

Witness Name: Andrew Paul Dunks

Statement No.: WITN00300200

Dated: 24 May 2024

## POST OFFICE HORIZON IT INQUIRY

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### SECOND WITNESS STATEMENT OF ANDREW PAUL DUNKS

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I, Andrew Paul Dunks, will say as follows...

#### **INTRODUCTION**

1. I make this statement further to my first witness statement, dated 20 February 2023 (**WITN00300100**).
2. This witness statement is made to assist the Post Office Horizon IT Inquiry (the "**Inquiry**") with the matters set out in the Second Rule 9 Request, dated 5 April 2024, concerning the litigation support services provided by Fujitsu Services Limited ("**Fujitsu**") to Post Office Limited ("**POL**"), including my role in providing evidence in civil and criminal proceedings against sub-postmasters ("**SPMs**").
3. I remain employed by Fujitsu in the Customer Service Post Office Account ("**CSPOA**") Security Team as an IT Security Analyst, with my main responsibility being cryptographic key management. I have been in the same role since I first joined the team in 2002, and have never been promoted within the organisation.

## **PREPARATION OF THIS WITNESS STATEMENT**

4. Given the questions that have been asked of me in other proceedings (and when I was last giving evidence before the Inquiry) about the precise wording used in my witness statements, I wish to make completely clear that I have been assisted in preparing this statement (and my first witness statement) by my lawyers, Hickman & Rose.
5. I sometimes struggle with articulating exactly what I mean in my own writing and speech, and this statement has therefore been primarily drafted by my lawyers rather than by me, in order to help me convey the information that I wish to provide to the Inquiry in the clearest way. It also contains a mixture of information that I personally recollect, and information that is contained in the documents that I have been asked to consider by the Inquiry (which I reference below).
6. I believe that this statement accurately reflects my answers to the questions raised by the Inquiry. I have read through it carefully, and have asked questions if I do not understand the meaning of a particular word or phrase that has been used.

## **OVERVIEW**

7. I summarised some of the many functions of the CSPOA Security Team in my first witness statement, and my attention has now been drawn to a document titled "Security Management Service: Service Description" which sets out a fuller list of these functions and describes what they entailed. The most recent version

of this document supplied to me by the Inquiry, version 6.0 dated 21 May 2015  
(POL00002572),<sup>1</sup> gives the following list of functions (at page 7):

- 7.1 Implementation and maintenance of Post Office security policy and procedures;
- 7.2 Compliance monitoring and audit;
- 7.3 Cryptographic key management;
- 7.4 Security event management and firewall event analysis;
- 7.5 System and physical access control;
- 7.6 Anti-virus and malicious software management;
- 7.7 Monitoring of any Intrusion Detection System (IDS) or Intrusion Prevention System (IPS) in place;
- 7.8 Security incident reporting and problem management;
- 7.9 System security change management;
- 7.10 Security awareness and training;
- 7.11 Information Retrieval and Audit;
- 7.12 Subject Information Requests management;
- 7.13 Prevailing threats and vulnerability management;

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<sup>1</sup> I note that although this document states in the footer that it is version 5.0 dated 4 April 2014, the document history on page 4 shows that it is actually version 6.0 dated 21 May 2015.

- 7.14 Litigation support;
  - 7.15 LINK compliance questionnaire;
  - 7.16 Management of Risk;
  - 7.17 Monthly Reporting;
  - 7.18 File Integrity Monitoring;
  - 7.19 PCI DSS support; and
  - 7.20 PCI DSS internal penetration testing.
8. As explained in my first witness statement, when I first joined the CSPOA Security Team my initial responsibility was for cryptographic key management, however, over time I became involved in some of the other functions of the team.
9. One of the functions of the CSPOA Security Team was in providing “litigation support” to POL.
10. Throughout my time at Fujitsu, I understood that the core litigation support service provided by the CSPOA Security Team related to two things:
- 10.1 Supplying records of transactions and events (known as ‘audit data’) concerning a particular post office branch extracted following receipt of an Audit Record Query (“**ARQ**”) from POL; and
  - 10.2 Supplying, summarising or analysing records of calls logged by the Horizon System Helpdesk/Service Desk (the “**HSD**”) in respect of the branch following receipt of an HSD call records request from POL.

11. In addition to supplying the records, I was sometimes requested to provide a witness statement about the work that I had performed, and on a small number of occasions I was required to attend court to give evidence. However, in the majority of cases the role simply involved extracting and supplying the requested records.

12. I have been asked in this statement to provide further information about the litigation support service and the nature and extent of my involvement in that service from when I started working for the CSPOA Security Team in 2002, through to 2019. I have also been asked to describe my involvement in the following proceedings:

12.1 *R v. Thomas*;

12.2 *Post Office Limited v. Castleton*;

12.3 *R v. Hamilton*;

12.4 *R v. Misra*; and

12.5 *Bates & Others v. Post Office Limited* ("**the GLO Proceedings**").

## **LITIGATION SUPPORT**

### Organisational Structure

13. I have been asked to provide an overview of the organisational structure within Fujitsu for the provision of litigation support to POL (including any material changes to the service), the people involved and their respective roles, and the contact that I had with them.

14. The CSPOA Security Team was headed by the Chief Information Security Officer (“**CISO**”). Below them sat the Operational Security Manager (who it appears from the documentation was supported for a time by the Deputy Security Manager, though I do not recall them having this job title), who managed the team of IT Security Analysts of which I was part. This organisational structure remained the same throughout my time working in the team.
  
15. Although all of the IT Security Analysts carried out the various functions of the team as and when required, certain people had greater responsibility for particular tasks. For example, I am the Cryptographic Key Manager, responsible for managing and refreshing the cryptographic keys used across the CSPOA IT estate. Another of the IT Security Analysts was the Litigation Support Manager, responsible for managing the litigation support function of the team. Although we were at the same level within the organisational hierarchy, I would defer to them on matters concerning litigation support, as they would defer to me on matters concerning cryptographic keys.

*Chief Information Security Officer ('CISO')*

16. The CISO had overall management of the CSPOA Security Team, including litigation support. I attended whole team meetings that were led by the CISO, and would know them to speak to around the office, but they were not responsible for managing my day to day work, and I did not have frequent direct communications with them about my work. I cannot recall all of the individuals who sat as CISO between 2002 and 2019; I have set out below the details of those who I recall, or who the documents provided to me by the Inquiry suggest held that role at various times.

17. The documentation provided to me by the Inquiry does not contain details about who held the position of CISO prior to 2010, and I do not recall the names of the individuals who held the position between 2002 to 2010, or how many different people there were.
18. Thomas ('Tom') Lillywhite was CISO at certain points in time, but I cannot recall when exactly. I recall that he sat above Donna Munro, the Operational Security Manager at the time. According to documents provided to me by the Inquiry, Thomas Lillywhite was recorded as CISO (and as such approval authority and mandatory reviewer) for version 3.0 of the Security Management Service: Service Description document (**FUJ00002264**),<sup>2</sup> dated 15 October 2010. I have also been shown emails involving myself and Mr Lillywhite in May and July 2010 (**FUJ00156144**) and (**FUJ00154905**).
19. Ian Howard is recorded as being CISO on version 1.0 of the Audit Data Extraction Process (**FUJ00152218**), which is dated 1 March 2011, and Howard Pritchard is recorded as being CISO in 2012 on versions 1.1 and 2.0 of the Management of the Litigation Support Service document (**FUJ00152220** and **FUJ00152225**, respectively). I recall Howard Pritchard being the CISO, but do not remember Ian Howard at all.
20. The documents suggest that Tom Lillywhite returned as CISO at some point in 2013, however I have no recollection of this. He was recorded as an approval authority, and listed as mandatory reviewer as CISO, in versions 3.5 and 4.0 of the Security Management Service: Service Description document

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<sup>2</sup> I note that this is different to FUJ00002000 which has a similar title: "Service Description for the Security Management Service" and is also version 3.0, but is from a completely different date.

(**FUJ00088868**) and (**FUJ00002555**), dated 25 November 2013 and 4 December 2013, respectively.

21. The documents suggest that Keith Smith was CISO in 2014 and continued to hold the role in 2015. I recall Mr Smith being CISO but not the precise dates that he held the position. He was an approval authority for version 3.0 of the Audit Data Extraction Process document (**FUJ00152228**), dated 4 September 2014. He was also an approval authority, and listed as mandatory reviewer, for version 6.0 of the Security Management Service: Service Description document (**POL00002572**), dated 21 May 2015. Both documents list him as CISO at the time.
22. The Inquiry has not supplied me with any documents to assist me to refresh my memory as to who held the position of CISO between 2015 and 2019. However, I believe that Steve Godfrey was promoted from Operational Security Manager to CISO at some point, though I do not recall precisely when this was.

*Operational Security Manager*

23. The Operational Security Manager (sometimes called Security Operations Manager) reported to the CISO and had responsibility for managing the tasks performed by the IT Security Analysts. They were my line manager and oversaw all aspects of my work and responsibilities. As part of their role, they were responsible for contributing to and reviewing the policies and procedures in relation to litigation support. They were also sometimes involved in reviewing my draft witness statements, and with assisting me in respect of issues or concerns that I raised in relation to them (though the Litigation Support Manager would usually be my first port of call).



24. I cannot recall the exact details of when each Operational Security Manager joined or left the Fujitsu Security Team. I have set out below details of those who I recall, or who the documents provided to me by the Inquiry suggest held that role at various times.
25. According to the documents disclosed to me by the Inquiry, Graham Hooper was the Operational Security Manager in 2001 and 2002, as he is named as such on version 2.0 of the Conducting Audit Data Extractions at Live document (**FUJ00152176**), dated 27 November 2001, and version 1.0 of the Network Banking Management of Prosecution Support document (**FUJ00152205**), dated 26 November 2002. I joined the CSPOA Security Team in 2002 and recall Mr Hooper being in this role for a short period of time after I joined.
26. I recall that Mr Hooper was replaced by William ('Bill') Mitchell as Operational Security Manager. The Inquiry have supplied me with an HSD witness statement in the name William Leslie Mitchell (**FUJ00122190**) which states that he had been employed as Security Manager since 22 September 2003. He was still in this role in 2005 as he is recorded as a contributor to, approval authority, and mandatory reviewer of version 2.0 of the Network Banking Management of Prosecution Support document (**FUJ00152209**), dated 29 February 2005.
27. I believe that Brian Pinder succeeded Bill Mitchell as Operational Security Manager. He is recorded as such on version 3.0 of a document titled "Service Description for the Security Management Service" (**FUJ00002000**), dated 6 March 2006. I also note that it was Mr Pinder who appears to have first tasked me with preparing HSD witness statements, as he sent me an email dated 22

March 2006 (**FUJ00122189**), attaching the Bill Mitchell witness statement (**FUJ00122190**) described above.

