

Message

From: Jarnail A Singh [IMCEAEX-
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 2ESINGH6CEADABD-67E9-4ECA-94F2-005716658847@ [anonymity order]
 on Jarnail A Singh <IMCEAEX-
 behalf _O=MMS_OU=EXCHANGE+20ADMINISTRATIVE+20GROUP+20+28FYDIBOHF23SPDLT+29_CN=RECIPIENTS_CN=JARNAIL+2EA+
 of 2ESINGH6CEADABD-67E9-4ECA-94F2-005716658847@ [anonymity order] [IMCEAEX-
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 2ESINGH6CEADABD-67E9-4ECA-94F2-005716658847@ [anonymity order]
Sent: 01/07/2013 15:46:55
To: Hugh Flemington [GRO]; Alwen Lyons [GRO]; Simon Baker
 [GRO]; Rodric Williams [GRO]
CC: Lesley J Sewell [GRO]
Subject: RE: Discuss of defect in horizon in court Seema Misra and Lee Castleton
 t:

In criminal trials both the prosecution and defence put their case to the jury. who make a decision "beyond all reasonable doubt" on finding the defendant guilty ,jury do not give reasons for their verdict and it is not possible to ask the jury the basis and details on which they made their decision. On occasion particular point can be inferred.

This is the only criminal trial where a jury has been required to consider in detail the integrity of the Horizon system.

- 1.Seema Misra was sub postmistress at West Byfleet. She was accused of stealing £74,609.84, between 2005 and 2008. On 21/10/10, after a 7 day trial, she was found guilty by the jury of the theft.
- 2.Mrs Misra claimed that, although she was guilty of false accounting, she had not stolen the money whose loss she had concealed. She suggested that one possible reason why the money appeared to be missing might be computer error. The jury heard from expert witnesses for the Crown and the Defence. Their evidence was sufficiently detailed as to have lasted two full days. The jury's verdict showed that it was sure that computer error played no role in the case. There has been no appeal against conviction.
- 3.We instructed our own expert, Gareth Jenkins, from Fujitsu. This was a turning-point in the case. Professor McLachlan fairly conceded that Mr Jenkins had given him very great assistance in understanding Horizon. Mr Jenkins was able to explain to Professor McLachlan how many of his theories were not valid and based on a misunderstanding of Horizon. Mr Jenkins advised that the only way to assess any problems at West Byfleet was to obtain the transaction logs and to examine them for potential problems. Obtaining the logs was expensive and their analysis was time-consuming. However, after both experts had completed this analysis, neither could find evidence of any computer error whatsoever that could have contributed to the deficiency.
- 4.In his evidence to the jury Professor McLachlan conceded that all of the theoretical problems he had raised were now irrelevant. He abandoned most of his theories after being assisted to a better understanding by Mr Jenkins. Other theories he had checked against the transaction logs and had found to be baseless. In a nutshell his final conclusion was this: he hadn't found any problem but there still might have been a problem that he and Jenkins might have missed. The jury clearly rejected this as wishful thinking, after considering all of the evidence in the case.
- 5.The most significant case reviewed was that of Lee Castleton (Civil case only). He brought a civil action alleging deficiencies in the Horizon system. He, unlike any other Sub post master, was prepared to be specific about some of the problems he claimed to have encountered. His claims were utterly refuted in the written Judgment of the case. The Judgment explains in detail why Mr Castleton's allegations were rejected. It provides a rigorous analysis that is woefully absent from the vague and illogical complaints about Horizon that are reported in some sections of the media. The Judgment referred briefly to a real computer problem that had emerged at the Callender Square office in Falkirk. Gareth Jenkins to investigate this problem. He provided a detailed summary of the problem in his witness statement(dated 9/3/10 page 14). He also explained in that statement why he concluded that it was irrelevant to Mrs Misra's case

Jarnail Singh I Criminal Lawyer
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-----Original Message-----

From: Hugh Flemington
Sent: 01 July 2013 10:43
To: Alwen Lyons; Simon Baker; Rodric Williams; Jarnail A Singh
Cc: Lesley J Sewell
Subject: Re: Discuss of defect in horizon in court

Jarnail - can you get castleton case details plse asap as alwen has asked for

----- Original Message -----

From: Alwen Lyons
Sent: Monday, July 01, 2013 09:40 AM
To: 'Gareth.Jenkins[GRO]' <Gareth.Jenkins[GRO]>; Simon Baker; Hugh Flemington; Rodric Williams
Cc: Lesley J Sewell; 'James.Davidson[GRO]' <James.Davidson[GRO]>
Subject: Re: Discuss of defect in horizon in court

Thanks Gareth can we get the witness statement for Castleton please Hugh Thanks Alwen

Alwen Lyons
Company Secretary
[GRO]

Sent from Blackberry

----- Original Message -----

From: Jenkins Gareth GI [GRO]
Sent: Monday, July 01, 2013 09:28 AM
To: Alwen Lyons; Simon Baker
Cc: Lesley J Sewell; Davidson James [GRO]
Subject: RE: Discuss of defect in horizon in court

Alwen,

I understand the bug was spoken about in the Castelton case (I wasn't personally involved). It was definitely spoken about in the Misra case where it was interrogated about it at length. Other cases where it was mentioned were settled out of court as far as I know.

Does that clarify things?

Regards

Gareth

Gareth Jenkins
Distinguished Engineer
Business Applications Architect
Post Office Account

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-----Original Message-----

From: Alwen Lyons [GRO]
Sent: 01 July 2013 10:28
To: Jenkins Gareth GI; Simon Baker
Cc: Lesley J Sewell; Davidson James
Subject: Re: Discuss of defect in horizon in court

The question was really about whether the defect had been spoken about in open court other than in the Misra case as it helps that it was in the public domain and not 'covered up' in any way

Thanks
Alwen

Alwen Lyons
Company Secretary
GRO

Sent from Blackberry

----- Original Message -----

From: Jenkins Gareth GI [GRO]
Sent: Monday, July 01, 2013 09:21 AM
To: Simon Baker
Cc: Alwen Lyons; Lesley J Sewell; Davidson James [GRO]
Subject: RE: Discuss of defect in horizon in court

Simon,

I'm not aware of any other specific bugs being discussed in court (either related to Horizon or HNG-X).

The Falkirk bug was first raised in the Castleton Civil case and was then picked up on for a number of subsequent Criminal cases even through it was irrelevant to those environments. Defence experts were using it as an example that Horizon has had bugs.

Regards

Gareth

Gareth Jenkins
Distinguished Engineer
Business Applications Architect
Post Office Account

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GRO

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-----Original Message-----

From: Simon Baker [GRO]
Sent: 28 June 2013 18:50
To: Jenkins Gareth GI
Cc: Alwen Lyons; Lesley J Sewell
Subject: Discuss of defect in horizon in court

Gareth

You mention discussing the falkirk bug in the Misra case today, are there any other examples where bugs have been discussed in court.
Simon

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