

Thursday, 26 September 2024

1
 2 (10.00 am)
 3 MS HODGE: Good morning, sir, can you see and hear me?
 4 SIR WYN WILLIAMS: *(Microphone muted)*
 5 MS HODGE: You appear to be muted, sir. Currently we can't
 6 hear you.
 7 We are just making some enquiries to see why it is
 8 that we can't hear you, sir.
 9 Sir, would you be able to speak so we can check
 10 whether we can hear you now? Sir, we're going to take
 11 a short break so we can establish the issue with your
 12 connection.
 13 (10.02 am)
 14 (A short break)
 15 (10.12 am)
 16 MS HODGE: Hello again, sir. Can you see and hear me?
 17 SIR WYN WILLIAMS: I can.
 18 MS HODGE: Good. I'm pleased to say we can see and hear you
 19 again now.
 20 SIR WYN WILLIAMS: Good, thank you very much. Sorry to
 21 everyone for the delay.
 22 MS HODGE: Our witness today is Calum Greenhow. Please can
 23 the witness be sworn.
 24 CALUM BRIAN GREENHOW (sworn)
 25 Questioned by MS HODGE
 1

1 Inquiry but also Lord Justice Fraser for the work that
 2 you've all done because, without your work, we would not
 3 know what we know today.
 4 I approach the Inquiry as a postmaster who has
 5 served behind the counter and used Horizon since 1999
 6 and still do today. I wanted to know the truth, the
 7 whole truth and nothing but the truth, even if that
 8 meant some uncomfortable truths were discovered about
 9 the organisation that I lead today.
 10 I'd like to thank those who you were involved, such
 11 as Sir Alan Bates, Jo Hamilton, Lord Arbuthnot,
 12 et cetera, because it's their tenacity, their dignity,
 13 their courage and their determination that we're here
 14 today. I'd like to offer them all my apologies as the
 15 Chief Executive of the NFSP and ask for their
 16 forgiveness for the part that the NFSP has played in
 17 what they've experienced and what they've had to endure
 18 over that period of time, and I hope that they will
 19 accept my apologies in the manner that it is intended.
 20 Thank you.
 21 Q. Thank you, Mr Greenhow. You are currently employed as
 22 the Chief Executive Officer of the National Federation
 23 of SubPostmasters; is that correct?
 24 A. I am.
 25 Q. Before we examine the circumstances of your appointment

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1 MS HODGE: Please give your full name.
 2 A. Calum Brian Greenhow.
 3 Q. You should have in front of you a copy of your witness
 4 statement dated 4 September 2024?
 5 A. I do.
 6 Q. That statement runs to 133 pages; is that correct?
 7 A. Yes.
 8 Q. Can I please ask you to turn to page 124 of your
 9 statement?
 10 A. Yes.
 11 Q. Do you see your signature there before you --
 12 A. I do.
 13 Q. Is the content of that statement true to the best of
 14 your knowledge and belief?
 15 A. It is.
 16 Q. Mr Greenhow, my name is Ms Hodge and I'll be asking
 17 questions on behalf of the Inquiry. Before I do so,
 18 I believe there's a statement you would like to make; is
 19 that correct?
 20 A. If I can. Something rather odd happened yesterday.
 21 When my Inquiry counsel and I were heading to
 22 an accommodation last night, we came out of Holborn tube
 23 station and I literally had to step out of the way of
 24 Lord Justice Fraser. And the reason that I mention that
 25 is I think it is important that I thank not only the
 2

1 as CEO, I'd like to ask you some brief questions about
 2 your background, please. You say that in August 1995
 3 you and your wife purchased the Post Office branch in
 4 West Linton, a village located in the Scottish Borders;
 5 is that right?
 6 A. We did.
 7 Q. You were appointed the SPM of that branch, which you ran
 8 with your wife until your appointment as CEO; is that
 9 correct?
 10 A. Yes.
 11 Q. In 2001 you became a member of the NFSP, which at that
 12 time was registered as a trade union; is that right?
 13 A. Yes.
 14 Q. You've explained in your statement that the NFSP is
 15 currently divided into 53 separate branches and ten
 16 separate regions; is that correct?
 17 A. Yes.
 18 Q. Does that representation extend to the whole of the
 19 United Kingdom, including Northern Ireland?
 20 A. Yes, it does.
 21 Q. Has the number of local branches and regions remained
 22 consistent throughout the time covered by this Inquiry?
 23 A. I don't think it has but I cannot confirm that. I am
 24 giving it from its current basis.
 25 Q. Before you were appointed the CEO of the NFSP, you held

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1 various different roles within the organisation; is that
 2 correct?
 3 **A.** Yes.
 4 **Q.** In 2010, you were elected the President of the South of
 5 Scotland branch; is that right?
 6 **A.** I was.
 7 **Q.** Do you recall how many branches of the NFSP there were
 8 in Scotland at that time, roughly?
 9 **A.** Seven?
 10 **Q.** Do you know how many Post Office branches were located
 11 within the South of Scotland at that time?
 12 **A.** I can't remember offhand. It would be 100/150, I think.
 13 **Q.** What did your role as President of the South of Scotland
 14 branch entail?
 15 **A.** In essence, I was Chair of the region -- of the branch,
 16 so if we had our branch meeting it would have been my
 17 responsibility to chair the meeting and support the
 18 branch secretary but it was the branch secretary who
 19 really did most of the work. That would also involve
 20 attending regional meetings, and then conference.
 21 I attended the NFSP's annual conference for the first
 22 time in 2010.
 23 **Q.** In 2012 you were elected the branch secretary of the
 24 South of Scotland branch; is that right?
 25 **A.** I was.

