

Witness Name:

Gary Thomas

Statement No.: WITN09160100

Dated: 04/10/2023

POST OFFICE HORIZON IT INQUIRY

FIRST WITNESS STATEMENT OF GARY THOMAS

I, Gary Thomas, will say as follows....

This witness statement is made to assist the Post Office Horizon IT Inquiry (the “**Inquiry**”) with the matters set out in the Rule 9 Request dated 23rd August 2023 (the “**Request**”). I am responding below to all the questions set out in the annex supplied to me on the date of the request on the 23 August.

INTRODUCTION

1. I am a former employee of Post Office Ltd and held the various positions of Counter Clerk, Assistant Manager, Branch Manager, Security Manager and Fraud Investigator and Field Change Advisor amongst other short-term roles between September 1985 and September 2017, when I then left the business after 32 years loyal service. My qualifications and training were all undertaken through internal training initially as a Counter Clerk following on to Branch

Manager Courses and included my Security and PACE training when I joined the Security Team from around 2000 as I recall.

BACKGROUND

2. I became a Fraud Investigator / Security Manager around 2000 as I recall following an internal application and a recommendation from my Line Manager at the time, Mr Andrew Thomson. At that time, I was the Post Office Branch Manager in Southampton Crown Post Office and after I had lost both my parents in the space of 9 months, there was a vacancy in Security being advertised. Andrew Thomson felt I had the necessary experience and expertise to do well within this type of role and it was based in Bournemouth closer to my home. I therefore applied and underwent a fairly complex set of Interviews before being offered the role of Post Office Security Manager. This subsequently resulted in a residential training course lasting around 3 weeks as I recall and to be trained in various competencies including PACE 1984 Codes of Practice, Interviewing Under Caution, Voluntary Searching of Home, Person and Vehicles along with completion of notebook entries and the retention and storing of exhibits to name but a few I can now try to remember, some 23 plus years ago.
3. My initial Line Manager was Mr Geoff Hall, the Security Area Team Leader. I subsequently had a number of other Team Managers as I recall over the years I was in the team, including Tony Utting, Andy Hayward, Dave Posnett and Jason Collins. All of these Area Managers reported to the various National Heads Of Security with the first I recall being Mr Tony Marsh whom I had little direct contact with but felt he was however very competent and respected. There was also Mr Phil Gerrish who again was excellent and very approachable and then my final Head of Security before I left was Mr John Scott.
4. During my time in the Security / Fraud Team, I found all of my colleagues and Direct Line Managers (Area Team Leaders) to be both competent, professional

and approachable. I did not necessarily feel the same or hold the respect of all of the Security Senior Managers in my final last few years within the team and before I left. The reason I say this is the firsthand experience I witnessed with the treatment of Security Team colleagues and managers in the last few years I worked there. They appeared to not welcome any challenges or questions raised from team members with regards to any decisions or changes they made or planned to introduce. I can't give specific examples of these now but recall personally how they would introduce unreasonable working practices and work locations for team members. For example, I lived in Bournemouth and worked from either home or an office base for probably around 9/10 years as did my colleagues Graham Brander in Southampton and Mike Wilcox in Plymouth. I also around 2009 possibly shared an office with Lester Chine now living in Bournemouth. We were all told we then all had to work out of Swindon Stock Centre as a Hub at least 3 days a week when there appeared no valid or sensible reason. This was to be at our own time travelling and at our own expense for fuel. Mike Wilcox in Plymouth who was in the Security Team for well over 12 years at the time could clearly not do the 300 mile a day round trip in his own time after say an 8 or 9 hour day and at his own expense. He subsequently felt he had no option other than to leave the business after nearly 40 years service, when to everyone else it was a kind of constructive dismissal situation. This is just one example of several as to why I say this now.

5. The Security Manager / Fraud Investigator roles were as above and generally covering both positions which were the same in many aspects but just held a different title, is my only considered difference. Although the Security Manager Role was later more related to external crime, with attacks on staff for example delivering cash and stock or where a burglary or robbery had taken place at an office.
6. With regards to disciplinary matters these were always dealt with by the Post Office Contracts Manager towards Subpostmasters and with regards to Counter Clerks / Branch Managers, this was dealt with by the Post Office

Counters Area Managers. I can confirm that on occasions I was asked to advise Postmasters that they may have been precautionary suspended on behalf of their Contracts Manager pending further information and subject to a meeting or interview with that said person.

7. My role was to interview individuals who were Post Office employees, either direct Crown Office Staff or via their Subpostmaster Contract, who were suspected or who had admitted to committing a criminal offence or to ascertain the facts surrounding an enquiry. Individuals were either interviewed voluntarily where I would advise them of their legal rights and the Post Office Friend rule for any interview, or unless they were arrested by the Police, the Police would do all this before transporting them to the local Police Station for the subsequent Interview. I would have still conducted the Interview at a Police Station as we were a well-known recognised interviewing authority with the Police similar to that of the Benefits Agency / DWP Security Teams.
8. I would always give disclosure to any Legal Representative who was present in either suspected criminal or voluntary interviews. Should any case proceed to court, the Post Office Legal Services Team or any Legal Representative instructed by the Post Office would deal with any disclosure.
9. This is the same with any litigation case strategy. This would have been the Post Office Legal Team's role as I can recall.
10. My liaising with other Post Office departments would have been varied depending on who was interviewed. This would include my Line Manager, Security Casework Managers, Post Office Contracts / Area Managers, Postmaster Federation Reps, Financial Recovery Investigators in later years when the Proceeds of Crime Act was introduced. There was also the Post Office Helpline, Auditor's and there may have been several others, but these were the frequent ones I still recall.
11. I have considered the following documents:

- i. Casework Management Policy (version 1.0, March 2000) ([POL00104747]) and (version 4.0, October 2002) ([POL00104777]);
- ii. Rules and Standards Policy (version 2.0, October 2000) ([POL00104754]);
- iii. "Investigation Procedures Policy (version 2.0, January 2001) ([POL00030687]);
- iv. Disclosure Of Unused Material, Criminal Procedures and Investigations Act 1996 Codes of Practice Policy (version 1.0, May 2001) ([POL00104762]);
- v. "Royal Mail Group Ltd Criminal Investigation and Prosecution Policy" (1 December 2007) ([POL00030578], which appears to be substantially the same as the policy of the same date with a variation on the title at [POL00104812]) (see, in particular, section 3);
- vi. "Royal Mail Group Security - Procedures & Standards - Standards of Behaviour and Complaints Procedure" (version 2, October 2007) ([POL00104806]);
- vii. "Royal Mail Group Crime and Investigation (S2)" (version 3.0, September 2008) ([POL00031004]);
- viii. "Royal Mail Group Crime and Investigation Policy" (version 1.1, October 2009) ([POL00031003]);
- ix. "Post Office Ltd - Security Policy - Fraud Investigation and Prosecution Policy" (version 2, 4 April 2010) ([POL00030580]);
- x. "Post Office Ltd Financial Investigation Policy" (4 May 2010) ([POL00039965]);
- xi. "Royal Mail Group Security - Procedures & Standards - The Proceeds of Crime Act 2002 & Financial Investigations" (version 1, September 2010) ([POL00026573]);
- xii. "Royal Mail Group Security - Procedures & Standards - Initiating Investigations" (September 2010) ([POL00104857]);
- xiii. "Royal Mail Group Ltd Criminal Investigation and Prosecution Policy" (version 1.1, November 2010) ([POL00031008]);
- xiv. Post Office Ltd Financial Investigation Policy (version 2, February 2011) ([POL00104853]);
- xv. Post Office Ltd Anti-Fraud Policy (February 2011) ([POL00104855]);
- xvi. "Royal Mail Group Policy Crime and Investigation S2" (version 3.0, April 2011) ([POL00030786]);

- xvii. "Post Office Ltd PNC Security Operating Procedures" (August 2012) ([POL00105229]) (in which you are named at page 3);
- xviii. "Post Office Limited: Internal Protocol for Criminal Investigation and Enforcement (with flowchart)", (October 2012) ([POL00104929]);
- xix. "Undated Appendix 1 - POL Criminal Investigations and Enforcement Procedure (flowchart)", (October 2012) ([POL00105226]);
- xx. The undated document entitled "POL – Enforcement & Prosecution Policy", which appears to include comments from you following review of a policy draft ([POL00104968]);
- xxi. "Post Office Limited: Criminal Enforcement and Prosecution Policy" (undated) ([POL00030602]);
- xxii. "Conduct of Criminal Investigations Policy" (version 0.2, 29 August 2013) ([POL00031005]);
- xxiii. "Conduct of Criminal Investigations Policy" (version 3, 10 February 2014) ([POL00027863]);
- xxiv. "Conduct of Criminal Investigations Policy" (September 2018) ([POL00030902]).

12. In respect of all the numerous documents I have accessed, I can say a few look familiar, a few were more Royal Mail specific and some documents I have never seen or recall as I had already possibly left the Security Team when they were produced and / or circulated.

