

Witness Name: Jarnail Singh

Statement No: WITN04750200

Dated: 4 April 2024

POST OFFICE HORIZON IT INQUIRY

SECOND WITNESS STATEMENT OF JARNAIL SINGH

I, Jarnail Singh, will say as follows:

1. I am providing this statement in response to a request for information dated 16 February 2024, pursuant to Rule 9 of the Inquiry Rules 2006 – Request number 2, regarding matters falling within Phases 5 and 6 of the Inquiry. This is the second request that has been made to me under the Inquiry Rules 2006 and is written further to my first statement dated 6 October 2023 (**WITN04750100**).
2. In writing this statement, I can confirm that I have considered the documents previously sent to me by the Inquiry, my first witness statement (**WITN04750100**) and the transcripts of my oral evidence (**INQ00001101** and **INQ00001102**).

3. I can confirm that I am represented and have had legal assistance in writing this statement from Ashfords LLP.

RESPONSE TO COMPLAINTS MADE BY SPMs AND OTHERS REGARDING THE HORIZON IT SYSTEM

4. The below deals the nature and extent of my involvement with POL's response to complaints made by Sub-Postmasters (SPMs), Justice For Sub-Postmasters Alliance (JFSA), MPs or journalists as to the integrity of the Horizon IT System or POL's prosecution of SPMs based on data generated by that system.

5. In answering the Inquiry's questions, I can confirm that I have reviewed the following documents:
 - i. **POL00141359** (email chain with David Pardoe and others in April 2012);
 - ii. **POL00141386** (email chain with Dave Pardoe and others in June 2012);
 - iii. **POL00143308** (email from Helen Dickinson to me and others on 3 July 2012);
 - iv. **POL00141389** (email chain with Andy Cash in July 2012);
 - v. **POL00141393** (letter from McKeag & Co Solicitors to Cartwright King Solicitors dated 6 July 2012);
 - vi. **POL00143375** (email chain between me, Hugh Flemington and others in July 2012);

- vii. **POL00143374** (my email exchange with Susan Crichton and others in July 2012);
- viii. **POL00026567** (Harry Bowyer's advice in *R v. Wylie* dated 11 July 2012);
- ix. **POL00143379** (email exchange between me and Hugh Flemington on 16 July 2012);
- x. **POL00143453** (my email to Chris Darvill on 24 July 2012);
- xi. **POL00141406** (my email exchange with Helen Rose on 25/26 July 2012);
- xii. **POL00058155** (my email exchange with Hugh Flemington and others on 31 July 2012);
- xiii. **POL00141416** (my email exchange with Harry Bowyer in August 2012);
- xiv. **POL00175144** (my email to Helen Rose on 7 August 2012);
- xv. **POL00141478** (my email to Martin Smith on 10 December 2012);
- xvi. **POL00143339** (email chain with Susan Crichton on 9 July 2012);
- xvii. **POL00089436** (email exchange regarding Horizon cases in February 2013);
- xviii. **POL00124770** (email chain between me, Rachael Panter and others in February 2013);
- xix. **POL00325434** (my email to Rachael Panter on 21 February 2013);
- xx. **POL00186039** (my email to Hugh Flemington on 26 March 2013); and
- xxi. **POL00062588** (my email to Belinda Crowe on 5 January 2015).

6. I had no formal role in POL's response to complaints made by SPMs, JFSA, MPs or journalists as to the integrity of the Horizon IT System. Nor did I have any formal role in POL's response to complaints made by SPMs, JFSA, MPs or journalists as to POL's prosecution of SPMs based on data generated by that system. As far as I am aware, POL's senior legal team (General Counsel and Head of Legal) were sometimes involved in these matters and I was sometimes asked to provide input or comment on specific matters.

7. Cartwright King (CK) were involved in a large number of prosecutions prior to the separation of POL from RMG and following separation, all prosecutions were outsourced to CK and I worked in liaison with them, including their solicitors, in-house and external counsel. Prosecution advice on charges/charging decisions was provided directly by CK to the Investigation/Security team. On some occasions, particularly in 2012 when the process at POL was bedding in, the charging advice was sent by CK to me and I forwarded it on to the decision maker in the Investigation/Security team.

8. Charging decisions and decisions on discontinuing cases, remained with the Investigation/Security team, as it had prior to the separation of POL from RMG. Given the interplay between these individuals/parties and in light of issues being raised in relation to Horizon, I would always involve the more senior in-house lawyers at POL and CK in relation to requests for information/instructions and handling decisions relating to cases which fell under CK's care and conduct.

9. As an example, I was asked by Dave Pardoe, Senior Security Manager, who was the decision maker in the case involving Mrs Merritt relating to the Yetminster branch, to draft some wording in relation to the decision not to continue with her case. I recall that Susan Crichton has already asked me to obtain CK's papers and to summarise the case for her and she had input on the wording of the letter to Mrs Merritt. As my email dated 26th June 2012 (**POL00141386**) then confirms, the final wording of the letter followed a discussion which I had with the Company Secretary, Alwen Lyons, who approved it in Susan's absence. The drafting was in accordance with the company's position and drafted on the instructions of General Counsel and Company Secretary. I had the assurances that I believed that everyone else had and had no reason at this time to have any reason to doubt the truthfulness of the statement.
10. In the same matter, I was asked by Susan Crichton, General Counsel, (**POL00143339**) on 9 July 2012 whether I agreed with some proposed wording and I advised on removing a sentence from a press release where the sentence could be criticised for implying how the court would have dealt with the case had it proceeded. I felt that that was not appropriate and suggested it be removed.
11. I was not involved in the decision to instruct Second Sight (SS) and became aware of their appointment after the decision had been made to appoint them. As far as I can recall, I had no contact with them at all and nor would I have expected to have. I may have been involved in ad hoc requests for

information but even then I recall that it was another person who would have actually located the information and provided it to SS.

12. Once I became aware of their involvement I was asked to draft some wording (**POL00058155**) for what I understood to be a general explanatory statement regarding their role and remit. This was all based on information given to me as I had no involvement in determining the scope of their role and it was drafted at the request of Hugh Flemington, Head of Legal. The wording was then picked up by Head of PR and Media and approved by the Company Secretary. Once it was approved, I provided the wording to CK and Counsel for use as required in ongoing cases because it was anticipated that the involvement of Second Sight was going to give rise to queries/challenges by Defendant's legal teams in ongoing matters. I had no role in any wider public communications strategy concerning the SS review.

13. My view on the instruction of SS, at this stage in mid-2012, was that it was a positive move from POL in wanting to address concerns that were raised in some specific cases. I had no view on the choice of SS.

14. I was not involved in the drafting of SS's terms of reference and/or the decision-making process regarding the ambit of its investigations. Based on an email dated 11th July 2012 (**POL00143374**) from Susan Crichton explaining SS's role, my understanding is that SS were forensic accountants. Given that expertise, it was my understanding that they were not looking into technical IT matters nor the legal process. Susan said that "*at the present there is no intention to undertake a full forensic review of the Horizon system*".

My understanding initially was that they were going to be reporting back within a few weeks.

15. I felt that I needed to understand their role and remit so that I could provide an explanation regarding their involvement to CK, who were continuing to handle criminal matters for POL where the involvement of SS was bound to be raised by defence lawyers and possibly by the Courts.

16. I am aware that CK notified me when the defence solicitors in the R v Wylie prosecution contacted them about SS's investigation into Horizon. In an email dated 9th July 2012 (**POL00143374**) Andy Cash asked me to provide "*a clear steer from the centre*" and I therefore forwarded the request for instructions to Hugh Flemington and Susan Crichton. I also discussed the involvement of SS with Hugh Flemington in person but I do not recall that discussion in any detail. I recall that I was concerned that Susan and Hugh understood that once proceedings were issued in criminal matters, the courts were not likely to agree to lengthy stays of proceedings to allow SS to produce their report. The risk to POL were applications by the defence on the grounds of abuse of process. I therefore asked what POL's position ought to be in relation to ongoing proceedings but also in pending and future investigations.

