

Monday, 23 September 2024

1
 2 (9.58 am)
 3 **SIR WYN WILLIAMS:** Good morning everybody, I've found my
 4 glasses, you'll be glad to know.
 5 **MR BLAKE:** This morning we're going to begin Phase 7 of the
 6 Inquiry --
 7 **SIR WYN WILLIAMS:** Yes.
 8 **MR BLAKE:** -- and we're going to hear from Mr Ellison of
 9 YouGov.
 10 **GAVIN ELLISON (sworn)**
 11 **Questioned by MR BLAKE**
 12 **MR BLAKE:** Thank you very much. Can you state your full
 13 name, please?
 14 **A.** It's Gavin Ellison.
 15 **Q.** Thank you very much. You should have in front of you
 16 two witness statements. The first is dated 17 September
 17 this year, with a URN WITN11680100. Is that statement
 18 true to the best of your knowledge and belief?
 19 **A.** That's right.
 20 **Q.** That statement exhibits your first report, that's
 21 EXPG0000007. Perhaps that can be brought on to screen.
 22 It's a report of September 2024 and it's 100 pages in
 23 length different?
 24 **A.** That's correct, yes.
 25 **Q.** We'll be looking at that in more detail shortly. You've

1

1 **A.** That's right.
 2 **Q.** Thank you. That can come down for a minute.
 3 Can you briefly outline your background and your
 4 expertise, please?
 5 **A.** Yes. So I'm the Head of Public Sector & Not for Profit
 6 Research at YouGov, that's a department of around 17
 7 staff and I have 25 years' of experience in social
 8 research world, so that includes expertise in study
 9 design methods, questionnaire design, project
 10 management, analysis and report writing.
 11 **Q.** I think you worked with a team to compile these surveys
 12 and the reports?
 13 **A.** That's right, yes.
 14 **Q.** YouGov is a name that's familiar to many people but very
 15 briefly can you tell us who YouGov are?
 16 **A.** YouGov is an international market research and social
 17 research agency, headquartered in the United Kingdom,
 18 UK-registered company, with over 1,000 staff around the
 19 globe at the moment, and we've been operating since the
 20 early 2000s.
 21 **Q.** Before we go to the results of the surveys, I just want
 22 to ask you about methodology. You produced two
 23 questionnaires, one that went to subpostmasters and one
 24 that went to applicants to the Historic Shortfall
 25 Scheme; is that right?

3

1 produced a second witness statement, that's
 2 WITN11680200; is that statement true to the best of your
 3 knowledge and belief?
 4 **A.** That's right.
 5 **Q.** Can you see your signature on both of those witness
 6 statements?
 7 **A.** That's right.
 8 **Q.** Thank you. That second statement exhibits an addendum
 9 report. Can we please turn up on to screen EXPG0000009.
 10 That's entitled "Addendum to YouGov Report", also dated
 11 September 2024 and that's three pages long?
 12 **A.** That's right.
 13 **Q.** Thank you. The second addendum report was produced
 14 following questions received by a Core Participant; is
 15 that correct?
 16 **A.** That's right, yes.
 17 **Q.** Thank you very much. I'm going to ask for you to have
 18 both of those reports in front of you. We'll be working
 19 on screen from a slightly different document which just
 20 has the tables that has been produced in it and that's
 21 EXPG0000008. Perhaps that can be brought onto screen as
 22 well. Thank you very much.
 23 This table, this document, has on it all of the
 24 tables that are produced within your core report; is
 25 that right?

2

1 **A.** That's right, yeah.
 2 **Q.** You say at page 9 of your main report that YouGov used
 3 their experience and judgement to ensure that all
 4 questions were asked in a fair and balanced way.
 5 Typically how might you do that?
 6 **A.** Well, typically, for a process of questionnaire
 7 development, looking at ideas for questions and then
 8 working those up into a fair and balanced questions,
 9 where we might be looking for things like whether
 10 a question -- it could be leading or not, whether the
 11 scales are balanced, such as, as an example,
 12 a satisfaction question, rather than state that --
 13 rather than the question wording being "How satisfied
 14 are you with X, Y and Z", it should really read, "How
 15 satisfied or dissatisfied are you with X, Y and Z," and
 16 that the satisfaction scale in that example goes -- is
 17 balanced, so it has, for example, "very satisfied",
 18 "quite satisfied", a neutral option and then "quite
 19 dissatisfied", "very dissatisfied", so a five-point
 20 balanced scale.
 21 Also in the wording of questions where you might see
 22 something like "Which of the following have happened" it
 23 should really read something like "Which of the
 24 following, if any, have happened", so we're not
 25 presuming that certain things have happened when they

4

1 may not have happened.

2 So really, in that process that we went through over
3 number of iterations of designing the questionnaires, we
4 were looking to make sure that those questions were
5 worded in a very neutral and inclusive way.

6 **Q.** Thank you. One Core Participant has referred to the
7 potential for something called voluntary response bias.
8 What do you understand by that and to what extent might
9 that play a part in the response?

10 **A.** Well, the only survey that's compulsory is the census,
11 so we aren't reliant on people taking part in the
12 survey. That element of voluntary or often called
13 non-response bias is perhaps a sense that those who
14 didn't respond to the survey might have very different
15 reviews to those that did respond.

16 There's a number of things that we need to do to try
17 to make sure that everyone has a chance to respond who
18 can and we followed those processes and best practice,
19 in the sense that we invited everyone that we had access
20 to through an online email method. We repeated that
21 through a couple of reminders. We also sent everyone on
22 our lists a letter. So those who didn't have an email
23 address would have received a letter which contained
24 a link.

25 So the idea is just to be as inclusive as we

5

1 **Q.** Not all of those who started the survey finished and we
2 see there in the box to the left the numbers who didn't
3 totally complete the form; is that correct?

4 **A.** That is correct, yeah.

5 **Q.** Do you consider the number of respondents to be
6 statistically significant for the purposes of a survey?

7 **A.** Yes. To have those two numbers, for them to be over
8 1,000, is very useful. The response rate to the HSS
9 applicant survey is very strong, I would say, to get
10 anywhere near 50 per cent of those invited is very
11 strong.

12 It's not strictly applicable to this type of survey,
13 which was a census rather than a random probability
14 sample, but you can use an indicative margin of error,
15 for example, that might help in considering the results.
16 So, for something that is approaching 1,500 responses,
17 we'd be looking at a plus or minus of 2.5 per cent from
18 the true population; and for the survey of current
19 subpostmasters, that would be around plus or minus
20 3 per cent.

21 I would have liked the response rate to be higher
22 from the subpostmasters' side, there's no doubt about
23 that, but still having over 1,000 there is very helpful.

24 **Q.** Are you aware of any reasons why the HSS applicant
25 response rate might be higher than the current

7

1 possibly can, when we're inviting everyone to take part
2 in the survey.

3 **Q.** The fieldwork period was between 18 July and 15 August
4 of this year; is that correct?

5 **A.** That's right. Yeah.

6 **Q.** Is that a typical or reasonable period for fieldwork?

7 **A.** I think allowing at least three weeks is considered to
8 be generally good for best practice purposes, so
9 that's -- that did allow for that to happen and we did
10 have to factor in that we were sending people letters in
11 addition to sending them email requests to take part.

12 **Q.** Thank you. Could we please turn to the core report,
13 that's EXPG0000007, and page 9. This chart does appear
14 in our other document but I also want to take you over
15 the page and the breakdown on the next page doesn't
16 appear, so we'll use the report just to look at this
17 first one. It's page 9.

18 The chart there, halfway down the page, shows the
19 completion rate, those who completed the questionnaire.
20 For the current subpostmaster questionnaire, do we see
21 there 1,015 people responded?

22 **A.** That's right.

23 **Q.** For the HSS -- Historic Shortfall Scheme -- applicants
24 there were 1,483?

25 **A.** That's right.

6

1 subpostmasters?

2 **A.** The methods that were applied are exactly the same for
3 both. As I've explained, the email invites and the
4 letter approach, and the repeating of reminders by
5 email, that was exactly the same, so there's nothing
6 within the method that would suggest why that is -- why
7 it's lower for current subpostmasters. So you're just
8 speculating about levels and engagement from the current
9 subpostmasters. And then the nature of the
10 questionnaire and the subjects that are being covered,
11 applicants to the scheme are clearly feeling that it's
12 something they wanted to reply to in greater numbers,
13 greater proportions than the current subpostmasters.

14 **Q.** Thank you. Over the page, please, we can see that
15 you've broken down by various factors the responses.
16 Looking at the current subpostmasters, it seems there
17 that there are slightly more males than females
18 responding, or it may simply be that there are more
19 males than females in the subpostmaster cohort?

20 **A.** There could be, yeah. I don't think we know the full
21 population demographics of current subpostmasters.

22 **Q.** Looking at the age, it looks as though they are larger
23 in number towards the higher ages?

24 **A.** Yes, that's right.

25 **Q.** Slightly older?

8

1 A. Yes.

2 Q. In terms of ethnicity, 59 per cent said that they were
3 white, 34 per cent reported as ethnic minorities?

4 A. Yeah, that's correct.

5 Q. I think you've also said in the report that those from
6 ethnic minorities tended to be younger; is that correct?

7 A. That's right, yes. When we're looking at the analysis
8 by those demographic variables, we do have to be careful
9 sometimes that something that could look as if it is
10 a difference that is between ethnicities could actually
11 be driven potentially more by the age difference.

12 Q. So where we see certain results, that might have
13 impacted on that?

14 A. Yes, the report does make that clear when we believe
15 that could be happening.

16 Q. We see there in terms of region, 78 per cent of
17 respondents were from England --

18 A. Yes.

19 Q. -- and 87 per cent were from a single branch. So a very
20 significant proportion were subpostmasters operating one
21 branch only?

22 A. Yes.

23 Q. If we go over the page, please, we can see the breakdown
24 of responses from the HSS survey: very similar in terms
25 of male to female ratios -- before, we had 54 per cent

9

1 screen, please, EXPG0000008. We begin by looking at
2 training, if we go on to figure 2, so over the page,
3 please.

4 This is the headline "Analysis of training". Is the
5 headline really that we see here at the bottom, that
6 66 per cent plus 33 per cent, that's 99 per cent of
7 respondents, had received training at some point?

8 A. Yes, the figures on the screen have been moved around.

9 Q. Pardon?

10 A. The figures on the screen do not match the line-up from
11 the chart, the original chart. The figures I'm looking
12 at on the screen here have got decimal points --

13 Q. Ah, yes.

14 A. -- and the alignment of the options is not correct.

15 Q. So perhaps, if we turn back to EXPG0000007, maybe we'll
16 just work off the actual report itself. It's page 14.
17 I think it's only that chart that that affects.

18 A. Okay.

19 Q. If we could turn to page 14, please. So there at the
20 bottom, we can see "Net: Any training", nearly everybody
21 who responded had received some sort of training at some
22 point?

23 A. That's right.

24 Q. Is there anything else that stands out in respect of
25 that chart?

11

1 male, here we have 57 per cent -- 66 per cent are over
2 the age of 60 and that was compared to 36 per cent of
3 the current subpostmaster respondents. So the
4 respondents to the Historic Shortfall Scheme survey
5 tended to be older; is that right?

6 A. That's right.

7 Q. In terms of ethnicity, 68 per cent reported that they
8 were white, 28 per cent reported as being from an ethnic
9 minority. A slightly higher percentage of ethnic
10 minorities in the current subpostmaster cohort compared
11 to the Historic Shortfall Scheme survey; is that right?

12 A. That's right.

13 Q. Does that fit in with the analysis in terms of age group
14 and perhaps the amount of time that they have been
15 a subpostmaster for?

16 A. Yes. That's correct and, of course, there is -- within
17 the report, you'll see references to the length of time
18 at which they've been a subpostmaster and, of course,
19 that is obviously correlated with their age.

20 Q. Thank you. Very similar proportions to current
21 subpostmasters in terms of the regions if we scroll down
22 slightly.

23 Let's start now by looking at the subpostmaster
24 survey. That's covered in Chapter 4 of your report.
25 It's page 13 where it begins, but let's bring up onto

10

1 A. No, important things to remember sometimes in the
2 questionnaire and the report are that this is what
3 people are recalling having received, as well, so this
4 is all recall. So there's people remembering that they
5 have received training.

6 Q. Let's move on, please. If we go back, then, to
7 EXPG0000008 and figure 3, so that's page 3, we'll then
8 move on. Subpostmasters were then asked about the
9 content of their training, types of training. Mostly,
10 they could tick all of the boxes, couldn't they, in
11 this?

12 A. That's right, it's a multiple choice response.

13 Q. 88 per cent received training on general transactions,
14 for example carrying out day-to-day transactions; high
15 numbers for balancing as well; but much smaller numbers
16 when it came to matters such as dealing with
17 discrepancies, use of the suspense account, dealing with
18 technical issues?

19 A. That's right. So, yes, it's useful here to remember
20 again about this is them recalling, so it's often,
21 I would suspect, what's at the top of their mind, what
22 they remember about the training were those key ones at
23 the top there: the general transactions and the
24 balancing. They're the ones that stuck in people's
25 minds from the training they'd received.

12

1 Q. If we turn now to figure 4, respondents were asked about
 2 their satisfaction levels in respect of the training.
 3 We see there red is net dissatisfaction, purple is net
 4 satisfaction. A much larger number of the net
 5 dissatisfied; is that right?
 6 A. That's right, yeah.
 7 Q. 42 per cent versus 25 per cent. 30 per cent there
 8 neither satisfied nor dissatisfied. I think you've said
 9 in your report that the 42 per cent net dissatisfied
 10 figure rises to 50 per cent amongst those aged between
 11 50 and 59?
 12 A. That's right, yes.
 13 Q. Can we turn now to figure 5, please, and this drills
 14 down further and looks at length of service. Can you
 15 assist us with this chart?
 16 A. Yes. This is general satisfaction with the training
 17 that was received, broken down by the length of time
 18 working. The length of time working is one of those
 19 things that immediately stands out when you look in the
 20 data, in terms of the key differences in the way people
 21 are responding to the survey, and there is a very
 22 consistent pattern, whereby those with less experience,
 23 who have been working for a shorter amount of time --
 24 typically two years or less or five years or less -- do
 25 tend to be generally more satisfied than those with

13

1 were very dissatisfied?
 2 A. Yes, that's right, and there is the same dynamic in
 3 terms of the length of service as well.
 4 Q. What do you mean by that?
 5 A. Well, those who have been working for two years or less,
 6 they -- 37 per cent of them are satisfied with the
 7 Horizon system, and that compares to the 25 per cent
 8 that we see for the response group as a whole, and, as
 9 the length of time being a subpostmaster is longer, the
 10 dissatisfaction levels rise.
 11 Q. We can see that, actually, if we turn over the page to
 12 figure 7, those are the figures there. So satisfaction
 13 levels slightly improve if you look at those who have
 14 only worked for two years or less; is that correct?
 15 A. That's right.
 16 Q. But is it also right to say that in every age category
 17 there were more dissatisfied than there were satisfied?
 18 A. That's true, yes, even those who have fewer than two
 19 years' of service.
 20 Q. Thank you. Could we turn over the page, please, to
 21 figure 8. Respondents were then asked about issues
 22 experienced on the Horizon system in the last 12 months,
 23 and this provides that analysis, does it?
 24 A. That's right. So, again, a multiple choice of issues
 25 that have been experienced in the last year.

15

1 longer experience of being a subpostmaster, and this is
 2 an indication of that.
 3 So those with the highest levels of satisfaction
 4 with the training were those who had been in post for
 5 two years or less, and it steadily decreases for the
 6 length of time of being a subpostmaster.
 7 Q. You obviously can't say for sure but this might
 8 indicate, mightn't it, that training has improved in
 9 recent years, potentially?
 10 A. It could. It could also be related to training that's
 11 received soon after becoming a subpostmaster. I would
 12 guess that that's more likely to have happen and
 13 therefore it might be fresher in their minds,
 14 potentially.
 15 Q. Let's leave training and move on to operation of the
 16 Horizon system. Can we look at figure 6, please. This
 17 looks at overall satisfaction with the Horizon system,
 18 and the question at the bottom there, we see:
 19 "Overall, how satisfied or dissatisfied are you with
 20 the Horizon IT system?"
 21 A lot of red in this example?
 22 A. Yes, it's kind of similar to the previous chart but,
 23 yes, only around a quarter would say they're satisfied
 24 with the current system operation.
 25 Q. We have there 25 per cent are or responded that they

14

1 Q. They could tick as many boxes as they wanted?
 2 A. Yes.
 3 Q. If we look at the top four, over half of respondents
 4 experienced at least one of screen freezes, loss of
 5 connection, issues with PIN pad and unexplained
 6 discrepancies; is that correct?
 7 A. That's right.
 8 Q. If we look at the bottom, we have the 6 per cent who
 9 haven't experienced and the 2 per cent who don't know or
 10 can't remember.
 11 A. Yes.
 12 Q. Could I ask you, we won't turn it up on screen, but if
 13 you could turn to page 18 of your first report. I think
 14 you report there about subpostmasters mentioning issues
 15 within open-ended comments. Could you explain that for
 16 us, please?
 17 A. Yes. So searching through the comments to look for
 18 those who are talking about the current operation of the
 19 Horizon system, we have -- can find number of comments.
 20 There is one that's detailed there, which says:
 21 "In my opinion, Horizon is still flawed.
 22 I regularly have unexplained discrepancies, often
 23 altering daily or manifesting at balance."
 24 Q. So these were boxes within the survey where people could
 25 type in any response?

16

1 A. That's right.

2 Q. If you continue looking at your own report, on page 19,
3 you've carried out some further analysis that isn't
4 shown on this chart. Are you able to assist us with
5 that, please?

6 A. That's right, yes. So there is a connection, of course,
7 between the discrepancies, the issues that are being
8 experienced and the level of current satisfaction with
9 the system, as you might expect. So those who are
10 experiencing particular types of issues are less likely
11 to be satisfied with the system. So in the report it
12 states that 81 per cent of those who are satisfied with
13 the system still reported experiencing an issue but that
14 these issues tended to be things like the screen
15 freezes, the loss of connection and issues with the PIN
16 pad, which might be more -- might perhaps be considered
17 to be less serious issues.

18 Those who were dissatisfied with the current
19 operation of the system, they were much more likely than
20 others to report issues such as unexplained
21 discrepancies, unexplained transactions, missing
22 transactions and double entry of transactions. So
23 there's a difference there between those who are
24 experiencing the different types of issues and their
25 resultant satisfaction with the current system.

17

1 52 per cent had called at least once a month.

2 Q. Thank you. Let's turn to figure 9, please, and this
3 sets out the reasons why people have called or reported
4 calling the helpline. Once again, they could give
5 multiple reasons; is that correct?

6 A. Yes, multiple choice question.

7 Q. If we look there we can see 76 called as a result of
8 a technical issue; 46 per cent as a result of
9 a balancing issue --

10 A. That's right.

11 Q. -- and then smaller figures for those other responses?

12 A. Yes.

13 Q. Then at page 22, just below that chart, you have given
14 some more detail and broken that down a little more.
15 Are you able to assist us with that, please?

16 A. Yes, so there was a follow-up question to that because
17 we were interested in whether they felt that the
18 response they'd received was tailored to the issue that
19 they'd been experiencing or whether they felt that they
20 were being given a generic response, which resulted in
21 quite an even split: 45 per cent felt that the advice
22 they'd received was tailored; and 53 per cent felt that
23 it was a very generic response they were given. And
24 there were some differences in terms of whether they
25 felt the advice was tailored. Some differences in terms

19

1 Q. If we look on that page, page 19, towards the bottom,
2 you also have carried out some analysis in terms of
3 frequency.

4 A. Mm.

5 Q. Is it right to say that I think 65 per cent of those who
6 have experienced problems in the last 12 months have
7 experienced those on a monthly basis?

8 A. That's right, yes. 16 per cent a few times a week,
9 6 per cent once a week, and then, yeah, more on -- a few
10 times a months and once a month.

11 Q. Thank you. So a majority of those who responded
12 reported experiencing issues on a monthly basis?

13 A. Well, the majority of those who responded reported
14 issues and then two thirds of those who reported issues
15 reported that that was happening on a monthly basis.

16 Q. Thank you. Moving on now to "Advice and Assistance"
17 that's page 21 of your report. Can you assist us with
18 your initial findings there on page 21, before we move
19 on to figure 9?

20 A. Yes, so this is a section where we asked questions about
21 the Business Support Centre and we found that nearly
22 everyone who responded had contacted the Business
23 Support Centre in the last 12 months, 97 per cent of
24 those who responded had done so, and it was quite common
25 for them to be doing so at least once a month, so

18

1 of age and ethnicity, and in satisfaction.

2 So again, an interesting link with those who were
3 currently satisfied with the system, those who felt they
4 were given some tailored advice, 64 per cent of them
5 were satisfied with the system's 34 per cent of them
6 were dissatisfied.

7 Q. So, in your view, you've set out a number of bullet
8 points, but the one that stands out there is that those
9 satisfied with the Horizon system, it was 64 per cent
10 versus 34 per cent of those who were dissatisfied?

11 A. Yes. So there's a clear link there between -- they've
12 been given tailored advice, rather than generic advice
13 and, given that nearly everyone is contacting the
14 Business Support Centre, that's clearly an important
15 element.

16 Q. Thank you. Can we please turn to figure 10. That's
17 over the page. This addresses overall satisfaction with
18 the Business Support Centre. This is, I think, possibly
19 the first case where we have more of the purple than the
20 red: we have 42 per cent net satisfied against
21 26 per cent dissatisfied; is that correct?

22 A. That's right.

23 Q. I think you've said at page 22 that a slightly lower
24 percentage of those were from an ethnic minority
25 background, that were satisfied?

20

1 A. That's correct, yes. So the score for the satisfied was
 2 45, for those who were white background, and 37 for
 3 those from an ethnic minority background, and this
 4 further reinforces the importance of the tailored advice
 5 because 71 per cent of those who received tailored
 6 advice were satisfied with the Business Support Centre
 7 service, compared to just 17 per cent of those who felt
 8 that they'd had a generic response.

9 Q. Thank you very much. Moving now to transaction
 10 corrections and figure 11, please. 81 per cent reported
 11 receiving a transaction correction in the last
 12 12 months; is that right?

13 A. That's correct.

14 Q. Yes. If we, please, turn to figure 12, it looks at
 15 those who have disputed transaction corrections.
 16 46 per cent have disputed at least one in the last
 17 12 months; is that correct?

18 A. That's right.

19 Q. I think you've analysed this at page 24 of your report,
 20 and you've said that younger subpostmasters and those
 21 from ethnic minority backgrounds were more likely to
 22 fall within that 46 per cent?

23 A. That's correct, yes. So the younger subpostmasters,
 24 aged 18 to 39, 68 per cent of them had done that
 25 disputing, and those from the ethnic minority

1 Q. Thank you. If we look now at figure 14 over the page.
 2 This just looks at those who have disputed a transaction
 3 correction in the last 12 months. First, it looks at
 4 whether respondents were satisfied with the outcome, and
 5 we have there 40 per cent net dissatisfied against
 6 33 per cent satisfied.

7 A. Yes. So this goes through the outcome and then the
 8 response that was received, and how long it took to
 9 respond.

10 Q. It looks there as though there is a higher level of
 11 dissatisfaction with the response received after raising
 12 the dispute than in respect of the outcome of the
 13 transaction. So the second one, there is a higher level
 14 of dissatisfaction compared to the first, for example?

15 A. That's right.

16 Q. There is, if we go down, even greater level of
 17 dissatisfaction with how long it took the Post Office to
 18 respond?

19 A. Yes, that's the element with the highest level of
 20 dissatisfaction.

21 Q. Turning now to the issue of discrepancies and that's
 22 page 28 of your report. Can you assist us with some
 23 analysis that you've carried out at the very top of
 24 page 28, please.

25 A. Yes. So 69 per cent of those surveyed reported that

1 backgrounds, 58 per cent, and those who had been
 2 a subpostmaster for two years or less, it was
 3 63 per cent.