13. The Security / Fraud Team structure as I remember was made up of The Head of Security - Tony Marsh 2000, Phil Gerrish, Tony Utting (temporary) Dave Pardoe (temporary) and John Scott. The other Senior Security Managers had specific titles like Policy and Standards Manager, Head of Financial Investigations, Senior Casework and Compliance Manager and Fraud Risk Manager. I have no recollection of all their specific titles, but other senior managers I recall included John Bigley and Dave Pardoe who I think we're maybe Senior Fraud Strand Leaders to name but two on my departure. Below the Senior Managers were the Fraud Regional Area Team Manager Roles, which when I joined included maybe around 7 regions or more, but by my departure from the team there were just two with Northern England and Southern England (North / South) teams. The significant changes over my time

in the team was the move from around 40-50 plus Security / Fraud Managers working to about 7-8 Area Managers and this was eventually cut to about 16 Security / Fraud Managers working to two just Area Managers. In addition to these were Financial Investigators. As I remember, there were maybe 3 Financial Investigator positions including a Team Leader. There was also The Casework / Compliance Manager and their support team members. There was also towards the end of my time, a Fujitsu Liaison Officer - Mark Dinsdale and then Jane Owen, who you could request any Horizon ARQ Data to be downloaded via Fujitsu to sometimes assist with a case. There were other support type staff based in Croydon on my joining in 2000 and who were later based in Salford when I left the team. I am sure there were many other roles I could possibly confirm, but at this time cannot recall specifically the job or titles.

14. I played no role in the development or content of the above policies at point 11 but would have been possibly advised by the ones that directly involved my role and that were to be followed at the time whilst I was in the Team.
15. Any legislation, policies or guidance governing the conduct of investigations, or any relevant changes, would have been communicated if relevant in the policies like shown at point 11, but I personally had no authority or involvement in their content or any changes as far as I can remember.
16. I had no involvement in investigation policies pre or post POL separation.
17. I have no recollection of any specific complaints about the conduct of an investigation by myself in the Security team, but my Line Manager would have been my first contact point should there have been any made against me or my colleagues. And I can only assume this would have been the same depending on whatever level the complaint was directed at. Again, complaints could have been made at the Contract Manager's disciplinary interview or via the Security Team / Helpline etc or even at court I guess and again I am sure this would have been escalated and been brought to the specific individual's attention by their line manager through some disciplinary aspect.

18. The supervision of criminal investigation conducted by Security Managers was carried out by both the Area Team Manager (Line Manager) and the Casework Manager / Compliance Manager through various means including being at some interviews, as well as daily phone calls, our monthly 1-1 meetings, and monthly Team Meetings for every case to be updated upon. The Casework Manager followed a case paper compliance check to ensure every case was subjected to the same levels of standards, care and procedural check for consistency in work quality.
19. In respect of the Post Office policy and practice regarding investigations and prosecution of Crown Office employees, this was the same as for Subpostmasters as far as I was concerned. The only thing that changed in my opinion was the actual number of audits carried out at the Crown Offices seemed to reduce over the years, as the staffing numbers reduced within audits as it had also done within the Security Team. These were all subjected to cutbacks for Post Office Ltd, overhead and bottom-line costs. The Post Office's focus on Crown Office losses for Branch Manager's was another factor that meant the Security Team had to prioritise their enquiries around the offices with the consistently worst or highest losses to the business including the worst Crown Office's.

Audit and Investigation

20. I have considered the document "Condensed Guide for Audit Attendance" (version 2, October 2008) (**POL00104821**). An investigator would sometimes attend an audit if they had been allocated a case and had actually instigated or requested the audit was carried out if there was a possible suspect offender. This could either be the Postmaster or potentially a member of their staff. Occasionally, a routine audit may have been conducted as possibly a request to return any identified excess cash held on hand at a branch that had not been forthcoming or returned, suspecting maybe the cash was not on hand for them to do this. If on the audit a substantial shortfall was identified by the auditors, or an admission made to them, then an investigator may have been contacted

about their availability to attend depending on the location, time and circumstances. The investigators' role on attendance was always to await any final outcome result of the audit that was also communicated at that point to the Contracts Manager. The auditor would ask if there was any explanation for any discrepancy discovered and compare the physical cash on hand to the declared cash made the previous night at the Post Office branch, as well as check all the stock. If any admission was made to the auditor either upon arrival or during the audit, they would write this down and ask the person admitting this to sign that this was a true reflection of what they had said. Any investigators in attendance after this would then show their identity and introduce themselves and explain the reason for their attendance. Depending on the specific situation their line manager (Area Team Manager) would be advised, the next steps would then be decided. There could have been a reasonable explanation, or the case could have resulted in a caution and then they would be advised of their Legal Rights / Post Office Friend Rule etc. It could be a request for voluntary searches or not, again depending on the circumstances before a possible interview. However, every case would not necessarily be the same circumstances, so this is not a definitive answer.

21. Security / Fraud Investigators line managers or further up the Security Seniority chain, determined whether an investigation into potential criminality was conducted by the Security Team, or if the case was to be taken forwards as a debt recovery matter by the Financial Investigators or the relevant legal team. Any debt identified would be reported and the recovery of Post Office funds missing was always considered a business priority. If the Financial Recoveries Manager or above felt that voluntary repayment was not apparent or likely, I would assume they would then decide if they were to pursue the financial recovery processes. Financial recoveries through court orders etc only became apparent following the introduction of the Proceeds of Crime Act and the introduction and training of the specialist Post Office Financial Recovery Managers.

22. Where the branch was run by a SPM, the SPM's local contract manager did have input into this in some ways as they would be immediately informed, but they dealt entirely with their Contractual Employment decision. If they re-

instated a Postmaster following their fact-finding interview, or if they had a reasonable explanation or reason for the shortfall including reimbursing, as per their contractual obligation, then no financial investigation would take place.

23. I have no idea of any specific criteria or triggers, or if these changed whilst I was in the team, for raising a fraud case following the identification of a shortfall or discrepancy in a branch. I am not sure if the triggers or criteria for raising a theft or false accounting case are different and if so, what they were. Documents I have been referred to have possible indications of say £5,000 and later £15,000 as triggers but, this may have been in respect of financial recovery triggers more than raising an actual case, so I am not entirely sure and unable to answer this.

The process followed by Security team investigators when conducting a criminal investigation following the identification of a shortfall at an audit

24. Once a decision was made to conduct a suspected criminal investigation, the next steps process depended upon each case and if the investigator was present at the audit or not. If I was present once the decision was made, I would explain my position and show my identification and explain their legal rights and Post Office Friend rule. If I was not present, then my contact would often be either by telephone or by a letter if this wasn't possible but again explaining the same Legal Rights and Post Office Friend rule. Case papers would be raised, and the necessary stakeholders advised that a case was apparent. Subsequently, evidence would be gathered usually at the audit and possible searches conducted. Then a PACE taped Interview would be conducted and then summarised unless full transcripts were later requested. A full Suspect Offender report along with a separate discipline report that was sent to the Contracts Manager would be produced and copied to the line manager for checking before submission to the Casework Manager for Legal recommendation and the usual compliance checks.

Decisions about prosecution and criminal enforcement proceedings

25. Following an initial investigation, the case papers would be forwarded to the Post Office Legal Team via the Casework Manager for any recommendation or possible charges and then the decision of whether prosecution was considered appropriate would be advised. Any decision agreed would be filtered back to the investigator via the Casework Manager and their Line Manager, with advice on any necessary statements or evidence considered to proceed. I am unsure if they themselves obtained or needed authority from their Senior Security Manager also.
26. During my time within the Security Team, the Contracts Manager only dealt with the Subpostmasters employment contract and had no input into any prosecution decision making.
27. I have no idea of any test applied by those making prosecution or charging decisions. I always believed the decision was only made if there was sufficient evidence to suggest beyond reasonable doubt that a criminal offence had been committed by the individual.
28. A written advice with suggested charges was added to the Casework file with any recommendation from the Post Office Legal Team and then an authority to proceed or otherwise was made from the Casework / Team Manager possibly on the Senior Manager's authority.
29. In respect of this any restraint decision on assets identified, this was made by the trained Financial Investigator, and this was decided on if a benefit from crime was clear I would suggest. This only happened when the Proceeds of Crime Act was introduced as I recall.
30. I am unable to answer as to who decided whether criminal enforcement proceedings should be pursued and what factors did they consider when making decisions around this, other than I would again assume the Financial Investigation Team possibly on authority of The Head Of Security.

Training, instructions and guidance to investigators within the Security team

31. I have been asked what instructions, guidance and / or training were given to investigators within the Security team about the following topics and how was this provided:

- i. interviewing a SPM / SPM's assistant / Crown Office employee who was suspected of a criminal offence;
- ii. taking witness statements in the course of an investigation;
- iii. conducting searches in the course of an investigation;
- iv. the duty on an investigator to investigate a case fully;
- v. obtaining evidence in the course of an investigation;
- vi. whether and in what circumstances evidence should be sought from third parties who might hold relevant evidence and, in particular, Fujitsu, where shortfalls were identified in branch;
- vii. an investigator's disclosure obligations;
- viii. drafting investigation reports to enable a decision to be made about the future conduct of a case.