17. Susan Crichton responded to me on 11th July 2012 confirming the scope and reiterated that "*POL has no reason to believe that there is any issue with the integrity of the Horizon System and the current investigation is limited in scope and number of cases*". She confirmed they had not at that stage been formally appointed and she attached a copy of the draft proposed terms of reference for their instruction.

18. I was not asked to review those terms of reference but I did so because I thought it would be helpful for CK to have them to enable them to respond to the defence solicitors on the Wylie case and so that they better understood the position generally. When I reviewed the draft terms I noted that the wording included an instruction for SS to study relevant evidence with regard to the Horizon system and I queried with Susan whether this could be deleted. To the best of my recollection, the reason I think I took issue with this was because SS were not looking at the legal process and I felt the word 'evidence' was potentially confusing. I recognised that SS's primary focus was to look into the accounting processes in respect of the cases in question and completely understood that in order to do so they would need documentation/information, and I was not seeking to propose anything different in terms of overall scope. With the benefit of hindsight I was not being invited to comment and probably should not have done so. I do not know if my comments were taken on board or how SS's initial terms of reference were progressed.

19. I believe that responsibility for the ambit of SS's investigation ultimately was a decision for the Board, supported by General Counsel and Head of Legal. I believe that Belinda Crowe and her team may also have worked with SS, as well as external lawyers Bond Dickinson (BD). At some point, Brian Altman KC was also instructed to advise and suggested that a criminal lawyer have some involvement in working with SS and so CK became involved, although I do not recall when this was.

20. I believe BD and CK fielded requests for documents. Sometimes I was asked if I could provide information and I believe most of the requests for documents I received were from BD. I recall identifying for them where papers were held. I believe some may have been retained in RMG archives for matters concluded before the separation of POL in which case I made some enquiries where papers were held and where they could be obtained

21. Generally I do not feel that I was sufficiently close to the work that SS were doing to comment on whether they were given sufficient information by POL to carry out its instructions over the course of its engagement.

22. I recall that following the involvement of SS being discussed in the context of the R v Wylie case, Harry Bowyer, in-house Counsel at CK, advised on the way forward in ongoing criminal cases (**POL00026567**). Harry advised that POL should carry out a review of cases where Horizon challenges were raised and appoint a disclosure officer to deal with disclosure of Horizon challenge related information. Helen Rose was a member of the Security Team and was given that role.

23. I have been asked about a database which I refer to as having been kept by the criminal law team in an email dated 24th July 2012 (**POL00143453**). This email was in response to an information request by Mr Bates for information as to how many years RMG/POL held details of prosecutions. In my response to Chris Darvill in the POL Legal team, I referred to a database of prosecutions being kept by RMG since 2009, which Rob Wilson, RMG Head of Criminal Law, had informed was kept by RMG. I had no knowledge of this database and do not remember adding any case details to any database

when I was with RMG. I spoke to my former colleague Rob Wilson who told me about this database before I replied to Chris. I do not know what information it held and/or whether any information was recorded on the database in respect of Horizon failures.

24. At this stage in 2012, CK had care and conduct of all POL criminal prosecutions. I retained no records specifically in relation to Horizon challenges but I believe that such information would have been available from CK and the Investigation/Security Team. As I mentioned above, on Harry Bowyer's advice, Helen Rose from the Security Team was tasked to look into in which cases Horizon had been challenged and organising disclosure.

25. I have been asked about an email to Rachel Panter of CK dated 21st February 2013 (**POL00325434**) and the basis on which I considered it appropriate to accept a plea to false accounting on the proviso that the defendant wrote that they did not challenge the integrity of the Horizon IT System. It had always been the position during RMG days and then at POL that Horizon was robust and consequently the business would not accept a plea on the basis that Horizon was at fault. I do not know what the letter from the defence solicitors says as it has not been provided – it is possible that my email is a response to something stated in that letter – but generally, the Court needs to be able to understand on what basis the plea is made and accepted so that it can sentence accordingly and if this is not clear, then there is a risk that the Court might order a Newton hearing. Having the defendant put the basis of plea in writing was usually of assistance to the defence in mitigation and provided clarity to the Court and Rob Wilson had always encouraged us to having it

clearly set out in writing. In this instance, I do not know why I have provided these instructions as they would usually have been provided by the investigator, who in this case was Stephen Bradshaw. I do not believe that the ongoing SS investigation had any bearing on this decision or the basis upon which the plea was agreeable – the reasoning for the decision was consistent with the RMG/POL position prior to SS.

26. I have also been asked about an email from Helen Rose dated 3rd August 2012 (**POL00175144**) where she says *"In our previous phone call you mentioned where sometimes there would be bargaining and some cases would be charged with false accounting rather than theft and false accounting on the proviso that the horizon system is not brought into question"*. I cannot now recall the specifics of any call with Helen Rose in August 2012. I believe the purpose of the call was me reminding her that she needed to cast the net wide when looking for any previous cases of Horizon being challenged, including cases where theft, false accounting and theft and false accounting had been charged.

27. All cases/charging decisions were assessed on the evidence and having regard to the Code for Crown Prosecutors. This is evidenced by the memos from the Legal Team to the Security/Investigation Team and in the advice from external lawyers where involved. I do not believe that charges were selected on the proviso that the Horizon IT System is not brought into question. POL wouldn't know whether a defendant was going to raise a Horizon issue as part of a defence and wouldn't therefore select charges on

this basis. I believe the reference to plea bargaining is a reference to where the defence would occasionally approach POL with an offer to plead to either a lesser offence or to plead guilty on a limited basis. This is action which would be instigated by the defence and which POL would consider and respond to, rather than being instigated by POL.

28. I am not aware that POL's position on the acceptance of pleas in prosecutions brought by SPMs changed following the announcement of the SS review.

The main change for me in 2012 was that CK took over the care and conduct of all prosecution cases from 1st April 2012.

29. I have been asked about the nature and extent of my involvement in the decision to discontinue the proposed prosecutions against Ms Merrit, Ms Wylie and Uppal. Decisions of this nature were usually for the investigator in the Security Team, but as set out above, at this time due to the involvement of SS, I did have some discussions with the Company Secretary, Head of Legal and General Counsel. In all 3 cases CK were instructed.

30. I do not know to what extent POL was concerned to ensure that others did not attribute decisions to discontinue prosecutions to concerns as to the reliability of the Horizon IT System. I don't recall prosecutions being routinely discontinued, hence Harry Bowyer's input on how cases should be case managed from a disclosure perspective if Horizon was challenged.

31. I have been asked about the decision to discontinue the Merrit case and the extent to which I considered this to be consistent with POL's public position on the reason for dropping the case. My recollection is that the decision not to

proceed was down to the intervention of Oliver Letwin MP. I note that the case closure report at **POL00143308** cites *“Prosecution case dropped as this case will now form part of the external review for Horizon Integrity challenges”*. I accept there is some inconsistency here but I do not feel able to comment further as I was not involved in the decision to discontinue this case. Any involvement I had in the decision letter to Mrs Merrit was on the instructions of the Company Secretary and I do not recall being informed about the nature of the Horizon issue being alleged or of the decision for the case to be reviewed by SS.

32. I was primarily interested in Harry Bowyer’s advice (**POL00026567**) in terms of his views on how best to manage the disclosure issues which were envisaged. In particular I remember thinking about some of the previous issues where we had needed to go to Fujitsu for data. I do not particularly remember having a view on his comment *“I assume that we still contend that the system is fool proof in which case we should defend it aggressively”*. I felt it was for POL to determine its position. In any event, it was on the same day that Susan Crichton set out in an email to me POL’s position that it had no reason to believe that there was any issue with the integrity of Horizon

33. As far as I can recall, POL’s approach to bringing or maintaining prosecutions did not change upon the appointment of Second Sight. Each case was still considered on a case by case basis and having regard to the Code for Crown Prosecutors. I do not recall there being any policy shift as a result of the appointment of SS.