4 Q. Thank you.

5 If we turn over the page, please, to figure 13 and
 6 14. 13 and 14 look at satisfaction levels with elements
 7 of the transaction corrections process. Let's look at
 8 figure 13 first. Can you assist us with that?

9 A. Yes. So with 13, I mean, nearly everyone who took part
 10 had the ability to respond to this question. So they
 11 were asked about their satisfaction with the review or
 12 dispute ROD function, and their level of satisfaction in
 13 terms of their access to having sufficient data to be
 14 able to review or dispute transaction corrections and,
 15 for both of those elements, they felt that they were --
 16 there was more dissatisfaction than there was
 17 satisfaction.

18 Q. If we look at the top one, broadly equal numbers between
 19 satisfied and dissatisfied for the review or dispute
 20 function itself?

21 A. Yes.

22 Q. But then, if you look at the access to sufficient data,
 23 there is far greater dissatisfaction with the access to
 24 data?

25 A. That's correct, yes.

1 they had experienced an unexplained discrepancy since
 2 the point of January 2020. Those who had been working
 3 for longer were the most likely to have experienced
 4 something. Those who -- and then, among that group, we
 5 looked into the frequency with which that was happening.

6 Q. Thank you. Could we bring onto screen, please,
 7 figure 15, so that's figure 15 of EXPG0000007 and that
 8 addresses the frequency of unexplained discrepancies.
 9 Thank you. It's figure 15 -- oh, sorry, EXPG0000008.
 10 Thank you, if we scroll down.

11 This addresses the frequency of unexplained
 12 discrepancies. Most common in this box was a couple of
 13 times a year, followed by once every two to three
 14 months; is that right? We see there 25 per cent for
 15 a couple of times a year, 21 per cent once every two to
 16 three months?

17 A. That's right.

18 Q. But then on the left-hand side, we see there a few times
 19 a month and at least once a month so that's 17 and
 20 18 per cent. Adding those two together on the left-hand
 21 side, we get 35 per cent of respondents who experienced
 22 an unexplained discrepancy once a month or more than
 23 once a month; is that right?

24 A. Yes, sorry. Yes.

25 Q. Thank you. Can we please turn to figure 16. This looks

1 at those who have experienced an unexplained discrepancy
2 and it provides the amount of a typical discrepancy that
3 they may receive. Half of those were less than £200 or
4 half of the typical discrepancies were less than £200;
5 is that correct?

6 **A.** Yes, that's right.

7 **Q.** If we add, for example, the 50 per cent, the 39 per cent
8 and the 5 per cent, we see there that 89 per cent
9 reported that a typical discrepancy is less than £1,000.
10 Sorry, £1,999.

11 **A.** Yes, if you at the first two, the less than £200 and --
12 so less than 1,000 would be 80 --

13 **Q.** There are some figures that would be above £2,000,
14 although considerably smaller numbers?

15 **A.** Very few, yes.

16 **Q.** We have there 1 per cent between 5,000 and 9,000 -- so
17 5,000 and 9,999. You also have 1 per cent above 30,000?

18 **A.** Yes.

19 **Q.** If you could have look at the bottom of page 28 in your
20 report, I think you say that 98 per cent of those
21 reporting discrepancies reported shortfalls, 34 per cent
22 of those also reported surpluses?

23 **A.** Yes, we were also interested in -- obviously, it's
24 a multiple, so whether they were shortfalls or whether
25 there had been any experience surpluses as well. So

25

1 discrepancies and you have significantly more net
2 dissatisfied than you have net satisfied; is that
3 correct?

4 **A.** That's correct, yes.

5 **Q.** I think at page 30 you've also broken that down and
6 highlighted that those who served as a subpostmaster for
7 five years or less were more likely to be satisfied?

8 **A.** That's right, yes. So it's the same pattern that we've
9 seen previously.

10 **Q.** But, again, still net dissatisfied?

11 **A.** Still net dissatisfied.

12 **Q.** Moving now to suspension and termination, and that's
13 page 31 of your report. Can you assist us: you have
14 some analysis at the top of page 31 that isn't, I don't
15 think, addressed by the figure below?

16 **A.** That's right, so yes, 86 per cent had never been either
17 suspended or threatened with suspension but 4 per cent
18 reported that they had been suspended and reinstated and
19 8 per cent reported that they had been threatened with
20 suspension.

21 **Q.** How about in terms of ethnic minorities?

22 **A.** Yes, so that varies a little bit, so looking within the
23 8 per cent who had been threatened with suspension, so
24 that figure for white respondents was 5 per cent,
25 whereas it was 12 per cent for those from an ethnic

27

1 nearly all of them had experienced shortfalls; a third
2 had had some surpluses, though.

3 **Q.** Thank you. Could we turn over, please, to figure 17 and
4 this looks at how discrepancies were resolved. We see
5 there the most significant figure is a subpostmaster
6 resolving it themselves, or through using the branch's
7 own money; is that correct?

8 **A.** That's right.

9 **Q.** Does anything else stand out there for you?

10 **A.** Yes, there's some analysis of -- within that. So the
11 most likely group to be resolving it using their own --
12 or the branch's money was those with the 11 to 20 years
13 of service, so slightly longer servicing -- longer
14 serving postmasters; and those who were using the
15 Business Support Centre was also significantly linked to
16 the length of service. So it was a much more popular
17 route among those with a more recent -- more recently
18 become subpostmasters.

19 So, among those who had more recently become,
20 38 per cent had followed that route, compared to the
21 19 per cent overall, whereas that group who had been
22 serving for 11 to 20 years, just 11 per cent of them had
23 followed the Business Support Centre route.

24 **Q.** Thank you. Turning then to figure 18, you look at
25 satisfaction levels regarding the resolution of

26

1 minority background and it was, in fact, 17 per cent of
2 those with an Asian-British ethnic minority background.

3 **Q.** Are you able to comment in any way as to whether those
4 differences are statistically significant?

5 **A.** So they would be indicatively significant, yes.

6 **Q.** Significant of what, sorry?

7 **A.** So the difference between the percentages is -- would be
8 considered statistically significant, if we were
9 following that, the path of statistical significance.

10 **Q.** Thank you. Page 31 also says that a subpostmaster from
11 a minority ethnic background is more likely than a white
12 subpostmaster to have been suspended and reinstated; is
13 that correct?

14 **A.** That's correct, yes.

15 **Q.** I think the figures there were 6 per cent versus
16 2 per cent?

17 **A.** Yes, that's right. I mean, as a general point, things
18 that are mentioned in the report with differences
19 between subgroups would only be in the report if the
20 differences between them are large enough to be
21 considered to be statistically significant.

22 **Q.** Thank you very much. Figure 19 drills that down
23 a little by length of service. Can you assist us with
24 that, please?

25 **A.** Yes. So this is the point at which they had been -- how

28

1 recent that was. So it's a group of only just over 100
 2 who had been either suspended or threatened with
 3 suspension, and for 5 per cent of that group of just
 4 over 100 that was within the last 12 months. The
 5 largest group there, for whom that had happened, was the
 6 38 per cent column that you can see there and, for that
 7 group, it had happened 11 years or more ago.

8 **Q.** So there seems to be quite a jump from four years
 9 onwards in terms of length of service, as to those who
 10 reported having been suspended or threatened with
 11 suspension; is that correct?

12 **A.** That's right, yes.

13 **Q.** I think at page 31 you've also noted that 77 per cent of
 14 those who reported being suspended or threatened with
 15 suspension were dissatisfied with how it was handled?

16 **A.** That's correct, and 4 per cent satisfied, with the
 17 handling of it.

18 **Q.** Thank you. In your second report, you've addressed
 19 a specific question. Can I please take you -- we don't
 20 need to bring it up on to screen -- to page 2 of your
 21 second report, and it's the first and second questions.
 22 Taking them one by one, if we look at the first
 23 question, can you assist us with that follow-up question
 24 and your analysis?

25 **A.** Yes. So we were asked whether there was sufficient data
 29

1 through all of the detailed responses that were
 2 provided, there were some examples that we've -- that we
 3 provided in that addendum of comments that related to
 4 threats of suspension or suspension, that were also
 5 connected to the issue of discrepancies, and we've
 6 provided three examples of those in this addendum.

7 **Q.** Thank you very much.

8 Let's move to the topic of audits, and can we please
 9 look at -- if you look at page 32 of your report, can
 10 you assist us there?

11 **A.** Yes. So the question was asked whether, since January
 12 2020, there had been an audit for the branch, and
 13 78 per cent said that they had not had an audit;
 14 12 per cent reported there had been one audit of the
 15 branch and --

16 **Q.** I think it was more likely for those who had been
 17 a subpostmaster for only two years?

18 **A.** That's correct, yeah, very clear difference there for
 19 the newer subpostmasters.

20 **Q.** So the numbers that we're reporting are very low in
 21 terms of those who had received a branch audit?

22 **A.** Yes, so 152 of those who had responded had received at
 23 least one audit since January 2020.

24 **Q.** Thank you. If we look at figure 20, please, that
 25 addresses the issue of satisfaction with how the audits
 31

1 within the survey to compare those who had been
 2 suspended or threatened with suspension, with those who
 3 had experienced unexplained discrepancies. So, in our
 4 response to that question, we explained that the two
 5 subjects of the suspension and the unexplained
 6 discrepancies, they did come in separate parts of the
 7 questionnaire. They're not linked in terms of being
 8 able to see whether the unexplained discrepancies was --
 9 led, in fact, to suspension. So we can't do that.

10 We can only identify a correlation between them and
 11 certainly not causation. There were actually only eight
 12 who were surveyed who reported being suspended or
 13 threatened with suspension in the last three years and
 14 all of those had experienced unexplained discrepancy,
 15 but we have to remember that quite a lot of those
 16 responding to the survey had experienced an unexplained
 17 discrepancy since January 2020. So it's an interesting
 18 thing to look at but we can't see that there's any
 19 causation going on between those two factors.

20 **Q.** The second question on that page, there was another
 21 issue that was addressed?

22 **A.** Yes, so we were asked if there was anything within the
 23 open-ended comments or any additional information about
 24 whether -- about what the cause of suspension could be
 25 and whether it was related to discrepancies. So looking
 30

1 have been conducted and, actually, there were
 2 57 per cent who were net satisfied; only 21 per cent who
 3 were net dissatisfied.

4 **A.** Yes, that's right.

5 **Q.** Again, I mean, it seems to be a trend in a lot of these
 6 answers with greater satisfaction levels for those newer
 7 subpostmasters; is that a fairer --

8 **A.** That's correct, all the way through, yes.

9 **Q.** The subpostmaster contract, that's addressed at figure
 10 21. The questions here looked at whether subpostmasters
 11 had received their contract and also when they had
 12 received their contract. This question was, if we see
 13 at the bottom:

14 "Were you sent a copy of your contract ... before or
 15 after beginning of your current role?"

16 The overwhelming majority had received a copy of
 17 their contract?

18 **A.** Yes, that's right.

19 **Q.** I think you've provided some more analysis at page 33.

20 **A.** Yes. So the recall of having received a contract, there
 21 was a difference there with the age group. So those
 22 aged 59 to -- sorry, 50 to 59, 23 per cent of them, and
 23 those aged 60 plus, 21 per cent of that group, were more
 24 likely than the younger age group to have received
 25 a copy of the contract after beginning the role.
 32

1 Q. After beginning their role?
 2 A. Yes.
 3 Q. Yes?
 4 A. After beginning their role.
 5 Q. Could we turn now to figure 22, and this addresses the
 6 receipt of a contract after the Bates v Post Office
 7 Common Issues judgment: subpostmasters were asked if
 8 they had received a copy after that judgment, and it
 9 seems there that a far greater proportion had not
 10 received a copy after the Common Issues judgment than
 11 had received a copy.
 12 A. Yes, that's right. In comparison, 53 per cent said that
 13 they could not recall having received that.
 14 Q. Thank you. That's just receiving the contract. If we
 15 look at figure 23, that addresses the receipt of
 16 guidance after the Bates judgment.
 17 A. Yes, so that's the whole sample group again answering
 18 the question whether they've received guidance.
 19 Q. A very significant proportion had not received any
 20 guidance?
 21 A. That's right, they could not recall that.
 22 Q. 71 per cent said they hadn't received any guidance, only
 23 8 per cent had received any guidance.
 24 A. Yes. Again, there's that quite significant difference
 25 in terms of how recent they became a subpostmaster.

33

1 awareness of whistleblowing and complaints mechanisms,
 2 and what does this show us?
 3 A. Yes, so a general awareness about the ability to
 4 complain was low. Just over half were not aware about
 5 the ability to raise a whistleblowing concern with the
 6 Post Office. That would be the third -- the bar at the
 7 bottom, the 55 per cent group there.
 8 Q. So we have there the red is, "I was not aware of this at
 9 all", and the one slightly to the left of the red is,
 10 "I was aware of this, but would not know how to do it".
 11 A. That's right.
 12 Q. If you add those in each of those categories, so
 13 complaining about a Business Support Manager or Area
 14 Manager or complaining about treatment by the Post
 15 Office or raising a whistleblowing issue with the Post
 16 Office, in some cases you're getting towards 80 per cent
 17 of respondents either not being aware at all, or not
 18 being aware of how to do it.
 19 A. That's right, yes.
 20 Q. Thank you. Could we turn to figure 26 and this shows
 21 satisfaction levels from those who had complained. Now,
 22 as you've just said, not a great proportion of people
 23 actually knew how to complain so this number is quite
 24 smaller of those who were analysed; is that correct?
 25 A. Yes, this needs to be treated with a lot of caution

35

1 Q. Can you assist us with that?
 2 A. Yes. So those who had been in the role for 11 to
 3 20 years and those who had been 21 years or more were
 4 more likely than those who had been serving for less
 5 time to report that they had not received any additional
 6 information. So one comparison there would be that
 7 38 per cent of those who had been serving for less than
 8 two years could recall see having something, and
 9 that's -- that is obviously, in comparison, is just
 10 8 per cent of the overall sample group.
 11 Q. Thank you. Turning now to figure 24, and that addresses
 12 the fairness of the contract, subpostmasters were asked
 13 how fair they considered their contract to be.
 14 32 per cent found it to be very unfair. Net unfair was
 15 significantly more than net fair, is that --
 16 A. That's correct, yes, and the longer they had been
 17 serving the more likely they were to feel that it was
 18 unfair.
 19 Q. Can you assist us with that analysis?
 20 A. Yes. So those who had been serving for 11 to 20 years,
 21 62 per cent of them felt that it was unfair and
 22 60 per cent of those who'd been serving for longer than
 23 20 years felt it was unfair.
 24 Q. Moving to the next topic, which was whistleblowing and
 25 complaints, that's figure 25. This figure addresses

34

1 because it's around about 50 of the responses that
 2 relate to this question.
 3 Q. Again, a fair amount of red there for net
 4 dissatisfaction outweighing net satisfaction?
 5 A. Yes, that's right, yeah. More significantly in terms of
 6 the -- when they had complained about the way that they
 7 had been treated by the Post Office, rather than the way
 8 that they complained about being treated by a Business
 9 Support Manager or an Area Manager.
 10 Q. Could we next have look at the Post Office senior
 11 leadership. There are a series of questions addressing
 12 the senior leadership and management of the Post Office,
 13 and it's figure 27. It looks at the two subpostmaster
 14 Non-Executive Directors, we're going to be hearing from
 15 them as our next witnesses. General awareness, of the
 16 subpostmaster Non-Executive Director is high,
 17 72 per cent; is that correct?
 18 A. Yes. Very -- yes, relatively few are unaware of that.
 19 Q. I think at page 39 you address the question of whether
 20 subpostmasters believe that they shared Board
 21 information with them?
 22 A. Yes, yes, that is right. So, yes, the majority
 23 disagreed that those who were serving on the Board have
 24 shared information with them, only around 50 --
 25 15 per cent agreed that they have been doing that.

36

1 Q. Thank you. Turning over to figure 28, please. This
 2 looks at the overall board. Again, a fair amount of red
 3 there. Can you assist us with those results, please?
 4 A. Yes. So this is the general perceptions of what the
 5 Board and what the Post Office, in terms of the
 6 relationship, the concerns, that the views are being
 7 listened to, and it ranges from a high, in terms of
 8 agreement, in relation to a belief that the Post Office
 9 is trying to improve its relationship. There's
 10 30 per cent who agree with that, 51 per cent disagree,
 11 and that drops to a low of 11 per cent agreement with
 12 views being listened to at the Board level and
 13 60 per cent disagreeing with that one.
 14 Q. So, in terms of headlines from this figure, the most
 15 significant net disagree is that Post Office Limited
 16 understand the concerns of subpostmasters?
 17 A. That's right yeah, and this one is a good example again
 18 about the differences between length of service. So, to
 19 give you an example, those who have less than two years'
 20 length of service, 30 per cent of them would disagree
 21 about trying to improve the relationship with the
 22 subpostmasters. So significantly lower levels of
 23 disagreement there, with that one from the 51 per cent,
 24 whereas those with six years' plus service are more
 25 likely than the 51 per cent to disagree. They would be

37

1 there are two more.
 2 Figure 31 looks at, "To what extent do you feel
 3 valued or undervalued by Post Office Limited?" A much
 4 higher number in terms of the red: 72 per cent net
 5 undervalued; only 14 per cent net valued.
 6 A. Yes, and, again, that difference by length of service,
 7 so those who have served for less than two years, their
 8 undervalued percentage would be 50 per cent; those with
 9 20 plus years' service would be 76 per cent.
 10 Q. That 76 per cent would be significantly more undervalued
 11 or feeling undervalued.
 12 A. Feeling undervalued, yes. So the percentages here are,
 13 yes, more negative than the general satisfaction with
 14 the role.
 15 Q. If we look at this chart in front of us, there is
 16 a considerable proportion that actually are in the very
 17 extreme category, the very undervalued, as opposed to
 18 the fairly undervalued?
 19 A. That's right, yes.
 20 Q. Very finally, for the subpostmaster survey, we have
 21 figure 32. Can you assist us with that, please?
 22 A. Yes, so this one placed four aspects of perceptions of
 23 the Post Office Limited, the learning lessons from the
 24 past was the one with the highest level of agreement,
 25 but still just 26 per cent compared to 55 per cent who

39

1 55 per cent in disagreement about improving the
 2 relationship.
 3 Q. Thank you. Finally, in terms of the current
 4 subpostmaster survey, there were a series of questions
 5 about being a subpostmaster now. If we could turn to
 6 figure 29, what do we see there?
 7 A. So on this one, the question being "How satisfied or
 8 dissatisfied are you in your role as a subpostmaster",
 9 now, 31 per cent were satisfied and 48 per cent
 10 dissatisfied. There's much higher levels of
 11 dissatisfaction among men than women. That's
 12 an interesting difference there. 53 per cent of men are
 13 dissatisfied, compared to 43 per cent of women.
 14 Q. Thank you. You have also drilled down into satisfaction
 15 and dissatisfaction by years of service, that's figure
 16 30. Can you assist us with that, please?
 17 A. Yes. So this shows the split between satisfied and
 18 dissatisfied with their current role and, for those who
 19 have been most recently appointed, up to the point of
 20 five years, more are satisfied than are dissatisfied
 21 with their role, but it's after that five-year point
 22 that those who have been a subpostmaster for longer
 23 tended to be dissatisfied rather than satisfied with
 24 their role.
 25 Q. Thank you. If we finally look at figure 31 -- sorry,

38

1 disagreed; being a good place to work, the figure was
 2 slightly lower; being considered to be trustworthy, just
 3 17 per cent felt that, compared to 65 per cent who
 4 disagreed; and, in terms of their perceptions of whether
 5 it is professionally managed, 15 per cent compared to
 6 68 per cent.
 7 Some of those big differences, again, in terms of
 8 length of service, though. So, to give one example of
 9 that, being considered trustworthy, for those who have
 10 served for less than two years, 38 per cent would agree
 11 that it was trustworthy; but still 45 per cent would
 12 have said -- would have disagreed with being
 13 trustworthy.
 14 Q. So generally slightly more positive from those who had
 15 served for less time, or at the very bottom category of
 16 time, two years or less?
 17 A. That's correct.
 18 Q. But still net dissatisfied or net --
 19 A. Yes, the one that was probably most positive among that
 20 newer group was it being considered as being a good
 21 place to work. So an example there would be 47 per cent
 22 of those with less than two years' service agreed that
 23 it's a good place to work, compared to 31 per cent who
 24 disagreed with that.
 25 Q. Thank you. In terms of headline from the figure that we

40

1 currently see on screen, the bottom one seems to be the
2 smallest in terms of agreement and largest in terms of
3 net disagreement, and that is that the Post Office is
4 professionally managed?

5 **A.** Yes, that's right.

6 **Q.** Thank you.

7 Page 43 of your report, and over the page, and over
8 the page again, you've briefly summed up some open
9 answers or you've quoted from some open answers to
10 various questions. Are you able to assist us with any
11 themes that emerged there?

12 **A.** Yes. So, at the end of the survey, we wanted to provide
13 everyone who had taken part with a chance to say
14 whatever they wanted to say, to talk about things that
15 hadn't been discussed previously, and we have done some,
16 a simple sort of thematic analysis of those comments
17 that were made.

18 The main things that we would point out were
19 feelings of being undervalued, underrepresented, issues
20 with -- current issues with the system and insufficient
21 training, possibly a lack of support and transparency
22 from senior leaders, as well. Many also mentioned
23 a feeling that the reason they felt undervalued was
24 often because they were simply not being paid enough for
25 the work they were doing and the hours that they were

41

1 in the process.

2 **Q.** If we look at page 47, there's just one point I'd like
3 to ask you about and it's the second paragraph, final
4 sentence. It says:

5 "70% of those who have applied to the scheme but
6 said it had not yet concluded had applied recently post
7 October 2022."

8 So are we to understand by that that that's looking
9 at only approximately half of the respondents of this
10 survey because half had already received compensation,
11 and that, of that half, 70 per cent had applied after
12 October 2022?

13 **A.** That's right, yes.

14 **Q.** Thank you. Can we bring back onto the screen the
15 various figures in EXPG0000008 and we're going to start
16 on page 33. Figure 33 identifies where applicants had
17 heard about the Historic Shortfall Scheme. We see there
18 most commonly receiving a letter from Post Office
19 Limited or from Herbert Smith Freehills.

20 **A.** That's right, yes. Again, a multiple choice list.

21 **Q.** So there may be some repetition?

22 **A.** Yes.

23 **Q.** Thank you. Figure 34, please, so the next chart. This
24 looked at:

25 "Which, if any, of the following do you remember

43

1 putting in, and that's a lack of feeling valued and
2 a lack of recognition, and so we have given, you'll see
3 within the report, some indicative comments that express
4 those key themes that continue to be stated.

5 **MR BLAKE:** Thank you very much. We're going to now move on
6 to the Horizon Shortfall Scheme survey. It might be
7 an appropriate moment to take our first morning break.

8 **SIR WYN WILLIAMS:** Yes, by all means.

9 **MR BLAKE:** Thank you.

10 **SIR WYN WILLIAMS:** What time shall we resume?

11 **MR BLAKE:** 11.11.

12 **SIR WYN WILLIAMS:** Right.

13 **(11.01 am)**

(A short break)

15 **(11.13 am)**

16 **MR BLAKE:** Thank you.

17 Moving on to the Horizon Shortfall Scheme applicant
18 survey. We have already discussed that you received
19 1,483 responses. You begin at page 46 of your
20 substantive report, and there you say that there are
21 similar numbers to those who received compensation to
22 those who the process had not yet concluded; is that
23 correct?

24 **A.** That's right, yes, roughly the same proportion had had
25 the process concluded as to those who were still going

42

1 receiving after making the application?"

2 The most significant number there, 76 per cent,
3 recalled receiving an acknowledgement of their
4 application; but far fewer recalled receiving
5 information about how it would proceed, 29 per cent; or
6 next steps, again, 29 per cent; smaller still for a copy
7 of the terms of reference, et cetera.