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1 membership would be taken whether to adopt or not that
 2 particular motion.
 3 **Q.** You say that the motion was a request, from whom?
 4 **A.** From the members.
 5 **Q.** What function was performed by the Committee in relation
 6 to these motions?
 7 **A.** So, in essence, we were looking at whether there was
 8 motions that came in that had a similar vein to them or
 9 similar thought, and we might amalgamate those together;
 10 whether that motion had been asked within the last two
 11 years and had been rejected, so it would have to carry
 12 over for another year. In essence, that was really it.
 13 **Q.** So the Committee was responsible for either permitting
 14 motions to go to conference or rejecting them; is that
 15 correct?
 16 **A.** One of. I was -- ultimately the decision was of the
 17 Executive Council, I believe but, certainly, we would
 18 meet in the March of the calendar year to actually go
 19 through those motions and, normally, the President of
 20 the NFSP, along with the General Secretary of the NFSP
 21 would be present and others, and they would be
 22 discussed, and then we would try and put them into
 23 themes, et cetera. But, yes, in essence, we were a form
 24 of the ability to enable those motions to be brought to
 25 conference.

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1 **Q.** Please can you describe the role performed by the
 2 secretary of the local branch?
 3 **A.** In essence, it was to be there as the contact point for
 4 members, to distribute information, if any postmaster
 5 had a problem or an issue I would be the first port of
 6 call. If there was an interview with the Post Office,
 7 I may go along to that or it may have been left to
 8 others.
 9 **Q.** In 2013 you were elected as the representative for
 10 Scotland on the NFSP's Standing Orders Committee; is
 11 that correct?
 12 **A.** Yes.
 13 **Q.** In your statement, you say that the committee was
 14 responsible for dealing with the motions from branches
 15 which would go to the annual conference. Can you please
 16 explain what a motion is?
 17 **A.** So a motion would be -- well, conference, in essence,
 18 was a whole series of questions, thoughts, ideas, that
 19 were being brought to the attention of the wider NFSP
 20 membership, and a motion was an individual request that
 21 may go to -- it would instruct the Executive Council to
 22 do something, and then what would happen is that would
 23 be debated at conference by all who attended conference.
 24 It would be debated prior to that at a regional meeting,
 25 for example, of members, and then a decision by the

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1 **Q.** But also to filter them; would that be fair?
 2 **A.** Yes.
 3 **Q.** In 2016 you were elected to the Board of the NFSP as the
 4 Scotland Regional Non-Executive Director; is that
 5 correct?
 6 **A.** Yes.
 7 **Q.** By that stage, the organisation was no longer registered
 8 as a trade union --
 9 **A.** Yes.
 10 **Q.** -- having, in September 2015, established itself as
 11 a private limited company; is that right?
 12 **A.** Yes.
 13 **Q.** I'd like to ask you some questions about your decision
 14 to seek appointment as the CEO of the NFSP. In your
 15 statement, you say that you wished to make the
 16 organisation more inclusive and representative of its
 17 members; is that correct?
 18 **A.** I think that was in relation to me being the Chief
 19 Executive.
 20 **Q.** Yes. Forgive me, this is -- sorry.
 21 **A.** Yes.
 22 **Q.** I'm asking you now about your appointment as Chief
 23 Executive?
 24 **A.** Oh, sorry, I thought you were talking about the Board.
 25 Sorry. Apologies.

8

1 Q. So, concerning your motivation for seeking appointment
2 as the Chief Executive, one of the points you raise in
3 your statement is that you wished to make the
4 organisation more inclusive --

5 A. Yes.

6 Q. -- and representative of its members; is that correct?

7 A. Yes.

8 Q. You also describe in your statement that you considered
9 your predecessor's approach to leadership was
10 autocratic; is that correct?

11 A. Yes.

12 Q. Can you please explain why you characterised
13 Mr Thomson's leadership in that way?

14 A. Well, I think if anybody who's been to the Inquiry may
15 have seen just exactly how George acts. If you didn't
16 agree with him, he would let you know, and he was very
17 much about pushing forward his view, his thoughts, his
18 ideas. I felt that, as an ordinary member and even as
19 a Board member, there was a toxicity within the
20 membership of the NFSP towards him, there was a lot of
21 negative feeling against him, and I think a lot of
22 things that were going on -- that people didn't know
23 what was going on, there wasn't much communication, and
24 therefore I felt that that was not the right way.

25 I'm a completely different person. I'm not

9

1 Q. The Inquiry has been shown the minutes of the meeting to
2 which you refer in your statement. For reference they
3 can be found at NFSP00000500. I think you accept, do
4 you not, that your comments are not recorded in those
5 minutes; is that correct?

6 A. Yes.

7 Q. Why is it, do you think, that your comments about the
8 integrity of Horizon were not recorded in the minutes of
9 the meeting?

10 A. I don't think there was any particular reason for it.
11 I think what was recorded was what Peter Montgomery was
12 saying and we were coming at the same sort of issue from
13 a slightly different angle. But so I think Peter's
14 comments were maybe more valid or more a summation of
15 the debate and the conversation that was going on, so
16 that was all recorded. I don't think there was any
17 specific reason why my comments were not recorded.

18 Q. There is a reference in the minutes of the meeting to
19 the principle of collective cabinet responsibility.
20 Please can we display the minutes to see that reference
21 in its context. It's the bottom of page 22 on to
22 page 23, please.

23 Thank you we see at the first bullet point your
24 colleague Peter Montgomery, who you reference raising
25 the issue of the Group Litigation, and if we go down to

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1 an exclusive person; I'm an inclusive person and I've
2 got nothing to hide in any way, shape or form, so
3 I really want to get out there, engage with my fellow
4 postmaster members, seek their views. You know, their
5 experiences is vast, their knowledge is vast and it's
6 important to listen to different ideas. It doesn't
7 necessarily mean to say that, just because someone puts
8 forward a view, that that would be the view that's taken
9 forward. But it's important to listen to what people
10 have to say, take it on board, and then make a decision
11 and that's not what I saw with George.

12 Q. According to your statement, when you were first
13 appointed a member of the board in mid-June 2016, you
14 challenged the stance being taken by the Board and the
15 then CEO, in relation to the integrity of Horizon; is
16 that correct?

17 A. Yes, it is.

18 Q. You state that you recall telling the Board at a meeting
19 in mid-June 2016 that Horizon could not be correct
20 100 per cent of the time; is that right?

