

Witness Name: Alwen Lyons

Statement No.: WITN00580100

Dated: 24 April 2024

## POST OFFICE HORIZON IT INQUIRY

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### FIRST WITNESS STATEMENT OF ALWEN LYONS

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I, Alwen Lyons, will say as follows:

#### **Introduction**

1. I am a former employee of the Post Office Limited ("**POL**"). I have set out my professional background at paragraphs 7 to 31 below.
2. 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 13 March 2024 (the "**Request**"), and in response to the questions raised in that Request.
3. As an overarching point, I retired from POL in 2017. I have addressed the questions put to me by the Inquiry honestly and to the best of my ability, based on my memory of events. However, I would like to highlight that I am being asked to comment on events which took place over ten years ago in some instances and it has been difficult to recall with precision certain meetings, dates and

information. Similarly, some of the matters I have been asked to comment on are outside my personal knowledge. Where that it is the case I have indicated this.

4. There has also been a large amount of media coverage around the Horizon system ("**Horizon**"), the prosecutions of sub-postmasters, and the legal challenges brought over the past few years. As a result of this, it is inherently difficult to separate out what I knew at the time with what I have subsequently become aware of through such coverage.
5. I have tried my best to provide accurate information to the best of my recollection and have answered the Inquiry's questions honestly, however the period of time since these events and since I retired from my role does make it difficult to answer many of the questions, some of which relate to events many years ago.
6. I instructed a law firm, Kingsley Napley LLP, to assist in the preparation of my statement.

### **Professional Background**

7. In 1977 I went to the University of Birmingham to study maths. After a year I decided that I wanted to change my degree and so, in 1979, I began a Drama and Theatre Studies course at Bretton Hall, which was part of Leeds University.
8. Having graduated from Bretton Hall, I then joined the Royal Mail Group ("**RMG**") in 1984 as part of its Graduate Trainee Programme. I was initially based in the North East Region. The programme lasted for 18 months; during that time, I gained experience working within the various parts of RMG. Through this programme, I had the opportunity to undertake projects. At the end of the programme, each part of the business could bid for which graduate they wanted to join their team.

9. On completion of the programme in 1985 having received bids from both Royal Mail Letters and Post Office Counters Limited (“**POCL**”). I ultimately decided to join POCL as Executive Assistant to the Counters Controller in the North East.
10. However, later that year, after a move to the South East of England, I started a role as Estates Manager for RMG in the South East Region, based in Brighton. I knew that a reorganisation was imminent and was hoping to re-join the POCL team in due course. I worked as Estates Manager for five months, and after the reorganisation towards the end of 1986, I became Assistant Management Accountant for POCL in the Brighton District.
11. After four years of study, I obtained an accreditation with the Chartered Institute of Management Accountants (“**CIMA**”) in 1993.
12. In 1987 I became the Management Accountant for the Brighton District of POCL, and in 1989 I was promoted to Head of Finance to lead the team.
13. In 1991, on the day I went on maternity leave with my second child, the Brighton District of POCL shut down and responsibility for the area split between the Aldershot and Hastings Districts. It was not possible for me to commute to those locations given my young family at the time, and so in 1991, I became Area Manager for POCL in the Worthing Area.
14. It was in this role that I first held responsibility for managing sub post offices. I directly oversaw and was responsible for approximately 180 offices at that time. I had three support staff (one trainer and two visiting officers) in my team.
15. In 1993, there was a further reorganisation of POL and the Area Manager role was changed to that of a Retail Network Manager. We were put into “clusters” but I was not required to relocate as I was covering the same area as in my

previous role. My “cluster” office was based in Portsmouth.

16. In 1995, I moved from POL to Royal Mail Letters (“**RML**”) to become the Sales Channel Manager for RML in the South East Region.
17. In this role, I was responsible for the relationship between the South East Region of RML and POL, and provided training for sub-postmasters to sell Royal Mail products. I held this role for approximately one year.
18. In 1996, as I had been working closely with POL in the South East Region, I was offered the role of Regional Head of Finance for POL based in Tunbridge Wells.
19. In 2000 I became the Head of the Retail Network for South London. I was responsible for post offices in South London (an area approximately south of the Thames, inside the M25). I had a team of approximately 18 retail line managers reporting directly into me.
20. In 2001 there was another reorganisation, and I became the Regional General Manager for POL in the South East region, based in St. Albans. I was responsible for Crown Post Offices and sub-postmasters; I had a senior leadership team which reported to me. The country was split into three regions (North, South East and South West), and I was responsible for the running of the post offices in my region (South East).
21. In 2002 there was further reorganisation, as part of which the country was split by office type, rather than by region, as it had been previously. I became the Head of Direct Manager Branches for POL, and was responsible for the Crown/Branch offices throughout the United Kingdom. Four regional managers reported to me at that time, and I stayed in this role for three years.



22. In 2005 I was asked to become Programme Director Compliance and Conformance for POL for approximately six months, to focus on matters related to POL's contract with BT. I was also a Royal Mail Pension Trustee from 2005 until 2012.
23. In 2006 I became Head of Employee Engagement and Internal Communications for POL. I was not responsible for Post Office Branches, and held responsibility for internal communications, although not operational communications.
24. Later that year I became Head of Mail Services Marketing for POL. The role required me to ensure POL was meeting its contract obligations to RML and working with RML to market their products through the network.
25. In 2009 I became Head of Separation Programme for POL. I was the only representative of POL in that programme, and have set out more information about this role at paragraph 39.

### **The role of Company Secretary**

26. In 2011 I was asked by the new CEO of POL, Paula Vennells ("**Paula**") and the HR Director, Deborah Moore, if I would consider becoming the Company Secretary for POL, following the separation from RMG, the appointment of Alice Perkins ("**Alice**") as Chair on 21 July 2011, and the formation of its independent Board. I had worked in POL for many years and had a good knowledge of the business. In addition, my CIMA accreditation was one of the professional qualifications which was considered appropriate for being a company secretary.
27. My role as Company Secretary involved ensuring that the Board was able to perform its governance functions, by making sure that it had access to the necessary information in order to do so. I discuss my key responsibilities below

at paragraph 29.

28. There were 10 Board meetings a year, with additional ad hoc meetings as required. The Board meetings were organised in such a way that Board papers and an agenda were circulated to attendees a week before each meeting. The Board had several sub-committees for which I also acted as secretary.
29. A summary of my key responsibilities and reporting lines as Company Secretary are as follows:
  - a. I was the conduit between the Board and the business. I made sure that information flowed between these functions and that actions were being followed up. I would make sure that the Board received the information and documentation it needed. In general, materials for the Board would be sent via the Company Secretary.
  - b. Prior to each Board meeting I would speak with the Chair to agree the agenda. I would provide the draft agenda to the Chair in advance for approval of the meeting topics and agenda timings. Once approved, I would collate the necessary Board papers and circulate them to the Board. This would include the agenda, the previous Board meeting minutes (in draft), and the updated action log from the previous meeting. I would attend each Board meeting and take a detailed handwritten note of proceedings. Following the meeting I would prepare detailed minutes with action points which I would share, in draft, with the relevant attendees, as necessary, to check for accuracy of their input, and ultimately with the Chair to seek their view on the draft minutes before being presented to the Board for agreement and signing.

- c. Generally, I would not have an active role in Board meetings unless I was called upon or if I had information that would enable the Board members to better understand the position. My role was to take the minutes. I did not have an advisory role to the Board, nor any decision making or voting power.
  - d. I worked closely with the Chair to make sure that the Board received the information it needed in order to have an effective Board meeting.
  - e. Where members of the Executive would bring issues to my attention for the attention of the Board, I would generally share these issues with the Chair before circulating more widely, if required.
  - f. I was also responsible for ensuring records were updated at Companies House. For example, if there were any resignations, I was responsible for making the necessary filings at Companies House.
30. When I first started as Company Secretary, I reported to the General Counsel, Susan Crichton (“**Susan**”). When Susan left POL, I reported to Paula for a short period as an Interim General Counsel was in place. When Jane MacLeod started as a permanent General Counsel, I then reported to her.
31. When I first started in this role, I had a PA in my team as support, who was shared with the Chair. As I took on more responsibility, another Company Secretary (trainee) joined to assist with the First-Rate Business, which was POL’s foreign exchange joint venture with the Bank of Ireland. Thereafter another Company Secretary (qualified under the Chartered Institute of Governance) joined to assist with the Post Office Financial Services Business, another joint venture with the Bank of Ireland. We worked as a team, but they reported to me and I had overall

responsibility for them.

### **Role in disciplinary actions against sub-postmasters**

32. From 1991 until 1995, when I was an Area Manager, later called a Retail Network Manager, I was involved in the disciplining of sub-postmasters. Specifically, when internal audit had identified and raised an issue, this would be raised with the relevant Area Manager to make the decision as to what was going to happen at that office (including, for example, if it was to remain open and/or whether the sub-postmaster would be suspended or dismissed). In terms of investigating the issue, my recollection is that internal audit would, if appropriate, notify the Post Office Investigation Division if any further investigation was required. It is important to note that my role and this process pre-dated the introduction of Horizon.
33. From 2000 until 2001, after Horizon was introduced and when I was Head of Retail Network for South London, my team also held responsibility for disciplining sub-postmasters in that area. I was responsible for hearing any appeals following the initial disciplinary decision. I recall hearing two or three appeals during that time; my recollection is that on each occasion I would have taken advice, as appropriate. I do not recall that these appeals related to Horizon. I believe that these decisions could have been further escalated to a review of the appeal, although I do not recall that this ever happened.
34. From 2001 to 2002 when I was Regional General Manager, I could have also been asked to hear a review of an appeal, although I do not recall ever being asked to do so.
35. I did not have any involvement in validating the accuracy of, or testing of, the

Horizon system. This was not part of my role.

36. As set out below, from 2011 onwards, in my capacity as Company Secretary, I would have been party to discussions around Horizon and the concerns that had been raised, and would have had general visibility of issues relating to Horizon across the business. I explore this in further detail below.

### **Computer Weekly**

37. I cannot specifically recall when I first became aware of the Computer Weekly investigation into Horizon, but I do not believe I was aware of this when the story was first published. At the time my main focus was the separation programme between POL and RMG. I have no recollection of the issues raised by Computer Weekly being discussed in the separation programme meetings, and I would not have expected these issues to be raised; that was not the purpose of those meetings and that would not have been the correct forum to do so. I was also, at that time, not on the Executive Committee at POL and I was very much working independently as part of the separation programme. Therefore, if it was discussed within RMG and/or POL executive meetings or Boards, I would not have been made aware of it.
38. As far as I can now recall, I believe I first became aware of this investigation shortly before attending the meeting with Alice and Lord James Arbuthnot MP (“**Lord Arbuthnot**”) on 12 March 2012. I cannot specifically recall my reaction to it now, however this was something that was considered in the context of the meeting with Lord Arbuthnot. I go into more detail about this meeting at paragraph 65 below.

### **Separation from RMG**

39. The process of separating POL from RMG began in 2009. I took up the post of Head of Separation Programme, and worked on this project for approximately one year and nine months. The Government had decided to privatise RMG, with POL being retained as a wholly owned business.
40. I attended formal separation meetings on behalf of POL. Also, in attendance were approximately 10 representatives for RMG, and the Shareholder Executives for the Government. I was the only representative from POL. These meetings took place regularly – weekly to start with, before moving to more regular meetings, and likely daily meetings as we moved towards the date of the separation.
41. My role was to represent POL at the meetings, put forward its position and explain the consequences for POL of any decisions that were being made. I took a note of the meetings I attended and fed back to POL as needed.
42. At a high level I fed back to Paula at POL. At a more granular level I liaised with those within POL who held responsibility for the separate business areas, coordinating and considering the various issues that arose in enabling the separation to take place. One example of this concerned shared buildings, and how the asset value would be split at separation, as well as the practicalities of two businesses sharing the same building post separation.
43. At the same time, POL was also negotiating a contract with RMG for the sales of their products post separation. This was a separate piece of work which I was part of at the time.
44. As far as I can recall, throughout the separation process there were no discussions about Horizon. I believe that if there had been any concerns about Horizon at the time they would have been raised within RMG or POL directly,

and not at the separation meetings. The formal meetings were necessarily high level, and were driven by the Government. Whilst there was discussion about the split of the IT systems between POL and RMG, I cannot recall any specific discussion about Horizon.

45. In terms of the less formal meetings, again the focus was on the processes around the separation and specifics relating to the two businesses. I cannot recall any issues concerning the validity of Horizon being discussed at those meetings.
46. Regarding the prosecution of sub-postmasters, during the separation process my assumption is that prosecutions continued as normal. I believe at the time the prosecutions were undertaken by RMG on behalf of POL. I was not involved in this specifically.
47. Although the separation programme was ongoing from 2009 to 2012, the separation itself did not take place until 1st April 2012. The POL Board and governance structures were set up prior to that in 2011, to enable the appropriate governance to be put in place and to ensure that the discussions and decisions were not all channelled through RMG.

#### **Disciplinary actions against sub-postmasters**

48. I have been asked to consider document **POL00178577**. I can see that my name is listed at page 3 of this document, along with Susan Huggins and Richard Barker, as being responsible for suspension / non-suspension decisions, and for debt collection. However, it is not the case that I was responsible for the management of the suspension of sub-postmasters and any associated debt recovery at that time.
49. At the date of this particular document (5 October 2004) I was Regional General



Manager for Crown Offices (later re-named as Head of Directly Managed branches), and held no responsibility for sub-postmasters in that role. I held this role from 2002 to 2006. As explained above at paragraph 21, in 2002 a decision was taken that the post offices in England & Wales would no longer be divided by region but rather by the type of the branch. Under this model, Richard Barker was responsible for urban sub-postoffices, Susan Huggins was responsible for the rural sub-postoffices and I was responsible for Crown /Branch /Directly Managed offices. This meant that it was Richard Baker and Susan Huggins who would have been responsible for disciplining sub-postmasters at this time, depending on the size of the individual branch. Whilst, theoretically, I would have been responsible for any disciplinary outcomes for Directly Managed/Crown/Branch offices, as those working within those offices were directly employed by POL, any disciplinary processes would be through their employment contract. The relevant branch manager and HR would be involved, and as a result, I had a different role.

50. I note that at section 1.1. of that document (“*Can we see any other such danger branches from data today?*”) the top ten “shortage branches” are listed. Only one of those is a Branch Office, being Hertford Street BO, which I would have been responsible for at that time. I note the finding for that office was that, following an audit, no discrepancy had been identified and any shortfall “*appeared to be an accounting error, because the ATM contents had not been verified at the first audit*”.
51. I have also been asked to comment on the following statement: “*The agent blamed the automated bureau system for the ‘accounting discrepancy’ but we are not aware of any other offices reporting similar issues. Whether or not theft*

*is proven, failures in supervision, reporting and escalation must be acknowledged. A challenge to systems integrity, valid or otherwise, should not have been allowed to fester in this way.”*

52. Whilst I cannot recall my thought process in 2004, nor the automated bureau system, I did not have the same level of understanding that I do now. It is my view that any issues which suggest that there may have been a problem with the integrity of a particular system should be taken seriously and properly investigated.
53. I do not recall any similar issues being raised in relation to the systems at Branch or Crown offices at that particular time for which I was responsible. Had there been any such issues I would have expected these to be escalated to me by one of the four Heads of Retail Network who reported into me. I do not now have any recollection of this happening.

