
 10 A. Right, okay.
 11 Q. If we can go to the very end and start at the
 12 end, at page 2, it may make more sense. You can
 13 see there at the very end, there is an email
 14 from Andy Dunks to you, Ms Bernard. Can you see
 15 that there?
 16 A. Oh, yes, yeah. I can see me, yeah.
 17 Q. The date, we can see it a little bit below your
 18 name there, is 25 March 2008. Can you see?
 19 A. Yes.
 20 Q. So, logically, if Mrs Stonehouse's defence
 21 statement had been produced in February 2008,
 22 this exchange would have been after the
 23 production of the defence statement; is that
 24 fair?
 25 A. Mm-hm, yeah.

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1 A. Mm.
 2 Q. If you were making that request, is it
 3 reasonable to assume you'd have been aware that
 4 there was a need for the Post Office to have
 5 evidence to support the data being produced by
 6 Horizon?
 7 A. Yeah, so if -- whenever we asked for the Horizon
 8 data, we would normally ask for a witness
 9 statement in order that the evidence could be
 10 produced.
 11 Q. Okay. If we go back to the email document and
 12 we scroll up a little, we can see that you
 13 forward this on to Ms Dickinson to consider on
 14 25 March 2008. I think we can see that at the
 15 bottom of page 1 and the top of page 2.
 16 A. Yes.
 17 Q. Can you see that there, Ms Bernard?
 18 A. Yeah.
 19 Q. Can you help us: who is Ms Dickinson?
 20 A. I think she was another Investigator.
 21 Q. You think she was an Investigator in
 22 Mrs Stonehouse's case?
 23 A. Yeah.
 24 Q. If we scroll up again we see Ms Dickinson
 25 replies to you on 14 April 2008, and I'm going

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1 Q. You see what Mr Dunks says and I'm going to read
 2 it out for the transcript:
 3 "Please find the attached WS [witness
 4 statement] which I hope covers the request for
 5 the working condition of the Horizon system.
 6 Please let me know if this is ok, and I will put
 7 a copy in the post."
 8 Can you recall who Mr Dunks was?
 9 A. No.
 10 Q. We'll return to that. Another document might
 11 help your memory but, looking at this, does it
 12 seem that a witness statement was being sought
 13 by the Post Office and produced by Mr Dunks for
 14 that purpose, to cover the working condition of
 15 Horizon?
 16 A. Yes.
 17 Q. Can you recall now if it was you that asked for
 18 that witness statement?
 19 A. I don't know.
 20 Q. Does it seem from this email correspondence that
 21 it was you who had asked for that witness
 22 statement?
 23 A. Yes, I guess so. I don't remember the case
 24 though.
 25 Q. So this is in 2008.

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1 to read a little there. Can you see that,
 2 Ms Bernard, before we scroll on? Is it on your
 3 screen?
 4 A. Yes.
 5 Q. We can see it starts:
 6 "As discussed regarding Seaburn SPSO."
 7 Does that suggest to you that Ms Dickinson
 8 would have talked to you about the statement
 9 before sending you this email?
 10 A. I don't know what she means by "as discussed".
 11 It suggests that maybe we did discuss something
 12 but I can't remember.
 13 Q. If we read on, it says:
 14 "Please see attached a slightly amended
 15 witness statement required for court on Friday,
 16 18 April.
 17 "All I have done is increase the time period
 18 to a starting date of 1 July 2005. This is
 19 because the defence have requested Horizon data
 20 from the previous year for comparison.
 21 Therefore the amount of ... calls will more
 22 likely increase from the 20 mentioned in the
 23 draft."
 24 Is it likely, looking at that, that your
 25 discussion with Ms Dickinson covered that the

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1 defence was seeking more information about
2 a greater period starting from 1 July, and
3 a greater volume of calls were going to be
4 required to be covered by Mr Dunks?
5 **A.** I don't remember any of this. All I can think
6 is, during my later years before I left the Post
7 Office, I was working in the Banking Fraud team
8 and I don't know, and I did say this in -- not
9 in my witness statement but when I was preparing
10 my witness statement, that I may well have been
11 involved with ARQ requests but I couldn't
12 remember.