32. With respect to all points listed above, I was given initial training on my appointment as I recall over around 3 weeks at a residential training location covering all these aspects. We were supplied with reference books and files for covering all these subjects and were tested to ensure we passed the necessary level of competence to conduct Pace 1984 Codes of Practice Interviewing techniques along with all these other areas. My recollection of point vi) above as to whether and in what circumstances evidence should be sought from third parties who might hold relevant evidence and, in particular, Fujitsu, where shortfalls were identified in branch was often through discussions with the Legal Team / Casework Manager & Line Manager (Team Leader), was that any request for Fujitsu data was only when this became available to us and dependent on the type of investigation being undertaken, if considered appropriate and thought able to assist that particular enquiry. Requests were not necessarily requested in every case, as not always deemed necessary if admissions were made and clearly there was also no reason for me or colleagues to doubt the Horizon System had these confirmed bugs, errors or defects as it has been stated now during this inquiry.

33. I have reviewed the Casework Management document at [**POL00104747**] (version 1.0, March 2000) and [*POL00104777*] (version 4.0, October 2002); David Posnett's email to me and others dated 23 May 2011 at [*POL00118096*] and the documents [**POL00118108**], [**POL00118109**], [**POL00118101**], [**POL00118102**], [**POL00118103**], [**POL00118104**], [**POL00118105**], [**POL00118106**] and [**POL00118107**];
34. I would have no reason to doubt that I would have been provided with both the 2000 or 2002 version of the Casework Management document when I held relevant roles within the Security Team.
35. My understanding by the instructions / guidance given in second, third and fourth bullet points on page 2 of the 2000 version and the first, second and third bullet points on page 2 of the 2002 version (in particular whether I understood this to be relevant to Post Office' disclosure obligations in relation to information about Horizon bugs, errors and defects); was that upon my submission of the case papers the Casework Manager / Legal Team would check the content of the discipline report to ensure it had just the discipline aspect covered. With regards to Horizon bugs, errors or defects I was totally unaware that any such things existed as I am confident were all of my colleagues at the time, so there would have been no occasion I would have disclosed this as I had absolutely no idea whatsoever it was relevant. In fact, I am now so angry and livid to have been made aware of these facts more recently and since leaving the Post Office back in 2017.
36. My recollection of compliance checks and their purpose was to ensure a high consistency of standards across all casework paper submissions by all team members and to give a consistent approach in all files. These checks were carried out by the Casework Manager against a tick list 100% score as seen at page 1 of document (**POL00118108**).
37. The documents were in my opinion a kind of training aid to assist me and my colleagues in a consistent approach in raising standards and in checking I had covered the 100-point score areas prior to submitting my case papers.

38. The suite of compliance documents at the time was to ensure consistency and raise quality standards and were monitored and used as part of our line managers appraisal process.
39. I did not have any role in the development, management or amendment other than to use this if required as an aid for casework submission.
40. My understanding under paragraph 2.15 on page 10 of the document entitled "Guide to the Preparation and Layout of Investigation Red Label Case Files – Offender reports & Discipline reports" ([POL00118101], attached to David Posnett's email of 23 May 2011) and how this related to the Offender Report template (at [POL00118102], attached to David Posnett's email of 23 May 2011), was to advise of any identified failures in security as shown as the second from last point on document (POL00118102) after copy reports and tape summary. This could include, but is not exhaustive to, shared or known Horizon Logon codes and passwords, the sharing of date stamps, keys left in safes, parcel hatch left open, security doors propped open, high levels of cash held in counter tills or excess cash held at the office etc. Basically, any known or identified breaches or failures in security. Clearly any Horizon bugs, errors or defects were not known.
41. During my time within the Security Team, I was not aware of any known or suspected Horizon Bugs, errors or defects and as stated previously and I am very angry to have been now made aware this was known.
42. I can state I had absolutely no involvement in the drafting of the document entitled "Identification Codes" at [POL00118104] attached to Dave Posnetts email dated 23 May 2011. Sorry I have absolutely no idea as to who did.
43. I don't recall the document entitled "Identification Codes" or even viewing it or some of the other documents attached in the email if I'm honest. The documents attached in the email were suggested to mainly assist the new people we recruited into the team recently in 2011. I was at this time of around

11 years' experience and had always followed the Police Identification codes contained within PACE. I therefore knew that mostly I had dealt with an IC1 suspect but would refer to PACE if unsure.

44. It was my understanding that we all actually usually asked the individuals to describe themselves and assign their own belief on identification codes. The codes were mainly only used in cases we submitted upon any successful prosecution on to an NPA001/002 document. This was standing for Non-Police Agency as any criminal offence proved and charged this would need to be added to the PNC (Police National Computer Database) to ensure any known offence was correctly recorded on the said individual.

Analysing Horizon data, requesting ARQ data from Fujitsu and relationship with Fujitsu

45. When I held relevant roles within the Security team, I have no specific examples of analysis being done by Security team investigators of Horizon data when a SPM / SPM's manager(s) or assistant(s) / Crown Office employee(s) attributed a shortfall to a problem with Horizon. But if there were any employees that suggested this was the case, I would have asked them initially what steps they had taken to report this fact. What examples they had actually discovered on Horizon to claim this and had they reported this at their earliest opportunity to say the Post Office Helpdesk, their Contracts Manager or the possibility of requesting some further training assistance or even an audit for example. If I had any ARQ Horizon Data available to me either before any interview or requested this subsequently after I would have spent time viewing and assessing any such claim they made by looking for any potential issue. If I had found any evidence this would have been communicated and obviously disclosed but I never did. I was also unaware that any Horizon System issues could be attributed to a shortfall other than human error / mistakes or wrongdoing and had there been such issues assume they would have been more apparent across the many thousands if not all Post Offices Horizon locations.

46. I have no idea of the Contractual requirements on Fujitsu other than it was my

understanding that there was an agreed number with regards to requests per year for ARQ Data and it was not an infinitive number of requests that could be made.

47. As above, along with all my colleagues, I understand we knew there was a limit but I have no idea what that was or any cost amounts incurred for any requests made over and above that agreed limit.

48. I have no idea as to any changes to the contractual requirements on Fujitsu, as I understood them to be (including in respect of the ability of POL to obtain audit data, the type of data and the quality and completeness of the data), nor to any limits on the number of ARQ requests which would be covered without additional charges and how requests above the limits were dealt with / charged.

49. Nor do I have any idea of any changes as between Legacy Horizon and Horizon Online and maybe I had already left the team when this happened.

50. My role would be to request any data covering specific time scales for the periods of suspect offending on the case enquiry I had been allocated and dealing with. I can't recall if this was either via email or possibly completion of a kind of ARQ request form sent to Mark Dinsdale or Jane Owen in Salford.

51. Either my line manager, the casework manager or the ARQ requesting Fujitsu Liaison Manager decided whether to authorise an ARQ request.

52. It is my recollection that ARQ requests would be made to or received via either Penny Thomas or Andy Dunks at Fujitsu via Mark Dinsdale / Jane Owen.

53. Data was presented by Fujitsu in the form of a CD Rom or sometimes numerous CD Rom's depending on the actual time frames and amounts of data requested. Should the Horizon Data be used in evidence, then a Witness

Statement or Statements would be obtained from the person producing and supplying the data. This as I recall was a kind of standard statement on each occasion other than the Office details and the ARQ no's produced being changed. The expert Witness Statement if proceeding to Court was as I was reminded of in the documents by a Gareth Jenkins at Fujitsu.

54. I have no recollection of ever seeing any of these documents listed here:

- i. The document entitled "Conducting Audit Data Extractions at CSR" dated 4 May 2000 at **[POL00029169]**;
- ii. The document entitled "Conducting Audit Data Extractions at Live" dated 27 November 2001 at **[FUJ00152176]**;
- iii. The versions of the document entitled "Management of the Litigation Support Service" dated 27 October 2009 (**[FUJ00152212]**), 14 February 2012 (**[FUJ00152220]**) and 23 April 2012 (**[FUJ00152225]**), as well as the version marked "withdrawn" at **[FUJ00152235]**;
- iv. The versions of the document entitled "Audit Data Extraction Process" dated 13 September 2010 (**[FUJ00152216]**), 1 March 2011 (**[FUJ00152218]**), 14 February 2012 (**[FUJ00152221]**), 3 September 2014 (**[FUJ00152226]**) and 4 September 2014 (**[FUJ00152228]**);
- v. The document entitled "Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 24 August 2006 (**[FUJ00002033]**), 31 December 2008 (**[FUJ00080107]**), 15 October 2010 (**[FUJ00002264]**), 25 November 2013 (**[FUJ00088868]**), 4 December 2013 (**[FUJ00002555]**), 4 April 2014 (**[POL00002572]**) and 19 February 2016 (**[POL00002666]**) (in all versions see, in particular, paragraph 2.4).