#### **2011 consideration of integrity of Horizon at Board level**

54. I have been asked to consider document **POL00027270**, namely the minutes of the Board Meeting on 13 December 2011. I do not now specifically recall this meeting, which took place 13 years ago, and as such any information provided is based on my current reading and interpretation of these minutes.
55. I do not believe that Project Sparrow was in existence at this point, which is why it would not have been referred to at this Board meeting. It appears this meeting took place when the Board was relatively new and was managing a number of very large strategic issues such as the network transformation, the telephony strategy and negotiations with the Bank of Ireland, which consumed a huge amount of attention and resource.

56. In terms of whether Horizon should have been covered at this meeting, at this point in time, I do not believe that the Board had any understanding of the extent of the issues with the system. With full hindsight, and had the Board understood the problems with the Horizon system at this point in time, then it should have treated it as a priority.
57. I can see from this document that Susan, the former General Counsel and my direct line manager at this time, was asked to provide a "Significant Litigation Report". I do not specifically recall this particular report but in general terms the purpose of this item was to bring any significant pieces of litigation or litigation risks to the Board's attention. A similar report would have been presented at RMG Boards pre-separation. There would not be a "Significant Litigation Report" at every single Board meeting, although it was done fairly regularly – perhaps quarterly.
58. If there had been any significant questions in relation to this report, I believe that these would have been minuted. From the absence of any such minute I have to conclude that no significant questions were asked of Susan by the Board following her report and that there was no substantive discussion of the report at this meeting.
59. I am also asked to consider document **POL00021503**, namely the minutes of the Board Meeting on 12 January 2012, and the minute that "*Les Owen asked for assurance that there was no substance to the claims brought by sub-postmasters which had featured in Private Eye*". Again, I do not specifically recall this meeting, but my belief is that the minutes would accurately reflect the Board's position at the time; i.e. there had been negative coverage of Horizon in Private

Eye, and Les Owen was seeking assurance that the system was in fact working properly. I think the Board genuinely wanted to find out what was going on and was raising questions and challenges as a result.

60. I see at paragraph POLB12/07(a), that Susan was given an action in response to the minute: *“Susan Crichton suggested that she clear the audit report with the external lawyers and if it is possible to give the report privileged status it would be circulate it to the Board”*. I do not recall the Board raising any concerns about this suggested course of action.
61. This RMG Internal Audit report was not Susan’s report or work product, and I believe she wanted to check that with the external lawyers that it was not legally privileged and/or there were no issues with it being shared. I have no reason to think that there was anything improper or untoward in Susan seeking the lawyers’ approval before she circulated the report in such circumstances.
62. The Board action log (**POL00096391**) demonstrates the outcome of this action. Having reviewed that log, it appears that Susan updated the Chair, and that two reports were then to be circulated to the Board in advance of the next Board meeting.
63. I am also unable to recall whether the Board was provided with the actual number of criminal prosecutions made by POL. It may well have been included within the “Significant Litigation Report” (POLB(12)(13)). In terms of the reliance on the number of prosecutions resulting in convictions as a metric, and I appreciate that this is somewhat circular, but that would likely have given some comfort that the IT system was functioning as it should.
64. At that time, it was my understanding that POL had prosecuted individuals to the

criminal evidential standard in impartial courts. In addition, the findings of the RMG Internal Audit Report, which can be found at **POL00137239**, (prepared with the assistance of a seconded IT expert from Deloitte) would have also given me a degree of comfort. My recollection more generally is the tenor of advice by the experts within POL was that there was no issue with Horizon, and I relied upon that.

### **Meeting with Lord Arbuthnot and Oliver Letwin**

#### *Meeting with Lord Arbuthnot on 12 March 2012 - Background*

65. I first met Lord Arbuthnot on the 12 March 2012, when I attended a meeting with him and Alice. I believe that Alice had met Lord Arbuthnot at an event earlier that year. My understanding is that Lord Arbuthnot had raised some concerns with Alice about the operation of the Horizon system and Alice wished to meet with him to understand these concerns more fully. Alice asked that I attend the meeting with her as she was relatively new to POL, having taken up the Chair's role the previous year. I believe that she wished for me to attend both as support and because of my understanding of the network. She also asked that I take a note of the points arising at the meeting.
66. It was not the first time that Alice or I had been made aware of concerns that had been raised about the Horizon system. A question had been raised at the Board Meeting in January 2012, as referenced at paragraph 59 above, and, therefore, I believe the fact that Lord Arbuthnot had raised concerns afterwards would have also prompted Alice to meet him.
67. My overall impression was that Alice was taking the issues raised by Lord Arbuthnot very seriously. She understood Lord Arbuthnot to be a man of integrity

and was keen to meet with him and to understand more of the situation.

68. I had not met Lord Arbuthnot prior to this meeting, nor was I aware of his specific interest in Horizon. My understanding of the overarching purpose of this meeting was for Alice to listen to Lord Arbuthnot's thoughts and concerns about Horizon, to reassure him that those concerns would be taken seriously, and to take any follow up action points as necessary.
69. I believe that there was a pre-meet between Paula, Alice and myself prior to the meeting. I cannot remember any specific details from this pre-meeting, or what, if any, preparatory steps were taken. I recall that Alice was to update Paula with the outcome of the meeting and take any necessary steps thereafter.

*Meeting – 12 March 2012*

70. Whilst I do not have detailed recollections of this meeting, I do recall that it was generally positive, with Lord Arbuthnot and Alice being "on the same page". It was clear to me that they respected each other and they both wished to better understand the issues leading to concerns around Horizon. It was recognised by both Lord Arbuthnot and Alice that an investigation of the issues would be necessary. I recall Alice wanting to get to the bottom of the problem, to understand if indeed there was an issue, and if so, what needed to be done to address this.
71. For the most part of the meeting I was an observer and note-taker. I can see from the meeting note (**POL00105481**) that I explained the training that sub-postmasters received. I believe that I would have had this information from my previous roles at POL, rather than from any specific information gathered prior to the meeting. I cannot now specifically recall the details of the training. I do not



believe I had any further active role in the discussion.

72. I recall that Alice (and others within POL, following her report of the meeting), understood the need to take these concerns seriously. I do not recall being surprised by the issues that Lord Arbuthnot had raised as this was not the first time this had been raised, given the discussion in the Board meeting in January 2012, and whilst at the time I believed that the Horizon system was technically sound, it was nonetheless clear that there were problems and concerns that needed to be addressed. Alice had been asked to meet with a Member of Parliament who had raised serious concerns, and it was absolutely appropriate and correct that POL took these matters seriously. Whilst I cannot speak for others, my recollection after that meeting is that these issues were indeed taken seriously. See my comments at paragraphs 90 to 92 below regarding my recollections of my personal view of the situation at that time.
73. I have specifically been asked about document **POL00105481**. I can confirm that these are my notes of the meeting on 12 March 2012. These notes were taken by hand and subsequently typed up. I believe that I would have shared these notes with Alice in draft before the notes were finalised. Whilst I cannot recall specifics, my practice was to ask her for any comments prior to them being finalised. I cannot recall if she had any comments on this occasion. Again, whilst I do not have any detailed recollection of the meeting, having re-read these notes now, they are as I remember them.
74. I do not remember the "*Summary of Issues affecting Sub-postmasters*" document, referred at page 3 of the notes; this may have been a document that was provided by Lord Arbuthnot during the meeting, which was then appended



to my meeting note.

75. I do not recall if I attended a post-meeting, following the meeting on 12 March 2012. My main role was to prepare a note of the meeting, which I would have then sent to Alice. I believe that Alice would have met with Paula to discuss the meeting and any actions arising from this.
76. The document **POL00105481** also contains handwritten notes, and I have been asked whether these belong to me. I can confirm that these are not my handwritten notes. I believe that this may be Alice's handwriting, on the document that Lord Arbuthnot had provided (see paragraph 70 above). Whilst I cannot specifically recall, my assumption now is that Alice made those notes at the time of the meeting, handed the notes to me, and then I appended these to the meeting note that I produced.
77. I have been asked to comment on the note "*Reputation key. Much cash around. There is a helpline available.*" As set out above, these are not my handwritten notes and therefore I do not know specifically what the notes relate to.
78. I have been asked about document **POL00021505**, which contains the minutes from the Board Meeting on 15 March 2012, and in particular paragraphs POLB12/28 (b) and (c), and Les Owen's challenges to the business regarding the future IT infrastructure.
79. I have been asked about the comment: "*Lesley Sewell emphasised that the business lacked the capability and maturity to manage the changes required to deliver the future IT Infrastructure.*" My interpretation now of this comment is that Lesley had informed the Board that, as the IT side of POL was in its infancy, having only formally separated from RMG earlier that year, it did not at that stage

have the capability and maturity to manages the changes required for the IT infrastructure moving forward.

80. I note at POLB12/28 (a) of the minutes is a reference to the proposed introduction of a Service Integrator (SI) to manage IT providers. Lesley Sewell ("**Lesley**"), at the start of that section, is noted to have "*explained the IT Strategy for the next 3 years which will support the wider business activity, procure circa 60 IT contracts and deliver the cost reduction challenge*". It appears that the proposed introduction of an SI related to that strategy. My assumption is that Lesley was referring to the IT strategy and infrastructure as a whole, and was referencing the business' general lack of capability and maturity to manage the changes required to deliver the future IT infrastructure. I assume that in referencing the procurement of 60 IT contracts, Fujitsu would have been one of them. It therefore appears that Lesley's comments relate to the IT infrastructure as a whole rather than Horizon.
81. My assumption above is supported by the comments within the remainder of that paragraph a): "*This work was not a core competency and it made more sense to outsource. She stressed the importance of getting the SI contract terms correct and getting good governance in place to manage that contract*", and at c) "*Chris Day assured the Board that the SI and contracts would include efficiency targets which were already assumed in the budget*". However, my thoughts on this are based on my interpretation now, rather than a specific recollection of the meeting at the time.
82. I have been asked whether I considered that this (Lesley's comment about the business lacking the capability and maturity to manage the changes required to

deliver the future IT infrastructure) was the case from the start of the Horizon project. Horizon was introduced in 1999, over a decade before the POL and RMG separation. I was not involved in the introduction or set up of Horizon and therefore do not know whether Lesley's comment would have been applicable then. However, given that this comment related to the future of IT infrastructure for POL from 2012 to 2015, as opposed to the position with Horizon when operating under the previous model (and in an operational context), I do not believe that the comment is relevant to the set-up of Horizon in the late 1990s.

83. With regards to Les Owen's challenges referred to in the minutes of the meeting, again, my understanding now is that these questions related to the business infrastructure, rather than operational IT. Having reviewed the minutes, I believe Les Owen was challenging whether the SI structure was right for the business and was looking for examples of where it had been deployed successfully. It appears that he also asked Lesley to ensure that POL retained control of procurement decisions. I do not believe that these challenges and the discussion about the business IT infrastructure related to Horizon
84. I have been asked about Les Owen's reason for resignation referred to at page 5 of the meeting minutes. Les Owen had indicated his intention to resign prior to this Board meeting (as noted on the meeting agenda). As far as I am aware, his reasons for resigning were not related to the questions he had raised during the meeting or Horizon in general.
85. When RMG and POL separated, Les Owen was asked to join the POL Board to provide a level of continuity through the changes that had occurred as a result of the separation. His passion and expertise were in Mail, rather than Counters, and

I believe it was always his intention to resign from the POL Board after a certain period of time. As mentioned above, as far as I am aware this was unrelated to Horizon.

86. The meeting referred to at POLB12/41 (c) is the meeting between Lord Arbuthnot, Alice and myself on 12 March 2012.
87. As to the meeting notes at **POL00021505**, I had prepared these minutes as part of my role as Company Secretary. I would have made sure the action points were documented and would have circulated the actions and minutes to the relevant individuals. My role was not to provide an opinion or input during the meeting, but to ensure that the Board received the relevant information, that previous action points were executed, notes of meetings and relevant papers had been circulated, and that accurate minutes of the meeting were taken.
88. As to my understanding of the Board's view of the concerns raised by MP's and sub-postmasters at this time, the Board members would have received a copy of the RMG audit that Susan had circulated prior to the meeting in April 2012. Whilst I cannot speak to the views of individual Board members, my general recollection is that they had taken comfort from the previous audit and the assurances that had been given about the functioning of the Horizon system. Alice had indicated at this Board meeting that she did not believe the system was at fault but she wanted evidence that could be shared with stakeholders to support POL's view on this.
89. I believe that the Board considered that Horizon issues were being taken seriously within POL and that actions were being taken to address the concerns. I believe that the Board also recognised that the concerns raised were serious

and required further consideration and follow up. I believe that if any Board member had had concerns about the operation or integrity of Horizon at the time, this would have been raised at the Board meetings and minuted accordingly.

90. My own view was that there must have been another reason for the concerns that had been raised and that it was very important that POL understood, and addressed the root cause. I did at this time not believe that the issues were due to the fundamental technical functionality or integrity of the Horizon system, but that instead that there must have been other reasons – a lack of training or support, or misunderstanding of the system, perhaps. I had taken comfort from the audit that had taken place and assurances that were given, and genuinely believed that Horizon was operating as it should do. I did however recognise that this was a serious issue for POL that it needed to resolve, and that POL need to take steps to understand and address the root cause of the issues.

*Post meeting*

91. My recollection is that the meeting with Lord Arbuthnot and the discussions thereafter led to a project examining the processes in place and the support available to sub-postmasters where it came to Horizon.
92. I cannot recall the name of this project nor when it started. It was led by Angela van-den Bogerd ("**Angela**"), and it examined the processes in place at the time to assess where improvements could be made to improve the support given to sub-postmasters. I believe at that time, Angela was Head of Network Services.
93. In terms of the actions that were taken following this meeting, I believe that Alice and Paula explored the possibility of appointing an independent forensic accountant to review the cases of concern. I recall that I thought this was a good

proposal and positive step, and there were regular discussions about this, and other, possible options. It is likely that I would have spoken with Susan, Paula, and Alice about these issues on a regular basis. My overall recollection is that these concerns were being taken very seriously and both the Board and the business were keen to get to the bottom of the concerns that had been raised.

94. I have been asked about document **POL00179511**, namely an email from Rod Ismay ("**Rod**") to me, dated 26 March 2012. Rod led the accounting team at POL in Chesterfield. He was the accountant within POL whom I recall held the best understanding within POL of how the transactional accounting system worked. He reported into Chris Day, the Chief Financial Officer. I had worked with Rod during previous roles and so was familiar with him at that time. Rod had a wider accounting role within POL, but given his knowledge and understanding of the Horizon system, he was often best placed to give advice.
95. I do not specifically recall receiving this email from Rod. I also cannot recall any discussion I had with Rod at that time. Whilst I cannot speak for Rod, it appears that I had asked for this report and was now chasing him for a copy.
96. I cannot now recall reading Rod's report and as such cannot speak to the level of weight I placed on it at the time. However, having now read the report, I believe that I would have been comforted by this, alongside the internal audit report referred to above (**POL00137239**).
97. It was not part of my role to verify the accuracy of his report, and I would not have been qualified to do so. It appears that I forwarded the report onto Susan, who was General Counsel at the time, and others. I cannot now recall why this was, although anticipate that this is because I was asked to do so.