34. In relation to applications by SPMs for stays of prosecutions on the basis of the SS review, I wanted CK to advise as they were handling all prosecutions. I felt that blanket stays would be problematic as the criminal courts would not be happy to defer indefinitely matters where individuals were facing trial. I wanted CK to advise on it and they proposed a route forward whereby POL might agree on a case by case basis not to oppose stays sought by defendants (**POL00186039**).

SECOND SIGHT INTERIM REPORT

35. The below deals with the nature and extent of any involvement that I had in POL's response to SS's Interim Report. In answering the Inquiry's questions on this subject, I can confirm that I have reviewed the following documents:

- i. **POL00144855** (email from Rodric Williams to Rod Ismay and others dated 27 June 2013, in which I am copied) and **POL00144856** (attachment);
- ii. **POL00029622** (email from Rod Ismay, in which I am copied, on 28 June 2013) and **POL00029623** (attachment);
- iii. **POL00062368** (email from me to Hugh Flemington and others on 1 July 2013);
- iv. **POL00144948** (email from Hugh Flemington, copied to me, on 1 July 2013);
- v. **POL00190855** (email from Hugh Flemington to me and others) and **POL00190856** (attachment); and

vi. **POL00099063** (Second Sight Interim Report).

36. I do not recall having any communications or meetings with SS in the run up to the provision of the Interim Report.

37. I do not recall exactly when I received the SS Interim Report but upon reading it I remember being concerned, both in relation to its findings around bugs but also the comments around issues with training and support to SPMs. I recognised that this was something that needed immediate expert advice from POL's external lawyers, CK. I do not recall exactly when this happened but because I had been involved in previous prosecution cases I recall it was decided that I should not be centrally involved in any review or any follow up action.

38. I recall that CK advised POL on next steps and Brian Altman KC was instructed to review processes, including CK's processes. Martin Smith and Simon Clark of CK were primarily providing their advice to Head of Legal and General Counsel. I do not recall the detail of any conversations with the POL legal team around this issue.

39. I have been asked what I knew of Project Sparrow and my involvement with it. This was, I think, a senior management or Board level project. I do not know anything about it. I recall the name but I don't think I had any involvement in it.

THE HELEN ROSE REPORT

40. I can confirm that I have reviewed the following documents in respect of the

Helen Rose report:

- i. **POL00022598** (“the Helen Rose report”);
- ii. **POL00323841** (email chain between Rodric Williams, Martin Smith and others in July 2013); and
- iii. **POL00129392** (email exchange between me and Andrew Parsons on 17 June 2013).

41. I cannot recall when I first read the Helen Rose report but I assume that it was in June or July 2013, and I assume before 10th July, when CK advised Hugh Flemington on disclosure of the report in the Ishaq prosecution case (**POL00323841**).

42. As set out above, Helen Rose came to be involved in looking at matters following Harry Bowyer’s advice in the Wylie case but I do not recall if her report stemmed directly from that involvement or if she was provided any other instructions. If she was, I believe they must have come from Hugh Flemington or Susan Crichton. For the avoidance of doubt, I did not request or commission it.

43. My initial response on reading Helen’s report was one of concern and I recall that I wanted CK’s advice on what to do. Specifically, I recall thinking that if it

was correct that Gareth Jenkins knew of Horizon integrity issues that was a real concern.

44. I have been asked to what extent, if at all, did I think that points raised within the Helen Rose report cast doubt on the safety of the convictions of SPMs whose prosecutions was based wholly or partly on Horizon data. I had no expertise in considering whether Helen's report gave rise to safety of conviction issues. I do not recall whether safety of convictions was immediately addressed by CK following receipt of Helen's report but I believe that this was something which Simon Clarke was quickly advising POL in relation to, and it certainly forms part of his written advice on 8th July 2013 (**POL00006365**).

45. I do not recall being involved in the response to the report. From the information at this time provided by the Inquiry I can see that matters were being handled by Hugh Flemington and Rodric Williams, who was a litigation lawyer, and I was kept in copy.

46. In terms of whether the Helen Rose Report was disclosable, whilst I always deferred to CK on such matters, my view was that if it met the test for disclosure it should be disclosed. For the avoidance of doubt, I agreed with CK's advice that it should be disclosed.

47. I have been asked about my email to Andrew Parsons of BD dated 17th June 2014 (**POL00129392**), written approximately 1 year after Helen Rose's Report was provided.

48. The approach and advice by Andrew Parsons which I responded to is in relation to the Mediation Scheme. I had no involvement in, authority over, or any opinion on how those matters should be conducted. The reason I did respond was because the email referred to discussions between BD and CK, and CK were continuing to deal with POL criminal cases. Martin Smith and Simon Clarke from CK were copied into the email and by responding, I wanted to give affirmation to CK. My reference to agreeing to deal with issues on a case by case basis is affirmation in relation to the penultimate para relating to the suggestion that CK support with any queries the Investigation Team have with how to deal with the Helen Rose Report.

49. I reiterate that I was in support of disclosure of any evidence where it was relevant and met the test for disclosure and I in no way intended to support any suggestion of how to deal with the Helen Rose Report in CQRs which were part of the Mediation Scheme process. As everyone knew my role related to criminal matters only and I had no authority to give instructions regarding the conduct of the Mediation Scheme, I do not believe that anyone would have taken my email as an instruction to minimize or entirely ignore the Helen Rose Report when responding to applications to the Mediation Scheme.

THE WEEKLY HORIZON CALL

50. The below deals with my involvement in the Horizon regular call set up after the Interim Report. In answering the Inquiry's questions around this subject matter, I can confirm that I have reviewed the following documents:

- i. **POL00083932** (record of Horizon regular call on 19 July 2013);
- ii. **POL00139731** (record of Horizon regular call on 24 July 2013);
- iii. **POL00139732** (record of Horizon regular call on 31 July 2013);
- iv. **POL00139745** (Martin Smith's attendance note made on 1 August 2013);
- v. **POL00325474** (my email to Martin Smith on 1 August 2013);
- vi. **POL00006799** (advice from Simon Clarke dated 2 August 2013);
- vii. **POL00083930** (record of Horizon regular call on 14 August 2013);
- viii. **POL00139748** (Martin Smith's attendance note from 14 August 2013);
- ix. **POL00129005** (Rob King's email to me on 19 August 2013);
- x. **POL00325492** (my email on 20 August 2013);
- xi. **POL00089720** (record of Horizon regular call on 21 August 2013);
- xii. **POL00139728** (record of Horizon regular call on 28 August 2013); and
- xiii. **POL00323677** (my email to Susan Crichton on 20 September 2013).

51. I believe the weekly Horizon call followed the advice of CK around having a central place where Horizon issues could be dealt with in one place, making the disclosure process easier. To the best of my recollection, I think Susan Crichton tasked the Investigation/ Security Team with this following CK's advice.

52. I was not involved in setting up the weekly call and was not in attendance at the first meeting on 19th July 2013 and do not recall if I was briefed on it but I did attend on 24th July 2013 and thereafter. I do not recall the discussions held on the weekly calls over and above what is set out in the call records.

53. On reviewing the record of the call on 24th July 2013 (**POL00139731**) I do not fully understand the comment "*No minutes circulated, but we will all be taking notes.*" Clearly a record was taken, so I don't know if it was being suggested that minutes/notes shouldn't be taken and I don't recall any discussion on this issue.

54. On reviewing the record of the call on 31st July 2013 (**POL00139732**), I can't recall what was discussed in respect of the Helen Rose Report. Further, I can't see any reference to the creation of minutes or notes so I can't recall if there was any discussion around this on that call.

