

Witness Name: Hugh Meyrick  
Flemington

Statement No.: WITN08620100

Dated: 19 March 2024

## POST OFFICE HORIZON IT INQUIRY

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### FIRST WITNESS STATEMENT OF HUGH MEYRICK FLEMINGTON

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I, Hugh Meyrick Flemington, will say as follows:

#### INTRODUCTION

1. 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 30 January 2024 (the **"Request"**).
2. At the outset, I want to express my heartfelt sympathy for sub-postmasters and sub-postmistresses (**"SPMs"**) and the families affected by the important issues being considered by the Inquiry.
3. I have attempted to the best of my ability to recall events and provide comprehensive assistance to the Inquiry. It is important to say that the majority of events which are described in this witness statement occurred approximately 10 to 15 years ago. I left my employment with the Post Office Limited (**"POL"**) on 20 March 2014, and do not have access to POL's records of emails and documents which existed at the relevant time to assist my recollection. My recollection has been helped to an extent by

carefully considering the documents provided to me by the Inquiry, but it is still difficult to recall accurately the detail and surrounding circumstances of all events.

4. I have referred to the roles of individuals throughout this statement to assist the Inquiry, although this is to the best of my recollection, and I do not have a record of the various roles.
5. I have been assisted by BCL Solicitors LLP in the preparation of my witness statement.

#### **BACKGROUND**

6. I trained as a solicitor in Exeter and qualified as a company and commercial lawyer in 1996. With one-year's post qualification experience, I accepted a role in a City law firm working primarily on the IT & IP aspects of mergers and acquisitions, and remained at this firm for 4 years (1997 – 2001).
7. I then joined another City law firm in the IT & IP department and worked there from 2001 to 2004, before taking up an in-house role at a private healthcare specialist between 2004 and 2009, working on a variety of commercial contracts.
8. On 15 June 2009, I joined Royal Mail Group ("**RMG**").
9. Prior to joining RMG, I had very limited civil litigation experience (I had undertaken a six-month seat while completing my training contract more than a decade previously) and no criminal law experience.

#### **POL LEGAL**

10. By way of an overview of my roles over time, I initially worked in RMG's Group Tech & IP team (based at RMG's Blackfriars offices). I increasingly

did work for the separate POL legal team (“**POL Legal**”) (based at POL’s Old Street offices), such that by Easter 2010 I was working exclusively in POL Legal. I became Head of Legal in POL Legal in August 2011. After the separation of RMG and POL on 1 April 2012 I remained Head of Legal at POL Legal, a position I held until I left POL on 20 March 2014. I provide further detail regarding these roles below.

11. I initially worked in RMG’s Group Tech & IP team, under a lawyer seconded from a City law firm to RMG, who reported to Doug Evans, General Counsel of RMG. In this role, I worked on a variety of commercial contracts and IP matters, alongside external law firms. RMG ran an external model, whereby each matter would have an internal and external lawyer working on it.
12. Until September 2010, I worked 5 days a week and thereafter I moved to 4 days a week (always Monday – Thursday).
13. Prior to the separation of RMG and POL, the RMG legal team consisted of a number of different teams, including POL Legal, the Competition Law Team, the Group Tech & IP Team, the HR and Employment Team, the Civil Litigation Team and the Criminal Law Team. The RMG legal team was based in Blackfriars, save that the Criminal Law Team was based in an office in Victoria, and POL Legal was based in Old Street. I understood that each of the RMG sub-teams (each of which had their own Head of Legal) reported up to RMG’s General Counsel, Doug Evans, and later when he left in December 2010, a secondee General Counsel from a City law firm.
14. Prior to separation, POL Legal was entirely non-contentious and POL’s litigation needs were met by the RMG Civil Litigation Team and the RMG Criminal Law Team. In 2010 or 2011, I became aware that prosecutions were undertaken by RMG’s Criminal Law Team, but I had no specific knowledge of the detail.

15. When I joined RMG, POL Legal was made up of 4 lawyers, comprised of a Head of Legal (Kiron Farooki), together with: (i) a networks lawyer, responsible for dealing with SPM contracts; (ii) a property lawyer; and (iii) a commercial lawyer who covered areas such as telecoms and IT.
16. Susan Crichton joined POL Legal as Legal & Compliance Director in around January 2010. Whilst Kiron Farooki was Head of Legal at POL at that time, Susan Crichton came in above her. Kiron Farooki, along with all other lawyers in the team, worked to Susan Crichton. I recall that Susan Crichton had a reporting line to the RMG General Counsel pre-separation, and then to Paula Vennells (CEO of POL from 2012 onwards) post-separation.
17. During the early part of 2010, I became increasingly dedicated to POL Legal work at the invitation of Susan Crichton, which resulted in me gradually transitioning over to work exclusively for the POL Legal team around Easter 2010. Notwithstanding that I was working in the POL Legal team, my contract of employment remained with RMG until separation.
18. On going to work at POL Legal from Easter 2010, Susan Crichton steadily involved me in a broad range of matters, which included a significant degree of work in the run-up to separation, together with supporting bids for government work, procurement services (ranging from issues such as stationery to cash vans), ROMEK (property maintenance), payment card industry accreditation, and other matters such as mutualisation and state aid.
19. Kiron Farooki left as Head of Legal at POL in Spring 2011. Susan Crichton continued in her role as Legal and Compliance Director and, in August 2011, I was offered and became Head of Legal at POL. When I became Head of Legal, the other lawyers in POL Legal reported to me. All of the team were non-contentious lawyers at this time. This was the first time I

had undertaken such a role, and I was very much dependent on Susan Crichton's guidance on the scope, nature and detail of the role.

20. My day-to-day work as Head of Legal included:
- i. working with the lawyers to find new ways of collaborating with the rest of the business;
  - ii. supporting members of the POL legal team on a daily basis, in particular being a sounding-board or a point of escalation on non-contentious matters;
  - iii. managing individuals i.e. performance reviews and regular one to one meetings;
  - iv. managing 'business-as-usual' spend of a budget set by a separate finance team (but not project budgets);
  - v. dealing with law firm panel matters;
  - vi. assisting on, as and when necessary, public procurement and supply chain issues together with matters such as POL bidding for government work, state aid, network transformation, Crown transformation or mutualisation planning, all of which were large scale and/or time consuming;
  - vii. dealing with requests from colleagues in other parts of the business;
  - viii. recruiting and staffing within HR-set headcount limits; and
  - ix. dealing with miscellaneous matters such as the summer student placement scheme.
21. It is important for context to emphasise that as Head of Legal, approximately 95% of the work that I did was not related to the Horizon issues described below. My involvement with Horizon was initially sporadic and peripheral (for example, relating to a specific issue such as resourcing for the Civil Litigation Team regarding John Longman in September 2011 (see paragraph 63 below)), until the very end of June 2013 when, before going on sabbatical from 12 July to around 3 Septembers 2013, I became involved in the response to the emerging issues regarding Horizon.

22. I did not acquire any criminal litigation experience or additional civil litigation experience (beyond my 6-month civil litigation seat whilst training) during my time at RMG or POL prior to separation. When contentious issues arose whilst I was Head of Legal of POL Legal prior to separation, those issues would simply have been dealt with by the relevant member of the RMG legal team.
23. In the run up to separation on 1 April 2012, I undertook a large amount of work preparing for the separation of POL from RMG, including, in particular, participating in negotiations opposite RMG, together with the recruitment of new staff in anticipation of separation.
24. It was known that after separation POL Legal would split from the other RMG legal teams, and Susan Crichton would officially become General Counsel for POL, having essentially been the de-facto General Counsel since she had started.
25. On 1 April 2012, separation of POL from RMG took place. Although my employer changed, my title remained the same. I was not in the office for the first few weeks post-separation, because very sadly my father passed away unexpectedly on 2 April 2012 and so I was not fully engaged back at POL until the end of April 2012.
26. Post-separation, POL Legal was required to cover a wide range of areas including financial services, telecoms, public procurement, state aid and competition, commercial contracts, IP, data, and property, along with civil and criminal litigation.
27. Post-separation, I continued to be based in the Old Street office with POL Legal. The office was open plan. I worked 4 days a week, on Monday to Thursday. I continued to work under Susan Crichton's guidance and reported to her. Susan Crichton worked 5 days a week. As a general

working style, it was common for me to escalate issues to, and discuss them with, Susan Crichton for her to make a decision on, and to keep her generally aware of issues. I continued to be involved in recruitment and arranging for law firm secondees to help bolster the team. By the end of 2012, we had grown the team to about a dozen lawyers from its original POL Legal base of around 4.

28. In the run up to separation, I had asked Susan Crichton if we should get on and recruit a new criminal lawyer to join the POL Legal team. I was told by her that it had been agreed at a high level that POL Legal would inherit a member of the RMG Criminal Law Team. Rob Wilson, the Head of the RMG Criminal Law Team, identified Jarnail Singh as one of the senior lawyers in the RMG team pre-separation, who had been in the team for a number of years, and post separation he transferred to POL Legal to become the sole criminal lawyer.
29. The HR headcount template allowed for one in-house criminal lawyer in POL Legal, but our budget permitted support from external lawyers. To this end, I understood that Cartwright King had been recommended to Susan Crichton by Rob Wilson as external lawyers who had previously worked with the RMG Criminal Law Team. I do not recall when Cartwright King first became involved in assisting with prosecutions and I was not involved in instructing Cartwright King (they were in place by the time I had returned following my father's funeral and so I was unaware of the precise remit of their retainer and the detail of the initial discussions with them).
30. Susan Crichton dealt with the initial conversations with Jarnail Singh when he joined POL Legal, and I think I first met Jarnail Singh in around late April or early May 2012. I did not have any real involvement with Cartwright King until the months following separation and I have set out my recollection of the scope of this below.
31. When informed that a criminal lawyer was transferring over, I recall having

a discussion with Susan Crichton about who Jarnail Singh would sit under, given that I had no experience of criminal litigation. She indicated that the POL lawyers all had to sit under me as Head of Legal, as that was how the HR structure dictated it.