28. Copied to the 22 March 2006 email was Peter ('Pete') Sewell. According to version 2.1 of the Management of the Prosecution Support Service for Audit Record Queries (**FUJ00122366**) policy document, dated 6 June 2007, he was the Deputy Security Manager. I note that he also describes himself as such in the footer of an email on 8 August 2007 (**FUJ00154664**), though I do not specifically recall this being his title. I am not entirely certain, but it may therefore be that I technically reported to Mr Sewell rather than directly to the Operational Security Manager for a period of time, though I recall having interactions with both of them about my work and my role. Mr Sewell was involved in various emails concerning the preparation of my witness statements, discussed below.
29. The next Operational Security Manager who I recall was Donna Munro. According to version 3.0 of the Security Management Service: Service Description document (**FUJ00002264**), in which she is described as having authored, she was Security Operations Manager by 15 October 2010.
30. She was also copied into an email dated 6 July 2010 concerning duplication of transaction records in ARQ returns (**FUJ00154905**). Neither Pete Sewell nor Brian Pinder were copied into the email, so it is likely that she had replaced them by this point, though I have no specific recollection of when precisely she took over.
31. Donna Munro continued in the role throughout 2011 and 2012. She was listed as Security Operations Manager, and mandatory reviewer, on version 1.0 of the Audit Data Extraction Process document dated 1 March 2011 (**FUJ00152218**)

and was involved in a June 2011 e-mail chain relating to improvements to the Triole for Service (“**TfS**”) system, in connection with the process of reviewing HSD calls and supplying witness statements (**FUJ00231002**). Ms Munro was also listed as Security Operations Manager, and mandatory reviewer on versions 1.1. and 2.0 of the Management of the Litigation Support Service (**FUJ00152220** and **FUJ00152225**) policy, dated 14 February 2012 and 23 April 2012, respectively.

32. Kumudu Amaratunga succeeded Donna Munro as Operational Security Manager. As with the other individuals, I cannot recall when Kumudu Amaratunga joined the Security Team, however the documents disclosed to me by the Inquiry indicate that he was in the role during 2013 and 2014. He was the author of version 3.5 and 4.0 of the Security Management Service: Service Description document, dated 25 November 2013 and 4 December 2013, respectively (**FUJ00088868** and **FUJ00002555**). Furthermore, he was the author and mandatory reviewer for version 3.0 of the Audit Data Extraction Process document (**FUJ00152228**), dated 4 September 2014.
33. I believe that Kumudu Amaratunga was succeeded in the role by Stephen Godfrey. Mr Godfrey is listed as the author of version 6.0 of the Security Management Service: Service Description (**POL00002572**) dated 21 May 2015.
34. My recollection is that at some point Stephen Godfrey was promoted to the position of CISO, and that he was succeeded as Operational Security Manager by Jason Muir, who had been one of the other IT Security Analysts for around a couple of years at that time.

35. I believe that Jason Muir was eventually succeeded by Farzin Dembali (who was also promoted from IT Security Analyst), who is still in the role now.

*Litigation Support Manager*

36. When I first started working for the CSPOA Security Team, I believe that the Operational Security Manager had responsibility for the process of managing the litigation support function. They were the main point of contact with POL about litigation support and were also involved in preparing witness statements for use in litigation. Although some of the IT Security Analysts had greater responsibility for the provision of litigation support than others at that time, I do not remember them having any particular job title in that regard.
37. The Litigation Support Manager was a role subsequently held by one of the IT Security Analysts within the CSPOA Security Team, reporting to the Operational Security Manager (or deputy). The Litigation Support Manager took over responsibility from the Operational Security Manager for running the litigation support function and communicating with POL about it. This was not a role that was more senior to the other IT Security Analysts (for example, I was called the Cryptographic Key Manager), however, they did have particular responsibility for this aspect of the service, and so the other IT Security Analysts would defer to their expertise on matters relating to litigation support.
38. As another member of the team, I would regularly see them about the office and in team meetings, though did not necessarily need to interact with them daily about the work that I was doing. Although they were responsible for running the overall process, they were not responsible for assigning me work or managing me. If the Operational Security Manager had assigned me the task that week of

performing ARQ extracts then I would simply access the list of requests and perform the relevant extractions – this did not generally require me to seek any input from the Litigation Support Manager, though they would be my first port of call if I had any queries or if there were any issues.

39. When I first joined the CSPOA Security Team there was no Litigation Support Manager, but one of the IT Security Analysts, Jane Bailey, had particular responsibility for litigation support tasks. I note that Ms Bailey authored version 2.0 of the Conducting Audit Data Extractions at Live document (**FUJ00152176**), dated 27 November 2001, and version 1.0 of the Network Banking Management of Prosecution Support document (**FUJ00152205**), dated 26 November 2002.
40. My recollection is that Ms Bailey ran the ARQ extraction process at the time, but I don't remember anything else about her responsibilities in respect of litigation support. I recall that, sometimes, I would cover for Ms Bailey in extracting ARQ data, but I cannot recall the specific instances when that happened. The ARQ extraction would have been conducted from the office in Feltham (where the audit data extraction workstations were then located) while my cryptographic keys responsibilities were run from Bracknell (where the cryptographic key workstation was located), which is where I was based throughout. I believe Ms Bailey left Fujitsu before the Feltham office closed and the entire CSPOA Security Team moved to Bracknell, though I do not recall precisely when this was.
41. My recollection is that at some time after the office move to Bracknell, Penny Thomas was hired as an IT Security Analyst initially on a temporary basis and carried out the litigation support functions. She was subsequently taken on full time, and held the additional title of Litigation Support Manager. I can see from

the documents disclosed to me by the Inquiry that she contributed towards version 2.0 of the Network Banking Management of Prosecution Support document (**FUJ00152209**), dated 29 February 2005, and that she was still in post until at least 23 April 2012 when she authored version 2.0 of the Management of the Litigation Support Service document (**FUJ00152225**). As part of Ms Thomas's role she carried out ARQ extractions. She also updated the template witness statements that were used for litigation support, and provided signed witness statements for use in POL litigation.

42. After Ms Thomas left the role, I don't have a recollection of anyone else being called the Litigation Support Manager, or who became responsible for communicating with POL in respect of litigation support. The overall responsibility for managing the litigation support function remained with the Operational Security Manager throughout.
43. Where in this statement I refer to the Litigation Support Manager I mean the person who had responsibility for managing the litigation support process at the relevant time (i.e. Penny Thomas while she worked for the CSPOA Security Team, or whoever was responsible for this at all other times).

#### *IT Security Analysts*

44. There were several other individuals who worked in the CSPOA Security Team as IT Security Analysts at various times between 2002 and 2019. I cannot now recall all their names, or precisely when they worked for the team. I detail below the names of those who I recall who were involved in the litigation support function, though this may not be an exhaustive list.

45. During and possibly before Penny Thomas's tenure in the Security Team, Neneh Lowther was also part of the team. I do not recall when she joined. At some point she left the security team, but still works at Fujitsu, and based on documents disclosed to me by the Inquiry appears to have been in the role until at least early 2008.
  
46. I believe that Ms Lowther had a greater involvement than me in litigation support at the time. She was the author of version 2.0 of the Network Banking Management of Prosecution Support document (**FUJ00152209**), dated 29 February 2005. Ms Lowther was involved in an e-mail chain following the resolution of the Lee Castleton proceedings in the High Court in January 2007 (**FUJ00152663**) and she was a contributor for version 2.1 of the Management of The Prosecution Support Service For Audit Record Queries document (**FUJ00122366**), dated 6 June 2007. She was also involved in the extraction of ARQ data when requested by POL and the provision of witness statements. On 5 March 2008 Ms Thomas emailed both me and Ms Lowther (copying Peter Sewell) updated versions of the template witness statements (**FUJ00122522**).
  
47. Rajbinder Bains is another IT Security Analyst in the CSPOA Security Team who I recall originally joined as a temporary worker but then was taken on permanently. I do not recall exactly when she joined the Security Team, but it appears to have been by at the latest March 2011, as she is listed in the distribution list for version 1.0 of the Audit Data Extraction process (**FUJ00152218**), dated 1 March 2011. Ms Bains is still working as part of the CSPOA but is no longer in the Security Team.

48. I recall that Ms Bains was the main person responsible for performing ARQ data extractions for a time. However, she did not want to be a witness in any court proceedings and so I do not believe she prepared any witness statements. I got the impression that she was nervous because it was something unknown to her, and the idea of going to court and being questioned was a bit daunting. Where POL requested a witness statement at the time of the ARQ request, I or someone else would therefore perform the data extraction and supply the statement. If Ms Bains had performed the data extraction and POL later requested a witness statement, then I or someone else would re-extract the data.
49. I note that Christine Phillips and Jason Muir were listed as optional reviewers of version 3.0 of the Audit Data Extraction Process document (**FUJ00152228**), dated 4 September 2014 (along with me and Rajbinder Bains). Both were members of the CSPOA Security Team, however, I cannot recall what role they had in respect of litigation support at the time, if any. When Mr Muir was subsequently promoted to Operational Security Manager, part of his responsibilities would have included managing the litigation support function.
50. Farzin Denbali had joined the team initially as an IT Security Analyst (and was later promoted to Operational Security Manager) by at least 2019, but I do not recall precisely when he joined. He was involved in performing ARQ extractions and following his promotion had responsibility for managing the litigation support function.
51. I note that aside from occasionally being listed as an optional reviewer, or being in the distribution list, for the various policy documents concerning the litigation support service that the Inquiry has supplied to me (and which I reference above),



I am never listed as an author, contributor, approver or mandatory reviewer in respect of any of these documents, and it is unclear which were sent to me at the time.

52. Although I likely read some parts, of some versions, of some of these documents at the time, I have no specific recollection of doing so. This reflects the fact that I had no responsibility for negotiating the contractual relationship or scope of the services with POL, setting the policies that would be followed in respect of the litigation support service, or managing the process.

53. I and the other IT Security Analysts assisted the Litigation Support Manager as and when required, in addition to performing the other tasks assigned to us by the Operational Security Manager. We were very process driven and followed local work instruction documents for many of the tasks that we performed, rather than consulting the Fujitsu policies and service descriptions. The local work instructions were informal documents, which at some stage had been written by those actually performing the tasks, and which focussed on the practicalities of how to do each task. I believe Penny Thomas drafted local work instructions in respect of ARQ extractions, and I wrote the local work instruction in respect of how to extract the HSD call records, though both documents may have been updated by different people over the years. None of these local work instructions, that I used on a day-to-day basis, have been disclosed to me by the Inquiry.

*Others outside the CSPOA Security Team involved in litigation support*

54. Outside of the CSPOA Security Team, there were others who I understood had some oversight of the litigation support function, or who I came into contact with as part of my role.

55. I understood that Service Delivery Managers overlooked the different aspects of the service provided by Fujitsu to POL, including the litigation support function, though I am unsure of the exact organisational structure. I had some dealings with the Service Delivery Managers as part of my role, though not necessarily in respect of the litigation support work. I do not recall all of their names, their job titles or the dates that they were in the role, but based on a review of the documents disclosed to me by the Inquiry they included Richard Brunskill and Susan Appleby-Robbins.
56. In respect of the ARQ data extractions I would sometimes seek assistance from the Audit Support Team, who would assist with any issues with the audit extraction software, and were involved in the software updates. I do not recall all of the names of the people that I spoke to within the Audit Support Team, but they included Gerald Barnes and Alan Holmes. However, I do not recall the specifics of any communications that I had with them.
57. In respect of the HSD calls, as part of my due diligence when analysing whether there could have been an impact on the integrity of the data, I would consult with colleagues who had come across the issues before or who had greater technical knowledge than me, such as the Software Support Centre (“SSC”), to better understand the nature of the issues being raised and how they were resolved.
58. I do not recall the names of the individuals who worked within the SSC with whom I have consulted in respect of the HSD calls over the years. I spoke to the SSC about lots of different matters, not just in relation to the litigation support work. I would usually either call someone in the team, or go over in person (they were on a different floor but in the same building) and speak to whoever was available.