55. I never recall any of my cases suggesting where a shortfall had been identified and the relevant SPM / SPM's manager(s) or assistant(s) / Crown Office employee(s) attributed the shortfall to problems with Horizon, that ARQ data requested from Fujitsu was requested as a matter of course. This was the case at Astwood Bank as far as I recall. It was my belief and that of my colleagues I would guess that shortfalls could not actually be attributed to Horizon as there was no knowledge or evidence to suggest there was anything wrong with the system. We even had and used expert witnesses with

statements from Fujitsu to corroborate this.

56. Where ARQ data was obtained from Fujitsu, in circumstances where a shortfall had been identified and the relevant SPM was attributing the shortfall to problems with Horizon, as there was no known bugs, errors or defects known and certainly no evidence from Fujitsu to suggest there was anything wrong with the system then I would assume the data would be unlikely or not have been provided.
57. As you can see at **(FUJ00156221)** the email trail the Security Managers / Fraud Investigators had no official direct contact with Fujitsu as this was done via Mark Dinsdale as our Fujitsu contact that was later to be Jane Owen. As I recall, the two main people I would have received ARQ Data from was via either a Penny Thomas or Andy Dunks. They would produce a witness statement along the lines of these extracts being requested and supplied but their so-called expert witness statement for court came from a Gareth Jenkins at Fujitsu.
58. I have considered **[FUJ00122938]** and **[FUJ00122939]**. The processes in place for investigators contacting Fujitsu engineers, was:
- (a) Investigators would make any Fujitsu requests for ARQ Horizon Data or
 - (b) statements needed through the Post Office point of contact at the time I recall being Mark Dinsdale then Jane Owen.
 - (b) I have no real idea why it was “against the process for investigators to approach Fujitsu engineers directly” other than them being contacted by numerous team members rather than say one point of contact within the Post Office Security Team to request all.
 - (c) Jane Owen was the Post Office / Fujitsu point of contact to make requests for ARQ Data and I think she replaced Mark Dinsdale who previously did this.
 - (d) I have no idea, in what circumstances would the usual process not be followed unless in periods of say annual leave or sickness when a substitute person may cover their role I guess.
 - (e) I would very rarely have direct contact with engineers/technicians from

Fujitsu, although I did have some contact probably via email. I am sure regarding receipt of ARQ data or possibly requests for witness statements. This may have happened say 2/3 times a year at a guess with Penny Thomas or Andy Dunks and maybe once maybe twice in my whole time in the team with regards to Gareth Jenkins if he was the expert witness at court.

59. I understood Gareth Jenkins was the Fujitsu expert witness to supply a statement and give evidence in court about the accuracy, robustness and reliability of the Horizon Data and Horizon System.
60. I cannot comment further as to what extent did I consider him to be acting as an expert witness, just on the advice of the Post Office Senior Security Team and Legal Team and I can't answer any further.

Relationship with others

61. My main involvement was with the Post Office Legal Services Team more so than with Cartwright King Solicitors whom I think took over just prior to me leaving the team. They would, I guess, be forwarded our casework for sight and advise on possible charges and statements required in much the same way as had been the case with the Post Office Legal Team previously. I have no recollection of any specific names at Cartwright King and my only interaction with them would have been by email or possibly telephone.
62. My only involvement or interaction with the National Federation of Subpostmasters would be if the local representative acted at interview as a Post Office Friend. The only person I recall, as I met with him on a good few occasions, was Mr Mark Baker. If I needed to, I would sometimes contact Mark if a Postmaster did not know their local representative to see if he had a point of contact to help me and the Postmaster and I felt I got along with Mark Baker very well.

Prosecution of Mr Julian Wilson – Astwood Bank Post Office

63. I have reviewed the following documents:

- i) The stakeholder notification [**POL00047065**]
- ii) The event capture form [**POL00118275**]
- iii) The financial investigation case closure report [**POL00119127**]
- iv) The financial investigation events log [**POL00044749**]
- v) The new case raised report [**POL00119137**]
- vi) The investigation report [**POL00044803**]
- vii) The suspect offender report [**POL00119221**]
- viii) The case timeline [**POL00114696**]
- ix) The case closure report [**POL00114739**]

Initial investigation

In answering the questions below, I have reviewed the following documents:

- i) The draft audit report [**POL00050062**]
- ii) The Record of Tape Recorded Interview dated 15 September 2008 at [**POL00050140**] (part 1) and [**POL00050128**] (part 2);

64. I remember the office name of Astwood Bank, the Postmaster's name of Julian Wilson and that voluntary searches of the home and car were carried out prior to the interview with Mr Wilson at his Solicitors Office on the 15th September 2008. I can now recall from the document (**POL00044803**) that his solicitor was not a specialist in the criminal law field and I asked if he was sure he did not want to seek this kind of Legal Advice and if he was still happy to proceed with his interview at Astwood Law. Mr Wilson confirmed he was aware of this but wanted to still proceed. Other than this I have assisted my recollection now with the available documents, reports and tape summaries etc at Points 37 & 38 including [**POL00044803**] previously mentioned and [**POL00050140 and POL00050128**]. I have to say whilst being assisted by the Investigation Report document [**POL00044803**] I have found within my own report a typo error with regards to the date of the interview. It actually took place on Monday 15th

September 2008 at Astwood Law but I had stated the 11th September 2008 in my report which was the day the audit took place not the interview. My apologies for the error and hopefully this was identified at the time the papers were submitted or accepted as an error. I have also seen that it appears the report **[POL00044803]** was dated the 2 December 2008. This appears to be somewhat outside the submission case papers time scales and compliance time and I cannot be certain, but I am thinking maybe I was absent from work following the interview. This may have been sickness I'm thinking or even a holiday and then sickness, but I cannot be sure. I am not sure if my own personnel HR papers would clarify this if still available and I have now tried to obtain these by emailing the Post Office and asking the Solicitor if they may still be available of course. I will also see if my GP has any NHS records as I know I was off at one time GRO. The reason I am considering this a possibility is the date on the report, and also as the taped summaries I viewed at **[POL00050140]** and **[POL00050128]** as I feel they could have been prepared by someone other than myself. They clearly appear accurate and a true account of the interview, but the layout and font used etc does not look necessarily like the way I would have summarised my own tapes at that time. We did at times as I recall use a company who would offer the tape summary support facility with the tapes, but I can't be specific when and whom. Again, if in absence they may also have been done again by my second officer or even my line manager if my workload was excessive at the time ,but I can't be sure some 15 plus years ago now.

65. I first became involved in Mr Wilson's case following his admission to the Auditors on the day of the 11 September 2008 that they would find a large shortage and cash missing that he had been falsely accounting for over a period of around 5 years. They subsequently confirmed the shortage on the day and obtained a signed declaration from Mr Wilson that this was the case. This can also be confirmed in the document **[POL00050062]**.

66. I was the lead Fraud Investigator / Security Manager allocated to this case.

67. On the arrival of the Auditors Mr Wilson advised them that they would find a

shortage of over £27,000 that had occurred over a period of about 5 years. The audit result confirmed this, and Mr Wilson was precautionarily suspended on the authority of his Contracts Manager Glen Chester.

68. I would have had no involvement in this decision although it may have been the auditors who advised Mr Wilson of the decision by his Contracts Manager Glenn Chester unless he had spoken to Mr Wilson on the phone.

69. This would have been my line manager at the time following the notification of the shortfall found by the auditors or via the Contracts Manager by the creation of a case file allocated to myself.

70. I would have spoken to Mr Wilson on the phone advising him of his Legal Rights and that of the Post Office Friend rule. I would have explained that I would like to conduct a Voluntary Interview with him and would he also consent to any voluntary search of his home and maybe a vehicle. Mr Wilson agreed to the searches and said he was going to take Legal Advice and gave me the contact details of his Solicitor at Astwood Law and that he would have his Postmaster Federation Rep present acting as his Post Office Friend.

71. The evidence that was shown to Mr Wilson at the interview would have been listed within my suspect offender report the document [**POL00044803**] (previously mentioned) and would have included the completion of the GS001 and GS003 forms advising Mr Wilson of his Legal Rights and Post Office Friend option. I would also have shown Mr Wilson and confirmed it was him that signed the statement of what he had informed the auditors on their arrival. Also, the Event Log Balancing printout and a selection of Branch Trading Statements that Mr Wilson confirmed to be false declared accounts that he was responsible for and he had completed. Also, I think the tape summaries mentioned the bank statements we seized at the voluntary search being discussed in some detail with Mr Wilson and the Solicitor.