32. I also remember querying with Susan Crichton who would supervise Jarnail Singh as the whole area of criminal law was foreign to me and something of which I had had no experience. She explained that she would run with the prosecutions, in conjunction with Jarnail Singh, using Cartwright King (and other external counsel) as external advisors as appropriate. She had been involved where necessary on issues relating to prosecutions preparation and so this was a continuation of the status quo. Jarnail Singh therefore reported to me for normal management issues, such as approval of annual leave and salary reviews etc., but in terms of criminal prosecutions was supervised by Susan Crichton.
33. While I did not supervise Jarnail Singh on the prosecutions, he sometimes involved me on emails, rather than Susan Crichton. Although I asked him to be mindful of this, I would try to progress matters where possible on the occasions when this happened. Equally, at some points in time, for example when Susan Crichton was on annual leave, and particularly when POL Legal began to respond to the emerging issues regarding Horizon at the end of June 2013, I would try to progress matters where possible in her absence.
34. One-on-one meetings that I had with Jarnail Singh related to the discussion of any personnel-related issues, for example, he was not used to typing his own documents and this was a significant point of change for him. I did not discuss the detail of the criminal proceedings with him. As a result, I did not have day-to-day knowledge of individual prosecutions. In particular, I was not aware of the specifics of particular prosecutions, and I would not authorise decisions to charge. Until I was involved in the preparation of the relevant policy in March 2013, I also did not have any



knowledge of the process through which POL decided if a prosecution should be commenced. Even then, my involvement was at the policy level rather than in the practical application of the policy.

35. Immediately post-separation, POL Legal had a litigation secondee from Bond Pearce to assist with civil litigation matters. Bond Pearce became Bond Dickinson from 1 May 2013. The name is used interchangeably within this witness statement. In September 2012, Rodric Williams began at POL Legal to advise on civil litigation matters. The Bond Pearce secondee had produced monthly litigation reports, and these became rebadged as the Significant Litigation Reports once Rodric Williams arrived (see paragraph 42 below).
36. I have been asked to comment on my understanding of LPP when I joined RMG and POL. I understood LPP to apply to confidential communications between myself and POL employees and agents, either in the context of providing legal advice or where litigation was happening or contemplated.
37. I had a good working relationship with Susan Crichton. She was calm and approachable and always available to escalate matters to for guidance, approval or a decision.
38. I have been asked to comment on the adequacy and competency of the RMG and POL legal departments. During my time at RMG and POL, I understood the legal departments to be adequate and competent and have set out some further reflections on these issues in the 'General' section below. I recall on one occasion (which I assume was shortly after separation), in the context of Jarnail Singh having delivered training to the investigators in the POL Security Team with help from Cartwright King, Cartwright King provided positive feedback regarding Jarnail Singh's competency. Jarnail Singh was a pleasant person who got on with the rest of the team.

39. Chris Aujard joined POL Legal as interim General Counsel on or around the week commencing 14 October 2013, as a successor to Susan Crichton. He was briefed by Susan Crichton shortly afterwards and took over management of the criminal proceedings from her. He made it clear to me from the outset that he was taking over all Horizon matters.

#### **POL BOARD & EXECUTIVE COMMITTEE**

40. I only occasionally attended POL's monthly board meetings. Sometimes, but by no means always, to deputise for Susan Crichton at her request or following an invitation to speak regarding a specific topic (and always in each case following a full briefing from her).
41. I have been provided with a copy of the POL board minutes from a meeting held on 21 November 2012 (**POL00027553**). I was invited to attend this meeting to speak regarding Project Rainbow, and the minutes show that I only attended for this item (112/117) (page 1 of **POL00027553**). I believe this was a data protection issue and not relevant to Horizon. The minutes also show that Fay Healey, Chief HR Officer, was deputising for Susan Crichton (page 1 of **POL00027553**). Indeed, it was never automatic that I would deputise for Susan Crichton. The 'Items for Noting' section shows that Alwen Lyons (Company Secretary) gave the board a brief update on Second Sight's progress with their Horizon work (page 6 of **POL00027553**).
42. I have considered an email chain from 11 and 12 September 2012, relating to monthly litigation reports for the board (**POL00181607**). Helen Perkins, Assistant Company Secretary at POL, emailed Rodric Williams and Jarnail Singh to request that they "*update the report on litigation for [her] ...for the board pack*" (page 3 of **POL00181607**). This was a request to prepare Significant Litigation Reports for the board to update them in respect of civil and criminal proceedings. These were prepared by the relevant people from the criminal and civil litigation teams, as the subject matter experts. Helen subsequently commented on Jarnail Singh's report in an email to

Alwen Lyons and me, dated 12 September 2012. I replied stating that I could “*see the spelling, formatting etc. [issues]*” (page 1 of **POL00181607**). I asked to see the finished version so that I could give Jarnail Singh advice regarding the form of the reports (rather than the substance or the content). This is an example of the type of management I was involved in regarding Jarnail Singh. In this instance, I would have gone through the feedback from the business with him. This type of issue would not have caused me wider concern about Jarnail Singh; I anticipated that he had just not been involved in the preparation of this type of report before.

43. I have also been provided with a copy of the agenda from an Executive Committee meeting on 16 September 2013 (**POL00295988**). This was soon after I returned from a sabbatical. I was deputising for Susan Crichton at this meeting and I would have received a full briefing from her prior to the meeting. I am not listed as a specific sponsor or presenter and Angela Van Den Bogerd presented the Horizon update.

#### **KNOWLEDGE OF HORIZON**

44. During 2009, I became aware of the Horizon IT system by virtue of my involvement in relevant contractual work, in conjunction with external law firms.
45. I recall receiving a high-level briefing on the Horizon contract in my first month at RMG.
46. It was intended that all POL employees would have training on Horizon so that they could assist with strike cover i.e. if branch staff took strike action then they could operate the Horizon system. However, I never received this training because of availability clashes. As a result, I never experienced the Horizon system and had no awareness of how it operated.
47. I cannot recall receiving any briefing or training on the migration to Horizon

Online.

48. When I joined RMG, I cannot recall being informed of any Horizon issues including bugs, errors or defects; a lack of integrity; or complaints or concerns.
49. I have set out throughout my witness statement when my knowledge of bugs, errors and defects materially changed.
50. I did not know what ARQ data was when I joined RMG or while at POL.
51. I cannot recall being aware of the ability of Fujitsu employees to alter transaction data or data in branch accounts without the knowledge or consent of SPMs (i.e. remote access) whilst I was employed by RMG and/or POL.
52. I have considered a copy of a Computer Weekly article dated 11 May 2009 (**POL00041564**). This article was published before I joined RMG. I do not remember reading it at the time of publication or at all. I can remember hearing reference to it, but I am not able to say when that occurred. I do not remember the detail of discussions I had (if any) with individuals within RMG and POL about the article (including, in particular, anyone in the Civil Litigation Team or Criminal Law Team, who were dealing with the relevant cases).
53. I have been asked to consider a report prepared by Rod Ismay, Head of Product & Branch Accounting, dated 2 August 2010 (**POL00026572**), and an Ernst & Young report, dated 27 March 2011 (**POL00030217**).
54. I do not recall seeing the Rod Ismay report on 2nd August 2010 or subsequently. I note that I am not listed as being a recipient of the report either in the "To" or "Cc" fields.

55. In relation to the 2011 E&Y report (**POL00030217**), I cannot recall having read this document. The letter was addressed to Sarah Hall at POL.

**TRIAL OF SEEMA MISRA**

56. I have been asked to consider an email chain with David Jones and others on 3 February 2010 (**FUJ00152903**), and an email chain with Jarnail Singh and others dated 21 October 2010 (**POL00055590**).
57. The 3 February 2010 email chain shows that David Jones, a lawyer at Fujitsu, asked me if I could find out who was dealing with a particular matter at POL. As I was not previously aware of this matter, I made some enquiries. It appears that Mark Dinsdale, Security Team Manager, confirmed that it was Jarnail Singh. I also do not recall that I had come across Jarnail Singh before this point in time, and I do not recall speaking to him about this matter (I was merely passing on his email details).
58. I have been provided with a copy of an expert witness statement of Gareth Jenkins of Fujitsu, dated 8 October 2010 (**POL00129960**). This witness statement appears to have been prepared in relation to the Seema Misra case. I do not recall seeing this witness statement at the time and there would have been no reason for me to have done so.
59. I do not remember receiving any further communications in relation to the Seema Misra case in the period between the above email chain on 3 February 2010 and 21 October 2010, when Jarnail Singh confirmed the outcome of the trial to various parties (**POL00055590**).
60. I do not have any recollection of any so-called "*attack*" on Horizon before this email chain. My understanding of the email would have likely been that there were not any problems with Horizon and the "*unprecedented*" attack had been defended.

## SHOOSMITHS LITIGATION

61. I have been asked to consider a number of documents relating to claims intimated by Shoosmiths / Access Legal from 2011, when the RMG Civil Litigation Team was handling these matters.
62. I cannot recall seeing the letter of claim, dated 23 August 2011, regarding Mr Julian Wilson (**POL00046944**). It was addressed to POL, but would likely have been directed to RMG's Civil Litigation Team, as there was no litigation expertise in POL Legal at this time.
63. I have considered an email chain from 1 September 2011 to 15 September 2011 (**POL00056928**). It appears that on 1 September 2011, Emily Springford, Principal Lawyer – Dispute Resolution, who was in RMG's Civil Litigation Team, was attempting to locate an agency file. She requested assistance from John Longman, Security Manager, who raised issues relating to his capacity to assist. She escalated her request for assistance to Rebekah Mantle, Head of the RMG Civil Litigation Team, and Rebekah Mantle contacted Sabrina Jethwa and Susan Crichton. Being relatively new and junior, Sabrina Jethwa in turn referred the issue to me and I emailed John Scott (who headed the POL Security Team, which amongst other things conducted investigations into Horizon issues) on 8 September, asking if John Longman could be made available. My limited involvement was in relation to this one resourcing point, rather than the substantive work required.
64. By this time in late 2011, I must have been aware that there had been some complaints about Horizon in the past, and that complaints were being made again, as I comment, "*We are starting to have these cases come in again on Horizon*" (page 2 of **POL00056928**). I cannot recall where this knowledge originated from or when.
65. I believe that the comment regarding saving fees ("*Apparently having Jon*

*Longman help us is saving us hundreds of thousands in external fees*") was a message from the RMG Civil Litigation Team. It is likely that I would have asked that team for more information on the background to their request, to understand why it was needed or how important it was. I cannot recall previously being aware of Mr Longman or his work.

