

Witness Name: Angela Van Den Bogerd

Statement No: WITN09900200

Dated: 10 April 2024

POST OFFICE HORIZON IT INQUIRY

SECOND WITNESS STATEMENT OF ANGELA VAN DEN BOGERD

I, Angela Van Den Bogerd, will say as follows:

1. I make this statement in response to an additional question raised by the Inquiry on 13 March 2024 which asked whether I disputed the evidence that I gave before the Business, Innovation and Skills Committee, a Select Committee of the House of Commons, on 3 February 2015. A transcript of this evidence is at **UKGI00003229**.
2. I make this statement further to my first statement, dated 20 March 2024 (**WITN09900100**). I can confirm that I have had the assistance of Ashfords LLP in writing this statement.

3. I have reviewed **UKGI00003229** and can confirm that I do not dispute the evidence that I gave. Everything that I said at the time was what I genuinely believed to be correct. However, I would like to take this opportunity to make a couple of points of clarification in respect of questions 58, 62, 76 – 96 and 135.

Question 58

4. Question 58 was as follows:

“How do you respond to some of the criticisms we heard earlier, for example about how long it has taken to look at individual cases and the fact that the Post Office is in control of much of the data, or that some of the records are missing?”

5. As part of my response to this, I stated *“I have had 20 people working on this full-time for over a year”*. I wish to clarify that the 20 people I referred to were the Case Review Advisors who investigated the issues raised by the applicants to the Initial Complaint Review and Mediation Scheme. In addition to these 20 people, there were 2 Case Review Managers overseeing their work so in total there were actually 22 people in the Case Review Mediation team.

Question 62

6. Question 62 was in response to an issue raised by Ian Henderson (Forensic computing expert, Advanced Forensics (Second Sight Ltd)) at question 60, where he stated that they had requested documents relating to the Fujitsu office in Bracknell around two years prior and had still not been provided with those documents. I responded by saying that we had provided a year's worth of emails that Second Sight requested, but Ian Henderson said that the e-mails provided were for the wrong year. They were investigating a specific incident in 2008 and the e-mails that were given related to 2009.

7. My further response was that *"We provided what we were asked for at the time, so, clearly there must have been some misunderstanding. We would not have pulled a year's worth of e-mails for the wrong year."*

8. In hindsight, I should not have answered this question as I was not involved with dealing with this request, it was managed by the Project Sparrow Team and the Legal Team. My response was genuine and I was trying to be helpful. I understand that the Post Office submitted further evidence (published 4 March 2015) to the Select Committee to address this point.¹

¹ <https://committees.parliament.uk/work/1803/post-office-mediation/publications/written-evidence/> - POM0029

Questions 76 – 96

9. These were a series of questions and answers about the provision of prosecution files to Second Sight for the Scheme investigations. Ian Henderson stated that at the start of the Mediation Scheme, they had been provided full access to legal files but were now being told that they could not get access to the legal files that were used internally and were only *“entitled to the public documents that would normally be available to the defendant if the case had gone to trial.”*

10. My response under question 93 is that *“we have been providing what we agreed we would provide at the outset. In some cases, Second Sight have concluded their investigation on that basis. What has been asked in the last few weeks is for access to further information that we were not providing under the agreement that we had.”*

11. The agreement that I was referring to was made in a Working Group meeting where it was agreed that POL would provide the same documentation it would to the defence in a prosecution case, in line with standard procedure for prosecutors. This would not include legally privileged documents. I cannot recall exactly when this meeting was but I can see that POL refers to the same agreement having been made at the October 2014 Working Group

meeting in their further written evidence to the Select Committee published 4 March 2015.²

12. In response to MP Nadhim Zahawi's further questioning at 93 on whether we would commit to providing prosecution files going forward, I said "*we have already been exchanging that information over the last few weeks.*"

13. My response here, related to legal documents that I understood were being provided as per my memory of the update on the provision of legal documents to Second Sight given to the Working Group Meeting 8 December 2014 (POL00043631) extract below:

"3. Post Office provision of legal documents

Belinda Crowe reported progress on the provision of legal documents to Second Sight from Post Office. Key points included:

- *an update was sent to Second Sight on 4 December on progress with their requests;*
- *the Secretariat were now tracking progress against Second Sight's requests;*
- *In a significant number of cases there were no further documents to be shared. However, Post Office were checking thoroughly in each case;*

² Ibid.

- *where documents did exist it took some time for the files to be retrieved, papers copied and information redacted (where for example it contains personal data such as bank account numbers); and a list of priority cases had been agreed based on where progress in completing CRRs or resubmitting them was dependent on the provision of legal documents (should they exist).”*

14. As noted above, POL had informed Second Sight during a Working Group meeting that they were not entitled to legally privileged files. However, the above refers to POL having committed to looking into any other further documents that could and should be shared.

Question 135

15. MP Ann McKechin asked whether we record all the calls that are made to the helpline to which I responded ‘yes’.
16. On reading the transcript of the exchange between Ms McKechin and myself, I think now we were at crossed-purposes. The recording I was referring to was the call logs. This is where the helpline advisor recorded the detail of the query from the caller and the answer/guidance that was provided to them. On reviewing the transcript, I think that Ms McKechin was referring to audio recordings. Whilst I cannot now recall the exact detail, I believe that calls to the helpline were audio recorded for training purposes, but were only kept for a short period of time. The transcripts from these recorded calls were not

available to us for the Scheme. On the other hand, the content of all calls recorded by hand via the call-logs were. These were kept indefinitely and were provided for the Scheme.

Statement of truth

I believe the content of this statement to be true.

Signed: 

Dated: 10th April 2024

INDEX TO THE SECOND WITNESS STATEMENT OF ANGELA VAN DEN BOGERD

No	URN	Document Description	Control Number
1	UKGI00003229	Business, Innovation and Skills Committee – Oral Evidence (Post Office Mediation)	UKGI014043-001
2	WITN09900100	First Witness Statement of Angela Van Den Bogerd dated 20 March 2024	WITN09900100
3	POL00043631	MINUTE, Working Group for the Initial Complaint Review and Case Mediation Scheme, 8th DECEMBER 2014, MATRIX CHAMBERS	POL-0040134