13 And I just think, looking at this, it may be
14 that I was just the person who was passing the
15 information to Andy Dunks. I was just kind of,
16 like, the middle person. I wasn't doing
17 investigations, I don't think, at this time.

18 So that's all I can think of. I don't know
19 if she would have discussed anything with me at
20 length because I just would have been pass --
21 obtaining information and passing it on.

22 **Q.** Okay.

23 **A.** If that makes sense.

24 **Q.** Just going on to what you said earlier today
25 about when you became aware of challenges to the

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1 about without reading -- like having a huge
2 discussion because I wouldn't have needed to
3 know all of that.

4 **Q.** But by 2008, you accept that this does appear to
5 suggest that you and your colleagues would at
6 least have been aware that there were challenges
7 to the integrity of Horizon happening?

8 **A.** I really can't remember if I was aware or not
9 about the Horizon challenges, even with this in
10 front of me.

11 **MS PATRICK:** No further questions, Ms Bernard.

12 Thank you.

13 **MS PRICE:** Sir, I think those are all the questions
14 from Core Participants.

15 **SIR WYN WILLIAMS:** All right.

16 On reflection, I just want to ask one or two
17 questions in order to clarify my mind.

18 **Questioned by SIR WYN WILLIAMS**

19 **SIR WYN WILLIAMS:** So I think you agreed with both
20 Ms Price and Ms Page in the questions they put
21 to you that -- but I'll try and put it as
22 neutrally as possible -- the answers which were
23 given to you by Ms Adedayo in the interview
24 under caution about the circumstances in which
25 she'd apparently taken £50,000 in order to repay

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1 Horizon data being produced and its integrity?

2 **A.** Yes.

3 **Q.** By April 2008, when we're having this exchange,
4 you would have been aware that a defence in this
5 case, prosecution was seeking access to Horizon
6 data for the purposes of comparison?

7 **A.** Sorry, was that your question?

8 **Q.** Sorry. By this time, 2008, looking at this
9 exchange, do you accept you would have been
10 aware that there were cases where the defence
11 was seeking Horizon data for the purposes of
12 trial?

13 **A.** So because I believe, looking at this, I was the
14 person just passing information from one person
15 to another, I may have been the person that they
16 contacted. I wouldn't have been looking into
17 too much about what's actually being said here.
18 I would just have been passing the information
19 on.

20 So I cannot say, hand on heart, that I knew
21 what they were talking about. Because, when we
22 requested information, I, in the past, have had
23 to ask witness statements from Fujitsu in order
24 to -- for them to produce their discs, and
25 that's maybe what I would have assumed this was

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1 it to someone, were somewhat confusing. Yeah?

2 **A.** Yes, sir.

3 **SIR WYN WILLIAMS:** Yes. So am I right in thing
4 that, notwithstanding that that was the state of
5 affairs, you didn't think it appropriate or
6 necessary to chase up on what she'd done with
7 that £50,000, for example by getting from her
8 the name or names of the person to whom it had
9 been paid and checking with them whether, in
10 fact, they'd received such sums; is that right?
11 Have I got that right?

12 **A.** From the documents that have been presented to
13 me in the Inquiry, I believe we -- and I did --
14 ask for the names of the creditors.

15 **SIR WYN WILLIAMS:** Right.

16 **A.** Looking at the taped transcript, Mrs Adedayo
17 says that she needed to talk to her husband
18 first, is what I -- it's not what I remember,
19 this is what is in there.

20 **SIR WYN WILLIAMS:** Yes, yes.

21 **A.** And she was going to send them to us afterwards,
22 and then I think in my report I'm just saying
23 "To date, this has not been received". So it
24 was kind of left up to her to present those
25 names to us.