66. On 15 September 2011, I emailed John Scott again, stating that I "*am being chased by my lit[igation] colleagues...successfully defending these claims is key to POL*" (page 1 of **POL00056928**). I believe that the phrase "*key to POL*" was used because I understood from the RMG Civil Litigation Team that it was an important issue which needed to be dealt with. The understanding at RMG / POL at that time was that the system was robust so it was logical and important that these claims be defended.
67. Susan Crichton was copied into my email to keep her informed and because she was senior to me and would help ensure that John Longman was made available to the RMG Civil Litigation Team.
68. I have considered an email from Emily Springford (of the RMG Civil Litigation Team, who were dealing with these matters at this time and until separation) to various recipients, dated 20 October 2011, regarding POL receiving four letters of claim from SPMs which included allegations regarding the Horizon system (**POL00176465**). The email primarily relates to the need to ensure document preservation. Although I was sent this email, I have no specific recollection of it.
69. I have considered a note of a conference with Richard Morgan QC of Maitland Chambers, dated 26 October 2011, prepared by Bond Pearce (**POL00107695**). Bond Pearce would have been instructed by the RMG Civil Litigation Team.
70. The attendees from RMG were from the Civil Litigation Team, along with Sabrina Jethwa from POL Legal (who was a non-contentious lawyer

assisting with SPM contracts at this point). I was not an attendee at this conference. I do not recall receiving any briefing on the occurrence or outcome of this conference. I do not know to what extent the RMG Civil Litigation Team followed Mr Morgan QC's advice. I was focused primarily on separation negotiations at this time (as well as business-as-usual work) and I would not have had involvement in civil litigation matters in any event.

71. I have also been provided with a copy of a document with the title, "*Briefing note on the current status of claims involving Horizon*", said to be prepared by 'Legal Services', dated 12 March 2012 (**POL00058211**). It is likely that this was a briefing note prepared by RMG's Civil Litigation Team immediately prior to separation to assist with the transfer of the civil litigation files to POL. I cannot recall, but it is likely that I saw this document because of the impending separation. The report describes five civil claims. The briefing note stated that: (i) the Horizon system was "*robust*"; (ii) the system had been "*rigorously tested*"; (iii) it had been in use for 10 years with 20,000 SPMs having used it "*to successfully perform millions of financial reconciliations*", and (iv) the National Federation of SPMs had "*also expressed its full confidence in the accuracy and robustness of Horizon*". The briefing note referred to a claim being struck out and the relevant SPM being refused leave to appeal.
72. There was a further conference with Richard Morgan QC of Maitland Chambers on 12 June 2012. I have considered the note of the conference prepared by Bond Pearce (**POL00006484**). This conference occurred two months post-separation and I can see that I attended the conference with Susan Crichton. As POL Legal was being supported by a Bond Dickinson secondee post-separation in relation to civil litigation (Rodric Williams had yet to arrive at POL Legal), Susan Crichton and I attended.
73. I do not remember this conference. I recall that Bond Pearce had recommended a Chancery QC, which may have been Richard Morgan QC. The note of the conference records that "*an impasse has been reached in*



*relation to the Horizon litigation which POL is seeking to address. The question is what is the best way of breaking that impasse*" (page 1 of **POL00006484**). Mr Morgan QC raised a number of salient issues to consider, including concerns regarding the potential for the "floodgates" to be opened to civil claims, and was happy to explain these issues to the board directly. I understood that the system was robust and therefore the likelihood of the floodgates opening was minimal.

74. The note of the conference goes on to state that the "*proposal to instruct an Independent expert to prepare a report on the Horizon system is the highest risk response to the issue*" (page 1 of **POL00006484**). I do not recall the genesis of the proposal to instruct an independent expert, other than by this time I was generally aware that concerns had been raised by MPs on behalf of their constituents, and consideration was being given to how POL should respond. I do not remember meeting with MPs and believe that this would have occurred at Susan Crichton's level, or above. Mr Morgan QC stated that a "*less risky approach is to agree to take the relevant MP's privately through particular cases in which they are interested*". POL would have wanted to take advice on the available options before a decision was made at board level (and this was an example of that); POL could have been criticised either way, including, for example, a suggestion that there had been a knee-jerk reaction to political pressure. Ultimately, POL was not swayed by the risks, including the point raised by Mr Morgan QC regarding "*open[ing] the floodgates to damages claims*", (page 1 of **POL00006484**) and subsequently instructed Second Sight as an independent expert in early summer 2012.

#### **INSTRUCTION OF SECOND SIGHT AND ONGOING LITIGATION**

75. I understood that the purpose of the Second Sight review of the Horizon system was a thorough independent review to identify any issues with Horizon which might highlight problems with a prosecution or civil claim.

76. I welcomed the Horizon review as it appeared a sensible step for POL to take following the concerns which had been raised. I thought that if there were any issues, Second Sight would highlight them, and the concerns would be resolved.
77. I recall that Susan Crichton recommended Second Sight, because prior to joining POL she had worked with a colleague at General Electric who subsequently joined, or helped set up, Second Sight. I was not involved in the identification of Second Sight, or (as far as I can recall) its engagement, scope or remit.
78. I have been provided with copies of three overlapping email chains from 9 to 11 July 2012 (**POL00180855**, **POL00180846** and **POL00141398**). The emails relate to a criminal prosecution of a SPM, Ms Wylie. The chain begins with a lawyer from Cartwright King, Rachael Panter, emailing Andy Cash of Cartwright King, regarding a letter received from the defence solicitors asking for Cartwright King's position in relation to the ongoing Horizon investigation, which I took to be a reference to the involvement of Second Sight.
79. Andy Cash forwarded the email to Jarnail Singh, who would have been dealing with the prosecution at POL, seeking details of how to respond. Jarnail Singh forwarded the chain to Susan Crichton and me on 9 July 2012. Jarnail Singh's email stated that he had "*raised this with you and briefly discussed this with Hugh last week with our possible approach or view*" (page 2 of **POL00180855**). I have no recollection of this discussion.
80. On 9 July 2012, Susan Crichton emailed me to let me know that "[Jarnail Singh] says that he is coming up with a plan...suspect may be quicker as you suggested to go to Counsel for views, suspect we could use the junior at the [Bond Pearce] meeting to do a quick written opinion" (page 1 of **POL00180846**). I replied stating, "[I] think I'll look up criminal sets as I wasn't bowled over by the [Bond Pearce] ones" (page 1 of **POL00180846**).

81. Jarnail Singh subsequently emailed Susan Crichton and me, providing further views on the position and stating that he needed "*more information and advice to address these concerns*" (page 2 of **POL00180855**). I replied on 10 July stating, "*are you able to advise Susan and I on this or do you want to go to Counsel*" (page 1 of **POL00180855**). We were attempting to ensure that there was appropriate external resource in place to support Jarnail Singh. Jarnail Singh replied, stating that with "*steer and stance, I can then advice [sic] [Cartwright King] and have input from them*" (page 3 of **POL00141398**). A meeting was arranged with Susan Crichton, Alwen Lyons, Jarnail Singh and me (page 2 of **POL00141398**).
82. On 11 July 2012, Jarnail Singh emailed Susan Crichton, Alwen Lyons and me, setting out a number of questions regarding the remit and scope of Second Sight (page 1 of **POL00141398**).
83. On 11 July 2012, timed at 12:22, Andy Cash of Cartwright King emailed Jarnail Singh (**POL00143379**), attaching a copy of an advice note by Harry Bowyer of Cartwright King, dated 11 July 2012 (**POL00026567**).
84. Mr Bowyer described there being "*apocryphal evidence on the internet and elsewhere that the [Horizon] system was leading to injustice*" (page 1 of **POL00026567**). He referred to the instruction of Second Sight and stated that "*an expert should be identified and instructed to prepare a generic statement which confirms the integrity of the system and why the attacks so far have been unfounded*" (page 3 of **POL00026567**). Mr Bowyer also stated that he presumed that "*our thinking [in instructing Second Sight] was that as we have nothing to hide we have no objection to our practices being scrutinised in which case we should say so*" (page 3 of **POL00026567**).
85. Jarnail Singh provided the advice note of Cartwright King's Mr Bowyer to Susan Crichton and me on 16 July 2012 at 11:24 (page 1 of **POL00143379**).

86. Mr Bowyer described the consequences of the integrity of the system being compromised as “*catastrophic*” (page 2 of **POL00026567**). The implications of a problem with Horizon were obvious, but at the time POL’s thinking was that the Horizon system was robust. Despite the ‘floodgate’ risk that had been flagged during the conference with Richard Morgan QC on 12 June 2012, POL had resolved to instruct Second Sight. If there was substance to the concerns, convictions would be questioned, and unjust ones overturned. However, I understood from a conversation with Jarnail Singh, at some point in time shortly after separation, that Gareth Jenkins was the Fujitsu Horizon guru involved in the cases. Jarnail Singh also said that in 99.9% of cases there was other evidence of theft, and so it was not apparent that many cases solely relied on Horizon data (see paragraph 93).
87. There is a related email chain (**POL00141400**), dated 16 July 2012, regarding applications for stays of prosecutions whilst Second Sight was undertaking its work. I cannot recall how these discussions concluded.
88. I emailed Jarnail Singh on 16 July 2012, timed at 11:33, having considered Cartwright King’s advice. I noted that I assumed that Jarnail Singh would be the single point of contact that case officers could approach, as proposed by Cartwright King i.e. a disclosure officer (page 1 of **POL00143379**). Jarnail Singh replied referring to a need to “*provide extra evidence as defence would put us to proof as to the systems integrity*” (page 1 of **POL00143379**) and stating that the “*only way to fully comply with prosecution disclosure obligations would be to instruct an expert at Fujitsu*” (page 1 of **POL00143379**).
89. At 13:00 on 16 July 2012, Jarnail Singh emailed Susan Crichton and me, asking if we were “*happy with our stance*” (page 2 of **POL00141400**). It appears that Susan Crichton, Jarnail Singh, Alwen Lyons and I already had a meeting planned at 3:30pm on 16 July 2012, as I replied, copying Susan

Crichton and Alwen Lyons, stating "*one for our 3.30 meeting I think*" (page 1 of **POL00141400**). I asked Jarnail Singh to confirm that "*your recommendation hasn't changed and is still to keep fighting any such [stay] application?*". I set out a list of the issues arising from Cartwright King's advice, including a reference to "*a plan/bible of what information we are going to provide...if we have to fight applications to stay*" (page 1 of **POL00141400**). I was attempting to distil Cartwright King's advice into action points to ensure that Jarnail Singh was appropriately considering the issues raised when recommending a way forward regarding stay applications. Jarnail Singh replied at 14:26, confirming that by now he had briefly spoken with Susan Crichton.

