

WITNESS: HASMUKH SHINGADIA

STATEMENT NUMBER: WITN0161_01

EXHIBITS: 0

DATED: Jan 13, 2022

POST OFFICE HORIZON IT INQUIRY

FIRST WRITTEN STATEMENT OF HASMUKH SHINGADIA

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 HASMUKH SHINGADIA, Date of Birth, of
 will say as follows:-

PERSONAL BACKGROUND

1. I am 62 years old, and I am a hard-working family man.
2. I am devoted to my wife and children.
3. Throughout my life, I had sought to provide them with a comfortable, happy home.
4. I also take great pride in my community.
5. I still see myself as remaining in my role at the village store for the foreseeable future.

6. It has always been my intention to remain in Upper Bucklebury and immerse myself and my family in village life.

POST OFFICE HISTORY

7. My wife and I got married in 1996 and moved to Dublin.
8. This was my second marriage and we had a 5 year old step daughter, **GRO**
I was working nights and my wife worked days.
9. We came back to England in 1997, and I worked at Gatwick airport. My wife and I used to help my brother with his business in Horsham in West Sussex, and we had retail experience.
10. We lived in Crawley in a flat which had shops below it. My wife worked making badges for cars and I worked for a car hire firm at the airport.
11. We wanted a better work life balance and a better family life for **GRO**
12. The man who owned the shop below where we lived, asked me to run the shop. We then decided to try and buy something ourselves, so we could be there for our daughter **GRO** when she came home from school.
13. We went all over the country looking at different shops, 60 to 70 businesses. Sometimes the accommodation was nice, but the business wasn't, and vice versa.
14. We came to Upper Buckleberry to look at the Post Office and decided it was the right one for us.
15. The village was lovely and the location was where we had been hoping to settle.
16. I took over the business on 27th October 1998.
17. I left Gatwick airport and I became Sub-postmaster of the branch.

18. I remember having to submit a business plan to the Post Office and I had to apply for a loan to buy the shop. Putting together the plan was hard, and the gentleman in charge, Darren, was awkward and I really had to convince him that I could manage the Post Office. The shop at the time was only open until 5.30pm and I said I would keep it open longer. It took a bit of convincing on my part, but I was enthusiastic, and I really wanted to make a go of it. It was to be my family's future.
19. I was provided with a contract, but no one explained it to me. I read it through it and spoke with a couple of other Sub-post masters who knew.
20. The shop was quite small at this time and we gutted it and started again.
21. We got rid of equipment, and I joined Spar who helped me re-merchandise.
22. I went for 2 weeks training in Guilford. I was provided with training documentation and manuals, and given training on balancing.
23. Whilst I was there, my wife ran the shop and restored the shelves and cleaned everything. I think it took us about 6 weeks to get it how we wanted.
24. We did not rest on our laurels, and in 2001 we extended to 1300 square feet and extended our opening hours until 9pm on weekdays and Saturdays and 6pm on Sundays. At one point we were taking about £17,000 per week.
25. The Post Office had a flat upstairs which was one of the reasons why we chose the business. I think we paid around £57,000 and we took a commercial loan out of £40,000. We paid £17,000 ourselves and then £7000 for stock, plus legal costs.
26. We lived above the shop.

27. The services we provided were extensive, including postage, topping up mobiles, electric keys, banking services, pensions, child benefit books, giro, National Savings & Investments and currency.
28. In addition to my wife and myself, we had an employee, **GRO** who had worked there when the previous people ran the Post Office. She worked on an occasional basis on Wednesday mornings and Friday mornings so I could go to the cash and carry.
29. We would balance every Wednesday when the lottery finished at about 7.30pm. I found it easy to navigate initially as I had worked in retail before, so I was used to handling money.
30. When Horizon was introduced in 2001, it took a while to get used to, there were glitches, and some things wouldn't work properly.
31. I went to a training session with other Sub-postmasters, in Reading. The training was in a group setting and it was carried out by Fujitsu. They demonstrated how to work the screen and the system generally.
32. As Horizon developed there wasn't any further training as such, we were just given written manuals with the updates.
33. We were not ever in contact with a regional or line manager, but we could ring the helpdesk if there was a problem. They were not very helpful.
34. Our problems usually arose on a Wednesday after balancing. This was after 8pm and the helpdesk closed at 9pm. I probably only had around 20 minutes to call them. My experience was that the staff were not properly trained, and they seemed to be just reading from a script. They weren't helpful at all and couldn't solve the problems I encountered.
35. Horizon took a lot of getting used to.