8 **A.** That's right. So, again, a multiple choice question,
9 and, yes, the three there, the information about being
10 processed, about how it would be processed, the next
11 steps and terms of reference were very similar responded
12 to.

13 **Q.** Thank you. Turning to figure 35, please, this addresses
14 the overall perceptions applying to the scheme and we
15 see there just under half, 47 per cent, found it hard to
16 understand the scheme and, in terms of completing the
17 paperwork, there was 57 per cent net hard response.
18 Much smaller numbers in terms of those respondents who
19 found understanding the scheme or completing the
20 paperwork to be very easy or quite easy.

21 **A.** Er --

22 **Q.** Certainly very easy, sorry.

23 **A.** That's right, yes.

24 **Q.** In both of these, we see a fairly significant percentage
25 in the middle?

44

1 A. Yes. That's correct.
 2 Q. Moving on to the value of the claims, at page 49 of your
 3 report, you say that 39 per cent valued their own claim
 4 at less than £20,000; 14 per cent valued their claim
 5 between £20,000 and £60,000. So, adding those two
 6 together, is it right to say that a majority valued
 7 their claim at £60,000 or less?
 8 A. Yes, that's right.
 9 Q. Only 16 per cent valued their claim at more than
 10 £100,000?
 11 A. That's right.
 12 Q. The next figure, you're going to have to help me a great
 13 deal with, that's figure 36. Can you assist us with
 14 some broad themes from --
 15 A. Yes. So this one, we were interested in the value of
 16 their own claim, as you've just been -- as you've just
 17 mentioned, and how that contrasted with the value from
 18 the Post Office Limited in response to that claim, and
 19 so we charted one against the other. So --
 20 Q. What do we see at the top and what do we see down the
 21 side?
 22 A. Yes, so the columns are the claimant value, so the value
 23 that the claimant had placed on it, and the rows are the
 24 value that the Post Office has placed upon it. So in
 25 73 per cent of cases, where the claimant value was less

45

1 Q. That point is, what, £100,000?
 2 A. Yes.
 3 Q. So in between the £20,000 and the £100,000, it was
 4 perhaps, to some extent, less likely that the Post
 5 Office would agree with your valuation when --
 6 A. That's right.
 7 Q. -- compared to less than or more than?
 8 A. Yes, that's right, although, I mean, those who had the
 9 valuation -- their own valuation of 200,000 or more,
 10 although there was a higher match than the middle
 11 valuations, it still was only 17 per cent.
 12 Q. Thank you. Could we --
 13 SIR WYN WILLIAMS: Sorry, I want to make sure I understand
 14 what this is saying. If we just take the less than
 15 20,000, first of all, all right. So am I right in
 16 thinking that if the postmaster sought £15,000, in
 17 73 per cent of cases of the Post Office also said
 18 £15,000.
 19 A. That's correct.
 20 SIR WYN WILLIAMS: But it doesn't mean that, in 27 per cent
 21 of cases, the Post Office said nothing. They may have
 22 said £11,000 or £12,000. That's what we're talking
 23 about, is it?
 24 A. No, in terms of the -- there are brackets there.
 25 SIR WYN WILLIAMS: Yes.

47

1 than £20,000, that was in complete agreement with the
 2 Post Office valuation. So that's the highest
 3 percentage.
 4 Q. That's in bold there, in the top left --
 5 A. Yes, that's in bold in the top left-hand corner and, if
 6 you going a kind of diagonal downwards from that top
 7 left-hand corner to the bottom right hand corner, then
 8 you can see where the claim values matched. So the 37,
 9 the 12, the 9, and then the 17. So the matching of
 10 claimant and Post Office value -- the percentage where
 11 they matched fell but then it rose again for the very
 12 highest claim levels.
 13 In the bottom right-hand corner there's a summation
 14 of that. So, for those who had a claim of £100,000 or
 15 less, 71 per cent of those were matched by the Post
 16 Office valuation but, for those who had a claim of more
 17 than 100,000, there's 26 per cent of those had a match
 18 with what the Post Office believed the valuation would
 19 be.
 20 Q. So is it right to say that, at the lowest end, so the
 21 less than 20,000, it was more likely that applicants
 22 would receive the same valuation from the Post Office up
 23 to a certain point, at which point the figures change
 24 again?
 25 A. That's right, yes.

46

1 A. So, in some cases, the Post Office valuation was higher
 2 than the --
 3 SIR WYN WILLIAMS: It could be higher as well. Right.
 4 Fine. So does that apply throughout? So when we take
 5 100,000 to 200,000, say, again, in 12 per cent of cases,
 6 if the subpostmaster said 150,000, the Post Office
 7 agreed, yes?
 8 A. *(The Witness nodded)*
 9 SIR WYN WILLIAMS: The drips have come back, by the way.
 10 You don't understand that, but I occasionally get
 11 dripped on!
 12 So is that right: that in 12 per cent of cases, they
 13 would say agree at 150,000?
 14 A. Um --
 15 SIR WYN WILLIAMS: I'm just taking 150 as an arbitrary
 16 figure now. If the postmaster said 150.
 17 A. Yes, so if the claimant value was there in that bracket
 18 between 100 and 200, then there was a matching valuation
 19 of also between --
 20 SIR WYN WILLIAMS: Sure --
 21 A. So it would have been 9 per cent of cases but you can
 22 see, above the 9 per cent there, it then became more
 23 common for the Post Office valuation to be lower than
 24 the claimant valuation.
 25 SIR WYN WILLIAMS: Sure, yes.

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1 A. We have 21 per cent above that, we have 25 per cent
2 above that.

3 **SIR WYN WILLIAMS:** Okay.

4 **MR BLAKE:** Moving, please, to figure 37. The survey then
5 looked at elements of the claim that were included.
6 78 per cent, so a very high proportion, included a claim
7 for compensation for a Horizon discrepancy, and then it
8 moves quite considerably down, as you go down. The
9 second most significant was distress and inconvenience.
10 A third is loss of earnings, and then much smaller
11 figures for those other matters, such as personal
12 injury.

13 A. Yes, again a multiple choice question.

14 Q. Thank you. So they could tick all of those if they
15 wanted to?

16 A. Yes, they could have done.

17 Q. Moving now to legal advice. Can we please look at
18 figure 38, and we see there the question at the bottom:
19 "At any point during the Scheme, did Post Office
20 Limited ...?"
21 Then we have the answers there. Only 33 per cent
22 reported having been informed of their right to obtain
23 legal advice; is that correct?

24 A. That's right yes.

25 Q. An even lower percentage, only 10 per cent, reported
49

1 value of the claim that was pursued, based upon whether
2 there was legal advice or not. So we responded by
3 writing that those who did not seek legal advice at the
4 application stage were more likely to value their claim
5 at less than 20,000. That's 45 per cent of whom versus
6 9 per cent who did not. But there was not a significant
7 difference for those 20,000 and 200,000.

8 About one in five of those who sought legal advice
9 valued their claim at £200,000 or more, and that was
10 compared to 10 per cent of those who did not seek legal
11 advice. But it's worth noting that those seeking legal
12 advice were more likely to say they didn't know or
13 couldn't remember the value of their claim and they were
14 more likely to select "Prefer not to say" to that
15 question.

16 Q. Thank you. Can we turn, please, to figure 39 and this
17 addresses the sufficiency of legal support for legal
18 advice during the application process. Ah, that one
19 doesn't have a value in there.

20 Could we please bring up on screen EXPG0000007.
21 It's page 53. Thank you. That's figure 39. We see
22 there a lot of red. 63 per cent reported as not having
23 received financial support during the application
24 process; is that correct?

25 A. Yes, that's right. So 11 per cent in this chart said
51

1 having been provided with information about how they
2 could contact a legal representative?

3 A. That's right.

4 Q. Page 52 of your report, the final paragraph, it's noted
5 that only 12 per cent actually received legal advice
6 during the application process?

7 A. Yes. That's right.

8 Q. That's the application process, and we'll look in terms
9 of legal advice in respect of the actual offer.

10 A. Yes, the questionnaire asked at number of different
11 points in this journey, if you like, about whether legal
12 advice was obtained at different points.

13 Q. Thank you. You were asked by a Core Participant
14 a follow-up question and, we don't need to turn it up,
15 but if you could look at your addendum report, on page 3
16 of that report, it's the first question on page 3, or
17 first two questions on page 3. Can you assist us with
18 that, please?

19 A. Yes. So we were asked whether it was possible to
20 differentiate the outcomes for those who were legally
21 represented and unrepresented. Now, we have noted that
22 not that many were -- said that they were legally
23 represented, which does limit the analysis somewhat.

24 In a specific question, we were asked if the data
25 was sufficient to identify any differentiation in the
50

1 that they received some financial support that they
2 considered to be sufficient, and 7 per cent that they
3 had some financial support, but it was not considered to
4 be sufficient by them.

5 Q. Thank you. On the same page, you've addressed some
6 open-ended answers. Are you able to briefly summarise
7 those?

8 A. Yes. So we were asked about receiving support,
9 receiving both financial support and legal support, and
10 why it was not -- why they had not done that. The most
11 commonly mentioned responses were a belief in financial
12 constraints, so they didn't believe that they could
13 afford to do so, a lack of awareness around that, and
14 some trust in the system. Some mentioned that they felt
15 that they didn't have sufficient evidence or
16 documentation to therefore engage legal support as well.

17 Q. Thank you. If we turn back to EXPG0000008, and turn to
18 figure 40. If we look at the bottom there, it says:
19 "How satisfied or dissatisfied are you with the
20 legal advice you received?"
21 Overall, high levels of net satisfaction with the
22 legal advice received, 65 per cent, against a net
23 dissatisfaction of 7 per cent.

24 A. Yes, that's right but, again, remembering not a huge
25 number of respondents actually received any legal
52

1 advice. So that is based on 176 replies.

2 **Q.** If we turn over the page, please, to figure 41, that
3 addresses financial support for legal advice when
4 an offer was received. So this only applied to those
5 who had received an offer?

6 **A.** Yes, so that's a very small group of 65 responses.

7 **Q.** Ah, this one doesn't have a value either. Let's work
8 off the actual report. So let's turn to EXPG000007 and
9 figure 41, that's page 55. Thank you.

10 So we see there 55 per cent say, yes, they received
11 financial support for legal advice: 32 per cent
12 considered it to be sufficient; 23 per cent said it
13 wasn't sufficient?

14 **A.** That's right, yes, and 29 per cent reported no financial
15 support at that point.

16 **Q.** So compared to the earlier figures that we saw in terms
17 of those receiving financial support for legal advice
18 during the application process, there's a much higher
19 proportion who responded that they had received
20 financial support?

21 **A.** Yes.

22 **Q.** At page 55, again, you have some open-ended responses.
23 Can you very briefly summarise those?

24 **A.** Yes, so this is at a different stage in the process but,
25 yes, the main reasons for not doing so at this point in

53

1 **A.** Yes, so this is intention to make an application and the
2 first one being for the fixed sum payment, and the
3 second one being for the interim payment as part of the
4 claim, and the majority, in both cases, don't have
5 an intention to do so.

6 **Q.** Slightly more red on the interim payments than the fixed
7 sum payments?

8 **A.** Yes, that's right: 39 compared to 23.

9 **Q.** Again, we don't need to turn it up on to screen but, if
10 you could look at your addendum report, please, there
11 was a follow-up question that was related to this issue
12 asked by a Core Participant, and that's the further
13 question.

14 **A.** Yes, so this question is whether the data is sufficient
15 to identify whether those in receipt of legal advice
16 were more or less likely to have made an application for
17 an interim payment. We found there was no differences
18 in the proportions saying they had done so, based on the
19 legal advice. We pointed out further, those who sought
20 legal advice at this stage were more likely than those
21 who did not to say that they intended to apply.

22 So what I've just talked about was whether they had
23 applied in the past, that was the same, but the
24 intention was different, based on whether there was
25 legal advice or not. So the intention differed by -- in

55

1 the process, the key theme is around cost again, but
2 also that, having got to that point it the most felt to
3 be quite close to the end and that many just wanted it
4 to end at that stage and not to carry on.

5 **Q.** Thank you. Can we turn now to figure 42, so page 57.
6 The survey then goes on to look at various payments and
7 types of payments. You address on that page interim
8 payments, those were payments that were introduced after
9 August 2022 in respect of 80 per cent of a claim.
10 Perhaps if you could turn to the top of page 57, we
11 don't need to scroll up, but can you just assist us with
12 the statistics there?

13 **A.** Yes. So this needs to -- the introduction to assist
14 with the charts. So the vast majority is 82 per cent of
15 those surveyed reported that they had not made
16 an application for an interim payment, and there were
17 many that were not aware that such an application was
18 available for them. We had -- 14 per cent of those
19 surveyed had applied for the interim payment.

20 **Q.** 34 per cent weren't aware that such an application was
21 available; is that correct?

22 **A.** That's right, yes. We also had a question about
23 intention, which we'll come onto --

24 **Q.** That's just these charts that are shown now. Can you
25 assist us with what these show, please?

54

1 the case of the fixed sum payments, the intention
2 differed by 51 per cent of those with legal advice
3 versus 37 per cent and, in terms of the interim payment,
4 it was 45 per cent compared to 18 per cent.

5 **Q.** So do we summarise that: that those who had sought legal
6 advice were more likely to intend to apply for a fixed
7 sum payment or an interim payment, than those who hadn't
8 sought legal advice?

9 **A.** That's correct, yes.

10 **Q.** Figure 43 then, please, over the page to page 58. It
11 looks at satisfaction with those two options. Quite
12 small numbers being analysed there because those were
13 only based on those who intended to make the
14 application; is that correct, or had already done so, in
15 fact?

16 **A.** Yes, that's right, yes.

17 **Q.** Can you assist us with those figures there?

18 **A.** Yes. So with the interim payment process, the level of
19 satisfaction being 14 per cent, compared to those who
20 were -- 48 per cent, who were dissatisfied. The fixed
21 sum payment option, the level of satisfaction there was
22 slightly higher: more satisfied than dissatisfied.
23 There was some evidence as well of differences in terms
24 of the more recent claimants, where the satisfaction
25 levels were likely to be higher than those who had

56

1 claimed in the past.

2 **Q.** Higher for both or higher for just one of them?

3 **A.** Just picking out the fixed sum payment option.

4 **Q.** Thank you. So that fixed sum payment option, there is

5 a greater number -- percentage in the purple than

6 interim payment, and a smaller in the red?

7 **A.** Yes.

8 **Q.** Moving on to case assessors. That's figure 44, over the

9 page, please. Case Assessors provide an initial

10 valuation and, if we look at that figure, figure 44, it

11 assesses the proportion who were aware of the role and

12 more people were not aware of the role of the Case

13 Assessor than were aware; is that correct?

14 **A.** Yes. That's right. We'd found that 78 per cent had not

15 had -- reported not having received contact from a Case

16 Assessor, and 10 per cent had received some contact in

17 the past, and then that chart moves on to awareness of

18 what the role of the Case Assessor was/is.

19 **Q.** If we look at figure 45 over the page that addresses

20 satisfaction with the service received from a Case

21 Assessor. That assesses quite a small number, only 151

22 respondents, because those were -- if we scroll down

23 slightly -- those who had been contacted by a Case

24 Assessor?

25 **A.** Yes, so that relates to the 10 per cent who reported

57

1 about the involvement of the Independent Appeals Panel

2 (*sic*).

3 **Q.** The one that stands out slightly more is the bottom one,

4 regarding the information provided to the individual

5 about the panel process, with a net dissatisfaction of

6 52 per cent, set against a net satisfaction of

7 20 per cent?

8 **A.** That's right.

9 **Q.** We now turn to the offer from the Historic Shortfall

10 Scheme. Can we please turn over to figure 48. There is

11 a lot of information in your report at the top of

12 page 63 that isn't addressed by that particular figure.

13 Can you assist us with those statistics, please?

14 **A.** Yes, this was context -- contextual questions. So about

15 half of those surveyed had been informed of the outcome

16 that they had received, but around about half hadn't.

17 So rough split between those who knew and those who

18 didn't yet know about it, and there is some information

19 there about the likelihood of people who applied at

20 different points in time, about whether they had reached

21 the end, which I think would just reflect what you would

22 logically expect.

23 **Q.** So the lowest number, 19 per cent had applied post

24 October 2022?

25 **A.** That's right, yes, they had not yet reached the end of

59

1 having been contacted, and then they were asked some

2 follow-up questions with some levels of satisfaction

3 with three aspects of the Case Assessors Service.

4 **Q.** If we look there, there was, in particular, a greater

5 number dissatisfied with the time it took for a Case

6 Assessor to assess their claim, compared to only

7 17 per cent who were net satisfied?

8 **A.** Yes, the time taken was the element of least

9 satisfaction.

10 **Q.** Moving on to the Independent Advisory Panel, that's the

11 panel that's tasked with assessing and recommending

12 a fair outcome for applicants, could we please look at

13 figure 46. That's over the page, thank you, if we

14 scroll down slightly. It seems as though there's

15 slightly more people who were unaware of the Independent

16 Advisory Panel than were aware; is that correct?

17 **A.** Yes, that's right, in comparison, 27 per cent being

18 aware of it versus 32 per cent who were unaware.

19 **Q.** Over the page, please, to figure 47. This then

20 addresses the satisfaction with the amount of

21 information provided by the Panel and the length of time

22 to consider the claim. This seems relatively similar to

23 the responses to the Case Assessor satisfaction levels:

24 more red than purple?

25 **A.** That's right, and this is based on only those who knew

58

1 the process.

2 **Q.** I think you also saw some differences in age; is that

3 correct?

4 **A.** Yes, so those older claimants were less likely to have

5 applied recently. They were obviously then, therefore,

6 more likely to have had an outcome by this point than

7 younger claimants, who had not reached the end of the

8 process.

9 **Q.** So a higher percentage reported reaching an outcome who

10 were aged 60 and above?

11 **A.** Yes, that's right.

12 **Q.** If we look at figure 48, that addresses the satisfaction

13 with the amount of information provided. Can you assist

14 us with that, please?

15 **A.** Yes. So this chart shows only those who had had

16 an outcome, and they were asked about three elements of

17 the outcome that had been received, so the time it had

18 taken, the amount and the amount of information provided

19 about how the outcome was determined.

20 **Q.** There's a lot of red there, in particular, in this

21 particular chart, a large number in the "very

22 dissatisfied" category; is that correct?

23 **A.** Yes, so the one with the highest degree of very

24 dissatisfied was the offer amount, and then relatively

25 similar in terms of the time that it was taken to get to

60

1 an outcome, and the amount of information provided about
 2 how the outcome was determined.
 3 **Q.** Thank you. We don't need to turn to it but, if you
 4 could look at page 64, you provide some further
 5 information. You drill down a little bit further into
 6 those figures; can you assist us with some themes there?
 7 **A.** Yes. So the subgroup analysis of these elements of the
 8 outcome, they showed some particular differences in
 9 terms of ethnicity. So those from an ethnic minority
 10 background were more likely to say that they were
 11 dissatisfied with the offer amount, that is a comparison
 12 between 77 per cent and 53 per cent, and there was
 13 a suggestion of higher levels of dissatisfaction among
 14 a younger age groups compared to older subpostmasters --
 15 sorry, claimants.

16 There was also higher levels of dissatisfaction
 17 among ethnic minority applicants in terms of the time it
 18 took and the amount of information that was provided.
 19 Some quite large differences there, for example in the
 20 time it took to reach an outcome, 71 per cent of ethnic
 21 minority applicants were dissatisfied, compared to
 22 46 per cent of white respondents.

23 **Q.** I think you also say 92 per cent of those with an offer
 24 accepted it either in full or in part?

25 **A.** Yes. That's right and only 8 per cent said that they

61

1 71 per cent versus 50 per cent. But, again, as we
 2 pointed out earlier, this is a case of -- possibly this
 3 a correlation between those factors. We can't say that
 4 one was caused by the other, necessarily.

5 **Q.** Thank you. If we could please turn back to EXPG0000007,
 6 page 65, and we have figure 49. It looks at the reasons
 7 why applicants accepted the offer in part or in full;
 8 what do we see there?

9 **A.** Again a multiple choice question, we're looking at only
 10 those people who had accepted the offer in part or in
 11 full, and we see there that the most common reason that
 12 they gave was that they wanted the process to finish,
 13 over 51 per cent say that. There were some interesting
 14 differences on the basis of age group with this, so
 15 those who had said that their financial circumstances
 16 led them to want the process to finish, it was more
 17 likely, you know -- those in a younger age group said
 18 that it was more likely that they wanted the process to
 19 end because of financial circumstances, so that was
 20 48 per cent versus 29.

21 Those who were satisfied with the offer, as we just
 22 heard on the previous question, the older age groups
 23 were more likely to be satisfied with the offer than the
 24 younger age groups.

25 **Q.** Overall, in terms of satisfaction, though, it's only

63

1 rejected the offer.

2 **Q.** Those aged 60 plus were more likely to have accepted --

3 **A.** Yeah.

4 **Q.** -- as those in Scotland when compared to England.

5 **A.** Yes, that's right, yeah.

6 **Q.** Can we please turn -- in fact, we don't need to bring it
 7 up on screen, but if you could look at your addendum
 8 report on page 3, there's a final question at the bottom
 9 of that page that was posed by a Core Participant. Can
 10 you assist us with that, please?

11 **A.** Yes, so this, again, asked us to look at those who had
 12 legal advice and those who didn't. Was there any
 13 difference in the proportion of those who were
 14 dissatisfied with the outcome, based on whether they had
 15 legal advice or not? So those who received legal advice
 16 at any stage of the process, in order to create this, we
 17 added them up because respondents were asked at
 18 different stages whether they had received legal advice.

19 So we added them all together to create a group of
 20 people who had received legal advice and at whatever
 21 stage it was. Those who had received legal advice were
 22 more likely than those who did not to be dissatisfied,
 23 so they were more likely to be dissatisfied with the
 24 offer amount, 77 per cent versus 56 per cent. They were
 25 more likely to be dissatisfied with the time it took,

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1 15 per cent who reported being satisfied with the offer?

2 **A.** That's right.

3 **Q.** Thank you. Over the page, we don't need to turn to it
 4 but, if you could please have a look at page 66, you
 5 address briefly there dispute resolution. I think it
 6 only applies to very small numbers?

7 **A.** Yes, only a very small number of people went down that
 8 path. So, in the report, we detailed that there were
 9 only 30 observations of those who were surveyed in
 10 dispute resolution; 25 of them said that their claim did
 11 not go to the small claims court or arbitration. More
 12 were dissatisfied than satisfied with the process: 16
 13 versus 4 for that.

14 **Q.** Thank you. Very finally, there is a chart, figure 50,
 15 over the page, with overall perceptions of the Historic
 16 Shortfall Scheme. Overall dissatisfied was 49% versus
 17 12 who were satisfied. Can you assist us with what we
 18 see here?

19 **A.** Yes, so we have six elements of the overall process and
 20 asked about those as a group. One of those patterns
 21 that keeps coming up in this data is that difference
 22 between younger and older age groups, so those in
 23 a younger age group were the most likely group to be
 24 dissatisfied in these element. Those older claimants
 25 were less likely to be dissatisfied. Satisfaction

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1 levels were higher among those who had received
2 compensation, which I suspect is a logical conclusion.
3 So their overall satisfaction was 19 per cent compared
4 to 5 per cent of those who had not yet received
5 an outcome but, still, 19 per cent being satisfied isn't
6 especially high, of course.

7 Then, yeah, we have six elements of the process as
8 a whole: the amount of compensation; the time that it
9 took; having enough information; being easy to
10 understand; being fully informed throughout the process.

11 **Q.** Again, we have considerable amounts of red there, not
12 very much purple.

13 **A.** That's right, yes, and some, again, interesting
14 differences in terms of ethnicity that are pointed out
15 in the report. So the one to draw attention to perhaps
16 around the scheme being easy to understand and navigate,
17 we have 46 per cent of white respondents being
18 dissatisfied with that, compared to 57 per cent of those
19 from an ethnic minority background.