90. I cannot recall how any discussion concluded, however I believe that ultimately the involvement of Helen Rose (Fraud Analyst) as a disclosure officer flowed from the discussions at this time. On 25 July 2012, Joanne Hancock, Senior Security Programme Manager, emailed Jarnail Singh, confirming that "*Helen Rose from the POL Security Team has been nominated*" (**POL00141406**).
91. I have been provided with an email chain dated August 2012 (**POL00141416**), in which Helen Rose emailed Jarnail Singh regarding her role as disclosure officer. The date of the email does not appear in the copy provided to me. Jarnail Singh subsequently asked Cartwright King to look at the information which Helen had collated and advise "*in readiness to instruct an expert as part of providing an advance pack disclosure*" (page 1 of **POL00141416**). Cartwright King replied that the information provided "*appears to be what we want*" i.e. flowing from the 11 July 2012 advice note. Harry Bowyer provided a list of 4 matters that an expert report would need to address (page 1 of **POL00141416**). It does not appear that I received this email and I was already away on annual leave from the evening of Thursday 2 August 2012.
92. Helen Rose and Jarnail Singh continued discussions regarding Helen's

work in August 2012 (**POL00020489**). On 11 September 2012, Jarnail Singh sent Helen's final report on her analysis of Horizon cases to Andy Cash and Andrew Bolc at Cartwright King, and requested their comments before "*forwarding the data for an expert report*" (page 2 of **POL00020489**). Andy Cash replied and confirmed that in Harry Bowyer's view, if the report was comprehensive, it was what was needed. He stated "*we now need the experts report on it as soon as practicable [sic]...*" (page 1 of **POL00020489**). Jarnail Singh queried whether to use Gareth Jenkins of Fujitsu as previously or "*somebody entirely independent*" (page 1 of **POL00020489**). Harry Bowyer replied confirming that having an entirely independent expert would be preferable but practically difficult in the timescales, and referred back to his July advice regarding the contents of the report (page 1 of **POL00020489**). I was not copied into this email, but it seems to me, looking at this email chain now, that Jarnail Singh was continuing to follow Cartwright King's advice.

### GARETH JENKINS

93. On 21 October 2010, Jarnail Singh mentioned in his email (which, as in paragraph 59 above, I was copied into) regarding the Seema Misra trial "*the considerable expertise of Gareth Jenkins...*" (page 1 of **POL00055590**). At some point in time, shortly after separation, Jarnail Singh explained to me that Gareth Jenkins was the Fujitsu Horizon 'guru', and he had been used to provide evidence in prosecutions of SPMs.
94. On 13 September 2012, Jarnail Singh emailed Penny Thomas at Fujitsu, seeking the expert that had been suggested previously by Cartwright King (**POL00181611**). It now appears that Jarnail Singh copied and pasted into his email the 4 items which Cartwright King had advised the expert should address per Harry Bowyer's email, dated August 2012 (see **POL00141416**). I forwarded Jarnail Singh's email to Lesley Sewell, Chief Information Officer (because it was a Fujitsu matter), and Susan Crichton because she would need to be aware of this.

95. On 1 October 2012, Jarnail Singh emailed Gareth Jenkins at Fujitsu (**POL00096985**). It again appears that he copied and pasted the 4 items which Cartwright King had advised the expert should address per Harry Bowyer's email, dated August 2012 (see **POL00141416**). It appears that Penny Thomas at Fujitsu had directed Jarnail Singh to Gareth Jenkins. I was copied into this email and understood that Jarnail Singh was following Cartwright King's advice.
96. Gareth Jenkins emailed Jarnail Singh on 1 October 2012, attaching two reports regarding Horizon and Horizon Online Integrity. He said that he would "*try to produce a further short report addressing your specific points below*". On 2 October 2012, Gareth Jenkins emailed Jarnail Singh (**POL00096985**) attaching the further report (**POL00129957**, **POL00129958** & **POL00129959**). He also attached his witness statement from the Misra case. I do not remember looking at these documents at the time. I was aware that the criminal litigation experts, Cartwright King, had recommended this report and POL had obtained the report as a result. I would have expected Jarnail Singh to liaise with Cartwright King to confirm if anything further was required or for Cartwright King to raise any issues with the report.
97. I became more aware of Gareth Jenkins as a result of the above developments in 2012, but I never worked directly with him.

#### **FUTURE OF CRIMINAL PROSECUTIONS (2012)**

98. On 12 December 2012, I emailed Susan Crichton and Alwen Lyons (**POL00122000**) a working draft of a board paper regarding the future of criminal prosecutions (**POL00122001**). The recommendation section was blank and the sponsor of the paper was Susan Crichton (page 7 of **POL00122001**). My email contained a reference to the paper having "*been through*" John (John Scott, Head of Security) and the law firm DAC

Beachcroft. I cannot now recall why DAC Beachcroft was involved, but POL may have wanted an entirely new firm to consider the issue and other implications of the policy.

99. It appears that I was asked to help prepare a draft of the paper with the input of others. I may not have sent it to Jarnail Singh because the proposal could have led to his redundancy and so there would have been some sensitivity. I recall that John Scott's view was that the police and CPS would not prosecute these cases for POL, but I cannot recall any discussion about the pros and cons of the CPS taking over the prosecution function.
100. The purpose of the draft board paper was stated as being to "*outline the benefits and disadvantages of the current [prosecution] approach*" and "*provide a number of alternative approaches for consideration*" (page 1 of **POL00122001**). The paper annexed the current prosecution policy statement, effective from 1 April 2012, owned by Jarnail Singh, with the review of the policy due by 1 April 2013 (page 8 of **POL00122001**). I believe that this policy was largely based on RMG's existing pre-separation policy. The prompt for the board paper therefore may have been the prosecution policy's impending April 2013 review date; such review date would most likely have been diarised by Alwen Lyons, the company secretary.
101. On 5 March 2013, prior to the April 2013 review date of POL's prosecution policy, I emailed John Scott, Susan Crichton, Jarnail Singh and Alwen Lyons (**POL00122166**), attaching a copy of a "*redraft...following our last meeting*" (page 1 of **POL00122166**) of a new draft criminal enforcement and prosecution policy. This occurred having taken on board comments from John Scott's team (POL Security Team); the policy was redrafted based on views collated from the various subject matter experts (**POL00030621**). I asked if there were any more comments or if everyone now agreed with the draft. I cannot recall how this stage concluded.



### THE HELEN ROSE REPORT

102. I have been provided with a copy of Helen Rose's draft report, 'Horizon Data Lepton SPSO 191320', dated 12 June 2013 (**FUJ00086811**).
103. I cannot recall how this report came to be created or who it was commissioned by, and I do not recall reading this document, but I can see that I am copied into a subsequent email chain on 10 and 11 July 2013 along with Susan Crichton and Jarnail Singh (**POL00323842**).
104. This report raised concerns that POL "*cannot clearly see what has happened on the data available to us and this in itself may be misinterpreted when giving evidence and using the same data for prosecutions*" (page 3 of **FUJ00086811**). She also referred to an exchange with Gareth Jenkins in which she stated, "*I know that you are aware of all of the Horizon integrity issues...*" (page 3 of **FUJ00086811**).
105. There is an overlap between Helen Rose's report and the identification of the two bugs which Gareth Jenkins disclosed to Second Sight. POL's response to these issues is considered below.

### SECOND SIGHT INTERIM REPORT

106. I cannot recall any involvement in POL's decision making regarding how to respond to Lord Arbuthnot MP, Alan Bates and The Justice for Subpostmasters Alliance (JFSA), including any negotiations concerning the inclusion of JFSA cases in the Second Sight review.
107. I cannot recall any involvement in POL's response to Second Sight's requests for information and / or the investigation of spot reviews leading to their interim report.

108. Susan Crichton was the contact at POL Legal who was updated formally on the progress of Second Sight's work. I recall her telling me at some point that Second Sight had not identified any issues yet but I cannot recall when this was.
109. On 27 June 2013 at 19:51, Rodric Williams emailed various recipients including Lesley Sewell (CIO), Alwen Lyons, Rod Ismay, and Jarnail Singh (page 1 of **POL00029622**). POL, with assistance from Bond Dickinson, was preparing letters to 14 affected branches to disclose the existence of a Horizon bug. Rodric Williams stated that there was a need for POL Legal to "*do a final cross check of the intended recipients to make sure they are not the subject of prosecutions/investigations*" (page 2 of **POL00029622**). It is clear from Rodric Williams's email on 3 July 2013 (see **POL00145142** at paragraph 129 below), that POL was obtaining legal advice from Cartwright King regarding the mechanics of disclosure in criminal cases to ensure that its obligations were properly satisfied (**POL00145145**).
110. As far as I can recall, I became aware of two bugs with the Horizon system, which were subsequently mentioned in the Second Sight interim report, on or about Friday 28 June 2013. One of the bugs affected 14 branches (the 'local suspense' bug) and the other affected 64 branches (the 'receipts and payments mismatch' bug).
111. On 28 June 2013, at 10:15, Lesley Sewell received information from Gareth Jenkins of Fujitsu (his witness statement from the Seema Misra case) (**POL00098812**). Lesley forwarded this on to Alwen Lyons, Martin Edwards (Chief of Staff to the Chief Executive) and Mark Davies (Head of Communications) at 11:30 (page 1 of **POL00098812**). Mark Davies wanted to establish whether the 14 and 64 bugs had been referenced in Court (page 1 of **POL00098812**). Alwen sent the email chain to me at 17:29 on the same day, asking if we could check if the 14 branch and 64 branch bugs had been referred to in Court or if it would be quicker to contact Gareth Jenkins (page 1 of **POL00098812**).

112. Gareth Jenkins' email on 28 June 2013 at 10:41 stated that the 14 branch bug had been first raised in February 2013, with the final set of information sent to POL on 15 March 2013 (page 4 of **POL00029648**).
113. Subsequent emails with Gareth Jenkins between 28 June 2013 and 1 July 2013 (**POL00031351**) clarified that a bug which affected the Falkirk branch had been raised in the Castleton and Misra cases, but Gareth Jenkins was not aware "*of any other specific bug being discussed in Court (either related to Horizon or HNG-X)*" (page 3 of **POL00031351**).
114. On 28 June 2013 at 14:01, Rodric Williams emailed various recipients (**POL00029622**) attaching a paper which summarised the 14 and 64 branch issues (**POL00029623**). I am copied into this email.
115. On Friday 28 June 2013, at 17:08, I emailed Alwen Lyons, Mark Davies, Rodric Williams, Jarnail Singh, and Lesley Sewell (**POL00060572**). I referred to a case commencing on Monday 1 July 2013 in Birmingham (this was the Balvinder Samra case, although I appear to have been unfamiliar with this name at the time). I must have spoken to Jarnail Singh before drafting this email as I would have been unfamiliar with the criminal case and procedural issues such as adjournments. I explained that Jarnail Singh was to "*get [Cartwright King] up to speed...to enable [Cartwright King] to say something to judge re bugs [Post Office] have found and disclosed...and fact that an Second Sight interim report may be coming out before MP summer recess (16 July) to offer judge the chance to adjourn the case*" (page 2 of **POL00060572**). The email records my thinking that it was prudent to be "*open and transparent*" (page 2 of **POL00060572**).
116. The remainder of the email lists practical suggestions relating to preparing a communications statement and beginning fact finding to be able to take appropriate action. Specifically, I raised communications in relation to the SPMs / ex-SPMs of the 14 branch bug, the need for Rodric Williams and

Simon Baker (Head of PR) to confirm that there are no other bugs and “[Rodric Williams] / [Jarnail Singh] to confirm that no prosecutions relate to these bugs etc.”. I was relying on Rodric Williams and Jarnail Singh to respectively consider the important civil and criminal implications outside of my knowledge and expertise, with assistance from Bond Dickinson and Cartwright King as appropriate. Jarnail Singh was getting Cartwright King up to speed to provide POL with specialist criminal advice regarding the developments.

