

Witness Name: Teresa Williamson

Statement No.: WITN08680100

Dated: 15 August 2023

POST OFFICE HORIZON IT INQUIRY

FIRST WITNESS STATEMENT OF TERESA WILLIAMSON

I, Teresa Williamson, will say as follows:-

INTRODUCTION

1. I am a former employee of the Post Office. I was employed by the Post Office initially as a lawyer in February 1992 then as a senior lawyer from 1995/1996 through to the end of 2005. The Post Office changed its name to Consignia in 2001 and then to Royal Mail Group plc shortly afterwards.
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 9 June 2023 (the "**Request**"). The focus of this statement is my position as a prosecutor within the Criminal Law team at the Post Office and the prosecution of Lisa Brennan.
3. I have instructed PCB-Byrne LLP to act on my behalf in relation to the Request. I have been assisted by Michael Potts and Sam Russell, who are

lawyers at PCB-Byrne, in responding to the Request.

BACKGROUND

4. Prior to joining the Post Office, I had worked as a criminal defence solicitor at Desmond Wright and Co Solicitors, which was based in Hayes. I joined this firm in 1987, after leaving law school, and qualified as a solicitor in 1990. Once I qualified as a solicitor, my case load almost exclusively involved defending individuals who had been accused of criminal offences across a spectrum of general crime cases, funded through legal aid. I also worked on a very small number of private prosecutions, relating to dangerous dogs, but do not have much recollection about the details of those cases.
5. Part of my role as a criminal defence lawyer involved being a duty solicitor, which meant that I was often called to the police station at unsociable hours. After two years in this role, I started to look for other jobs that had more conventional working hours, which would be better suited to my family life. I interviewed at the Crown Prosecution Service and the Post Office and I was offered a position by the Post Office in the Criminal Law team.
6. I joined this team in February 1992 as a lawyer. My role involved prosecuting cases across the different parts of the business including for the Post Office, Royal Mail, Parcelforce and other smaller entities from time to time.
7. Around 1995/1996, I was promoted to the position of senior lawyer within the same Criminal Law team. My role did not change significantly on promotion,

and I remained responsible for prosecuting cases. The only real difference was that I would have taken on more supervisory duties and my work would have been subject to much less supervision. I provide more detail of the nature of my work as a prosecutor at paragraphs 13 to 24 below.

8. My son was born in 1996 and, after returning from maternity leave, I started working a four-day week. I also had to take ad-hoc days off regularly to deal with some **GRO** for the remainder of my employment with the Post Office. This did mean that there would have been occasions where I may have missed a training session (see paragraph 29 below) or that other colleagues had to cover my cases whilst I was away.

9. By 2003, I started to consider moving on from my position in the Criminal Law team. By this point, I did little advocacy as most court work was outsourced to local agents or junior counsel. There was also less variety of work, as lawyers were increasingly given the same type of cases, as an attempt to increase efficiency. The role had become more of a desk job and I needed a new challenge.

10. Towards the end of 2003, an opportunity arose to join the Employment Team at the Post Office. I thought this was a fantastic opportunity to learn and develop skills in a new area of law, which I thought I would find interesting, so I accepted the offer to move teams. The employment team was divided into two sub-teams: operational and corporate. I sat in the operational team with about five other lawyers and mainly dealt with employment tribunal work.

11. While I was in the Employment team, I had very little interaction with the Criminal Law team. I did not carry on working on any cases after I made the move; although I may have responded to internal enquiries from criminal team members that concerned cases that I had previously worked on.

12. I left Royal Mail Group plc around Christmas 2005. There was a wave of redundancies and I was offered a termination package. I decided it was a good time to leave and pursue other opportunities. Since working for Royal Mail Group plc, I spent about five academic years working as a tutor at BPP University. I've also trained as an acupuncturist and currently work as a coordinator for a charity and I am chair of an advisory board for an acupuncture college.

PROSECUTORIAL WORK

13. Throughout my time working as a prosecutor at the Post office, I dealt with a large variety of cases, some of which included theft (including theft of mail), wilful delay of mail, robbery, fraud and false accounting. Given the passage of time, I cannot now recall how many cases I would have prosecuted across my time in the Criminal Law team.

14. Similarly, I cannot recall how many would have specifically related to theft and/or false accounting that involved data generated by Horizon. Based on the documents disclosed along with the Request, I can see that I prosecuted at least one such case, being R v Brennan. I believe there may have been

other cases, but I am unable to recall any specifics given the passage of time. I have asked for disclosure of any other cases that I may have prosecuted to assist my recollection of specific events. At the time of making this statement I await a response from the Inquiry.

15. When I first joined the Criminal Law team at the Post Office in 1992, the team was led by Mike Heath and my direct line manager and supervisor was Roger Williams. I was also supervised by Rob Wilson after Roger's departure. I cannot recall the date of Roger's departure. To start with, the level of my supervision was relatively high. Most of my work would be checked prior to being finalised. As I gained more experience prosecuting cases and demonstrated that I could carry out the work to a high standard to my supervisors, the level of supervision steadily decreased until it became minimal as I progressed to a senior lawyer role.

16. When I became a senior lawyer in 1995/1996, I took on some supervisory duties. My style of supervision was similar to those who supervised me: I would check work before it was finalised, until I started to become confident that the lawyer or articled clerk was able to carry out the work to a high standard themselves. It would probably be fair to say that I was more hands on than the average supervisor.