20 **Q.** Thank you very much. Then, finally, over the page and
21 over the page again, you've set out some open-ended
22 answers. Can you assist us with any trends that you saw
23 there?

24 **A.** Yes, so, again, similarly to survey 1, we wanted to
25 provide everyone with an opportunity to say anything

65

1 **MR BLAKE:** Thank you very much, Mr Ellison. I don't have
2 any questions.

3 I'll just check if the Chair has any questions.

4 **SIR WYN WILLIAMS:** No thank you, no.

5 **MR BLAKE:** Thank you very much.

6 **SIR WYN WILLIAMS:** Mr Ellison, I'm very grateful for all the
7 work you've done and I'm also grateful that you've come
8 here today to give oral evidence. Thank you.

9 **MR BLAKE:** Sir, if we take our second morning break now --

10 **SIR WYN WILLIAMS:** Yes.

11 **MR BLAKE:** -- and if we come back at 12.10. Thank you.

12 **SIR WYN WILLIAMS:** Fine.

13 (11.52 am)

(A short break)

15 (12.10 pm)

16 **SIR WYN WILLIAMS:** Yes, Mr Blake.

17 **MR BLAKE:** Yes, sir, this afternoon, and possibly into
18 tomorrow morning, we're going to hear from Mr Ismail.

19 **SIR WYN WILLIAMS:** Yes.

SARFARAZ GULAM ISMAIL (sworn)

Questioned by MR BLAKE

22 **MR BLAKE:** Thank you can you give your full name, please?

23 **A.** Sarfaraz Gulam Ismail.

24 **Q.** Thank you. Mr Ismail, you should have in front of you
25 a witness statement dated 4 September this year; is that

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1 else they wanted to report back. We did have a couple
2 of different boxes, though, we tried to have a box which
3 was encouraging if there was anything constructive or
4 positive that they had to said about the scheme, to
5 prompt around that. That was interesting. It was
6 revealing because some then wrote that they appreciated
7 the scheme, largely because it's acknowledged that the
8 Post Office was at fault, that the scheme was bringing
9 issues to light and the scheme was, of course, a pathway
10 to receiving some compensation.

11 So there were some positive elements there. Some
12 people found the scheme process easier to navigate than
13 others, and they wrote about their experiences there,
14 and there was that connection I mentioned earlier with
15 more recent applicants finding it slightly easier.

16 But then later boxes, the more negativity came
17 through about the scheme. So later opportunities to
18 make some comments. The thematic analysis of that,
19 there was generally felt to be a lack of clarity, the
20 time taken and inadequacy of the compensation amounts
21 were themes that came through.

22 So themes of speed and efficiency, communication
23 transparency, fairness in compensation, and, again,
24 similarly to survey number 1, we've provided examples of
25 comments that were made that fit those themes.

66

1 correct?

2 **A.** That's correct.

3 **Q.** Can I ask you please to turn to the final substantive
4 page, which is page 144; can you confirm that that is
5 your signature?

6 **A.** Yes.

7 **Q.** Can you confirm that that statement is true to the best
8 of your knowledge and belief?

9 **A.** Yes, that's correct.

10 **Q.** Thank you. By way of background, you are a current
11 subpostmaster; is that right?

12 **A.** That's correct.

13 **Q.** Your first branch was in Preston in January 2010?

14 **A.** Yes, that's correct.

15 **Q.** I think you've said in your witness statement that you
16 worked on the counters using Horizon for about six days
17 a week, originally?

18 **A.** Yes.

19 **Q.** I think your business has grown and you currently
20 oversee seven branches and a banking hub?

21 **A.** Yes, that's correct.

22 **Q.** I think you still work on the counter in branches on
23 occasion?

24 **A.** Yes.

25 **Q.** You're also a director of number of different companies,

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1 covering not just the Post Office but also property and
 2 retail businesses; is that right?
 3 **A.** Yes.
 4 **Q.** Relevant for today's purpose, you were appointed
 5 a Non-Executive Director of Post Office Limited on
 6 3 June 2021; is that right?
 7 **A.** That's correct.
 8 **Q.** Sometimes referred to as a Subpostmaster Non-Executive
 9 Director, or SPM NED?
 10 **A.** Correct.
 11 **Q.** There are two subpostmaster Non-Executive Directors, the
 12 other is Elliot Jacobs, who we're going to be hearing
 13 from tomorrow.
 14 **A.** Correct.
 15 **Q.** One issue that we have to deal with is that you are
 16 subject to a current investigation by the Post Office,
 17 which is not related to Horizon or discrepancies; is
 18 that right?
 19 **A.** Correct.
 20 **Q.** We won't go into detail but that means that, for the
 21 time, being you've stepped back from the Board whilst
 22 an investigation is taking place?
 23 **A.** Correct.
 24 **Q.** Thank you. I'm going to start with your appointment as
 25 a Subpostmaster Non-Executive Director. You describe in

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1 **A.** Yes.
 2 **Q.** How long is the term of appointment?
 3 **A.** It was three years, initially, but that has been
 4 extended recently due to issues with the existing
 5 recruitment of postmaster NEDs.
 6 **Q.** What are those issues very briefly?
 7 **A.** The timescale wasn't met, unfortunately. So just to
 8 give the business some cover with postmasters on the
 9 Board, the business thought it would be worthwhile
 10 extending myself and Mr Jacobs.
 11 **Q.** Thank you. How many days a month do you spend on your
 12 Non-Executive Director work?
 13 **A.** On average, ten days a work, and the advertisement,
 14 initially, was for two days a month. It's very intense.
 15 **Q.** In your view, is that extra time commitment as a result
 16 of what's currently going on in the Post Office in terms
 17 of the Inquiry and in terms of redress, or is it, in
 18 your view, more time consuming than two days, in any
 19 event?
 20 **A.** I -- from my observations being on the Board, I feel
 21 it's probably a bit of both. This organisation is so
 22 bureaucratic to get anything done, it just takes a very
 23 long time. So that's part of the problem but, also,
 24 with how much going on, there's so many fires at the
 25 moment within this organisation that need putting out

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1 your witness statement standing for election and I would
 2 just like you to take us briefly through that process.
 3 To start with, can any subpostmaster stand for election?
 4 **A.** Yes. So, initially, a criteria was set by the Post
 5 Office and applications were invited and, once
 6 postmasters who met the criteria submitted their
 7 applications, the Post Office then narrowed down who fit
 8 the bill. Then once that was -- then it went to
 9 an organisation to Green Park, who narrowed it down
 10 further, and there was interviews taking place with
 11 a panel, an independent panel. From 12, they whittled
 12 down to six and, once it got to the point where there
 13 was six, it was producing material for election purposes
 14 from your fellow postmasters, who would then vote for
 15 whom they thought would represent them the best within
 16 the organisation.
 17 So, throughout that election process, I gained the
 18 most number of votes and Elliot Jacobs got the second
 19 number of votes, and us two were both appointed to the
 20 Post Office Board.
 21 **Q.** Thank you. Is it all current subpostmasters who are
 22 allowed to vote?
 23 **A.** Yes.
 24 **Q.** Your appointments, were they both on the same date,
 25 3 June 2021?

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1 and, in order to deal with that, obviously time is
 2 needed, hence why it does take a lot longer.
 3 **Q.** Thank you. I'm going to ask you some introductory
 4 questions about the Board but we're going to drill down
 5 into a lot more detail in due course.
 6 In general, do you consider that the role of
 7 Subpostmaster Non-Executive Director was something that
 8 was welcomed by the board when you joined?
 9 **A.** The Board -- the NEDs on the Board were welcoming and
 10 were hospitable. However, the wider Executive made it
 11 difficult and, within my witness statement, I have
 12 clearly provided evidence of situations when we didn't
 13 feel as welcomed by the wider Executive.
 14 **Q.** Was that specific individuals or more broadly the
 15 executive?
 16 **A.** More broadly, from what I observed. There was times --
 17 so for example, in February '24, when I was told by
 18 an individual on the wider Executive that "We don't want
 19 to particularly deal with you and Mr Jacobs because we
 20 feel really uncomfortable with what's been happening,
 21 you've been going to the press". That was difficult to
 22 hear but that -- those were the conversations that were
 23 happening. What was also disappointing was when I had
 24 conversations from January -- throughout January '23 up
 25 to March '23 with the former Chief People Officer, Jane

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1 Davies, and she categorically said to me how the CEO was
 2 not happy with the postmasters being on the Board
 3 because we were too awkward, too challenging and that he
 4 wanted that to be reversed.

5 **Q.** That was Mr Read?

6 **A.** Yeah, Mr Read.

7 **Q.** At paragraph 49 of your witness statement, you talk
 8 about the balance of executives to non-executives on the
 9 Board and you highlight that there were two Executive
 10 members and eight Non-Executive Directors. What in your
 11 view is the overall balance of the Board in --

12 **A.** Can I have that on the screen, sorry?

13 **Q.** Absolutely. So if we could bring up onto screen
 14 WITN11170100. It's page 18. It's in no way a memory
 15 test about your witness statement. The point being made
 16 there is that there are two executive members, and there
 17 are eight directors, being Non-Executive Directors. Can
 18 you assist us with your view as to the balance between
 19 those two?

20 **A.** I feel it's an imbalance, and the reason I say that is,
 21 firstly, the eight Non-Executive Directors, they are not
 22 operationally savvy. They are not necessarily aware of
 23 what is happening in the business on a day-to-day basis,
 24 the headwinds postmasters are facing, they're not
 25 necessarily understanding postmaster economics and, from

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1 **Q.** Another issue you've highlighted, and we don't need to
 2 turn it up, is you say the Board is required to
 3 authorise any spend over £5 million and that, in your
 4 view, the Board is seen as a cash machine; can you
 5 expand upon that briefly?

6 **A.** Yes, so any time any authorisation for any specific
 7 spend over 5 million is required, that comes to the
 8 Board and, again, the Board makes a decision based on
 9 information provided by the wider Executive. Now
 10 sometimes the decisions are correct and sometimes they
 11 are incorrect. But the business sees the Board in a way
 12 to get their authorisations done. Anything below
 13 5 million, there's very limited visibility for the
 14 Board.

15 **Q.** At paragraph 56 -- again we don't really need to turn it
 16 up -- you've described the Board as "too deferential to
 17 the Executive", and I think you've given an example in
 18 respect of recruitment and I think you've said that the
 19 Executive has overridden a decision of the Board, or
 20 something along those lines. Can you assist us with
 21 what you have explained there?

22 **A.** Yes, so there's been occasions when Board members have
 23 been invited to conduct interviews for very senior
 24 roles, highly paid senior roles within the organisation,
 25 and the Board members who are part of the panel, this is

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1 my observations whilst being on the Board, the two
 2 Executive members who would produce information that
 3 would be disseminated to the Board was from the wider
 4 Executive's lens.

5 So, on a number of occasions, when we would receive
 6 reports, myself and Mr Jacobs would provide criticism
 7 and maybe that's why we were thought to be awkward.

8 We would give the document a sanity check in terms
 9 of what's actually going on, on the front line. So, for
 10 me, the imbalance is quite clear and unfortunately
 11 decisions aren't made through selected information
 12 that's provided to the Board by the Executive that are
 13 on the Board.

14 **Q.** Thank you. One of the roles that you've given
 15 an example of is the Chief People Officer and you've
 16 suggested that it might be helpful to have the Chief
 17 People Officer on the wider Board. Can you assist us
 18 with why that might be?

19 **A.** Yes. I feel, as an organisation, culturally, we've got
 20 a long way to go. I heard Paula Vennells in her
 21 testimony say how she started cultural change or she
 22 tried in 2012. I don't feel we've even got off the
 23 ground and, for me, if we want to own that, and fix
 24 that, surely the Chief People Officer should be
 25 a permanent fixture on the Board.

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1 their skillset, they know what they are looking for.
 2 And when the interviews have been conducted, the Board
 3 members made it very, very clear that it should be
 4 candidate A, out of A, B, C, D, for example. However,
 5 the wider Executive has then totally ignored that
 6 advice, providing no reasoning whatsoever, and then gone
 7 and recruited candidate B.

8 **Q.** Is that in respect of one particular role, several
 9 roles?

10 **A.** A few roles. That's my observation while I have been
 11 there.

12 **Q.** Do any stand out in particular?

13 **A.** There was -- on the Chief Retail Officer, that one
 14 stands out in particular. There was on the mail side,
 15 on that side, yeah.

16 **Q.** Thank you. Another issue in respect of the Board that
 17 you've raised is in respect of information sharing.

18 **A.** Mm-hm.

19 **Q.** That's paragraph 84. You raise a concern that the Board
 20 isn't given appropriate levels of information. If we
 21 start with the Board as a whole, rather than just the
 22 Subpostmaster Non-Executive Directors, what are your
 23 concerns about the level of information that the Board
 24 as a whole are provided with?

25 **A.** So we receive some Board packs with too much

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1 information, too much noise, we then receive other Board
2 packs or other bits of information, where it's not the
3 right information, unfortunately, to make key decisions,
4 and it's resulted in some wrong decisions,
5 unfortunately. And, again, that's based on what the
6 Executive has provided.

7 So to give you an example, we've got information in
8 September '21 on a certain project -- I'm not sure if
9 I can mention the project name -- but there was
10 information provided to the Board where this
11 subservience circled to lawyers that exists within this
12 organisation and, from my time on the Board, this was
13 the first time that was broken and that was because of
14 myself and Mr Jacobs resisting, and that resistance, in,
15 turn, resulted in the business saving £5 million. That
16 was the first time and that was totally against the
17 legal advice and Tim Parker, at the time, the Chair,
18 supported what we were saying. That was one example.

19 **Q.** Are there particular parts within the business that you
20 feel are not providing of the Board with sufficient
21 information?

22 **A.** Yes, I feel procurement is particularly poor, legal is
23 extremely poor, from a -- on a commercial perspective.
24 It depends who is dealing with which area from
25 a commercial side because this business has got so many

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1 **Q.** Who are you aware of who do you believe excluded you
2 from those meetings?

3 **A.** The wider Executive.

4 **Q.** Anybody in particular?

5 **A.** There was -- Henry mentioned Nick, Nick Read
6 specifically mentioned to him he doesn't want us
7 involved in any kind of information regarding salaries
8 and bonuses.

9 **Q.** On a separate topic, I think you've also mentioned in
10 your evidence being provided with information such as
11 exit interviews. Can you briefly tell us about that
12 issue?

13 **A.** So, for me, as part of my Non-Executive Director role,
14 and to keep on top of governance and understanding how
15 this organisation can be better and has got to be
16 better, I wanted to be cited on exit interviews on
17 previous NEDs to hopefully not make the same mistakes,
18 be a proactive learner. Unfortunately, the business
19 didn't provide me any access to that.

20 **Q.** Were any reasons given to you for that?

21 **A.** No.

22 **Q.** Today we're going to be spending quite a lot of time on
23 three particular topics, the first is known as the Past
24 Roles Project, the second is known as Project Phoenix,
25 and the third is known as Project Pineapple. I'm going

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1 different avenues to it. It varies from who you're
2 getting, and the individual that's dealing with the
3 issue at that time, and their capabilities.

4 **Q.** That's the Board as a whole.

5 **A.** Mm-hm.

6 **Q.** Now, looking at just the Subpostmaster Non-Executive
7 Directors, is there a difference in the level of
8 information that you were provided with?

9 **A.** 100 per cent.

10 **Q.** Can you assist us with some examples of that?

11 **A.** Yes. So, up until recently, we were not provided access
12 to any of the other committee documents that we were not
13 on. So, for myself, I was on the Nominations Committee.
14 I only had access to Nominations Committee papers and
15 the Board papers. For Elliot, he was on ARC, so he
16 had -- for Audit and Risk Committee and for the Board
17 and for the Investment Committee.

18 There was times when, again, when I spoke to the
19 previous Chair, Henry, and to Jane Davies, they
20 particularly mentioned how the wider Executive ensured
21 myself and Mr Jacobs were blocked out of meetings that
22 involved talking about bonuses and salaries. We were
23 actively excluded from their meetings.

24 **Q.** Was a reason ever given to you for that?

25 **A.** No.

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1 to start with Project Phoenix and the Past Roles
2 Project.

3 Can we please start by looking at POL00448308,
4 please. This is the terms of reference for what is
5 known as the Past Roles Project. I'm going to read to
6 you briefly from this document. It says:

7 "Context

8 "After the Inquiry Compensation Hearing in December
9 2022, it became apparent that [the Post Office] had
10 recruited into its Remediation Unite team (RU Team)
11 employees who had previously worked for [Post Office] in
12 the auditing, investigation, suspension or termination
13 of postmasters connected to historic Horizon shortfall
14 cases."

15 Just pausing there, do you know why it was only
16 after the Inquiry's compensation hearing that that link
17 seems to have been drawn between the two?

18 **A.** No.

19 **Q.** It says:

20 "This risked undermining of the integrity of, or the
21 public or postmaster confidence in, the work being done
22 by the [Remediation Unit]. It also puts employees 'at
23 risk'. The [Remediation Unit] took a 'conflicts paper'
24 to the [Group Executive] on 7 July 2023 and a further
25 paper ... 'past roles paper' recommending work to

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1 identify [those employees within that unit who were]
 2 potentially problematic historical roles with a view to
 3 redeploying them and extending this thinking into the
 4 wider business."
 5 So the Past Roles Project, just to understand it
 6 correctly, is about identifying people from the
 7 Remediation Unit, who were working on issues such as
 8 compensation and redress, appeals against conviction,
 9 assisting the Inquiry and, if they worked in a role
 10 that, I think it says there, was problematic,
 11 a potentially problematic historical role, they would be
 12 redeployed within the business; is that right?
 13 **A.** Yes.
 14 **Q.** Yes. The aim there:
 15 "The aim of this project is to:
 16 "[First] Review the past roles conducted by
 17 colleagues currently employed within the [Remediation
 18 Unit] and the Inquiry teams, to identify any that could
 19 be (for want of a better word) potentially problematic
 20 ...
 21 "[Second] Identify where else in the business (other
 22 than [the Remediation Unit] and Inquiry) such roles
 23 might also pose a similar risk.
 24 "[Third] Identify the employees who have those
 25 potentially problematic backgrounds and who are working

1 **A.** No.
 2 **Q.** What do you see as the most significant risk of those
 3 individuals being employed within the Remediation Unit?
 4 **A.** It's morally wrong.
 5 **Q.** Why do you say that?
 6 **A.** The number of conversations that postmasters have had
 7 with me and Mr Jacobs criticising how individuals are
 8 still in that unit, it's incredible, and some of the
 9 examples are probably not for this forum, but those are
 10 some of the examples that have been given of things --
 11 criminals have done in the past, not necessarily them
 12 giving their own compensation out. This is how
 13 postmasters are feeling and, for me, I don't think the
 14 focus was right on this project and, to be clear, from
 15 my observations at the time, there was no particular
 16 appetite to deal with this issue.
 17 The only point when some kind of urgency -- it
 18 wasn't even urgency -- awareness occurred, was at the
 19 March '23 Board meeting. So myself and Mr Jacobs were
 20 encouraged by the business to attend the Inquiry and we
 21 did, and we saw Brian Trotter -- we heard Brian Trotter
 22 give evidence and, for myself and Mr Jacobs, some of the
 23 evidence was uncomfortable and, the following day,
 24 I think we had a Board meeting, within a week or so we
 25 had a Board meeting, and that's when we raised our

1 in roles in which that creates an identified risk.
 2 "[Fourth] Mitigate the risks, including by internal
 3 and external comms, provided employee with appropriate
 4 support ... training and education, and exploring
 5 redeployment."
 6 If we scroll down, please, it sets out there the
 7 "Problematic past roles":
 8 "Roles that were involved in the auditing,
 9 investigation, suspension or termination of postmasters
 10 and [Post Office] employees."
 11 So there were some individuals who held roles in
 12 auditing, investigating and suspending or terminating
 13 postmasters, who were, at that point in time, employed
 14 within the Remediation Team; is that right?
 15 **A.** Yes.
 16 **Q.** If we scroll down, please, over the page, "The risks
 17 that could emerge", it says:
 18 "For example: (i) Criticism of employees (say on
 19 social media); (ii) Undermining the integrity of the
 20 work being performed ... (iii) Undermining postmaster of
 21 the public sector confidence in the work being performed
 22 by [Post Office Limited], or the specific team."
 23 If that is in order of priority, do you agree with
 24 that prioritisation, that the first risk is criticism of
 25 employees, say on social media?

1 concerns about Mr Trotter working in the Remediations
 2 Unit, and we specifically mentioned him because that's
 3 why we came to the Inquiry.
 4 And in that meeting, the General Counsel, Ben Foat,
 5 said he would look into it.
 6 **Q.** Are you aware of what role Mr Trotter had within the
 7 Remediation Unit?
 8 **A.** No, I wasn't aware specifically of his role, at the
 9 time, once he was rehired. However, prior to that, his
 10 role as a Contracts Manager, yes, and conversations that
 11 I have had had with individuals in the business,
 12 probably earlier this year, regarding that specific
 13 scenario, and on past roles, was one of the reasons --
 14 and again, I'm not singling out Mr Trotter here at
 15 all -- one of the reasons the organisation did remove
 16 quite a few individuals who were investigations
 17 Contracts Managers at the time, was because culturally
 18 they weren't in the right place.
 19 And what this specific person said to me in our
 20 private meeting was he was deeply disappointed once they
 21 were rehired because he thought he'd already dealt with
 22 this.
 23 **Q.** Do you know who was responsible for the rehiring?
 24 **A.** No.
 25 **Q.** Can we please turn to POL00448615. We're moving forward

1 now to 17 January this year, and this is an update to
2 the Group Executive. We see there the title "Past Roles
3 Review", and it says, in the first paragraph:

4 "[The Group Executive] is asked to note the update
5 in respect of the 'past roles' work being undertaken in
6 [the Remediation Unit] and similar work being rolled out
7 across the business, since being approved by [the Group
8 Executive] on 7 July 2023 and clarified on 8 November
9 2023 and 20 December 2023."

10 So, looking at the timescales there, was that after
11 the meeting that you described?

12 **A.** Yes, that's correct. This was pressure that started to
13 be applied by myself and Mr Jacobs every few months.

14 **Q.** So, from the summer of 2023, increasing as the year went
15 on and into January 2024?

16 **A.** Yes.

17 **Q.** If we look at the bottom of this page, please, it then
18 sets out what we know as Project Phoenix, or the
19 difference between the Past Roles Project and Project
20 Phoenix. It says:

21 "For the avoidance of doubt, this work is not
22 concerned with dealing with any colleague in respect of
23 whom wrongdoing has been alleged. This work is about
24 the roles employees may have performed in the past and
25 not about how they may have performed those roles. If

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1 recently been appointed, probably just about a year ago.

2 **Q.** So is he a subpostmaster?

3 **A.** He is a subpostmaster. I'm not sure if he's got the
4 relevant training, expertise, to be on the panel. But
5 he is a subpostmaster.

6 **Q.** But he's not a Subpostmaster Non-Executive Director, or
7 he is?

8 **A.** No. I'm not sure why it says, "Postmaster NED" there,
9 no.

10 **Q.** He is there:

11 "To provide a postmaster's view to the panel to
12 support the decisions made with regards to the past
13 roles of each individual case and how they relate to the
14 role that the colleague currently performs for the Post
15 Office."

16 Are you aware of Elliot Jacobs being lined up for
17 that particular role.

18 **A.** Yes, initially. A discussion did take place, where
19 Elliot was told he would be on the panel but, again,
20 nothing -- nothing happened for that to be implemented,
21 unfortunately.

22 **Q.** Do you know why?

23 **A.** No.

24 **Q.** If we turn, please, to page 11, we then see a comms
25 plan, communications plan, relating to the Past Roles

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1 there are specific allegations of wrongdoing made
2 against a colleague, they should be (and in many cases
3 are being) picked up by the People team elsewhere."

4 Was that distinction between the Past Roles Review
5 and what we know as Project Phoenix, was that clear to
6 you, the difference between the two?