55. I recall that after the weekly meeting on 31st July 2013, which I believe took place in the morning, Dave Posnett came to see me. Dave was seeking my guidance because he said that John Scott had instructed him that typed minutes of the weekly calls should be scrapped and / or shredded. I immediately felt very uncomfortable and I told Dave Posnett very clearly that he must not do that and that he should tell John Scott the same. I recognised that this was a serious issue and I called Martin Smith at CK. I think I might have even done this when Dave Posnett was present so that he could talk to Martin Smith if needed, but I am not certain of this. In any event I relayed word for word what Dave Posnett had told me and I believe Martin Smith's record is an accurate note. I believe I also spoke with Hugh Flemington about this but this might not have been on the same day.

56. The reason for calling Martin Smith was to seek his assistance given POL's criminal litigation disclosure obligations. Martin told me to leave it with him – he said he would speak with Simon Clarke and they would deal with it and respond. Martin told me that Simon was in the process of providing advice for POL on disclosure and if I emailed him he could incorporate any points I wished to be covered in that note. I therefore emailed Martin the next morning setting out my request (**POL00325474**).

57. Reviewing matters now, I can see that I have copied and pasted wording attributed to Andrew Parsons of BD from the 19th July 2013 weekly Horizon call, which I did not attend – *“If its produced its available for disclosure – if not minuted then technically its not”* I therefore assume that I was provided with a copy of the record of that call.

58. What I wanted Simon Clarke to cover in his advice was an explanation that disclosure obligations extended not simply to what was recorded, but what was known. Simon included this within his advice note (**POL00006799**) dated 2nd August 2013 under a section entitled 'The Duty to Record and Retain'.

59. I agreed with the advice and I think the position was very clearly set out.

60. In terms of the advice note at paragraphs 5i. to 5iv. I cannot recall precisely whether my conversation with Dave Posnett covered all of these matters and/or whether I relayed all of this to Martin Smith, but I do recall Dave using the word *“shredded”* which is referred to at 5i. I note that Martin Smith was on all of the weekly Horizon calls and if anything relating to the retention of information was discussed on the 19th July 2013 call, then Martin might have

direct knowledge/recollection of that and this might have fed into the advice note.

61. I cannot recall who the advice from Simon Clarke was provided to but I do recall seeing it. I believe it was agreed that BD would minute the weekly Horizon call moving forwards.
62. I have been asked to set out my recollection of a phone call with Martin Smith on 14th August 2013. I recall that I called Martin Smith when I learned that John Scott had been asked to chair the weekly Horizon call which was taking place that day. Given the issues which Dave Posnett informed me of on 31st July 2013 I was concerned with John Scott being on the call. I believe Susan Crichton asked John Scott to chair the call. I recall that Martin Smith shared my concern which is why his attendance note refers to it being "*not appropriate*" (**POL00139748**).
63. I do not recall the weekly Horizon call which took place on 14th August 2013 but having reviewed the record of this call (**POL00083930**) I believe that there was some discussion around concerns from the network team about not prosecuting where the allegation related to theft by a member of staff of a SPM. I believe this was because the SPM would remain liable for the shortfall/debt. There is then a reference to the network team raising "*comms issues*" and needing "*a line of communication*". Rodric Williams then appears to pick this up and one of the actions from the meeting is for Rodric to circulate a process for comms to Security and Legal. I cannot recall anything further in relation to this call.

64. I have been asked about an email sent to me on 19th August 2013 from Rob King (**POL00129005**). As set out above, I had concerns about the record keeping in relation to the Horizon weekly call but I do not know what prompted Rob to email me. It may be that we bumped into each other as we worked in the same building. I do not know who briefed him on the creation, storage and distribution of minutes and/or notes. I believe Rob King was ex-Police and on review of his email, he is setting out to me his views and governance concerns in relation to the process established. I can see that he is expressing the view that the Security team was not the best place to be resolving issues with Horizon but don't completely understand his email in terms of the establishment of a working group placing the weekly calls superfluous and reference to Susan's concerns.

65. I have been asked to explain the views expressed in my email to Susan Crichton on 20 September 2013 (**POL00323677**) regarding not inviting Fujitsu to a meeting. For the avoidance of doubt, this was not concerning the weekly Horizon call which took place on Wednesday mornings. This was a separate meeting between POL lawyers only and the reason for me expressing this view was purely down to issues of legal privilege. My email was in response to and in agreement with, the advice provided to Susan Crichton by Martin Smith of CK.

66. I do not know why Susan Crichton left POL. I believe I knew a few weeks before that she was leaving. I had limited one to one contact with Susan as I reported to Hugh Flemington, Head of Legal.

PROSECUTIONS AND REVIEW OF CRIMINAL CASES

67. The Inquiry have asked me to set out the nature and extent of any involvement I had in POL's review of past convictions of SPMs based on data generated by the Horizon IT System following the Interim Report, including the consideration of whether to disclose the Interim Report of the Helen Rose report. I can confirm that I have reviewed the following documents:

- i. **POL00145130** (email from Rodric Williams to Simon Clarke on 3 July 2013);
- ii. **POL00145142** (email from Rodric Williams to Simon Clarke on 4 July 2013);
- iii. **POL00145145** (Simon Clarke's email to Rodric Williams on 4 July 2013);
- iv. **POL00006365** (Simon Clarke's 8 July 2013 advice regarding alternative Fujitsu expert, Royal Mail and review);
- v. **POL00039994** (letter from CCRC to Paula Vennells dated 15 July 2013);
- vi. **POL00040000** (Simon Clarke's 15 July 2013 advice regarding Gareth Jenkins);
- vii. **POL00006800** (Simon Clarke's 19 July 2013 advice regarding Compensation for Miscarriages of Justice);
- viii. **POL00297952** (email from Gavin Matthews to me and others on 25 July 2013) and the attachment at **POL00297953**;
- ix. **POL00006583** (Brian Altman KC's Interim Review of Cartwright King's Current Process dated 2 August 2013);

- x. **POL00021980** (email from Gavin Matthews dated 9 August 2013),
POL00021981 and **POL00021982** (attachments);
- xi. **POL00006485** and **POL00139866** (notes of conference on 9
September 2013);
- xii. **POL00006581** (Review of prosecutions by Brian Altman KC dated 15
October 2013);
- xiii. **POL00038592** (Draft Review of Post Office Ltd Prosecution Role by
Brian Altman QC dated 21 October 2013);
- xiv. **POL00146861** (email from me to Chris Aujard on 19 November 2013);
- xv. **POL00146859** (my email to Chris Aujard on 19 November 2013);
- xvi. **POL00112937** (Review of POL's Prosecution Role dated 19 December
2013);
- xvii. **POL00123147** (your email to David Oliver on 27 January 2014);
- xviii. **POL00148260** (email from me to Chris Aujard on 8 May 2014); and
- xix. **POL00133638** (Simon Clarke's advice on *R v. Hosi*).

68. I do not recall being involved in POL's review of past convictions following the SS Interim Report. As I mentioned above, I recall that because I had been involved in previous prosecution cases I believe it was decided that I should not be involved in any review or any follow up action.

69. I do not think that I attended the conference on 3rd July 2013 at POL Head Office concerning issues in relation to Horizon and the prosecution of criminal offences by POL.

70. I have been asked to set out whether I or others in the POL legal department considered whether it was necessary or appropriate to search for further documentation or information relevant to the integrity, or lack thereof, of the Horizon IT System to consider disclosing it to SPMs convicted of theft, fraud or false accounting. All I can say is that I believe that CK advised and POL understood its ongoing disclosure duties and this formed part of CK's consideration and advice to POL on the actions required in past cases.