17. When I started, there were probably around ten lawyers in the team in total, along with a few support staff including junior legal executives, who essentially performed the role of paralegals, and secretaries. There was a slight reduction in staff numbers over the course of my employment in the

team, as there was a wave of redundancies in the late 1990s/early 2000s. By the time I left the team in 2003, it would have included roughly eight lawyers.

18. Each lawyer within the team was given their own caseload and it would have been normal for each lawyer to be working on several different cases at any one time. Aside from supervision of the articled clerk and more junior lawyer, each member of the team tended to work autonomously on their cases and there was generally very little collaboration. You could, however, seek assistance from junior legal executives, who normally helped with the administrative aspects of cases.

19. My role as a prosecutor of a case would have typically involved the ten steps set out below.

- Step 1: reviewing the case file, which would have been compiled by an investigator and included a note of the interview with the suspect, the antecedents, any evidence relevant to the case and a memorandum drafted by the investigating officer (such as document POL00047325). On reviewing the file, my focus would have been on considering the strength of the evidence in the case in accordance with the evidential test in the Code for Crown Prosecutors which was used by the Criminal Team to assess whether a case met the threshold for prosecution or not.
- Step 2: corresponding with the investigator to clarify certain points within the evidence or seek further evidence if appropriate. I would often point out further lines of enquiry that should be considered. The nature and scale of this correspondence would have been entirely

dependent on each specific case.

- Step 3: drafting a written advice to a regional (or area) manager providing my opinion on why a prosecution is, or is not, appropriate in accordance with the Code for Crown Prosecutors with a particular focus on whether there is a realistic prospect of conviction. If I advised that there was a realistic prospect of conviction, I would have also included my opinion on the likelihood of success in this advice, along with the relevant charges and a summary of facts to be served on the defence. If I advised that there was not a reasonable prospect of conviction, the case would have been brought to a close at this stage. I should make it clear that I was only providing an opinion, I was not the decision maker. My written advice would be sent to the regional manager for an actual decision on charge.
- Step 4: attending the first appearance. Once the regional manager had authorised the decision to charge (if advised), the investigator would apply for the summons. If the first appearance was in the greater London or South East area, I may have attended the magistrates' court (at least at the start of my career before a decision was made to outsource most court work). If it had been further afield, I would have instructed a local agent or junior counsel to attend on the Post Office's behalf. I would have also sent the summary of facts that I had prepared to the defendant or their solicitor.
- Step 5: reviewing the committal papers. The investigator in the case would have provided a file with all the witness statements (which would have been drafted by the investigator) and exhibits. I would

have reviewed these documents with the primary focus of ensuring that there was a case to answer. I would have also wanted to familiarise myself with the key issues in the case so that I was able to go on to consider disclosure issues. My reading of the case papers would assist my assessment of whether any unused material may undermine the Prosecution case or assist the Defence case.

- Step 6: if appropriate, corresponding with the investigator in order to ensure that any mistakes or omissions in the committal papers were corrected. This could have been as simple as a quick phone call to highlight a small problem or might have formed part of a written advice.
- Step 7: reviewing the unused material schedules. The disclosure officer in the case was always the investigator. They would provide three schedules relating to disclosure, typically at the same time as providing the committal papers. These schedules included: a schedule of non-sensitive unused material, which should have included a list of all the relevant material (aside from any privileged material) that did not form part of evidence in the case; a schedule of sensitive material, which should have included any relevant privileged material that did not form part of the evidence in the case; and the disclosure officer's report, which was an internal document detailing the disclosure officer's analysis of the material that should be disclosed to the defence. My role was to check these schedules to ensure that all relevant material had been included and to assess whether I agreed with the disclosure officer's view of what should be

disclosed or made available for inspection. There was a section on the form where the reviewing lawyer could leave any comments relating to the disclosure officer's decisions. I may also have subsequently corresponded or spoken with the disclosure officer if I had comments in terms of follow up matters or wished to challenge any disclosure issues.

- Step 8: sending the committal papers to the defence solicitor, local agents and the magistrates' court for the committal hearing. I would have sent the primary disclosure to the defence solicitor and agents with the committal papers.
- Step 9: drafting the indictment, along with preparing the brief to counsel and instructions to advise on evidence shortly after committal. Generally, I would ask counsel to draft the indictment on my behalf, if the case was complex.
- Step 10: reviewing the defence case statement, if served. As with primary disclosure, the investigator (and disclosure officer) in the case would have prepared a further disclosure report, detailing any further documents that fell to be disclosed. I would have reviewed the work of the disclosure officer and provided any comments on secondary disclosure if appropriate.

20. At this point my involvement in the case would have typically ended with any further administrative preparation for trial carried out by a junior legal executive, who would liaise directly with the Crown Court, counsel, the local agents and the investigator. I would have only become involved if any

substantive legal issues arose, such as a defence statement being served, or if the junior legal executive had encountered a problem.

21. That said, when I first joined the Post Office, I would regularly attend court for magistrates' hearings and would carry out the advocacy if the case was being tried locally in London or the South East instead of outsourcing the job to a local agent or junior counsel. However, this became much less typical after a few years of working at the Post Office, as management decided that it was more financially viable to outsource most advocacy. I cannot recall exactly when this change took place. We would always have instructed barristers on cases tried at a Crown Court, even when it was more normal for Post Office lawyers to carry out advocacy. I did not have higher rights of audience in the Crown Court.