36. Initially I didn't have any idea what these losses might be attributed to. I would go to federation meetings and there was nothing mentioned about others having problems at the meetings. I thought it would be mentioned if other people were having problems. Other Sub-postmasters didn't mention it, but I had heard through the grapevine there were others having some problems.
37. The individuals who interviewed me on behalf of the Post Office and in connection to the alleged shortfall were Michael J Wilcox of Fraud Strand, Plymouth, and Graham Brander of Security Operations South.
38. The name of the individual who conducted the audit of my Post Office was Adam Shaw.
39. My area manager was called Darren Brennan.
40. The names of the agency managers at the Post Office who I was reportable to were Ms F Watts and Ms Sharon Young.
41. Ms Carol Ballan was the individual who terminated my employment with the Post Office.
42. The name of my Federation Representative was Nippy Singh. I often tried to call Mr Singh, but more times than not he would be unavailable on account of being in India. His 'stand in' was Nilesh Joshi and I mostly spoke with him when I had a query. I found him unhelpful as he would often cancel face-to-face appointments on the morning of the meeting. I would always call him on a morning before a meeting before driving to see him in London. His response was normally that he was too busy that day and asked to rearrange.
43. Nippy Singh attended my first interview with the Post Office where I was being interviewed by Michael J Wilcox. Mr Singh did not say a word throughout this interview.

44. After the termination of my role at the Post Office, I appealed the decision as I knew I did not take the money. I had an interview with Lin Norbury in the London Post Office headquarters in relation to the appeal, but this was subsequently rejected. My appeal was held after the termination of my role but before the criminal proceedings.

CRIMINAL ALLEGATIONS AND ANY PROCEEDINGS/CONVICTION.

45. From almost day one, there were problems with Horizon. There was often a shortfall.

46. If there was a small shortfall, for example a couple of pounds, I would put the money in the system or take it out, if the system was over or under. I was made aware at the start that it was always part of my contract to make good any shortfalls.

47. When the discrepancies began to get larger, I contacted the helpline.

48. They would take me through the process and tell me the money would turn up the next week.

49. I remember receiving error notices on the system in 2009 or 2010.

50. I didn't speak to the managers because it was hard to get through to them.

51. I didn't raise the issues with anyone.

52. I did have a federation representative in Farnham, but every time I called him, he was out in India. This was very annoying but also meant that I had no support.

53. When I eventually spoke with him, I met him in Basingstoke and I explained my problems. He didn't help however, and nothing happened.

54. I then had an unannounced audit on the 26th March 2010, when two auditors arrived at the Post Office.
55. Due to problems with the system, which I had tried to obtain help with, I was aware that at this stage the discrepancies were around £16,000.
56. When the auditors arrived, the Post Office was not open yet. They told me not to open whilst they carried out the audit.
57. When they had finished, they told me I was suspended immediately and took all the stock and money with them. My engagement was terminated that day.
58. At that point we lost the lottery, the pay station, and the top up cards as well, as they were all part of the Post Office.
59. On the 11th May 2010, I was interviewed at Newbury sorting office by Michael Wilcox. A Federation representative, Nippi Singh, was there to supposedly support me. However in the 7 hours that I was there, he did not say a word. When I challenged him about this, he said, "well it's your Post Office" and got in his car and drove away.
60. The interview was a real grilling. I was asked repeatedly, where the money was. I kept saying that I hadn't got it. They asked for bank statements, credit card statements, and they told me if I didn't cooperate, they would come and search my flat.
61. I had to go to a second interview, and I took all my documentation with me. This included my bank statements, and my daughter's bank statements. I told them that was everything I had.
62. Despite having done nothing wrong, I was then charged with theft and false accounting.

63. I was told that I could receive a custodial sentence, so on the advice of my barrister, I pleaded guilty to false accounting.

64. This was despite the fact that I had done nothing wrong, and I had paid the shortfall back.

65. My case was first heard at the Oxford Magistrates Court on 15 December 2010.

66. Despite being innocent, as advised, I pleaded guilty to a single count of False Accounting on 21st July 2011 at the Oxford Crown Court.

67. I was sentenced to 8 months imprisonment suspended for 12 months and ordered to carry out 200 hours of unpaid work.

68. I paid the court costs of £2269.69 and the legal fees of the solicitors and barristers.

THE HUMAN IMPACT

69. 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?

70. As I have said, I repaid the shortfall.

71. I paid the shortages that arose on a daily basis from with my own pocket.

72. I could not pay the large shortfall discovered on the Audit and I had to borrow from my brother and my wife's sister.

