

WITNESS: TIMOTHY BRETNALL

STATEMENT NUMBER: WITN0186_01

EXHIBITS: 0

DATED: Jan 11, 2022

POST OFFICE HORIZON IT INQUIRY

FIRST WRITTEN STATEMENT OF MR TIMOTHY BRETNALL

THIS STATEMENT IS PROVIDED IN RESPONSE TO THE RULE 9 REQUEST OF
THE PUBLIC INQUIRY DATED 29/10/2021 TO ADDRESS THE HUMAN IMPACT OF
THE FAILINGS OF THE HORIZON IT SYSTEM

I, MR TIMOTHY BRETNALL, Date of Birth of

will say as follows:-

PERSONAL BACKGROUND

1. I was born in 1981 in Ashford, Kent.
2. My family moved from Kent to Roch in Pembrokeshire when I was aged 3 and we lived in a farmhouse owned by my family. Following school and college I initially worked on local farms and for a security company. This work took me away from home a lot however and involved considerable travel. It was for these reasons that I decided to join my parents in the family business and bought the shop and post office along with my parents.

3. I got married in 2013 after a relationship of a few years with my ex-wife and we have a daughter together called **GRO** who is aged 8, however my wife and I separated in 2014.

POST OFFICE HISTORY

4. I took up the local village shop along with the post office and a fish and chip shop in Roch, Pembrokeshire with my parents in 2005. They were all established businesses when we bought them together.
5. Initially I had a temporary sub-postmaster to assist me until I was approved by the post office. I had 4 days on site training when I took up the role of Sub-postmaster in late 2005. I never received any further training after this.
6. In late 2005 I noticed small shortfalls initially in the Horizon accountancy system for the post office which had shown up as transaction corrections. I rang the helpline and requested assistance. I was told to balance the sheet and no further explanation was given.
7. My area manager was called Colin Burstam.
8. In 2008 there seemed to be a big jump in shortfalls and transaction corrections, it was at this point I was told it was down to me to balance and make good. Then the shortfall doubled to £22,500. At this point having being told it was my responsibility, I tried to hide the shortfall and pay it back as quickly as I could, with the intention of once it was cleared approaching the Post Office and asking them to check where and who the money actually belonged. In my mind if I admitted I couldn't pay the shortfall I would be accused of theft.
9. By the time I was audited in 2009 I had reduced the shortfall to some £16,500 by putting my own money into the post office, when the auditors came, I was

very open and honest with them about what had been happening because I thought they were there to help. I quickly realised that they were there not to help me but to blame me.

10. I recall the auditor's name being Gaynor Davies, who had another man with her but I cannot remember his name.

11. This was promptly followed by a visit from an investigating team. This was a man called Mike Wilcox. Another lady was with him but I do not remember her name. Whilst at first I thought they were there to help me and correct the fault, it soon transpired they were auditors to try and collect evidence against me. I remember Mike Wilcox telling me it was an informal chat and I asked if I would need a solicitor and he said no.

12. I remember being told that I was the only sub-postmaster having these kinds of issues.

13. I was suspended by the Post Office on 5th November 2009 and my employment was terminated on 4th December 2009. I remember appealing my termination. My appeal was heard on 12th February 2010 by Angela Van Den Bogerd. My appeal was dismissed and my employment was terminated on 19th February 2010.

14. From what I can recall, up until that point, I hadn't been charged with anything so I thought the situation could be rectified.

CRIMINAL PROCEEDINGS AND CONVICTION

15. I cannot remember exactly when I received summons. The trouble is I had kept a lot of this documentation but after the first mediation failed I threw a lot of

things away. I do remember receiving the summons in the post, and I then instructed a solicitor.

16. I first attended Haverfordwest Magistrates Court in around early 2010 and then I believe I went to Carmarthen Crown Court which is where I pleaded guilty on 10th June 2010.