71. I am aware that at this time Simon Clarke at CK was advising POL on a number of matters, including disclosure and expert evidence issues. I believe that I agreed with Simon Clarke's advice on these matters. I note from my review of the documents Simon Clarke advised on 8th July 2013 (**POL00006365**) that 1st January 2010 be the start date of the review process. I can't recall whether I received that advice but if I did, I believe I would have agreed that that was an appropriate starting point, based on what was known at that time around the Horizon issues. I noted this was to be kept under review. I note that Simon Clarke advised on 19th July 2013 (**POL00006800**) in relation to compensation for miscarriages of justice. Again, I do not recall whether I received that advice but for the avoidance of doubt I had no experience in relation to that issue and wouldn't have been in a position to agree or disagree with his advice.

72. On 24th July 2013 Brian Altman KC attended POL's offices and I recall that Susan Crichton asked me to attend a meeting with him where he was introduced to me and others. I do not recall details of the meeting but having reviewed the draft terms of reference for his appointment (**POL00297953**), I

believe the meeting was an introductory meeting for CK and I was to provide him with some initial information about the past and current prosecution process.

73. I had no involvement in setting Brian Altman KC's terms of reference. In particular, I was not involved in any discussion regarding whether he should be instructed to review the "efficacy" or "safety" of past prosecutions. I do not know why POL decided that Brian would advise on the efficacy of CK's role rather than the safety of the convictions but I note that Gavin Matthews of BD expressed the view in an email dated 9th August 2013 (**POL00021980**) that Brian shouldn't advise on safety and it may be that POL were content to follow his advice for the reasons he set out.

74. I have been asked to describe my view on Brian Altman KC's Interim Review of CK's Current Process dated 2 August 2013 (**POL00006583**). I cannot recall when or even if I received this advice and therefore what my views on it were. I assume that the advice was provided to BD and they would have shared it with CK. As this was an interim review, I am not sure if it resulted in changes to the approach to reviewing criminal cases.

75. On 9th September 2013 I together with colleagues from POL legal, CK and BD attended a conference with Brian Altman KC. I have reviewed BD's note of the conference (**POL00006485**) and another note of the conference (**POL00139866**) which I think might have been taken by Rodric Williams or one of the CK team. I do not precisely recall the conference but I am not aware of any material omissions from the notes. I note that the notes refer to a response from Harry Bowyer of CK to Brian Altman KC's interim review. I

do not believe that I received Harry's response, or if I did I cannot now recall the contents of it, and I haven't received a copy of it from the Inquiry.

76. I don't recall whether there was any discussion in relation to failing to record minutes or the destruction of any minutes/notes. I don't understand the reference to cultural issues attributed to Simon Clarke of CK in the notes. Nor do I recall the comment attributed to Susan Crichton that "*people then dump*". I believe it was Susan who also mentioned that there had been a "*cash audit*" and I do not have any further information in relation to any such cash audit. I don't recall whether there was any discussion of the 'Callendar Square bug'.

77. I have been asked to consider the note, "*It was widely agreed there was likely to be a "band wagon" approach in relation to defendant challenging the previous convictions*". I believe that Brian Altman KC might have used this term – it also appears at paragraph 55 of his General Review (POL00006581). All I took from this was that there was an acknowledgement of the likely volume of challenges and experienced counsel seems to be highlighting this likely result based on his experience. With the benefit of hindsight, the terms shouldn't have been used but I do not think that it was in any way intended as a derogatory comment nor was it I believe, intended to describe SPMs in a negative manner.

78. I have been asked about the advice given by Brian Altman KC regarding the mediation scheme where he advised caution in relation to mediating with individuals previously convicted. I had no experience in mediation cases or the interplay between a mediation scheme and criminal procedure and so I was in no position to agree or disagree with Brian's advice on this issue. I do

not know what was being referred to in terms of information which a convicted SPM would *“not normally be entitled to”* but which *“lawyers acting for those individuals”* may be seeking *“in order to pursue an appeal”*. I recall that my primary concern was in relation to POL’s ongoing duty of disclosure in criminal cases including in relation to completed matters, and I knew the CK review was going on for that reason.

79. I have been asked about the General Review advice note dated 15th October 2013 of Brian Altman KC (**POL00006581**). I don’t know when I first read it and I don’t specifically recall it. Brian refers to the cash audit at paragraph 64 of the advice. As above, I have no knowledge of this. In relation to my understanding of any discussion of the “Callendar Square / Falkirk Bug”, all I can recall now is that I think that it was mentioned by the defence expert in the Misra case but this was explained by Gareth Jenkins. I had no technical knowledge relating to Horizon or IT systems more generally and so would not have known whether it was accurate to refer to the “Callendar Square / Falkirk Bug” as an isolated instance. My understanding of the advice was that the cases falling for review should be those from 1st January 2010 onward but that if during mediation any earlier issues were raised, including for example other instances of the “Callendar Square / Falkirk Bug” having been reported, then those events would likely be disclosable. If I received and reviewed this advice at the time I believe I would have agreed with that approach.

80. I have been asked to consider the advice at paragraphs 129-132 and CK’s desire to control the dissemination of information and material during the mediation process. I do not understand what position CK are suggesting is

taken here. I had always taken the view that in criminal procedure the duty of disclosure was wide ranging. CK had supported this view previously on a number of occasions, in particular when I sought their advice in relation to the retention of records of the weekly Horizon calls, as set out above, and so I am not sure what sort of control they wanted to exercise in relation to the mediation process.

81. I believe the advice was primarily for the benefit of others in more senior roles, including Susan Crichton and Hugh Flemington. I do not know what actions were taken by POL upon receipt of this advice.

82. I have been asked to set out my recollection of the meeting between me, Brian Altman KC, Gavin Matthews, Andrew Parsons and Rodric Williams on 18 November 2013. My note of this discussion (**POL00146859**) is not a very clear note but from what I recall of the discussion, I believe Anthony Hooper had suggested all convicted SPMs only had a route of challenge to the Court of Appeal, but Simon Clarke of CK had taken the view that they could be considered for mediation. I believe that Brian Altman KC agreed with Simon Clarke. I believe that he also wanted to review minutes of a meeting held between SS and BD. BD were on the call and I am not sure whether they provided Brian with the minutes from that meeting. I provided my notes of the call to Chris Aujard, who was the General Counsel who had been appointed after Susan Crichton left.

83. Brian Altman KC provided his advice on his review of POL's prosecution role on 19th December 2013 (**POL00112937**). In the executive summary part of this advice he described the Horizon data integrity issue as "*an exceptional*

instance of POL prosecutorial failure of serial non-disclosure in breach of POL's disclosure obligations". Whilst I cannot see that he further explains this in the body of his advice, I understood this to be a reference to the failure of Fujitsu to provide full disclosure in cases, but for which RMG/POL as the prosecuting authority must accept responsibility.

84. I have been asked to set out my views on the conclusion that there was no need for POL to divest its role as a prosecutor. I understood the conclusion and did not disagree with the view provided. Overall, what I can recall at this time was all I could see were problems in proceeding with cases, given the disclosure issues and the lack of any expert witness. I recall not really seeing a way through this and I think by this stage I thought it would probably be better to stop prosecutions, but instead they were being held in the hope that we would find a new expert and a way to proceed.

85. I do not recall any other conferences with Brian Altman KC or Cartwright King concerning the integrity of Horizon or past or present prosecutions based on data generated by the Horizon IT System.

86. I don't believe that I had any real involvement in POL's response to the CCRC investigation. I recall that following Susan Crichton's departure, Sally Berlin, Director of Casework Operations at the CCRC, emailed Amanda Brown, PA to General Counsel, seeking an update. This correspondence was forwarded to me and I sent it on to BD who prepared the response for new General Counsel, Chris Aujard, to send back to the CCRC (**POL00123515**).

87. I have been asked to consider the case review advice dated 1st May 2014 provided by Simon Clarke of CK in the case of Hosi (**POL00133638**). I do not know whether I would have received and reviewed this advice. Because CK were instructed on the reviews and because I had been involved in some of the previous cases I was not centrally involved in the reviews. I believe the case was one of Juliet MacFarlane's dealt with at RMG. I believe that Chris Aujard would have provided instructions to CK on the recommendations within the advice. I believe that on instructions CK would have provided disclosure.