22. In addition to supervision, I would have had some training to assist me in carrying out my role as a prosecutor. There was some internal training but it was largely down to the individual lawyer to sign on to external training sessions in order to ensure they were meeting their continuing professional development (the "**CPD**") requirements. I enjoyed attending training courses and would regularly attend training sessions that I thought were relevant to my work. I always met my Solicitors Regulation Authority (the "**SRA**") CPD requirements.

23. There were also templates to assist lawyers in drafting letters or advice. Lawyers could use these templates and were at complete liberty to change

them as they thought appropriate. I would alter them quite significantly to fit with my own style.

24. I do not recall there being any specific company policies relevant to the Criminal Law team. However, we adopted the legal guidance and framework that governed the conduct of a prosecution at any given time. This would have included the Code of Crown Prosecutors, the Criminal Procedure and Investigations Act and its protocols and any other contemporaneous legislation that was applicable to prosecuting cases. The head of the Criminal Law team was responsible for overseeing the overall conduct of the prosecution. As stated previously, this would have been Mike Heath when I first started working at the Post Office, then Rob Wilson, after he took over the role from Mike.

BACKGROUND KNOWLEDGE OF THE HORIZON IT SYSTEM

25. At some point in the late 1990s/early 2000s, I would have become aware that the Post Office intended to introduce the Horizon IT accounting system. I probably would have become aware of this development by reading the weekly news update, which I think was called the Post Office Gazette, that was circulated to all Post Office staff. I did not give it a lot of thought at the time. I did not know exactly when the system started to become operational and was not aware of the reasons for any delays in the rolling out of the system.

26. Prior to 12 July 2002, my understanding of the Horizon IT system was very

basic. I knew it was a computerised bookkeeping system designed to assist subpostmasters with the processing of various payments and also balancing on a weekly basis. I recall that, at the time the system was being rolled out, there was a general message within the organisation that it was a sophisticated and high-quality technology.

27. Consequently, I always assumed it was reliable and was never given any reason to doubt the accuracy of the technology. This was during a period when technology was steadily becoming a more important feature of working life and I think there was a general understanding that, like most technological advances, it was being introduced to make the work easier and more efficient but not at the cost of accuracy. If anything, we believed that any computerisation of systems would have made them more accurate than manual entry which is always prone to error.

28. I did not ever think to question the accuracy of the technology while I was working at the Post Office. I did not have the required expertise in technology to properly understand the mechanics of the system and, even if I had done, I was never involved in any conversations or discussions about how the system operated between the branch post offices and Fujitsu. To the best of my recollection, I never attended a local post office branch to see the system in practice.

29. There was some training on the Horizon system around the time it was implemented into individual branch offices. I don't think I attended the training;

I cannot remember why exactly but it is possible that it fell on one of my non-working days or I was out of the office looking after my son. I believe the training was specifically for the Criminal Law team, but because I did not attend, I cannot be certain; it is possible that members of other teams also attended. I did not have an opportunity to attend another session. I cannot remember if I asked about attending another session but if there had been one, I am fairly certain that I would have attended. I think the point of the training was to show lawyers how to use the system, as if we were working in the subpostoffice, so we would be able to understand how it could be used as evidence in any future cases.

30. It is unlikely that I discussed the training with any of my colleagues, or even spoke about the Horizon system more generally with them. As mentioned, we tended to work individually on cases and operated in siloes. It was very rare that we discussed cases as a team. We did regularly go to lunch together, but this typically involved more social conversation. Between Horizon's implementation to when I left the team in 2003, I was never party to, or aware of, any conversation within the legal team questioning the accuracy of the Horizon system.

31. During my time working at the Post Office, I was never aware of any actual or potential bugs, errors, defects or other problems with Horizon. My first knowledge of any issues with the system was when I read the Computer Weekly article in 2009 long after I had left my employment at Royal Mail legal services. I bought a copy of the magazine from WH Smith when it was

published. On reading the article, I felt shocked, horrified and physically nauseous.

R v BRENNAN

32. I have been provided with several documents that relate to the prosecution of Lisa Brennan. I have reviewed these documents thoroughly, which has, to some extent, assisted my recollection of the details of this prosecution. These documents include:

- 25-page Record of Tape Recorded Interview commencing 10:10 on 13 June 2002, POL00047320;
- 12-page Summary Record of Tape Recorded Interview commencing 10:10 on 13 June 2002, POL00047322;
- 6-page Summary Record of Tape Recorded Interview commencing 10:55 on 13 June 2002, POL00047323;
- Correspondence from S Bradshaw to Jan Mullin dated June 2002, POL00047324;
- Pension and Allowance Fraud Investigation Document, POL00047325;
- Antecedents sheet, POL00047326;
- Internal memo from me to Prosecution Support Office, Leeds, dated 12 July 2002, POL00047331;
- interoffice memorandum from Steve Bradshaw to me dated 31 July 2002, POL00047335;
- Email from Angie Maloney to me dated 9 August 2002,

POL00047336;