7 **A.** No. The point at which we got clarity was
8 February/March this year, when a specific -- there was
9 an email from Owen Woodley which was very helpful, and
10 there was a briefing from Karen McEwan, which basically
11 outlined what Past Roles was and what Project Phoenix
12 was and, prior to that, my discussions with any NEDs
13 was, again, they were slightly confused and it was all
14 part and parcel of the information that was provided to
15 the wider Executive.

16 **Q.** Do you have a view as to whether having those two
17 different workstreams is appropriate or not?

18 **A.** Yes, I think, for an investigation purpose, I feel it's
19 appropriate to split them, so we know which is in which
20 category, yes.

21 **Q.** If we turn to page 7, it sets out the panel there and,
22 on this particular document, it refers to "Postmaster
23 NED", and it has Mark Eldridge's name there. Can you
24 assist us with whom Mark Eldridge is?

25 **A.** So Mark Eldridge is the Postmaster Director, who's

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1 Project. I'd just like to react to you paragraph 3
2 under "Key themes for comms", it says:

3 "In carrying out this work we are acutely aware of
4 the duties we owe to our colleagues, and the views of
5 our trade unions. We also recognise that, in the vast
6 majority of cases, employees who have performed such
7 roles in the past will have carried out their duties
8 according to instructions given to them by the business
9 at the time, and in the belief that Horizon was robust."

10 Do you have any views on that paragraph?

11 **A.** Again, like I've said previously, I think the priority
12 is not right there.

13 **Q.** So we saw before, that reference to criticism of
14 employees being first in the list of risk.

15 **A.** Yeah.

16 **Q.** We now see the focus here on duties to Post Office
17 employees; what is your concern there?

18 **A.** The default position within the Post Office at this
19 moment in time is protect, and I think that's quite
20 clear from both documents.

21 **Q.** Thank you. Could we please move on then to POL00448309.
22 If we could start on the final page, page 4, please. So
23 we're now in February 2024, so I think this is the
24 period in which you've said this issue came to the fore;
25 is that right?

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1 A. We were pushing. We were pushing very hard.
 2 Q. I'll just read a few paragraphs. It's from Elliot
 3 Jacobs, and he says:
 4 "Dear Board,
 5 "Following on from our meeting almost 2 weeks ago
 6 where I expressed in the strongest of terms my
 7 frustration and utter disbelief that the matter of
 8 Project Phoenix was still nowhere near resolved I am
 9 concerned we have not received any update on the
 10 activity since."
 11 So this is addressing Project Phoenix rather than
 12 Past Roles?
 13 A. Right. So just to clarify, this is prior to the clarity
 14 being provided.
 15 Q. Yes.
 16 A. So we were under the impression that there was just one
 17 project, Project Phoenix, and everyone was in that
 18 specific project.
 19 Q. Thank you. The second paragraph, he says:
 20 "This is important and urgent ..."
 21 I'm going to read the third paragraph. He says:
 22 "The claim that this is 'difficult' will simply not
 23 cut it. If it was easy someone might have done it by
 24 now; but it is the fact that it is hard that we must
 25 grasp the nettle and get it done. It is both optically

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1 A. So we were referring to, for example, Stephen Bradshaw
 2 at the time, because of the evidence that was provided.
 3 That was one of the examples. Again, it was not a witch
 4 hunt at all. It was a case of individuals and -- and
 5 after this email, there was still further evidence from
 6 other individuals who weren't investigators but it was
 7 also very uncomfortable listening.
 8 Q. Listening to their evidence before the Inquiry?
 9 A. Yeah.
 10 Q. If we scroll down, he says:
 11 "We were told the committee was due to meet last
 12 week, but I am not aware of any outcome from that
 13 meeting -- I would be grateful of an update on that
 14 meeting and the decisions that came from it ..."
 15 If we scroll up, please, from page 2, you have the
 16 response from Owen Woodley and I think this was the
 17 response you were referring to before. If we scroll
 18 down, thank you. He says:
 19 "Here is an update from the business, Elliot and
 20 Board ...
 21 "As a reminder, we have two separate programmes of
 22 activity under way which Karen is overseeing for us.
 23 One is 'Project Phoenix' and the other is 'Past Roles'.
 24 These programmes are doing separate activities overseen
 25 by separate panels to determine appropriate action. The

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1 and morally wrong that this has not been dealt with
 2 before. This is not a 'witch hunt' (as it has been
 3 verbalised previously ..."
 4 Just pausing there, do you know who referred to it
 5 as a "witch hunt"? We can ask Mr Jacobs tomorrow, so it
 6 doesn't matter if you don't know.
 7 A. It did come to one of the Board meetings and I can't
 8 remember but -- I do remember the phrase but I don't
 9 remember who used it.
 10 Q. "... this is about making certain the culture and
 11 frankly the future of the business is not mired in the
 12 wrongdoing of bad people who do truly awful things some
 13 of whom -- to this very day -- believe they did the
 14 right thing!"
 15 Was there anybody that you're aware of that
 16 Mr Jacobs had in mind; was this something that was
 17 drafted between the two of you?
 18 A. Yes, yes.
 19 Q. Did you have anybody in particular in mind, in respect
 20 of that sentence that I've just read?
 21 A. Some of the investigators that are still within the
 22 business.
 23 Q. Those who are still investigating or not?
 24 A. Their job title has been changed but --
 25 Q. Do you have anybody in particular in mind?

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1 panels are not decision making fora on individual
 2 employment cases. Any actions required on individuals
 3 on the back of the panel recommendation are then managed
 4 separately as part of a relevant employment process.
 5 "Project Phoenix is a review of all historical
 6 investigations where allegations have been made by
 7 postmasters of wrongdoing on the part of Post Office
 8 and/or Post Office employees (both current and past) as
 9 part of the public Inquiry Human Impact Hearings."
 10 Just pausing there, do you know why the
 11 investigation into wrongdoing by members of the
 12 investigations team did not begin until the Public
 13 Inquiry's Human Impact Hearings?
 14 A. Because there was no real urgency within the business to
 15 deal with this. Unfortunately, it's been -- some of the
 16 issues the organisation has been dealing with have been
 17 Inquiry led, and then that's -- that's the reality.
 18 When it came to that -- the email prior to this, that
 19 Mr Jacobs sent, one of the frustrations we had was we
 20 are Non-Executive Directors, yes, but we are also
 21 postmasters, and I've attended the Inquiry a lot, and
 22 seen people like Jo Hamilton, Seema Misra and seen how
 23 they were treated, and seeing what they went through,
 24 how are postmasters treated the way they are by this
 25 organisation and why are employees getting a better

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1 deal? That's what it felt like.

2 And, again, to emphasise, this was not a witch hunt.
3 This was just parity. The postmasters were not given
4 enough time, were not given a chance to defend
5 themselves. They are suspended immediately if there's
6 any discrepancies within their branches but, yet, nobody
7 seems to be suspended when even investigations are still
8 ongoing, when it came Phoenix or Past Roles. So it was
9 very frustrating.

10 **Q.** The email continues:

11 "Chris represents SEG on the Phoenix panel and I'm
12 sure he would confirm that he and the panel fully grasp
13 the importance of what they are dealing with.

14 "Past Roles is a review of any current employee who
15 may have previously undertaken a role in the past --
16 between 1999 and 2017 -- related to the subject of the
17 Public Inquiry. This is to ensure that they create no
18 conflict and pose no risk to either the integrity and
19 independence of work being done now, or to
20 postmaster/public confidence in that work."

21 If we scroll up, please, to page 1. We have at the
22 bottom a response from Karen McEwan the Group Chief
23 People Officer. She says:

24 "We have Nic Marriott [and she gives some further
25 names] all supporting Chris (on Phoenix) and Sarah

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1 discovered was the approach they were taking for the
2 last couple of years was actually wrong. So this was
3 really disappointing and really frustrating for the
4 Board. As you've said, our understanding was this is
5 a high priority. How can you say it's the highest or
6 a very high priority but not have the correct plan in
7 place to be fair to the employees, and a proper strategy
8 to deal with the issue?

9 **Q.** It's the first reference that's been made in Phase 7 to
10 "NBIT". Can you previously tell us what NBIT is?

11 **A.** That's the New Branch IT System.

12 **Q.** So Mr Brocklesby, who was responsible for that new
13 system, was also spending his time on the Past Roles
14 Project; is that right?

15 **A.** Yeah, which just seemed very bizarre to myself and
16 Mr Jacobs.

17 **Q.** If we scroll up, we have the response from Mr Jacobs.
18 We'll be hearing from him tomorrow but can you assist us
19 with your views on what is said here. He says:

20 "In case it would seem that I'm implying due process
21 and rigour should not be applied, for the avoidance of
22 doubt, I am not saying that.

23 "I do not deny the importance of that -- we know
24 this organisation has failed horrifically in doing that
25 before!

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1 Gray's team (Past Roles). They are three of our most
2 capable members of the People team, with significant ER
3 experience. This is our highest priority and is, as you
4 point out, very complex and time consuming."

5 In your view, was it the highest priority?

6 **A.** From my observations, we were being told that it's
7 a priority but it didn't feel like it was, and
8 I remember Mr Jacobs raising a point about Chris
9 Brocklesby being on this panel. He was brought in to
10 look after NBIT, and Mr Jacobs said, "Well, why are we
11 not utilising his expertise where it needs to be?
12 Surely he's wasted on this panel". But it was
13 a scenario where the business said, "We'll look into
14 it".

15 And just to provide a little bit more context to
16 this email, regarding Sarah Gray's team, Sarah Gray is
17 the Interim General Counsel, at this moment in time.
18 They have had this project since, we saw on the previous
19 document, December '22. They weren't fully aware, from
20 my understanding and my observations, until myself and
21 Mr Jacobs came to the Inquiry in March '23, and I just
22 don't feel the Board have got confidence in that Legal
23 Team.

24 And when it came to April '24, our Legal Team then
25 went to get legal advice and what they found out and

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1 "It does however seem odd that not a single one is
2 suspended whilst this is ongoing? Why is that? We seem
3 to suspend people on a regular basis when investigations
4 are ongoing? Why not on this matter?

5 "And is redeploying really the only solution? How
6 does that fix the culture challenge we have here?

7 "I think further Board discussion and ongoing update
8 on this is vital."

9 Were those views that you shared?

10 **A.** Correct.

11 **Q.** Could we please turn to POL00448649, please. We're now
12 in April 2024 and this is a meeting of the Board. We
13 have Ben Tidswell, there as the Senior Independent
14 Director but also the nominated Chair of that meeting;
15 is that because there wasn't, at that point, a Chair?

16 **A.** Correct. Henry Staunton was sacked towards the end of
17 January, so Ben took over as chair until we found a new
18 Chair.

19 **Q.** We have you there listed as Non-Executive Director. We
20 have Mr Read in attendance as the Group Chief Executive
21 Officer, and we have also possibly a relevant name for
22 the material that we'll be looking at, Nicola Marriott,
23 the HR Director, as one of the attendees.

24 Could we please turn over the page and there's
25 a section on the past roles review. So was this the

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1 first opportunity when this matter was discussed after
 2 Mr Jacobs's email, at a Board meeting?
 3 **A.** Yes, to the best of my knowledge.
 4 **Q.** So we have there "NR", Mr Read. He introduced the
 5 matter. The second bullet point:
 6 "[He] summarised the new categorisations and
 7 employee populations under review:
 8 "In respect of category one, comprising 5 current
 9 employees due to give evidence at the Inquiry within
 10 Phases 5 and 6, a consistent approach was required in
 11 respect of these individuals ahead of and after the
 12 Inquiry to prevent conflicts arising;
 13 "The second category (previously known as Past
 14 Roles) involved reviewing all current employees within
 15 the Remediation Unit prioritising those who undertook
 16 activity relating to the subject matter of the Inquiry
 17 in past roles ..."
 18 Then you have a third category which:
 19 "... included and expanded on the scope of Project
 20 Phoenix and would focus on addressing any misconduct
 21 allegations arising against current police as a result
 22 of evidence given at the Inquiry in later Phases, in
 23 addition to evidence provided at the Human Impact
 24 Hearings."
 25 So it seems as though the scope of Project Phoenix,

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1 employee misconduct allegations. These meetings had
 2 taken a significant amount of time to arrange, and it
 3 was not until February 2024 that the first meeting with
 4 an affected postmaster had occurred."
 5 We then reach the point at which you address, or are
 6 recorded as addressing, the Board. "SI" is yourself.
 7 It says you:
 8 "... queried why [Stephen Bradshaw] had not been
 9 suspended. [You were] advised that the approach taken
 10 was to let the misconduct process and the investigation
 11 reach conclusion; to suspend otherwise was considered
 12 very high risk from an employment law perspective.
 13 [You] expressed [your] views on this approach and
 14 advised that [you were] receiving comment in from
 15 postmasters who were concerned that [Mr Bradshaw]
 16 remained in the business. [You] shared [your] view that
 17 this was a cultural issue and the Company could not move
 18 on until individuals in this category exited the
 19 business."
 20 Just pausing at that point, can you expand upon your
 21 views there?
 22 **A.** I was getting several postmasters still contacting me
 23 from a business as usual perspective, saying why is
 24 Steve Bradshaw still working within the Post Office?
 25 And my response was: the business is dealing with it.

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1 by this stage, had expanded to go beyond the evidence
 2 that was heard at the Human Impact Hearings; is that
 3 right?
 4 **A.** Yes.
 5 **Q.** "[Mr Read] outlined the population and noted that the
 6 population could increase with other current employees
 7 potentially coming within scope for investigation as
 8 a result of evidence heard in Phases 5 and 6;
 9 "[Mr Read] emphasised the need for a consistent and
 10 fair approach as well as acting quickly. [Mr Read] also
 11 noted the value of documents disclosed to the Inquiry
 12 and that these potentially could be utilised to assist
 13 with consistency of approach ..."
 14 The next paragraph, we now get to Nicola Marriott:
 15 "[Nicola Marriott] advised that she wished to
 16 provide the Board with an update on the current status,
 17 work undertaken to date and take the Board through the
 18 proposed next steps. [She] reiterated the 3 categories
 19 and the employee populations within these. [She] spoke
 20 through all the work undertaken in relation to Project
 21 Phoenix noting the evidence [collected]", and she gives
 22 various figures there.
 23 "There had been delays as the ACI team wished to
 24 engage with the postmasters who have provided evidence
 25 at the Human Impact Hearings that had led to the current

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1 And when, obviously, questioning Nicola Marriott about
 2 it, the approach was to ensure the Post Office is not
 3 exposed to any high-risk employment issues and,
 4 unfortunately, that was the approach that we had to go
 5 with because that's what HR were doing, and they were
 6 responsible for the project.
 7 For me, what was really important was this business
 8 moves forward and, from a cultural perspective to --
 9 from within the organisation but also to get postmasters
 10 back onside, it was really important the business moved
 11 on and, unfortunately, this business redeploys,
 12 recycles, there's very -- it's disappointing when
 13 individuals need to be exited and they are not exited,
 14 and, again, I'm not singling Steve Bradshaw out at all,
 15 I'm talking generally on both projects.
 16 **Q.** "[Ms Marriott] took the point however advised that in
 17 the ongoing investigation into [Mr Bradshaw] no evidence
 18 had been found to support the allegations and there was
 19 no evidence to date of gross misconduct. The Chair
 20 pointed out that there was the evidence the postmasters
 21 had provided in the Human Impact Hearings, so caution
 22 against the position of stating there was no evidence to
 23 support the allegations. The Chair noted that the
 24 investigations being conducted were internal and queried
 25 if there should be external assurance conducted to

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1 validate the approach taken ..."

2 What's your view on external assurance in relation

3 to this project?

4 **A.** I was in agreement with the Chair. I think the project,

5 from what I saw since March '23, it just -- there was

6 a lot of the wider Executive mentioning things are going

7 on, "We are doing investigations", but there was no

8 hard facts in terms of where the investigations were

9 leading. So, if we did go external, it probably would

10 have been executed a lot quicker in terms of a project.

11 **Q.** It says there:

12 "[You] referenced the meetings with postmasters who

13 had made allegations against [Mr Bradshaw] and queried

14 the level of explanation provided regarding the

15 investigation process. [Ms Marriott] noted the

16 employer's duty to protect an employee; in light of this

17 the approach advised to postmasters had been more

18 general. [You] queried whether the process could be

19 simplified. [She] advised [you] that engagement had

20 been had with postmasters via their legal advisers as

21 this is how the postmasters had advised that they wished

22 to be engaged. [You] queried whether there was

23 a timescale for conclusion of the investigations. [She]

24 replied that the team had not wished to push too hard

25 given the sensitivities for postmasters in recounting

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1 audits, et cetera, because of the work that needed to be

2 covered for the Historic Shortfall Scheme; is that

3 right?

4 **A.** That's correct.

5 **Q.** What's your view on that?

6 **A.** Disappointing, and we did express, myself and Mr Jacobs,

7 disappointment because, like I said previously, for the

8 organisation to move on, we both believed decisions

9 needed to be made on these individuals who were in

10 Phoenix and Past Roles.

11 **Q.** Thank you. If we turn over the page I'm just going to

12 read a few more passages from these minutes.

13 The first bullet point there:

14 "[Ms Marriott] detailed the proposed approaches in

15 relation to the different employee populations within

16 category 2, noting the benefits and risks involved. For

17 the 23 'red' employees, it was proposed that

18 a referencing exercise was run to understand the

19 appetite for voluntary redundancy or redeployment."

20 Can you assist us with who the "red" employees were?

21 **A.** They were the high-risk --

22 **Q.** Not their names, just --

23 **A.** No, they were the high-risk employees.

24 **Q.** Thank you. If we scroll down, we have there, we can see

25 on the right-hand side, about halfway down, it involves

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1 events. That said, engagement with all the postmasters

2 who had made allegations in relation to [Mr Bradshaw]

3 were due to be completed by the end of June. The team

4 was similarly looking to complete meetings with

5 postmasters in relation to other cases."

6 Broadly, were you satisfied with that explanation?

7 **A.** No. However, there was no other choice. It was one of

8 them situations where, unfortunately, we had to let the

9 process do what it has to do with the right people

10 dealing with it, for example in this case Nicola

11 Marriott, and we had to let the process happen. There

12 was no way of us getting it done any quicker.

13 **Q.** Moving on to the Past Roles Project, it says there:

14 "The Chair asked [Ms Marriott] to provide an

15 overview of category two. [She] spoke through the

16 category outlining the work that had been undertaken to

17 assess for conflicts arising from the roles associated

18 with the activity covered by the Inquiry and current

19 roles and detailed the employee population that this

20 work had identified. [She] noted proposed restructuring

21 however this had not been actioned due to the need to

22 retain the workforce given the high number of new

23 applications to the [Historic Shortfall Scheme]."

24 So it seems there that some individuals weren't

25 redeployed who had been involved in investigations or

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1 you again:

2 "SI queried whether redeployment was appropriate for

3 'red' individuals within this population as opposed to

4 exiting these individuals from the bid. [Mr Jacobs]

5 agree with [you] that redeployment was not appropriate

6 for individuals classified as 'red'. There was

7 discussion regarding how the proposed approach would be

8 executed with [Mr Jacobs] querying whether the exercise

9 could be conducted one time and once and the Chair

10 querying the continuation of this population in the

11 business during the consultation period. [Ms Marriott]

12 reminded the Board that there were no allegations of

13 wrongdoing in respect of the 'red' population within the

14 Remediation Unit and that this group were 'red' only

15 because they undertook roles historically linked to the

16 subject of the Inquiry."

17 What is your view as to the redeployment of those

18 red individuals?

19 **A.** I wasn't happy, hence why I ensured I told the Board of

20 my view.

21 **Q.** Why do you hold that view?

22 **A.** Because I just don't feel it's appropriate for the

23 individuals who were in the "red" category to be,

24 firstly, within the business, and I feel it's an insult

25 that they were in the Remediations Unit.

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1 Q. That unit in particular?
 2 A. Yes.
 3 Q. Because of the work that they do with subpostmasters
 4 and –
 5 A. Correct. So a postmaster who was potentially
 6 terminated, wrongly prosecuted, has then got
 7 an individual who potentially has done all that damage
 8 to them and their life, then giving them the
 9 compensation. That just does not sit well with me.
 10 MR BLAKE: Sir, I see time is running on.
 11 SIR WYN WILLIAMS: Yes.
 12 MR BLAKE: I think we can return to this document after
 13 lunch. So perhaps we'll take the lunch break now.
 14 SIR WYN WILLIAMS: Fine. What time shall we resume?
 15 MR BLAKE: If we come back at 2.10.
 16 SIR WYN WILLIAMS: Fine.
 17 (1.09 pm)
 18 (The Short Adjournment)
 19 (2.10 pm)
 20 MR BLAKE: Thank you.
 21 If we return to that document that we were on before
 22 the lunch break and page 4, thank you very much. This
 23 is the Board minutes of 29 April this year. Can we
 24 scroll down to the bottom, please. Halfway down that
 25 final bullet point, we have Lorna Gratton sharing her
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1 role and, for me, I think the notes, the minutes are
 2 quite clear. We had, for myself and Elliot, both of us
 3 were getting a lot of communication and text messages,
 4 various conversations with postmasters sharing concerns
 5 regarding some of the previous revelations throughout
 6 the Inquiry, and what we did at this specific Board
 7 meeting was express them concerns.
 8 Q. Are you concerned about any matters there in terms of
 9 those individuals in particular?
 10 A. In what respect, sorry?
 11 Q. Was action subsequently taken in that respect; are you
 12 aware of any action being taken?
 13 A. Not to the level that postmasters were expecting, and
 14 I don't feel, from what I observed, and still seen
 15 whilst being on the Board, that it was to the level the
 16 Board were expecting, and I've not been given any
 17 further information on Ms Corfield. Regarding Tracy,
 18 a postmaster, even after this, contacted me, advising me
 19 that she had been visiting his branch.
 20 So, again, I'm not sure how this has been executed
 21 because clearly there's been some miscommunication at
 22 some point.
 23 Q. Thank you. If we scroll down, we can see the Board
 24 resolved to take number of different actions. First
 25 was:

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1 preference that employees who were within the wider
 2 business who were found to be "red" be offered voluntary
 3 redundancy.
 4 You agreed, and the Chair confirmed that there were
 5 no objections to that approach.
 6 If we scroll over the page, please, to the second
 7 bullet point, it says there:
 8 "Information arising from the Inquiry in respect of
 9 T Marshall and M Corfield was discussed."
 10 This is, again, a reference to you sharing:
 11 "... the concerns expressed by postmasters of
 12 T Marshall remaining in her current post. The Chair
 13 shared his expectation that these employees would come
 14 out of the business at this time, if the material
 15 warranted that. [You] agreed with this as did OW [Owen
 16 Woodley] and it was confirmed ... that T Marshall coming
 17 out of the business was presently being considered.
 18 [Mr Woodley] confirmed that if there were issues
 19 employees would be taken out of the business until the
 20 end of the Inquiry ..."
 21 Can you assist us there with your views as expressed
 22 there?
 23 A. So firstly, regarding Tracy Marshall, she wasn't
 24 actually taken out of the business. She was only taken
 25 out from the postmaster engagement aspect of her job
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1 "The proposed approach as set out in the paper in
 2 relation to category 1 employees", that was approved.
 3 "Subject to the Board being provided with details of
 4 and being satisfied as to costs and funding, the
 5 proposed approach as set out in the paper in relation to
 6 category 2 employees be and is hereby APPROVED, save
 7 that the 23 employees with the red categorisation would
 8 in preference exit the business rather than be
 9 redeployed ..."
 10 So it looks as though one of the resolutions from
 11 this particular meeting was a change in respect of those
 12 who had been categorised in the red categorisation; is
 13 that right?
 14 A. Yes.
 15 Q. Then third:
 16 "The proposed approach as set out in the paper in
 17 relation to category 3 employees [was] APPROVED however
 18 with any investigations conducted following the
 19 conclusion of the Inquiry."
 20 Thank you. That can come down.
 21 Can you assist us with which team within the Post
 22 Office carries out these investigations?
 23 A. Into employees?
 24 Q. Yes.
 25 A. So it's the panel that the Post Office has put together,
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1 and then, beyond that, we're not really told -- I've not
 2 been told specifically who is doing what investigations.
 3 We get a high level overview as provided by Karen, Owen,
 4 and Nicola and that's it. There's never any real detail
 5 given or "An investigation hearing is happening on XY
 6 date", we don't really get provided with anything like
 7 that. So it's a case of the Post Office conducting the
 8 investigation on the Post Office's terms and then the
 9 Board basically being given that information by the
 10 wider Executive.