21 A. Yes.

22 Q. You also stated, you say, that even if there were no
23 systemic issues with the system, there might still be
24 local faults; is that correct?

25 A. Absolutely.

10

1 the bottom, please, the final bullet point reads:

2 "The NFSP's policy has always been that it is
3 a robust system and we have fully confidence in it."

4 That being the Horizon system.

5 If we could scroll down, please:

6 "Do not believe the system is systematically faulty.

7 "Most people that blame Horizon for losses are
8 overinflating their cash declarations, false accounting.

9 "Subpostmasters take money sometimes and members of
10 staff also take money.

11 "Reminded that members of the Council should adhere
12 to collective cabinet responsibility."

13 Did you feel compelled by your membership of the
14 NFSP Board to toe the party line on the integrity of
15 Horizon?

16 A. No.

17 Q. You say in your statement that the purpose of raising
18 questions about Horizon's integrity in the first Board
19 meeting was to try to build some momentum that would be
20 capable of challenging the stance adopted by your
21 predecessor; is that correct?

22 A. Yes.

23 Q. What further steps did you take, either at Board level
24 or within the wider NFSP organisation, to build that
25 momentum to challenge his stance on Horizon?

12

1 **A.** Difficult to remember everything that took place so long
 2 ago but, in essence, obviously you can see from Peter's
 3 view, we would regularly go for walks, we would have
 4 discussions, I would talk to other individuals, with
 5 members within the Federation, other postmasters who had
 6 a different view. I felt that it was important to
 7 understand the Board, see where the Board were sitting,
 8 see, you know, many of them I didn't necessarily know
 9 personally at that point. Get to know them, get to sort
 10 of understand them and get to see where they went. And
 11 whenever any opportunities arose to actually maybe have
 12 different view, I would take that forward.

13 **Q.** Now, we know that your appointment to the Board took
 14 effect in or around June 2016; is that correct?

15 **A.** Yes.

16 **Q.** Between that time and your appointment as CEO, did you
 17 ever raise the issue of Horizon's integrity again with
 18 the Board?

19 **A.** Sorry, say that again?

20 **Q.** So between your appointment to the Board as
 21 a Non-Executive Director --

22 **A.** Oh, sorry.

23 **Q.** -- in June 2016 and your appointment as CEO of the NFSP
 24 in 2018, did you ever raise the issue of Horizon's
 25 integrity again at the Board, so far as you recall?

13

1 reliability of the Horizon system?

2 **A.** Correct, and can I just add to that, actually, as
 3 someone who had used and was using Horizon, whilst there
 4 may have been issues in relation to it freezing, or
 5 problems as far as screen or a printer or a base unit
 6 not working, that would be what maybe people would have
 7 come to me about. But as far as ascribing losses to
 8 Horizon, to my knowledge, no one came to me about that.

9 **Q.** Looking back, does it surprise you that the problems
 10 with Horizon were not brought to your attention in your
 11 capacity either as President or Branch Secretary of the
 12 South of Scotland branch?

13 **A.** Not really, no.

14 **Q.** Why is it, do you think, that these problems weren't
 15 reported to you?

16 **A.** I can't answer that specifically. All I can say is,
 17 again, as someone who was using Horizon, I didn't see
 18 Horizon as an issue. We were using it, it was
 19 functioning; clearly, for some people, it wasn't. I can
 20 only go on my own personal experience of having used
 21 Horizon and, other than it freezing, a scanner not
 22 working, I've not had any personal experience of faults
 23 with the software that have caused -- that I believe
 24 have caused losses in my own branch and, between 2012
 25 and 2015, no one had raised that sort of issue with me,

15

1 **A.** I don't think I did. Certainly, from what I can see
 2 from the minutes and emails, I don't think it actually
 3 came up.

4 **Q.** I'd like to go back in time, please, to examine when you
 5 first became aware of concerns about the integrity of
 6 Horizon, in your statement you first date your awareness
 7 of issues with Horizon's integrity to the summer of
 8 2015; is that correct?

9 **A.** Yes.

10 **Q.** By that stage, you'd held the role of branch secretary
 11 since 2012; is that right?

12 **A.** Yes.

13 **Q.** And you'd been appointed the elected representative for
 14 Scotland on the Standing Orders Committee?

15 **A.** Yes.

16 **Q.** You've explained in your statement and in your evidence
 17 this morning that, if members of the NFSP had concerns
 18 that they wished to raise, their first point of contact
 19 would be the branch secretary; is that right?

20 **A.** Yes.

21 **Q.** Or one of these first points of contact?

22 **A.** Yes.

23 **Q.** Does it follow that during the time in which you served
 24 as Branch Secretary for South of Scotland, that no
 25 member ever raised any concerns with you about the

14

1 and as I was going to regional meetings it wasn't really
 2 being raised much there.

3 What was being raised was more about Network
 4 Transformation and other sort of like issues.

5 **Q.** We know from documents which have been disclosed by the
 6 NFSP that some local branches of the organisation were
 7 seeking to raise concerns about Horizon --

8 **A.** Absolutely.

9 **Q.** -- in the motions which they submitted for consideration
 10 at the annual conference. Please can one of these
 11 documents be shown on the screen, it bears the reference
 12 NFSP00001037. Thank you. This document appears to
 13 contain a list of motions submitted by the Midlands
 14 region of the NFSP for consideration at the annual
 15 conference held in 2010; is that right?

16 **A.** Yes.

17 **Q.** The third motion in the list reads as follows:

18 "This conference mandates the EC ..."

19 That's a reference to the Executive Council, is it?

20 **A.** Yes, the Executive Council, yes.

21 **Q.** "... not to accept any changes to the Horizon system
 22 (either firmware or software) until fully validated as
 23 'fit for purpose' by the Horizon steering group."