88. I have been asked to set out the nature and extent of any involvement I had in POL's dealings with the Crown Office and Procurator Fiscal and / or the Public Prosecution Service in Northern Ireland following the SS report. I recall that BTO were POL's Scottish agents and POL's cases were mainly handled by Laura Irvine. I do recall, and the notes of the conference with Brian Altman KC confirm, that I went to Scotland to discuss the ongoing Scottish cases with Laura Irvine. Martin Smith and Simon Clarke were also in attendance. I recall part of the discussion was whether all cases should be discontinued in Scotland or whether decisions should be taken on a case by case basis. I believe the view reached was to deal with each case on its merits. I do not recall having any wider involvement. I do not recall any involvement in Northern Ireland cases or what position was taken by POL in relation to Northern Ireland cases.

THE MEDIATION SCHEME

89. I have been asked to detail the nature and extent of my involvement in the Initial Complaint Review and Mediation Scheme. I had no role in the scheme. I recall that I responded to requests for information as and when requested.

90. I do not therefore know whether the Mediation Scheme impacted POL's conduct of prosecution or its review of past convictions. I know that CK and BD were more closely involved in the Mediation Scheme than I was and CK also held the role of reviewing past convictions and would have care and conduct of any ongoing matters. However, I recall that ongoing matters remained held up due to disclosure issues and the lack of an expert witness.

91. I have been asked to consider my email to Andrew Parsons on 17 April 2014 (**POL00169318**) and an email chain between me, Belinda Crowe and others (**POL00325950**) and to set out the nature and extent of my involvement in: (a) deciding what documents should be provided to Second Sight during the Mediation Scheme and; (b) advising on legal professional privilege in respect of prosecution documents.

92. I recall that I was occasionally asked to comment on disclosure of certain documentation but overall my understanding was that there was an established process in place which ordinarily didn't involve me. As the above emails and my email dated 5th January 2015 confirm (**POL00062588**), I have responded to specific requests. On each occasion, I do not know what the ultimate decision on the provision of documents to SS was.

93. I don't recall providing any advice in respect of discussing the causes of losses at mediation with SPMs who had been convicted of false accounting.

APPOINTMENT OF A REPLACEMENT HORIZON EXPERT

94. The below deals the nature and extent of my involvement in POL seeking a new expert to opine on the integrity of the Horizon IT System in civil and criminal cases. I can confirm that I have reviewed the following documents:

- i. **POL00146675** (my email to Alwen Lyons on 22 October 2013) and **POL00146676** (attachment);
- ii. **POL00146919** (email chain regarding a meeting with Fujitsu);
- iii. **POL00125568** (email from me to Chris Aujard on 4 July 2014) and **POL00125569** (attachment);
- iv. **POL00148714** (email chain regarding the instruction of Imperial College London);
- v. **POL00148749** (Simon Clarke's advice of 23 July 2014); and
- vi. **POL00149562** (email chain on "Top 5 cases"); and
- vii. **POL00325918** email from Andrew Pheasant to me on 1 October 2014), **POL00325919** and **POL00325920** (attachments).

95. I recall that I had some involvement in seeking a new expert to opine on the integrity of the Horizon IT System. I did not draft the paper (**POL00146676**) but I recall that I was asked by Susan Crichton or Hugh Flemington to seek Board approval. That was something I hadn't done before and I remember

asking Susan how to do that and she advised that I needed to send the paper to Alwen Lyons, Company Secretary.

96. Within the papers provided to me by the Inquiry I can see there is reference to arrangements for a meeting with Fujitsu on 29th November 2013 (**POL00146919**). I do not have any recollection of this meeting. I can recall that it took a long time to progress the instruction of new experts. I can see that I was involved in seeking approval from Chris Aujard, General Counsel, and others to the initial review proposal of Professor Kramer and Dr Dulay some 8 months later in July 2014 (**POL00125568**).

97. I have been asked to what extent, if at all, did I agree with Martin Smith of CK's advice not to investigate Legacy Horizon cases due to concerns that "*disclosure issues could arise in historic cases*". I recall that I was primarily concerned that the experts would have access to the information they felt they needed and there was to be no attempt to curtail what they were provided with. That was the reason for my email dated 9th July 2014 in response to Martin Smith's (**POL00148714**). I believe that once the need to ensure expert independence was explained I believe this was accepted and the discussion moved on.

98. My recollection was that the experts were being instructed in respect of the integrity of the current system. Separately, I felt that disclosure obligations in respect of past cases was by this stage well understood and the review process by CK was well underway, the terms of which were subject to the review by Brian Altman KC. On that basis I believe I would have agreed with

Martin's view that the experts were not required to investigate the old Horizon system.

99. I have been asked what I meant in my email dated 14th July 2014 (**POL00148714**) by saying "*to instruct the expert to prepare the report in accordance with the scope but with the proviso that they immediately notify Cartwright King of anything which may cause POL concern*". What I believe section 2 of my email relates to is a direct response to the cost and scope concerns set out by Andy Holt, who worked in IT, in his email of 10th July 2014. Andy was concerned that the experts hadn't appreciated the scale of the task and was therefore concerned about the cost implications. In responding, I had in mind that the experts were due to provide monthly updates and monthly invoices to CK, and I wanted to explain to Andy that through this CK could keep control of the process from a scope and cost perspective. We wanted CK to interface with the experts to keep a degree of separation from POL to preserve their independence.
100. I have been asked to set out my views on Simon Clarke's Advice dated 23 July 2014 (**POL00148749**). I requested this advice to provide all persons involved in the discussion regarding the instruction of the new experts with clarity on the approach to the provision of information to the experts and completely agreed with this advice. I believe that I shared this with all of the persons involved in that discussion.
101. I do not recall any significant further involvement in the instruction of the experts. I can see from the documentation provided by the Inquiry that I had

some involvement in obtaining confidentiality agreements in September 2014 (**POL00325918**) at the request of my line manager Jessica Madron. I do not recall having any involvement in the actual instructions to the experts, which I believe were drafted by BD and reviewed by CK.

SIGNIFICANT LITIGATION REPORTS

102. I can confirm that I have considered the following documents:
- i. **POL00148973** (email chain including myself and Rodric Williams on 9 September 2014; and
 - ii. **UKGI00018250** (Significant Litigation report dated November 2014).
103. To the best of my recollection, the significant litigation report included sections dealing with civil litigation and criminal litigation. I believe that CK drafted the criminal litigation update and I reviewed and inputted as necessary and then passed it to Rodric Williams. Rodric then reviewed and amended as before it was submitted to the Board.
104. I note in the November 2014 report (**UKGI00018250**) there is reference to there being a *“number of cases which could have been prosecuted (e.g. those with full and frank admission to theft / fraud, but prosecutions were not commenced to avoid adverse judicial comment”*. I do not recall which cases are being referred to here and I believe CK would be able to provide further information. My recollection is that there was a concern that even where *“full and frank admissions”* had been made there was still a concern that with Horizon issues being so widely publicised, Defendants would plead not guilty

and POL would then face potential disclosure issues and have no expert witness. I believe that at this time the Head of Security, John Scott, was still the decision maker for cases. Chris Aujard may have been involved in reviewing which cases should proceed, but I am not sure.