73. I was loathed to do this, but the last thing I wanted was to go to court or prison.

74. I thought that if I repaid the money, that would be the end of the matter.

75. I knew that if charges were to follow, the effect on me and my family would be tremendous.

76. Repaying the shortfall completely wiped us clear of all our savings.

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

77. As stated, I paid the shortfalls directly from mine and my wife's savings. We did not take out a loan to pay the day-to-day shortfalls, but after the audit alleged such a large discrepancy, we borrowed money from my wife's sister and her family to pay this amount. They did not charge us interest for this loan.

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

78. I was very scared of the allegations made against me.

79. I had been trying to obtain help.

80. I tried the helpline.

81. I tried my local federation representative.

82. No one helped and I felt alone and unsupported.

83. I was very stressed, anxious and worried and my mental health began to suffer.

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

84. As I have said, in order to avoid a custodial sentence, I pleaded guilty to the charge of false accounting.

85. This meant that I was suspended from running the Post Office and it had a massive effect on the family's finances.

86. I visited the Post Office offices in Bethnall Green, and I asked as the money had been repaid, that the Post Office remain in the village. I didn't want the village to lose the Post Office. I thought, we had got on well with people and established ourselves.

87. I had to carry out my community service and I found being surrounded by criminals humiliating. I should not have been there, as I had done nothing wrong.

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

88. As a direct result of my conviction, the Post Office removed the Sub Post Office from our shop. As a result I have lost my income as Sub-Postmaster.

89. The National Lottery also precluded us from selling lottery tickets in our shop for 2 years. The National Lottery generated income from the sale of lottery tickets, commission on any winnings, and commission dependent on a certain number of tickets being sold. We lost this income stream when the National Lottery left our shop, and were unable to reapply for it until 2 years later. We were able to start selling lottery tickets again after 2 years of being without.

90. My wife also works full time at the shop, and so her income was affected too.

We were able to rely on income from lottery tickets and my role as Sub-Postmaster in addition to business profits prior to my conviction. However afterwards and for 2 years we could only rely on business profits for both my and my wife's income. This meant we had to lay off 3 members of staff, which was hugely upsetting.

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?

91. When I was accused of dishonesty. I could not believe that it was happening to me.

92. My mood was very low, I was anxious and panicky.

93. I worried who would look after my wife and family if I was in prison.

94. I knew the impact on my wife and daughters would be massive,

95. My wife is and I didn't want her to be stuck without me and I had 2 young daughters to look after.

96. I could not sleep at night .I could not eat.I felt worthless and hopeless.

97. One time, I went to the local graveyard and contemplated taking my own life.

98. I felt that there was no point in going on and I considered ways to end my life

99. Thankfully, thoughts of my family pulled me through.

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

100. I heard nothing from the Post Office or my representative body.
101. The conviction left me completely devastated.
102. I was treated horribly.
103. I suffered from the stigma of my conviction, and my reputation was in tatters.
104. It was horrible for my wife and daughters, and I could feel the strain,
105. I was very concerned for family. I couldn't let them down and I felt I needed to be strong.
106. My conviction also very much had an effect on the village.
107. At first, the Post Office closed whilst I was suspended.
108. I felt a duty to the village, as there had been a Post Office in the village for 100 years.
109. I said I didn't mind if a third party ran the Post Office, as long as it was kept open for the village.
110. I carried on working in the shop, but I was under a lot of pressure. I was looked at in a funny way by customers and that was humiliating but I had no option but to carry on.
111. Our landlord ran the garage next door and his wife had always said that she wanted a village store. The store was named "Peaches Store" and in her honour we kept the name.
112. We had approached the landlord in 2008 and asked if he would sell the freehold property to us, and in 2009 we started negotiations.
113. When we lost the Post Office after my conviction, we lost the freehold. The landlord gave us 3 months' notice to vacate.
114. The bad publicity had, in his eyes sullied his late wife's name.

115. We did not want to leave; we had put everything into the business.
116. We had nowhere else to go.
117. We had a battle with his son. We pleaded with him and eventually he agreed to let us stay.
118. This only added to the stress and pressure I was under.
119. Although I was able to keep running the store, takings dropped nearly £6000 per week. We lost a lot of trade from the locals and were shunned by local community completely
120. This had a massive effect on the family's finances.
121. Our bank, Nat West, closed our account as direct debits started failing. We were charged £30 each time a direct debit failed.
122. We couldn't pay for stock, VAT bills and so on.
123. We had bailiffs at the door because we couldn't pay our VAT. I had to again borrow money from my wife's sister to pay them.
124. For around 6 months I went to the cash and carry 4 times a day as I had to use takings from the till.
125. The cost was not just financial, my relationships with my family suffered. I was very lucky that my wife stayed with me, she could have walked away as I was going through such a dark phase.
126. We were lucky we didn't lose the whole business.
127. Following my conviction, I resigned from the position of magistrate at the local court, as well as my position as a freemason.
128. I lost my position as a respected and valuable member of the community.
129. Although I was really struggling with my mental health, I did not seek treatment as I was too embarrassed and I feared further humiliation.