24 Can you help us, who sat on the Horizon steering
 25 group?

16

1 A. This was obviously well before my time. I attended
 2 a conference for the first time in 2010. I -- as I said
 3 in my opening statement, I came in to try and find out,
 4 this was something that I found out but, as far as who
 5 that Horizon steering group is concerned, I've never
 6 been able to find out exactly what that was.
 7 Q. Please could be scroll down to the sixth motion, thank
 8 you, in the list. That reads:
 9 "That this conference mandate the EC to demand that
 10 POL retain all historical Horizon data that relate to
 11 Horizon failures both firmware & software for a minimum
 12 of [12 months]."
 13 A. Mm.
 14 Q. From what you said just now, it appears to be that you
 15 were not aware of these motions at the time when they
 16 were submitted; is that correct?
 17 A. No, I -- no.
 18 Q. You have said, however, that you attended the annual
 19 conference of the NFSP for the first time in that year
 20 of 2010; is that right?
 21 A. Yes, I did.
 22 Q. Does it follow that these motions were not debated at
 23 the annual conference which you attended?
 24 A. I'm sorry, I can't answer that question, I don't --
 25 I can't remember.

17

1 responsibility of the subpostmaster."
 2 Then it in brackets it reads:
 3 "Subpostmasters not to be responsible for computer
 4 generated discrepancies on Horizon."
 5 Under the heading "Status", it reads:
 6 "Where evidence exists that the error is not as
 7 a result of human input then a claim will not be
 8 pursued."
 9 Who would have been responsible for reporting on the
 10 status of this motion?
 11 A. I would imagine the Executive Council.
 12 Q. This entry appears to accept the possibility that
 13 discrepancies were generated by Horizon, does it not?
 14 A. It certainly reads that way, yes.
 15 Q. When did this document first come to your attention?
 16 A. I think, as I -- as we were preparing documents for this
 17 Inquiry.
 18 Q. You mention in your statement that you watched the BBC
 19 Panorama programme which was aired in August 2015; is
 20 that right?
 21 A. Yes.
 22 Q. In your statement, you say this about the programme:
 23 "When I watched the Panorama programme and saw
 24 Hughie Thomas, Jo Hamilton and Seema Misra, I couldn't
 25 see them as people who had stolen money."

19

1 Q. Who would have been responsible for determining whether
 2 or not these particular motions were debated at the
 3 annual conference?
 4 A. I'd imagine -- so the Standing Orders Committee and the
 5 Executive Council.
 6 Q. To be fair to you, you weren't yet a member of the
 7 Standing Orders Committee --
 8 A. No.
 9 Q. -- at that time?
 10 A. No.
 11 Q. You took over in 2012 -- you joined in 2012?
 12 A. No, I joined in 2013.
 13 Q. Sorry, 2013.
 14 Please could we look at another set of motions, they
 15 bear the reference NFSP00001044. Do you know from which
 16 region of the NFSP these orders were submitted?
 17 A. Off the top of my head, no, I don't.
 18 Q. Are you able to tell us to which annual conference they
 19 related?
 20 A. No, I can't.
 21 Q. Could we turn, please, to page 5 of this document. It's
 22 motion number 43. Thank you. It reads:
 23 "That this Conference instructs the Executive
 24 Council to negotiate with Post Office Limited that
 25 computer generated discrepancies are not the

18

1 Is that right?
 2 A. Absolutely.
 3 Q. Does it follow that after watching the Panorama
 4 programme, you became concerned that the Post Office
 5 might have wrongly prosecuted subpostmasters in reliance
 6 on data generated by Horizon?
 7 A. Yes, and, obviously, I've provided evidence, or there
 8 has been evidence provided to the Inquiry, that shows
 9 that.
 10 Q. Shortly after watching the programme, you received and
 11 read a branch circular from George Thomson, then CEO of
 12 the NFSP; is that right?
 13 A. Yes.
 14 Q. Please can that document be shown on the screen. It
 15 bears the reference WITN00370126.
 16 Thank you. So this is the "Branch Secretaries'
 17 Circular". Can you just briefly explain what the
 18 purpose of a circular like this is and was?
 19 A. Yes, so obviously this was before the mass usage of the
 20 Internet, as we have, or the various social media
 21 channels. So, at that time, providing information from
 22 Shoreham to the members came via the Branch Secretary,
 23 so we would receive these circulars and it was our duty
 24 and our responsibility to distribute that information to
 25 members within our particular branch or region.

20

1 Q. You said that it came from Shoreham?
 2 A. Yes.
 3 Q. By that, you mean the central office of the National
 4 Federation of SubPostmasters?
 5 A. Yes, sorry, the NFSP headquarters in Shoreham, yes.
 6 Q. So this circular is dated 18 August 2015. It's
 7 volume 24, addressed to the Branch Secretary, and it
 8 bears the heading "Post Office under the Spotlight".
 9 Could we go scroll down to the third paragraph, which
 10 addresses the Panorama programme. It reads, the second
 11 sentence please:
 12 "Last night's Panorama BBC1 documentary sought to
 13 get underneath the bright shiny exterior of the Post
 14 Office and reveal a less palatable side of the business:
 15 the longstanding issue of prosecutions of subpostmasters
 16 and the alleged [systemic] failings of Horizon looks set
 17 to continue for some time yet.
 18 "Over the past few years the NFSP has received
 19 thousands of telephone calls from subpostmasters. The
 20 majority relate to employment law, contract issues and
 21 Network Transformation. The remainder cover ..."
 22 ATMs, I assume that's meant to say.
 23 A. Yes.
 24 Q. "... cash supply and just about every subject you care
 25 to mention, including a handful every month on Horizon

21

1 that document, it's already been shown in this Inquiry
 2 but I'm happy to do so if there's any particular part of
 3 it you wish to draw to the Chair's attention.
 4 A. I just think, you know, obviously -- I mean, it was
 5 difficult, so I think as a branch secretary at that
 6 point, you know, I just considered myself an honorary
 7 postmaster. I just, you know, having watched the
 8 Panorama programme, it was really, in essence, me
 9 starting to get, to understand, "Hang on a second, maybe
 10 there's something more to this". Up to that point, you
 11 know, we occasionally heard of people being convicted,
 12 people admitting their guilt but we hadn't really heard
 13 too much about the possibility that, actually, it could
 14 be Horizon, and this was, in essence, me starting to get
 15 to question that -- you know, a little question mark
 16 going "Hang on, is there something more here?"
 17 And I felt this statement was more saying, "There's
 18 absolutely no possibility that there could be anything
 19 wrong. You know, Horizon is absolutely sound", and
 20 I just didn't -- I don't feel that a computer system, as
 21 we have seen today, can be 100 per cent, 100 per cent of
 22 the time. And, therefore, I felt that it was important
 23 for myself to try and reach out to the General Secretary
 24 and say, "Could you possibly look at this a different
 25 way? Is there a possibility that there is something