17. I pleaded guilty on the advice of my barrister who was from a chambers in Swansea and was called Chris. I cannot recall his surname. I took all of my papers and at this stage I was determined not to plead guilty. Chris said he could not make a coherent argument out of the paperwork given by the Post Office. He said the jury would believe the Post Office and his advice to me was to plead guilty to avoid a potential custodial sentence.

18. I pleaded guilty to false accounting as the Post Office dropped the theft charge.

19. On 29/06/2010 I was sentenced at Swansea Crown Court to 20 weeks imprisonment suspended for 18 months and ordered to carry out 200 hours of unpaid work.

20. My conviction was overturned on 23 April 2021.

THE HUMAN IMPACT

21. The human impact which the failings of the Horizon IT System have had and continue to have upon me and my family are set out in the remainder of this statement. The section headings follow the particular questions posed by the Inquiry.

WHAT WERE THE CONSEQUENCES OF BEING REQUIRED TO MAKE GOOD APPARENT SHORTFALLS SHOWN BY THE HORIZON IT SYSTEM?

22. I had already put in some £6,000 of my own money, the subsequent shortfall on audit was paid back in full (£16,500) because I was told “off the record” by my manager Colin Burston that if the money wasn’t paid back I would be “done for theft”.
23. I had to borrow this money from my parents and that sum of money has only been paid back to my parents following the interim compensation payment this year.

WHAT WERE THE COSTS OF MAKING GOOD ALLEGED SHORTFALLS SHOWN BY HORIZON?

24. Before the larger shortfall I had a smaller audit as I had a transaction correction where I had paid back the initial £6,000 with help from my parents and also with shop takings. Gaynor Davies also did this audit and she reiterated that I should pay or it would be taken from wages.
25. When the larger transaction correction came through totalling about £22,500 I did not contact anyone because of what Gaynor had said to me at the initial audit. I naively thought I should pay and then afterwards could contact the Post Office to figure out what had happened.
26. What really happened was that I paid back an amount myself, and my parents paid back a further £16,500. We paid back the full amount before my trial.
27. I had to sell my car at the time to try and pay my parents back quickly, which was a mint condition rare Subaru rally car with low mileage. I bought it for

£5,000 and sold it for £5,000. I later found out that it is now worth between £40,000 and £50,000.

HOW WERE YOU AFFECTED WHEN ALLEGED TO BE RESPONSIBLE FOR SHORTFALLS OR DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?

28. As the problems grew with the so-called balance discrepancies, my mental health deteriorated, I struggled with sleep and started suffering with anxiety.
29. My relationships with my wife, daughter as well as with friends started to become strained.

WHAT WERE THE CONSEQUENCES OF BEING HELD RESPONSIBLE FOR SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?

30. As a result of the Post Office's investigation, I was charged with fraud by false accounting.
31. I wanted to plead not guilty but following the advice of my barrister, to avoid a custodial sentence, I ended up pleading guilty to false accounting. As detailed above, this led to a conviction by the Crown Court and of 20 weeks imprisonment, suspended for 18 months and I was ordered to carry out 200 hours of unpaid work.
32. I also had to pay court costs of £1,000.00.

WHAT WERE YOUR FINANCIAL LOSSES CAUSED BY ACTION TAKEN AGAINST YOU IN RELIANCE UPON HORIZON DATA?

33. After my conviction the Post Office put a temporary Sub-postmaster in place for a couple of years. She then resigned and my mother was approached to take the position. The shop and Post Office are still running.

34. When I ran the shop I built the shop turnover up significantly, on top of my Post Office wage. I ran the Post Office 6 days a week, but the Post Office prevented my mother from running the Post Office for more than 12 hours a week. This had a direct effect on footfall in the shop which has significantly reduced. The turnover significantly reduced. I couldn't diversify as I wished to as a result of my conviction.

35. The business had been very successful and I believe the turnover was around £350,000 to £380,000 per year throughout 2006 to 2009. The turnover fell to around £130,000 after my conviction.

36. I paid £1,000 back to the Post Office in legal costs after my trial. The Post Office asked for around £30,000 but my barrister argued it should be reduced.