117. I refer to “*put[ting] it in context – size of incorrect balances vis a vis all the transactions we process a day etc*”. Although these limited bugs had been identified (as subsequently confirmed by the Second Sight report), POL’s impression was still that the Horizon system was robust.
118. On Sunday 30 June 2013, at 18:00, Jarnail Singh replied to my 28 June 2013 email above (**POL00060572**). He added the name of the defendant (Balvinder Samra) to the subject of my email. Jarnail Singh referred to discussions which had taken place with prosecution counsel, Cartwright King and Gareth Jenkins. Gareth Jenkins had confirmed that he had raised two Horizon bugs (I understand this to be the 14 and 64 branch issues) with Second Sight. The judge was to be updated the next day. Jarnail Singh noted POL’s duty to be “*open and honest*” (page 1 of **POL00060572**).
119. On 1 July 2013, I understand that I received an invitation to what was described as an “*emergency*” Second Sight meeting (**POL00296868**). This meeting took place against the background of the discussions above regarding the 14 and 64 branch issues. The meeting was scheduled from 12:00 until 13:30. I do not recall this meeting, but I sent an email at 13:16 on the same day containing high level draft points for the board (**POL00060587**). I appear to have been contributing remotely by preparing a first draft of high-level notes which was sent following the meeting finishing early, in anticipation of my being out of the office in the afternoon.

I flag up that the note has gaps in it, and it is amended by Mark Davies at 1:41 (page 1 of **POL00060587**). After that, I ask for someone else to continue to progress the note. I would also have updated Susan Crichton of any developments ahead of her 3pm meeting with Second Sight (page 2 of **POL00115919**).

120. The version following Mark Davies' amendments (it is unclear which amendments were made by who in the version that I have seen) contained a reference to early indications being that Second Sight's interim report may say that there are no "*systemic issues*". The email referred to the 14 and 64 branch bugs and potential issues regarding training. I would not have regarded these issues, in the context of 6 million transactions being processed a day across 11,800 branches, as being a systemic issue. There was also consideration given to instructing a consultancy firm such as Ernst & Young to review and improve POL's processes.
121. My understanding at the time was that Second Sight had been thoroughly investigating the Horizon system for a year and had not identified any systemic issues i.e. issues in terms of the overall robustness of the system in its interim report. I understood that the Horizon expert at Fujitsu, Gareth Jenkins, did not consider that there were any systemic issues either. I had also been previously assured by Jarnail Singh that the criminal cases were sound, and that in 99.9% of cases there was other evidence of wrongdoing (also see paragraph 124 below).
122. There was a high level of interest from politicians and the press at this time and therefore heightened sensitivity regarding the release of Second Sight's interim report.
123. Following the meeting on 1 July 2013, Rodric Williams circulated an updated draft briefing note for Paula Vennells regarding the implications of Second Sight's interim report (**POL00115918**) on 2 July 2013 to Leslie Sewell, Susan Crichton, Mark Davies, Alwen Lyons, Martin Edwards,

Simon Baker, Jarnail Singh and me.

124. Paragraph 35 states that: *“since separation, we have never had a successful prosecution which has relied solely on Horizon evidence to convict. We have always had other evidence which contributed to the prosecution, e.g. the behaviour of SPM, failure to mention Horizon problems until trial, other staff using Horizon without incident”* (page 6 of **POL00115919**). This accords with the information which Jarnail Singh provided to me shortly after separation (see paragraphs 86 and 121 above).
125. On 2 July 2013, Rodric Williams emailed Andrew Winn (POL IT), Andy Parsons (Bond Dickinson) and Rod Ismay, in the context of an email chain regarding the letters to the 14 branches affected by the ‘local suspense issue’ bug (**POL00145142**). He stated that he needed to *“check the position on the Merthyr [Dyfan] one because of a criminal prosecution”*.
126. On 3 July 2013, Lesley Sewell requested more information on the local suspense issue, which was provided by Gareth Jenkins (**POL00029648**). The information was then shared with Rod Ismay, who looped in Rodric Williams (**POL00029648**). Rodric Williams provided more information on the timeline, per a call with Andy Winn.
127. On 3 July 2013, Martin Edwards emailed Alice Perkins and Paula Vennells a briefing note for a meeting with Lord Arbuthnot MP on the same day (**POL00098898**). It appears that the briefing note is likely to have extracted the comment on prosecutions not solely relying on Horizon evidence from paragraph 35 of the earlier briefing note dated 2 July 2013 (**POL00115919**). I do not recall being involved in the preparation of this document, and I note I am not expressly thanked in Martin’s email (others were).
128. I have been asked to what extent I agreed with the following quote (from

**POL00098898**): *“No reason to believe [the identification of two “exceptions”] means there [were] other undiscovered issues”*. There was nothing to indicate that any other undiscovered issues existed, and if there were I would have expected them to be identified by Second Sight activity going forward.

129. On 3 July 2013, Rodric Williams emailed Martin Smith and Simon Clarke of Cartwright King, requesting their advice regarding disclosure to defence counsel of the 14 branch issue, following a conference earlier that day (pages 1 and 2 of **POL00145142**). Rodric Williams also clarified the timeline of the 14 branch issue and asked if that affected Cartwright King’s advice. I can see that I chased responses to Rodric Williams’s questions as Susan Crichton and I were due to brief POL’s CEO (page 1 of **POL00145142**). It is apparent that consideration of the impact on Gareth Jenkins as an expert witness had begun by this stage (page 1 of **POL00145142**). The involvement of Cartwright King was a continuation of the process which had begun in late June 2013, following POL Legal becoming aware of the two bugs.
130. I do not recall if I attended the Cartwright King conference on 3 July 2013.
131. On 4 July 2013, I forwarded Rodric Williams’s email dated 3 July 2013 to Martin Smith and Simon Clarke, both of Cartwright King, and copied Susan Crichton (**POL00098984**). I forwarded the ‘local suspense issue’ information on to Martin Smith and Simon Clarke because I was aware that Jarnail Singh was getting them up to speed with developments and I was trying to help pull everyone and all the information together so that Cartwright King had all the information they required to provide their advice and that POL Legal were progressing everything appropriately. I was taking what I regarded as a practical approach to help the business work through the issues and obtain the right advice. Ultimately, what followed was advice being received from Cartwright King, including Simon Clarke’s advice note dated 15 July 2013.

132. On 4 July 2013, I emailed Martin Smith and Simon Clarke of Cartwright King, copied to Jarnail Singh, Susan Crichton, Rodric Williams and Andy Cash, a "*first rough draft from Second Sight with one half of the Interim Report*". I asked for "*material and significant concerns*" i.e. concerns at a high level (**POL00145201**). I was continuing to assist to bring the civil and criminal lawyers together and ensure that the necessary external advice to consider the implications of Second Sight's interim report was obtained. Cartwright King replied stating that it would be "*far better to advise once we have seen the entire report*" (page 1 of **POL00145201**). They stated that their "*advice overall with regard to disclosure has not changed*" and decisions regarding disclosure would need to be made on a "*case-by-case basis*" (page 1 of **POL00145201**).
133. On 4 July 2013, Susan Crichton contacted Simon Baker to check the timeline of events regarding the 'local suspense issue' (**POL00029648**).
134. I have been provided with a copy of an email chain which includes an email from Paula Vennells dated 6 July 2013 (**POL00191252**). In the email she asks Susan Crichton, "*would we ever ask the lawyers to consider reviewing past prosecutions...*" (page 3 of **POL00191252**). I was forwarded the chain by Susan Crichton on Sunday 7 July 2013 in which she was being asked for comments by Paula Vennells. I replied to Susan Crichton as soon as possible that morning, setting out my high-level thoughts to assist her response. In my response, I collated information we had obtained from Cartwright King. It is clear that at this point in time we were aware that Cartwright King was engaged and advising on the implications of the Second Sight Interim review, including whether or not it had implications for past convictions. I also discussed options regarding the Second Sight review, favouring retaining an independent reviewer (page 1 of **POL00191252**).
135. On 7 July 2013, Paula Vennells emailed Mark Davies, Martin Edwards and



Susan Crichton a draft statement regarding Horizon (**POL00115982**). The Second Sight interim report was being published the following day. I emailed Mark and Susan Crichton my comments on the draft, copied to Rodric Williams. I thought that the draft reference to "*historic issues*" was unhelpful as it may suggest that POL was worried about the safety of past convictions (page 2 of **POL00115982**). I wrote that this "*may even give some people false hope*" (which was not something I wanted to do) (page 2 of **POL00115982**). It appeared preferable for the wording to avoid incorrectly suggesting that this was a systemic issue; there was no suggestion of such an issue in Second Sight's report. I again indicated my view that the independence of Second Sight was important.

136. Second Sight's interim report was dated 8 July 2013 (**POL00099063**). As anticipated from the correspondence preceding the report, the preliminary conclusion was that Second Sight had "*so far found no evidence of system wide (systemic) problems with the Horizon software*" (page 8 of **POL00099063**). The interim report noted the existence of the 14 branch and 64 branch bugs.
137. As can be seen from the correspondence prior to the Second Sight interim report being published, POL was considering the implications of the report and how to respond in advance. In particular, what came out of the interim report was consideration of the implications for civil and criminal cases and wider non-legal elements such as engagement with Lord Arbuthnot MP.
138. On 8 July 2013, Rodric Williams emailed Paula Vennells and Susan Crichton comments on the Second Sight interim report (**POL00099107**). I was copied into this email, but I do not recall that I had any involvement in commenting on the text of the Second Sight interim report.
139. On 9 July 2013, Lesley Sewell emailed Susan Crichton, setting out a list of how POL could manage activity going forward (**POL00191593**). I was copied into this email. I replied to Susan Crichton, suggesting a list of legal

issues for practical planning purposes. The content is too detailed for me to have prepared it solely based on my own knowledge. The focus is a response to the Second Sight report publication, split into criminal, civil, budget and strategy issues. Cartwright King must have advised regarding Gareth Jenkins' future involvement by this point in time, as point 6 in my response noted the need to instruct a new expert from Fujitsu and then move to a non-Fujitsu expert as fast as possible (page 1 of **POL00191593**).