23

1 connectivity and the problems of getting through to ATOS
 2 and the Helpdesk.
 3 "Put simply, the NFSP has not received calls from
 4 subpostmasters querying Horizon and alleging [systemic]
 5 failings. If there was a widespread problem, our
 6 subpostmasters would have made us aware of it. As
 7 a result, we have no choice but to conclude that Horizon
 8 is a fundamentally sound and safe system."
 9 In your statement you explain that you did not agree
 10 with the message conveyed in this circular and that you
 11 decided to raise your concerns with the CEO; is that
 12 correct?
 13 A. I think he was General Secretary at that point but yes,
 14 yes.
 15 Q. You wrote an email to Mr Thomson on 19 August 2015, in
 16 which you invited him to consider the possibility that
 17 those who were challenging the integrity of Horizon
 18 might be correct?
 19 A. Yes.
 20 Q. You invited him to show his support for the SPMs whose
 21 cases were being reviewed by Second Sight; is that
 22 right?
 23 A. Yes.
 24 Q. For the benefit of the transcript, that email bears the
 25 reference POL00162628. I don't propose to take you to

22

1 different to this?"
 2 Q. In addition to raising that concern with the General
 3 Secretary, you also contacted Paul McBain who was then
 4 the Scottish Non-Executive Director; is that right?
 5 A. Actually, at that time, he was the Regional Secretary.
 6 Q. Regional secretary.
 7 A. He did eventually become Non-Executive Director but at
 8 that time he was Regional Secretary.
 9 Q. And Donald Ramsay, who was then the Scottish Executive
 10 officer; is that right?
 11 A. Yes.
 12 Q. You proposed to Mr McBain that the NFSP conduct its own
 13 and fully and independent inquiry into Horizon's
 14 integrity; is that right?
 15 A. Yes.
 16 Q. You requested that the issue be placed on the agenda for
 17 the forthcoming regional meeting?
 18 A. HEXAM|||Index2|*|{S.}{TR:5}{P}Yes.
 19 Q. That meeting took place on the 2 October 2015; is that
 20 correct?
 21 A. It is.
 22 Q. You've provided the minutes of that meeting, which bear
 23 the reference WITN00370131. Please can that be shown on
 24 the screen.
 25 This bears the title "Minutes of meeting of Scotland

24

1 Regional Council Held Grampian Hotel, Perth on 2 October
2 2015."

3 To clarify, did you attend that meeting on
4 2 October?

5 **A.** Yes.

6 **Q.** It lists certain apologies but are you able to confirm
7 who else was in attendance at that meeting?

8 **A.** Sorry, I'm just looking at the Vice President sort of
9 above -- so, obviously, Jamil Ahmed was there; the
10 National President, Jim Nott was there; and Laura
11 Hobbins who, from memory, was an employee of
12 Parcelforce; and there would have been other branch
13 secretaries, obviously the Executive Officer, Donald
14 Ramsay, and Paul McBain.

15 In fact, at that time there would have been two, so
16 there might have been Andrew Gilhooly as well; as I say,
17 other individuals. But beyond that, I can't remember,
18 specifically.

19 **Q.** You say Mr Jim Nott was the National President at that
20 time; is that right?

21 **A.** Yes.

22 **Q.** Please can we turn to page 2 of the minutes where we can
23 see some discussion in relation to Horizon. If we could
24 scroll down, please. In bold there is a heading
25 "BSC 24", is that a reference to the branch circular we

25

1 **Q.** Finally, the minutes record that:

2 "The agreement with the delegates was to accept the
3 response but believe that the issue would return due to
4 MPs signing an Early Day Motion."

5 Now, the reference to the response, shall we
6 understand that to mean the response of the National
7 President or the response of Mr Thomson in the branch
8 circular; are you able to assist?

9 **A.** I think it would have been what was said on the day by
10 the National President.

11 **Q.** By the National President. These minutes show, do they
12 not, that the delegates at this meeting, of which you
13 were one, agreed to accept the party line on Horizon?

14 **A.** Yeah, I suppose that's correct.

15 **Q.** Why did you accept the response of the National
16 President if you believed, by this stage, that the Post
17 Office had wrongly prosecuted subpostmasters?

18 **A.** I think at this stage I was beginning to question,
19 rather than be absolutely certain, that the Post Office
20 were wrongly convicting. I think, at this point, I was
21 starting to think differently but, as far as evidence is
22 concerned, I didn't have that at that time. I was, you
23 know, watching sort of, obviously, the Panorama
24 programme and thinking something's not right here. But
25 as far as having absolute evidence and proof, as we now

27

1 saw on screen a short time ago?

2 **A.** I believe it is.

3 **Q.** It reads:

4 "BSC 24 under the spotlight with regards to the
5 Horizon system and what it does or does not do.
6 National President agreed that the Post Office did a lot
7 wrong in the early years but there is no evidence that
8 the systems were at fault."

9 What did you understand the National President to
10 mean when he said that the Post Office did a lot wrong
11 in the early years?

12 **A.** I cannot say for definite what that means. It's not
13 something I can remember discussing with Jim. So
14 I can't say for definite, sorry.

15 **Q.** The minutes then say this:

16 "The National President also explained that the
17 system was checked annually for its robustness and no
18 issues were found by these outsourced companies of which
19 Pricewaterhouse was one."