59. I note that in an email dated 22 March 2006 from Brian Pinder to me with the subject FW: Gaerwen Witness Statement (**FUJ00122189**), which appears to be the first time I was tasked with preparing an HSD call witness statement, Mr Pinder refers to Mik Peach, who was the head of the SSC and says:

*“Any help always ask me or Peter [Sewell] but meanwhile I will have a chat with Mik Peach on this too.”*

60. One person from the SSC who I do recall interacting with concerning litigation support was Anne Chambers. I recall sitting in a witness waiting room with Anne Chambers for a couple of days prior to us both giving evidence (which I had thought was at the Old Bailey, but now understand would more likely have been the Lee Castleton proceedings at the High Court). My recollection is that after that case Ms Chambers did not give evidence in court again, and that Mik Peach did not want any of his team to go court. The Inquiry has provided me with a copy of an email from Mik Peach dated 7 August 2007 with the subject “*Requests for data and calls*” (**FUJ00154664**) in which he describes an ‘incident’ the previous year “*in which an SSC staff member ended up in court*” and says that “*the SSC is NOT in position to undertake this role.*”

61. I was also aware that Gareth Jenkins (who I understood to be someone senior with a very detailed knowledge of the workings of Horizon) gave evidence, though I had limited, if any, direct interactions with him. However, I was aware that Penny Thomas used to speak to Gareth Jenkins about matters concerning litigation support, though I don’t know the specifics of what they discussed.

The service provided by Fujitsu

*Contractual Requirements*

62. I have been asked to comment on the agreement in place between POL and Fujitsu in respect of the provision of litigation support by Fujitsu to POL, and the contractual requirements on Fujitsu in respect of the ability of POL to obtain audit data, the type of data and the quality and completeness of the data.
63. I do not recollect seeing a copy of the agreement between POL and Fujitsu and was not aware of what the contractual requirements were. As far as I was concerned, I provided whatever data I was requested to supply, though as far as I recall these requests only ever consisted of ARQs and HSD call data.
64. I was aware that there was a cap on the number of ARQ requests that Fujitsu was required to assist with each year as part of the agreed service, however, I was unaware of what the financial or other arrangements would be if that cap was reached. I believe that the cap was increased at some point, though I do not recall when.
65. I am unaware whether there were any changes to the contractual requirements in respect of litigation support when the service moved from Legacy Horizon to Horizon Online.
66. I am unaware of who from Fujitsu was contractually responsible for provision of data to POL. The CSPOA Security Team was tasked with supplying data in response to ARQs and in respect of HSD calls; I describe these tasks and my role in respect of them, below. However, I am unaware what other parts of Fujitsu may have been tasked with supplying other data.

67. I am unaware of what the contractual requirements were in respect of how data was to be presented by Fujitsu. I describe the process of extracting and presenting the data that I carried out, below.
68. I am unaware of what additional prosecution support (if any) Fujitsu was contractually obliged to provide to POL relating to audit data it supplied. I was aware that POL could request that the person who supplied the data also provide a witness statement accompanying the data, and I provided these as and when requested. Although I am familiar with the term 'expert' in common usage, I was not aware at the time that there was a distinction in law between witnesses of fact and expert witnesses. I do not know what Fujitsu's contractual obligations were in respect of expert witness evidence.
69. I am unaware of what the contractual requirements on Fujitsu were in respect of the ability of POL to obtain information from the PinICL, PEAK, KEL and Powerhelp databases. Aside from information from the Powerhelp database (i.e. the HSD call records), I don't recall ever being requested to supply any such data in connection with litigation support. Had I been requested to do so, I would have sought instructions from my line manager about what to do.

*Types of evidence*

70. I have been asked to provide a detailed explanation of the different types of evidence provided by Fujitsu to support litigation, including transaction logs, event logs and call logs.
71. My general understanding of these terms is that transaction logs are the records of transactions that had been entered into the counter terminals at the post office

branch (e.g. the sale of some stamps), whereas event logs are the automated logs generated by the counter terminals at that branch. I also understand there is a distinction between what I refer to as 'counter events', which are events relating to the operation of the counter by the user (e.g. user logon and logoff) and 'system events', which relate to how the system is running (e.g. database connection status and automated error messages).

72. I understand call logs to be the records entered into the Fujitsu call handling system (initially Powerhelp and later TfS) relating to the post office branch. Although these are described as 'call' records, they include much more than just the notes of the telephone calls made by the SPMs to the HSD. In addition to any notes of calls with the SPMs, they record details about the teams assigned to investigate the issues being raised, the steps taken by those teams and the eventual resolution of the issue and close of the call.

73. The original call also did not necessarily have to arise from a telephone call from the branch directly to the HSD (though this would predominantly be the case). For example, calls would sometimes be made to the HSD by someone else on behalf of the SPM, such as the Network Business Support Centre ("**NBSC**"), which was POL's helpline for dealing with business (as opposed to technical) issues. If the SPM had raised a technical issue to the NBSC, then they would refer the matter to the HSD which would log the call on the system.

74. An example of this can be seen at page 3 of my witness statement dated 14 January 2007 in respect of the proceedings against Jo Hamilton (**POL00044482**). The call on 22 April 2004 at 08:57 shows a call from Trish at the NBSC transferring a call in relation to a technical issue that had been raised

to them (regarding a lost network connection), and its subsequent handling by the HSD.

75. I also understood that certain system events would result in an automated 'call' being logged with the HSD for investigation. An example of this can also be seen at page 3 of **POL00044482**. The call on 21 April 2004 at 23:17 shows an automatic error event (regarding a critical NT error) being logged on the system, investigated and resolved.
76. I believe that both transaction and counter event logs were included within the audit data that was supplied in response to an ARQ, but that this did not include system event logs. However, as discussed above, certain system events could be seen as part of the HSD call records.
77. I do not know why system event logs were not supplied as part of the ARQ process. I do not know whether these records are stored within the audit database or somewhere else, or whether it would have been possible for the CSPOA Security Team to extract them using the existing software tools if we had been requested to do so. I understood that we were supplying the data that it had been agreed with POL we would provide in response to a standard ARQ request. If POL had any specific requirements in respect of the extraction or had wanted additional data, then this could be specified on the ARQ request form.
78. The call logs were produced in response to an HSD call records request. It is important to note that the call logs that we produced did not include calls that the SPM made to the NBSC. The NBSC sat outside Fujitsu and, save for any information that the NBSC provided when logging a call with the HSD (or vice versa when business issues raised by SPMs were referred by the HSD to the

NBSC), the CSPOA Security Team did not have access to any records of the calls made by branches to the NBSC.

79. I describe ARQ and HSD call record requests in more detail in the following sections.

### Audit Record Queries

#### *Process*

80. I summarised at paragraph 12 of my first witness statement the process for extracting transaction records in response to an ARQ.

81. ARQ requests could only be submitted by nominated persons within POL by sending them to the CSPOA Security Team mailbox. The ARQ would be submitted on an ARQ request form, a template of which can be seen at page 26 of version 1.0 of the Network Banking Management of Prosecution Support document, dated 26 November 2002 (**FUJ00152205**). The form changed over time but broadly speaking requested the same information.

82. Each ARQ would specify the relevant post office branch, date range, and any specific details about the data sought. At the time records were requested by POL we were not informed why they were required, though in general terms I understood that they were needed for the purpose of an investigation into a post office branch.

83. The member of the CSPOA Security Team who was dealing with the ARQ extraction would log the details contained in the ARQ request, when the request was received and when the data was sent out, on a central spreadsheet. The



Litigation Support Manager would keep track of the ARQs on the spreadsheet and make sure that any timescales agreed with POL for responding to ARQ requests were complied with.

84. The person doing the extraction would logon to one of the dedicated secure audit workstations and enter the parameters specified in the ARQ into the audit extraction tool, which would then automatically extract the relevant data from the audit database.
85. I understood that the format of the audit data stored in the database would be unintelligible, or at least very difficult to use, in its original form. I understood that part of what the audit extraction tool was doing was formatting the data so that it could more easily be read by a human.
86. There were a number of different extraction reports available in the software, which I understood would extract and export different fields from the data, however, to the best of my recollection we almost always used the same extraction report every time we performed an ARQ. Aside from picking from the available extraction reports, I was not able to choose which fields would be extracted. If POL required additional fields to be extracted, or if the form in which the data was to be presented needed to change, then Audit Support would have had to update the audit extraction tool to add a new extraction report.
87. Once the relevant data was extracted, it could then be presented in a number of different file formats, as specified on the ARQ form. However, to the best of my recollection POL always requested that the data be provided in Microsoft Excel spreadsheet format. The software produced two separate spreadsheets; one containing the transaction records, and the other containing the counter events.

88. The person performing the extraction would check that the data extracted related to the FAD (i.e. branch) code requested on the ARQ request form, and would run their eye over the dates listed to make sure that the correct date range had been supplied and that there were not any unexplained gaps in the data. The spreadsheets would also indicate if there were any gaps or duplicates in the records. A second person would later re-perform these checks to ensure that the correct data was being produced in response to the request.
89. Finally, we would perform anti-virus checks, encrypt the data and place both spreadsheets onto a compact disc, and send it to the Post Office.
90. This process remained largely the same throughout the entire period that I was undertaking ARQ extractions. Although there were changes to the audit extraction software made by the Audit Support Team (including a major change as part of either the HNG or HNGx rollout that significantly reduced the time that each extraction took to run), the actual steps that the user was required to take were essentially the same. I also do not recall there being any differences between carrying out audit data extractions on Legacy Horizon and Horizon Online, save for changes to the Graphical User Interface ('GUI') i.e. how the software looks, and the improvement to the speed of the extraction process. I recall that the GUI also gave an option to perform the extraction using the previous (slower) process.

#### *Authorisation and Data Integrity Controls*

91. There were a number of controls that I understood were in place to ensure that the integrity of the data produced in response to an ARQ was guaranteed. I list

these at paragraph 6 of my witness statement for the GLO Proceedings dated 16 November 2018 (**FUJ00082232**), and expand on them below:

91.1 Extractions could only be made through the audit workstations which were located in secure rooms subject to proximity pass access. The sites were subject to rigorous physical security controls. In order to gain physical access to the audit workstations a person would need an electronic pass which had been specifically authorised to access the room (in addition to gaining entry to the Fujitsu building). This authorisation process was run by Fujitsu Group Security (different to the CSPOA Security Team) who were responsible for issuing the passes, and setting which areas the passes could be used to access. I understood that Group Security would only issue a pass giving access to the audit secure room if requested to do so by the CSPOA Security Team. The CSPOA Security Team also performed regular audits (on at least an annual basis as part of the external audit) of the list of people with access to the room to ensure that anyone who did not require access was removed. I had a pass which I needed to use to access the room and so knew that this control was in place.

91.2 The audit workstation could only be accessed by a user logging in using their PIN and two-factor authentication (“**2FA**”) device. This meant that even if someone was able to physically access the workstations they couldn’t be used unless they were a Fujitsu user, or had obtained both the PIN and the 2FA device of a user. When I performed audit extractions I had to logon in this way, so I knew that this control was in place. Further, the CSPOA

Security Team was responsible for managing the 2FA devices used by everyone on the CSPOA, and this formed part of my duties for a time.