- interoffice memorandum from Steve Bradshaw to me dated 7 October 2002, POL00047340;
- interoffice memorandum from Steve Bradshaw to me dated 5 November 2002, POL00047475;
- The memorandum from Rob Wilson to the Prosecution Support Office dated 20 November 2002, POL00047480;
- Attendance note of S Bradshaw dated 30 December 2002, POL00047486;
- Attendance note of S Bradshaw dated 6 February 2003, POL00047489;
- Disclosure Officer's Report dated March 2003, POL00047491;
- Schedule of Sensitive Material dated March 2003, POL00047492;
- The statement of Kathryn Elizabeth Rosenthal dated 11 March 2003, POL00047501 and POL00047500;
- List of exhibits, POL00047502;
- List of witnesses, POL00047503;
- Witness list, POL00047504;
- internal memorandum from Steve Bradshaw to me dated 14 March 2003, POL00047505;
- Two pages of the statement of Stephen Bradshaw dated 3 March 2003, POL00047506 and POL00047507;
- The statement of Kathryn Elizabeth Rosenthal dated 2 June 2003, POL00047514;
- memorandum from John Steve Bradshaw to John Gibson dated 3

June 2003, POL00047515;

- memorandum from Steve Bradshaw to Miss Andrew dated 10 June 2003, POL00047516;
- Schedule of Non-Sensitive Unused Material, POL00047517;
- The internal memorandum from Steve Bradshaw to Miss Andrews dated 16 July 2003, POL00047519;
- The statement of Kathryn Elizabeth Rosenthal dated 22 July 2003, POL00047520;
- 10-page Summary of Record of Tape Recorded Interview commencing 10:10 on 13 June 2002, POL00047521;
- 4-page Summary Record of Tape Recorded Interview commencing 10:55 on 13 June 2002, POL00047522;
- The judgment of the Court of Appeal in R v. Brennan [2004] EWCA Crim 1329, POL00066602.
- Transcript of proceedings on 3 and 4 September 2003, POL00066713;
- The indictment, listing details and verdicts, POL00066714;
- The Court of Appeal in Josephine Hamilton & Others v Post Office Limited [2021 EWCA Crim 577, POL00113278.

33. However, there are a number of important documents, which I believe would have been created, that have not been provided. Some of these documents include:

- My correspondence with Steve Bradshaw relating to the evidence in the case;

- My memorandum dated 13 November 2002;
- My advice in response to the disclosure schedules;
- My communication with the investigator in the case, Steve Bradshaw, including attendance notes of our calls that are referred to in the documentation;
- My brief to counsel and any request for advice on the evidence in the case.

34. I believe these documents, and possibly others, would set out my opinion on the strength of the case and any issues with the evidence or disclosure. Consequently, the provision of these documents would greatly assist my ability to answer some of the questions asked by the Inquiry in the Request. I appreciate these documents may not be in the Inquiry's possession and I will do my best to assist the Inquiry in providing details of this prosecution based on the documents provided and my own, albeit vague, recollection of the documents not provided.

35. It is worth noting at the outset that throughout the prosecution of this case, I believed that the Horizon system was working properly. I did not have an idea of even the possibility that the Horizon system was creating inaccurate data. If I had any sense that there was a problem with the system, I would have:

- Sought further evidence from the investigators to ensure that I fully understood the nature of the issues and how they impacted the evidence in the case;
- Considered whether any such evidence meant that there was not a

realistic prospect of conviction in the case; and

- if I felt the evidence still supported a realistic prospect of conviction, disclosed any relevant details of the problems with the system to the defence.

36. Around late June or early July 2002, I would have been allocated the Lisa Brennan case file by my team leader, Rob Wilson. File allocation was typically based on the capacity of the lawyers within the team. I would have had significant experience in prosecuting allegations of this type of pension fraud, including under the old pre-Horizon paper-based system.

37. On a general level, I did not notice any obvious differences between the number and nature of these types of cases from those that had been carried out before Horizon was introduced. The key difference was that the evidence of discrepancies was provided by the Horizon data, rather than evidenced in a human audit or paper-based documents.

38. The case file that would have been given to me would have included:

- Steve Bradshaw's memorandum to Jan Mullin (POL00047324);
- Steve Bradshaw's summary of the investigation (POL00047525), including the schedules to this summary (Appendix B, detailing the discrepancies identified and Appendix C, the copy tapes) which were not provided in the disclosure;
- The Antecedents form (POL00047326);
- Summaries of the interview (POL00047322; POL00047323). It was

not uncommon for further summaries of the interviews to be created on the request of either the prosecution or the defence. An administrator in the Security and Investigations team would typically listen to the tape and produce a new summary clarifying the point in question. I cannot recall exactly which version of these documents I would have reviewed in this file; it could have also been POL00047521 and POL00047522, which appear to be slightly different versions of the same summaries. On occasions, either the defence or prosecution, might have also requested a full transcript of the interview, which appears to have happened in this case (POL00047320), but is unlikely to have been provided with the original case file.

39. Lawyers were typically expected to review the file and provide their initial opinion on whether charges could be brought against a suspect within 14 days of receiving the file. My initial memorandum to Steve Bradshaw (POL00047331) is dated 12 July 2002, so assuming I stuck to this deadline, I would have reviewed this file anytime between 29 June 2002 and 12 July 2002.

40. On review of the file, I would have noticed that the only direct evidence of a pension fraud was contained in the Horizon data discrepancies. As explained above, I had no reason to doubt the accuracy of these discrepancies. However, initially, I did not think there was enough evidence to support the explanation for these discrepancies being that Ms Brennan had intentionally

carried out a fraud.