11 **Q.** Are there members of the Investigations Team carrying
 12 out those investigations?

13 **A.** I wouldn't know. I'm not privy to that information.

14 **Q.** Do you have any concerns about the fact that those
 15 investigations are being carried out internally?

16 **A.** Yes.

17 **Q.** Why?

18 **A.** Because, for me, and as I've said in my statement,
 19 I believe the investigation process within the Post
 20 Office is flawed, the whistleblowing process I also
 21 believe is flawed, and then when we appointed the
 22 current Whistleblowing Champion to the board, Amanda
 23 Burton, prior to her appointment as the Whistleblowing
 24 Champion and RemCo Chair, I raised serious concerns
 25 because she had been on the Board of two previous

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1 level, and I accept that, and there's more
 2 responsibility that's got to be taken from the wider
 3 Executive level, and culture is owned ultimately by the
 4 Executive because they are responsible for the
 5 day-to-day practices that go on within the business.

6 **Q.** Thank you. Could we please turn to POL00448298. If we
 7 look at page 3, please, we're going slightly back in
 8 time. This was an email exchange that came just before
 9 that Board meeting, so the Board minutes were 29 April.

10 This is an email from Mr Jacobs to members of the Board.
 11 Did you have input into this correspondence?

12 **A.** Yes, we did work on emails together, myself and
 13 Mr Jacobs.

14 **Q.** Thank you. It says:

15 "Dear Members of the Board,

16 "We are writing to you today with an urgent and
 17 deeply troubling concern that demands our immediate
 18 attention and action.

19 "This follows on the previous emails and requests
 20 [and you've highlighted there the number of requests] --
 21 all of which have failed to result in any outcomes
 22 beyond confirming we have 6 staff members classified as
 23 Phoenix and 127 in Past Roles."

24 You then, if we scroll down, address the further
 25 revelations that have occurred at the Inquiry,

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1 organisations who had major governance and compliance
 2 issues.

3 But we still went ahead and appointed her and, for
 4 me, that was really disappointing. And when I've got --
 5 when I'm having discussions with female staff members
 6 regarding investigations and one female staff member
 7 approached me and said -- she basically went through
 8 a sequence of events that happened to her, and I said,
 9 "well, why don't you speak up? Put it through
 10 whistleblowing", and she basically said to me "Saf, how
 11 can I do that?", and I said, "What do you mean?"

12 And she goes, "If this organisation do what they
 13 did, to me, with the highest-ranking female, who was
 14 Jane Davies as a whistleblower, publicly exposing her in
 15 a Business and Trade Select Committee hearing, and she
 16 then loses her job, what chance have I got?"

17 And it was really, really difficult and, sorry, just
 18 to finish this answer, when you see the Post Office
 19 employee surveys, which have been provided to the
 20 Inquiry, and you see one in three women have received
 21 unwanted comments, it's really disappointing that this
 22 culture persists within this organisation.

23 **Q.** Where do you see responsibility for that lying?

24 **A.** It starts from the top. So there's certain
 25 responsibility for that that's got to be taken at Board

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1 including:

2 "... individuals responsible for postmaster
 3 engagement today knew about remote access since 2011,
 4 yet chose to remain silent ..."

5 You say it is:

6 "... a damning indictment of their character and
 7 integrity."

8 Further on:

9 "It is unacceptable that individuals within our
 10 business continue to hold positions of influence",
 11 et cetera.

12 If we scroll up, we can see the response from Lorna
 13 Gratton of UKGI, she says:

14 "I share your concerns on this -- though I thought
 15 we had time to discuss as a Board at 6.00 pm on Monday
 16 (after the GT discussion meeting)?"

17 There was a discussion at this Board meeting that
 18 we've just been seeing about it, I think it's a Grant
 19 Thornton report; is that correct?

20 **A.** Yes.

21 **Q.** Was it your understanding, at the point in time in which
 22 this email was sent, that the Grant Thornton discussion
 23 was to come first in that Board meeting, or prior to the
 24 discussion about Past Roles and Phoenix?

25 **A.** Sorry, can you just repeat the question?

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1 Q. Absolutely. So the question here was that the Grant
 2 Thornton discussion meeting was going to take place
 3 first --
 4 A. Yes, that's correct.
 5 Q. -- is that your recollection?
 6 A. Yes.
 7 Q. If we scroll up, we can see a response from Mr Jacobs.
 8 He says:
 9 "The [Grant Thornton] report is about governance ...
 10 this is a KEY governance issue. It worries both Saf and
 11 I that the Board can convene on a discussion on a report
 12 from an external firm but not actually get one from our
 13 own business ... Perhaps this is why an external review
 14 is necessary into this entire matter?"
 15 If we scroll up, we can see Mr Read's response:
 16 "Be assured we are all troubled by the appalling
 17 developments and revelations that are emerging at the
 18 Inquiry ...
 19 "... we have not been as forthright in our actions
 20 as many would have liked ... this is because it is not
 21 straightforward."
 22 If we scroll up, Mr Tidswell says:
 23 "It is on the agenda for Monday (and has been since
 24 you raised it last week). We will deal with it first,
 25 to make sure there is sufficient time to discuss.

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1 who were lawyers probably understand why things are
 2 taking a bit longer but for -- definitely myself,
 3 Mr Jacobs and, at the time, Henry Staunton, and there
 4 was a -- I can't remember -- Henry Staunton as well,
 5 yes, definitely and a few of the other NEDs have also
 6 expressed concerns as to the speed and space at which
 7 this is being executed?
 8 Q. I'd like to look at one particular example that might
 9 assist you with the issue of redeployment within the
 10 Post Office. Could we please turn to POL00329521.
 11 This is correspondence that the Inquiry has seen in
 12 a previous phase. If we start on the bottom of page 2,
 13 please, this is correspondence from Mr Posnett to people
 14 who were part of historic investigations, and he says --
 15 this is 21 April 2015, so sometime ago now:
 16 "Please note the cases below and whether you were
 17 a Criminal Investigator or Financial Investigator. Can
 18 you let me know whether you have any hard copy or
 19 electronic copy documents, emails, evidence, etc, or
 20 indeed any information relating to the cases detailed."
 21 It sets out there a number of cases, referred to as
 22 "historic investigation cases".
 23 If we scroll up, please, we have Mr Thomas saying:
 24 "Dear Mr Posnett
 25 "I am pleased to advise you that I do still have the

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1 I think your concerns are widely shared across the
 2 Board."
 3 So it seems as though, following representations
 4 made by you and Mr Jacobs, that the matter was given
 5 greater prominence at Board level; is that right?
 6 A. That's correct.
 7 Q. Do you think there was sufficient attention drawn to it
 8 by 29 April?
 9 A. Not sufficient to what I would expect because I don't
 10 think, from my time, deep with regard to -- with regards
 11 to dealing with this matter, that the other independent
 12 NEDs understood how much discontent this was creating
 13 within the postmaster community.
 14 Q. Are you satisfied with how those matters are going now,
 15 as at the present date?
 16 A. No, because I still feel they should be done by
 17 an external organisation.
 18 Q. In terms of the length of time, who do you consider is
 19 responsible for the length of time that those projects
 20 have taken?
 21 A. The Legal Team, which the Board just do not have
 22 confidence in.
 23 Q. When you say the Board: the majority of the Board, all
 24 of the Board, some of the Board?
 25 A. Some of the Board. I think the individuals on the Board

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1 electronic documents relating to the Astwood Bank &
 2 Priory Road cases."
 3 If we scroll up, we have Mr Graham Ward, who says:
 4 "Why are you pleased ... you have breached the DPA
 5 [Data Protection Act] as you should have deleted them
 6 years ago [smiley face]."
 7 If we scroll up, please, we have Mr Thomas'
 8 response, and he says:
 9 "Because I want to prove that there is FFFFiiiiinnn no
 10 'Case for the Justice Of Thieving Sub Postmasters' and
 11 that we were the best Investigators they ever had and
 12 they were all crooks!! Oh and we never hit our [Post
 13 Office] profit targets any more as we stopped getting
 14 £XX million pounds in recoveries from bloody good
 15 financial recoveries through my good friends Ward,
 16 Harbinson, Posnett and the like!!
 17 "End of Rant!! Hence why Scott had to get rid of us
 18 cos we is right and spoke out!!! Power To The People
 19 Wolfie Smith!!"
 20 If we scroll slightly up, we have the response from
 21 Mr Ward:
 22 "I will be right if I get VR [I think that's
 23 voluntary redundancy] ... I fear the 2 years currently
 24 on offer may not be there next time!"
 25 Looking at this as an example, do you have concerns

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1 about individuals who previously worked in the
 2 Investigations Team currently working within the
 3 business, irrespective of whether there is a specific
 4 allegation or evidence of specific wrongdoing against
 5 them?
 6 **A.** Yes.
 7 **Q.** Why?
 8 **A.** I just don't feel it's right, morally, that they should
 9 be in that position, and with these individuals when
 10 I was reading the bundle that was sent to me, I was
 11 stunned when I saw this email. And this is evidence
 12 that we've got, there's obviously evidence -- we don't
 13 know what we don't know -- and my concerns are, for
 14 example, redeployment and VR, which has resulted in
 15 a lot of rehiring again, that it's a gravy train.
 16 People just board it again and again when they feel like
 17 it, and that cannot happen. And that's really
 18 disappointing.
 19 **Q.** Are you aware of individuals who were in the
 20 Investigation Team? So if we scroll over to page 2,
 21 thank you, we have all of those recipients of that
 22 email. Are you aware of those -- any of those
 23 individuals or those who worked closely with them still
 24 in roles within the Post Office?
 25 **A.** The Post Office has got 3,500 employees and 7,000

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1 We're now going to move on to a new topic, although
 2 related, and that's what we know as Project Pineapple.
 3 In your statement at paragraph 274 onwards, you've
 4 discussed three events that you say you considered to be
 5 of relevant wider context. The first of those is
 6 a letter sent by the CEO to the Lord Chancellor, and
 7 perhaps we can bring that up onto screen. That's
 8 POL00448381. This is a letter dated 9 January this year
 9 from Mr Read to the then Lord Chancellor, and it begins:
 10 "As you give urgent consideration to the [scandal]
 11 as to whether and how the process for appeals against
 12 convictions flowing from the Horizon IT Scandal can be
 13 accelerated, you should be in no doubt of today's Post
 14 Office's determination to ensure that proper redress is
 15 achieved for all those affected by the business's
 16 abysmal behaviour over the relevant time period. We
 17 are, individually and collectively, working as hard and
 18 as quickly as we possibly can to get compensation to
 19 those affected, to support the Inquiry, and to provide
 20 ministers and officials in our sponsoring Department
 21 with whatever assistance they require."
 22 Had you seen this letter before it was sent to the
 23 Lord Chancellor?
 24 **A.** No. Nobody on the Board had seen this letter, to my
 25 knowledge.

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1 postmasters. It's very difficult for me to know who
 2 knew who on this email trail unfortunately.
 3 **Q.** I think one of your concerns is that those who worked in
 4 roles that are relevant to the matters being
 5 investigated --
 6 **A.** Yes.
 7 **Q.** -- by the Inquiry are still in some roles?
 8 **A.** Yes.
 9 **Q.** Do you know numbers or proportions or anything along
 10 those lines?
 11 **A.** We're not privy to that information. We were never
 12 given a specific breakdown, unfortunately.
 13 **Q.** Thank you. On a totally different topic, it's staying
 14 with this email, if we turn to the first page, please.
 15 On the topic that is raised in the bottom email on that
 16 page, the potential targets or potential bonuses paid to
 17 Investigators, was that ever anything that was discussed
 18 at Board level, from your recollection?
 19 **A.** To specific Investigators? There was, I think, earlier
 20 this year, maybe January, February time, where concerns
 21 were raised after Mr Bradshaw's evidence about where
 22 some of the funds -- recovered funds had got to but
 23 never a discussion regarding bonuses paid for recovering
 24 debts from innocent postmasters.
 25 **Q.** Thank you. That can come down, please.

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1 **Q.** So it hadn't been raised at Board level officially?
 2 **A.** No.
 3 **Q.** I'll take you to the third paragraph, and I'll just read
 4 that paragraph. It says there:
 5 "In an effort to fast-track the appeals process
 6 ourselves and to encourage people to come forward, we
 7 asked our external legal advisers, Peters & Peters,
 8 together with Simon Baker KC and Jacqueline Carey KC to
 9 undertake a review of all our historic prosecutions.
 10 The aim of the exercise was to identify potential
 11 appeals against convictions which, following the
 12 judgment in Hamilton, we would be highly likely to
 13 concede in Court. This has enabled us to write,
 14 proactively, to a further 30 potential appellants in
 15 addition to the 142 resolved cases and the five awaiting
 16 consideration, encouraging them to mount an appeal, have
 17 their convictions quashed, and obtain appropriate
 18 compensation."
 19 So the test there in that particular paragraph seems
 20 to be those that would be highly likely to be conceded
 21 in court. Was that your understanding of that
 22 particular category?
 23 **A.** Yes.
 24 **Q.** Second, it says:
 25 "A natural corollary to this exercise has been to

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1 identify those cases in which, on the information
 2 available to us and following the judgment in Hamilton,
 3 we would be bound to oppose an appeal. Typically, these
 4 cases involve convictions obtained by reliance on
 5 evidence unrelated to the Horizon computer system. The
 6 number of such cases is very much more significant, at
 7 369, with a further 11 still under review. There are
 8 another 132 in which we cannot determine the sufficiency
 9 of evidence without more information. This clearly
 10 raises acute political, judicial, and communications
 11 challenges against the very significant public and
 12 Parliamentary pressure for some form of acceleration or
 13 bypassing of the normal appeals process."

14 So pointing out there that there is a very much more
 15 significant number of cases that don't fall within that
 16 first category.

17 What is your view as to what's written there?
 18 **A.** For me, this entire document was very disappointing
 19 because it highlights that the culture, unfortunately,
 20 within the organisation still has not changed at all and
 21 it's saying, again, the reason why these postmasters
 22 have not come forward is because they are guilty, and
 23 that point was raised at Board, and in a private
 24 NED-only meeting, which is not minuted, and the Board
 25 was disappointed with this lack of judgement in sending

1 **Q.** Can you give us an indication as to the strength of
 2 feelings that was expressed at that Non-Executive
 3 Director meeting?
 4 **A.** I think one of the NEDs said it was careless; another
 5 individual said it was a lack of judgement. There was
 6 definitely a feeling of disappointment but, again, it
 7 felt like the Post Office of the past, which is trying
 8 to close rank and protect itself, whereas being open and
 9 honest about what's happened and what's going on would
 10 have been a much more helpful position to move forward.

11 **Q.** That can come down. That was the first event that is
 12 set out in your statement.

13 The second concerns the use of the term
 14 "untouchables". The Inquiry can't look into what was or
 15 wasn't said at a Parliamentary committee, so I'm not
 16 going to address that particular aspect of it. But can
 17 you assist us with who used the term "untouchables"?

18 **A.** The CEO, Nick Read.

19 **Q.** When was that?

20 **A.** On 18 January, at a NED-only session, I think, at 2.30
 21 in the afternoon, and also in a Board meeting towards
 22 the end of '22 and '23.

23 **Q.** What did you understand that term to mean or to have
 24 been used?

25 **A.** That was in relation to certain individuals within the

1 this letter out.

2 And from the discussions that we had as a Board, the
 3 Chair was going to speak to the CEO, Nick Read, about
 4 the letter.

5 **Q.** So this letter is 9 January.

6 **A.** Mm-hm.

7 **Q.** Can you assist us with approximately that Non-Executive
 8 Director-only meeting took place, was it shortly after?

9 **A.** It was a private meeting. It was in January before
 10 Mr Staunton was dismissed.

11 **Q.** Who was in attendance, all of the Non-Executive
 12 Directors, some of them?

13 **A.** It was open to all the Non-Executives, but I couldn't
 14 tell you if someone gave their apologies but --

15 **Q.** Was Mr Staunton there?

16 **A.** Mr Staunton was there.

17 **Q.** The letter then says:

18 "We make absolutely no value judgement about what
 19 you and your colleagues determine as the right course of
 20 action, but consider it essential for you to understand
 21 the very real and sensitive complexities presented each
 22 case."

23 Would you have expected a letter like this to have
 24 been considered at Board level?

25 **A.** Yes, 100 per cent.

1 organisation, for example the Investigators, the Legal
 2 Department, individuals within the Legal Team, the
 3 Retail Team.

4 **Q.** Why did you understand that term to have been used?

5 **A.** Because they're untouchable. There's no accountability
 6 for them. And, from what we had seen -- what I had
 7 seen, what Mr Jacobs had seen -- since we'd joined the
 8 Board, it was clear that it took -- to me certainly, it
 9 did feel like there were, potentially -- they were
 10 untouchable because there'd been complaints, there'd
 11 been various points where, for example, on the Legal
 12 Team side, on the Past Roles side, it just wasn't moving
 13 quick enough, and there was no performance management,
 14 no accountability.

15 **Q.** Can you assist us with how that term was used? Is it
 16 saying that they have been untouchable but we're going
 17 to be taking action or was it that they are untouchable
 18 or they should be untouchable?

19 **A.** They are untouchable.

20 **Q.** Was a reason given for that?

21 **A.** No.

22 **Q.** That's the second event. You've said that there was
 23 a third event, which was discussions regarding
 24 individuals still working in the business; is that the
 25 Project Phoenix and Past Roles matter?

1 A. No, not necessarily just that. So there was concerns
 2 raised about the Retail Team, and when we appointed
 3 a Chief Retail Officer, Martin Roberts, two or three
 4 months after his appointment, the wider Executive and
 5 also the CEO, they were all saying the same thing, that
 6 "He's not good enough for the role. It's not the level
 7 we expect".

8 And myself, Mr Jacobs and other individuals
 9 within -- on the Board, we were looking at specific
 10 datasets. So when we said, "What are the Retail Team
 11 doing, they're not engaging with the postmaster NEDs,
 12 how do we measure success?" So we looked at the
 13 postmaster surveys. There's been plenty of time that
 14 they've had to implement and get things moving in the
 15 right direction, but they weren't, and they were getting
 16 worse and worse. And the response was "Well, this and
 17 people like Martin, for example, are who are
 18 untouchable".

19 And when it came to the discussions after -- sorry,
 20 to finish my first point -- two or three months after
 21 Martin started, there was always discussions had "We
 22 need to do something, we need to do something", but
 23 nothing ever happened.

24 The lack of performance management within the Post
 25 Office is unbelievable. I've never seen anything like
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1 MR BLAKE: Thank you.

2 A. Thank you.

3 Q. In fact that -- yes, well. I'm sure somebody can look
 4 up what date the Sunday was.

5 SIR WYN WILLIAMS: Mr Page has played detective and, if you
 6 look at the top of the email, Sunday, 14 January means
 7 that it must have been 7 January, which was the Sunday.

8 MR BLAKE: So, in fact, it looks as though this was prior to
 9 that letter from Mr Read to the Secretary of State for
 10 Justice --

11 A. Yes.

12 Q. -- because that was the 9th?

13 A. Yes. The conversation happened the Sunday prior, the
 14 7th. So Mr Staunton's date --

15 Q. The date there is wrong?

16 A. Yeah, yeah.

17 Q. Thank you. First of all, although it's not a transcript
 18 or an exact note, is it a fair summary of the matters
 19 that were discussed with Mr Staunton?

20 A. Yes.

21 Q. The first paragraph, we'll go through each paragraph
 22 step by step:

23 "Saf said the views expressed by Richard Taylor, and
 24 previously by management and even members of the Board
 25 still persisted -- that those [postmasters] who had not
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1 it.

2 Q. Thank you.

3 That was the third event, and that takes us now to
 4 what we know as or what we refer to as the Project
 5 Pineapple email. Can we please turn to POL00448302 and
 6 it's page 4. This is a note from Mr Staunton to
 7 himself, which is later forwarded on to you, sent on
 8 14 January this year, but it says, "Note of conversation
 9 with Saf and Elliot on Sunday, 10 January".

10 Now, you've addressed this at paragraphs 277 to 279
 11 in your statement. I think the dates are wrong in the
 12 statement because it's clear here that the conversation
 13 took place, or seems to be clear that it took place, on
 14 10 January; would you agree with that?

15 A. Sorry, what's the date in the statement?

16 Q. I'm not sure but I think it was slightly later.

17 A. What number paragraph?

18 Q. 277 to 279. Yes, that says Sunday, 7 January, at 277.
 19 It's page 113 of the statement.

20 A. Sorry?

21 Q. Page 113 of the witness statement, paragraph 277.

22 SIR WYN WILLIAMS: Well, they both agree it was a Sunday.

23 A. Yes.

24 SIR WYN WILLIAMS: It's a question of which date is right.

25 A. Yes, the date you've got on here is.
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1 come forward to be exonerated were 'guilty as charged'.

2 It is a view deep in the culture of the organisation
 3 ([including] at Board level) including that postmasters
 4 are not to be trusted. SOMETHING NEEDS TO BE DONE."

5 Can you assist us with the views expressed by
 6 Mr Taylor? What was that about?

7 A. Mr Taylor was the Director of Corporate Affairs, and his
 8 views were in the press, how he thought postmasters were
 9 on the take and dipped their hands in some of the tills
 10 and, for myself and Mr Jacobs, that was very
 11 disappointing but not surprising, because, from my time
 12 in dealing with the wider Executive, there is always
 13 a level of suspicion when dealing with postmasters.
 14 That's not just as a Non-Executive; that is also as
 15 a postmaster.

16 Q. Do you have anyone in mind?

17 A. No, I think it's just a general cultural problem.

18 Q. Second paragraph:

19 "Martin Roberts and certain members of his team were
 20 singled out. There has been no feedback on the
 21 investigation into Roberts ([including] for
 22 inappropriate behaviour and lack of integrity). He was
 23 responsible for the postage stamps debacle where changes
 24 were made to accounts by his team just like Fujitsu."

25 Just pausing there, what was that issue?
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1 **A.** That was very, very disturbing for myself and Mr Jacobs
 2 when we heard this, and you'll hear from Mr Jacobs
 3 tomorrow, but he had firsthand experience of that
 4 happening in his branch, and when I had a meeting with
 5 Mr Roberts prior to this, so late '23, my words to
 6 Mr Roberts were, "Your actions are more brazen than the
 7 actions of Fujitsu, and what happened in the past,
 8 Fujitsu went through the back door and you're going
 9 through the front door". And Martin advised me, "Saf
 10 I've become aware of it and I'm looking into it".
 11 And then nothing -- I wasn't -- neither myself nor
 12 Mr Jacobs were given any update beyond that.
 13 **Q.** What exactly was it that happened with the postage
 14 stamps?
 15 **A.** So they're not called "Investigators" any more; they are
 16 called "Branch Assurance Visits". So you've got
 17 employees of the Post Office going into branches to
 18 input stamps on postmasters Horizon terminals to ensure
 19 the back office side of the Post Office matches to what
 20 the postmasters have got on their systems.
 21 Now, some postmasters were aware and some were not
 22 aware, of this happening, but my duty as a postmaster
 23 NED was to ensure this was raised, and Elliot raised
 24 this also at ARC, which brought the problem to the
 25 surface but, again, as I've said, nothing ever --
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1 That's Ben Foat, the General Counsel?
 2 **A.** Yes, but that's regarding the entire Legal Team, so Ben
 3 Foat, Sarah Gray, their team.
 4 **Q.** "He and other members of their senior team act as if
 5 [postmasters] ARE GUILTY UNTIL PROVED INNOCENT ('as per
 6 my experience' they both said)."
 7 Can you assist us with that quotation?
 8 **A.** So, for example, the way Mr Jacobs was treated
 9 throughout his investigation was exactly what it says
 10 there, which is "You are guilty until proven innocent"
 11 and, unfortunately, the way some postmasters are now
 12 dealt with, the letter initially may say, "This is
 13 a voluntary investigation and voluntary attendance", but
 14 you've not got a choice technically, bar to go and
 15 defend yourself. And the overall way in which, as I've
 16 mentioned previously, the way in which investigations
 17 are being conducted, and how the Post Office is marking
 18 its own homework, was very, very uncomfortable for us
 19 and we were calling it out.
 20 **Q.** "'No one believes us' is a constant refrain from
 21 [postmasters]. WHILST FOAT IS AT THE HELM, NOTHING WILL
 22 CHANGE."
 23 Why have you singled out Mr Foat in particular?
 24 **A.** We didn't. We were talking in general terms of the
 25 Legal Team, and the tone of this, just to be clear as
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1 there's been no feedback to either of us since this has
 2 happened, to say, "This has now been stopped", only
 3 until we received the report a few days ago August.
 4 Until then, I've had no correspondence whatsoever on
 5 that.