20 Do you know from where the National President
21 obtained that information?

22 **A.** No, I don't. I can only -- if he's mentioned
23 Pricewaterhouse specifically, I can only assume that he
24 had received some information that had Pricewaterhouse
25 on it.

26

1 do, I did not have that at the time and neither did any
2 of the other individuals who were attending.

3 And, again, we were all postmasters, we are all
4 using the system. And whilst we may have had problems
5 with the -- as I say, with the screen or with the
6 hardware, as far as understanding that there was
7 potential problems with the software that may have been
8 making falls discrepancies, that the Post Office were
9 maliciously prosecuting those individuals as a result
10 of, I don't think any of us had that evidence at that
11 time.

12 But we were -- our feeling of the Post Office was
13 not one of -- yeah, they're -- well, put this way, sort
14 of I think even all -- even I have been stunned by
15 exactly what's gone on. I still struggle to understand
16 the scale of exactly what's gone on. As I've said
17 elsewhere in my statement, you know, Government, the
18 Civil Service, big business, in terms of Post Office,
19 Fujitsu, Royal Mail, even the legal industry, are
20 involved in this.

21 Collectively, we all got it wrong. You know, we
22 cannot ignore that there's 900 cases, that's 900
23 prosecutions, 900 defences, 900 judges that were all
24 involved in that. You know, our faith in the legal
25 industry is such that, well, we would hope and expect

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1 the legal industry to have investigated this properly,
 2 and, if they were convicting, then it must be -- there
 3 must be something in it. You know, that's where we
 4 were. And, therefore, we didn't have the evidence to
 5 suggest that the scale of the cover-up and the scale of
 6 what was going on and the scale of the victimisation was
 7 actually present.

8 **Q.** In your statement you say that you don't recall taking
 9 any further steps after this meeting in October to raise
 10 your concerns, to escalate your concerns about Horizon;
 11 is that correct?

12 **A.** It is. If I can just say, actually, I can't find any
 13 evidence. I look back in my own personal emails at that
 14 time to sort of see if I had done anything. I do
 15 highlight that, obviously, I had to make a decision, my
 16 wife and I were having to make a decision as far as our
 17 own business in relation to Network Transformation and
 18 we'd had to make the -- or were making the very
 19 difficult decision to, in essence, exit the business and
 20 what that implication was going to have on our future.
 21 I mean, we live above the post office, our post office
 22 is attached to the business. If we -- if we lost our
 23 business, we were going to lose our home. We were going
 24 to lose our ability to care for and provide our
 25 daughters.

1 a result of the NFSP lobbying. I don't know.

2 **SIR WYN WILLIAMS:** Right. Thank you.

3 **MS HODGE:** Thank you, Mr Greenhow, I'd like to ask you now
 4 about your knowledge of a defect in Horizon Online,
 5 known as the Dalmellington bug.

6 **A.** Yes.

7 **Q.** The existence of this bug was brought to your attention
 8 by Tim McCormack, a subpostmaster who, at that time, was
 9 a member of the Communication Workers Union; is that
 10 right?

11 **A.** Yes.

12 **Q.** Do you know why Mr McCormack came to you with his
 13 concerns about this bug?

14 **A.** Tim and I sort of communicated backwards and forwards.
 15 I can't remember the specifics of it. I can remember
 16 obviously dealing with a particular case, and whether
 17 I had read something or was aware of something or --
 18 I mean, obviously Tim has provided a lot of blogs.
 19 Maybe I had read something that he had said in a blog,
 20 and contacted him but he certainly wouldn't have known
 21 that I was dealing with this.

22 So I may have contacted him just to say, you know,
 23 "Have you heard of anything along these lines?", or
 24 I may have read something in what he said, which
 25 encouraged me to contact him to ask a little bit more

1 Those were big decisions and, you know,
 2 understandably, that's where my focus was or was at the
 3 time. I'd raised it, and other things came in that, you
 4 know, demanded my time.

5 **SIR WYN WILLIAMS:** Mr Greenhow, what does the last part of
 6 the last sentence mean, "believe that the issue would
 7 return due to MPs signing an Early Day Motion"; can you
 8 translate that for me please?

9 **A.** I can give you what I think it means. I can't
 10 necessarily say that it's specific. Obviously, an Early
 11 Day Motion, to my knowledge within the political field
 12 is that an MP will bring a motion, which is called
 13 an Early Day Motion --

14 **SIR WYN WILLIAMS:** Right, sorry to stop you. So I wondered
 15 whether this was something to do with a person MP within
 16 the NFSP but it's not, it's about an MP raising it --

17 **A.** Yes.

18 **Q.** -- in an Early Day Motion?

19 **A.** Yes, if I may explain, sir. The NFSP does not have any
 20 political affiliations. We're apolitical on that basis.
 21 We provide no funds to any political party. So, you
 22 know, we do engage, obviously, and we lobby MPs on
 23 behalf of postmasters to highlight exactly what's going
 24 on in the network but this may have been done
 25 independently of the NFSP or it may have been done as

1 because the Dalmellington bug seemed to be similar to
 2 what -- a situation that I was dealing with on behalf of
 3 a colleague.

4 **Q.** You've produced a copy of the email which Mr McCormack
 5 sent to you on 9 August 2016, please can that document
 6 be shown on the screen. It bears the reference
 7 WITN00370129.

8 Thank you. So halfway down the first page, we can
 9 see the email from Mr McCormack to you on 9 August. It
 10 reads:

11 "Hi Calum

12 "Just had a call from Mark Daniels."

13 Who was Mark Daniels, please?

14 **A.** Mark Daniels was a dual member of both the CWU and the
 15 NFSP.

16 **Q.** "We really need to talk about this. You won't know half
 17 of the story surrounding Dalmellington yet but one of
 18 the most important points that has come out of it has
 19 been [the Post Office's] refusal to inform the network
 20 that this type of problem can occur.