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

130. This whole situation has devastated me.

131. Mentally I really struggled with dark thoughts.

132. The situation created a huge amount of tension between my wife and I and we used to sleep in separate rooms.

133. We pulled together for the sake of our two girls. We said we can't let them down.

134. We said if we run away and go somewhere else people will think we're guilty.

135. It was very tough at times, people looked down at us, if I went to the pub people would make digs at me.

136. One day I thought I cannot do this anymore - I have to do something. One of my daughters was going to be a Trainee Solicitor and the other a doctor and because of this, I knew I had to carry on.

137. Four years ago I had major surgery for trigeminal neuralgia. Prior to that, I was struggling because of severe pain on the right side of my head and face, and inability to eat. I believe that this was caused or contributed to by the situation I found myself in.

138. Before my conviction, I was seen as a pillar of society. I was shunned after my conviction.

139. People came into my shop and laughed at me and asked me embarrassing and provoking questions.

140. We had links with [GRO] who live in the village. When the media discovered this, they were able to link my conviction to my family's relationship with [GRO]

141. My family and I were also further bullied because we attended the Royal Wedding in 2011.

142. We very much isolated ourselves from the community and even our extended family.

143. We had to carry on, but it was very hard.

144. I was treated horribly. It was horrible for my wife and daughters, and I could feel the strain, I was very concerned for my wife. I couldn't let them down and felt I needed to be strong.

145. For a few years, we all completely withdrew from the local community as well as from our extended family.

146. Due to my conviction, we did not feel able to accept any invites from our family or the local community. We feared humiliation.

147. To protect ourselves, we isolated ourselves from everyone.

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

148. When it happened, my wife took it badly. She was devastated by my conviction.

149. In 2007, we bought a house in Leicester so we could move there on retirement to be nearer to relatives. This was repossessed when we could not keep up the mortgage payments. This was both embarrassing and also upsetting as this was for our retirement.

150. As our case was frequently in the newspapers and in the media, when my daughter applied for jobs, it came up in the interviews.

151. My younger daughter GRO who was around GRO years old at the time, got picked on and called racist names on her way to and from school.

152. She was bullied by other children. They would say things along the lines of "Your dad is a Paki thief" .

153. I often found her in tears when she returned back from school.

154. People would come into the shop and laugh at me and my wife, and this obviously upset her. I did my community service at Sue Ryder, and people would go in there and laugh at me and ask why I was there and ask awkward questions in front of other staff. They would ask my wife why I was working there, just to spite her really.

155. We didn't go out for three years.

156. We were shunned by everyone and it still upsets me to think about the effect of all of this on my wife and 2 daughters.

CONCLUDING REMARKS

157. The Court of Appeal quashed my conviction on 19th July 2021.

158. For a few seconds I couldn't believe it. I called my wife over and we all burst into tears.

159. I didn't tell anyone my case was going to court, only my wife, my 2 daughters and my son-in-law knew.

160. I didn't believe that it would finally happen until I finally heard it had been overturned by the Judge.

161. I believe the Post Office knew from day 1 there was a problem with the system.
162. What is sad is that management sat and watched innocent people going to prison, losing their livelihoods, and losing their loved ones and did nothing.
163. It came down to management, and no one spoke up. Instead they sat on the whole thing.
164. Although my conviction has now been quashed, nothing can undo what I have been through or the impact it has had on me and my family.
165. It will stay with me for the rest of my life.
166. I still suffer from the trauma of what has happened, and it has had a significant impact on my mental health and emotional wellbeing. It has also affected my wife's mental health and when my conviction was quashed, and it was all in the media again, this brought everything back to her. All the bad memories and people asking questions again. I am so grateful to her for standing by me.
167. My mental health problems began when I was accused of dishonesty and they continue to this day.
168. I started my treatment on the 25th November 2021 and until it has been completed and I recover, the whole thing is still hanging over me.

Statement Of Truth

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

Signed:

GRO

Position Or

Office Held:

Print Full

Date of signature: Jan 13, 2022

Name: HASMUKH SHINGADIA

FILE REFERENCE: **GRO**