6 So, again, we were just ignored when we put this
 7 forward.

8 **Q.** It says there "If Elliot had not been on the [Audit and
 9 Risk Committee] the controls would not have been
 10 strengthened. Roberts and his team do not want any
 11 extension to their terms of office because they believe
 12 new [postmasters] would not have the experience to
 13 challenge them."

14 If we scroll down to the next paragraph, please --

15 **A.** Can I just go back on to one point, if you don't mind.
 16 I think what's quite telling on the previous point that
 17 you mentioned was the other NEDs in the room, I don't
 18 think they quite realised the magnitude of this issue
 19 and I think this is where having that operational
 20 savviness/nous now played a massive role in terms of
 21 bringing the reality of what we were actually doing on
 22 the ground to Board level.

23 **Q.** Thank you. The next paragraph:

24 "Equally Saf and Elliot are FED UP WITH THE AMOUNT
 25 OF POWER FIELDLED BY FOAT."

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1 well was Henry's filenote. I didn't even know what
 2 a filenote was until Henry did this, and the tone maybe
 3 should have been better. I do accept that.

4 **Q.** Does the tone reflect the conversation?

5 **A.** The tone does reflect the conversation, yes.

6 **Q.** "We must" --

7 **A.** Capital letters and -- yeah.

8 **Q.** Did capital letters indicate that you felt particularly
 9 strongly about something or that you were raising your
 10 voice or what do you --

11 **A.** No, it's the way that Mr Staunton has documented it, but
 12 he's documented accurately what we discussed.

13 **Q.** "We must also part company with all those investigators
 14 who behaved so terribly with [the postmasters]. What on
 15 earth is coming if Steve Bradshaw is still with us --
 16 his performance at the Inquiry was a disgrace and
 17 reflected terribly on Post Office. Foat used his
 18 leadership of the Inquiry Team as an instrument of his
 19 power -- it all has to stop. The [postmaster] 'is not
 20 the enemy', 'Only [postmasters] can solve this' and tell
 21 us how to change. JB is an ex-policeman."

22 Who is that a reference to?

23 **A.** John Bartlett.

24 **Q.** He is the current Head of the Investigation Team?

25 **A.** Yes.

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1 Q. "His behaviour has been unacceptable and he needs to
2 move on to prove that we have changed."

3 Next paragraph:

4 "The payment to one [postmaster] of £16 as
5 compensation said it all."

6 Did you have direct experience of that matter?

7 A. Yeah, so that was a point Mr Jacobs specifically
8 mentioned. They had waited for so long, and they got
9 paid £16. How disappointing is that?

10 Q. The next paragraph:

11 "There are some 48 people involved in
12 Investigations. There are over 40 just like Bradshaw.
13 These people need to go. Project Phoenix was allowed by
14 Foat to go into the long grass."

15 Can you assist us with what was meant there?

16 A. So, as we've discussed prior to the break, how the Legal
17 Team have had this specific project and they've been
18 dealing with it for nearly two years, and nothing seems
19 to have happened. And what, regarding -- sorry,
20 regarding the previous paragraph, I did reach out to JB
21 and to Sarah Gray at a drinks reception in October '23
22 and I specifically mentioned "Allow postmasters to work
23 with you, let's try and make this a better place and
24 deal with the issues quicker", and I never got any
25 response.

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1 Executive providing guidance and improving the culture
2 significantly. The current culture was described as
3 'toxic' (references to our reaction to fake notes, ATM
4 differences, et cetera, et cetera)."

5 "Toxic" is a phrase that's mentioned by a number of
6 people, it may mean different things; what did you mean
7 by the reference to "toxic" there?

8 A. For me it's got various meanings: not what's expected,
9 misinformation, unfortunately, there's some
10 disinformation, that kind of culture towards
11 postmasters.

12 Q. It says:

13 "We discussed a suggestion that we set up a BOARD
14 Committee on Culture with both [postmasters] on it with
15 one or two others. It would need to have teeth. It
16 would be outside Saf and Elliot's [Non-Executive
17 Director] responsibilities and would require additional
18 rem. It would have the benefit of making us more PM
19 centric. We need as a Board to be seen to grip the
20 situation."

21 Do you have anything to add in respect of that
22 paragraph?

23 A. No, I think it's pretty clear what Mr Staunton's
24 intentions were in trying to deal with the issue.

25 Q. It says:

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1 The only response I ever received from Sarah Gray,
2 as the Interim Head of Legal was after I submitted my
3 statement to the Core Participants after three, four
4 days, I got an email saying, "Can we reset the
5 relationship?", which I thought was a bit ironic.

6 In terms of Steve Bradshaw, I did mention at at
7 least two to three Board meetings, towards the back end
8 of '23 that the business needs to be prepared for what's
9 coming out and, again, ignored. And then once Steve
10 Bradshaw gave testimony, the Board and the wider
11 executive were "How is Steve still in the business?
12 What's going on? Why have we not dealt with this?" And
13 that's providing you some context in terms of where the
14 long grass came from because we thought it should have
15 been dealt with.

16 Q. Sticking with that paragraph, it says:

17 "Bradshaw went into one of Saf's stores some years
18 ago and immediately said 'we are closing you down'."

19 Is that something you recall?

20 A. Yes.

21 Q. "[Postmasters] tell him not much has changed since.
22 There is a complete lack of respect for [postmasters]
23 and that has to change."

24 Next paragraph:

25 "As a Board, we need to send a signal to the

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1 "Both thought there ought to be [Postmaster
2 Non-Executive Director] membership on all committees
3 [including] RemCo."

4 That was something you spoke about earlier on in
5 your evidence today:

6 "It may be another [postmaster] director would be
7 needed -- but that may be difficult ...it was noted that
8 the December bonuses went down badly with [postmasters].
9 There were no similar bonuses for [postmasters]. Our
10 generous Sick Leave was highlighted -- there are no
11 similar benefits to [postmasters]. How are we accepting
12 so many people drawing sick leave payments [especially
13 in HR]."

14 If we scroll, please, to page 3, we see at the
15 bottom of page 3, Mr Staunton sends this note to both
16 yourself and Mr Jacobs. He says:

17 "I have done a file note of our conversation. Is
18 that a fair reflection of your views. How do you feel
19 about me sending it to [Non-Executive Directors] before
20 the next meeting? The English does not need to be
21 perfect. The key points are important. Are there any
22 points I have missed?"

23 Who was it understood by you to potentially be
24 receiving this file note?

25 A. The -- initially, the NEDs, so we can have a discussion.

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1 Q. Was there due to be a meeting?
 2 A. Yes.
 3 Q. If we scroll up, we see from yourself, and you say:
 4 "This seems fine."
 5 If we scroll up further we can see the response from
 6 Mr Jacobs. He says:
 7 "Yes, this is a fair reflection of our discussion."
 8 He then addresses a point on ATM discrepancies.
 9 Next paragraph, he says:
 10 "One final thing to add: 'Pathclearing' risks looks
 11 like a witch hunt -- if we start going into branches
 12 saying 'you've got losses to make good' this will have
 13 echoes of the past ..."
 14 Very quickly, can tell us what path clearing was?
 15 A. So there is a programme that still hasn't got off the
 16 ground yet which is called RTP, retail path clearing,
 17 and this project is to get the Post Office Network ready
 18 for the new branch systems. Now, the purpose of this
 19 project is to ensure branches' books balance before the
 20 new system is implemented. Now, the problem myself and
 21 Mr Jacobs had was the tonality and the current culture
 22 in the organisation did not give us any confidence at
 23 all to have this programme executed in the manner it
 24 should be and what was not helpful either was the
 25 individuals who are responsible for this programme,

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1 very difficult to walk into a branch with -- who has
 2 a shortfall, with the cultural baggage that you have to
 3 have a neutral starting point. It's very difficult.
 4 Q. Thank you. The final paragraph there:
 5 "Since we spoke we saw the VoC ..."
 6 I think that might be VoP, Voice of the Postmaster?
 7 A. Yes.
 8 Q. "... have issued a press release -- it backs up
 9 everything Saf and I said to you when we spoke to you."
 10 Just pausing there, who are Voice of the Postmaster?
 11 A. Voice of the Postmaster are an independent organisation
 12 who have more postmasters than the NFSP, active
 13 postmasters. This is a voluntary organisation and quite
 14 a few of the postmasters I speak to are very, very
 15 complimentary of the VOP, in terms of how they've helped
 16 them, and an example is in my statement when I was
 17 contacted by a member of the VOP regarding the Yateley
 18 Post Office --
 19 Q. We'll come to that shortly.
 20 A. Okay.
 21 Q. Thank you very much, and we'll also come to the press
 22 release itself in a moment.
 23 A. Okay.
 24 Q. Let's scroll up, please the response from Mr Staunton:
 25 "Dear Both,

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1 accountable, for example Martin Roberts at the October
 2 the '23 Board meeting. He was informing the Board about
 3 a horror story about one specific postmaster who
 4 potentially did something, which then was relayed back
 5 to the board which gave the Board the wrong kind of
 6 perception of postmasters and, unfortunately, we kept
 7 getting a few stories like this, and then we were having
 8 one-to-ones with Martin he would repeat these kinds of
 9 stories.
 10 Now, our fear was, if he's running that programme,
 11 it's going to look like exactly what it is as in the
 12 echoes of the past. And there probably will be branches
 13 with shortfalls, but it's about how we deal with them
 14 going forward, and we just did not have the confidence
 15 that the business could execute this.

16 Q. So the business having not significantly chased
 17 shortfalls for a number of years might -- are going to
 18 reach a point at which they have to confront people's
 19 shortfalls, is that the issue?
 20 A. Yes, yes, and I'm not saying the business shouldn't do
 21 that. Of course the business should do that. That's
 22 the right thing to do. However, there's a way and
 23 an approach to do this and, as we've seen from the
 24 correspondence, as we've seen from some of the
 25 conversations that myself and Elliot were having, it's

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1 "Would you like me to copy the Independent
 2 [Non-Executive Directors] with my file note and Elliot's
 3 clarification? Accordingly, it would not go to Nick but
 4 may help elicit a joint view from the [Non-Executive
 5 Directors].
 6 "Nick has his hands full and is under ENORMOUS
 7 STRESS with the Select Committee and defending himself
 8 in yet another Investigation. I will brief him after
 9 the conversation with the [Non-Executive Directors]."
 10 Were you aware of any particular stress on Mr Read
 11 at this point in time?
 12 A. Yes. He'd been through a lot.
 13 Q. If we scroll up, we can see your response. You say:
 14 "Yes happy to send it, but it might be worth sending
 15 along with the [Voice of the Postmaster] press release
 16 too?"
 17 If we scroll up, Mr Staunton says:
 18 "Have just this minute sent a note to Di ..."
 19 Was Di his secretary, Diane Blanchard.
 20 A. Yes, she's our collective PA.
 21 Q. "... forwarding the [Voice of the Postmaster] press
 22 release, Elliot's clarification email, and my file
 23 note."
 24 You say:
 25 "Thank you for your support and effort Henry it's

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1 refreshing to see and much appreciated."
 2 If we scroll up above, Mr Staunton says:
 3 "I am determined to get it right for existing
 4 [postmasters] and past wronged [postmasters]. However
 5 I nonetheless appreciated your thanks."
 6 What was your view of Mr Staunton's leadership up
 7 the Post Office?
 8 **A.** My experiences with Mr Staunton were positive.
 9 I thought he brought a commercial perspective to the
 10 business that was well needed. He was wanting to get
 11 more involved in fixing the issues that I don't think --
 12 Tim Parker was a lot more trusting of the wider
 13 executive, whereas Henry Staunton quite quickly saw some
 14 of the issues that were occurring, especially regarding
 15 information that was and was not coming to Board. And,
 16 for him, getting justice for the postmasters that have
 17 been wronged was one of his top priorities.
 18 **Q.** Thank you. That's 15 January. There's then a Teams
 19 meeting on 18 January. Can we please turn to
 20 POL00448503.
 21 We see there an email to the Non-Executive
 22 Directors, from Mr Staunton.
 23 "Ahead of our call on Thursday, please see email
 24 below and attached copy of the Voice of the Postmaster
 25 press release for January, together with a letter
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1 Inquiry are not new to postmaster or employees within
 2 [Post Office]. This is common language, and the
 3 approach will never change without a complete overhaul."
 4 Then they call for the removal of Mr Read as CEO and
 5 they say he has failed to provide compensation, failed
 6 with the cultural overhaul, failed to remove the CFO,
 7 failed to remove the CRO, failed to remove individuals
 8 drenched in guilt in the past, failed to reduce central
 9 costs, failed to hold to account the woeful party
 10 engagement team.
 11 What was your view of this press release?
 12 **A.** I agreed with the press release, maybe they went a bit
 13 too far regarding Mr Read because they wouldn't
 14 necessarily be aware of the pressures Mr Read was under
 15 but the vast majority, from a postmaster's perspective
 16 looking into the organisation, it's quite clear that the
 17 business has failed on number to these points.
 18 **Q.** Now, we saw that email, the covering tell that attached
 19 both this press release but also the filenote as well
 20 and Mr Jacobs' email. That was sent to Non-Executive
 21 Directors. Were you aware that they were also
 22 circulated at some point to Mr Read?
 23 **A.** Yes. Mr Staunton did send them to Mr Read.
 24 **Q.** And --
 25 **A.** That's what I've been told.
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1 addressed to me.
 2 "In addition, please see attached file note
 3 I prepared following my conversation with Saf and Elliot
 4 on Sunday -- they have agreed last night that I could
 5 share with you. They were very supportive of Nick, but
 6 you will see that the [Voice of the Postmaster] have
 7 made negative statements about Nick."
 8 Can we please turn to POL00448537, and this is the
 9 Voice of the Postmaster press release. They say:
 10 "We deplore the actions of the Post Office in the
 11 past and the present and we believe nothing will change
 12 and the only way for the Post Office to move forward is
 13 a complete overhaul of the organisation ..."
 14 It looks like it's a bit of a manifesto for change;
 15 is that right?
 16 **A.** Yes.
 17 **Q.** First:
 18 "Justice for previous postmasters and compensation
 19 paid as soon as possible."
 20 Then there's a reference to the pay increase, lack
 21 of a pay increase.
 22 Third:
 23 "The removal of any employees from within [the Post
 24 Office] that were employed during the Horizon scandal
 25 period. The revelations this week and throughout the
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1 **Q.** Yes.
 2 **A.** We did ask for disclosure. My solicitors did ask. But
 3 the Post Office refused.
 4 **Q.** But you weren't aware at the time that it took place,
 5 you weren't asked in advance as to whether that could be
 6 shared with Mr Read?
 7 **A.** From my understanding, my understanding was that it
 8 would be shared with Mr Read.
 9 **Q.** Thank you. Do you recall a conversation about that?
 10 **A.** Yeah. I think from what I recall, the initial sequence
 11 of events was to have it discussed with the NEDs, then
 12 once that's happened, to then escalate it to Mr Read, to
 13 then -- so then he is aware of our concerns, and then
 14 hopefully have a plan of action to help solved issues.
 15 **Q.** Was it your understanding that that would be on
 16 a confidential basis?
 17 **A.** 100 per cent on a confidential basis.
 18 **Q.** Moving now to the Teams meeting of 18 January, can you
 19 recall now who attended that meeting?
 20 **A.** Yes. Lorna Gratton was not invited, and I think Ben
 21 Tidswell gave his apologies.
 22 **Q.** Thank you. Was Mr Read present?
 23 **A.** Yes, for some of the meeting, the first part.
 24 **Q.** Do you know why it was only some of the meeting and not
 25 all of the meeting?
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1 **A.** I can't remember. Maybe it was -- there's always
 2 a point, so, for example, after Board meetings, we have
 3 a NED-only discussion as well, and Mr Read would leave
 4 the room or sign off, if it was an online meeting. So
 5 I'm assuming where we had a situation where there was
 6 just specific topics to go through, just with NEDs only,
 7 so Mr Read gave his update and then exited the meeting.
 8 **Q.** There came a point, you say in your statement, that you
 9 were informed that Mr Read had sent that correspondence
 10 to Mr Foat and Mr Roberts. Can you assist us with how
 11 you were informed of that?
 12 **A.** Yes. So what was extremely disappointing was Mr Read
 13 had already sent the email to Mr Foat, Mr Roberts and to
 14 other individuals within the organisation, who were in
 15 their team and, whilst on the call, at no point did he
 16 mention that he had done that. So we were unaware. And
 17 Mr Read then left the meeting as he would, and the
 18 discussion moved on to the rest of the agenda.
 19 And then Amanda Burton advised the meeting that,
 20 just to make the Board aware, the remaining individuals
 21 on the call, that she had had a discussion with
 22 someone -- with Ben? Or she had a discussion with
 23 someone who received this email. And my heart sunk,
 24 feeling "Wow, I'm already vulnerable, this put me in
 25 an even more compromised position".

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1 POL00448387, and that's an email from him at 6.17 pm, so
 2 the same evening. If we scroll down, he says, as
 3 follows, he says:

4 "Nick confirmed that he had sent the confidential
 5 note to the Independent NEDs entitled Project Pineapple
 6 to Ben and Martin amongst others. This note contained
 7 the private comments of our postmaster NED colleagues
 8 *inter alia* on Ben and Martin.

9 "I have suggested he immediately apologise to Elliot
 10 and Saf as this was a very serious incident as far as
 11 they and other [Non-Executive Directors] were concerned.
 12 Elliot and Saf were now exposed to further
 13 investigations from these two individuals particularly
 14 in view of the fact that Investigations were
 15 'untouchable' (to use Nick's words). I suggested he
 16 apologised to all of the NEDs at our private meeting
 17 before the Board, which he is happy to do."

18 Just pausing there, at this time, did Mr Read
 19 apologise to you on this occasion?

20 **A.** No, he blamed Henry for sending him the email.

21 **Q.** It then says:

22 "Nick said it was an accident resulting from the
 23 huge pressures on him. There is a lot on his mind
 24 including the investigation on him. He understands it
 25 was a serious lapse and was very apologetic."

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1 **Q.** Just pausing there, why do you say you were vulnerable?

2 **A.** Because I'm a postmaster.

3 **Q.** What do you mean by that?

4 **A.** The culture in this organisation, as it's been
 5 documented, is you are guilty until proven innocent. If
 6 there is something potentially -- postmasters are seen
 7 with suspicion, unfortunately, and being on the Board
 8 now going not necessarily up against, but that's what it
 9 looked like, all we were doing was our duties as
 10 Directors, calling things out, trying to put this
 11 organisation in a better place, but it looked like it
 12 was myself and Mr Jacobs against the untouchables.
 13 That's what this looked like.

14 So we were extremely vulnerable, extremely
 15 concerned, and the fact that Mr Read had sent the email
 16 was a horrendous breach of trust. And I sent an email
 17 at 10.00 -- sorry, am I jumping the gun?

18 **Q.** No, you carry on, please.

19 **A.** Okay. So I then sent an email at 10.00 because,
 20 honestly, I was so disappointed, asking some serious
 21 questions of Mr Read's judgement --

22 **Q.** I think we'll come to that.

23 **A.** Okay, I'm sorry.

24 **Q.** There's one email before that that I'd like to take you
 25 to, and that's Mr Staunton's email. Can we turn to

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1 There's a reference there to an investigation on
 2 Mr Read. Very briefly, because we will come to it in
 3 due course, what did you understand that to be
 4 a reference to?

5 **A.** That was the investigation into the complaints made
 6 against Mr Read by the former Chief People Officer, Jane
 7 Davies.

8 **Q.** Thank you. After that occasion, there's a reference
 9 there to a meeting before the Board and a potential
 10 apology. Was there a subsequent occasion on which
 11 Mr Read did apologise?

12 **A.** No. He -- as I've said previously, he blamed Henry for
 13 sending him the email, which I just, I couldn't get my
 14 head round, to be honest. And for me, as I've said, it
 15 was a massive breach of trust. It's not something that
 16 I would have expected a CEO to have done. It was very,
 17 very disappointing and a very scary time.

18 **Q.** Can we please turn to POL00448383. If we could look at
 19 page 2, this is your 10.08 pm email. Second page,
 20 please, you say:

21 "Dear Nick,

22 "I am writing to address a deeply concerning and
 23 distressing matter that has recently come to my
 24 attention. As you are aware, there was a confidential
 25 meeting held between myself, Elliot, and the Chairman,

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1 where we discussed our observations and concerns
 2 regarding the operations of the Post Office and our
 3 ongoing cultural issues. Regrettably, it has come to my
 4 knowledge that the notes of this meeting, which were
 5 intended to be kept in strict confidence, have been
 6 circulated to the individuals who were the subject of
 7 our discussion."

8 You set, if we scroll down, a number of different
 9 questions. So you say:

10 "I request that you thoroughly investigate how this
 11 breach of confidentiality occurred and address the
 12 following questions:

13 "1. Was this breach a result of negligence or
 14 a lack of judgement on your part?

15 "2. How can a mistake of this magnitude happen
 16 within this organisation, especially when dealing with
 17 sensitive matters and with all the current spotlight on
 18 us?

19 "3. By exposing me to such a compromising and
 20 jeopardising position, how do you expect me to continue
 21 working effectively with the individuals involved?

22 "Furthermore, I would like to enquire if incidents
 23 of mistakenly sending confidential information to the
 24 end user have occurred in the past?"

25 Did you receive a substantive response to these
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1 **MR BLAKE:** Thank you, sir.

2 Mr Ismail was there something that arose from our
 3 previous discussions that you wanted to say?

4 **A.** Yes, I would just like to give clarity on one of the
 5 questions you asked me regarding the inputting of stamps
 6 onto postmasters' Horizon terminals. I'm not sure if
 7 I was clear before. The problem myself and Mr Jacobs
 8 had with that practice in the current Post Office was
 9 that created shortfalls and those shortfalls then
 10 required postmasters to dispute. However, it was the
 11 Post Office going in, creating them shortfalls, which
 12 was problematic. I just thought I wanted to clear that
 13 up.

14 **Q.** In your view, did the postmaster have sufficient
 15 visibility of what was going on at their terminal when
 16 the Post Office was coming in to input that information?

17 **A.** So some postmasters were not aware. Some postmasters
 18 were aware but, either way, they had very little choice.
 19 They were told "This is what we need to do, and you need
 20 to review and dispute it, if you've got an issue".

21 **Q.** In terms of those who weren't aware, was there a notice
 22 that was subsequently sent round or information provided
 23 to those subpostmasters?

24 **A.** I'm not sure how they were communicated with but one of
 25 the reasons I know they weren't aware is because they
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1 questions?

2 **A.** I still haven't received a response to any of these --
 3 to this email.

4 **Q.** Thank you. If we scroll down slightly. There's
 5 reference there to becoming aware of the distribution of
 6 non-disclosure agreements. Again, we're not going to go
 7 into what was or wasn't said before Parliament or going
 8 into legal advice in that respect but, in broad terms,
 9 what was your concern regarding non-disclosure
 10 agreements?