98. I have been asked about the document **POL00105597**. This contains an email dated 3 April 2012 between Paula, Susan and myself. With regard to the suggestion by Paula that it was "*inappropriate*" for a meeting to be set up with Moya Greene ("**Moya**"), and whilst I cannot speak for Paula or Alice, my understanding of this comment is as follows: At that time, Moya was the CEO of RMG. Paula was the CEO of POL. The issues raised by Oliver Letwin's office related to POL, and as such should have been addressed by POL. As Moya was CEO of RMG, she was not the correct CEO to be involved. My recollection is that post separation of RMG and POL (which happened on 1 April 2012, a few days before this email trail), Moya had at times received correspondence meant for Paula and vice versa. On this occasion it was appropriate for Paula, as CEO of POL, to meet with Oliver Letwin MP. My assumption is that Oliver Letwin MP's office sent the letter to Moya in error.
99. Paula had previously reported to Moya as CEO of RMG prior to separation, and although RMG and POL were by that time independent of each other, Moya may at times have become involved in matters relating to POL. Moya had suggested that perhaps she should meet with Oliver Letwin MP, and I believe that the point being made by Paula related to the fact that, as Moya was CEO of RMG and not POL, it was not appropriate for her to be involved in POL business.
100. I cannot recall being particularly surprised by the suggestion by Oliver Letwin MP of a "*systemic issue*." By that stage Alice and I had met with Lord Arbuthnot, and I was aware of the concerns that had been raised by him.

*Letter to Oliver Letwin MP dated 4 April 2012*

101. At document **POL00115849** is a letter dated 4 April 2012 from Paula to Oliver



Letwin MP. I do not specifically recall this letter and do not believe that I was involved in its preparation. I do not now know who drafted this letter, and my assumption is that Paula would have had substantial input as the signatory of the letter, and given its importance.

102. I have been asked about the phrase "*The Horizon system has been rigorously tested using independent assessors and robust procedures*", and whether I believe this was accurate. Whilst I cannot specifically recall reading this letter at the time, as set out above, it was my understanding at the time that the system had been tested and was found to have been working correctly.

103. Today, I do not hold the same view as I did in April 2012. I have a far greater understanding of the failings of the Horizon system than I did at the time. At the time of the letter, I would have taken assurance and comfort from what I had been told. Given what I know now, I question how effective the testing was.

104. I have been asked about document **POL00105494**, being an email dated 20 April 2012. I can see from this correspondence that I was involved in the preparation of the brief for Paula and Alice ahead of their meeting with Lord Arbuthnot and Oliver Letwin MP. My role would have been to collate the relevant information before the meeting. I believe that in preparing for this meeting it would have been necessary to identify and consider the information about the case referred to Oliver Letwin MP, and also to look into further detail about the case raised by Lord Arbuthnot. I worked with others within POL in pulling together the briefing note. I believe this may have been Angela and Rod, but I am not certain. My recollection is that the briefing note was a summary of the pertinent issues.

105. I have been asked about document **POL00107712**. This appears to include an

email correspondence between myself and Rod on 11 and 12 April 2012, within which I sought information from Rod about the case of a sub-postmaster in Oliver Letwin MP's constituency, and Rod responded with the information requested.

106. Regarding the statement that "*it would e [sic] great to be able to look at the keystrokes which caused this and explain why they happened*", it was my understanding at that time that sub-postmasters could see all amendments or changes that had taken place within their accounts. It followed that, if we could review the keystrokes, we would be able to identify where the discrepancy had occurred. My understanding at that point was that any changes to the account on Horizon could be seen by the sub-postmaster.

107. I have been asked about document **POL00057647**, being an email from Simon Baker on 30 April 2012, and whether I agree with Simon Baker as to the agenda and purpose of the meeting ahead of the 17 May 2012 meeting, and if so, why.

108. I do not specifically recall receiving this email; however I do remember that there had been a meeting prior to the meeting with Lord Arbuthnot and Oliver Letwin MP. I believe that Simon Baker's role was to co-ordinate that meeting. Having reviewed the documents, it appears this was different to the pre-meet held with Paula and Alice, who were attending the meeting with Lord Arbuthnot and Oliver Letwin MP.

109. It appears to me now that Simon Baker's description of the purpose of the meeting is correct, namely "*The overall purpose of tomorrow's 1pm meeting is to help us prepare for the James Arbuthnot visit on 17 May.*" As to whether I agreed the agenda and purpose of the meeting at the time, it was not my role to do so.

*Meeting – 3 May 2012*

110. I have been asked about document **POL00057656**, namely a note of a meeting between myself, Susan, Paula and Alice on 3 May 2012. Having reviewed the note, I believe that its purpose was to document the discussions in preparation for the meeting with Lord Arbuthnot and Oliver Letwin MP. I would have taken this note to ensure the discussions and any follow up points were documented and circulated as necessary. My assumption is that the meeting was an opportunity for us to discuss preparations for the meeting and the points to be covered.
111. I do not believe that this was a regular meeting, rather a one-off in preparation for a meeting with the MPs that was due to take place two weeks later.
112. Whilst I cannot now specifically recall this, I anticipate that I would have circulated the note to those who attended and likely also to those with action points arising.
113. I have been asked to explain the distinction between the “*old and new Horizon systems.*” This was not my area of expertise. My assumption is that I noted this down, to ensure that this distinction was explained and so it was clear to those attending. I do not know whether the cases being discussed at that time related to the old or new system, but my recollection is that we wanted to ensure the MPs understood that the system had changed. I note that the comment also states that “*any live system review would have to be on the new system, although we have an audit trail of every key stroke in the old system kept for 7 years.*” My understanding is that because the new system had been introduced by that stage, any review would need to take place on that system, as the old system no longer existed. My belief at that time was that we did have an audit trail of every keystroke, as indicated within that note.

114. I have been asked to explain the statement “*The best outcome of this meeting would be a position where they believe our evidence in their individual constituent's cases and support how we are handling the current situation. Longer term once they are assured by the review of Horizon they could 'help' to win others round.*” Whilst I cannot specifically recall that meeting or the notes that I prepared, my interpretation of this statement now, and recollection of the approach at the time, is that we wanted to provide sufficient assurances to the MPs by going through the evidence in their individual constituents' case. If they were assured they would feel able to support our view that the Horizon system was sound, and that they too would support POL in its handling of the issues.

115. The reference to “*win others round*” I believe reflects the hope that, if the MPs were satisfied with these assurances and the evidence we were able to provide regarding the Horizon system, then they too may be able support POL as to the system's integrity moving forward. I believe that the aim was to demonstrate to the MPs that the system was indeed working correctly because there was a genuine belief at this time that Horizon was working as it should do, and it was important to POL that the MPs could review and understand this evidence too. At that time, I did not doubt the fundamental integrity of the Horizon system, but was aware that there were associated issues (such as training and support, for example) that needed to be addressed and improved.

116. I do not believe that the comment at paragraph 115 above suggests that there was no interest on my part, or indeed the part of those at that meeting, to investigate whether there were systemic issues with Horizon. On the contrary, had I understood there to be a systemic issue with Horizon at this time, I would have expected this to have been addressed by POL. I honestly believed that any

issues that sub-postmasters were experiencing did not arise from the technical functioning or integrity of Horizon.

117. Whilst I cannot comment on behalf of others who attended that meeting, it is my recollection that they too believed there was no systemic issues with Horizon. Alice had made it clear after the first meeting with Lord Arbuthnot that she wanted to get the bottom of the concerns, and that if there was a problem she wanted to know about it and for it to be resolved. She was robust about this. I recall Paula similarly wanted to understand if there was an issue. My recollection is that those attending the meeting on 3 May 2012 were all assured by the audit that had taken place.

118. I also do not believe the Board was in doubt about the safety of prosecutions at this point, and had similarly been reassured.

119. With hindsight and knowing what I know now, I do believe that more should have been done to investigate these issues. At the time, however, it was my honestly held view that appropriate steps were being taken and that it was not a systems issue that was causing the concern.

*Meeting – 10 May 2012*

120. Having reviewed the documents **POL00179789** and **POL00057711**, it appears that, in addition to the meeting referred to above, there was also a pre-meeting that took place on 10 May 2012. Whilst I cannot specifically recall these documents, I believe I was sent the agenda to make sure I was aware of the issues to be discussed, and so that I could ensure that the Chair had access to the necessary material. I did not attend this pre-meeting on 10 May 2012.

121. I have been asked why this group of individuals were selected for the meeting.

My comments are based on assumptions now having reviewed the correspondence.

122. My assumption is that Angela, who was part of the operations/network team, was present as she had knowledge of the network and had prepared the briefing note for the meeting. Jarnail Singh was a criminal lawyer at POL who, as far as I can recall, was involved in prosecutions relating to Horizon and would have been there in that capacity. Susan would have attended as General Counsel. Lesley was Chief Information Officer, a role which was also central to any IT issues and she also 'owned' the relationship with Fujitsu. Rod had a good understanding of the audit reports and the Horizon system given his accountancy background and my assumption is that he was there for that reason. I am not sure in what capacity Simon Baker attended, but I note his job description as "Programme Manager, Front Office of Government". I am not certain of Chris Darvill's role and why he was in attendance, but believe he was a lawyer at POL at that time. Paula as CEO, and Alice as Chair of the Board, no doubt attended as they were to meet with the MPs shortly.

#### **Meeting with Lord Arbuthnot and Oliver Letwin, 17 May 2012**

123. I did not attend this meeting with Lord Arbuthnot and Oliver Letwin MP. My recollection is that there were a number of people attending on behalf of POL, and therefore my attendance was not necessary.

124. Regarding document **POL00105491** and the statement that "a *forensic accountant with good people skills*" was needed, my understanding is that it had been agreed that an independent forensic accountant would review the cases of concern, and the operation of the Horizon system relevant to those cases to



address the issues that had been raised. I recall that it was felt that sub-postmasters may be more comfortable being interviewed by an accountant with good people skills who would put them at ease, rather than a more corporate organisation who may be considered less personal and potentially viewed as threatening. It was felt that POL needed to send the right people to speak with the sub-postmasters about the issues encountered to get the best possible outcome.

125. I do not now recall sending this document and do not recall if I received a reply, or if there was any discussion about this. With regard to the handwritten notes, this is not my handwriting. It may be Paula's.

126. With regard to the statement that the forensic accountant would "*...look at how the software is validated*", my understanding is that this was Alice's comment that I had noted down. I cannot specifically recall this meeting and cannot speak for Alice, but my interpretation of this comment is that Alice wanted the forensic accountant to analyse the application of the software and to determine whether there were any issues with it. Alice was clear from the outset that if there was a problem she wanted to know about it. My recollection is that POL wanted to be able to validate the system and provide evidence of its veracity, whilst also resolve any issues and problems that were occurring.

127. I did not believe at that time that the issue would be resolved by persuading Lord Arbuthnot and Oliver Letwin MP that there was no problem with Horizon. It was my view that it was important to address the issues that Lord Arbuthnot and Oliver Letwin MP had raised, and that if we could demonstrate to them also that the system had integrity, this would assist in resolving wider problems. However,



I recognised that this was not the only answer and that work needed to be done to address the cause of the issues. My view at that time remained that the system worked properly, but I understood that there were some areas that could be improved to better support the sub-postmasters.

128. I have been asked about document **POL00021507**, namely the Board Minutes of the meeting of 23 May 2012, and in particular POLB12/69(b). As a general observation, I note that this meeting took place six days after the meeting with Lord Arbuthnot and Oliver Letwin MP, described above. It is possible therefore (if not likely), that the agenda for the Board Meeting had been set prior to the meeting with Lord Arbuthnot and Oliver Letwin MP, and that papers had been circulated around the time of that meeting.

129. I was responsible for drafting the agenda for the Board Meetings, although the contents of that agenda were ultimately the Chair's decision. Whilst the process for preparing Board agendas differed over time, there was for the most part standing agenda items that would appear on most meeting agendas. This included, for example, a CEO and CFO Report. Certain agenda items were seasonal in that they appear at the appropriate point in the year, and others were ad hoc, depending on the business being considered at that time. It was also usual to have AOB items, which were usually items where specific papers had not been prepared, but they were nonetheless important issues to bring to the Board's attention for discussion. The AOB items would not always be specified on the agenda. The fact of items being discussed as an AOB does not diminish their importance to the Board or their importance at the time of consideration.

130. I note that the update regarding the meeting with Lord Arbuthnot and Oliver

Letwin MP was considered by the Board as an AOB item. I do not know the reason for this. It may have been a timing issue. As set out above, the fact that it was reported back as an AOB rather than a specific agenda item does not diminish its importance.

131. My practice tended to be that I would prepare the agenda in draft and then send it to both Paula as CEO and also to the CFO at the relevant time for any input, and thereafter would send it to Alice. As Chair of the meeting, it was for Alice to determine its contents, and providing she was happy with the proposed agenda, this would then be circulated to the Executive for information, and to highlight that they would be required to produce a Board paper if appropriate.

132. With regards to the agenda for this meeting, whilst I cannot specifically recall preparing it or indeed the meeting itself, I am confident that Alice would have approved the agenda prior to it being finalised.

133. I do not believe that at that time the Board requested regular updates on the issues considered at the meeting with Lord Arbuthnot and Oliver Letwin MP. The reason for my belief is that, if the Board had requested this, I would have noted this as an Action Point. The fact that I did not indicates that no such request was forthcoming.

134. I cannot speak for Paula as to why she had indicated that the meeting with Lord Arbuthnot and Oliver Letwin MP had been a “*success*”. I was not at the meeting and I did not provide the update.

135. As to whether Paula ever gave an account to the Board of an external meeting which did not go “*well*” or “*very well*,” I am not able to comment on this definitively without reviewing the meeting minutes where Paula provided an update on

external meetings. I do however recall that funding meetings with the Government were often particularly challenging and, given this, may fall into the category of meetings that Paula had described as not having gone well. This is an assumption on my part though, and without checking the minutes I cannot comment.

136. I cannot recall whether the Board was concerned about the prospect of further meetings with MPs about, their constituencies' cases. The Board minutes would provide the best record of challenges and concerns that were raised at those meetings. Board members were always free to raise any concerns they had with the Chair or the CEO outside formal meetings. I am confident that if any of the Board members had concerns about matters, they would have raised them appropriately either in the Board meeting or with the CEO and/or Chair.