21 "Seema Misra was sent to prison for falsifying
 22 accounts and the Judge specifically noted that if the
 23 computer caused the shortfall in the accounts then she
 24 should have noticed. Pretty difficult when [Post
 25 Office] know about these problems and don't tell you

1 what to look for.
 2 "Please -- this is so important for all remaining
 3 [SPMs] and new entrants."
 4 He then gives his telephone number.
 5 In this email, once again, we see, on this occasion,
 6 Mr McCormack alerting you to the risk that
 7 subpostmasters had been and were being wrongly held
 8 accountable for bugs in Horizon, which the Post Office
 9 knew about, but were not willing to disclose; is that
 10 fair.
 11 **A.** Yes.
 12 **Q.** We can see he asked you to contact him and, in the email
 13 above, you say you will do. Did you, in fact, contact
 14 Mr McCormack?
 15 **A.** I think I did.
 16 **Q.** Do you recall what he told you about the Dalmellington
 17 bug?
 18 **A.** He described what actually happened. Would you like me
 19 to -- yes.
 20 **Q.** Yes.
 21 **A.** The Dalmellington bug to my understanding is where
 22 a postmaster operates what's known as a core and
 23 outreach. Now, the core is a full-time office and
 24 an outreach would be a part-time office, where they
 25 would go out to a small community, neighbouring

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1 action to draw the existence of the bug to the attention
 2 of the NFSP Board?
 3 **A.** Unfortunately, I don't think did.
 4 **Q.** Looking back did the existence of this bug not provide
 5 you with the ammunition which you needed to challenge
 6 the stance being adopted by the then CEO?
 7 **A.** Well, it certainly gave me further evidence that maybe
 8 something isn't quite right. But I think -- I don't
 9 know if you'll want to come on to it -- obviously, when
 10 we had the interview with the Post Office, I documented
 11 that I did challenge the Post Office --
 12 **Q.** I'll come on to that.
 13 **A.** Oh okay, sorry.
 14 **Q.** But if we just take it in order --
 15 **A.** All right.
 16 **Q.** So you've explained in your statement that you later
 17 became involved in a case of a subpostmaster who
 18 operated an outreach branch in Scotland; is that
 19 correct?
 20 **A.** Yes.
 21 **Q.** That postmaster had experienced a discrepancy of
 22 £39,000 --
 23 **A.** From memory, yes.
 24 **Q.** -- which related to the transfer of cash and stock
 25 between their core and outreach branches?

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1 community, and they would set up a Post Office,
 2 basically they would take the Horizon kit with him, and
 3 they would set it all out and then the community could
 4 come in and they would be able to serve them and provide
 5 them with the services that they require.
 6 What would happen is you would transfer cash and
 7 stock from your core office into your outreach office,
 8 and take it, obviously, to that location. You may also
 9 at times -- and I've never operated one so I'm going
 10 from my understanding -- you may want to transfer cash
 11 and stock from the outreach back into the core.
 12 My understanding is that you did that in exactly the
 13 same way as if we were sending cash and stock back to
 14 the Cash Centre, or receiving cash and stock into our
 15 post office.
 16 **Q.** Sorry, by Cash Centre you mean the Post Office?
 17 **A.** The Post Office, sorry, yeah the Post Office Cash
 18 Centre. And my understanding of the Dalmellington bug
 19 is that that process could be faulty and could result in
 20 double entering or triple entering and, I believe, in
 21 Dalmellington, as the person was scanning it, it was
 22 creating multiple entries, which was causing it to look
 23 as if the -- her outreach or her core actually had more
 24 cash and stock than it actually had.
 25 **Q.** Having been told this, by Mr McCormack, did you take any

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1 **A.** Yes.
 2 **Q.** You believed, you said, based on the information which
 3 you'd been told by Mr McCormack, that the discrepancy
 4 might have been caused by the Dalmellington bug; is that
 5 right?
 6 **A.** Yes.
 7 **Q.** When you accompanied the subpostmaster at his interview,
 8 which was conducted by Brian Trotter --
 9 **A.** Yes.
 10 **Q.** -- the Post Office Contracts Manager in Scotland, you
 11 raised the existence of the bug with Mr Trotter; is that
 12 correct?
 13 **A.** I asked him about if it was possible that the
 14 Dalmellington bug could be responsible for the situation
 15 here because it had very similar hallmarks to it.
 16 **Q.** How did Mr Trotter respond when you raised this --
 17 **A.** He simply said that it couldn't possibly be because that
 18 had been dealt with prior to this happening.
 19 **Q.** Were you satisfied by that explanation?
 20 **A.** No.
 21 **Q.** How did the meeting conclude?
 22 **A.** As I put in my statement, I believe there was two action
 23 points. The Post Office were going to go away and get
 24 the evidence and, unfortunately, one of the aspects
 25 that, as I was asking for evidence, the Post Office were

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1 saying, "Well, that's not going to be easy, it's beyond
 2 the six months that we keep, we're going to have to go
 3 to Fujitsu".
 4 **Q.** Sorry, just to stop you. Evidence of what, please?
 5 **A.** Evidence of what the Post Office were presenting as
 6 potentially the reason why the -- well, in fact, they
 7 weren't providing any evidence, to be truthful. They
 8 were -- the way that they did the interviews is they
 9 asked the postmaster why it couldn't possibly be -- how
 10 did this discrepancy take place? They weren't providing
 11 any evidence. They weren't coming in and saying, "On
 12 such-and-such a day you did this, this and this"; they
 13 were just simply asking, "You've got a loss, explain to
 14 us how that happened". So, in other words, it was up to
 15 the postmaster to be able to prove how that happened.
 16 So I was challenging the Post Office for the
 17 evidence as to how that discrepancy could take place
 18 because the postmaster couldn't possibly get it, because
 19 it was beyond -- we any have access to three months' of
 20 data within our office. We were talking over a year
 21 here. So, therefore, I was asking the Post Office, "You
 22 need to go away and provide that evidence and, until you
 23 provide that evidence and prove it, we're not prepared
 24 to sort of accept it".
 25 **Q.** You were saying in relation to your request that they