140. I also noted in the email that the criminal case review, which was "*underway by external lawyers [Cartwright King]*" will focus on post-separation cases initially (page 1 of **POL00191593**). I expect that as these prosecutions were run by POL (rather than RMG), it would have been easier to collate the relevant paperwork. I state that the "*recommendation is that all cases since 1 Jan 2010 be reviewed (to tie in to the migration from old to new Horizon)*" (page 1 of **POL00191593**). This was a recommendation by Cartwright King (page 2 of **POL00191681**).
141. On 10 July 2013, I emailed Susan Crichton (**POL00191680**) my comments on her draft board paper (**POL00191681**), but it is unclear from the face of the document, and I cannot recall, what they were.
142. I have been asked to comment on an email chain dated 10 and 11 July 2013 (**POL00323842**), in which Rodric Williams seeks advice from Cartwright King regarding whether or not Helen Rose's report, which was said by Rodric Williams to be marked "*confidential and legally privileged*", was in fact legally privileged (page 4 of **POL00323842**). Issues of disclosure in the context of a criminal case, and whether a document was subject to LPP which may have affected whether it needed to be disclosed, were not issues which I had any experience of and were issues which we expected the internal and external litigation lawyers to deal with.
143. As can be seen from the emails dated 28 June onwards, leading up to Cartwright King's advice dated 15 July 2013, POL was seeking and

implementing external legal advice to respond to Second Sight's interim report.

### **SABBATICAL**

144. I was away on a mostly unpaid sabbatical from 12 July to around 3 September 2013. During this period, I only intermittently checked my emails (as I had been told by Susan Crichton that I should have a proper break and avoid looking at them) and attachments were almost impossible to review on my mobile device.
145. During this time, I believe that Piero D'Agostino (Lawyer, Financial Services) deputised for me (as he had previously done on other occasions, for example in a week in October 2012). However, it is unlikely that Piero D'Agostino would have been involved in Horizon-related matters, as they were already being dealt with by Susan Crichton, Rodric Williams and Jarnail Singh.

### **REVIEW OF PAST CRIMINAL CASES**

146. I was not responsible for overseeing the Cartwright King review of past criminal cases – that responsibility lay with Susan Crichton and subsequently Chris Aujard. I note too that I was on sabbatical for the initial period of this issue.
147. On Saturday 13 July 2013, Rodric Williams emailed Susan Crichton and others, with an overview of who was doing what following the Second Sight interim report (**POL00297710**).
148. I was away and therefore not involved in these action points, but there is a reference which again indicates that Cartwright King had already provided advice regarding Gareth Jenkins by that point in time: "[Cartwright King] has raised [an] issue concerning Horizon evidence presented by Fujitsu

*during criminal trials*". The email confirmed that Simon Clarke of Cartwright King's related advice note would be delivered by 15 July 2013. The email also confirmed that I emailed contact details for a potential new Horizon expert at Fujitsu to Cartwright King on 10 July 2013.

149. On 15 July 2013, Simon Clarke of Cartwright King issued his advice note regarding the use of Horizon system expert evidence in past and current criminal proceedings (**POL00006357**). I was away on sabbatical at this point and do not remember receiving the advice note. Before the concerns leading up to this advice note, the POL view was that Gareth Jenkins was the leading Horizon expert who was relied on by POL in its prosecutions. Following advice from Cartwright King (between around 3 and 15 July 2013), that impression changed, and POL became aware that there needed to be a replacement expert. POL would ultimately have been guided by Cartwright King who had formed the view that Gareth Jenkins' *"credibility as an expert witness [was] fatally undermined; he should not be asked to provide expert evidence in any current or future prosecution"* (page 13 of **POL00006357**). Cartwright King's advice, followed by POL, was that a review should be undertaken (it was already underway) regarding making related disclosures to SPMs (page 14 of **POL00006357**).
150. On 17 July 2013, Martin Smith of Cartwright King emailed me, Susan Crichton, Rodric Williams and Jarnail Singh an advice note regarding Hitesh Hirani's case (**POL00168975**). This appears to have been one of the case-by-case reviews being undertaken by Cartwright King regarding disclosure. This was an email which, although also sent to Susan Crichton, and copied to Rodric Williams and Jarnail Singh, began "*Hugh*" and so, as it was always almost impossible to review attachments on my mobile device, I asked for clarification of what the attachment was to ensure that I did not need to do anything further.
151. I have been provided with a copy of an advice note prepared by Simon Clarke of Cartwright King, dated 2 August 2013, regarding the duty to

record and retain material (**POL00006799**). Whilst I cannot recall seeing it, I was on sabbatical at this time and expect that this advice note would have been dealt with by Susan Crichton or Jarnail Singh.

152. I have been provided with a copy of an advice note prepared by Cartwright King, 'Observations and analysis of the Cartwright King prosecution review process', dated 5 December 2013 (**POL00198595**). I cannot remember seeing this review note previously, although it was emailed to Chris Aujard and me on 6 December 2013 (**POL00198594**). I believe that Chris Aujard would have dealt with this advice note as he took over all Horizon matters after joining POL Legal (see paragraph 39 above). The advice note states that over 300 cases had been reviewed in depth and demonstrated that POL followed the advice to complete the review and disclosure exercise (page 13 of **POL00198595**). I cannot recall having had any involvement in or knowledge of the disclosure issues discussed at paragraphs 24 – 27 (pages 8 and 9 of **POL00198595**), other than when I saw the emails discussing the Cartwright King prosecution review on 20 February 2014 and promptly alerted Chris Aujard (**POL00201067**).

153. I have been provided with a copy of Cartwright King's advice regarding *R v Hosi*, dated 1 May 2014 (**POL00133638**). As I explain below, I had left POL by this point in time.

#### **BRIAN ALTMAN QC**

154. At some stage, a decision was made to obtain additional independent advice from external leading counsel regarding POL's future strategy, including the Cartwright King case review.
155. On 22 July 2013, Gavin Matthews of Bond Dickinson emailed Susan Crichton, Jarnail Singh, Rodric Williams, Simon Richardson and me, copied to Andy Parsons of Bond Dickinson, regarding a list of general issues to discuss with Brian Altman QC (as he then was) (**POL00297884**).

156. On 22 July 2013, I replied to Gavin Matthews' email, copying Susan Crichton, providing a list which I had previously drafted to try to assist. I was aware that Brian Altman QC was being instructed but I was not otherwise involved in his instruction. It is unlikely that I joined the telephone call with Brian Altman QC on Wednesday 24 July 2013, referred to in Gavin Matthews' email and I have no recollection of doing so.
157. I have been provided with a copy of Brian Altman QC's observations on the terms of reference for his appointment, dated 2 August 2013 (**POL00021981**) as well as an undated terms of reference prepared by Bond Dickinson (**POL00021982**). I was on sabbatical when the terms of reference were prepared and discussed.
158. Brian Altman QC notes on page 3, footnote 4, that POL needs to determine whether he is advising on the "*efficacy*" of prosecutions or the "*safety*" of convictions (page 3 of **POL00021981**). I was not involved in the decision-making process around this question. It is also apparent that Bond Dickinson subsequently advised POL on 9 August 2013 that Brian Altman QC's remit should not extend to the safety of convictions (**POL00021980**).
159. I have been provided with a copy of Brian Altman QC's 'Interim Review of Cartwright King's Current [Case Review] Process', dated 2 August 2013 (**POL00006583**). I was on sabbatical when this advice note was prepared and received. In preparing this statement, I can see that at paragraph 15, Brian Altman QC stated that "*...the approach of [Cartwright King] and counsel appears to be fundamentally sound...*", but queried a cut-off date of three years for the review (page 6 of **POL00006583**).
160. I have been provided with a note prepared by Bond Dickinson of a conference with Brian Altman QC on 9 September 2013 (**POL00006485**) and a further note of the same conference by an unknown author (**POL00139866**). The conference was attended by Susan Crichton, Jarnail

Singh and Rodric Williams, as well as attendees from Cartwright King and Bond Dickinson. I did not attend the conference. I received a copy of Bond Dickinson's note of the conference by email a few weeks later on 25 September 2013 (**POL00168919**). I recall that shortly after I returned from sabbatical Susan Crichton told me that she was leaving POL, and in that context stated that Rodric Williams would progress the Brian Altman QC workstream.

161. I have been provided with an advice note prepared by Brian Altman QC ('General Review'), dated 15 October 2013 (**POL00006581**). I do not recall reviewing this advice and believe that Chris Aujard would have dealt with it (with help from Rodric Williams if needed). The advice follows the 9 September conference, which I did not attend.
162. I can see that the advice note confirmed Brian Altman QC's advice that 1 January 2010 was a "*logical, proportionate and practicable*" cut-off date for Cartwright King's case review (page 5 of **POL00006581**). I do not recall having any involvement in the setting of the cut-off date for the Cartwright King case review. As above, I considered that the review was taking place and being progressed appropriately by others, following advice from Cartwright King and Brian Altman QC. In paragraph 72 of Brian Altman QC's advice note, he referred to a telephone conference which he attended on 4 October 2013 with representatives of POL (I was not present), Bond Dickinson and Cartwright King. I am now aware that he stated that "*it was agreed by all that the 1st January 2010 start date for the [Cartwright King] review was logical and proportionate, and there should be no change to it*" (page 27 of **POL00006581**). Paragraph 3, point 2, of Brian Altman QC's subsequent advice note dated 21 October 2013, confirms that Rodric Williams and Jarnail Singh of POL, Martin Smith and Simon Clarke of Cartwright King and Gavin Matthews of Bond Dickinson attended this meeting (page 2 of **POL00038592**).
163. At paragraph 130, Brian Altman QC advised that the Falkirk issue was "an

*isolated instance*” with no relevance to Cartwright King’s review (page 42 of **POL00006581**). As above, I do not recall reading this advice and it was being dealt with by others.

164. At paragraph 148, Brian Altman QC advised that Gareth Jenkins was “...*tainted and his future role as an expert is untenable*” (page 47 of **POL00006581**).
165. I can see that at paragraph 162, Brian Altman QC stated that, “[Cartwright King] *has also tended to advise on its likely stance to any application for permission to appeal, or to any substantive appeal, should permission to appeal be granted. That amounts to consideration of the safety of the conviction*” (page 51 of **POL00006581**). Please also see the email from Bond Dickinson dated 9 August (**POL00021980**) regarding Brian Altman QC’s earlier comments relating to the distinction between reviewing efficacy and safety.
166. At paragraph 167, Brian Altman QC discussed dangers with permitting convicted individuals to participate in a mediation process (page 52 of **POL00006581**). As above, I do not recall reading this at the time, and it was being progressed by others.
167. I have been provided with an advice note prepared by Brian Altman QC, ‘Review of POL prosecution role’, dated 21 October 2013 (**POL00038592**). It is not clear that this document ever came to me (I was away this week). As above (see paragraph 39), it would have been part of the range of items that Chris Aujard said that he was taking on.
168. I can see that at paragraphs 40 – 66, Brian Altman QC discusses various POL policies (pages 17 to 25 of **POL00038592**). I believe that the April 2012 to April 2013 POL prosecution policy document (as above, this is the document referred to at paragraph 100 (page 8 of **POL00122001**) prepared by Jarnail Singh) was likely prepared to be in place at separation



– this would explain why it is derived from the RMG policy. As also mentioned above at paragraph 101, by March 2013 the policy was being revised (see **POL00122166** on 5 March 2013). It appears that the 14 and 64 branch issues then arose and by August 2013 Cartwright King had started advising on amending the policy. Brian Altman QC then became involved and advised on these matters in October 2013.