137. With the benefit of hindsight, I believe that there are many things that could have been done differently. At the time, neither I, or I believe others, considered there to be an integrity issue with Horizon. Had we done so I believe that further steps would have been taken, including further scrutiny of the system. I note that in May 2012, I was aware of the Computer Weekly investigation that had been undertaken, and also of the concerns raised by Lord Arbuthnot and Oliver Letwin MP. Whilst at the time I was satisfied that appropriate steps were being taken, in hindsight I accept that further work could and should have been done around this issue.

### **Instruction of Second Sight**

138. Within this statement I set out my understanding and recollection of Second Sight's role and how it came to be instructed by POL to undertake a review.

139. As a general point I was not involved in the instruction of Second Sight, but I did attend several meetings, usually with Susan, and at times with Second Sight, to ensure that the investigations were moving ahead. At times those meetings also touched on Second Sight's reports or contact with MPs. If Second Sight raised queries, I would assist by identifying the relevant person to respond, and in facilitating a response. However I was not involved in their instruction or oversight of their role. I provide more details of this at paragraph 157 to 160 below.

140. I have been asked to consider **POL00057991**. Angela was Head of Network Services at this time. Whilst I do not recall specifically why I asked for the information contained within this document, my assumption now is that it was likely at the request of the Chair or a member of the Board.

141. Whilst I do not specifically recall receiving this email, it is likely that by that stage I would not necessarily have been surprised to read that sub-postmasters were saying that errors were generated by the Horizon system itself, as these cases appeared to be similar to those being advanced by Lord Arbuthnot and Oliver Letwin MP, from sub-postmasters within their constituencies.

142. I see within **POL00057991** an email dated 31 May 2012, at 18h16 from Chris Darvill. It suggests that a number of affected sub-postmasters were alleging that there were integrity issues with Horizon. At the time it was sent, it was my belief, based on my understanding, that a sub-postmaster could see every keystroke made on their account, and therefore could identify specifically where any discrepancy arose. As such, I do not think that this email would have caused me particular concern at the time and I knew that POL was looking into these issues.

143. I have been asked to consider **POL00143192**, **POL00143191**, **POL00107746**,

**POL00107753, POL00143385, POL00143573, POL00181578.** As mentioned above, Rod was a senior accountant who worked for POL based in Chesterfield.

144. At that time Rod was the expert within POL on the accounting side of Horizon. If any queries arose relating to the Horizon system, Rod was usually the first point of contact for myself and other members of the business. His quality of work was considered to be thorough, and relied upon and trusted.

145. Within **POL00143192**, at Point 11 of the email from Rod dated 18 June 2012 at 14h27, Rod noted *"The Post Office is fully confident that the Horizon computer system ... enable sub-postmasters to account accurately for the transactions and balances they record"*. As the business' internal Horizon accounting expert, I would likely have given much weight to Rod's assessment. From my perspective, there was no reason to doubt the quality or veracity of his work or the assurances that he provided. I cannot speak for the Board or its individual members as to what extent Rod's role informed their approach.

146. I had limited interactions with Rod, as he was based in Chesterfield. Aside from him, I would have approached Lesley with any questions I had regarding Horizon. Lesley, as CIO, was the IT specialist within POL, and served as the Executive conduit to Fujitsu.

147. Both Rod and Lesley provided me with comfort regarding the Horizon system. Both were very confident in their understanding of how the system worked, and both were robust as to its integrity. I did not have any reason to doubt their assessment or reassurances.

148. With regards to **POL00143191**, I do not specifically recall sending this email, but assume I must have forwarded it to Angela as she was directly involved in the

workstream which considered Horizon and its issues. I do not recall having any specific discussions with Angela in this regard.

149. I also note document **POL00107746**. Simon Baker worked in the team concerned with MPs, or I believe any work involving a parliamentary angle. I do not know what he meant by the fact that the review may be inconclusive and may lead to a “*drain’s up review*”. At this time, the Second Sight review was ongoing and my understanding was that this was the “*drain’s up review*” of Horizon.

150. I note within the document, at paragraph 4 on page 2, that there was ‘*some discussion on whether there could be bugs in the system...*’. My understanding of this comment was that Second Sight was seeking to reassure both Lord Arbuthnot and POL that if there were bugs or similar technical defects within the system – as there could be with any computer system - Second Sight’s review would identify them. As such, this did not change my opinion on whether there were defects in Horizon; rather, this email provided a degree of comfort that Second Sight’s review would be effective.

151. I note within the same paragraph that ‘*the party line is that the system was bug-free and above suspicion*’. I do not accept the characterisation of this belief as a “*party line*” – it was my truthful and honest understanding at the time that the Horizon system had integrity.

152. Within document **POL00143385**, I note the email from Rod dated 16 July 2012 at 13h37 in which he states that ‘*it offers more leads to invite more questions or challenges about matters which actually we feel do have controls in place to stop them*’. Whilst I cannot recall this email specifically, upon my reading of it now, I consider that this was fairly typical response from Rod, whose approach was



generally was to provide straightforward facts, without necessarily providing extensive background or engaging in any wider contextual discussion.

153. I note within the document **POL00143573** that there is a reference to '*external controls*' to assist sub-postmasters who were experiencing losses. In general terms, if an office was experiencing losses, they were advised to undertake a series of measures to prevent further loss. These measures might include offering additional training to any staff, where possible introducing individual tills for staff, or installing CCTV over the safe. The sub-postmasters had complete discretion as to whether they followed these recommendations, and they did not require specific approval to introduce such measures. There was certainly nothing unusual about a branch implementing measures such as these.

154. Within the document **POL00181578**, I see in the email from Simon Baker dated 7 September 2012 at 18h13 that Second Sight were apparently '*becoming increased frustrated*' by '*documentation, or lack of it*'. I was aware that at this time there were difficulties in producing some of the documents requested by Second Sight for their review. Some of the documents were very old, pre-dating the separation of POL from RMG, and in some cases RMG continued to hold the material. As such, it was at times logistically difficult to supply some of the documents requested by Second Sight.

155. In terms of liaison with Second Sight, my understanding was that Susan, as General Counsel, had ownership of POL's relationship with Second Sight. Angela was responsible for providing the operational inputs to Second Sight. My understanding of Rod's role (in relation to Second Sight) is that he would have been the person within POL to whom Second Sight would have spoken with

about the accounting within the Horizon system.

156. I have been asked to consider **POL00339291, POL00339308, POL00107174, POL00091030, POL00091031, and POL00181348**. Ron Warmington (“**Ron**”) was one of two accountants at Second Sight (the other being Ian Henderson), who had responsibility for the review into the Horizon system.

157. I do not recall there being a formal tender or procurement process to instruct Second Sight; I believe the cost of the review fell under the amount that was required to initiate a formal public procurement process. I recall there was consideration as to what type of firm would be the best fit, and ultimately that Second Sight was preferred.

158. The Chair supported Lord Arbuthnot’s’ recommendation for a forensic review, and Second Sight was instructed following Susan Crichton’s personal recommendation. I understood that Susan had worked with Ron of Second Sight previously, and I recall that she believed they could provide a valuable service. In terms of why Second Sight was the preferred supplier for this review, my understanding is that, although they were a small operation, it was considered they would have the best communication skills in terms of being able to liaise effectively with sub-postmasters. As discussed above paragraph 124, this was considered to be particularly important in terms of effectively liaising with sub-postmasters.

159. I did not speak to other accountancy firms prior to the instruction of Second Sight, and it would not have been my role to do so. I assume Susan, as General Counsel, would have been the main POL representative responsible for such communications.

160. I do not recall whether the decision to instruct Second Sight was approved by a Board decision. If it had been it would have been noted in the minutes.
161. As far as I can recall, Lord Arbuthnot's approval or endorsement of Second Sight was not specifically required. However, my recollection is that given the extent of Lord Arbuthnot's interest in this particular issue, the Chair considered it helpful for him to meet with Second Sight to discuss their approach. If Lord Arbuthnot was not satisfied, I assume we would have reconsidered the approach, particularly since he had specifically requested the forensic accounting review.
162. I note the email exchange at **POL00091030**. As is clear from this exchange, Lord Arbuthnot served as a conduit between Second Sight and the sub-postmasters. In addition, I believe that if an MP wanted one of their constituent's cases to be raised with Second Sight, they went through Lord Arbuthnot in the first instance.
163. As set out at paragraph 139 above, I was involved in supporting Second Sight with their review as a facilitator to ensure their queries were addressed by the most appropriate person. Given that I did not have the expertise in either the accountancy systems or on IT, I would have directed any queries to those who did. However, I did not hold responsibility for the relationship and I did not serve as the conduit between Second Sight and POL. I would support Susan and Paula in meetings with Second Sight, often taking a note of the actions to take forward.
164. I would not describe myself as having any particular role where it came to the instruction and supporting of Second Sight, but, as set out above, would help to facilitate the resolution of any issues. I would update the Chair, as necessary.
165. I have been asked to provide an overview of a conversation I had with Ron on 29 June 2012. I do not at this stage recall speaking to him on this date, although

note the email disclosed within **POL00339308**. The start of that email exchange begins with me requesting that Ron gives me a call to discuss arrangements for his initial meeting with Lord Arbuthnot. I cannot recall now whether or not he did call me that day, and/or whether or not I spoke with him about such arrangements another time.

166. I am asked whether I told Ron that remote access was not possible, either at that time or any other time. I believe at this point in mid-2012, I did not think remote access without sub-postmaster knowledge was possible. I do not specifically recall informing Ron of this, or having a conversation of that nature. I may have told Ron that was my belief but I cannot now recall whether or not I did. At a later date Fujitsu confirmed that remote access was possible in certain situations, but it remained my belief that this was always with the sub-postmaster having sight of any keystrokes on their account. I address this at paragraph 187 below.

167. I have been asked to consider **POL00143269**. George Thomson (“**George**”) was General Secretary of the National Federation of Sub-postmasters (NFSP). I knew him on a personal level, as many years previously my father had held that same role. My understanding of this email chain having reviewed it now is that George was angry that he had not been kept updated regarding the review of Horizon by Second Sight, particularly as he had always been assured of the integrity of the system.

168. On page 5 of **POL00143269**, I see that I was given an action by Paula to contact George. It is evident from the email chain that it took me a while to get in touch with him over the phone.

169. Within the document **POL00143269** and specifically within the email from

George dated 25 June 2012 at 09h16, he references '*a very strange decision*'. Whilst I cannot speak for George, my belief is that he was referencing Second Sight's review of the Horizon system. At that stage, it was widely believed within POL that Horizon was functioning effectively and George had been informed of that, and so it may have appeared counter-intuitive to him for POL to instruct a review into its operation. Having reviewed the email exchange, I believe George was frustrated that nobody had updated him about this review, and the impression it gave about POL's position on the concerns raised about Horizon.

170. With regards to whether it was appropriate for George to be informed of the appointment of Second Sight, I believe at the time I felt it was appropriate to do so as a matter of professional courtesy. George did not wield any decision-making power within POL, but he was an important stakeholder and likely felt that he should have been kept updated of any such issues.

171. As Head of the NFSP, I did not consider there to be any specific issue or difficulty with George sending sub-postmaster allegations to POL as this would enable them to be reviewed by Second Sight.

#### **Further monitoring of Horizon issues by the Board**

172. I am asked to consider **POL00021510**, namely the minutes of the Board meeting that took place on 23 January 2013.

173. In particular, I am asked to comment on the fact that the Second Sight review was included as an "AOB" rather than as a specific item on the agenda. I cannot now recall why it was referred to as an AOB in that meeting. It may have been a timing issue, i.e. that the Chair may only have received the Second Sight update shortly before the meeting, although that is speculation on my part and I cannot

specifically recall. However, as I set out above at paragraph 129, an item being considered as an AOB as opposed to a specific agenda item did not affect the importance being afforded to it; it was still duly considered by the Board and documented accordingly. I can see that no points were noted in relation to this update, which may have reflected the fact that there was little discussion around it at that time.

174. Generally, if there was a report or paper for the Board to consider, then this would be referred to in the meeting agenda and thus in the main body of the meeting and minutes. Conversely, if an update was being provided in the absence of a formal paper, this would typically be treated as an AOB or may have gone in the CEO's report.

175. My recollection is that the Board was generally updated on the Second Sight review as and when there was something in particular to update, or if there was something that the Board needed to be aware of. It would most likely have been the Chair or CEO who would have decided if there needed to be an update on Second Sight, and the minutes would reflect what was discussed and any follow up actions.

176. I am asked whether, in my opinion, the Second Sight updates to the Board should have been more regular. There was not, as far as I can recall, any expectation of a regular update of the Second Sight review at every Board meeting whilst the review was ongoing. At the time, I cannot recall being concerned that updates were not sufficiently frequent. Second Sight was progressing with its review, due to finish around the summer, and the Board would be updated as and when there was something to update on. I also note from the absence of any action points requesting more frequent updates that the Board must have been comfortable



with this frequency.

177. I have been asked about the statement “*To date there was no evidence to suggest a fault*”. Having reviewed the minutes of that meeting it appears that the Chair provided this update. My assumption is therefore that she would most likely have made that comment. I cannot recall this specifically however and I do not know the basis upon which this comment was made. I can only surmise at this stage that she must have had some basis for saying this, whether that was from Second Sight itself or some other source.

178. I am asked to consider **POL00021513**, namely the minutes of the Board meeting on 21 May 2013. Within these minutes, Susan is asked to provide an update to the Board in relation to Second Sight. I cannot now recall what update was provided, which would be noted in the Action Log following that meeting.

179. I do not recall at the time feeling that the Board was not receiving regular updates, and as can be seen from these minutes, my recollection is that when an update was required, it was asked for by the Board. My recollection is, at the time, Second Sight continued to undertake its work.

180. My recollection is that whilst the Board had received assurances in relation to the integrity of Horizon, it wanted to obtain clarity about this through the Second Sight Horizon review.

181. I have been asked about my understanding of the content of the Interim Second Sight report. I was involved in several meetings, including those with Second Sight, before the publication of the Interim Second Sight report. I do not now specifically remember my reaction to this document as at July 2013. I think it likely that at the time I would have been reassured by the conclusion at 8.2(a)

that “*we have so far found no evidence of system wide (systemic) problems with the Horizon software*”. Equally, however, I think it likely that I would have been disappointed by the statement at POL 8.2(d) that, in terms of its dealings with sub-postmasters, “*POL’s response can appear to be unhelpful, unsympathetic or simply fail to solve the underlying problem*”. This raised issues about the support we had provided for sub-postmasters and I would have wanted this to be addressed.

182. I also note the Interim Second Sight report makes a number of general observations regarding Horizon including that “*the vast majority of SPMRs and branches are at least reasonably happy with the Horizon system*” (paragraph 1.11) and “*the Horizon system appears to achieve its intended purpose almost all of the time*” (paragraph 7.1).

183. The report does identify a number of commonly reported user problems with the system (at paragraph 7.2) – such as gaps in training coverage and inadequate helpdesk support – and which required improvement. However, Second Sight did not conclude within the Interim Report whether remote access to terminals without sub-postmasters’ knowledge was possible. At Spot Review 5, at Appendix 2 of the report, Second Sight did consider an allegation from a sub-postmaster that they witnessed remote manipulation of an account from the basement of the Fujitsu office in Bracknell in 2008. On this point, however, Second Sight concluded that, having considered both POL’s evidence and the sub-postmaster’s account, “*we are left with a conflict of evidence on this issue*”. My recollection and belief are that, at that stage, I did not consider there to be a technical issue with Horizon.