72. My only observations and response to the paragraphs 40 to 42 by Mrs Wilson at [WITN1680100] is as follows. Mrs Wilson mentions being a Police Officer for 3 years and the voluntary search of both the home and car was exactly that, voluntary and agreed to by Mr Wilson at the time and therefore clearly no police warrant or their involvement was necessary as I would have expected Mrs Wilson may have known. The voluntary search forms were completed and duly signed by Mr Wilson with regards financial items seized. At Paragraph 41 Mrs Wilson mentions something about some kind of markings she had made on the bank statements we had seized as part of the search and then stated we had clearly not looked at them. Firstly, I would add these were looked at and were actually discussed with Mr Wilson and the Solicitor during the Taped Interviews as can be seen in documents [POL00050140] and [POL00050128] (previously mentioned). Secondly, I do find the fact Mrs Wilson stated she had made any such markings on their financial documents prior to the voluntary search that day somewhat unusual. At point 42 Mrs Wilson states that her husband told her later that the investigators had said he had been doing false accounting, but it was in fact her husband Mr Wilson, who had clearly already admitted to doing this to the auditors on their arrival on the day of the audit and that he had in fact been doing false accounting for at least 5 years. He confirmed this again to Graham Brander and myself during the taped interview and in the presence of his Astwood Law legal representative and the Post Office Friend. We did listen to what Mr Wilson was saying but asked him why he had not brought his so-called issues and concerns being Horizon or otherwise to anyone's attention for over 5 plus years. He did mention a couple of previous line managers but stated he had not mentioned the extent as to what was happening or the amount of the said losses. He had no specific examples of how it was the Horizon System responsible, and I had no reason at that time to doubt the Horizon System without any evidence or examples. Mr Wilson was clearly not charged either at that point as we are again not the Police and had to seek our own Legal Teams Advice. He was however later subject to a summons through the post to appear at court. I can confirm that yes, The Post Office had always looked for any forms of voluntary repayment under the terms of a Subpostmasters Contract and in this case with no repayment forthcoming that is why I assume a Financial Investigation recovery case was set up within that part of the team.

73. The further evidence I was gathering was that I was looking to confirm what Mr Wilson stated, in that this had been going on for around 5 years. I was looking for evidence of potential phone calls to the Post Office Helpline stating he felt he had Horizon issues or otherwise. If not then calls to his Contracts Manager's maybe for help or assistance with maybe further training help or why it appeared his office was regularly haemorrhaging these kinds of losses on what appeared from him to be most weeks. He did mention two previous Contracts Managers he had mentioned Horizon concerns to after his first audit was found to be accurate after his initial 6 months at Astwood Bank. I can't recall now but imagine I would have tried to corroborate this after the interview by seeing if they were maybe still working within the business and had recollection or if any actual record was made at Contract Manager level. Sorry I can't recall what other checks would have been done. We asked Mr Wilson if he had any concerns over his staff stealing from him each week and he said he only had one other staff member who had worked there 20 plus years and while a possibility he did not think this was the case from my recollection.

74. The Contract Manager Glenn Chester and Post Office Helpline with recorded call logs from Mr Wilson's office at Astwood Bank assisted with the investigation. Basically, all the witnesses whose statements are within the case file.

75. Following the interview my investigation report along with the interview taped summaries would have been submitted for Legal Advice. This would have been done as Mr Wilson had admitted to False Accounting over 5 years but not theft. Any prosecution decision was only decided upon by our Post Office Solicitors Legal Team and on authority of a Senior Security Manager.

76. I have considered page 3 of [POL00044803] In relation to my comment that "The period of offending in this case could not be fully established" that meant just that. Mr Wilson admitted to the auditors and me and Mr Brander at the interview that he had been producing false trading statements every month by inflating the cash on hand and declaring an incorrect amount from around 2003 to September 2008 (5 years) when he was audited. He could not recall or be

specific about the exact date he first did this and produced the first false account other than during 2003 so the exact date to date period of offending could therefore not be fully established.

77. I had no involvement in the decision to charge Mr Wilson, this would have been the Post Office Legal Team.

78. I would have completed and submitted the Charges to Court for summons following advice from the Post Office Legal Team.

79. There was no direct involvement of the Police as Mr Wilson was not under arrest and had consented to both voluntary searches and a voluntary interview with his solicitors at Astwood Law. I would have submitted the Non Police Agencies forms NPA001/NPA002 following charges as per our obligation with Police to ensure their PNC was fully updated.

80. I would have completed the document [POL00119211]. As I recall all questions in all cases for NPA001/NPA002 completion were asked of the person following the interview if they were happy to assist. It was therefore fairly standard practice to complete these Antecedents / NPA forms and was therefore answers of how the person best described their appearance along with all the other questions for its completion. For example an IC1 was stated in PACE as - White-skinned European: English, Scottish, Welsh, French, German, Swedish, Norwegian, Polish, Russia. I would have asked Mr Wilson if he felt that best describes himself or anyone with whom I was completing this document.

81. I have reviewed the following correspondence:

- i. Graham Brander's witness statement in support of an application for a restraint order, dated 16 December 2008 [POL00064718_001];
- ii. The memo from Terry Crowther dated 5 December 2008 [POL00047012];
- iii. The email from Graham Ward to you and Jarnail Singh in respect of a restraint order, dated 17 December 2008 [POL00050524];
- iv. The memo dated 6 January 2009 [POL00044806];

- v. The memo dated 9 January 2009 [**POL00050665**];
- vi. The letter from you to Redditch Magistrates' Court, dated 13 January 2009 [**POL00064127**];
- vii. The summons, dated 13 January 2009 [**POL00047084**];
- viii. The letter from Richard Nelson solicitors to Jarnail Singh, dated 14 January 2009 [**POL00050695**];
- ix. The memo dated 16 January 2009 [**POL00047018**];
- x. The letter from you to Jarnail Singh, dated 21 January 2009 [**POL00050733**];
- xi. The email from you dated 23 January 2009 [**POL00050763**];
- xii. The memo dated 10 March 2009 [**POL00047020**];
- xiii. Your letter dated 17 March 2009 enclosing the committal bundle [**POL00119090**];
- xiv. Memo 2 April 2009 [**POL00119197**];
- xv. The letter from Richard Nelson Solicitors dated 14 May 2009, with handwritten comments at [**POL00051920**];
- xvi. The letter from Jarnail Singh to Richard Nelson Solicitors dated 19 May 2009 at [**UKGI00012555**];
- xvii. Jarnail Singh's memo to the Fraud Team dated 28 May 2009 at [**POL00051720**].
- xviii. Counsel's Brief endorsed following the hearing on 15 June 2009 at [**POL00051459**];
- xix. John H. Dove's letter to Jarnail Singh dated 17 June 2009 at [**POL00051936**];
- xx. The memo dated 18 June 2009 [**POL00051945**];
- xxi. The memo dated 5 August 2009 [**POL00064718_004**];
- xxii. The memo from Andy Hayward to Graham Ward dated 17 December 2009 at [**POL00044810**];
- xxiii. The memo dated 11 January 2010 [**POL00119126**];
- xxiv. Memo dated 14 February 2011 [**POL00119129**];
- xxv. The email chains in respect of the restraint order [**POL00114710**] and [**POL00114730**].

82. I have also reviewed the following documents:

- i. Notification of proceedings to police [**POL00119140**] and [**POL00119211**];

- ii. The information in respect of the hearing on 4 March 2009 [POL00119119];
- iii. Counsel's endorsed copy of the Indictment at [POL00044800];
- iv. Your witness statement dated 12 March 2009 [POL00044778];
- v. Counsel's Advice dated 22 May 2009 at [POL00044751] and the draft Case Summary at [POL00044809];
- vi. The basis of plea dated 15 June 2009 at [POL00051915];
- vii. Schedule of non-sensitive unused material [POL00119095];
- viii. Schedule of sensitive [POL00119096];
- ix. Disclosure officer's report [POL00119097];
- x. List of witnesses [POL00119098];
- xi. Antecedents [POL00119103];
- xii. Notification of disposal to police [POL00119214];
- xiii. The confiscation order dated 17 December 2009 at [POL00053703].

83. I was the Lead Investigator / Interview Officer in this case.

84. The statement from me is requested if the Post Office Legal Team / Senior Manager decides upon a Prosecution in any particular case. It would obviously state the Lead and second interviewing officer along with the lead auditor on the day and possibly the contracts managers, Fujitsu personnel if ARQ Horizon Data was used etc. Therefore, the Post Office Legal Team would have asked me to provide a statement.

85. I can only recall from viewing the tape summaries attached, of any references made by Mr Wilson relating to the Horizon IT system and some Federation Document being circulated. I did not feel there was any significance as I had no doubts whatsoever regarding the Horizon System.

86. I would have given a full disclosure to Mr Wilson's Legal Representative prior to the interview so he could advise his client fully. Prosecution type disclosure I assume would have been advised and given by the Legal Team instructed.

