

WITNESS: ABIODUN OMOTOSO

STATEMENT NUMBER: WITN0144_01

EXHIBITS: 0

DATED: Jan 12, 2022

POST OFFICE HORIZON IT INQUIRY

FIRST WRITTEN STATEMENT OF MR ABIODUN OMOTOSO

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 ABIODUN OMOTOSO, Date of Birth , of

will say as follows:-

PERSONAL BACKGROUND

1. I was born on in Nigeria where I was schooled. I am the eldest of four siblings. My father is a Barrister and my mother worked in science information services, but she sadly passed away in 1999.
2. My family relocated to the USA for three to four years when I was in my early teenage years but I returned to Nigeria to complete my degree in economics.
3. I came to the UK in my early twenties: in approximately 1998.
4. I married my now ex-wife in 1999. I have actually known her since my childhood in Nigeria. We have two children together: a 16 year old daughter

and a 19 year old son. They both live with their mum in the UK but I see them regularly.

5. Before working for the Post Office I was a management consultant for about 5 or 6 years. However, this work involved a lot of travel and at the time I had a young family that I wanted to spend more time with.

POST OFFICE HISTORY

6. I began my employment as a Sub-postmaster at Walsworth Post Office in or around August 2005. I chose the Walsworth branch as it was local to me. I did have staff that worked in the convenience store, but I worked alone in the Post Office.
7. The branch wasn't a part of the home I lived in, and the purchase price was about £85,000 excluding stock on the shop floor. I did struggle with obtaining funding to purchase the business. For this reason, I had to lease the Post Office but then funded the remainder of the purchase with my own money. The purchase included the fixtures and fittings but not stock, which cost another £30,000 - £40,000.
8. We provided an extensive range of services, but we were not allowed to provide car tax or passports, and we had planned to sell the lottery, but that never happened.
9. My partner helped in the Post Office but I was the main person who worked there.
10. At the time I ran the Post Office, transactions were recorded through Horizon.

CRIMINAL ALLEGATIONS AND ANY PROCEEDINGS/CONVICTION

11. My branch was audited on 26th October 2006 ;3 auditors arrived at my Post Office.
12. At this stage the discrepancies were in the region of £50,000. The amount had kept creeping up. I paid back the shortfalls when they were minimal charges (£40 or £50) but anything larger I could not afford to pay back.
13. The auditors went to the computer to check it and at this point I told them that it was full of errors. I told them that I was not desperate enough to steal £50,000. From this point everything started to escalate. It was just terrible.
14. After this the investigators came to my house. I refused to let them search my house but they said if I tried to get a solicitor they would make things difficult for me. At this point, I still believed they would find that there was a system error. The investigators even tried to go to my neighbours and ask them questions. I felt degraded.
15. I went for an interview at one of the head offices. I wasn't legally represented and I went with a friend. It was at this point that I was informed if I was to comply, then everything would be fine.
16. I had no idea others were going through the same thing as me.
17. My contract was then terminated after the interview, and I was charged with theft.
18. I was told that if I complied I would "get a slap on the wrist", and at this point I felt as if I was in a really difficult situation. I told them I was not pleading guilty for something I did not do.
19. The Post Office told me that if I pleaded guilty it could be sorted, but I could not bring myself to plead guilty to something I didn't do.

20. At the conclusion of my trial on 29th August 2008 at Luton Crown Court, I was found guilty of the theft of £50,358.02. Subsequently, I was sentenced on 10th October 2008 to an immediate custodial sentence of 28 months in prison, which was a complete shock. On 30th April 2009, a confiscation order was imposed which I explain further below.

21. This confiscation order has now been quashed along with my conviction. The conviction was quashed on 19th July 2021.

THE HUMAN IMPACT

22. 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?

23. I was able to pay back the initial shortages, which were nominal amounts of £40 or £50. However, I could not manage to pay back the larger amounts. When the auditor visited my Post Office in October 2006, the discrepancies were in the region of £50,000.

24. I had planned to re-mortgage my house to raise capital for other investments. When the investigators noticed that I had documents about my mortgage, they tried to accuse me of stealing money to re-mortgage the house. I was very angry about this.

25. Following a Proceeds of Crime Act Application, I was subject to a confiscation order to pay the shortfall of £50,359.02 back, and I was ordered to pay legal costs in the region of £2,500. I could not pay the shortfall. However, I did pay the legal costs.