184. With respect to this specific question of whether remote access to Horizon terminals without sub-postmasters' knowledge was possible, I do think that prior to the publication of the Interim Report, POL had tried to assist Second Sight in coming to a conclusion on this and I certainly do not consider that POL either ignored the issue or knowingly withheld anything from Second Sight.
185. In May 2013 I see that I confirmed to Paula that Lesley, then Chief Information Officer ("CIO") – as owner of the relationship with Fujitsu - would be taking this specific issue forward with Fujitsu directly in order to get "*clear evidence about any central system which can adjust sub postmaster accounts*" (**POL00098382**), i.e. it was my understanding at the time that the CIO had ownership of this workstream and it was not being ignored. In this regard, the CIO would have been the appropriate internal stakeholder to take ownership of this workstream.
186. It is also clear from **POL00098439** that when Second Sight asked the clear question (among others) as to "*what capabilities did the POL Bracknell team have*" on 3 June 2013, Steve Allchorn forwarded this to Fujitsu stating "*as a matter of urgency could you please provide a response to each of Ian's [Henderson] points*", again reinforcing the point that POL was not ignoring the question and was asking Fujitsu directly to provide the requisite information and confirmation. On 4 June 2013, **POL00029591** shows that Fujitsu replied to this confirming that the "*live system is not accessible from the basement in Bracknell, i.e. that the member of staff in question could only have been talking about the test system*". On 5 June 2013, within the same chain, I can see that POL did not necessarily take this general assurance at face value and further challenged Fujitsu to provide "*some clear statement of facts*" in response to the specific questions raised by Second Sight.

187. I am aware from **POL00029598** and **POL00029601** that between 6 – 11 June 2013 Second Sight was still unsatisfied with POL's initial response to Spot Review 5. As a consequence, I understand that POL took further steps to try to bottom out this issue definitively. **POL00029605** shows that on 13 June 2013, Fujitsu sent a detailed email confirming that whilst remote access was possible *"this access is available only to Fujitsu's SSC team...they are based on the 6<sup>th</sup> floor which is the most secure floor in Bracknell.... there is no access to the SSC systems from the basement"*. The next day, 14 June 2013, Lesley– the CIO - provided further analysis on this specific point, *confirming "I've tested Fujitsu on the infrastructure. This looks as if the test system infrastructure wasn't even in the data centre...if this is the case then SR5 has no foundation"* (SR5 is an abbreviation of Spot Review 5). In relation to Fujitsu's email of 13 June 2013, it was my understanding at this time that even if remote access was possible under very controlled conditions, then this would be visible to any sub-postmasters through the keystrokes on their account. As such, it did not change my understanding and belief that remote access to accounts without sub-postmasters' knowledge was not possible.
188. Having been copied in to this chain, I do think that, at the time, I would have taken a significant degree of comfort from such reassurance being provided by both Fujitsu and from within POL's own CIO function. Moreover, I would have had no reason to doubt that either Fujitsu or the CIO were incorrect given that they possessed a level of technical expertise and understanding of the system that far exceeded mine.
189. I also understand that Second Sight provided further challenge to POL's analysis and position on 24 June 2013 (**POL00188912**). I can see from this email chain

that I – in my capacity as Company Secretary - escalated the issue to the CIO directly stating that “*you are going to have to get involved in the Bracknell one*”, as the CIO ultimately owned the relationship with Fujitsu and was therefore the appropriate senior stakeholder to task with taking this forward. As stated above, I do believe that efforts were being made to try and get clarity on this issue and to provide Second Sight with the information they required.

190. From **POL00190617**, I can see that on 3 July 2013 Simon Baker emailed Second Sight, copying me in as well as the CIO, stating that “*I took the action to answer the question: Did any Post Office employee have the ability to post transactions to the back-office accounting system. The answer is “no”*”. Again, I do think that at the time I would have taken comfort from the fact that Second Sight’s questions were being taken seriously and considered properly by the appropriate internal stakeholders (specifically those with the relevant technical knowledge including the CIO) and with Fujitsu and that both were consistent and definitive in their responses.

191. Although ultimately in their Interim Report, Second Sight concluded that there was a “*conflict*” between POL’s evidence and the evidence of the sub-postmasters on this issue, I do think that efforts were made to try and work through the issue and the appropriate internal and external stakeholders were involved in this process.

192. I am asked to consider **POL00021515**, namely the minutes of the Board Meeting of 1 July 2013.

193. I note that Paula provided an update to the Board at the Board Meeting on 1 July 2013 which included a summary of the Interim Second Sight Report. Having reviewed that update, it appears to me that it was accurate. I do not recall having

any concerns about this at the time, nor do I recall the Board raising any concerns. In particular, Paula confirmed to the Board at that meeting that “*the investigation to date had found no systemic issues with the Horizon computer system but had highlighted areas for improvement in support areas such as training*”.

194. This update appears largely consistent with the conclusions set out in the Interim Report, which I have discussed above. Furthermore, I also note at POL13/52(c) that the minutes state that “*the CEO was concerned that the report from the independent forensic accountants was not as factual as expected*” – this reflects the points made elsewhere in the statement at paragraphs 202, 225 and 260, that Second Sight was not providing the granular forensic analysis that the business really needed and instead was focusing on higher level and more subjective issues.

195. Had I had any concerns with the update provided by Paula, I would no doubt have raised these with the Chair after the meeting. I do not have any recollection of doing so.

196. Whilst I cannot specifically recall whether any members of the Board raised concerns about the update provided, I believe that if any Board members had concerns about this update, these would have been minuted. That they were not leads me to believe that the Board did not raise any such concerns.

197. With reference to the document **POL00192017**, it also appears that Paula circulated the Interim Second Sight to the Board by email on 8 July 2013 at 16:12, although I cannot now specifically recall this.

198. As to my understanding at the time of the Board’s view of the culpability of sub-



postmasters, I do not know what this was and cannot speak for individual Board members. I note however that no concerns were noted within the Board minutes. However, my general impression at the time was that the Board accepted what it was being told by the CEO, i.e. that there were no systemic issues with Horizon.

199. I am asked to consider **POL00027573**, namely minutes of the Board Meeting of 9 July 2013.

200. I am asked whether, save for the 2013/20 Strategic Plan, were any other topics discussed at the meeting. It is important to note that the 2013/20 Strategic Plan referenced here is entirely unrelated to Horizon. This was an ad hoc meeting, by conference call, held solely to discuss a request for funding from central Government. I also believe clearance from the EU was needed for this funding. There was pressure on the business to agree this funding and for the Board to sign off the strategy, as without the funding the business may not have been a going concern.

201. With respect to the meeting with the Secretary of State and Minister scheduled for 11 July 2013 (i.e. two days after this meeting) that is referenced within the minutes, my understanding having reviewed the minutes is that the Board was discussing the various ways that Sue Barton – the Strategic Director – could present the various financing options to Government. I do not have any recollection beyond that.

#### **Involvement of Second Sight and termination**

202. My recollection is that Second Sight's contract was terminated because its review was taking longer than expected and it had not been sufficiently forensic and granular. I believe that the Board wanted a detailed forensic review that looked

at the individual post office accounts and came to a definitive view as to whether or not any discrepancies were due to issues with Horizon.

203. Instead, Second Sight's findings were more subjective, focusing on issues such as the fairness of the sub-postmaster contract, the quality and availability of training, and the level of support provided by the helpline. These were all important issues but not the forensic review of the IT system the Board was expecting. The CEO explained progress with Sparrow, the mediation scheme and the termination of SS in her CEO report to the Board POL27304. I do not recall who in particular made the decision to terminate the contract.

204. I am now unable to recall what my overall opinion of Second Sight's report was at the time. I do recall that, as stated at paragraph 183 above, whilst it identified various general issues with the Horizon system it did not address the specific forensic issues that the Board was seeking clarity on and for which the report had originally been commissioned.

205. I am asked to consider **POL00021516**, namely Board Meeting minutes of 16 July 2013. Please note that paragraphs POLB13/60 (c) (g) (j) relate to an independent Board effectiveness review and are entirely unrelated to Horizon.

206. The minutes of the meeting at POLB 13/63(a) note the CEO's comments concerning the Second Sight report. It is important to note that although the CEO highlighted the lack of any systemic issues with Horizon and some "*positive things*", she also highlighted areas for improvement. Indeed, at POL 13/63(a) she recognised that "*there were cultural issues which had to be addressed*" and that she "*stressed that this was now a catalyst to make changes in the Business*". It appears that this was an accurate summary of the conclusions of the interim

report, and I cannot recall any concerns at the time of the accuracy of this update.

207. I also note at POL13/63(c) that the *“Board expressed strong views that the Business had not managed the Second Sight review well”*. My recollection having reviewed these minutes was that the Board believed that Second Sight had gone beyond its terms of reference, and instead of conducting a forensic analysis of figures and considering individual accounts in detail, had instead looked at wider and more subjective issues. I believe the Board wanted the business to manage Second Sight better to ensure a more timely and effective conclusion to the review.

208. I am unable to say whether the Board considered the impact of potentially wrongful prosecutions on the sub-postmasters, although of course I would hope that it did. In relation to the statement at POLB 13/63(b) that *“the Board were concerned that the review opened the business up to claims of wrongful prosecution”*, I note that the minutes also state *“The Board ask if Susan Crichton, as General Counsel, was in anyway implicated in the prosecutions. The CEO reported that, up until eighteen months ago, Royal Mail Group Limited (RMG) had run the criminal law team and many of the cases in the review had arisen before separation”*.

209. I do not recall whether any members of the Board raised concerns about POL using a third party in the context of prosecutions. To the extent that such concerns were raised, these would have been minuted. At POLB 13/63(b) it is noted that since separation (from RMG) *“the General Counsel had proposed moving to the more normal position of using the CPS for prosecutions; this was being explored”*.

210. Similarly, I do not specifically remember what information was provided to the Board in terms of the statistics for prosecutions.

211. I have been asked whether the Board raised concerns about the high levels of prosecution following the installation of Horizon. It is important to recognise that Horizon was installed in 1999, and that this particular Board had only been in existence since 2011. I do not recall, and think it unlikely, that this Board would have considered any statistical changes before and after 1999, and if any Board had done so it would most likely have been the Royal Mail Group Board prior to separation. I do not recall seeing any papers, or other information, tracking any increase in prosecutions after the installation of Horizon in 1999. It is also important to note that POL had been prosecuting sub-postmasters before the Horizon system was introduced. I do not know whether, and to what degree, this may have increased following the installation of Horizon.

212. I note that POL 13/63(c) states that the "*Board expressed strong views that the Business had not managed the Second Sight review well*". I do not recall which individual Board member stated this.

213. At paragraphs 206 and 207 above, I set out my understanding at the time of the Board's view of the Second Sight Review.

214. With respect to Alice's request, minuted at POL 13/63(g) that there be a "*postmortem*" report to the Audit and Risk Committee ("ARC"), without having sight of the subsequent ARC papers, minutes and action log, I have no recollection of whether this was actioned by Susan, and what the ARC's findings were. I cannot now recall what steps were taken in relation to this but as it was a request from the Chair it is my belief that this action would have been fulfilled.

215. I note at POL 13/65(d) that “*the Board asked for visibility of the decisions being taken by the ExCo*”. I believe that this refers specifically to the financial performance at the time, and my understanding is that this was not directed to Horizon specifically. There was financial pressure on the business to operate within budget, and the CFO had (at POL 13/65(c)) confirmed the need to reduce costs, and that there was a reforecasting exercise being conducted in relation to this reduction.
216. In response, my understanding is that the Board recognised that difficult decisions would need to be taken, and consequently wanted to know what the pros and cons of the various options were in order to be assured that the right financial decisions were being taken, and for the right reasons. This was entirely unrelated to Horizon, and as far as I recall, I do not believe it was the case that the Board was either saying, or even implying, that it was not receiving adequate information. I cannot recall the Board raising concerns about the level of information being reported to it.
217. Having reviewed the minutes and from the CEO’s update, at POL 13/63(a), I think it was clear that the issues with Horizon had been identified and that this was a “*catalyst to make changes in the Business,*” even if Second Sight had not necessarily identified any “*systemic issues*” with the system. My recollection is that the Board did want to address these issues and to make changes, and that there was a general sense that this would be done. I certainly do not recall any dissenting voices in that regard.
218. I am asked to consider **POL00021518**, namely the Board Meeting minutes of 27 September 2013.

219. I note that this document is the minutes of a Board meeting held on 25 September 2013 and that POLB 13/88(a) refers to a Horizon update paper being sent to the Board on 27 July 2013. I understand that this update paper is **POL00006590**. I do not specifically recall this update, but it states that *“further to the Board discussion on 16 July, this note provides an update on how we’re taking forward the programme of work in response to the publication of the Second Sight report”*. **POL00021516** confirms that a Board meeting was indeed held on 16 July 2013.
220. I can see from **POL00298022** that I sent a version of it to the Board on 26 July 2013 and Martin Edwards then circulated a revised version on 27 July 2013. I note that in my email of 26 July 2013 I describe this as a *“detailed note from Paula”*. I discuss this further at paragraph 241 below and in response to questions 86/86a.
221. As to whether these papers were requested by the Board following the meeting on 16 July 2013, as stated above, it appears to me from reading these documents in 2024 that this update may have been requested by the Board after the July 2013 meeting. However, I do not recall if that was the case, and this is purely speculation on my part.
222. I have been asked why, if these papers had been requested, they were not noted within the Board Meeting minutes. Had the papers been requested during the meeting this would have been noted as a formal action point and documented accordingly. On occasion however, members of the Board may request documents outside of the meeting or through the ARC.
223. I do not recall whether the Board raised any concerns about the papers not being sent to the Board earlier. Indeed, if such concerns had been raised in the meeting



then these would have been minuted. From re-reading these documents recently, it appears to me that the Board received these papers as soon as they were ready, and I cannot think of any reason why the Board would have been concerned with the timing of this.

224. As a general observation, I did not have any concerns about items not being accurately recorded in Board meetings. As set out at paragraph 29 above, as Company Secretary, my practice was to take verbatim notes of discussions at meetings and then to write up the minutes from these verbatim notes as soon as practicable after the meeting. It was my practice to have the draft minutes to the Chair by no later than the third day after the meeting. The draft minutes were then approved by the Chair and recommended to the Board at the next meeting as being an accurate record of discussions. These draft minutes were then agreed by the Board and signed by the Chair. Where appropriate I would also share the minutes in draft to those attending the meeting both for accuracy and so that they could pick up their action points.

225. With regard to Susan's departure from the business, whilst I cannot speak for Susan, I believe that by that stage she felt that, as General Counsel, she had lost the confidence of the Board. I believe that this was, as a result of the Second Sight review. As discussed above at paragraphs 202, it was felt that the Second Sight review was taking too long, and had failed to deliver the granular forensic analysis that the Board required Susan had been the person responsible for recommending them to the business. My experience of working with Susan was that she was not someone who would countenance staying in an organisation where either her integrity or capability had in some way been questioned.