11 **A.** For me, there was organisations who could -- and
 12 individuals, who could be more helpful to the Inquiry
 13 but, unfortunately, they had to abide by the NDAs and,
 14 for me, that was morally wrong.

15 **MR BLAKE:** Thank you. If we scroll down, your email
 16 continues, and if we go over to the first page we see
 17 that Mr Jacobs echoes your views. We'll be hearing from
 18 Mr Jacobs tomorrow in respect of his email.

19 Sir, that might be an appropriate moment to take our
 20 afternoon break. Thank you. If we could come back at
 21 3.30.

22 (3.17 pm)

(A short break)

24 (3.30 pm)

25 **SIR WYN WILLIAMS:** Yes, Mr Blake.
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1 weren't at the branch when the practice took place when
 2 they received the assurance visit.

3 **Q.** Thank you.

4 Moving to another document, POL00448385. There was
 5 a Board meeting on 29 January of this year, and this is
 6 a note that you prepared in advance of that Board
 7 meeting. We'll see -- I think we have at least two
 8 versions. I think this was your original draft; is that
 9 correct?

10 **A.** Yeah.

11 **Q.** That's a longer list of concerns to add to those that
 12 were in the original Project Pineapple email; is that
 13 correct?

14 **A.** Correct.

15 **Q.** You say:

16 "As we prepare for the upcoming board meeting,
 17 I wish to draw your attention to several critical
 18 matters to consider and discuss further."

19 Was the aim of this to send this to everybody who
 20 was going to be attending the Board?

21 **A.** Correct.

22 **Q.** The first issue was the confidential email on Project
 23 Pineapple. You say you've sent an email raising serious
 24 concerns about how and why this has happened. However,
 25 your response remains unanswered since your
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1 communication on 18 January:
 2 "Would this lack of respect and response be the same
 3 if it was another [Non-Executive Director] or is it
 4 because I am [postmaster]?"

5 Second, the "Role of Legal", you say:
 6 "Despite ongoing investigations spanning years, over
 7 40 employees remain employed within the organisation,
 8 whose continued presence raises serious questions about
 9 our hiring and retention policies causing embarrassment
 10 for [the Post Office]."

11 Are those all the issues that we have already spoken
 12 about?

13 A. Yes.

14 Q. If we scroll down, there is another heading of
 15 "Culture":

16 "Postmaster discrimination must end immediately,
 17 this rhetoric that they are all on the ache and are the
 18 same is unacceptable. Richard Taylor comments are
 19 common within the walls of [the Post Office] and I was
 20 stunned to learn this also the business legal position
 21 as the Chairman confirmed to me after my persistent
 22 requests for clarity."

23 Can you assist us with the writing in red, please?

24 A. So this was -- there's two versions of this. This
 25 version has more clarity on it and a bit more context,

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1 Q. If we look at the first one, you say:

2 "First and foremost, [their] inability to adapt to
 3 the evolving needs of postmasters ..."

4 Can you assist us very briefly with that first
 5 issue?

6 A. The simple test was looking at the postmaster survey
 7 and, for me, they had failed miserably because the
 8 results were getting worse, and what was not helpful
 9 either was when it came to the VOP, the business being
 10 told -- so Henry was specifically told, and I'm assuming
 11 so were the Retail Team, from Sarah Gray, not to
 12 communicate with the VOP, which for me was very
 13 disappointing because, as an organisation, we should be
 14 communicating with anybody who represents postmasters.

15 Q. Is that because the formal lines of communication are
 16 with the National Federation of SubPostmasters or the
 17 Communication Workers Union, rather than this new
 18 organisation, or something else?

19 A. No, the default position within the Post Office is to
 20 communicate with the NFSP. That is the recognised body.
 21 However, as I've said previously, the VOP has now got
 22 more members than the Federation and, for me, even if
 23 the CWU has a few members, we should still be talking to
 24 them. We shouldn't be trying to play one off the other.
 25 And the legal advice, which is privileged, the Post

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1 and this was something that I felt I needed to add on to
 2 the cultural piece, just to give it some more context,
 3 and this was after the letter that was sent to Alex
 4 Chalk.

5 Q. What did you mean by that paragraph?

6 A. For me, the business still has this perception that
 7 postmasters are on the take, unfortunately, and, as
 8 Richard Taylor's comments -- Richard Taylor's comments
 9 mentioned, and also, unfortunately, the letter to Alex
 10 Chalk, for me, it's still not the right position that
 11 this organisation should be in.

12 Q. So where you refer to the business legal position,
 13 that's the letter to the Lord Chancellor?

14 A. Yes, and, even from -- sorry, from an investigations
 15 perspective, the default position within Legal is not
 16 right. It's, again, protect the Post Office at all
 17 costs and it's not a neutral position to start from.

18 Q. Thank you. If we scroll down, the next part in bold,
 19 "A Comprehensive reevaluation of the Retail and
 20 Postmaster Engagement Team", and you give a series of
 21 reasons why you consider there should be
 22 a comprehensive, at this point, re-evaluation. We'll
 23 see the later version, I think, calls for it to be
 24 disbanded altogether.

25 A. Yeah.

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1 Office didn't waive privilege on that. For me, it was
 2 disappointing seeing that response to stifle any kind of
 3 conversation that could take place for the betterment of
 4 postmasters.

5 Q. Thank you. If we scroll over the page, please, you then
 6 say:

7 "Additionally [their] track record ..."

8 Can you assist us with that point, please?

9 A. So there was -- we had strategy days in '21. We have
 10 them every year. There was some in July '21, July '22
 11 and July '23. What was disappointing was there was
 12 specific targets set to try and get the business in the
 13 right direction, and this business, to be clear, is
 14 dealing with an unprecedented level of issues. So the
 15 strategy is really important to ensure there's still
 16 a Post Office left after this Inquiry.

17 Now, what was disappointing was the Executive would
 18 cherry pick which -- the wider Executive, sorry, would
 19 cherrypick the issues that they wanted to implement.
 20 Now, the example here, regarding DMBs, were when myself
 21 and Mr Jacobs had a discussion, the payback period and
 22 the planning that was done regarding DMBs was 40 years.
 23 It was so poor, in terms of the way it was planned, and
 24 this is a huge cost to the business.

25 So it was disappointing that there was no effective

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1 execution of strategies that had been discussed.
 2 **Q.** The next example you give is in relation to the
 3 postmaster surveys. What was the issue there, briefly?
 4 **A.** The postmaster surveys were just not a true reflection
 5 of what was going on. So, if you look at July '24's
 6 Board meetings, how the sets of data was presented from
 7 the Postmaster Engagement Team and from the HR team,
 8 from Tim Perkins in the HR team, and the difference was
 9 the data was very similar, however the data presented by
 10 Tim Perkins was accurate, and had integrity, and was
 11 trying -- and said, "Yeah, we're not good enough, and
 12 these are our problems, let's make a plan to fix",
 13 whereas the Postmaster Team was quite happy with the
 14 30 per cent that were happy and they didn't look at the
 15 70 per cent.

16 So, unfortunately, this manipulation of data,
 17 I found very unhelpful to mark your own homework again
 18 and, potentially, be linked to bonuses within the
 19 organisation's culture unfortunately.

20 **Q.** The next paragraph, you say there, refers to recent
 21 incidents such as -- that's the stamps issue, I think,
 22 isn't it?

23 **A.** Yeah.

24 **Q.** Then you say:

25 "Individuals within this team have several
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1 **Q.** Thank you. Can we please turn to POL00448406, and this
 2 is the final version, or this is an updated version that
 3 was sent to Mr Staunton --

4 **A.** Yes.

5 **Q.** -- broadly the same. I think, if we scroll down, we can
 6 see "Suspended Historic Employees", is now a standalone
 7 topic. I think it wasn't a standalone topic --

8 **A.** Just to break it down, the point of this note was we
 9 want to set this business up for success. We want it to
 10 be right. We want it to be here for generations to come
 11 and, by giving the Board an opportunity to see what's
 12 really causing stress to postmasters and causing stress
 13 to the Postmaster NEDs and bringing it to life to
 14 produce a plan to deal with it, that's where this note
 15 was going.

16 Another point to just add to this, and I'm not sure
 17 if you're going to come to this, hence why I'm
 18 mentioning this now, once Mr Staunton was dismissed,
 19 this note never actually made it to the Board,
 20 unfortunately and myself -- and Mr Jacobs will speak for
 21 himself tomorrow -- I was definitely on the edge and
 22 I was ready to resign if the business could not do this
 23 because the level of resistance that we were getting
 24 constantly for what we were trying to do was bitterly
 25 disappointing.
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1 complaints against them ..."

2 Very briefly, can you assist us with that?

3 **A.** Sorry, is it the paragraph where, "Moreover, recent
 4 incidents", that one?

5 **Q.** "Individuals within this team", the final highlighted
 6 paragraph.

7 **A.** *(Pause)* It's in reference to what I've already
 8 mentioned. So the untouchables, the performance levels
 9 and the fact that we're discussing this, but there's
 10 just no performance management, and how, within the
 11 organisation, we're told in September and October how
 12 morale is low because people are worried when they're
 13 getting their -- when they are going to be receiving
 14 their bonuses, and it just showed the huge cultural
 15 disconnect with the wider Executive and the postmasters
 16 of today.

17 **Q.** Moving on, the next part in bold is the NDA issue, which
 18 we've already addressed.

19 **A.** We've discussed.

20 **Q.** We then have "Establishment of a [postmaster] Oversight
 21 Committee", and that's, I think, the matter that we saw
 22 in your previous correspondence with Mr Staunton, that
 23 was something that was floated as a potential
 24 recommendation; is that right?

25 **A.** That's correct.
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1 **Q.** The next paragraph we see there, as discussed, it is now
 2 disbandment of the Engagement Team. If we scroll over
 3 the page, now the "Role of Legal Counsel", and it now
 4 refers to Ben Foat specifically. Why Ben Foat in
 5 particular?

6 **A.** Because Ben Foat was the Head of Legal, and we had had
 7 discussions regarding whistleblowing and how that was
 8 marking its own homework within Legal and how it
 9 shouldn't be; it should be a totally separate function.
 10 So that point was specifically to help Ben to be in
 11 a better position to manage his workload but also help
 12 the organisation getting in a better position to deal
 13 with investigations and whistleblowing.

14 **Q.** Thank you. Could we turn to POL00448384, please.
 15 Mr Staunton responds, and he says:

16 "Dear Both,

17 "Elliot, I think you were going to raise a number of
 18 these issues with Nick. His responses would help Saf
 19 finalise his note.

20 "How would you like me to take this forward?

21 Options are:

22 "Copy your note to Nick

23 "Copy to Nick and all [Non-Executive Directors]

24 "You just present these issues at the private
 25 meeting
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1 "Other.
 2 "A good outcome would be making some big changes
 3 whilst maintaining your relationships [including] with
 4 Nick -- quite difficult."
 5 Two days later, Mr Staunton was dismissed. Do you
 6 know how or were any of those options ultimately taken
 7 up?
 8 **A.** We couldn't. The plan for me was to go to Board and
 9 present these points to the Board and to see where the
 10 Board wants to take action and, as I said previously,
 11 resigning was going through my thought process.
 12 However, I would have been letting down the postmasters
 13 of today/yesterday, and there would be no oversight. So
 14 I just couldn't do that.
 15 **Q.** How did you hear of Mr Staunton's dismissal?
 16 **A.** From Sky News.
 17 **Q.** Did anyone tell you why it hadn't been notified in
 18 advance to, for example, Non-Executive Directors?
 19 **A.** Because it's a -- there is a tiered Board system. So
 20 there's certain individuals on the Board who know
 21 everything. Then there's other individuals who know
 22 a little bit more, and then there's Postmaster NEDs who
 23 know on a need-to-know basis. So there was clearly,
 24 clearly, from looking back, in hindsight, issues and
 25 discussions being had, which I was not privy to, which
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1 completely incorrect.
 2 **Q.** Do you know if there were, in fact, other Non-Executive
 3 Directors who did threaten to resign?
 4 **A.** I raised the question at the private NED meeting, and
 5 I wasn't given an answer.
 6 **Q.** Thank you. One final document before we finish for the
 7 day. Can we please look at POL00448514. If we could
 8 start on page 2, please. This is 31 January this year,
 9 an email from Martin Roberts, the Group Chief Retail
 10 Officer. He says as follows:
 11 "Elliot/Saf,
 12 "I appreciate you taking the time last evening to
 13 apologise and explain the dreadful situation I found
 14 myself in over the last few weeks.
 15 "The allegations and comments were uncalled for and
 16 upset me a great deal and should never have happened and
 17 the detail sent to me under the title Project Pineapple
 18 was unacceptable.
 19 "I would now ask that you please put in writing the
 20 apology and retract all the allegations and statements
 21 presented in the email that I was copied in on.
 22 "I look forward to receiving the email reply so we
 23 can move on and continue working together."
 24 How did you feel on receiving this email?
 25 **A.** So myself and Mr Jacobs had a discussion and I do
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1 resulted in Mr Staunton's dismissal.
 2 **Q.** What was your understanding at the time for the reasons
 3 for his dismissal?
 4 **A.** I wasn't given any clear instructions and, from the
 5 conversations Mr Staunton had, for example on redress,
 6 it was unhelpful when a Government Minister advised him
 7 to put a sticky plaster approach on the Post Office to
 8 hobble on through to the next election. And that was
 9 unhelpful for all of us: for the CEO, for the Board. It
 10 was unfair.
 11 So the explanation that we were provided after
 12 Mr Staunton was dismissed was his behaviour became
 13 erratic. I never saw that but I wouldn't be seeing
 14 Mr Staunton every week so I wouldn't necessarily be in
 15 his company, if you see what I mean. So, for me,
 16 I didn't see what Mr Staunton had done wrong until later
 17 on when Mr Tidswell briefed the Board in terms of what,
 18 how, and why, ultimately. And Mr Tidswell also
 19 mentioned that there were some NEDs who were willing to
 20 resign, and it was a very vague statement, and for --
 21 from the conversations myself and Mr Jacobs had, certain
 22 individuals within this wider Executive thought it was
 23 me and Mr Jacobs, and we made it very clear to the NEDs
 24 and to the wider Executive that at no point did we imply
 25 that Mr Staunton should go or we would go. That's just
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1 sympathise with Martin. I feel he was put in an unfair
 2 position as well and, again, like you said, the way he
 3 received it, he didn't expect either, and there's
 4 an email after this where we --
 5 **Q.** Shall we have a look at that?
 6 **A.** Yeah.
 7 **Q.** That's on the first page. Shall we scroll over to the
 8 first page, please. You have Mr Jacobs.
 9 **A.** Yes.
 10 **Q.** Was this email discussed with you before it was sent?
 11 **A.** Yes, we did that quite regularly.
 12 **Q.** He says:
 13 "As promised, Saf and I sat down and talked with
 14 Martin after the Board meeting yesterday. An honest and
 15 open discussion was had and we believe we had put the
 16 matter to bed.
 17 "This evening, we received the email below from
 18 Martin asking us to retract the statements made in the
 19 document.
 20 "Whilst we have both made clear the tone and the way
 21 it was delivered was unacceptable and should never have
 22 been circulated; the content is not something we feel is
 23 incorrect with regards to the Retail Team leadership and
 24 performance.
 25 "When we look at the points in question, our
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1 position remains that these are both important and
2 urgent issues which must be addressed, not ignored --
3 regardless of how they came into his mailbox."

4 Then you set out there all of the issues, and you
5 say:

6 "None of the above represent issues that we believe
7 we can or should withdraw from the record -- however
8 they were inappropriately delivered to the people who
9 received them as a result of Henry's actions.

10 "We have a call booked with Martin for our quarterly
11 catch-up tomorrow morning (a standing call in the
12 diary) -- and we are not looking to inflame matters
13 further, but clearly, we cannot just issue some sort of
14 blanket withdrawal.

15 "As such, your guidance would be appreciated on how
16 you think we should approach this."

17 It might be suggested that all of this infighting,
18 that the request for a written apology in response to
19 the Project Pineapple email and, frankly, from all
20 sides, is more like a playground than a £1 billion
21 company. What do you say about that?

22 A. I agree with you. It's really disappointing and, for
23 myself and Mr Jacobs, once Henry was dismissed, as
24 I said before the break, we were left in a very
25 vulnerable position, and the business didn't help us.

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1 29 February 2024. We see there the attendees were
2 Mr Read; Kathryn Sheratt, the interim CFO; the
3 Transformation Director; Lorna Gratton from UKGI; and
4 others.

5 I'm just going to read to you a very short passage
6 from that. If we scroll down, Lorna Gratton says as
7 follows:

8 "Need as much support as you can get from Ben
9 Tidswell to try to get the Board functioning properly.
10 We need to try and find a way through the Project
11 Pineapple memo."

12 Mr Read says:

13 "We'll have a Board meeting tomorrow and see where
14 we can get to. Postmaster NEDs may use tomorrow as
15 an [opportunity] to criticise on funding and
16 anti-postmaster sentiment. Need to avoid tomorrow
17 morning being a proper road crash."

18 Kathryn Sheratt says:

19 "Had a bit of a flavour of it on Monday, they think
20 it did not do enough for the postmasters. Elliot
21 mentions where the investment for the future of the
22 business and the postmaster rem is front and centre,
23 costs are rising, and this has been a theme of theirs
24 for quite a while."

25 Mr Read says:

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1 Myself and Mr Jacobs had to clean the mess up. So we
2 proactively organised meetings with Martin and with Ben
3 because, for us, it was -- the organisation is more
4 important than any of us, and we had to repair our
5 relationships. The points we made were very clear and
6 we stuck with the points we had made because, for us,
7 they were correct and they needed to be dealt with.

8 However, the business didn't do anything to manage
9 the relationship, or help us put it to the past and move
10 forward and, looking back, yes, it does seem very
11 playground style. It's like when my children fight. It
12 seems that kind of a scenario, unfortunately. But,
13 again, this is the lack of taking ownership, and this is
14 a classic example of someone senior within the business
15 saying, "Right, let's have an adult conversation. This
16 needs to be nipped in the bud. Let's move this business
17 forward". And, unfortunately, that just didn't happen.
18 It was left to me and Mr Jacobs.

19 MR BLAKE: Sir, I said one final email. There is one more
20 final document on this topic and can I just take that
21 very briefly?

22 SIR WYN WILLIAMS: Of course.

23 MR BLAKE: Thank you. It is BEIS0000753. This is a note
24 from Minister Hollinrake's office, taken by the Private
25 Secretary to the then Minister. It's a meeting on

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1 "This goes back to whether the Postmaster Directors
2 are playing a role of a director, or of a trade union
3 rep. I don't know where that's going to go. They are
4 extremely exposed as a result of Project Pineapple. Not
5 sure how to patch this up. In a slight stand-off."

6 How were your relations with Mr Read and others at
7 this point in time?

8 A. So it was difficult once Henry had left because of the
9 way the Board's tier system was working, and I feel for
10 Mr Jacobs it was difficult also because Mr Staunton did
11 mention in a private phone call that the UKGI rep and
12 one of the previous NEDs, whilst his investigation was
13 going on -- this was all while Pineapple was
14 happening -- they did make anti-Semitic remarks about
15 him. So, for him, he was already feeling really -- his
16 morale was low; and for myself, as well.

17 And once we moved forward, once Mr Staunton had
18 left, Mr Tidswell took the realm (*sic*). It was very
19 difficult to try and be in a position of where the
20 business understands where we are at. So there was
21 a bit of a stand-off. And all we were trying to do is
22 put the business in the right direction, and it clearly
23 shows how the wider Executive, and on this occasion it's
24 the CEO, Nick Read, how they just couldn't digest the
25 critique that myself and Mr Jacobs, and the challenges

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1 that we were producing for the wider Executive. Hence,
 2 why their opinion is we were acting more like trade
 3 union reps.
 4 And again, from my perspective, the last two budgets
 5 this organisation has done, I rejected both on the
 6 understanding it did not address what postmasters were
 7 asking for, and the business just ignored me and carried
 8 on.
 9 Within them budgets, again, there's plenty for the
 10 incremental increases for POL staff and their bonuses
 11 but it just does not go far enough. And these are the
 12 true realities of what's going on but, clearly, as this
 13 note shows, the wider Executive just does not want to
 14 listen to that.
 15 **Q.** Lorna Gratton continues:
 16 "They're not in a good place and aren't operating in
 17 a way appropriate for the business."
 18 Mr Read says:
 19 "How can they ensure their own self-interest doesn't
 20 cut across their role in supporting [the Post Office] as
 21 a business."
 22 The Minister says:
 23 "Keen to support any way we can."
 24 Mr Read says:
 25 "Want to try to create an environment where we don't
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1 worth it, I think there's good mileage for more
 2 postmaster input in the retail part of the business."
 3 Were you aware of the nature of the relationship
 4 between the Executive level and either UKGI or the
 5 Department for Business, as set out here?
 6 **A.** I did have some understanding but, from my observations
 7 being on the Board, I slowly started realising.
 8 Initially, I wasn't -- let me rephrase. The previous
 9 UKGI shareholder, Tom Cooper, I feel was more
 10 transparent and a lot more open. Now, I've not got any
 11 criticisms either way, but I think Lorna's taken the
 12 role slightly differently and, once Lorna started,
 13 obviously I had already had a certain amount of
 14 experience being on the Board, and then I realised quite
 15 quickly that Lorna's style was very, very different.
 16 She was very, very close to the wider Executive, and
 17 she clearly, obviously, from this, raises points which
 18 are not in the business's interests because what myself
 19 and Mr Jacobs were asking for, for the last two or three
 20 years, was automation, one example, producing a new
 21 system which is not a replacement for Horizon. That's
 22 not good enough. We need a system that is 2030,
 23 minimum, ready for what the future looks like for this
 24 network. So this was very basic asks that myself and
 25 Mr Jacobs had.
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1 create a drama."
 2 The Minister says:
 3 "These are businesspeople and I think that if I felt
 4 I had a business that was in terminal decline, I'd be
 5 pretty worried as well. They are bound to look for
 6 solutions, radical ones, but what can we do to try to
 7 spread a picture to the network that there is a more
 8 positive future. The more you can indicate there is
 9 a sustainable future to this the better. We can all see
 10 with what's happened over the last few weeks there is
 11 an appetite for change here and articulate it to your
 12 advantage, to set a new perspective."
 13 If we just go over the page, please, about three
 14 quarters of the way down, just below "Let's park it
 15 now", the Minister says:
 16 "In terms of other messaging, the mutualisation has
 17 died down a bit."
 18 Mr Read says:
 19 "Met them on Monday [Voice of the Postmaster] etc.
 20 Their main point was about the future of the Post Office
 21 and representation of postmasters. We are going to see
 22 some governance work done by Grant Thornton in a few
 23 weeks' time."
 24 Lorna Gratton says:
 25 "I don't think postmaster oversight of the Board is
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1 And this meeting, this entire document, clearly
 2 shows what I said previously, which is this was -- this
 3 is a tiered board, was a tiered board, and individuals
 4 are given information on a need-to-know basis, which is
 5 not the way a proper, functioning, good governance
 6 compliant board looks like, unfortunately.
 7 **MR BLAKE:** Thank you very much.
 8 Sir, we will be exploring those issues further
 9 tomorrow.
 10 **SIR WYN WILLIAMS:** Thank you very much. So don't discuss
 11 your evidence overnight, all right?
 12 There may be some confusion about our start times.
 13 I think, on our website, it was still being suggested
 14 that we start at 9.45. I think we've agreed, have we
 15 not, that we're going to start at 10.00 in this phrase,
 16 giving ourselves an extra quarter of an hour to get
 17 ready for the fray, so to speak. So just in case
 18 anybody was under any doubt about that.
 19 See you at 10.00 tomorrow, albeit remotely.
 20 **(4.04 pm)**
 21 **(The hearing adjourned until 10.00 am the following day)**
 22
 23
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