87. In relation to my standard memo to the Legal Team at **[POL00050733]** where I stated, “the total monies missing that amounted to £27,811.98 have not been recovered”, I was not concerned at all but purely stating the facts for the Legal Team that the monies identified as missing at the audit shortage and agreed by Mr Wilson were still outstanding. At that stage on completion of my memo there were no funds recovered and so this would now be a matter the Contracts Manager covered during any disciplinary interview or subsequently through the Post Office Security Recoveries / Financial Investigator Team.
88. Without sight of the GS018 document covering TIC's I can only assume it was covering either a selection or all of the numerous Weekly / Monthly Trading Statements declared false over the suggested 5 year period admitted to by Mr Julian Wilson.
89. The document from Anthony Vines at **[POL00044751]** appears to be his advice I can only assume prior to a first court appearance or PCMH (Plea & Case Management Hearing). This would be reporting back to the Post Office Solicitors regarding any potential further evidence that may be needed. This advice is likely to have been sent to the Legal Team and subsequently added to the Case papers.
90. The request made by Mr Wilson's solicitors dated the 14 May 2009 appears to have only been sent to our own counsel Anthony Vines as per his advice at **[POL00044751]** (previously mentioned) and would not have been something I would have immediate sight of or any knowledge as to what steps were taken.
91. Re **[POL00051936]**. I was not consulted on the basis of the plea put forward. These decisions were only made at Legal or Senior Manager level not by myself. Recoveries were advised to me when they were received but I have no recollection of any intentions of how other than the interview responses given by Mr Wilson. Again, I have no idea about any basis of plea as this would have again been through Jarnail Singh I guess and via Anthony Vines counsel and both Legal Representatives.

92. I had no involvement in the financial investigation and enforcement proceedings on this case.

93. In relation to the application of a restraint order, I have no idea who decided this, but I would suggest a Financial Investigator on the authority by the Head of Security.

94. I did not attend court for these proceedings as far as I recall.

95. With regards to the [POL00113278] document in particular paragraphs 175 - 178 I am clearly very angry and upset myself, that like Mr Wilson I was also told like in in paragraph 176 "There Was Nothing Wrong With Horizon" this was a message that myself and as far as I am aware all my colleagues were clearly also led to believe as can be seen by my own email chain I sent to the Post Office Managing Director after this came to light to about my own feelings at document [POL00113304]. Although yes, Mr Wilson admitted to False Accounting for 5 years at interview had I had any inkling there were any such bugs or errors possible within Horizon then this data would obviously have been requested as a matter of course. With the losses attributed to my understanding that they could only be down to Mr Wilson or maybe his assistant this was why no theft charge could be established and the false accounting was obviously openly admitted to when the auditors arrived. If this data is now still available, I would welcome the inquiry requesting this information to support the fact Mrs Wilson wants to prove her husband's innocence and maybe these so called BED's (Bugs / Errors / Defects) as they appear to be referred to could be looked at to help Mrs Wilson finally prove her husband's innocence. Clearly the fact the Post Office hid the knowledge of these bugs, errors or defects has impacted on many individuals and brought into question the investigations myself and my colleagues tried to lead to the best of our ability with what was made aware of to us at the time. My anger and upset now to any subsequent injustice case is difficult to live with.

POL v Lynette Hutchings

96. I have reviewed the following documents:

- i) The handwritten note at **[POL00046065]**;
- ii) The Audit Report dated 31 March 2011 at **[POL00056292]**;
- iii) The Record of Tape-Recorded Interview dated 20 April 2011 at **[POL00056417]** (part 1), **[POL00044505]** (part 2), **[POL00046625]** (part 3);
- iv) The Investigation Report dated 5 May 2011 at **[POL00046706]**;
- v) Jarnail Singh's memo dated 17 June 2011 at **[POL00046626]**;
- vi) The memo from Graham Brander to Jarnail Singh dated 9 December 2011 at **[POL00046628]**;
- vii) The Advice and Proposed Charge drafted by Martin Smith of Cartwright King at **[POL00057362]**;
- viii) The list of witnesses at **[POL00046099]**;
- ix) The witness statement of Nigel Allen dated 22 September 2011 at **[POL00057026]** (page 1) and **[POL00044533]** (page 2);
- x) The witness statement of Adam Shaw dated 20 September 2011 at **[POL00056955]** (page 1) and **[POL00046120]** (page 2);
- xi) The witness statement of Sarah Juliff dated 21 September 2011 at **[POL00056987]**;
- xii) The unsigned witness statement of Louise Sheridan dated 24 November 2011 at **[POL00057245]** (page 1) and **[POL00044534]** (pages 2 and 3) and exhibit LS/1 at **[POL00054806]**;
- xiii) The witness statement of Andrew Paul Dunks dated 12 July 2011 at **[POL00056659]** and exhibit APD01 at **[POL00046047]**;
- xiv) The witness statement of David Dixon dated 22 September 2011 at **[POL00057001]**;
- xv) Your witness statement dated 11 August 2011 at **[POL00056742]**;
- xvi) The unsigned witness statement of Graham Brander dated 25 November 2011 at **[POL00057267]** (page 1) and **[POL00044535]** (pages 2 to 7);
- xvii) The list of exhibits at **[POL00046100]**.

97. I must honestly confess to no real recollection of this case other than the

assisted documents produced at Point 95 and paragraph 91 above.

98. I would refer specifically to the Help Desk witness Louise Sheridan and her exhibit (LS/1) at **[POL00054806]** and the Tape Recorded Interview regarding the consistently increased £50 notes entries at point 74 (iii) **[POL00056417]**, **[POL00044505]** and **[POL00046625]**. As can be seen Lynette Hutchings went “NO COMMENT” throughout the interview when her opportunity to give an explanation was there as well as to the consistent £50 Note increases shown or if she had any other concerns. My involvement came from a request from my colleague Graham Brander as to my availability to assist him as second officer at interview and my role was to be the second officer at the interview.

99. I had no involvement in relation to the reason and decision to interview as this was the case of my colleague Graham Brander.

100. The evidence shown in the interview would have been described in the interview taped summaries at **[POL00056417]**, **[POL00044505]** and **[POL00046625]** (previously mentioned) and exhibited within any witness statements obtained by Graham Brander.

101. I had no involvement in the decision to charge. – this would have been the Legal Team / Solicitors at the time on authority of Senior Security Manager.

102. Graham Brander would have asked me to provide a witness statement.

103. I was not aware, at any time that I was involved, of any allegations made by Ms Hutchings relating to the reliability of the Horizon IT system as she went “NO COMMENT” in the entire interview when her opportunity was then to give a reason or explanation or to raise any concerns or specific examples. This may have been seen and included in the prepared statement.

104. I have considered the handwritten documents at [POL00046095] and [POL00046096] and Counsel's attendance note dated 30 July 2012 at [POL00058132] (which appears to have been sent under cover of the email dated 30 August 2012 at [POL00058252] and the email at [POL00058153]). I have no previous sight or knowledge of any of these documents as they would only have been seen by Graham Brander the lead officer in this case.

105. I am unable to comment accurately as this was my colleague Graham Brander's case. The paragraphs 267 to 272 of [POL00113278] have been read. However, with 33 calls made to the Business Helpline Lynette Hutchings apparently only mentioned twice about losses and gains issues which was why I have referred to that specific exhibit L/S1. She stated that advice at POL was difficult to access and unreliable and yet clearly, she had made at least 33 calls to the Helpline, so I am unsure as to what difficulty she was therefore describing. I would imagine but can't say that ARQ data if received would have been viewed and used at the interview especially with regards to showing these £50 Notes shown to be increasing consistently but maybe my colleague could assist on this further. Then finally at the interview when she had the perfect opportunity to air and raise any or all of these apparent long term ongoing issues fully, she chose to use her right to go "No Comment". It states that ARQ data was requested but unknown if received. The only other point I find slightly worrying or surprising is that I think in her evidence she mentioned issues occurring at her previous Post Office where she was the Subpostmistress and had substantial losses. I guess she must have put this cash in out of her own money and yet surprisingly after doing this and if she believed the Horizon System to be the cause she still decided to purchase another Post Office. I have no further points to add on this case as this was led by Graham Brander.

POL v Susan Rudkin

106. I have reviewed the following documents:

- i. The Audit Report, dated 21 August 2008 [POL00046550]
- ii. The handwritten notes at [POL00045243] and [POL00045246];

- iii. The Record of Tape-Recorded Interview of 20 August 2008 at **[POL00050026]**;
- iv. The suspect offender report **[POL00050123]**;
- v. The Investigation Report dated 2 September 2008 at **[POL00046485]**
- vi. The Antecedents form for Susan Rudkin dated 2 September 2008 at **[POL00046576]**;
- vii. Jarnail Singh's memo to the Fraud Team dated 3 October 2008 at **[POL00046488]**;
- viii. The Schedule of Charges at **[POL00045220]**;
- ix. David Pardoe's email to the Fraud Team dated 7 October 2008 at **[POL00050347]**;
- x. The memo from Mike Wilcox to Jarnail Singh dated 29 January 2009 at **[POL00046505]**;
- xi. Jarnail Singh's memo to the Fraud Team dated 6 February 2009 at **[POL00046506]**;
- xii. The memo from Debbie Helszajn to the Fraud Team dated 26 March 2009 at **[POL00051256]**;
- xiii. The memo from Rob Wilson to the Fraud Team dated 6 May 2009 at **[POL00051420]**.