226. As to whether I had any concerns as to the reasons why Susan left the business,

as a general point I had concerns that POL was losing a good and experienced General Counsel at short notice, which inevitably left a gap that needed to be filled.

227. I am asked to consider **POL00021520**, namely the minutes of a Board Meeting on 27 November 2013.

228. I do not believe as at the date of this meeting, being 27 November 2013, I had concerns about the various decisions made at this meeting in reference to prosecutions, and referenced at POL13/126. It is important to note that I am not a lawyer and have no legal qualifications, and I did not have either the knowledge or expertise to be able to challenge what was being proposed. However, I think it is very likely that at the time I was comforted by the fact that the CEO confirmed that "*prosecutions were not brought lightly*" and that "*the Business was reviewing its approach*" (POL 13/126(d)). Similarly, I note at POL 13/126(c) that Sir Anthony Hooper had changed his position and was "*inclined to look at each case individually*". Again, I believe that this is something that would have given me comfort that the appropriate scrutiny was being given to past prosecutions and that the business was taking this issue sufficiently seriously. Whilst I cannot recall this particular Board Meeting, this reflects my general recollections from that time.

229. I also note at POL13/126(e), the then General Counsel, Chris Aujard, and Angela were given a specific action to "*consider the future approach of prosecutions at a future Board alongside the improved support process for sub-postmasters*". This is also something that would likely have provided me with comfort that, not only were past cases being looked at, but looking ahead, the business was taking steps to make improvements.

230. As to whether the decisions made at that time were the correct ones, at the point of the meeting and given the Board's level of knowledge at the time, it appears to me that the Board was trying to do the right thing, both in terms of backward and forward-looking actions. However, with my level of knowledge as at 2024, I think the whole approach and scrutiny of past convictions is called into question.

231. As Company Secretary I was aware of the general legal obligations upon me to ensure compliance with the Companies Act 2006, including the obligation to ensure that the Board considered the interests of all stakeholders, including sub-postmasters. I do believe that during my time as Company Secretary the Board was mindful of this obligation and, even if hindsight shows that the correct decisions were not necessarily taken at the time, I can see from my review of these minutes that the Board was trying to get to the bottom of what had happened and was trying to improve its approach to such cases in the future. This is reflected by the various updates at POLB 13/126, including that Sir Anthony Hooper was inclined to look at past cases individually (POLB 13/126(c), and that the business was actively reviewing its approach to future prosecutions (POLB 13/126(d)). If I considered that the Board was not compliant with its obligations this would have been raised with the Chair.

232. I have no recollection of being concerned about the timing of these discussions. I note that matters relating to Horizon developed throughout 2013.

233. Indeed, it was my belief at the time that POL was working through the issues, trying to understand the root cause and putting in place processes to improve the support offered to sub-postmasters, based upon the information that it had at the time. The Board may have had concerns about the pace, quality and cost of Second Sight's work, and I do believe that it wanted things to be resolved as

quickly as possible.

234. I do not recall what was contained in the General Counsel's note regarding professional indemnity and Director and Officer insurance coverage.

**Advice by Simon Clarke**

235. I am asked to consider **POL00006357**, namely the advice provided by Simon Clarke (referred to as the "Clarke advice").

236. It is important to recognise that I do not recall ever having had sight of the Clarke advice during my time at POL.

237. Upon reading this document at this stage, it is clear to me that it was legal advice concerning the evidence provided by Dr Gareth Jenkins ("Dr Jenkins"), an employee of Fujitsu Services Ltd, who acted as an expert witness for the POL in a number of criminal prosecutions of sub-postmasters, and who consistently gave evidence as to the integrity of Horizon.

238. It appears from reviewing this advice that it is focused on whether the evidence provided by Dr Jenkins satisfied the legal test for "expert evidence". I can see from the conclusions section to this document – in particular paragraphs 37 - 39 - that Simon Clarke states that Dr Jenkins failed to disclose material known to him relating to the integrity of Horizon which "*fatally*" undermines his credibility as an expert witness and which, by extension, means that POL had breached its legal duties as a prosecuting authority. I do not know who commissioned this advice or why they did so.

239. I am not aware if this document was ever circulated to the Board, although I do not recall this being the case. There is no mention of this document in either **POL00021516** or **POL00021518**, being the 16 July 2013 and 25 September 2013 Board minutes. Had the Clarke advice been circulated to the Board I would

have expected it to be discussed and referenced in one of these sets of minutes. As such, I have no basis to believe that the Board ever saw this document or, therefore, factored it into any discussions or decisions. If the Board did see it, I do not know when this happened.

240. In addition, I can see from **POL00192783** that on 22 July 2013 (i.e. one week after the Clarke advice is dated) an update to the board was prepared. This update may have been written by someone within the legal function – although I do not know who - and was sent by Susan Crichton to Martin Edwards and me on 24 July 2013 (**POL00192782**).

241. This update makes no reference to the Clarke advice; instead it states that, with reference to the legal duty of prosecutors, *“through its criminal law solicitors Cartwright King (CK), POL is complying with that duty by reviewing past and present prosecutions”*. As discussed above at paragraphs 219 and 220, **POL00006590**, shows that on 26 July 2013 I circulated a summary to the Board which appears to quote directly from the 22 July 2013 update and again makes no reference to the underlying Clarke advice. This reinforces my belief that neither I nor the Board was sighted on the Clarke advice at this time.

#### **Board Meetings –2014**

242. I am asked to consider **POL00021521**, namely minutes of a Board Meeting that took place on 21 January 2014.

243. I note at POL 14/7(f) that the CEO updated the Board that *“Sparrow was taking longer than we had originally expected”* and that at 14/7(g) *“the Board agreed that the February ARC would consider an update on Sparrow”*. At that stage the Sparrow subcommittee had not yet been set up, and so the appropriate sub-

committee to address this was the ARC.

244. My interpretation of this minute is that, in light of the CEO's update, the Board wanted more time to consider the Sparrow issues in more detail and to review the mediation scheme progress. As such, and with an ARC meeting – which was specifically for the purpose of considering issues of risk – scheduled to take place shortly after this Board meeting, the Board felt it was appropriate to use that forum to have a detailed discussion on Sparrow before bringing it back to the “*full Board in February*” (POL 14/7(g)), i.e. at the next monthly Board meeting. As such, I believe this was a case of the Board using the Board subcommittee structure to give itself more time and space to consider Sparrow in detail.

245. I do not consider that it was inappropriate for the Board to move the update on Sparrow to ARC at this stage, and to use the ARC in this way. As set out above, the purpose of moving Sparrow onto ARC was to give the Board more rigorous oversight of the issue and more time to consider it in depth. ARC was a dedicated audit and risk committee; the Board was asking that committee to consider the issue from that perspective before reconsidering it at the full Board at the next meeting. I do not recall having any concerns with this approach.

246. I am asked by the Inquiry whether there were any discussions between the Board raising concerns that the move of the update on Sparrow to ARC may fail to provide Sparrow the level of attention and scrutiny it deserved. I do not recall that there were any discussions between the Board raising concerns about this. As explained above at paragraph 244, on the contrary, it seems that the whole purpose of moving the Sparrow update to ARC was to increase the level of scrutiny over it. It is clear from POL 14/7(g) that the Sparrow update was always intended to return to the main Board at the next regular meeting after ARC had



considered it from a risk perspective.

247. It is my understanding that the Sparrow papers for ARC would be circulated to the full Board so that full Board members could review before the meeting and attend ARC if they wanted or provide input if they wished to. This was done in order to maximise transparency. There was an open invitation for any Board member to attend any Board subcommittee if they wished.

248. I am asked to consider **POL00100193**, Post Office Audit Risk and Compliance Committee Prosecution Policy, and **POL00021522**, the minutes of the Board Meeting on 26 February 2014.

249. As stated above, it is my understanding that the Board was not aware of the Clarke advice at this point in time. At paragraph 4.5 of **POL00100193**, being a paper from Chris Aujard to the ARC from February 2014, there is a passing reference to the fact that "*we have been advised that in these cases, there is a strong likelihood that such a defence would be successful*". It is a possibility that the 'advice' Chris Aujard is referring to here may potentially be the Clarke advice, however I do not believe that the underlying paper from Simon Clarke (**POL00006357**) had itself been circulated to the Board (if that is indeed what is being referred to by Chris Aujard here).

250. I do not recall being aware of the Clarke advice at this stage. If I had seen this advice, I believe I would have asked for it to go to the Board. I have no recollection of this document ever being circulated to the Board.

251. It is my understanding and belief that the Board did not receive the Clarke advice, and as such it could not suppress it. It is my assumption that the Clarke advice was likely commissioned and received by the legal team. I have no recollection of the legal team transmitting it on to the Board, either through me as would be

the usual way, or through any other means, and it is not referenced in any of the Board minutes I have seen (beyond the potential passing reference discussed above at paragraph 249).

252. With respect to the minute at 14/18(a) that *“the Board received a report on the challenges facing the Initial Complaint and Review Mediation Scheme (“the Scheme”)*”, I do not specifically recall the report in question but do recall that this was the working group being chaired by Sir Anthony Hooper that was trying to mediate between sub-postmaster who had been pursued on a civil basis and the business. The Scheme was using Second Sight to look into certain cases; this was a separate workstream to Second Sight’s substantive review of Horizon.

253. I believe that the challenges being referred to here relate to the difficulties that the Scheme was experiencing in terms of being able to locate the relevant information and documentation, particularly for historic cases. In addition, I believe that there may have been an expectation gap between what the affected sub-postmaster thought they should receive and what the business was able or willing to pay by way of compensation.

254. I am asked to consider **POL00105529**, Post Office Ltd Board Initial Complaint Review and Mediation Scheme, and **POL00021523**, the minutes of a Board Meeting on 26 March 2014.

255. I note at paragraph 14/32(h) of POL00021523 that Paula *“noted that the quality of the work undertaken by Second Sight had been challenged by Sir Antony Hooper, Chairman of the Working Group, who was now insisting on more evidenced based reports”*. As this minute references Sir Anthony Hooper, I believe this refers to the work carried out by Second Sight as part of producing evidence for that Scheme.

256. Second Sight was, at this time, supporting Sir Anthony Hooper's working group for the Initial Complaints Review. I believe that this particular Board minute was referring to the some of the difficulties that Sir Anthony Hooper was experiencing with the Second Sight work in that specific context. It is my recollection now that Sir Anthony Hooper required specific granular information on individual accounts, and Second Sight was struggling to provide him with that. Often the cases went back many years and that type of information may have been extremely hard to find or simply not available.

257. From my review of the document I understand that the work undertaken by Linklaters LLP was a legal analysis of the sub-postmaster contracts, and it advised on whether or not the contracts permitted POL to pursue the sub-postmasters for losses at their offices.

258. It appears from this advice that Linklaters LLP concluded that POL was legally entitled to recover losses from sub-postmasters. However, I can also see from paragraph 1.4 of this advice, that this conclusion was predicated on an assumption that Horizon was working as it should.

259. I do not know who in particular commissioned this advice but assume it must have been the legal team at that time, as they held the budget for external legal support. It would typically be the General Counsel and legal team who engaged external lawyers.

260. I note the minute at POLB 14/32(k) in **POL00021523** that "*the Board agreed that they needed to commission a piece of work, to complement that undertaken by Linklaters, to give them and those concerned outside the Business, comfort about the Horizon system*". As stated above, I note that the Linklaters advice

was predicated on the fact that Horizon was functioning correctly; this minute suggests to me that the Board was still not comfortable that it had received the evidence necessary to support its understanding that Horizon was functioning correctly. Second Sight had been instructed for this very purpose, but as explained elsewhere in this statement, their report had not provided the granular forensic account analysis that the Board had expected, instead focusing on more subjective “cultural” issues with the system. Consequently, my understanding is that at this point, the Board was still not entirely comfortable that they had received the necessary evidence so as to address any concerns as to the integrity of Horizon. Whilst I cannot speak for members of the Board, that was my understanding at the time.

261. I see at POLB 14/32(I) that the General Counsel was given an action to “test” the terms of reference with Linklaters. I do not know if this action was undertaken but my interpretation of this minute is that the Board was essentially saying that this additional work needed to demonstrate that “*Horizon is reliable*” in order to address the assumption made by Linklaters at paragraph 1.4 of their advice. By testing the Terms of Reference with Linklaters, effectively the Board were looking to ensure that the work commissioned would prove that Horizon was reliable, as opposed to another review that did not meet the Board’s needs.

262. I am asked to consider **POL00021525**, namely the minutes of the Board Meeting of 21 May 2014.

263. I do not recall the specific discussion referenced at POLB 14/70 or why the decision was taken to exclude Sparrow from the annual report and accounts. Having read the minutes I can only surmise that Mark Davies would have gone through the pros and cons of including it as against excluding it, and that the

decision was taken on that basis. I cannot now recall any specific discussion on this.

264. I believe that the Initial Complaint Review and Mediation Scheme was also excluded as it was all part of Sparrow; I do not think it was the case that this was excluded on its own terms. but rather because it fell within the wider Sparrow 'umbrella'.

265. I do not recall the Board raising any concerns about this. Had this been the case, I believe that such concerns would have been minuted.

266. As to whether or not the Complaint Review and Mediation Scheme should have been included, it was not my decision as to what should be included in the annual report. I am also aware POL's external auditors would not have signed off the annual report and accounts if they had been concerned, I would have expected them to raise this with the CFO. With full hindsight, and knowing what I know now, I do think there should have been some disclosure of the ongoing Initial Complaint Review and Mediation scheme in the annual report.

267. I am reminded by the reference at 14/32(g) of **POL00021523** that the Sparrow Board subcommittee was established after 26 March 2014, although I cannot recall the precise date that it was formally set up. The Non-Executive members of the Sparrow Board subcommittee were, the Chair, Alisdair Marnoch (Chair of the ARC) and Richard Callard (Shareholder Executive), the CEO was also a member.

268. My understanding is that the Sparrow subcommittee was established to give more time, space and rigour to the Horizon issue. At this time, the Board was dealing with a number of large strategic issues which inevitably limited time

available at Board meetings. By creating a dedicated subcommittee, I believe that the Board was seeking to ensure that it was dedicating sufficient resource and oversight to Horizon.

269. I am asked to consider **POL00148420**, namely an email from me to Chris Aujard and Belinda Crowe on 23 May 2014.

270. I can see from this document that I shared draft minutes with Chris Aujard and Belinda Crowe, along with some other individuals (names redacted), on 23 May 2014. It was my custom and practice with any draft minutes to share the draft with the relevant presenter to ensure I had accurately captured their input into the areas presented. Although I would take input from individuals to explain or clarify specifics about their presentations, my sharing of the draft minutes with them would not in any way change the substantive minutes of the Board meeting. For paragraph (f), for example, it appears that I was checking with the General Counsel that the action assigned to him was correct. There was nothing unusual about me checking parts of the minutes with relevant individuals who attended the meeting for accuracy regarding their specialisms, before they were then presented to the Chair for signing.