41. I explained my main concerns with the evidence in my memorandum dated 12 July 2002 (POL00047331). The purpose of this document was to allow Steve Bradshaw to carry out further investigations to see if it was possible to address the issues with the evidence that I had identified. In the memorandum, I did not request any details about whether Horizon was operating accurately because I assumed it was and Ms Brennan had not questioned the accuracy of the data in her interview. If she had, or if I had any reason to doubt the Horizon system, I would have asked for the accuracy of the data to be checked in addition to the other points raised.

42. In this document, I refer to the "minute from Steve Bradshaw". I am fairly certain that this refers to POL00047325. At this point, I would only have seen the documents included in the case file, so it is highly unlikely that I would have been referring to anything else.

43. I would sometimes call the investigator prior to sending the advice, especially in circumstances where I did not think the evidence was strong enough to recommend a charging decision. There was no requirement to make any such call, but I thought it was a polite step that helped maintain good relationships with investigators.

44. I may have made a similar call in this instance: if I did, it would more or less have reiterated the points in the 12 July 2002 advice. It is likely that Steve

Bradshaw or myself would have created an attendance note of any such call, which, if it exists, has not been provided to me by the Inquiry.

45. After sending the 12 July memorandum to Steve Bradshaw, it is unlikely that I had any further involvement with this case until receiving Mr Bradshaw's response on 31 July 2002 (POL00047335). We may have spoken on the phone at some point in the intervening period, but it is impossible for me to confirm this without viewing any copies of attendance notes.

46. I cannot recall whether, at the time, I thought Mr Bradshaw's response adequately addressed the questions in my 12 July memorandum. However, on reviewing the rest of the disclosure, it appears that it did not, as Mr Bradshaw provided a further memorandum relating to the checks conducted dated 7 October (POL00047340).

47. It is likely that this further memorandum would have been provided in response to a further advice written by me about the persisting issues with the evidence in the case. On reviewing the 31 July 2002 (POL00047335) memorandum, it is likely that I would have sent the file back to Mr Bradshaw, along with this further advice. It would then have been up to Mr Bradshaw to carry out further investigations to address these issues.

48. While I am almost certain that I still did not think there was a realistic prospect of conviction at this point, I did believe that certain inferences could be drawn about the case that pointed towards the potential guilt of Ms Brennan. I say

“almost certain” because I cannot recall my state of mind at the time, but, having reviewed the documents disclosed, it appears clear to me that this would have been my state of mind. I recall thinking it was strange that the discrepancies only appeared in relation to Ms Brennan’s date stamp on the pension and allowance claims and that Ms Brennan could not recall her recent holiday when questioned about it at interview. I understood that there had been no pension and allowance discrepancies while Ms Brennan was on holiday. Consequently, I would have wanted to give Steve Bradshaw an opportunity to address deficiencies in the evidence.

49. It appears that a similar interaction between myself and Mr Bradshaw occurred on receipt of the 7 October 2002 memorandum (POL00047340). Again, I cannot remember my thoughts at the time of receiving this memorandum, however, it appears that it still did not adequately address my concerns with the evidence, as Mr Bradshaw provided a further memorandum, relating to the checks carried out, dated November (POL00047475). Both the October and November memoranda relate to checks being carried out to identify any shortfall in stock and so, on this basis, I believe that my main concerns with the evidence at this point related to the nature of the discrepancies identified. However, I cannot be sure of this without having sight of my communications with Mr Bradshaw during this period.

50. My knowledge of the investigations made into whether shortfalls had been identified is limited to details provided in the disclosure. It is clear that the

Department for Social Security at Lishally had initially identified the discrepancies, which in turn triggered the investigation within the Post Office. It is also clear that Steve Bradshaw carried out further investigations into the discrepancies; the results of which are provided in his memorandum a of 7 October 2002 (POL00047340) and 5 November 2002 (POL00047475). Unfortunately, I cannot recall any more detail about this.

51. Similarly, I cannot recall the details of the telephone conversations that I had with Steve Bradshaw on either 4 October 2002 or 4 November 2002. However, I strongly suspect they were about the checks he had been carrying out to identify the shortfall, detailed in POL00047340 and POL00047475, and whether these sufficiently addressed my concerns relating to the deficiencies of the evidence in the case. There should be an attendance note of these calls and it would assist my recollection if they could be disclosed by the Inquiry to me.

52. It would appear that in light of receiving the 5 November 2002 memorandum, I became satisfied that the evidence was strong enough to afford a realistic prospect of conviction in this case (being more than 50%), as there is no further back and forth about the evidence between myself and Mr Bradshaw in the disclosure. Unfortunately, I cannot recall exactly what it was about this memorandum, and the further checks, that meant I felt satisfied with the evidence. It is too long ago to recall such detail.

53. At this point, I would have drafted an advice to the regional manager about

the decision as to whether to bring charges against Ms Brennan. I would need to see this document to be certain of my thought processes at this point. It seems highly likely that this advice is the document dated 13 November 2002, referred to at question 20.3 of the Request.

54. However, to the best of my recollection, I believe that I advised that both the evidential and public interest tests in the Code for Crown Prosecutors were satisfied in this case, and charges could be authorised by the regional manager against Ms Brennan if that decision was going to be made by him.