169. I have been asked regarding my understanding of Brian Altman QC's comment that "*The Horizon data integrity issue was an exceptional instance of [POL] prosecutorial failure of serial non-disclosure in breach of [POL's] disclosure obligations*" and conclusion that there was no need for POL to divest its role as a prosecutor (page 4, paragraph 4 iii), of **POL00038592**). As above, I do not recall seeing this advice note at the time, but it appears that this paragraph needs to be read in conjunction with paragraphs 96 and 97, where Brian Altman QC explains that the "*recent events have to be seen in their proper context*" and that the "*serial non-disclosure of relevant material occurred in circumstances in which POL and its advisors were wholly unaware that there might be disclosable material or information...*" (page 34 of **POL00038592**). Brian Altman QC also concluded that he had seen "*no evidence to suggest that [POL] exercises its investigation and prosecution function in anything other than a well-organised, structured and efficient manner, through an expert and dedicated team of in-house investigators and lawyers, supported by [Cartwright King] and [Cartwright King's] in-house counsel, as well as external counsel and agents where required*".
170. I have been asked my views on the conclusion that there was no need for POL to divest its role as a prosecutor. As far as I can recall, I was generally aware that POL was considering its position and taking advice from its external advisors on this point.
171. I have also been provided with a copy of an updated version of Brian Altman QC's 'Review of POL prosecution role' advice note, dated 19

December 2013 (**POL00112937**). I do not recall seeing this or being asked to review this by Chris Aujard.

## **CCRC**

172. I had no experience or understanding of the Criminal Cases Review Commission ("**CCRC**") prior to joining RMG / POL. I have been provided with a number of documents relating to the CCRC:

- i. the CCRC's letter dated 12 July 2013, which was received by POL on 15 July 2013 (**POL00039994**).
- ii. an undated one-page advice note on the CCRC and a suggested response to the CCRC (**POL00039993**).
- iii. the 'draft paragraphs for insertion into CCRC reply' document (**POL00039995**).
- iv. Susan Crichton's email dated 16 July 2013 to Andy Parsons at Bond Dickinson, regarding the letter dated 15 July 2013 from the CCRC (**POL00039996**).
- v. Susan Crichton's holding response to the CCRC, dated 24 July 2013 (page 5 of **POL00040813**).
- vi. POL's draft response to the CCRC dated 26 July 2013, referring to the instruction of Brian Altman QC and the Cartwright King case review (page 4 of **POL00040813**).
- vii. the CCRC's letter to Susan Crichton, dated 30 July 2013 (page 3 of **POL00040813**).

173. As above, I was on sabbatical from 12 July 2013 until around 3 September 2013. Although I was aware that the CCRC had made contact (**POL00297884**), I do not recall seeing any of these documents at the time and I cannot recall having any role in preparing the response.

174. I have also been provided with a copy of Chris Aujard's letter to the CCRC, dated 5 June 2014 (**POL00124350**). As below, I had left POL by this point

in time.

### **REPLACEMENT EXPERT WITNESS**

175. Following the receipt of advice from Cartwright King, including Simon Clarke's advice note dated 15 July 2013, POL gave consideration to instructing an alternative expert witness for criminal and civil cases. I can see from his advice notes that this issue was also discussed with Brian Altman QC (page 2 of **POL00006485** and page 47 of **POL00006581**).
176. I was not involved in the decision to appoint a new expert, although I occasionally assisted in the search.
177. I have been asked if I briefed members of the board on the issues raised in relation to Gareth Jenkins. I cannot recall ever having briefed the board on this issue.
178. On 1 October 2013, Jarnail Singh emailed me a CV from Professors Kramer and Dulay of Imperial College London (**POL00146545**). He subsequently sent the CV to Alwen Lyons, asking who would be able to sign off their instruction. Alwen suggested that Lesley Sewell and I could sign the instruction off. She said that I could "*say whether their background will be creditable in court*". This issue was outside of my experience, and I replied stating, "*I wouldn't know but I can ask [Cartwright King] or the new GC [Chris Aujard] what they think*". Rodric Williams subsequently confirmed that a next step had already been agreed.
179. Whilst I was away (from Thursday 17 October 2013 to Monday 28 October 2013), on 22 October 2013, Jarnail Singh emailed Alwen Lyons (**POL00146675**) attaching a draft paper for approval of the new Horizon expert (**POL00146676**). I do not recall having any involvement with the preparation of this paper, this appears to be an early draft of the paper discussed below at paragraph 181.

180. I have been provided with an email chain from 27 October 2013 to 11 November 2013 (**POL00300593**). During this chain, it is clear that Rodric Williams is progressing the process of appointing a new expert and Jarnail Singh is ascertaining details regarding costs, with ultimate sign off resting with Chris Aujard.
181. On 19 January 2014, Jarnail Singh emailed Larissa Wilson and others (**POL00147247**), attaching an updated Executive Committee paper by Chris Aujard, dated 17 January 2014 (**POL00147248**) seeking budgetary approval for a new Horizon expert. I do not have any recollection of assisting with this Executive Committee paper. By this point in time, I note that Brian Altman QC had agreed with the advice of Cartwright King to appoint a new expert.

### **THE MEDIATION SCHEME**

182. I do not recall being involved in the creation or running of the mediation scheme.
183. I have been provided with a copy of an email chain primarily between Jarnail Singh and Bond Dickinson, regarding the overlap between the mediation scheme and criminal prosecutions, dated 21 to 26 January 2014 (**POL00325795**). There is reference to a meeting on 28 January 2014. I cannot recall whether or not I attended this meeting.

### **REVISION OF PROSECUTION POLICIES AND FUTURE PROSECUTIONS (2013/2014)**

184. On 16 October 2013, following advice from Cartwright King and Brian Altman QC regarding the existing prosecution policy (see page 34 of **POL00006581** – Brian Altman QC commented on revisions being made by Cartwright King to POL's prosecution policy), Jarnail Singh emailed me

(**POL00300567**) regarding the decision maker described in the draft revised prosecution policy. I left for annual leave the following day, and Jarnail Singh then chased a response when I returned on Monday 28 October 2013. I asked Jarnail Singh what Brian Altman QC had recommended and Jarnail Singh confirmed Cartwright King's advice (page 1 of **POL00300567**). I recall that at this point, all such issues were being directed to Chris Aujard.

185. A draft prosecution policy appears to have been prepared by Simon Clarke of Cartwright King in November 2013 (**POL00123144**), but I do not recall seeing it.
186. On 21 January 2014, Rodric Williams emailed Chris Aujard (**POL00123142**) in relation to Project Sparrow. I cannot recall the background or scope of Project Sparrow. The email attached a draft board paper (**POL00123143**) on future prosecutions and its appendices (**POL00123144**). I understand that the board paper was prepared by Chris Aujard for the directors of POL. It appears that I had some involvement, although various issues would have been outside of my knowledge and I do not recall my precise contribution. I cannot remember any discussions with Chris Aujard about the draft board paper.
187. I have been asked why Brian Altman QC's comments regarding disclosure failings were not incorporated into the paper. As above, I was not involved in progressing Brian Altman QC's advice and do not recall my precise contribution to the note.
188. The working draft paper set out various options for dealing with future criminal conduct and pros and cons of the options were described in Appendix F (page 20 of **POL00123144**). I do not recall who drafted Appendix F.

## **RESIGNATION**

189. By the end of 2012, the POL Legal team had grown to around a dozen lawyers and I was seeking to split my role up into two or three parallel teams, which I discussed on and off with Susan Crichton during 2013. I was expecting to resolve this when I returned from sabbatical, but between Susan Crichton's leaving and Chris Aujard's arrival this was never progressed in the run up to Christmas 2013. Consequently, I decided to hand in my notice at the start of January 2014.
190. After leaving POL on 20 March 2014, I joined TSB in May 2014 as Head of Legal of a Commercial team. I left that role in July 2018. I then decided to work short fixed term contracts, working as a lawyer at the London Legacy Development Corporation (March 2019 until October 2019), Burberry (November 2019 until December 2020) and BSI (April 2022 until October 2022).

## **GENERAL**

191. I have been asked to reflect on my time at POL and consider if there is anything which could have been handled differently with the benefit of hindsight.
192. I have been specifically asked about how POL handled challenges to the integrity of the Horizon IT system, the approach to prosecutions and the disclosure of information to SPMs convicted on the basis of Horizon data.
193. In relation to challenges to the Horizon IT System and the approach to prosecutions, pre-separation, RMG's Civil Litigation Team and Criminal Law Team were responsible for progressing criminal and civil cases.
194. Post-separation, we were dependent on the advice of the internal lawyer subject matter experts, external lawyers and external counsel in relation to

these issues and the disclosure of information to SPMs. My primary involvement as Head of Legal was principally in relation to the response to the emerging issue of the 14 branch and 64 branch bugs becoming apparent to POL Legal in June 2013, which had resulted from the instruction of Second Sight in 2012, that instruction being despite risks being raised regarding 'floodgates' by POL's external advisors prior to their instruction. I always understood that POL was acting appropriately and in good faith as it responded, in line with the advice that had been obtained.

195. Given all of the above, and with hindsight, it would have been desirable at times to have had more resources in the POL Legal team, for example a second criminal lawyer (but there were issues with HR headcount limitations) and/or more than one external law firm advising. Doing so would have provided a wider variety of views.

**Statement of Truth**

I believe the content of this statement to be true.