WHAT WERE THE COSTS OF MAKING GOOD ALLEGED SHORTFALLS

SHOWN BY HORIZON?

26. As detailed above, I paid back the initial nominal shortfall amounts as and when they arose however, I could not pay the large shortfall identified following the audit.

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

27. Just before the Audit I was spending hours and hours of my time counting the minimal amounts of money and at the end the figure was still not right. It was exhausting.

28. During this time my mood was very low, and I even contemplated taking my own life. I was ashamed and angry.

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

29. After the audit in October 2006, my contract was terminated

30. Between my suspension and conviction someone else came to run the Post Office. Due to my suspension, I was only able to run the retail side.

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

31. I lost my family home and my business. I was forced to declare bankruptcy. I found it difficult to get another job following my conviction and I suffered terribly financially.
32. I had to pay legal costs as I was not given legal aid.
33. I was also ordered to pay £2,500.00 in prosecution costs following my conviction and the confiscation order.

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?

34. I was told at the hearings if I pleaded guilty it could be sorted, but I knew I could not plead guilty when I knew people were lying.
35. It was heart-breaking to lose everything. My health suffered massively.
36. I didn't realise but when I was incarcerated, I didn't have access to normal healthcare. My eyesight deteriorated, and my blood pressure shot up. The whole experience was alien to me. I have to have medication for my eyesight and I couldn't test my eyes routinely; as a result my eyesight did suffer.
37. I have suffered a lot health wise and my confidence is terrible.
38. I am told that from the time the auditors visited until my release from prison, I was suffering from an Adjustment disorder with Mixed Anxiety and Depressed Mood.
39. I have been told that my Glaucoma, Hypertension and Type 2 Diabetes may have been caused by prolonged acute stress.

40. Afterwards it was very difficult to get another job, and extremely difficult financially.

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

41. I spent 14 months in prison. I was thinking of buying other businesses which I couldn't do after my conviction.

42. As detailed above, I was subject to a confiscation order, which I did not pay back. However, I did pay legal costs in the region of £2,500. I felt so angry and upset.

43. As explained above I lost my family home and my business. I was forced to declare bankruptcy. I found it difficult to get another job, and I suffered terribly financially.

44. Whilst I was lucky that I had multiple skills to assist me, I was not able to apply for roles of the right calibre. I continued to work as a project manager but consulting for smaller private companies. I was restricted from applying for any government or high profile roles.

45. Prior to my conviction I had been asked to consider becoming a school governor. Afterwards, this was no longer an option.

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

46. My wife left me whilst I was in prison. We are now divorced. I had always provided practical, emotional and financial support to my in-laws which became

impossible to continue due to my imprisonment. My ex-wife was the youngest of her siblings, and she was easily influenced by her parents.

47. At the time of my release from prison my children were still attending school.

My in-laws became very vindictive towards me and prevented me from seeing my children. This absolutely devastated me. I had always been a very 'hands on' father doing school runs and accompanying both children on sporting activities. Not being able to do this broke my heart.

48. This restricted contact lasted about three years, when my ex-mother-in-law died.

49. My conviction had a massive effect on the community. I had looked after them.

I went out of my way to help people in the community and now the local community is wary of me. They think I am a thief.

50. A few members of the wider community remained supportive of me while there were others including a good long term friend of mine who believed I had stolen the money and only changed his view following the quashing of my conviction in July 2021. To think people thought these things about me brought me deep shame.

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

51. My ex-wife suffered from depression. My relationship with my children suffered.

52. My children had to move schools as I was well known in the local community.

I did not want their peers to be discussing my conviction, so we moved them to a different school out of the area. They had to move school from private school to another private school as I was so well known in the community.

CONCLUDING REMARKS

53. The Post Office never provided an explanation on its behaviour. I was never made aware of any others having problems.

54. At my Sentencing Hearing, the Judge accused me of trying to malign the integrity of professionals. I couldn't believe it. I was the one that was telling the truth and no one believed me. I felt alone, I was just one person in a list of many who suffered.

55. I feel vindicated by the quashing of my conviction, but nothing can change the past and I will have to live with this harrowing experience for ever.

Statement Of Truth

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

Signed:

GRO

A Omotoso (Jan 12, 2022 13:05 GMT)

Position Or

Office Held:

Print Full

Date of signature: Jan 12, 2022

Name: ABIODUN OMOTOSO

FILE REFERENCE:

GRO