107. I was involved in this case as I was the second officer assisting Mike Wilcox, the lead officer in this case. The Investigation Report at **[POL00046485]** and Tape Summary at **[POL00050026]** best cover the full and detailed account of Mr Wilcox's case and includes, the evidence that Legal Representation as in every case was offered and covered by the completion of the GS001 Legal Rights Form on tape. This was always explained fully, signed and contained within the case papers and part of the evidence. It can also be seen that Mr Wilcox agreed to allow her son (Dale) to sit in on the interview to act as her friend for moral support.

108. From the document **[POL00046485]** (previously mentioned) it appears I was actually with Mike Wilcox on Wednesday 20th August 2008 when he was assigned this case by Colin Price (Temp Area Team Manager) and we were diverted to Ibstock Post Office where I was to assist him as his second officer at an interview with Susan Rudkin following the audit result.

109. This was Mike Wilcox's case, so I had no involvement in the initial investigation that was raised following an audit shortage on the day and an admission to the auditors by Susan Rudkin that she was solely responsible.
110. The decision to charge and prosecute would have been the current Team Leader but from the report at [POL00046485] (previously mentioned) it would appear it was Colin Price who was quite likely covering as the Temporary Area Team Leader.
111. The evidence shown to Mrs Rudkin was that which was shown during the interview [POL00050026] and that was subsequently exhibited as part of the evidence by Mike Wilcox.
112. I had no involvement in the decision to charge or prosecute. I would also have no involvement in this as in any of my own cases as this would be advised by the Post Office Legal Team / Solicitors at the time.
113. As far as I recall I was not aware, at any time that I was involved, of any allegations made by Ms Rudkin relating to the reliability of the Horizon IT system and she didn't suggest this at the interview as I could see or recall. In fact she had actually said she had taken physical cash from the Post Office and paid this into her own Business Bank Account (Lloyds I think) to cover numerous financial shortfalls and bills etc following a previous robbery at the branch and she did this without her husbands or the staff's knowledge.
114. I have no reason to doubt that the investigation was again conducted in the correct way by my colleague Mike Wilcox and with the knowledge and evidence he relied upon to be 100% accurate as far as we were aware at that time.
115. The fact there were many many thousands of Horizon terminals in operation

across several thousand Post Offices causing no issues or errors indicated that these were as had been historically the minority cases of possible misconduct and there were absolutely no Horizon integrity issues whatsoever. All investigators had no reason to doubt the Horizon system with absolutely no knowledge of these bugs, errors or defects ever existed.

116. I had absolutely no knowledge or awareness that any bugs, errors or defects existed in Horizon.

117. As above, I was unaware any existed so would have no idea if Fujitsu passed any such information to Post Office Ltd and if they ever did it certainly was not passed to me or my colleagues.

118. I was a loyal, honest and trusted member of staff and I am clearly very angry and upset that my employer of 32 years, if known, never advised anyone that these so-called bugs, errors or defects existed in the Horizon system. In my opinion at whatever level, especially Senior Manager's level if any knowledge or doubts existed this should have been brought to absolutely everyone's attention immediately including staff and Postmasters. It would then have been included as a reason that could undermine any case under disclosure.

119. The [POL00113304] document (previously mentioned) is now clearly interesting for me. You can see that even after leaving the Post Office back in 2017, I was still under the impression, clearly wrongly, that Horizon was 100% accurate. When the Horizon Inquiry started, and cases went to the High Court etc I was still none the wiser. However, when the press and television subsequently released details of possible Managing Directors, Chairman & Senior Managers knowing these existed, I was mortified and extremely angry. Then when cases in the High Court became successful, I was even more angry as not so much as an apology was received from the Post Office. As you can hopefully see so much from the initial email, I sent it to Nick Read in 2021. I have clearly not seen these internal email chain responses until now which do

make interesting reading. Again, compensation worries appear to be their primary focus and yes whilst I do think this would also be appropriate to staff clearly affected all I really wanted was some form of an apology and explanation. I'm more than happy to give that apology now myself to any Postmasters who were 100% proven to be unfairly prosecuted.

120. If anyone in the Post Office Senior Team were aware of these possible bugs / errors or defects within Horizon, they did not communicate this and any correctly identified or proven miscarriages of justice by the Post Office should be both quashed and compensated in my opinion.

Statement of Truth

I believe the content of this statement to be true.

Signed: **GRO**

Dated: 4th October 2023

Document Description	URN	Control Number
Casework Management Policy (version 1.0, March 2000)	POL00104747	POL-0080387
Casework Management Policy (version 4.0, October 2002)	POL00104777	POL-0080417
Rules and Standards Policy (version 2.0, October 2000)	POL00104754	POL-0080394
"Investigation Procedures Policy (version 2.0, January 2001)	POL00030687	POL-0027169
Disclosure Of Unused Material, Criminal Procedures and Investigations Act 1996 Codes of Practice Policy (version 1.0, May 2001)	POL00104762	POL-0080402
"Royal Mail Group Ltd Criminal Investigation and Prosecution Policy" (1 December 2007)	POL00030578 POL00104812	POL-0027060 POL-0080444
"Royal Mail Group Security - Procedures & Standards - Standards of Behaviour and Complaints Procedure" (version 2, October 2007)	POL00104806	POL-0080438
"Royal Mail Group Crime and Investigation (S2)" (version 3.0, September 2008)	POL00031004	POL-0027486
"Royal Mail Group Security - Procedures & Standards - The Proceeds of Crime Act 2002 & Financial Investigations" (version 1, September 2010)	POL00026573	POL-0023214
"Royal Mail Group Security - Procedures & Standards - The Proceeds of Crime Act 2002 & Financial Investigations" (version 1, September 2010)	POL00026573	POL-0023214
"Royal Mail Group Security - Procedures & Standards - Initiating Investigations" (September 2010)	POL00104857	POL-0080489

"Royal Mail Group Ltd Criminal Investigation and Prosecution Policy" (version 1.1, November 2010)	POL00031008	POL-0027490
Post Office Ltd Financial Investigation Policy (version 2, February 2011)	POL00104853	POL-0080485
Post Office Ltd Anti-Fraud Policy (February 2011)	POL00104855	POL-0080487
"Royal Mail Group Policy Crime and Investigation S2" (version 3.0, April 2011)	POL00030786	POL-0027268
"Post Office Ltd PNC Security Operating Procedures" (August 2012)	POL00105229	POL-0080854
"Post Office Limited: Internal Protocol for Criminal Investigation and Enforcement (with flowchart)", (October 2012)	POL00104929	POL-0080561
"Undated Appendix 1 - POL Criminal Investigations and Enforcement Procedure (flowchart)", (October 2012)	POL00105226	POL-0080851
The undated document entitled "POL – Enforcement & Prosecution Policy", which appears to include comments from you following review of a policy draft	POL00104968	POL-0080600
"Post Office Limited: Criminal Enforcement and Prosecution Policy" (undated)	POL00030602	POL-0027084
"Conduct of Criminal Investigations Policy" (version 0.2, 29 August 2013)	POL00031005	POL-0027487
"Conduct of Criminal Investigations Policy" (version 3, 10 February 2014)	POL00027863	POL-0024504
"Conduct of Criminal Investigations Policy" (September 2018)	POL00030902	POL-0027384

"Condensed Guide for Audit Attendance" (version 2, October 2008)	POL00104821	POL-0080453
David Posnett's email dated 23 May 2011	POL00118096	VIS00012685
The documents contained within the attached compliance zip file on this email	POL00118108 POL00118109 POL00118103 POL00118105 POL00118106 POL00118107	VIS00012697 VIS00012698 VIS00012692 VIS00012694 VIS00012695 VIS00012696
"Guide to the Preparation and Layout of Investigation Red Label Case Files – Offender reports & Discipline reports"	POL00118101	VIS00012690
Offender Report template	POL00118102	VIS00012691
"Identification Codes"	POL00118104	VIS00012693
"Conducting Audit Data Extractions at CSR" dated 4 May 2000	POL00029169	POL-0025651
"Conducting Audit Data Extractions at Live" dated 27 November 2001	FUJ00152176	POINQ0158370F
"Management of the Litigation Support Service" dated 27 October 2009	FUJ00152212	POINQ0158406F
"Management of the Litigation Support Service" dated 14 February 2012	FUJ00152220	POINQ0158414F
"Management of the Litigation Support Service" dated 23 April 2012	FUJ00152225	POINQ0158419F
"Management of the Litigation Support Service" version marked "withdrawn"	FUJ00152235	POINQ0158429F
"Audit Data Extraction Process" dated 13 September 2010	FUJ00152216	POINQ0158410F
"Audit Data Extraction Process" dated 1 March 2011	FUJ00152218	POINQ0158412F