91.3 Each ARQ had to be submitted on an ARQ request form through the designated route, to ensure that only those who had been authorised by POL to make ARQ requests could do so. A record was kept of all incoming ARQ requests and the extractions performed on a central spreadsheet, which was regularly reviewed by the Litigation Support Manager. I understood that the audit extraction software generated a log text file for each extraction showing that the extraction had been completed and that each of the various automated checks (described below) had been performed successfully. We also saved the spreadsheets exported from each extraction to a folder on the audit work station, so anyone logging onto the workstation could see all of the previous extractions performed. I knew that the audit work station was keeping records of previous extractions performed as I could see the previous extractions when I logged on to the workstation, so I knew this control was in place. Although I did not view the log file every time I performed an extraction, I have previously looked at it (though I cannot now recall when or why) and so knew it was being created and what it contained. I believe the log file was mostly used by the Audit Support Team to enable them to investigate any errors that occurred during the extraction process.

91.4 Extractions could only be made by authorised individuals. If a person tried to logon to the audit workstation, they would only be able to access it and use the audit extraction software if their user account had been granted the

requisite permissions to do so. If a user required permission to use the audit software, the CSPOA Team would contact the NT Support Team who would amend their permissions accordingly. One of the functions of the CSPOA Security Team was to check that users across the CSPOA had the correct permissions in respect of their access to the different parts of the Horizon software; and this included checking that only the necessary people had permission to use the audit extraction software. I understood that this was done as part of the annual external audit, though don't recall ever personally performing this role within the CSPOA Security Team.

91.5 The required files were identified and marked using the dedicated audit tools. As far as I was aware, the only way to access the audit data was to use the dedicated tools that had been developed by the Audit Support Team. I was aware that this software was regularly updated. Where any problems with it were identified, these were promptly reported to the Audit Support Team for them to deal with.

91.6 Checksum seals were calculated for audit data files when they were written to audit archive media and re-calculated when the files were retrieved. Although I did not understand how this worked, I understood that it was essentially a way of checking that the data put into the audit archive was identical to the data that was subsequently extracted, and had not been changed in the interim. I knew that the audit extraction software was performing various automated checks as I used it to perform the data extraction, and if any check failed the extraction would not complete and would need to be re-started. However, I accept that I did not personally

know the detail of precisely what those checks were, and instead relied upon what I was told by others and the information set out in the template witness statements that were provided to me; I had no reason at the time to doubt that what others had told me about this check was accurate (and I have not been shown anything since suggesting that it was not carried out as described).

91.7 The files were copied to the audit workstation where they were checked and converted into the file type required. The person performing the extraction would check to make sure that the FAD code and date range of the data extracted matched that set out in the ARQ request form. This was subsequently double-checked by someone other than the person who had performed the initial extraction. The files were exported in the format (usually Microsoft Excel) requested by POL.

91.8 Digital signatures that were generated at the time that messages were originally sent from the counters to the Data Centre were checked as being correct. Like with the checksum control, I did not understand what exactly the software was checking, or how it worked, but knew that various automated checks were being performed to ensure that the data put into the audit archive was identical to the data that was subsequently extracted. Again, I only knew the details about the automated checks being performed based on what I was told by others and what was included in the template witness statement but had no reason to doubt this information.

91.9 Checks were made using the Journal Sequence Number (“**JSN**”) that all audited messages for each counter in the Branch had been retrieved and

that no messages were missing. I understood that each transaction that took place on each Horizon counter terminal was assigned a JSN, and that each sequential transaction on the terminal should be assigned a sequential JSN. By checking that all of the JSNs included in the extracted data were sequential, I therefore understood that we could be sure that all of the transactions had been successfully extracted. Again, I did not understand how the software performed this check, but understood that it was being performed. On exporting the data to excel, the spreadsheets contained a sheet which confirmed that there were no gaps or duplicates. I would check this every time I performed an extraction, so knew that this control was in place.

91.10 System events generated when the transactions at the branch were recorded were checked to ensure the system was functioning correctly. As described in paragraph 75 above, I knew that certain system events would result in an automated call being logged with the HSD for investigation. I understood that either the relevant team would determine that the event had had no impact on the integrity of the data, or, if there was an issue, would have taken action to resolve it. I knew from my work reviewing HSD call records in general that these system events were being checked, albeit I would not review the system event calls in respect of the particular branch unless I was also requested to produce the HSD call records.

91.11 The retrieved audit data was encrypted using PGP encryption. I understood that this was to ensure that the data could not be accessed by anyone other than those in possession of the current password (which was

changed on a monthly basis), and therefore to guard against any tampering with the data. I knew that this control was in place as I would perform the encryption when I had extracted the ARQ data.

91.12 The requested information was copied onto removable CD media and virus checked using the latest software. I knew that this control was in place as I placed the information onto the CDs and ran the virus checks when I had extracted the ARQ data, though I believe at some point this virus check became automated because all files on the audit workstation were automatically subject to anti-virus checking.

92. I note that version 1.0 of the Conducting Audit Data Extractions at CSR, dated 4 May 2000 (**POL00029169**), lists several of these controls. However, there are some that are not listed there. I do not have a specific recollection of when these additional controls were introduced, or how I first found out about them.

#### *Witness Statements*

93. The ARQ request form would indicate whether or not a witness statement was required to accompany the data being produced, though sometimes this request could be made subsequently. Whether or not a witness statement was requested, there was no difference in the process undertaken for extracting the data. However, I understood that where a witness statement was requested, it had to be provided by the person who had carried out the extraction. If that person was not available, or was not willing, to provide a witness statement, then the extraction would be re-performed by the person providing the statement.



94. A template witness statement was used for the ARQ production process, which was updated by the Litigation Support Manager and/or the Operational Security Manager from time to time. I did not consider that there was anything improper about using a template witness statement; this made sense to me as the information being confirmed was largely the same each time and there would have been no point re-drafting the whole statement every time. Although the statement was in a standard form, I would not have signed it if I thought that it was untrue in any particular case.
95. On the occasions on which I was requested to supply a witness statement in respect of the ARQ records, I understood that my purpose was to supply the records (referred to as 'audit data'), describe the process by which I had extracted it, and confirm the general controls (set out above) that I understood were in place at Fujitsu to ensure that the audit data extracted from the data centre and supplied to POL was the same as the data that had originally been received by the data centre. I was not asked to summarise the transactions that had taken place, or to analyse whether the audit data indicated that any software errors had occurred. Aside from checking that the data extracted covered the correct date range and FAD code, I would not generally look at the data that had been extracted.
96. The witness statements that I supplied in respect of the production of the ARQ records contained the following (or very similar) wording:

*There is no reason to believe that the information in this statement is inaccurate because of the improper use of the system. To the best of my knowledge and belief at all material times the system was operating properly, or if not, any*

*respect in which it was not operating properly, or was out of operation was not such as to effect the information held within it.*

97. I note that this paragraph is included in the template witness statement appended to version 1.0 of the Network Banking Management of Prosecution Support document, dated 26 November 2002 (**FUJ00152205**).
98. My understanding at the time was that I was confirming that I had not improperly used the audit extraction software to manipulate the data that I was exhibiting, and that as far as I was aware the software had run properly when extracting the data.
99. In each case I believed the software had run properly because if there was an error it would say so and the extraction would not complete. If there was an error message during the course of the extraction then I would do one of three things: (1) attempt to re-run the extraction exactly as before to see if the error repeated; (2) run the extraction on the mirror database which I understood contained an exact copy of the data on the main database; or (3) report the error to the Audit Support Team for them to investigate. I understood that the extraction process was not changing the underlying data in the system, and so a failure in the initial extraction process (i.e. to the extent it was not operating properly) would not affect the information that I subsequently extracted and exhibited with my witness statement.
100. I did not believe that I was verifying that the Horizon system as a whole was operating properly at all times, or that there could not have been any software errors that affected any of the information held within it.

101. I now recognise that other people may not have had the same understanding as me about what these words were intended to convey, or may have sought to use what I said to give an impression that was never intended. However, at the time I believed that everyone would have understood that the purpose of my statement was just to produce the data that I had extracted from the system.

102. I have been asked whether the process for requesting and providing a witness statement was different in respect of witnesses of fact and expert witnesses. As set out above, although I understood the meaning of the word 'expert' in common usage, I did not know that there was a distinction in law between types of witnesses. I never received any training or instructions on the limits of the evidence that I was allowed to give. I was not told about any additional obligations or responsibilities of an expert witness, and as far as I am aware no one ever used the term 'expert witness' in respect of my evidence.

*PACE Certificates*

103. I am asked to describe my understanding of whether PACE certificates were at any point provided by Fujitsu to support a criminal prosecution and if so what the process for their production was.

104. I am unfamiliar with the term 'PACE certificates' and was not aware at the time of being asked to supply any such document.

105. I have been shown a copy of section 69 of the Police and Criminal Evidence Act 1984 ("**PACE**"), as in force from 1 January 1986 to 13 April 2000. Prior to being shown this in course of preparing my witness statement for the Inquiry, I do not believe that I had ever seen this before, or discussed it with anyone.

106. I am informed that section 69 originally read as follows:

*(1) In any proceedings, a statement in a document produced by a computer shall not be admissible as evidence of any fact stated therein unless it is shown—*

*(a) that there are no reasonable grounds for believing that the statement is inaccurate because of improper use of the computer;*

*(b) that at all material times the computer was operating properly, or if not, that any respect in which it was not operating properly or was out of operation was not such as to affect the production of the document or the accuracy of its contents; and*

*(c) that any relevant conditions specified in rules of court under subsection (2) below are satisfied.*

*(2) Provision may be made by rules of court requiring that in any proceedings where it is desired to give a statement in evidence by virtue of this section such information concerning the statement as may be required by the rules shall be provided in such form and at such time as may be so required.*

107. I note the similarity between this piece of legislation and the paragraph included in my ARQ witness statements (and the template witness statement) set out at paragraph 96 above.

108. At the time I had no idea that this form of words had a particular meaning in law, and no-one ever explained to me why it was included in the template statement or what it was that I was supposed to be verifying. My understanding of what the words meant was therefore based solely on my own reading of them.

109. I have been informed that section 69 of PACE had in fact been repealed in 2000 before I even began to work for the CSPOA Security Team, and that there was therefore no legal requirement for any of my witness statements to contain this paragraph. This was not explained to me at the time.

110. I now also understand that there are phrases in my witness statements that are commonly understood by lawyers to convey a particular meaning. This wording all either comes from template witness statements or was drafted for me by the lawyers for POL dealing with particular litigation. No-one ever explained to me that these phrases were supposed to have a particular meaning, and I therefore interpreted them based on my own understanding of the words.

111. For example, in some of my witness statements I say that I make the statement "*from facts within my own knowledge unless otherwise stated*".<sup>3</sup> At the time, I believed that where I had spoken to other people to obtain information, that information was then within my own knowledge. No-one ever explained to me that there were rules about what types of evidence could be given in different proceedings (or indeed what the difference was between criminal and civil proceedings in general).

#### Horizon System Helpdesk Call Records

112. I summarised at paragraph 20 of my first witness statement my role in providing POL with records of HSD calls. Sometimes this role was limited to supplying the records of the calls, but other times I was requested to summarise the calls to assist the court to understand the terminology used. On some occasions (though

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<sup>3</sup> See, for example, my witness statement dated 24 June 2009 in respect of the proceedings in *R. v Misra* (POL00051960).

not all) I was also requested to analyse the records to give my opinion on, for example, whether the calls related to faults which would have had an effect on the integrity of the information held on the system.

113. I understood that the purpose of this role was to assess whether any technical issues being raised in the calls could have affected the data that was stored about the transactions in the audit records held by Fujitsu (i.e. the data that was being produced in response to the ARQ request for use in the prosecution).