Signed:

**GRO**

Dated:

19<sup>th</sup> March 2024

**Index to First Witness Statement of Hugh Flemington**

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2	POL00181607	Email chain from Hugh Flemington to Rodric Williams re Board report on significant litigation	POL-BSFF-0019670
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4	POL00041564	Bankruptcy, prosecution and disrupted livelihoods - Postmasters tell their story; reported by Rebecca Thomson - Article	POL-0038046
5	POL00026572	Horizon – Response to Challenges Regarding Systems Integrity	POL-0023213
6	POL00030217	Ernst & Young Management letter to POL for year ended 27 March 2011	POL-0026699
7	FUJ00152903	Email from Hugh Flemington to David M Jones, Thomas Penny and Guy Wilkerson re WEST BYFLEET ISSUES	POINQ0159098F
8	POL00055590	Email from Marilyn Benjamin on behalf of Jarnail A Singh to Mandy Talbot, Hugh Flemington, Jacqueline Whitham, Re: Regina v Seema Misra-Guildford Crown Court-Trial-Attack on Horizon	POL-0052069
9	POL00129960	Witness Statement of Gareth Jenkins	POL-0120220
10	POL00046944	Letter from Shoosmiths to The Post Office re: Julian Wilson	POL-0043423
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12	POL00176465	Email from Emily B Springford to Angela Van-Den-Bogerd, Lesley J Sewell, Mike Granville and others re: JFSA claims - disclosure and evidence gathering	POL-0171736
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16	POL00180855	Email chain from Hugh Flemington to Susan Crichton. Re: Def sols raising Horizon investigation.	POL-BSFF-0018918
17	POL00180846	Email from Hugh Flemington to Susan Crichton RE: Wylie - Def sols raising Horizon Investigation	POL-BSFF-0018909
18	POL00141398	Email chain from Jarnail A Singh to Jorja Preston re Re: Wylie - Def sols raising Horizon investigation.	POL-0142783
19	POL00143379	email chain from jarnail singh to hugh flemington and susan crichton re Case no. 21392 Prosecution v K Wylie	POL-BSFF-0002544
20	POL00026567	Advice on Evidence by H.M.M Bowyer	POL-0023046
21	POL00141400	Email chain from Jarnail A Singh to Hugh Flemington, cc'd Susan Chrichton re CASE NO 21392 - Prosecution v K Wylie.	POL-0142785
22	POL00141406	Email from Helen Rose to Jarnail A Singh re Disclosure Officer for Horizon	POL-0142791

No.	URN	Document Description	Control Number
23	POL00141416	Email from Jarnail A Singh to Andy Cash re Horizon integrity project	POL-0142801
24	POL00020489	Email chain between Harry Bowyer, Jarnail Singh, Andy Cash and Helen Rose re Helen Rose disclosures report (defence expert reports & disclosure requests)	POL-0013681
25	POL00181611	Email from Hugh Flemington to Lesley Sewell, Susan Crichton re expert report	POL-BSFF-0019674
26	POL00096985	Email chain from Gareth Jenkins to Jarnail Singh, CC'ing Penny Thomas, Hugh Flemington and others re: Horizon Fujitsu Report Very Urgent.	POL-0096568
27	POL00129957	Horizon Integrity Report prepared by Gareth Jenkins of Fujitsu for Post Office Ltd	POL-0120217
28	POL00129958	Diagram of Audit System	POL-0120218
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30	POL00122000	Email from Hugh Flemington to Susan Crichton and Alwen Lyons re: Legally privileged and confidential - do not forward - POL - Prosecution Board Paper 121212	POL-0128248
31	POL00122001	POL Draft Prosecution Policy Paper	POL-0128249
32	POL00122166	Email from Hugh Flemington to John M Scott, Jarnail A Singh, Susan Crichton and Alwen Lyons re: New Draft Criminal Enforcement & Prosecution Policy EPP	POL-0128409
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35	POL00029622	Email from Rod Ismay to Rodric Williams, Andrew Winn, Simon Baker and Lesley Sewell and others, re: Anomaly in 14 Branches - Strictly Private & Confidential - Subject to Privilege - Do Not Forward	POL-0026104
36	POL00145142	email regarding letters to branches and B14 timing	POL-BSFF-0004269
37	POL00145145	Email between Cartwright King and Post Office regarding the discrepancies found in the 14 branches.	POL-BSFF-0004272
38	POL00098812	Email from Alwen Lyons to Mark R Davies, Lesley J Sewell et al. Re: My Witness Statement for the MISRA case	POL-0098395
39	POL00031351	Email from Davidson James to Lesley J Swell, Jenkins Gareth GI, Alwen Lyons, Re: Discuss of defect in horizon in court.	POL-0028253
40	POL00029623	Undated report re: Branch Accounting Incidents.	POL-0026105
41	POL00060572	Khayyam Ishaq case study: Email from Jarnail A Singh to Hugh Flemington, Alwen Lyons, Mark M Davies and others re A couple of thoughts Balvinder Samra Hurst Lane west Bromwich Birmingham Trial Monday 1st June 2013	POL-0057051
42	POL00296868	Email Invite from Amanda A Brown to Mark R Davis, Lesley J Sewell, Rodric Williams and others for emergency Second Sight meeting on Monday 1st July 2013	POL-BSFF-0134918
43	POL00060587	Seema Misra Case Study: Email from Hugh Flemington to Mark R Davies, Alwen Lyons, Martin Edwards and Others RE: High Level points for the Board on the SS matter	POL-0057066
44	POL00115918	Email from Rodric Williams to Mark Davies RE: Updated Draft Briefing Note.	POL-0116920

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46	POL00098898	Email from Martin Edwards to Alice Perkins, Paula Vennells, cc'd Susan Crichton and others; re: JA meeting brief	POL-0098481
47	POL00115919	Post Office Limited - Internal Briefing Note to Paula Vennells: Second Sight review into Horizon -Implications of Interim Report - DRAFT	POL-0116921
48	POL00098984	Email from Hugh Flemington to Martin Smith, Simon Clarke, cc'd Rodric Williams and others re: Fw: Timeline for Local Suspense Problem	POL-0098567
49	POL00145201	Email chain including Rodric Williams (POL); Hugh Flemington (RMG); Susan Crichton (POL) & Others Re: Advanced Draft of Report about Disclosure	POL-BSFF-0004328
50	POL00191252	Email from Hugh Flemington To: Susan Crichton RE: Proposed way forward	POL-BSFF-0029315
51	POL00115982	Email from Hugh Flemington to Mark R Davies Susan Crichton and Rodric Williams re: Fw: Fwd: File - draft horizon statement 2.docx	POL-0116984
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55	POL00191680	Email from Hugh Flemington To: Susan Crichton re Legally privileged and confidential	POL-BSFF-0029743

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56	POL00191681	POST OFFICE LTD BOARD Update following the publication of the Interim Report on Horizon	POL-BSFF-0029744
57	POL00323842	Email from Rodric Williams to Martin Smith, Simon Clarke and others re the report of helen rose	POL-0172300
58	POL00297710	Email from Rodric Williams to Susan Crichton, Hugh Flemington CC'd to Jarnail A Singh and others RE;Horizon / Second Sight - Status, Contacts etc as at 12.07.13	POL-BSFF-0135760
59	POL00006357	Advice on the use of expert evidence relating to the integrity of the Fujitsu Services Ltd Horizon System	POL-0017625
60	POL00168975	Email from Hugh Flemington to Martin Smith re Harry Bowyer's Advice in relation to Hitesh Hirani	POL-BSFF-0132566
61	POL00006799	Advice on Disclosure and the Duty to Record and Retain Material	POL-0017591
62	POL00198595	Observations and Analysis of the Cartwright King Prosecution review process re. POL and Royal Mail Group Ltd.	POL-BSFF-0036658
63	POL00198594	Email from Jarnail Singh to Chris Aujard Hugh Flemington RE: Observations and Analysis of File Review	POL-BSFF-0036657
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65	POL00133638	POST OFFICE LTD – CASE REVIEW R. v. JERRY KWAME HOSI Snaresbrook Crown Court	POL-0138091
66	POL00297884	Email from Gavin Matthews to High Flemington, Susan Crichton, Rodric Williams and others RE; Issues for Brian Altman QC to deal with	POL-BSFF-0135934
67	POL00021981	Terms of Reference for the Appointment of Brian Altman QC, Observations	POL-0018460

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68	POL00021982	Draft Terms of Reference for the Appointment of Brian Altman QC	POL-0018461
69	POL00021980	Email from Gavin Matthews to Susan Crichton, Rodric Williams, Hugh Flemington and others re: Brian Altman QC - terms of Reference	POL-0018459
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74	POL00006581	Review of PO prosecutions by Brian Altman QC	POL-0017666
75	POL00038592	Draft Review of Post Office Ltd Prosecution Role by Brian Altman QC	POL-0027903
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77	POL00039994	Letter from Sally Berlin to Paula Vennells, RE: Horizon Computer System	POL-0036476
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79	POL00039995	Draft Paragraphs for Insertion into Reply to CCRC	POL-0036477
80	POL00039996	Email from Susan Crichton to Andrew Parsons and Simon Richardson and others, RE: For discussion	POL-0036478
81	POL00040813	Letters from Chris Aujard to Mrs S Berlin RE: Horizon Computer System	POL-0037295
82	POL00124350	Letter from Chris Aujard to Mrs S Berlin re: Horizon Computer System	POL-0127416

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83	POL00146545	Email from Alwen Lyons to Rodric Williams, Jarnail A Singh, Hugh Flemington and others re Experts Horizon issues	POL-BSFF-0005672
84	POL00146675	Email from Jarnail A Singh To: Alwen Lyons CC: Rodric Williams, Hugh Flemington re request approval for Appointment of Horizon experts	POL-BSFF-0005802
85	POL00146676	Letter on expert witnesses for civil recovery and criminal prosecution proceedings.	POL-BSFF-0005803
86	POL00300593	Email from Jarnail A Singh To Rodric Williams and Hugh Flemington Re: Meeting with Fujitsu re:New Expert	POL-BSFF-0138643
87	POL00147247	Email from Jarnail Singh to Larissa Wilson cc Chris Aujard, Hugh Flemington re Budget - appointment of Independent Horizon expertft for approval for EXco Monday	POL-BSFF-0006370
88	POL00147248	POL Executive Committee - Expert witness proposal	POL-BSFF-0006371
89	POL00325795	Email from Jarnail Singh to Andrew PParsons CC'd Rodric Williams, Hugh Flemington, Chris Aujard and others RE;Early intervention [BD-4A.FID20472253] Meeting room 107 Tuesday 28/01/2014 10-12 am	POL-0172589
90	POL00300567	Email from Jarnail A Singh to Hugh Flemington and Rodric Williams Re: Decision Taker in POL prosecution	POL-BSFF-0138617
91	POL00123144	Draft Board Paper on Future Prosecutions including Known Transactional Issues and Draft POL Prosecution Policy being developed by Cartwright King & Brian Altman	POL-0127570

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93	POL00123143	Letter from Chris Aujard to the Directors of POL cc. Belinda Crowe re Project Sparrow - Paper on Prosecutions going forward.	POL-0127569