271. With respect to the statement "*it's a bit smoke and mirrors but here are the minutes, comments asap please,*" this was unprofessional and should not have been included in the email. This did not in any way relate to any attempt to mislead or conceal information, and was in no way related to the accuracy of the minutes.

272. My recollection is that this comment within the email related to a passing comment between myself and Belinda Crowe following the meeting that had



taken place, as the discussions in that meeting had been circular at times, and therefore it was particularly challenging to minute. It was an 'off the cuff', poor use of words that did not reflect the way I approached the meeting or the way that I prepared the minutes. As set out at paragraph 224 above, it was my role to ensure that an accurate minute was taken, and I always did my best to ensure that this was done.

273. I reiterate that this in no way reflects on the quality, accuracy or completeness of the minutes – which absolutely did record the discussion accurately - or how seriously I took my role as Company Secretary.

274. I am asked to consider **POL00021526**, namely the minutes of the Board Meeting that took place on 10 June 2014.

275. I note from the minutes that this meeting was held at Warren House. My recollection is that this was during a Board away day; an annual event used for strategic discussion. During this event I recall that a meeting was held specifically to discuss Sparrow.

276. I note from POL 14/85(a) that "*the Board received an update on the discussions of the Sparrow Sub-Committee on 6 June 2014*". I do not specifically recall the content of this update but I am reminded of the Sparrow sub-committee meeting of 6 June 2014 by **POL00022128**. From this document I can see that on 6 June 2014 Chris Aujard and Mark Davies presented a paper discussing in detail the three options for the future of the Initial Complaints Review and Mediation Scheme together with cost projections for each of them, communications implications, stakeholder handling and potential timelines. Whilst I have no specific recollection of this meeting, I can only assume that the update given to

the Board reflected this.

277. I believe that Chris Aujard joined this meeting by conference call. Whilst I am unable to recall the risks that he articulated, I can see from **POL00022128** that the risks of the three options were discussed in the paper provided to the Sparrow sub-committee entitled *“Initial Complaints Review and Mediation Scheme: the way forward”*. In summary, the risks identified in this paper were:

- *“Option 1 – the Scheme may last for an additional 18 months which is considered “substantial” and may result in applicants and stakeholders being unhappy at the final outcome.*
- *Option 2 – potential strain on the working group and the possible withdrawal of some parties. The risk of negative PR was also identified.*
- *Option 3 - The risk of negative PR and impact on stakeholders was considered.”*

278. I understand that references to the “Scheme” in POL 14/85(c) are to the Initial Complaint and Review Mediation Scheme being chaired by Sir Anthony Hooper. My understanding, based on my reading of this document now, is that there had been discussion that the Scheme was not working as it should at the Sparrow subcommittee on 6 June 2014, and that the matter was being brought to the full Board to take a decision on what changes were necessary to improve it going forwards.

279. My recollection is that there were a number of issues with the Scheme that required amendment. As previously discussed, I believe that Sir Anthony Hooper was unhappy with the level of granularity of Second Sight’s analysis and that he was not receiving the information he had requested, which may have been unavailable and/or difficult to locate given the passage of time. There was also an “expectation gap” between what many sub-postmasters thought they should

receive after mediation and what was being proposed.

280. I do not know if the options presented at this meeting had been discussed with Sir Anthony Hooper prior to the meeting taking place.

281. As to whether any other matters were discussed at that meeting, whilst I cannot specifically recall this, it is my belief that the meeting was convened to discuss this one issue and had any other matters been discussed at this meeting, they would have been minuted.

### **Ongoing Monitoring**

282. With regard to document **POL00021528**, being Board Meeting minutes of 25 September 2014, and in particular paragraphs POLB14/109 (d) and (e), I do not recall what update was provided by Chris Aujard and Belinda Crowe on the progress of the Initial Complaints Review and Medication Scheme.

283. I cannot recall how the Board responded when they were informed that the business was about to refuse to put cases involving criminal convictions into mediation. The board minute notes that "*the board members understood that the next few weeks could be controversial as the Business was about to refuse to put cases involving criminal convictions into mediation.*"

284. With regard to section POLB14/109 (e), Richard Callard was a member of ShEx, and I note from the minutes that the Board had asked the General Counsel, Chris Aujard, to work with him to update the minister. I do not know specifically what the Board was responding to in that part of the discussion, and in particular I cannot recall whether this had originated as a result of a request from the Minister or any other stakeholder.

285. As to who was responsible for updating the Minister on these matters, Belinda Crowe, Chris Aujard and Richard Callard held the responsibility for updating both ShEx and the Minister. Whilst I was not party to the update and do not therefore know exactly what was covered, I assume that the update was in relation to the fact that cases involving criminal convictions were not being put into the mediation scheme.

286. I am asked to consider **POL00021529**, namely Board Meeting minutes of 29 October 2014, and in particular paragraph POLB14/128 (b). Within the minutes it is noted that the Chair offered to reconvene the Sparrow Board Sub Committee. I am asked what the Board's response was to this, and why any response is not noted in the minutes. Whilst I cannot recall this specific meeting, I believe that had the Board agreed to reconvene the Sparrow Board subcommittee, this would have been reflected as an action point. I therefore believe that, at this point, no decision was taken regarding reconvening the Sparrow subcommittee.

287. I am asked for my understanding of the reason why POL did not progress all case into mediation. I cannot specifically recall this, and I believe the mediation scheme was being run by an external law firm, and so it may be that this was based on legal advice, but that is an assumption on my part.

288. It was my understanding that if it was felt that criminal cases needed to be reviewed, the correct legal process was to refer them to the Criminal Cases Review Commission.

289. I am asked to consider **POL00006575**, being the meeting minutes of the Sparrow Sub-Committee Meeting of 12 January 2015.

290. I do not know who within the legal team at that time knew about the Clarke advice.

As set out at paragraph 236 above, I do not recall ever seeing that advice at the time.

291. At that time, in 2014, the legal team was made up of approximately 20 individuals.

My assumption is that Chris Aujard would likely have seen this advice and possibly others within his team too, but I do not know this for sure, as I was not aware of this advice having been received.

292. As to the knowledge of the members of the Sparrow Board subcommittee, it is my view that had the Clarke advice been discussed within the subcommittee meetings (or at the Board meetings themselves) then this would have been reflected in the minutes. My practice in taking minutes would be to include any substantive discussions and/or decisions, and I believe a discussion about the Clarke advice would have fallen into that category. I have no recollection of the Clarke advice, and do not know who within the Sparrow Subcommittee may or may not have known about it.

*Sparrow subcommittee meeting – 18 February 2015*

293. I am asked to consider **POL00006574**, namely the minutes of the Sparrow subcommittee meeting of 18 February 2015, and in particular paragraph PS15/0 (d) and (f).

294. By that stage in 2015, Jane MacCleod had joined POL and replaced Chris Aujard as General Counsel. Whilst I cannot specifically recall, it is likely that there would have been an overlap between Chris Aujard leaving and Jane MacCleod joining, to allow for a handover.

295. I am asked whether, on reflection and on what I know now, given all the information that POL had at that time, it is fair to say that there was a refusal on

behalf of POL to change its views. For the purposes of this question, I assume that reference to POLs views is its view not to include the criminal conviction cases in the mediation programme. My interpretation of the discussion reflected in these minutes is that the subcommittee was discussing the effectiveness of the mediation scheme and the next steps in relation to this. I would not class this discussion as a refusal on behalf of POL to change its views, rather a decision on behalf of POL to continue to support the proposition that the criminal cases should not be put forward for mediation, as the right path for review would have been to the CCRC. I do believe, with full hindsight, given the Clarke advice, those impacted cases should have been passed to the CCRC. Whilst, based on what I know now in 2024, I do think this should have happened, at the time the decisions were taken based on information known and understood then. As set out above, I did not believe at the time that the criminal convictions were unsafe.

296. Based on my reading of these minutes, my understanding is that POL was to continue to pay c. £3,000 per case to support applicants of the scheme, by offering them the services of Second Sight to review their case.

297. At that time, I believe that Second Sight's role was to review the evidence in relation to each specific case in the scheme, identify the facts in a standard format, and to present them to the scheme's review team, POL, and the sub-postmaster.

298. I am asked whether, in my view, the overview of the role of Second Sight provided by Tom Wechsler in the meeting is a correct summary. I can see at PS15/05 (f) Tom Wechsler explained that the commitment made by the Minister in Parliament 18 months prior was that "SS *would be involved in the scheme,*" and that "*their*



*role as set out in the proposal was thought to fulfil that commitment.*” I would not describe that reference as a summary of Second Sight’s role – rather I think Tom Wechsler was indicating that, in his view, Second Sight’s involvement in the scheme had fulfilled the commitment given by the Minister. In terms of Second Sight’s role at that time, my understanding and recollection was that they were to review the individual cases, identify the evidence and ensure this was presented to the review team, POL and the sub-postmaster.

299. I have been asked to consider **POL00027279**, namely Board Meeting minutes of 25 March 2015, and in particular paragraph POL15/32.

300. I am asked for my understanding as to why no written report on Project Sparrow was provided by Mark Davies, Director of Communications and Corporate Affairs, to the Board. As far as I can recall, the verbal update on Project Sparrow (as reflected in the meeting minutes) was provided by Mark Davies as the Director of Communications and Corporate Affairs. My assumption is that the reason his verbal update was not accompanied by a written report could have been a timing issue. It appears that the CEO report **POL00027304** which included an update on Sparrow was presented to the board and Mark then supplemented that report with his update later in the meeting.

301. I am asked who suggested that the update be verbal. I do not know who suggested this. As a general point, the agenda and any additional items would have been agreed with the Chair prior to the meeting, although in this case I am not certain who suggested this it would have been cleared with the Chair.

302. I am asked why the verbal update was not noted in the minutes. I do not know why this is. It may well be that the contents of the update were contained in the

CEO's report, in which case it would not have been repeated in the minutes, but I do not know if this is the case. My practice in taking minutes was to include any substantive discussions.

303. I do not recall whether any members of the Board raised issues with the minutes, as recorded. If any issue had been raised about the accuracy of the minutes, they would have been amended accordingly and this would have been noted at the next Board meeting before the minutes were signed by the Chair. The next Board minutes (**POL00021532**) show no such amendment.

304. It was my responsibility, as Company Secretary, to take detailed minutes of Board meetings. I set out at paragraph 29 above my practice when taking and preparing minutes of meetings.

305. I have been asked to consider **POL00021535**, namely minutes of the Board Meeting on 15 July 2015.

306. My understanding of the reasons for Alice leaving POL in 2015 is that, having served a four-year term as Chair (since 2011), had she decided to stay, she would want to commit to a second full term. I believe that this was not something that she wanted to do, and whilst she had the option to stay, it was her decision not to.

307. Whilst I cannot speak for Alice, as far as I am aware the issues related to Horizon were not an active part of why she left.

*Board Meeting – 22 September 2015*

308. At document **POL00021538** are the Board Meeting minutes of the Board Meeting that took place on 22 September 2015.

309. I cannot now recall whether, prior to this meeting, the Board had been provided with a comprehensive report on the cases that had been withdrawn from the mediation scheme and the Criminal Case Review Commission case. My minute suggests that this was covered in the CEO's written report the meeting. However, I note that the CEO's report at POL00027245 does provide some information.
310. I am asked why the minutes do not reference the Significant Litigation Report, whereas earlier minutes do. As a general point – and as set out above at paragraph 57 – it was not the case that the Significant Litigation Report was considered and discussed in every Board Meeting; on the contrary, it was only considered in certain meetings, I believe this may have been quarterly. The agenda for this meeting would have been agreed with the (interim) Chair. I do not now know why it was not included on this Board Meeting Agenda.
311. As to who would have made the decision not to include this, again I cannot now recall this. Neil McCausland, as Interim Chair of the Board at that time, would have ultimately decided the agenda for the Board Meetings and what should or should not be included. I would have likely spoken with Neil at this time to agree the Agenda prior to it being circulated. Whilst I cannot recall the details, it may well be that the Significant Litigation Report was not due to come to this meeting, and therefore it was not excluded from the agenda.
312. I note document **POL00027636**, namely the minutes of the Board Meeting on 28 October 2015.
313. As to why Neil McCausland left POL, my recollection was that he was always planning on leaving POL at this time. Whilst I cannot speak for Neil McCausland, my recollection is that he had taken on a new, significant executive role with a

large retail organisation and had decided that he could not commit to both roles.

314. I am asked why Neil McCausland's departure was not announced at that time.

My recollection is that the departure or retirement of Non-Executive Directors would not usually be announced unless specifically requested by the individual concerned. In my view there was nothing unusual or untoward about the fact that Neil's departure was not announced. It would have been filed at Companies House as required.

315. Whilst I cannot recall the specifics of Tim Parker's appointment as Chair, my

understanding is that, as this was a Government appointment, it was not necessary to have Board resolution noting his appointment. The necessary filing was made at Companies House.

316. I note that these minutes do not include a specific update in connection with

Horizon and Project Sparrow. As before, the meeting agenda would have been agreed with the Chair prior to it being circulated. I note in the minutes of the previous Board Meeting on 22 September 2015 (**POL00021538**), Tim Parker, as the new Chair, had been asked to undertake an independent review of Project Sparrow on his appointment. Whilst I cannot recall this specifically, it may well have been that he had started this review and had decided not to include it as an agenda item until such time that the review had completed. I do not consider that there was anything untoward as a result of an update not being included.

317. I cannot now recall the Board Meeting on 28 October 2015 but, given that it is

not contained in the minutes, I do not believe that any Board member raised any concerns about the lack of an update on Project Sparrow or Horizon. Had such concerns been raised I believe that I would have included this within the minutes.

Given the passage of time I cannot now recall specifically what was discussed.

318. Whilst the Board generally came together once a month (save in August and December), my recollection is that outside of those meetings the CEO would have had regular one-to-ones with the Chair. As the business had ongoing discussions about Project Sparrow, Second Sight and the issues with Horizon, these topics may have been discussed at these one-to-ones. As to whether members of the Board had such conversations outside of the Board Meetings, I do not know.

319. As set out at paragraph 57 above, as far as I can recall, the Significant Litigation Report was not discussed as a topic every Board Meeting. Whilst it was considered regularly by the Board, this was not on a monthly basis. I do not know why on this occasion it was not included as a topic on the agenda.

*Board Meeting – 22 January 2016*

320. I note document **POL00021540**, namely the Board Meeting minutes of 22 January 2016.

321. POLB16/10 (b) contains the reference: "*The Board noted the Prosecutions Policy but challenged whether the policy should be available on the Post Office website, asking what benefit this brought to the Business*". From reading these minutes it appears that the Board was informed of the Prosecutions Policy and noted the changes. I believe this was the outcome of the Prosecutions paper which was presented and discussed at the ARC by Chris Aujard (**POL00100193**). I recall that the Board challenged whether the policy should be made available on the website.

322. The CEO addressed this, and an action was noted to consider whether

publication was indeed appropriate. The new General Counsel, Jane MacCleod, was then tasked to consider this further. I cannot ultimately recall what was decided and whether this issue was again considered by the Board. As an executive policy, any ratification would have been done by the executive and noted by the Board.