114. Certain issues (for example, 'the printer has run out of ink') were obviously incapable of affecting the data stored by Fujitsu. I also understood that whenever the HSD referred the matter to the NBSC that it was a commercial issue or user error rather than a technical issue which might affect the integrity of the data, unless it was subsequently referred back to the HSD by the NBSC for further investigation.

115. Where there was a possibility that the issue being raised could have affected the data, I examined the records of the investigations carried out by the engineers assigned to deal with the call to confirm that they had either determined that there was no impact on the data, or that a fix had been deployed to remedy any fault. Where I was unsure of anything, I would consult with colleagues who had come across the issues before or who had greater technical knowledge than me, such as the SSC, to better understand the nature of the issues being raised and how they were resolved, to satisfy myself that it had had no impact on the integrity of the data.

116. I now recognise that I should perhaps have made clearer in my witness statements that I had spoken to other people and that some of the information

contained in the statements came from them. However, my understanding at the time was that once I had learned something from someone else, it was then a matter within my own knowledge.

117. I nevertheless explained in my witness statements concerning the HSD calls that I had not been involved in dealing with the technical aspects of the helpdesk calls and that this was not my particular area of expertise.

118. On the occasions on which I was requested to give evidence at Court, I emphasised that I was not a technical expert and could not give evidence about any of the technical details relating to the calls.

119. I have been provided by the Inquiry with a copy of the transcript of my evidence on 12 December 2006 in the proceedings in respect of Lee Castleton (**POL00069286**). I note that at page 63 of the transcript is the following exchange in which I made clear the limits of my knowledge and the limited purpose of my evidence:

*THE DEFENDANT: Can you explain to me what a critical event is, please.*

*A: No, I cannot. It is not my —*

*Q: It is not your (inaudible). What sort of role do you take within the—*

*A: I work within the security team within Fujitsu Services. I undertake a number of different roles within that.*

*Q: Could you, for the purposes of the court, help us to understand what kind of roles you (inaudible).*

*A: It is to do with (inaudible) key management (inaudible), vulnerability management and virus management and things along those lines.*

*Q: So on this particular occasion the critical event was not anything to do with a virus or security then.*

*A: I cannot say. I do not know. I have to say, I had no dealings in any of these calls whatsoever. As it says in my statement, it says that I generated these calls just for the purposes of the court. So for the (inaudible) to see what the wordings in the calls were.*

*Q: But you do not actually have anything to do with any of the wordings and (inaudible), you just -*

*A: No, I do not. I think it says in my statement that I have no experience of any of these calls, I think it says that near the (inaudible).*

*Q: I believe it is paragraph 2 (inaudible).*

*HIS HONOUR JUDGE HAVERY: At the bottom, yes.*

*THE DEFENDANT: Do you have anything within your job description to do with (inaudible) contact, (inaudible) knowing whether any computer is connected to the main system or not?*

*A: No, I do not.*

*Q: You do not deal with that at all?*

*A: No.*

120. On the rare occasions that I was called to give evidence about the HSD call records, I believe that this exchange typifies the sort of evidence that I would give. It was clear to me that it was clear to everyone else involved in the proceedings, including the judge and the defence, what the limits of my evidence was.



### My Involvement in Litigation Support

121. I believe that my first involvement in providing litigation support was in respect of performing ARQ extractions. I don't recall the precise circumstances about how this came about, but it is likely that I was requested by the Operational Security Manager to assist with this task.

122. I think that Jane Bailey would have been the person who showed me how to perform the data extractions, as I recall having to go to the Feltham office where the audit workstations were based, and she was the one who was mainly responsible for dealing with ARQ requests at the time. I think that Penny Thomas joined after the Feltham office closed and the entire CSPOA Security Team moved to Bracknell, so I don't believe it was her who would have trained me.

123. Based upon documents provided to me by the Inquiry, it appears that the first time I was requested to provide an HSD call records witness statement was on 22 March 2006 (**FUJ00122189**). I discuss this email above, and in the section below in respect of the proceedings against Noel Thomas.

### *Generic/template witness statements*

124. I have been asked to describe the circumstances in which Fujitsu would provide a 'generic' witness statement to support litigation, and how these statements were updated. By the use of the word 'generic' I assume the Inquiry to be referring to template witness statements.

125. Template witness statements were used to assist with the preparation of the ARQ and HSD call records witness statements. The templates contained standard

paragraphs that would be re-used, because there was no purpose in redrafting wording each time if the position remained the same.

126. Witness statement templates were drafted and approved by others within Fujitsu and shared with me usually either by the Litigation Support Manager or the Operational Security Manager or both. Sometimes amendments to witness statements were suggested by managers at Fujitsu, by POL or by their lawyers. I do not recall particular examples, but I would have discussed with colleagues in the security team at Fujitsu any significant proposed amendment to a witness statement. I would have been satisfied with any amendment before accepting it into a witness statement.

127. I am asked what changes were made to the statements after the introduction of Horizon Online. I do not recall what specific changes were made as a result of this.

*Data integrity and system limitations*

128. I have been asked to provide details of any limitations that I considered to be present in the design or operation of Horizon in respect of the integrity of the audit data and completeness of the HSD call logs provided to support litigation conducted by POL, and any concerns that I had in that regard.

129. As far as I was aware, there was never any issue with the integrity of the audit data that was held on the audit servers. However, I recall that an issue arose in around 2010 with the data that we were exporting in response to ARQs made by the Post Office. I recall the issue involved there being both gaps in the data that we were exporting (i.e. the JSNs shown were not sequential) and duplicated

transactions (i.e. transactions showing the same JSN). I am reminded by the emails disclosed to me by the Inquiry that this was related to a difference between legacy Horizon and Horizon Online, though I have no specific recollection of being involved in any discussions about the cause of the issue at the time.

130. I recall that, once Fujitsu became aware of the issue, we stopped performing ARQ requests for a period of time while the matter was resolved. I believe that we then had to resupply any ARQ data which could have been affected by the issue, though do not specifically recall my involvement in respect of this.

131. I am asked about the ability of individuals to remotely access data in the audit trail, and any impact that I considered this to have in respect of the integrity of the system. I describe at paragraph 80 onwards the process by which the audit data could be accessed, and the controls put in place to protect the integrity of the system.

132. All access to the data in the audit trail was carried out 'remotely' in the sense that the audit workstations did not themselves contain the raw data, and were instead extracting it from the audit servers, which were in a different location. However, I understood that this access was only possible through these audit workstations and was not aware of anyone else having access.

133. I did not consider that our ability to access the data in the audit trail had any impact on its integrity, as I understood that we were merely obtaining a copy of it and not changing any of the underlying data held on the audit servers. I also understood that the automated checks being performed by the audit system

meant that even if the data had somehow changed, this would be apparent on extraction.

134. In respect of the HSD call records, I am not aware of any issue with the completeness of the call logs provided to POL.

135. A potential issue did arise in respect of a decision taken to archive historic call records, however, this did not affect the completeness of the records, just the ease with which I could access them. Rather than simply being able to download the call records from the TfS system directly, I had to raise a ticket with another team (I think called the TfS Support Team) to extract and supply me with copies of the calls.

136. I have been shown an email chain from May 2010 regarding "Triole- archiving?" (**FUJ00156144**) which relates to this issue. It appears from the email that I had only recently become aware that the decision had been taken the previous year in September 2009 to archive all TfS call data that was older than thirteen months. I discovered this when I queried why there were no calls for a particular Post Office before a certain date.

137. I identified that this had major issues for the HSD call record witness statements that I had supplied, as it was possible that I had considered an incomplete call record. I raised my concerns directly to Tom Lillywhite, the CISO, and stated that I would have to go back over my previous statements and compare them with the archived data.

138. I recall that I reviewed all of my HSD call records witness statements prepared since the TfS archiving was introduced, and I don't recall finding that any of them had any call records missing.

139. The only extent to which the archiving of the calls affected the evidence that I gave, is that when extracted from archive the call records were differently formatted to those that I could obtain from the live system. I recall that a macro was written by someone in Fujitsu to put them into a legible format.

## **R v THOMAS**

### **Background and My Role in Respect of the Proceedings**

140. I have no specific recollection of the prosecution of Mr Thomas.

141. Based upon the material shown to me by the Inquiry, it appears that I prepared a witness statement in respect of the records of calls that had been made to the HSD regarding the Gaerwen Post Office branch, though I note that the version of the statement dated 6 April 2006 that has been provided to me by the Inquiry (**POL00046194**) is unsigned. I do not recollect whether the statement was ever finalised and signed, or was further amended, and I do not know whether it was used as part of the evidence against Mr Thomas.

142. In general, once I had supplied a witness statement I would not be told anything further about the case unless there were questions about my statement or I was required to attend court to give evidence. If I was not required to attend court, it was therefore unlikely that I would find out the outcome of the case, or if there had even been a prosecution following the investigation at all. It was very rare

that I was required to attend court, so generally I did not know what the outcome was.

143. It appears that I was first requested to provide litigation support in respect of this prosecution in around March 2006. I have been shown an email dated 22 March 2006 from Brian Pinder to me, copying Peter Sewell, with the subject line '*FW: Gaerwen Witness Statement*' (**FUJ00122189**).

144. It appears from the content of the email that I must have had some prior discussion with Mr Pinder about this task, but I cannot recall what that was or the background to how I became involved in the case.

145. I have no specific recollection of the proceedings, so do not recall what I understood my or Fujitsu's role was at the time. However, in general terms I understood that Fujitsu was required to supply data requested by POL for the purpose of investigations, and that my role was to extract that data from Fujitsu's records and supply it in the requested format, together with a witness statement if requested.

146. As I have set out at paragraph 112 above, my role in relation to the HSD witness statements differed from case to case, depending upon what was requested by POL or their external lawyers. Based on the material disclosed to me by the Inquiry, in this case it appears that my role in *R v Thomas* included producing the printouts of the call records themselves, as well as summarising the calls and assisting the court to understand some of the terminology and acronyms used in the records.

147. I was also asked to analyse the call records and provide my opinion on whether or not the calls related to faults which would have had an effect on the integrity of the information held on the system. As set out above, I understood that the purpose of this role was to assess whether any technical issues being raised in the calls could have affected the data that was stored about the transactions in the audit records held by Fujitsu.

Preparation of my Witness Statement

148. I have no specific recollection of the process of drafting my witness statement or collating the data on which it was based.

149. I note that Mr Pinder's email of 22 March 2006 (**FUJ00122189**) attached what he described as the 'statement template', and that he instructed me to fill it in with details from the calls and amend the details highlighted in yellow. The attached 'template' was the previous draft statement of Bill Mitchell in respect of a different post office, mentioned above (**FUJ00122190**).

150. Although Mr Pinder had instructed me to amend the details 'highlighted in yellow', I do not believe that I would have understood this as an instruction that I could only amend these parts of the template, as is evident from the fact that I subsequently amended other parts of the statement.

151. In order to prepare the statement I would have obtained copies of the call records stored in Powerhelp in respect of this post office branch between the requested date range, and then reviewed them and any other relevant records to satisfy myself that the issues being raised would not have had an impact on the integrity of the audit data in respect of the branch. If necessary, I would have consulted

with other colleagues about the issues. However, I have no specific recollection of the steps that I took in respect of this particular case.

152. I have been shown an email from me to Graham Ward dated 24 March 2006 with the subject "Gaerwen WS" (**FUJ00122206**). The email attaches my draft witness statement regarding the calls made to the HSD in respect of this post office branch. I also confirm my opinion that "*none of the calls logged have any affect on the data integrity*" (sic). I suggested that Mr Ward ring me if he had any questions.