WHAT EFFECT DID IT HAVE TO BE ACCUSED OF COMMITTING CRIMINAL OFFENCES AS A RESULT OF SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?

37. The whole process was extremely daunting and distressing. I also felt that I had been tricked in to giving an interview by the investigator initially without a solicitor present.

38. I remember the judge told me it was a case of "lazy accounting" and a young man's pride of not wanting to shout for help. It was very frustrating that I did not have the opportunity to make clear that I did ask for help.

WHAT WERE THE CONSEQUENCES OF BEING CONVICTED OF A CRIMINAL OFFENCE AS A RESULT OF SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON IT SYSTEM?

39. The conviction had a huge impact on me and my mental health really suffered.

40. I did not sleep properly for a years following the conviction. On occasions I would get a few hours sleep and then wake up in the early hours of the morning not able to go back to sleep.

41. I withdrew from social situations and avoided socialising with friends such as going to the pub.

42. I also suffered from anxiety to the extent that I avoided telephone calls and avoided opening mail. I would get very anxious about small worries such as whether I had locked the front door or turned the oven off.

43. For my unpaid work, I did 200 hours of community service in a charity called Mind. During this time, I would lie awake in bed in the early hours of the morning worrying about my financial situation and not being able to provide for my family or secure a future for my daughter.

44. After the unpaid work with Mind I volunteered for a number of months, and was then offered a paid role of 16 hours per week.

45. During this time my earnings reduced from around £16,000.00 per year to around £6,000.00. Due to having a conviction, I could not consider taking up another job or travelling.

46. I worked for Mind until 2017 when my partner was diagnosed with cancer, following complications with her surgery I am now her full time carer.

47. I battled for 11 years to prove my innocence which has taken a considerable toll on my mental health. Before this ordeal, I had planned to run the Post Office branch until my retirement.

48. When my conviction was eventually quashed it was like an enormous outpouring of emotion and I slept for three days.

WHAT EFFECT DID THESE ISSUES HAVE UPON YOUR RELATIONSHIPS WITH YOUR FAMILY, FRIENDS, COLLEAGUES AND LOCAL COMMUNITY?

49. As detailed above, I separated from my wife in 2014 and I believe this was due to the difficulties around the court case and the issues it had on my mental health. My ex-wife described me as withdrawn and distant and that caused conflict and distress in our relationship. This has also impacted my relationship with my daughter who I now only see every other weekend and in school holidays.

50. A great strain was put on the relationship with my parents, although they lent me the money to cover the shortfall, it is only now following the JFSA group action and the trials that we have been able to begin to rebuild the relationship and the trust that the Post Office destroyed.

51. I lost many friends over this because lots of people wouldn't believe that I hadn't done anything because they didn't understand that I was only persuaded

to plead guilty to try and avoid an immediate custodial sentence. Many people spread rumours or gossiped or directly accused me of theft and trying to ruin the village post office.

52. We had very elderly population in Roch and the Post Office was the hub of the community. Following my conviction, I lost my position in society. Prior to my conviction, elderly people would frequently come to the shop asking for my advice around their issues or problems. Following the conviction however, people in the local community did not trust me and I lost contact with friends and customers.

PLEASE DESCRIBE THE DIRECT AND INDIRECT EFFECT WHICH THESE ISSUES HAD UPON THE MEMBERS OF YOUR FAMILY?

53. As explained above my marriage broke down as a result of the pressure of the whole ordeal.

54. I have never been able to take my daughter on holiday and not been able to secure my daughter's longer term financial future.

CONCLUDING REMARKS

55. I continue to feel very angry and distressed at what I have been put through. I feel that I have lost the last few years of my life as well as losing my business.

Statement Of Truth

I believe that the facts stated in this witness statement are true.

Signed:

GRO
Tim Brentnall (Jan 11, 2022 19:16 GMT)

Position Or

Office Held:

Print Full

Date of signature: Jan 11, 2022

Name: TIMOTHY BRENTNALL

FILE REFERENCE: **GRO**