55. I would have set out my reasoning for this position, including the strengths and weaknesses of the evidence. I think I believed that although there was no direct evidence to suggest that Ms Brennan had stolen the money, the shortfalls identified by the Horizon data, along with the fact Ms Brennan was known to be a competent member of staff, was enough for a court to infer that she had committed theft. A further inference could be drawn on the basis that all the discrepancies related to her pension and allowance claims and they only occurred when Ms Brennan was in the office. As stated above, I also remember thinking it was odd that she had not been upfront about her holiday. I seem to recall advising that it was not the strongest case, but that it did pass the evidential test.

56. I do not recall there being any relevant public interest considerations in this case. Consequently, it is possible that I did not include a specific analysis of the public interest test in my advice. I would have also included an advice on

whether charges could be made and a summary of facts in the case. This summary would form the advance information to be served on the defendant or their solicitor prior to the first appearance in the magistrates' court.

57. As previously mentioned, at the time of drafting this advice I was not aware of any bugs, errors, defects or problems with the Horizon system. I assumed the data that formed the key basis for the decision to prosecute Ms Brennan was entirely accurate. Had I known then, what I know now about the Horizon system, it is almost certain that this advice would have recommended that no further action was taken against Ms Brennan.

58. My advice would have also included any further steps that could be carried out by investigators to improve the likelihood of conviction. For example, it appears, from question 20.3 of the Request, that I requested a witness statement confirming the accuracy of the Horizon data. I made this request not because I doubted the accuracy of the data in any way, but because I always took a thorough approach to my prosecutorial duties. At the time, had such a statement been drafted, I fully anticipated that it would have simply confirmed that the data forming the basis of the prosecution was accurate.

59. Had I thought anything else, I would have been much clearer and vociferous in conveying the importance of investigating the accuracy of the Horizon data to Steve Bradshaw. I would not have felt ready to draft my advice on the charging decision until any such investigations had been completed.

60. On receiving my advice, the regional manager would have then authorised the decision to charge Ms Brennan with the recommended offence(s). I had no relationship with the regional manager and it was typical for them to approve the recommendation in the advice without asking any further questions. I do not recall there being any disagreements about the decision to prosecute Ms Brennan.

61. After this decision had been made, it is clear from the disclosure that Rob Wilson instructed agents in Liverpool to attend the magistrates' court for the first appearance (POL00047480). I would have normally done this myself but clearly was not able to do so for one reason or another. It is likely that the agent in question provided a short update after the first appearance, which seemingly took place at Liverpool Magistrates' Court on 6 February 2003.

62. I would not have had any substantive involvement in the case until the investigator, Steve Bradshaw, sent me a draft pack of the committal papers, along with his memorandum dated 14 March 2003 (POL00047505). This would have included all the witness statements that had been drafted by that date and the exhibits.

63. At the same time, Steve Bradshaw would have sent me three documents relating to disclosure: the Schedule of Non-Sensitive Unused Material (POL00047517); the Disclosure Officer's Report (POL00047491); and a Schedule of Sensitive Material (POL00047492). Steve Bradshaw was the disclosure officer in this case. I should say that the documents provided to me are clearly drafts and I do not know whether they are first drafts or later

versions but I have not seen the final signed versions so it is much more difficult to analyse what I may have or have not commented upon.

64. While I cannot remember my review of these documents, it is highly likely that in the first instance, I would have gone through the committal papers to make sure that there was a case to answer. While doing this, I would have familiarised myself with the key issues and evidence in the case, so that I was also in a position to check the disclosure officer's schedules.

65. I would then have checked that everything in the case file that I had been provided with was included on either the Non-Sensitive Schedule of Unused or the Sensitive Schedule of Unused unless the item was a witness statement or exhibit. I would have also gone through both the Sensitive and Non-Sensitive unused to check that documents had been correctly categorised as privileged or not.

66. The Disclosure Officer's Report (POL00047491) was an internal document that contained the disclosure officer's position on which documents should be disclosed. In the draft provided, it appears that Mr Bradshaw did not think any documents fell to be disclosed. I would have checked the schedules of Non-Sensitive and Sensitive Unused material to confirm whether I agreed with this analysis. In the event anything was missing or incorrect, I would have asked Mr Bradshaw to correct the appropriate schedule or locate the relevant document. There was also a section on the forms where I could have entered my comments such as whether an item should be disclosed or made available for inspection. As I do not have the final signed versions I cannot

see if there was any disagreement between Mr Bradshaw and me but if there were I would have expected him to follow my guidance.

67. It is worth noting that on my initial review of the schedules of unused, I would have been primarily focused on checking that the disclosure officer had correctly identified any material that could undermine the prosecution case or assist any defence made by the defendant at interview. If, at any point, the defendant served a defence case statement, the disclosure officer would have conducted a secondary disclosure exercise, which I would have checked much in the same way, focusing on whether anything else that might assist the defence case had been correctly identified. I cannot recall if a defence case statement was served in this case.

68. As I have said, the schedules disclosed with the Request (POL00047517; POL00047491; POL00047492) appear to be in draft form and the disclosure does not include any document that details my response to Steve Bradshaw's 14 March 2003 memorandum. Consequently, I am not able to say whether I provided any further advice to Mr Bradshaw on the committal papers or the disclosure schedules. It was common for there to be a back and forth between myself and the investigator, until I was happy that the committal bundle was ready to be served on the defence and the disclosure schedules were correct.