153. I am told by the Inquiry that attached to this email was the document with Unique Reference Number ("**URN**") **FUJ00122196**, an unsigned witness statement in my name dated 22 March 2006. However, I note that the URN for this document is not sequential to the URN of the email, so am unsure whether or not this is the version of the statement that was attached to the email.

154. The statement that I have been shown (**FUJ00122196**) summarises the 14 calls made in respect of this branch to the HSD, including the issue raised and the resolution. The statement also produced copies of the call records as an exhibit (though this has not been provided to me by the Inquiry).

155. I have also been shown another version of an unsigned draft witness statement in my name, also dated 22 March 2006 (**FUJ00122188**). There are some minor differences between the text of this version and FUJ00122196 (the latter contains duplicated wording "*A breakdown and an overview of the calls are given in date order below*" in paragraph 3, which is not present in FUJ00122188). I do not recollect which of these two statements came first.



156. FUJ00122188 appears to have been printed and stapled to a copy of one of the HSD call records; I note that the call record shows a date in the bottom right corner of 24 March 2006, which may well be the date the document was printed. The document also contains handwritten notes.

157. One of the notes appears to say:

*“CRITICAL” WHAT MENT.  
ARE BAD BLOCKS COMMON.  
WHAT PROCESS RUNNING AT TIME.  
PARTITION.*

158. These notes appear to relate to two calls made on 18<sup>th</sup> June 2005 and 13<sup>th</sup> July 2005 to the HSD in respect of ‘critical events’ concerning a ‘bad block’ on the counter. I do not know whether these are my notes prepared as part of my due diligence investigating the calls, or whether they are Mr Ward’s queries about my draft witness statement (though I note that the statement they are attached to contains slightly different wording to the version that I apparently sent to him).

159. I have also been provided with another printed unsigned version of a statement in my name, this time dated 6 April 2006 (**POL00046194**). This version of the statement contains an additional paragraph explaining what is meant by a critical event, and the nature of the bad blocks issue. Although I do not now recall from where I obtained this information, it would likely have come from a colleague with a greater technical understanding of the issue. From my conversations and based on the information that I knew at the time (but which I cannot now recall), I would have been satisfied that this would have had no impact on the integrity of the data.

Other Reflections

160. I have been asked whether there are any other reflections that I have about this matter that are relevant to the Inquiry's Terms of Reference. The only other matter that I recall that I now understand may be relevant to the prosecution of Mr Thomas (although at the time I do not believe I connected the two), is that at some point I was required to travel to Anglesey in Wales with Pete Sewell to collect a Horizon terminal that was in use at a Post Office under investigation. I now believe this is likely to have been Mr Thomas's post office in Gaerwen (Anglesey), though cannot be certain.

161. I recollect this because it was not an ordinary part of my job; as far as I can recall there have been no other occasions before or since in which I have been requested to travel to a Post Office to collect a Horizon terminal. I do not recall who requested that we do this, when this was (including whether it was before or after I was asked to prepare a witness statement in respect of the case), or what I was told at the time about why the terminal was required. I was not asked to remove anything else from the Post Office.

162. We had to travel a long distance from the office in Bracknell in Berkshire where I was based, and I believe we stayed in a hotel overnight on the way. I recollect that we attended the post office and were let in by a person who I think was the area manager. We removed the Horizon terminal, drove it back to the office in Bracknell and placed it in one of the secure rooms used by the CSPOA Security Team. As far as I can recollect, nobody ever asked to see it or examine it, and as far as I am aware it is still in the possession of the CSPOA Security Team to this day (though I have not looked for it to confirm).

163. Over the years the CSPOA security team accumulated a number of Horizon terminals from various post offices, though I do not believe I was ever requested to personally collect one again. I don't recall being told why we were holding onto the terminals, though I assumed it was in case they were ever required as part of an investigation into the post offices. I don't recall what instructions we were given in respect of the storage of the terminals; we logged the serial numbers of each terminal we received and which post office it came from, and stored this on a piece of paper kept in a safe. No record was kept of when the terminals were received or if they were subsequently taken away by someone, but as far as I can recollect, no-one ever did.

#### **POST OFFICE LIMITED V. CASTLETON**

##### Background and my role in respect of the proceedings

164. I have little recollection of the case brought by POL against Mr Castleton.

165. There were only a few cases in respect of which I was required to attend court, and I was not called to give evidence each time I did so. One of the times I do recall attending court to give evidence was in a case that I thought was at the Old Bailey; I now think I am mistaken and this must have been the case involving Mr Castleton at the High Court.

166. Based upon the material shown to me by the Inquiry, I can see that with the assistance of others, I prepared a witness statement in respect of the records of calls that had been made to the HSD regarding the Marine Drive Post Office branch and that I gave evidence in the proceedings.

Preparation of my Witness Statement

167. It appears that I was first asked to provide litigation support in respect of this prosecution in August 2006. I have been shown an email dated 17 August 2006 from Brian Pinder to me, copying Stephen Dilley, with the subject line '*RE: First draft Witness Statement of Ann Chambers (Post Office Limited -v- Lee Castleton)* (**FUJ00122285**).

168. Stephen Dilley had asked for someone from Fujitsu who was comfortable summarising all the call logs to HSD, I was asked by Mr Pinder to see if we had completed this work and otherwise to discuss it with Mr Dilley. I can see that I explained to Mr Dilley that in the past I had provided a statement listing all calls logged to the helpdesk and given a brief explanation of the call if necessary. I can see I provided Mr Dilley with an example of a statement I had produced for POL in the past.

169. I also asked him to note that: "*I have no technical knowledge of the audit retrieval system and supply this statement only as an overview of the calls logged.*" I do not recall this email. However, it is consistent with my belief that while I had enough knowledge to follow what was being discussed in the HSD call records, to understand the technical issues in depth I would have needed to speak to other people with a greater technical knowledge than me. I wanted to make this clear so that I was not put in the position when giving evidence of being asked questions that I was unable to answer.

170. Mr Dilley replied on 22 August 2006 sending me a draft witness statement and 17 other attachments each named "Call Details" followed by a call reference number (**POL00071062**). I have not been provided with copies of the

attachments to this email by the Inquiry. I do not recall this email nor do I recall the steps I took to collate the HSD call data for my statement, although I note that the various drafts of my statement refer to 23 rather than 17 HSD calls.

171. In this email Mr Dilley says that as this was a civil case the witness statement was in a slightly different format to criminal proceedings. I do not recall being given any explanation of the difference between civil and criminal proceedings or understanding what the difference was.

172. I can see that on 5 September 2006 Mr Pinder sent Mr Dilley an email copying in me and Peter Sewell which also forwarded earlier emails that had not been sent to me (**POL00081490\_032**). Mr Pinder explained to Mr Dilley that I had concerns about being asked technical questions that might arise concerning a particular call that I would not be able to answer. Mr Pinder suggested a further paragraph be included in the statement to address this, which included the phrase: *"this area is not my particular area of expertise"*. I have seen that this phrase was included in later drafts of my statement.

173. Mr Pinder also proposed a further addition to the statement, that, based on my overview of the call logs: *"there does not appear to be any reasonable grounds for believing that the information stored on the Horizon system would be inaccurate because of improper use of the computer terminal."* I have not seen this proposed amendment in later drafts of my statement that have been provided to me by the Inquiry.

174. I do not recall this email or the communication(s) with Mr Pinder that led to it. I do, however, remember wanting to be clear about the limits of my technical

expertise and that I would not be able to answer in depth technical questions in court.

175. I can see that on 6 September 2006 I sent an email to Mr Dilley attaching a version of my draft witness statement (**FUJ00122300**). The Inquiry has suggested to me that **POL00072808** was the attachment but as this is dated 4 October 2006 this does not seem to be correct. My email was forwarded to Mr Pinder, Gareth Jenkins and Tom Beezer. Mr Dilley explains that he had been working on the statement with me that day and sets out answers to my concerns about not being able to answer technical queries on the helpdesk calls. Mr Dilley also asks whether Mr Jenkins would be willing to give evidence about the HSD call logs in my place. I can see that Mr Pinder responded the next day. (**POL00069609**). I do not recall these emails nor do I recall meeting with Mr Dilley to work on my draft statement.

176. I can see that on 27 September 2006 Mr Dilley emailed me copying in Tom Beezer, Richard Morgan, Mandy Talbot, Carol King and Andy Pearson (**FUJ00122333**) with a "final copy" of my witness statement for approval together with my exhibit. On 4 October 2006 he emailed me again copying the same people (**POL00069464**), attaching an amended copy of my statement (not confirmed as supplied to me by the Inquiry).<sup>4</sup> I can see that I responded on 16 October 2006 attaching a copy of the statement (which has also not been shared with me by the Inquiry) and two minutes later Mr Dilley asked me to sign the statement. I do not recall these emails.

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<sup>4</sup> I note that based on the date of the email, the attached statement may be a copy of POL00072808, though as this has a non-sequential URN it is not clear to me whether or not this is the case.

177. As set out at paragraph 126 above, sometimes amendments to witness statements were suggested by managers at Fujitsu, by POL or by their lawyers. I can see that is what happened in this case. I would have been satisfied with any amendment before accepting it into a witness statement.

#### Trial and Other Reflections

178. I have been asked to explain what I meant in my email to Graham Ward on 13 September 2006 (**FUJ00154739**) when I said: *"We spoke at great length to the solicitor for Marine Drive and the contents are his words."* I do not recall this email nor do I recall speaking to the solicitor for Marine Drive. However, having now seen the emails supplied to me by the Inquiry that I have referred to above, I think this is a reference to Mr Dilley, the solicitor for POL on the Marine Drive (Lee Castleton) case.

179. I can see that my email to Mr Ward was about adding the wording used in the Marine Drive statement, that explained I was not a technical expert and that I was simply helping to clarify call logs for the benefit of the Court, into the statement for another case (Caledonian Road), and for use in my future witness statements generally.

180. Although I do not recall those communications, it is apparent I must have discussed with Mr Dilley what I wanted to say about this issue and that he then drafted the words that best reflected this which were included in my witness statement, namely: *"I was not involved with any technical aspects of these calls. This area is not my particular area of expertise and I make this statement simply to help clarify the call logs for the benefit of the Court."*

181. I have set out at paragraph 119, above, an excerpt from the transcript of my evidence in the case. I believe that the limits of my evidence were clear to everyone involved in the proceedings, including the judge and Mr Castleton, and that these matters were outside my particular area of expertise.

182. I have been asked about my reaction to the outcome of the case at the time. To the best of my recollection, I think there was a sigh of relief that the outcome confirmed the view held within Fujitsu, that Horizon was a robust system. Our belief in Horizon had been upheld.

### **R V. HAMILTON**

183. I have no specific recollection of the prosecution of Ms Hamilton.

184. Based upon the material shown to me by the Inquiry, it appears that I prepared a witness statement, dated 14 January 2007, in respect of the records of calls that had been made to the HSD regarding the South Warnborough Post Office branch (**POL00044482**). It appears that Penny Thomas prepared the witness statement in respect of the ARQ data (**POL00044481**).

185. I have no specific recollection regarding the preparation of this witness statement, and have not been provided with any documents by the Inquiry relating to how it was prepared.

186. I note that the statement simply summarises the calls made to the HSD and does not express any opinion in relation to them. I have not been provided with the underlying call records that I am summarising, and cannot now recollect any of them, so I cannot provide any further information than that which is set out in the witness statement.



187. I note that the statement also makes clear that I was not involved with any of the technical aspects of the calls, that this was not my particular area of expertise, and that I made the statement simply to help clarify the call logs for the benefit of the Court.