323. The rationale for changing the Prosecution Policy and the changes being proposed was presented by Chris Aujard and discussed at the ARC (**POL00100193**).

324. As set out at paragraph 236 above, I cannot recall receiving a copy of the Clarke advice (**POL00006357**), and whilst I cannot speak for all members of the Board, as far as I can recall I do not believe that the Board similarly received a copy. Whilst I do not know if the Board were aware of this advice when discussing the new Prosecution Policy, I do not believe that I was aware of it at that stage. I cannot recall whether the Board considered ceasing prosecutions at that stage, but had they done so, this would have been reflected in the minutes.

325. The minutes of the Board Meeting on 22 January 2016 do not reference Project Sparrow, Horizon or the Significant Litigation Report. These items were not on the meeting agenda. I do not know why this was but I do not believe that this was for any untoward reason. As I mentioned at paragraph 57 above, whilst these topics were regularly considered at discussed by the Board they did not all make up a part of every Board Meeting.

326. I note **POL00021542**. This document contains the Board Meeting minutes of 24 May 2016.

327. I can see from the minutes that Jane MacCleod presented a paper to the Board



covering the Postmaster Litigation and gave a verbal update on the High Court claim.

328. I am informed by the Inquiry that the next noted update to the Board on this litigation was five months later on 24 November 2016. As to how the Board was kept informed and made decisions during this period, I do not now recall this. I do not specifically recall what discussions took place during that five-month period and when, but it may be that these matters were addressed in the CEO report, rather than as a specific agenda item, although I would expect the minutes to show if this had taken place. It may well also be that during that time discussions took place outside of the Board Meeting and that members of the Board were made aware of matters in that way, for example through the regular one to ones between the Chair and the CEO. However, I do not have any specific recollection of this or recall being party to these discussions. My assumption is that, during this period, there were not any decisions for the Board to make in relation to the litigation, hence why no such decisions were recorded. This is an assumption on my part however as I do not specifically recall this.

329. I cannot recall whether the Board was informed when proceedings had been served but I would have expected this to be the case.

330. As to whether the Board had any input in the way proceedings were conducted, I believe that any substantive discussion around this within the Board Meetings would have been minuted. Whilst I do not know if the Board did input into the proceedings, I believe that any such input would have been noted in the minutes accordingly.

331. I have been asked to consider **POL00103264** and **POL00027185**. I note from

those minutes at POLB16/84 AOB (a) that the update provided to the Board in respect of Project Sparrow was that the Group Litigation Order was expected in January. Given the minutes, and whilst I cannot recall this, I believe that it was the only substantive update provided – had anything more extensive been discussed, I believe that this would have been noted in the minutes.

332. From reviewing the minutes, I cannot see any decision made by the Board in relation to the Group Litigation Order. Whilst I have no specific recollection of this, my assumption therefore is that no decision was made by the Board on that day. The minutes note that the only information received was the date of the Group Litigation Order.

333. I cannot specifically recall whether the Board sought further information on the sub-postmaster litigation, but the fact that this is not minuted nor is there any action noted as a result of this indicates to me that they did not.

334. Again, and whilst I have no specific recollection of this, I do not believe that there was any paper provided in the Board Pack addressing the sub-postmaster litigation, as the reference to this in the minutes is within AOB. As set out at paragraph 129 above, the fact of it being an AOB does not diminish its importance from the perspective of the Board. It does suggest to me however that there was no specific paper accompanying this update, as if there had been this would more likely have been noted as an agenda item, with underlying papers. As before it may well have been a timing issue in that the Board. Noting Paula's comment that the Group Litigation Order was expected in January, my assumption is that there was nothing further to update on at this time. I cannot specifically recall this however and this is an assumption on my part.

335. As to the adequacy of these minutes, I do not have any concerns about this. The process I adopted in taking verbatim notes, as set out at paragraph 224 above, indicates to me that the minutes that I prepared were an accurate reflection of the meeting. If there had been any issue with the minutes that I had drafted, there was opportunity for the Board to raise this prior to their being finalised.

336. At **POL00021546** are the minutes of the Board Meeting on 31 January 2017. Within that meeting, Rob Houghton ("**Rob**"), Group Chief Information Officer, outlined three current issues concerning Fujitsu. The second of those was "*The operational risk is outside our risk appetite*" and I have been asked for my understanding of this comment. Whilst I cannot recall the detail of this, it may have been related to the fact of the ongoing outages that were causing operational difficulties for Post Offices. I recall that issue was considered as high risk as the Post Offices were not able to trade in those circumstances. However, I cannot recall this in any detail and Rob's commentary would be contained within his report, which I would not have repeated within the minutes. I do note at POL00241688, there is reference to "*significant incident with Horizon on 9<sup>th</sup> May*" where "*approximately 65% of transactions on Horizon failed to complete as the system began to degrade owing to memory issues*", which supports my recollection of this issue.

337. I note **POL00021547**, namely the Board Meeting minutes of 28 March 2017. I was not present at this meeting due to personal issues ( GRO GRO ), and as a result, Victoria Moss, the Deputy Company Secretary, attended in my absence. In my time as Company Secretary at POL, this was the only Board Meeting that I was not able to attend. Victoria Moss, a qualified Company Secretary, would have prepared the minutes of the meeting.

338. I do not recall specifically being provided with an update following this meeting, although no doubt I would likely have spoken with Victoria Moss about it. I am asked in particular about the Project Sparrow update at POLB17/24 (b – e), where the General Counsel is noted as providing a verbal update. I was not present at the meeting and therefore do not know whether the Board asked any questions or asked about the likelihood of success or advice on settlement. I would anticipate that any substantive questions or discussions would have been minuted.

339. **POL00021548** are the minutes of the Board Meeting of 25 May 2017. The minutes do not include an update on Sparrow, Horizon or the Significant Litigation Report.

340. I cannot now recall why it was that these matters were not referred to within the minutes. Had they been listed on the agenda and/or discussed as an AOB, I believe that this would have been minuted. As stated at paragraph 129 above, the decision of what to include on the Agenda rests with the Chair. Where there was an update to be provided, I believe it would have been included.

341. It is also worth noting, as set out at paragraph 136 above, that whilst the Board tended to receive updates through the Board Meetings, occasionally updates were given outside of those meetings. In addition, the CEO and Chair had one to one meetings where inevitably, updates would be provided.

342. I cannot at this stage specifically recall what, if anything, was discussed about Sparrow, Horizon or the litigation at this Board meeting. However, if discussions had taken place they would have been appropriately minuted.

*Retirement*

343. I am asked to consider **POL00021549**, namely the Board Meeting minutes of 25 July 2017. The minutes reflect at POLB 17/62 my resignation as Company Secretary, effective from 30 August 2017, and the appointment of Jane MacLeod (the then General Counsel) as Company Secretary from that date.

344. I took early retirement for personal reasons. GRO

GRO

These personal matters did not impact my work in the run up to my retirement, but I recognised at the time that it was the right time for me to leave. I performed my role as Company Secretary up to the end of August 2017. My resignation had nothing to do with Horizon.

345. I have maintained contact with some of my former colleagues who I worked with in the 1980s, my former PA, and also Susan. Since my retirement I have had various contact with former colleagues, for example with Paula in relation to references for voluntary work. That was some time ago now and save for those referenced above, I have not had any recent contact. Since it became clear I would be giving evidence, I have not spoken with any former colleagues.

346. I am asked about my understanding of the nature of the relationship between Alice and Paula. My recollection of their relationship was that it was very professional. They were very supportive of one another, but would also challenge and scrutinise decisions as necessary. I believe that both would raise issues with one another if they felt necessary.

### **Role within the company**

347. I have been asked to consider **INQ00001085**, namely the transcript of Paul Inwood's evidence to the Inquiry, at pages 113 to 114.

348. Within this document, at lines 1-16 on Page 114, Paul Inwood has provided evidence that *'it was rumoured internally'* that I had *'rebuked'* Post Office employees for suggesting that it was possible for Fujitsu engineers to access the system remotely in the first quarter of 2018. This is simply not possible, as I retired from the business in August 2017.
349. Prior to my retirement my genuine belief was that sub-postmasters could see any changes to their accounts. I may have shared that observation with appropriate people at various times, but certainly would not have been *'rebuking'* people as is being suggested.
350. My genuine and honest belief at the time was that Fujitsu engineers could not remotely access the Horizon system without the sub-postmasters' knowledge. This was based on the assurances I was being provided with as well as my general and ongoing exposure to issues associated with Horizon which I would have had sight of in my capacity as Company Secretary.
351. With the full benefit of hindsight, and in particular the knowledge of the issues with Horizon which I have only become aware of since my departure from the business in 2017, I do regret believing the assurances that I had been given.

## **Training**

352. My CIMA qualification was one that was recognised as being appropriate for the Company Secretary role. I did however consider it appropriate to undertake some specific training before I became Company Secretary.
353. In order to prepare myself I completed two or three online courses specific for a Company Secretary role. I recall this focused on minute taking, the Companies Act 2006, and other issues that a Company Secretary would need to be familiar with.



354. I also took advice from John Millidge, the experienced Royal Mail Company Secretary, and explored with him what would make an effective Company Secretary. Furthermore, I had discussions with Alice, who had knowledge of Boards, where we discussed best practice.
355. During my time as Company Secretary I completed three or four courses with other company secretaries to ensure that my knowledge was up to date. I recall that at least two of these courses were run by Slaughter and May. My recollection is that some were twilight meetings whilst the others were full day courses.
356. As to whether I was ever asked not to minute certain things Board Minutes, this was only on very rare occasions. When this did occur, it was – as far as I can recall - usually in relation to personal issues being discussed, and it would be the Chair who would ask me not to minute it. As I said, however, this was a very rare occurrence.
357. I do not recall ever being asked not to minute any discussion related to Horizon, Project Sparrow or the Group Litigation.
358. I was acutely aware of the fact that minutes of meetings should be recorded accurately to reflect the discussions and decisions of the Board and any related action points. As set out at paragraphs 29 and 224 above, my practice was to take verbatim notes of discussions, which I then typed up and circulated in draft, prior to them being finalised.
359. If at any point the minutes that I recorded were not accurate and reflective of the meetings, they would not have been approved by the Board and signed by the Chair.

## **Reflections**

360. At the time of my retirement I was very proud to have worked for POL for 34 years, and latterly as part of Paula's management team. At that point I had a genuine belief in the integrity of the organisation and the work it did. However, my pride at working for POL has been significantly tainted by the issues which have emerged since my retirement, and which are the subject matter of this Inquiry. I have no pride regarding the issues with Horizon and the treatment of sub-postmasters and hold deep regret for the impact that this had on sub-postmasters and their families.
361. With the benefit of hindsight, there are many steps POL should have taken to address Horizon and the issues being raised by sub-postmasters.
362. I believe that if the Board had been aware at the time of the serious systemic problems relating to the integrity of Horizon then there are things that it would have done differently also. Horizon was discussed at length at numerous meetings, with third-party support being put in place to try and identify issues. I do not believe the Board tried to conceal or ignore the issues.
363. Given what I know now, there are many things which, had I known at the time, I would have done differently. I now wish, with the benefit of hindsight, that greater scrutiny had been applied to the assurances that were given and I deeply regret this. I genuinely believed in Horizon's integrity, however mistaken this belief has subsequently been shown to be.
364. As to who might be responsible, I do not know who holds responsibility for the Post Office scandal and therefore whether this can be attributed to any particular individual or individuals.
365. The final point I wish to convey is my sincere sorrow that this scandal has happened, and in particular my deep regret for those wrongfully convicted or

accused. These words cannot even begin to put right what has happened but they are sincere. I cannot imagine how it must be for the sub-postmasters whose voices went unheard throughout these years. I want to express my deep and genuine remorse for what has happened.

**Statement of Truth**

I believe the content of this statement to be true.

Signed:           **GRO**          

Dated:   24th April 2024

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<b><u>No.</u></b>	<b><u>URN</u></b>	<b><u>Document Description</u></b>	<b><u>Control Number</u></b>
1.	POL00178577	Blackwood SPSO – Post Incident Review and Recommendations (05.10.2004)	POL-BSFF-0016640
2.	POL00027270	Post Office Limited Board Meeting Minutes (13.12.2011)	POL-0023911
3.	POL00021503	Post Office Limited Board Meeting Minutes (12.01.2012)	POL0000036
4.	POL00096391	Post Office Limited Board Status Report (17.04.2012)	POL-BSFF-0164716
5.	POL00137239	Horizon On-Line Design Review – Gartner Findings (03.10.2008)	POL-BSFF-0000026
6.	POL00105481	Notes of Meeting with James Arbuthnot, Alice Perkins and Alwen Lyons, March 13 <sup>th</sup> (14.03.2012)	POL-0104661

<b>7.</b>	POL00021505	Post Office Limited Board Meeting Minutes (15.03.2012)	POL0000038
<b>8.</b>	POL00179511	Email from Rod Ismay to Alwen Lyons re Horizon Integrity – Final Report (26.03.2012)	POL-BSFF-0017574
<b>9.</b>	POL00105597	Email from Paula Vennells to Susan Crichton and Alwen Lyons re Oliver Letwin MP (03.04.2012)	POL-0104597
<b>10.</b>	POL00115849	Letter from Paula Vennells to Oliver Letwin MP (04.04.2012)	POL-0114586
<b>11.</b>	POL00105494	Email chain re briefing note for POL's meeting with Lord Arbuthnot and Oliver Letwin MP (18.04.2012 - 20.04.2012)	POL-0104674
<b>12.</b>	POL00107712	Email correspondence between Rod Ismay and Alwen Lyons re case in	POL-0110810



		Oliver Letwin MP's constituency (10.04.2012 – 13.04.2012)	
<b>13.</b>	POL00057647	Email from Simon Baker to Alwen Lyons re Objective and Agenda for meeting with James Arbuthnot (30.04.2012)	POL-0054126
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<b>15.</b>	POL00179789	Email from Simon Baker to Alwen Lyons and other POL personnel containing agenda for preparation meeting for Arbuthnot visit (09.05.2012)	POL-BSFF-0017852
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		Paula Vennells re James Arbuthnot and Oliver Letwin MP (21.05.2012)	POL-0104671
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<b>21.</b>	POL00143191	Email correspondence between Rod Ismay, Simon Baker, Alwen Lyons and Angela van-den-Bogerd re Shoosmiths call (18.06.2012)	POL-BSFF-0002356

<b>22.</b>	POL00107746	Email correspondence re MPs meeting with Second Sight (04.07.2012-05.07.2012)	POL-0106006
<b>23.</b>	POL00107753	Email chain regarding POL's response to Alan Bates' FOI request (06.07.2012 – 20.07.2012)	POL-0106009
<b>24.</b>	POL00143385	Email chain regarding POL's response to Alan Bates' FOI request (06.07.2012 – 16.07.2012)	POL-BSFF-0002550
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<b>34.</b>	POL00021510	Post Office Limited Board Meeting Minutes (23.01.2013)	POL0000043
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