69. As I have also said, there should be a signed version of the disclosure schedules, including my signature. I would have been satisfied that those versions of the schedules were correct and disclosure obligations had been completed.

70. In his memorandum dated 14 March 2003 (POL00047505), Steve Bradshaw says "Concerning point 4 of your memo dated 13 November 2002. I have spoken to Sonia Cassidy at Lishally in Northern Ireland. She informs me that this type of statement [is] not normally done and the matter has been discussed previously with Colin Justice". I believe he is essentially saying that it has not been possible to have a witness statement drafted by a representative of the Department of Social Security at Lisally confirming the accuracy of the Horizon data, as I requested in my 13 November 2002 memorandum. It is difficult to provide any further detail about this request without seeing the memorandum in question.

71. My sense is that I would have been reluctant to accept this answer. However, I cannot remember my response and there is little point speculating. It appears that the statement was never drafted so ultimately, I must have accepted that it could not be done in time for 3 April 2003, which was the deadline for serving the committal papers.

72. After the committal papers and schedules of unused material had been finalised, I would have instructed counsel. I can see in this case John Gibson was instructed. I would have sent the brief to counsel and instructions to advise on evidence to his chambers that we used in Liverpool rather than instructing him directly. It is also possible that I drafted the indictment (POL00066714); although counsel would also often do this and I cannot remember who drafted it in this case.

73. From this point onwards, my involvement in this case would have been

minimal. A junior legal executive in the team, being Jenny Andrews in this case, would have dealt directly with the investigator, agents, counsel and the Crown Court. I would have only become involved if any issues arose.

74. For example, if there had been any “plea-bargaining”, I would have expected to be involved in this process with the regional manager making the final decision on any agreement reached. That said, issues could crop up at the very last minute in criminal cases and communication was more difficult in 2003, so it is possible that counsel would have dealt with any such issues directly. I cannot remember any plea-bargaining taking place in this case.

75. I have been provided with a memorandum sent by Steve Bradshaw to John Gibson dated 3 June 2003 (POL00047515). John Gibson was the barrister I instructed in this case and it appears that this correspondence was born out of a request made by him as he prepared for the trial. I cannot remember if I saw this document at the time. I am not sure why Mr Bradshaw sent this document directly to Mr Gibson; any communications with counsel should, and would typically, have come through myself or the junior legal executive, Jenny Andrews. It is possible that Mr Bradshaw did copy this memorandum to Ms Andrews, and it was agreed that he should send it directly to the barrister, however, I cannot remember for sure.

76. Similarly, it seems that the memorandum from Steve Bradshaw to Jenny Andrews, dated 10 June 2003 (POL00047516) is also born out of a request from counsel in his preparation for trial. It is unlikely that I saw this

memorandum at the time and cannot comment on it further.

77. Any advice that I gave on the collation of evidence would have been included in the various memoranda that I drafted throughout the case. I have only been provided with the memorandum dated 12 July 2002 (POL00047331). I believe I would have drafted further memoranda or pieces of advice to Steve Bradshaw over the next few months in September/October, a memorandum to the regional manager dated 13 November 2002 and a memorandum in response to the submission of the draft committal papers and schedules of unused material in March or April 2003. I would need to see those documents to comment further.

78. As stated, I was not aware of any bugs, errors, defects or problems with the Horizon system at any point throughout my involvement in this prosecution. I did not become aware of any issues until reading the Computer Weekly article in 2009. At the time, I believed that this prosecution was carried out fairly in accordance with the legal framework in place at the time; it was essentially the same as every other prosecution that I was involved in during my time at the Post Office.

JOSEPHINE HAMILTON & OTHERS v POST OFFICE LIMITED JUDGEMENT

79. I have recently reviewed the Josephine Hamilton & Others v Post Office Limited [2021 EWCA Crim 577] at POL00113278, which has enhanced my knowledge of some of the issues with the Horizon system. It is clear that there were numerous issues with the system that had been identified from an early

stage. I agree with the findings at paragraphs 286 to 290.

80. I am frustrated that these issues were not communicated to criminal lawyers prosecuting cases at the time. As a lawyer, my priority had always been to apply the law and guidance fairly, whether that pointed me towards advising on charges or no further action. I trusted that the Post Office had created an environment where I could do this to the best of my ability; however, it is now clear that it had not. I personally feel let down by any individuals who failed to share this information with prosecutors or the Criminal Law team generally.

81. It is also clear that there were more structural problems with the working culture at the Post Office that prevented the open and transparent sharing of information. It was very hierarchical and there was limited communication between the different strata of the organisation. Even the Criminal Law team adopted a culture in which we typically kept our work to ourselves and did not communicate openly as a wider team. I think this undoubtedly played a part in ensuring that the issues with Horizon were obstructed for so long.

82. From my perspective as a lawyer, knowledge of these issues would have changed my approach to any prosecutions that I conducted involving Horizon data. My priority would have been to identify and understand the issues with the system and then assess whether these issues undermined the prosecution case. I would have wanted statements taken from Fujitsu, detailing the mechanics of the system. I would not have been scared to push back on deadlines or ask for significant work and analysis to be carried out

by investigators to ensure that all the issues were identified and properly understood.