188. I have no recollection of whether I was even informed about the outcome of this case. If I was, I have no recollection of what my reaction was to it at the time.

189. I have no other reflections in respect of this matter.

### **R V. MISRA**

#### **Background and my role in respect of the proceedings**

190. I have some recollection of the prosecution of Ms Misra as I was called as a witness in those proceedings. My recollection of Ms Misra's case relates to attending court on the day, rather than the time leading up to this.

191. From the material provided to me by the Inquiry, it appears that I prepared four witness statements, however I have no specific recollection of the process of preparing them.

192. Based upon the material shown to me by the Inquiry, it appears that my role in the proceedings was to provide information concerning the records of calls that were made to the HSD regarding the West Byfleet Post Office branch. I appear to have initially just provided the conclusion of my analysis of the call records. I subsequently provided witness statements summarising each call, and finally appear to have produced the call records themselves. I do not recall why my statements in respect of this matter were prepared in this way, however, I would

have provided whatever was requested by POL or the lawyers dealing with the proceedings.

193. Some of the witness statements provided to me by the Inquiry are unsigned; I do not recollect whether these statements were ever finalised and signed, or were further amended, and I do not know whether they were used as part of the evidence against Ms Misra.

#### Preparation of my Witness Statements

194. The Inquiry has provided me with a signed witness statement dated 24 June 2009 (**POL00051960**). In this statement, I confirmed that I had reviewed the calls pertaining to the West Byfleet Post Office branch between 30 June 2005 and 14 January 2008, and that the calls were all of a routine nature, and did not fall outside the normal working parameters of the system or affect the working order of the counters. Although the language used is different to that used in previous witness statements, I understood that the purpose of my role was the same; namely to assess whether any technical issues being raised in the calls could have affected the data that was stored about the transactions in the audit records held by Fujitsu.

195. Although I did not summarise the calls in the statement, I am sure that I reviewed and analysed them at the time, before reaching my conclusion. I would have satisfied myself through my due diligence that the issues being raised either were not capable of affecting the working order of the counters and the integrity of the transaction data held by Fujitsu, or that if there might have been an issue that it had been investigated and resolved. I would not have signed a witness statement unless I had been satisfied that this was the case.

196. When I stated that “*All the calls are of a routine nature*”, I meant that these were the type of calls which were frequently made to the HSD, and which I would regularly see when reviewing the call records. I note that some of the calls made to the HSD in respect of this branch (as set out in my second witness statement, discussed below) related to balance discrepancies that the SPM was stating were repeatedly being shown on the system. I cannot recall what information I reviewed at the time as part of my analysis, but I note that the calls were repeatedly referred by the HSD to the NBSC. I would therefore likely have understood this to be a commercial or user issue rather than a technical error. I would often see commercial issues such as this being raised by the SPMs and then referred to the NBSC, and therefore would have considered these calls to be of a routine nature.

197. I have been shown an email from 16 November 2009 from John Longman (**FUJ00152894**), where it suggests we had a telephone conversation. In this e-mail, Mr Longman summarises that call. He suggests that Ms Misra’s defence team raised certain points and requested certain data. It is clear to me from this email chain that I subsequently communicated with Leighton Machin, who provided answers to the questions raised, which I then forwarded to John Longman. Apart from the e-mail shown to me, I do not have a specific recollection of this exchange.

198. The Inquiry also provided me with an unsigned statement dated 29 January 2010 (**FUJ00122676**). While I do not recall drafting it specifically, I am shown an email from John Longman dated 29 January 2010 (**FUJ00122675**), where he asks me

to treat it as the final statement and to send him a signed copy. I do not know whether I signed it, or if it was further amended before I did so.

199. This second witness statement set out all of the calls relating to the West Byfleet branch between 20 June 2005 and 31 December 2009 (i.e. an extended date range compared to the first statement), meaning the number of calls had increased to 135. The statement also summarised the resolution and outcome of the issues raised in the calls. As with the first witness statement, I would have reviewed the extra calls and satisfied myself that my conclusion remained correct.

200. I have been shown an e-mail dated 12 February 2010 from Mark Dinsdale to me and Penny Thomas with the subject "Re: West Byfleet" (**FUJ00154881**), in which I am requested to provide a third witness statement. I have no recollection of this, but it appears from the email exchange that Ms Misra's defence team had requested disclosure of further call records.

201. The third witness statement that I appear to have provided is dated 29 March 2010 (**POL00054518**). As requested by Ms Misra's defence team, this statement now covers the period from 1 January 2005 to 30 June 2005 and summarises an extra 13 calls and their resolution. Therefore, all in all for Ms Misra's proceedings, I would have reviewed the calls from the period 1 January 2005 to 31 December 2009.

202. Finally, the Inquiry has provided me with a copy of a fourth witness statement in respect of Ms Misra's proceedings, dated 30 March 2010 (**FUJ00122854**). This statement produces a CD containing details of all the calls between 1 January 2005 and 31 December 2009. As with the other witness statements, I have no

specific recollection of this, but it would have been produced as a result of a request by POL or their lawyers, either passed to me directly or via someone like Penny Thomas. I have no recollection as to whether this statement was signed and served.

203. In connection with the preparation of my witness statements, I have also been shown an email sent by Penny Thomas from 26 February 2010 with the subject line FW: ARQ436-490 Witness Statement Support for West Byfleet, 126023 (FUJ00152990). Ms Thomas forwarded me some information provided by Anne Chambers (of the SSC) who had reviewed the system event logs and identified areas for further investigation. In respect of three of the events (2/3 May 2006 and 4 February 2008) she suggested that the HSD call records (Powerhelp / TfS) be reviewed.

204. I have no recollection of this email or what precisely I did in relation to it. I note that the three system events highlighted by Ms Chambers are shown in the HSD call records that I summarised in my second witness statement. The Inquiry has not provided me with copies of the underlying call records, and I do not recall what additional information I reviewed and obtained at the time, but I would have satisfied myself at the time that the system events did not affect the integrity of the data.

#### ARQ gaps and duplicates issue

205. The Inquiry has asked me about an issue where it was identified that several ARQ data returns contained duplicated transactions being recorded. While I recall the issue, I do not recall its connection to, or impact on, Ms Misra's proceedings. I recall that, once Fujitsu became aware of the issue, we stopped

performing ARQ requests for a period of time while the matter was resolved. I believe that we then had to resupply any ARQ data which could have been affected by the issue, though do not specifically recall my involvement in respect of this.

206. Based on the documentation provided to me by the Inquiry, it does not appear that I was responsible for supplying ARQ data in respect of her proceedings, as my witness statements are confined to the HSD call records.

#### Trial and Other Reflections

207. I recall attending court for Ms Misra's trial in October 2010. I arrived at court by train and sat in a waiting room. I am unsure if this was a witness waiting room or another public room. I was nervous before being questioned because it was an environment with which I was still not very familiar. I was then called into court and gave evidence. I have a general recollection of giving evidence, but not of the specific questions that I was asked.

208. The only matter that sticks in my mind is a conversation that I had with someone while waiting to give my evidence. In the waiting room, I was sitting alongside several other people. I began talking to a man who I understood worked for POL, though I do not recall him telling me precisely what his role was. I do not recall his name or what he looked like, and had not met him before. He said words to the effect of 'the money had stopped going missing when they replaced the subpostmistress'.

209. I do not know why he told me this information, but got the impression that he was trying to convey to me that the losses had been caused by Ms Misra and not by

issues with the Horizon system as she was claiming, and that he clearly believed that she was guilty. The reason that this sticks in my mind is because it was so unusual for me to hear someone making such a matter of fact statement about an SPM being guilty, especially before the verdict in the case.

210. This conversation did not affect my evidence because as far as I was concerned I was not there to pass judgment on Ms Misra, and was just there as a neutral witness to assist the court in explaining the information contained in my witness statement.

211. At some point I found out that Ms Misra had been convicted, but I do not remember when this was or my reaction to it at the time.

**POL'S RESPONSE TO CASES BROUGHT BY SPMS CHALLENGING THE INTEGRITY OF HORIZON**

Background and my role in respect of the proceedings

212. I have considered the documents provided to me by the Inquiry relating to my involvement in POL's response to cases brought by SPMS challenging the integrity of Horizon.

213. As far as I can recall, my knowledge of these challenges and my involvement in them was limited to producing ARQ and other data requested by POL, and in respect of the GLO Proceedings making a witness statement and giving evidence about the production of ARQ data.

214. My first recollection of hearing that some SPMS were complaining about or appealing their convictions and blaming losses on the Horizon system may have

been in 2009 although I am not sure of the date. I do not recall playing any part in responding to those criticisms at the time.

215. I have been shown an email provided to me by the Inquiry which was sent to me by Penny Thomas on 21 November 2011 (**FUJ00123679**). Ms Thomas forwards emails she has exchanged with John Longman and asks me to re-read my witness statement from Mr Castleton's case and to let her know if I think anything has changed. She says she is: "*pretty sure it hasn't*". The attached witness statement has not been provided to me by the Inquiry. The emails she forwards refer to ongoing Horizon Integrity cases. I do not recall this email or what I did in respect of re-reading my statement at the time. I recollect that there were challenges being made by SPMs to the Horizon system, but I do not recall having any other involvement in this.

216. I do remember at one stage there was an increase in ARQ data requests and being told that this was connected to an investigation by Second Sight who were looking into the Horizon system. I don't recall hearing anything more about this, when this was, or the outcome of the investigation.

217. I do not know what the Initial Complaint Review and Mediation Scheme or Swift Review were.

#### Preparation of my Witness Statement

218. I have been provided by the Inquiry with two e-mail exchanges from November 2018:



218.1 The first email chain relates to a witness statement I provided to Matthew Lenton covering data supplied as a result of a request made on 3 October 2018 (**FUJ00184492**).

218.2 The second email chain is an exchange between lawyers at Womble Bond Dickinson, Matthew Lenton and Jason Muir (**FUJ00160652**); I note that I was not copied into any of the emails in this chain.

219. I can see these emails are about me providing a witness statement covering the production of ARQ data extracted for the lead claimants: "Bates, Stubbs etc", in what I now know were the GLO Proceedings.

220. The Inquiry has provided me with a copy of a witness statement dated 16 November 2018 (**FUJ00082232**) from these proceedings. At the time I understood that the claim was being made by SPMs who were blaming the Horizon system for losses. My involvement was to produce ARQ data and a witness statement which was to be used as part of POL's defence of the case. I also gave evidence at court in this case.

221. I have no recollection of the process of drafting the witness statement. Having considered the emails provided by the Inquiry, I can see that some of the data to be extracted had been used in earlier prosecutions and was to be re-extracted for the purposes of the GLO Proceedings. I can see that I provided the lawyers working on the case with a witness statement, and that they edited it to conform with their house style.

Trial and Other Reflections

222. I gave evidence in the GLO Proceedings on 20 March 2019. Sometime before attending court, I attended a half-day training on the general procedures relevant to my giving evidence which took place in a meeting room at the Fujitsu office in Bracknell. There were around four or five other people there, but I cannot recall who they were. I do not recall the specifics of the training or when it was held, but I recall that it was all general in nature rather than relating to the actual evidence that we were going to give.

223. I was nervous when I learned that I was going to be called to give evidence in court. I believe it was my first-time giving evidence in respect of ARQ data (in the past, this responsibility would have been left to Penny Thomas) and I had only given evidence before on a few occasions, and never in such a high-profile case.