"Audit Data Extraction Process" dated 14 February 2012	FUJ00152221	POINQ0158415F
"Audit Data Extraction Process" dated 3 September 2014	FUJ00152226	POINQ0158420F
"Audit Data Extraction Process" dated 4 September 2014	FUJ00152228	POINQ0158422F
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 24 August 2006	FUJ00002033	POINQ0008204F
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 31 December 2008	FUJ00080107	POINQ0086278F
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 15 October 2010	FUJ00002264	POINQ0008435F
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 25 November 2013	FUJ00088868	POINQ0095039F
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 4 December 2013	FUJ00002555	POINQ0008726F
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 4 April 2014	POL00002572	VIS00003586
"Security Management Service: Service Description" (SVM/SDM/SD/0017) dated 19 February 2016	POL00002666	VIS00003680
Email thread from Penny Thomas to Gareth Jenkins RE: FW: Horizon/ Post Office Systems dated 17 September 2010	FUJ00156221	POINQ0162415F

Email from Penny Thomas to Gareth Jenkins re: Report – Rinkfield dated 12 August 2008	FUJ00122938	POINQ0129152F
Gareth Jenkins comments on Rinkfield Report dated 11 August 2008	FUJ00122939	POINQ0129153F
The stakeholder notification	POL00047065	POL-0043544
The event capture form	POL00118275	POL-0118417
The financial investigation case closure report	POL00119127	POL-0119046
The financial investigation events log	POL00044749	POL-0041228
The new case raised report	POL00119137	POL-0119056
The investigation report	POL00044803	POL-0041282
The suspect offender report	POL00119221	POL-0119140
The case timeline	POL00114696	POL-0113797
The case closure report	POL00114739	POL-0113840
The draft audit report	POL00050062	POL-0046541
The Record of Tape Recorded Interview dated 15 September 2008 part 1 part 2	POL00050140 POL00050128	POL-0046619 POL-0046607
Karen Wilson witness statement dated 11 January 2022	WITN01680100	WITN01680100
Julian Wilson case study - OFFENCE: Audit Shortage - Cash Loss £27,811.98 Corporate Security Criminal Law Team report from Gary Thomas dated 2 December 2008	POL00044803	POL-0041282
Graham Brander's witness statement in support of an application for a restraint order, dated 16 December 2008	POL00064718_001	POL-0061197_001
The memo from Terry Crowther dated 5 December 2008	POL00047012	POL-0043491

The email from Graham Ward to you and Jarnail Singh in respect of a restraint order, dated 17 December 2008	POL00050524	POL-0047003
The memo dated 6 January 2009	POL00044806	POL-0041285
The memo dated 9 January 2009	POL00050665	POL-0047144
The letter from you to Redditch Magistrates' Court, dated 13 January 2009	POL00064127	POL-0060606
The summons, dated 13 January 2009	POL00047084	POL-0043563
The letter from Richard Nelson solicitors to Jarnail Singh, dated 14 January 2009	POL00050695	POL-0047174
The memo dated 16 January 2009	POL00047018	POL-0043497
The letter from you to Jarnail Singh, dated 21 January 2009	POL00050733	POL-0047212
The email from you dated 23 January 2009	POL00050763	POL-0047242
The memo dated 10 March 2009	POL00047020	POL-0043499
Your letter dated 17 March 2009 enclosing the committal bundle	POL00119090	POL-0119009
Memo 2 April 2009	POL00119197	POL-0119116
The letter from Richard Nelson Solicitors dated 14 May 2009, with handwritten comments	POL00051920	POL-0048399
The letter from Jarnail Singh to Richard Nelson Solicitors dated 19 May 2009	UKGI00012555	UKGI023351-001
Jarnail Singh's memo to the Fraud Team dated 28 May 2009 at	POL00051720	POL-0048199

Counsel's Brief endorsed following the hearing on 15 June 2009	POL00051459	POL-0047938
John H. Dove's letter to Jarnail Singh dated 17 June 2009	POL00051936	POL-0048415
The memo dated 18 June 2009	POL00051945	POL-0048424
The memo dated 5 August 2009	POL00064718_004	POL-0061197_004
The memo from Andy Hayward to Graham Ward dated 17 December 2009	POL00044810	POL-0041289
The memo dated 11 January 2010	POL00119126	POL-0119045
Memo dated 14 February 2011	POL00119129	POL-0119048
The email chains in respect of the restraint order	POL00114710 and POL00114730	POL-0113811 POL-0113831
Notification of proceedings to police	POL00119140 and POL00119211	POL-0119059 POL-0119130
The information in respect of the hearing on 4 March 2009	POL00119119	POL-0119038
Counsel's endorsed copy of the Indictment	POL00044800	POL-0041279
Your witness statement dated 12 March 2009	POL00044778	POL-0041257
Counsel's Advice dated 22 May 2009	POL00044751	POL-0041230
Draft Case Summary	POL00044809	POL-0041288
The basis of plea dated 15 June 2009	POL00051915	POL-0048394
Schedule of non-sensitive unused material	POL00119095	POL-0119014
Schedule of sensitive	POL00119096	POL-0119015
Disclosure officer's report	POL00119097	POL-0119016
List of witnesses	POL00119098	POL-0119017
Antecedents	POL00119103	POL-0119022

Notification of disposal to police	POL00119214	POL-0119133
The confiscation order dated 17 December 2009	POL00053703	POL-0050182
Judgment of the Court of Appeal in Josephine Hamilton & Others v Post Office Limited [2021] EWCA Crim 577	POL00113278	POL-0110657
The handwritten note dated 1 January 2011	POL00046065	POL-0042544
The Audit Report dated 31 March 2011	POL00056292	POL-0052771
The Record of Tape Recorded Interview dated 20 April 2011 part 1 part 2 part 3	POL00056417 POL00044505 POL00046625	POL-0052896 POL-0040984 POL-0043104
The Investigation Report dated 5 May 2011	POL00046706	POL-0043185
Jarnail Singh's memo dated 17 June 2011	POL00046626	POL-0043105
The memo from Graham Brander to Jarnail Singh dated 9 December 2011	POL00046628	POL-0043107
The Advice and Proposed Charge drafted by Martin Smith of Cartwright King 4 January 2012	POL00057362	POL-0053841
The list of witnesses	POL00046099	POL-0042578
The witness statement of Nigel Allen dated 22 September 2011 page 1 page 2	POL00057026 POL00044533	POL-0053505 POL-0041012
The witness statement of Adam Shaw dated 20 September 2011 page 1 page 2	POL00056955 POL00046120	POL-0053434 POL-0042599
The witness statement of Sarah Juliff dated 21 September 2011	POL00056987	POL-0053466

The unsigned witness statement of Louise Sheridan dated 24 November 2011 at page 1 pages 2 3 exhibit LS/1	POL00057245 POL00044534 POL00054806	POL-0053724 POL-0041013 POL-0051285
The list of exhibits	POL00046100	POL-0042579
The witness statement of Andrew Paul Dunks dated 12 July 2011 and exhibit APD01	POL00056659 POL00046047	POL-0053138 POL-0042526
The witness statement of David Dixon dated 22 September 2011	POL00057001	POL-0053480
Your witness statement dated 11 August 2011	POL00056742	POL-0053221
The unsigned witness statement of Graham Brander dated 25 November 2011 - page 1 and pages 2 to 7	POL00057267 POL00044535	POL-0053746 POL-0041014
Handwritten note on Regina v Lynette Jane Hutchings 1 April 2011	POL00046095	POL-0042574
Handwritten notes on Regina v Lynette Jane Hutchings: basis of plea 30 July 2012	POL00046096	POL-0042575
Counsel's attendance note dated 30 July 2012	POL00058132	POL-0054611
Email dated 30 August 2012	POL00058252	POL-0054731
Email at 31 July 2012	POL00058153	POL-0054632
The Audit Report, dated 21 August 2008	POL00046550	POL-0043029
The handwritten notes 20 August 2008	POL00045243	POL-0041722
The Record of Tape Recorded Interview of 20 August 2008	POL00050026	POL-0046505
The Investigation Report dated 2 September 2008	POL00046485	POL-0042964

The Antecedents form for Susan Rudkin dated 2 September 2008	POL00046576	POL-0043055
Jarnail Singh's memo to the Fraud Team dated 3 October 2008	POL00046488	POL-0042967
The Schedule of Charges	POL00045220	POL-0041699
David Pardoe's email to the Fraud Team dated 7 October 2008	POL00050347	POL-0046826
The memo from Mike Wilcox to Jarnail Singh dated 29 January 2009	POL00046505	POL-0042984
Jarnail Singh's memo to the Fraud Team dated 6 February 2009	POL00046506	POL-0042985
The memo from Debbie Helszajn to the Fraud Team dated 26 March 2009	POL00051256	POL-0047735
The memo from Rob Wilson to the Fraud Team dated 6 May 2009	POL00051420	POL-0047899
Email from Stuart Lill to Declan Salter, Avene Regan and Others RE Former Investigator email to Nick Read Update dated 16 July 2021	POL00113304	POL-0110682