83. I always tried to be a meticulous lawyer, who applied the law and guidance carefully even if it meant giving advice that would have frustrated investigators. I gained no satisfaction from bringing charges against individuals, especially given my background as a defence lawyer. I have little doubt that in the Lisa Brennan case I would have advised that there was not a realistic prospect of conviction due to issues with the Horizon data had I known them at the time.

84. I feel absolutely devastated that Ms Brennan was charged and convicted of theft. I feel gutted that I was unwittingly part of a horrible miscarriage of justice and am so sorry for the awful impact it has had on her life. I am incredibly glad that convictions have been overturned in this judgement and Ms Brennan has sought compensation for the ordeal that she has been through.

85. With all that said, aside from retrospectively changing the culture of the Post Office to ensure that issues with Horizon were shared with the Criminal Law team, I do not think there is anything that we could have reasonably done differently at the time in relation to the prosecution of Lisa Brennan. Within a framework of not knowing about the issues with Horizon, the law and guidance was applied fairly at every stage.

MISCELLANEOUS

86. There is one further point that I consider relevant to Phase 4 of the Inquiry.

After I left the Criminal Law team in 2003, there was a restructuring of the reporting lines so that the team no longer reported to the head of legal services but instead reported to the head of security and investigations. I remember thinking at the time that this created a potential conflict of interests, as investigators, by their nature, typically wanted cases to be prosecuted, and it was the role of prosecutors to apply the tests in the Code for Crown Prosecutors as fairly and objectively as possible. I thought the reporting lines should have remained entirely separate to avoid even the possibility of any internal pressures influencing a decision to prosecute cases.

STATEMENT OF TRUTH

I believe the content of this statement to be true.

Signed:

GRO

Dated: 15 August 2023

Index to First Witness Statement of Teresa Williamson

No.	URN	Document Description	Control Number
1.	POL00047320	25-page Record of Tape Recorded Interview commencing 10:10 on 13 June 2002	POL-0043799
2.	POL00047322	12-page Summary Record of Tape Recorded Interview commencing 10:10 on 13 June 2002	POL-0043801
3.	POL00047323	6-page Summary Record of Tape Recorded Interview commencing 10:55 on 13 June 2002	POL-0043802
4.	POL00047324	Correspondence from S Bradshaw to Jan Mullin dated June 2002	POL-0043803
5.	POL00047325	Pension and Allowance Fraud Investigation Document	POL-0043804
6.	POL00047326	Antecedents sheet	POL-0043805
7.	POL00047331	Internal memo from me to Prosecution Support Office, Leeds, dated 12 July 2002	POL-0043810
8.	POL00047335	interoffice memorandum from Steve Bradshaw to me dated 31 July 2002	POL-0043814
9.	POL00047336	Email from Angie Maloney to me dated 9 August 2002	POL-0043815
10.	POL00047340	interoffice memorandum from Steve Bradshaw to me dated 7 October 2002	POL-0043819
11.	POL00047475	interoffice memorandum from Steve Bradshaw to me dated 5 November 2002	POL-0043954
12.	POL00047480	The memorandum from Rob Wilson to the Prosecution Support Office dated 20 November 2002	POL-0043959
13.	POL00047486	Attendance note of S Bradshaw dated 30 December 2002	POL-0043965
14.	POL00047489	Attendance note of S Bradshaw dated 6 February 2003	POL-0043968
15.	POL00047491	Disclosure Officer's Report dated March 2003	POL-0043970
16.	POL00047492	Schedule of Sensitive Material dated March 2003	POL-0043971
17.	POL00047501; POL00047500	The statement of Kathryn Elizabeth Rosenthal dated 11 March 2003	POL-0043980; POL-0043979
18.	POL00047502	List of exhibits	POL-0043981
19.	POL00047503	List of witnesses	POL-0043982
20.	POL00047504	Witness list	POL-0043983
21.	POL00047505	Internal memorandum from Steve Bradshaw	POL-0043984

		to me dated 14 March 2003	
22.	POL00047506; POL00047507	Two pages of the statement of Stephen Bradshaw dated 3 March 2003	POL-0043985; POL-0043986
23.	POL00047514	The statement of Kathryn Elizabeth Rosenthal dated 2 June 2003	POL-0043993
24.	POL00047515	Memorandum from John Steve Bradshaw to John Gibson dated 3 June 2003	POL-0043994
25.	POL00047516	Memorandum from Steve Bradshaw to Miss Andrew dated 10 June 2003	POL-0043995
26.	POL00047517	Schedule of Non-Sensitive Unused Material	POL-0043996
27.	POL00047519	The internal memorandum from Steve Bradshaw to Miss Andrews dated 16 July 2003	POL-0043998
28.	POL00047520	The statement of Kathryn Elizabeth Rosenthal dated 22 July 2003	POL-0043999
29.	POL00047521	10-page Summary of Record of Tape Recorded Interview commencing 10:10 on 13 June 2002	POL-0044000
30.	POL00047522	4-page Summary Record of Tape Recorded Interview commencing 10:55 on 13 June 2002	POL-0044001
31.	POL00066602	The judgment of the Court of Appeal in R v. Brennan [2004] EWCA Crim 1329	POL-0063081
32.	POL00066713	Transcript of proceedings on 3 and 4 September 2003	POL-0063192
33.	POL00066714	The indictment, listing details and verdicts	POL-0063193
34.	POL00113278	The Court of Appeal in Josephine Hamilton & Others v Post Office Limited [2021 EWCA Crim 577	POL-0110657