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1 **SIR WYN WILLIAMS:** Right. So I can be clear about
 2 it, your state of mind was that it's for
 3 Mrs Adedayo (or Ms Adedayo) to provide this
 4 information and, unless she does, there's
 5 nothing much I can do about it; is that fair?
 6 **A.** I think because it seemed that she was reluctant
 7 to give us the names at interview, when it would
 8 have been quite easy for us to check with these
 9 people, had we had the names -- because she
 10 appeared to be reluctant, I think if I'd have
 11 put more pressure, I would have probably been
 12 accused of being oppressive.
 13 **SIR WYN WILLIAMS:** All right.
 14 **A.** So that's probably why I didn't --
 15 **SIR WYN WILLIAMS:** I'm asking these questions
 16 because -- and if I've misheard you, this the
 17 chance to put it right -- I think you said to
 18 Ms Page that you didn't actually believe what
 19 Mrs Adedayo was telling you in interview, yes?
 20 **A.** Yes, that's true, sir.
 21 **SIR WYN WILLIAMS:** Right, okay. Did you make
 22 a witness statement for the criminal prosecution
 23 of Mrs Adedayo? *(Pause)*
 24 It hasn't been referred to, sometimes that's
 25 quite deliberate because there's no need for it

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1 able to do that and, as with all other Core
 2 Participants, I welcome her to the Inquiry
 3 proceedings.
 4 So, with those final remarks, I think we'll
 5 bring today's session to a close.
 6 Ms Price, we're due to start again on
 7 Tuesday?
 8 **MS PRICE:** Yes.
 9 **SIR WYN WILLIAMS:** But am I right in thinking that
 10 we are still contemplating whether or not that
 11 is possible, in the light of disclosure issues
 12 which are well known, at least to the lawyers in
 13 the room?
 14 **MS PRICE:** Yes, sir.
 15 **SIR WYN WILLIAMS:** Do you have -- and if you
 16 haven't, that's fine -- but do you have any
 17 current information about the likelihood of us
 18 being able to resume on Tuesday?
 19 **A.** No, sir.
 20 **SIR WYN WILLIAMS:** Fine, all right. Well, then,
 21 I'll wait to be kept informed.
 22 Thank you all very much.

23 (12.21 pm)

24 (The hearing adjourned until
 25 Tuesday, 14 November 2023)

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1 to be referred to in the Inquiry, but I am just
 2 wondering whether you did actually make
 3 a witness statement?
 4 **A.** I don't -- I think -- I don't think so, because
 5 she pleaded guilty.
 6 **SIR WYN WILLIAMS:** So she pleaded guilty in the
 7 Magistrates Court, as I understand it, yeah?
 8 **A.** Right, yeah.
 9 **SIR WYN WILLIAMS:** So, from memory -- and
 10 I appreciate this is a long time ago but I just
 11 want to get your best memory -- your memory is
 12 that you didn't actually get to the point of
 13 making a witness statement?
 14 **A.** Honestly, I don't remember. But it's -- I don't
 15 think so.
 16 **SIR WYN WILLIAMS:** Right.
 17 **A.** That's about the best I can do.
 18 **SIR WYN WILLIAMS:** Okay, thank you very much.
 19 Well, thank you for coming to give evidence
 20 before me, and for making a witness statement in
 21 advance of that. I think that concludes the
 22 evidence for the day.
 23 I want to recognise the fact that
 24 Mrs Adedayo is in the hearing room today to hear
 25 evidence about her case, so I'm glad she was

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I N D E X

NATASHA PRUDENCIA BERNARD (sworn)	1
Questioned by MS PRICE	1
Questioned by MS PAGE	55
Questioned by MS PATRICK	66
Questioned by SIR WYN WILLIAMS	75

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MS PAGE: [2] 55/21 66/16	16 October [1] 1/13	5	accessed [1] 17/19	Advisors [1] 3/11
MS PATRICK: [3] 66/19 66/22 75/11	17 [2] 5/11 29/10	5 September [2] 42/4 43/15	accompanying [1] 34/9	affairs [1] 76/5
MS PRICE: [12] 1/2 1/5 1/8 35/24 36/6	18 [1] 25/13	50 [1] 57/12	according [1] 21/25	affront [1] 67/23
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