SECOND SIGHT BRIEFING REPORT

105. I can confirm that I have considered the following documents:
- i. **POL00004439** (Briefing Report Part 1 dated 25 July 2014);
 - ii. **POL00021816** (email from Andrew Parsons to me dated 20 August 2014) and **POL00021817**, **POL00021818** and **POL00021819** (attachments);
 - iii. **POL00029849** (Second Sight Part 2 Report dated 9 April 2015); and
 - iv. **UKGI00000018** (POL's response to Second Sight's Part 2 report).
106. I have been asked to set out the nature and extent of my involvement in POL's response to SS's Briefing Reports. Whilst the first briefing report dated 25th July 2014 arrived whilst I was with POL (**POL00004439**), the second report was dated 9th April 2015 by which time I had left POL and I did not see it (**POL00029849**).
107. I do not recall whether I was provided with the Briefing Report Part 1. I believe SS provided their reports to BD. Rodric Williams was the main POL lawyer involved and Martin Smith of CK and his colleagues at CK were involved in the mediation scheme.

108. I have been asked about who would have considered and advised POL whether the Briefing Reports needed to be disclosed to SPMs convicted of theft, fraud or false accounting on the basis of data generated by the Horizon IT System.

109. I can see from the documents provided to me by the Inquiry that I was provided with a draft copy of the Briefing Report Part 2 (**POL00021819**) by Andrew Parsons of BD on 20th August 2014 (**POL00021816**). Andrew asked me or CK to review it to advise whether the report gave rise to criminal law / disclosure issues. I can see that I provided a holding response on 21st August 2014 explaining that I was discussing it with CK and on 22nd August 2014 I provided a further response explaining that *“Martin [Smith] and Simon [Clarke]...advise that they would not propose any amendments to Rodric [Williams] letter”*. In relation to disclosure I went on to say *“We [meaning Martin, Simon and I] cannot comment at this stage. We would wish to see final version of the report containing details of the enquiries being carried out and reasoned evidence conclusions, to enable use to make disclosure decisions”*. (**POL00040239**).

110. I had no involvement in the termination of SS’s involvement.

RESPONSE TO THE BBC INSIDE OUT

111. I have been asked to set out the nature and extent of my involvement in POL’s response to journalists investigating allegations that the Horizon IT system lacked integrity. I recall having very limited involvement. Based on

information provided to me by the Inquiry I can see that I was copied into an email chain (**POL00169392**) where POL was considering in early 2015 whether to agree to an invitation to be interviewed for the BBC's Inside Out programme. Based on my review of this document I can see that I was asked on 8th January 2015 to input on one specific point relating to criminal appeals / criminal case reviews. In my response I can see that I am still referring to the SS Interim Report which does reinforce in my mind that I might not have seen the later 2014 SS Briefing Report Part 1. On review of my email I believe that I might have copied and pasted advice given by CK or possibly Brian Altman KC as the wording and language and grammar looks a little different to my usual email style. I may have spoken with CK before responding but I am not sure now whether I did. I believe that I was primarily concerned that POL needed to very carefully consider the content of public statements/interviews because, as above, I was continually concerned to ensure that POL met its disclosure obligations and I felt that CK as POL's external criminal lawyers should be involved in the discussion in relation to whether to give an interview and / or how it should respond to the BBC's interview questions. I copied my response to Jessica Madron as I recall that she became my line manager after Hugh Flemington left POL.

RESIGNATIONS

112. I have asked why I think Chris Aujard left POL. To the best of my recollection he left after I did and I therefore do not know why he left.

GENERAL

113. At the time there was a clear belief that the Horizon system was robust which was a message reiterated through my time at RMG and POL, by the Head of Criminal Law (pre 2012) and subsequently by General Counsel (post 2012). I do not believe that any individuals at RMG and / or POL knowingly withheld information from the legal team, but it may be that in some parts of the wider organisation there may have been information which was not known to us and which may have been relevant to criminal prosecution work. On reflection, I feel that the governance structures may not have been designed well enough to challenge assertions by individuals in senior positions regarding the robustness of Horizon.

114. When I first began working on POL prosecution cases in around 2007 there was a clearly established process led by the Head of Criminal Law and two principal lawyers. On reflection, I do not feel that the prosecution process was designed well. I reflect on whether I should have realised or been aware of this, but I was the most junior of the qualified solicitors and don't believe I would have been in a position to challenge. The head of criminal law team put the prosecution process in place, made the key decisions, for example in relation to criteria for acceptance of basis of pleas, and also held responsibility for reviewing the effectiveness of the overall process. What is clear to me now is that we needed independent review and challenge.

115. I do not feel that I was particularly close to POL's response to SPMs, Members of Parliament, journalists and members of the public regarding

challenges to the integrity of the Horizon IT System and therefore I do not feel in a position to reflect on the overall organisation's response.

116. In my role I leaned very heavily on CK as POL's external criminal lawyers, and to a much lesser extent on BD, once I began to have some interaction with them. I felt that the lawyers and counsel I dealt with at CK acted with integrity at all times in what became very challenging circumstances.

117. I believe that advice was requested and given promptly and well-intentioned actions were put in place, in particular once the instruction of SS was known to those dealing with criminal cases in 2012 and Helen Rose became involved, and then again in 2013 in response to the Helen Rose Report and the SS Interim Report. I do not feel that I was sufficiently senior to have a true sense of whether the advice of the Legal Department was effectively provided to the business.

Statement of Truth

I believe the content of this statement to be true.

Signed:

A rectangular box with a dashed border containing the letters "GRO" in a large, bold, black sans-serif font.

Dated: 4 April 2024

INDEX TO SECOND WITNESS STATEMENT OF JARNAIL SINGH

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2.	INQ00001101	Transcript (30/11/2023): Post Office Horizon IT Inquiry - Jarnail Singh [WITN0475]	INQ00001101
3.	INQ00001102	Transcript (01/12/2023): Post Office Horizon IT Inquiry - Jarnail Singh [WITN0475]	INQ00001102
4.	POL00141359	Email thread from Dave Pardoe to Jarnail A Singh RE: Uppal	POL-0142745
5.	POL00141386	Email chain from Jarnail A Singh to Dave Pardoe and Susan Critchton re Yetminster	POL-0142771
6.	POL00143308	Email chain from Lin Norbury to Angela Van Den Bogerd re case closure- POLTD/1112/0163 Yetminster Miss T Merritt	POL-BSFF-0002473
7.	POL00141389	Email chain from Jarnail A Singh to Andy Cash re: Christopher Bramwell	POL-0142774
8.	POL00141393	Letter from Cartwright King Solicitors to Denise Jackman re Newcastle magistrates courts and Horizon examination	POL-0142778
9.	POL00143375	Email from Jarnail A Singh to Hugh Flemington RE: Wylie - Def sols raising	POL-BSFF-0002540

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10.	POL00143374	Email chain from Jarnail Singh to Susan Crichton, Hugh Flemington and cc'ing Alwen Lyons re: Wylie- Def sols raising Horizon investigation	POL-BSFF-0002539
11.	POL00026567	Advice on Evidence by H.M.M Bowyer	POL-0023046
12.	POL00143379	Email chain from jarnail singh to hugh flemington and susan crichton re Case no. 21392 Prosecution v K Wylie	POL-BSFF-0002544
13.	POL00143453	Email from P Johnson to J Singh -RE Draft response FOI Alan Bates	POL-BSFF-0002618
14.	POL00141406	Email from Helen Rose to Jarnail A Singh re Disclosure Officer for Horizon	POL-0142791
15.	POL00058155	Email from Jarnail A Singh to Hugh Flemington, Susan Crichton and Alwen Lyon re: 2nd Sight Review draft	POL-0054634
16.	POL00141416	Email from Jarnail A Singh to Andy Cash re Horizon integrity project	POL-0142801
17.	POL00175144	Email from Keith Gilchrist to Joanne Hancock re: Horizon integrity project	POL-0170428
18.	POL00141478	Email chain from Jarnail A Singh to Martin Smith, cc'd Sharron L Jennings and Helen Dickinson re Mr Nemesh Patel	POL-0142863
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20.	POL00089436	Email from Jarnail Singh to	POL-0086411