224. I remember attending Court to give evidence. I have considered the transcript of my evidence from that date provided to me by the Inquiry (**POL00111977**).

225. I can see that I was asked questions about whether I had looked at any specific Fujitsu documents when setting out the controls for the extraction of audit data in my witness statement. When I first answered these questions, I must have thought that the barrister was asking me about whether I had looked at any official Fujitsu policies and procedures, which I had not. However, I accept that I would have used the template or one of my previous ARQ witness statements (which contained the list of controls) as the starting point for my witness statement for the GLO Proceedings. I can now see that this could be viewed as 'looking at another Fujitsu document'. I had no intention to mislead anyone about

this, and later explained that “*we do have a standard witness statement that we produce for ARQs.*”

226. I was questioned in detail about the wording of Paragraph 8 of my statement:

*“There is no reason to believe that the information in this statement is inaccurate because of the improper use of the system. To the best of my knowledge and belief at all material times the system was operating properly or if not any respect in which it was not operating properly was not such as to effect the information held within it.”*

227. I have explained at paragraph 107 above where I now think this wording originates. I now see that this was a piece of legal drafting for a purpose that I did not understand, and that its wording mirrors that used in a piece of legislation of which I was unaware at the time. I had my own understanding of what the words meant at that time, which was that it was my belief that the system was operating properly when I extracted the data. I think that being asked questions about what each separate part of the paragraph meant did not assist me in explaining my overall understanding of its meaning.

228. I was asked whether these words were a ‘Fujitsu party line’ and I said I was not aware of any party line. When I later confirmed that we used template witness statements, and that these words may be part of that template, I was accused of having given inconsistent evidence.

229. I think this criticism was unfair as I did not consider that the use of template witness statements containing standard paragraphs to be the same as having a ‘party line’. I understood a party line to mean a position adopted by an

organisation that everyone was expected to stick to, regardless of whether it was correct. I did not believe that this was the case. I did not feel under any pressure from Fujitsu to include things in my statements that I did not believe to be true, and I would not have signed them had they done so. Although the wording was included in the template and in multiple ARQ witness statements, this was because (based upon my understanding of the meaning of the paragraph) it was correct on each occasion that it was used.

230. When the barrister later told me that using a standard witness statement meant that I was adopting a Fujitsu party line, I accepted that this could be the case. This was because my understanding of the way he was using the term 'party line' had changed as a result of his questioning. Based on the new definition that he appeared to be giving me, I accepted that if by 'party line' he meant 'used a template witness statement', then we had done so. I was not accepting that Fujitsu had a 'party line' of the type that I describe in paragraph 229, above.

### **GENERAL**

231. I have been asked to reflect on my involvement in the prosecutions and civil proceedings brought by POL against SPMs, and whether there is anything that I would have handled differently with hindsight.

232. At the time that I produced the witness statements I believed that all of the information that I was providing was true, and in particular that there was no issue with the integrity of the data. However, based on everything that has subsequently emerged, I do not now know whether this was in fact correct.

233. When I was asked to provide my opinion about the effect on the integrity of the data, I believed that I was qualified to do so based on the information that I had at the time. Although I sought to make clear in the witness statements and when giving evidence that this was not my area of expertise, with hindsight I should simply never have agreed to give my opinion on this matter, when there were many others working at Fujitsu with a greater technical knowledge who obviously would have been in a better position to do so.

234. I considered myself to be a neutral witness just there to produce data and to assist the court with understanding what was being discussed in the calls. I saw it as just another part of my job, and I agreed to do it because I wanted to be helpful. I was not trying to help secure anyone's conviction and had no opinion either way on whether the SPMs were guilty or innocent of what they were accused of doing.

235. Looking back now I think I was naïve in agreeing to provide the statements, and did not think about the fact that other people might have a different understanding to me about what the words in my statement meant.

236. It upsets me greatly to think that I played any part in the prosecutions of innocent people, and am truly sorry for what they must have gone through.

**Statement of Truth**

I believe the content of this statement to be true.

Signed: **GRO**

Dated: 24/05/24

**Index to Second Witness Statement of Andrew Paul Dunks**

<b>No.</b>	<b>URN</b>	<b>Document Description</b>	<b>Control number</b>
1	WITN00300100	WITN00300100 - First Witness Statement of Andrew Paul Dunks	WITN00300100
2	POL00002572	Fujitsu Security Management Service: Service Description v 5.0	VIS00003586
3	FUJ00002264	Fujitsu and Post Office Document re: Security Management Service: Service Description v3	POINQ0008435F
4	FUJ00156144	Email chain from Tom Lillywhite to Andy Dunks, Penny Thomas, David Keeling and others - Re: Triole - Archiving?	POINQ0162338F
5	FUJ00154905	Seema Misra case study: Email trail from Thomas Penny to Prenovost Jean-Philippe, and Lillywhite Tom cc: Welsh Graham, Jenkins Gareth, Munro Donna et al re: FW: Duplication of Transaction Records in ARQ Returns	POINQ0161100F
6	FUJ00152218	Audit Data Extraction Process, Fujitsu v1.0	POINQ0158412F
7	FUJ00152220	Management of the Litigation Support Service, Fujitsu v1.1	POINQ0158414F
8	FUJ00152225	Management of the Litigation Support Service - v2.0	POINQ0158419F
9	FUJ00088868	Fujitsu/Post Office Security Management Service: Service Description (v3.5)	POINQ0095039F
10	FUJ00002555	Fujitsu Security Management Service: Service Description, HNG-X and HNG-X Application Roll Out Transitional Period, Version 4.0.	POINQ0008726F
11	FUJ00152228	Audit Data Extraction Process - v3.0	POINQ0158422F
12	FUJ00152176	Conducting Audit Data Extractions at Live - ICL Pathway Ltd - v2.0	POINQ0158370F
13	FUJ00152205	Network Banking Management of Prosecution Support v1.0	POINQ0158399F
14	FUJ00122190	Witness Statement of William Leslie Mitchell Version 3.0 11/02 CS011A (Side A)	POINQ0128404F
15	FUJ00152209	Network Banking Management of Prosecution Support v2.0 dated 29 February 2005 (sic)	POINQ0158403F
16	FUJ00002000	Fujitsu Service Description for the Security Management Service, version 3.0	N/A
17	FUJ00122189	Email to Andy Dunks and Peter Sewell from Brian Pinder Re: Gaerwen Witness Statement with attachments	POINQ0128403F
18	FUJ00122366	Fujitsu Management of the Prosecution Support Service For Audit Record	POINQ0128580F

No.	URN	Document Description	Control number
		Queries (Security Classification) Version 2.1	
19	FUJ00154664	Email from Peter Sewell to Penny Thomas re Requests for data and calls from POL	POINQ0160859F
20	FUJ00231002	Email chain from Penny Thomas to Andy Dunks, cc'ing Donna Munro and Rajbinder Bains re: TFS Updates	POINQ0237156F
21	FUJ00152663	Email from Brian Pinder to Peter Sewell, Andy Dunks, Penny Thomas and others re: Lee Castleton - Marine Drive (FAD 213337) - Court Judgement	POINQ0158858F
22	FUJ00122522	Email from Penny Thomas to Neneh Lowther and Andy Dunks Re Updated witness statements	POINQ0128736F
23	POL00044482	Witness Statement of Andrew Paul Dunks	POL-0040961
24	FUJ00082232	Witness statement of Andy Dunks	POINQ0088403F
25	POL00029169	ICL Pathway Conducting Audit Data Extractions at CSR Process (v1)	POL-0025651
26	POL00051960	Witness statement of Andrew Paul Dunks dated 24/06/09	POL-0048439
27	POL00069286	Transcript of POL v Lee Castleton Trial - HQ05X02706	POL-0065849
28	POL00046194	Unsigned witness statement of Andy Dunks	POL-0042673
29	FUJ00122206	Email to Graham C Wards from Andy Dunks Re: Gaerwen WS	POINQ0128420F
30	FUJ00122196	Witness Statement of Andy Paul Dunks Version 3.0 11/02 - detailing reports of monitor faults and other failures of Horizon system. CS011A (side A)	POINQ0128410F
31	FUJ00122188	Witness Statement of Andy Paul Dunks Version 3.0 11/02 CS011A (Side A)	POINQ0128402F
32	FUJ00122285	Email from Dunks Andy to Stephen Dilley, Dunks Andy, Graham C Ward and Sewell Peter in re to First draft witness statement of Ann Chambers (PO v Lee Castleton).	POINQ0128499F
33	POL00071062	Email chain between Stephen Dilley and Brian Pinder and others Re: Draft Statement - Post Office Limited v Lee Castleton	POL-0067625
34	POL00081490_032	Lee Castleton case study - Email from Stephen Dilley to Brian Pinder, re PO witness statement request	POL-0078053_032
35	FUJ00122300	Email from Stephen Dilley to Peter Sewell re Marine Drive WS.	POINQ0128514F
36	POL00072808	Witness Statement of Andrew Paul Dunks for Post Office Limited and Lee Castleton	POL-0069371
37	POL00069609	Email from Brian Pinder to Stephen Dilley to Stephen Dilley- RE: Andy's	POL-0066172

No.	URN	Document Description	Control number
		draft statement and questions he could be asked at court	
38	FUJ00122333	Email from Stephen Dilley to Andy Dunks, Tom Beezer, Mandy Talbot, Carol King and others re Witness Statement of Andrew Dunks, Post Office v Castleton	POINQ0128547F
39	POL00069464	Email from Stephen Dilley to Andrew Dunks re Witness Statement of Andrew Dunks in PO v Lee Castleton	POL-0066027
40	FUJ00154739	Meeting invitation from Brian Pinder to Peter Sewell and Andy Dunks Re: Caledonian Road witness statement	POINQ0160934F
41	POL00044481	Post Office Witness Statement of Penelope Anne Thomas	POL-0040960
42	FUJ00152894	Seema Misra Criminal Case Study - Email from Andy Dunks to John Longman Re: WS for West Byfleet - Additional Information Requested	POINQ0159089F
43	FUJ00122676	Post Office, Witness statement of Andrew Paul Dunks	POINQ0128890F
44	FUJ00122675	Email from John Longman to Andy Dunks re: WS for West Byfleet - Additional Information Requested.	POINQ0128889F
45	FUJ00154881	Seema Misra Case Study - Email from Mark Dinsdale to Penny Thomas, Andy Dunks, cc'ing Post Office Security and others re: West Byfleet - Horizon Service Helpdesk Calls	POINQ0161076F
46	POL00054518	Witness Statement of Andrew Paul Dunks relating to Seema Misra.	POL-0050997
47	FUJ00122854	Draft witness statement for Andrew Paul Dunks - West Byfleet	POINQ0129068F
48	FUJ00152990	Seema Misra case study: Email from Penny Thomas to Andy Dunks re FW ARQ436-490 Witness Statement Support for West Byfleet, 126023	POINQ0159185F
49	FUJ00123679	Email from Penny Thomas to Andy Dunks re Castleton witness statements.	POINQ0129893F
50	FUJ00184492	Email from Andy Dunks To: Dave Ibbett, Matthew Lenton, Pete Newsome and others re WS for audit data	POINQ0190209F
51	FUJ00160652	Email from Lucy Bremner to Matthew Lenton cc. Jonathan Gribben, Dave Ibbett and others re: Witness Statement re Pulling ARQ Data.	POINQ0166830F
52	POL00111977	Opus 2 International Housekeeping Statement, Horizon Issues-Alan Bates Others v Post Office Limited	POL-0109545