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21.	POL00124770	Email from Jarnail Singh to Rachel Panter, Steve Bradshaw and Martin Smith regarding Horizon cases	POL-0131604
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23.	POL00186039	Email from Hugh Flemington to Susan Crichton RE: FW: Horizon Issues URGENT	POL-BSFF-0024102
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25.	POL00144855	Email from Rodric Williams (POL) to Lesley J Sewell (POL); Alwen Lyons (POL), Rod Ismay (POL) & others RE: Anomaly in 14 branches	POL-BSFF-0003982
26.	POL00144856	Draft Letter to J Mistry from Andy Winn	POL-BSFF-0003983
27.	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
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40.	POL00139745	Note Entry for Case - 37142 - POL Cases Rev time recording re discussing disclosure issues	POL-0141446

41.	POL00325474	Email from Jarnail A Singh To: Martin Smith and CC: Rodric Williams re Disclosure in Criminal cases	POL-0172680
42.	POL00006799	Advice on Disclosure and the Duty to Record and Retain Material	POL-0017591
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49.	POL00323677	Email from Jarnail A Singh to Susan Crichton, Rodric Williams, Simon Clarke RE: Fujitsu Lawyers and the Friday COncference CAI	POL-0172015
50.	POL00145130	Email between POL staff members regarding issues from the conference: letters to be sent to branches and B14 timing	POL-BSFF-0004257

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53.	POL00006365	CK advice on FJ expert and criminal case review	POL-0017633
54.	POL00039994	Letter from Sally Berlin to Paula Vennells, RE: Horizon Computer System	POL-0036476
55.	POL00040000	RE: Post Office Ltd- Prosecutions- Expert Evidence- Advice on the Use of the Expert Evidence Relating to the Integrity of the FJ Services Ltd Horizon System - Simon Clarke, Barrister	POL-0036482
56.	POL00006800	Clarke Advice on Compensation for Miscarriages of Justice	POL-0017592
57.	POL00297952	Email from Matthews Gavin to Susan Crichton, Simon Richardson, Jarnail A Singh and others RE;PRIVILEGED & CONFIDENTIAL - Terms of reference for the appointment of Brian Altman QC	POL-BSFF-0136002
58.	POL00297953	Bond Dickinson - Terms of Reference for the Appointment of Brian Altman QC	POL-BSFF-0136003
59.	POL00006583	Interim Review of CK Processes by Brian Altman QC	POL-0017668
60.	POL00021980	Email from Gavin Matthews to Susan Crichton, Rodric Williams, Hugh Flemington and	POL-0018459

		others re: Brian Altman QC - terms of Reference	
61.	POL00021981	Terms of Reference for the Appointment of Brian Altman QC, Observations	POL-0018460
62.	POL00021982	Draft Terms of Reference for the Appointment of Brian Altman QC	POL-0018461
63.	POL00006485	Note of Conference with Brian Altman QC	POL-0017790
64.	POL00139866	Notes of Meeting with BAQC 9/9/13	POL-0141042
65.	POL00006581	Review of PO prosecutions by Brian Altman QC	POL-0017666
66.	POL00038592	Draft Review of Post Office Ltd Prosecution Role by Brian Altman QC	POL-0027903
67.	POL00146861	Email from Jarnail Singh to Chris Aujard re: Meeting with Brian Altman QC	POL-BSFF-0005988
68.	POL00146859	Email from Jarnail A Singh to Chris Aujard RE: FW: Telephone Conference with BAQC 18/11/2013	POL-BSFF-0005986
69.	POL00112937	Post Office Ltd Review of Post Office Ltd Prosecution Role - Brian Altman QC	POL-0110333
70.	POL00123147	Email from Jarnail Singh to David Oliver cc Rodric Williams RE: briefing on Cartwright King review work	POL-0129352
71.	POL00148260	Email from Jarnail Singh to Chris Aujard, cc'd Jessica Madron, and Amanda A Brown. RE: Decision taker in POL prosecution.	POL-BSFF-0007383
72.	POL00133638	POST OFFICE LTD – CASE REVIEW R. v. JERRY KWAME HOSI	POL-0138091

		Snaresbrook Crown Court	
73.	POL00123515	Email chain from Chris Aujard to Amanda Brown re: Horizon Computer System – draft letter to CCRC drafted and approved by Gavin Matthews of BD – 10/12/2014	POL-0127412
74.	POL00169318	Email chain from Jarnail Singh to Andrew Parsons, Angela Van-Den-Bogerd, Rodric Williams and others RE: Officer's report	POL-0167540
75.	POL00325950	Email from Belinda Crowe To: Jarnail Singh CC ing Belinda Crowe, Martin Smith,. RE: M052 - further disclosure	POL-0173076
76.	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
77.	POL00146676	Letter on expert witnesses for civil recovery and criminal prosecution proceedings.	POL-BSFF-0005803
78.	POL00146919	Email from Jarnail A Singh to Rodric Williams, Harvey Michael cc'd James Davidson and others re: Expert on the Horizon System - Subject to Common Interest Privilege	POL-BSFF-0006046
79.	POL00125568	Email from Jarnail Singh to Chris Aujard, Jessica Madron, Rodric Williams	POL-0130686

		and others re: Expert - Initial Review -Proposal for investigation into the integrity of the Post Office Horizon Online accounting system	
80.	POL00125569	Initial Review: Proposal for investigation into the integrity of the Post Office Horizon Online accounting system	POL-0130687
81.	POL00148714	Email from Jarnail Singh to Chris Aujard re: Expert	POL-BSFF-0007835
82.	POL00148749	Advice from Cartwright King Solicitors re matters of concern arising out of the instruction of Imperial Consultants Limited	POL-BSFF-0007870
83.	POL00149562	Email from Jessica Madron to Chris Aujard FW: Top 5 cases	POL-BSFF-0008682
84.	POL00325918	Email from Andrew Pheasant to Jarnail Singh, Martin Smith, Andrew Parsons and others Re; CK Draft Instructions to Expert	POL-0173053
85.	POL00325919	Letter from IC Consultants, Elena Martynenko to Martin Smith Re: Quotation for professor Kramer and Dr Dulay consultancy to PO	POL-0173054
86.	POL00325920	Post Office - Draft Instructions to Expert Witness	POL-0173055
87.	POL00148973	Email chain including Jarnail Singh (POL); Rodric Williams (POL); Nisha Marwaha & others Re: Significant Litigation Report	POL-BSFF-0008093
88.	UKGI00018250	Post Office Limited	VIS00011649

		Matters - Dispute Resolution, Claims over £500K or those of a sensitive nature table.	
89.	POL00004439	Initial Complaint Review and Mediation Scheme - Briefing Report - Part One - Prepared by Second Sight	VIS00005507
90.	POL00021816	Email from Andrew Parsons (Womble Bond Dickinson) to Jarnail Singh re: RW Letter to SS.	POL-0018295
91.	POL00021817	Letter from Rodric Williams to Ron Warmington & Ian Henderson RE: Second Sight's Draft Part Two Mediation Briefing Report (the "Draft Report")	POL-0018296
92.	POL00021818	Second Sight's Draft Part Two Mediation Briefing Report (the "Draft Report") Appendix to Post Office letter dated 14 August 2014	POL-0018297
93.	POL00021819	Draft Initial Complaint Review and Mediation Scheme - MEDIATION BRIEFING REPORT PART TWO	POL-0018298
94.	POL00029849	Initial Complaint Review Mediation Scheme: Second Sight Briefing Report - Part Two	POL-0026331
95.	UKGI00000018	POL response to Second Sight briefing report - Part Two as part of the Complaint Review and Mediation Scheme	VIS00000979
96.	POL00040239	Email from Andrew Parsons to Jarnail Singh, RE: Part 2 Report – 22/08/2014	POL-0036721

97.	POL00169392	Email from Jarnail Singh to Jessica Madron re: BBC Inside Out Request for Interview	POL-0167550
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