1 made things worse. But I never got any information from
 2 them unfortunately.
 3 **Q.** How did this particular case conclude?
 4 **A.** I eventually contacted the postmaster, I think in
 5 December, and he had been notified that his contract had
 6 been terminated but I had -- as I say, no ever had been
 7 provided to me, no further correspondence had taken
 8 place with the Post Office, and I felt that that was,
 9 you know -- was not right.
 10 **Q.** Looking back, do you consider that you could or should
 11 have done more to challenge the Post Office's refusal or
 12 failure to provide documentary evidence to support --
 13 **A.** I mean, I think it's difficult, because when you're --
 14 and as I learned with the Post Office, you ask them
 15 something they don't want to say, I call it they go into
 16 their "black hole", and you just don't get any
 17 correspondence from them. You can bang your head
 18 against a brick wall until you've got a rather sore head
 19 and it just doesn't happen. They just literally
 20 withdraw, withdraw, withdraw. And, you know, to be
 21 honest I didn't know what more I could do.
 22 I just continued to believe in the postmaster,
 23 support the postmaster and, obviously, when the GLO
 24 concluded, I was straight on the phone to the
 25 postmaster. When I heard there was the Historic

1 supply that evidence?
 2 **A.** Yes, I was asking for them to do that.
 3 **Q.** What was their response?
 4 **A.** They would go away and they would provide it and, sadly,
 5 they never did.
 6 **Q.** What, if any, steps did you take to follow up on that
 7 request that the Post Office produce evidence of how the
 8 discrepancy had occurred?
 9 **A.** Well, I kept on asking for the evidence to be provided
 10 because, again, as I say in my statement, I would be in
 11 contact with the postmaster and they hadn't heard
 12 anything. Getting any information out of the Post
 13 Office was not easy, they were not great at responding
 14 to either phone calls or to emails and, at one point,
 15 I discovered that the case was being heard or was being
 16 considered before the Senior Contracts Manager at the
 17 time.
 18 I had not been informed of that. The postmaster had
 19 been. In fact, actually the Post Office didn't really
 20 engage with us on it, which was really a concern to me
 21 and it stuck with me ever since. In fact, I think, sort
 22 of me bringing up the Dalmellington bug, I've always
 23 wondered if that had an impact on how the Post Office
 24 treated the postmaster, and it's always been a concern
 25 to me if me bringing that up has actually, you know,

1 Shortfall Scheme, "You need to get yourself involved in
 2 that, I think you've got a case", and it was then that
 3 I discovered that he was thankfully part of the GLO.
 4 But as we sit here today, five years after that, he
 5 still has not received his redress, which I think is
 6 shocking.
 7 **MS HODGE:** Thank you, sir. That brings the end to that
 8 particular topic I wish to discuss. It may be
 9 a convenient time to take a 15-minute break.
 10 **SIR WYN WILLIAMS:** Yes, by all means, Ms Hodge.
 11 I've got it right, have I: the detail which
 12 Mr Greenhow has been giving orally, essentially I can
 13 find it at paragraphs 99 and 100 of his statement, yes?
 14 **MS HODGE:** That's correct, sir.
 15 **SIR WYN WILLIAMS:** Yes, thanks very much. Yes.
 16 So we'll start again at 11.25, is it?
 17 **MS HODGE:** Yes, sir.
 18 **SIR WYN WILLIAMS:** Fine.
 19 **MS HODGE:** Thank you.
 20 **(11.09 am)**
 21 **(A short break)**
 22 **(11.25 am)**
 23 **MS HODGE:** Good morning, sir. Can you see and hear me?
 24 **SIR WYN WILLIAMS:** Yes, I can, thank you.
 25 **MS HODGE:** Thank you.

1 I'd like to move on, please, Mr Greenhow, to examine
2 your approach to the Group Litigation brought by
3 Sir Alan Bates and others against the Post Office.

4 **A.** Yes.

5 **Q.** You say in your statement that you did not share your
6 predecessor's dismissive attitude towards the Group
7 Litigation; is that correct?

8 **A.** Correct.

9 **Q.** And that, upon being appointed as the CFO of the NFSP,
10 you wished to demonstrate that your attitude to
11 litigation was different?

12 **A.** Yes.

13 **Q.** In your written evidence, you say that you attended the
14 first day of the Common Issues trial and that you had
15 hoped to shake hands with Sir Alan Bates but the
16 opportunity did not arise; is that correct?

17 **A.** Maybe just the way I've described it. I can't remember
18 exactly the reason why but, obviously, as you know, the
19 layout of this room, there's the anteroom, and I was
20 outside, I can't remember the reason why I was outside,
21 and, all of a sudden, Sir Alan came out of the room and
22 it was only myself and him in this foyer or wherever.
23 I was at one end and he was at the other end, and he
24 quickly disappeared. He may have been going to the
25 toilet or something like that, I honestly don't know.

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1 think we could get involved at that stage. I certainly
2 had no idea that the NFSP would be a significant focus
3 of the GLO proceedings."

4 That can be brought down, thank you very much.

5 A short time ago, you told the Inquiry, that you
6 believed that Hughie Thomas, Jo Hamilton and Seema Misra
7 were not guilty of stealing from the Post Office. Why
8 then did you not speak out the publicly in support of
9 the Group Litigation?

10 **A.** Quite simply, I didn't think we could. It's as simple
11 as that.

12 **Q.** You were given the opportunity to comment and throw your
13 weight behind the litigation, were you not?

14 **A.** *(No audible answer)*

15 **Q.** Please can NFSP00000779 be shown on the screen?

16 **THE STENOGRAPHER:** Sorry, was there an answer to the last
17 question?

18 **A.** Sorry, apologies. I wasn't really giving an answer,
19 sorry. I wasn't sure.

20 **MS HODGE:** Do you recall whether you were given
21 an opportunity to comment?

22 **A.** Not to my knowledge. You may be about to remind me.

23 **Q.** Thank you.

24 This document contains an email from Nick Wallis to
25 the National Federation of SubPostmasters. Mr Wallis

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1 But I didn't get the chance but it would have -- it
2 would have been lovely to be able to go across, shake
3 his hand and just thank him for what he's done.

4 **Q.** So that was an opportunity as you saw it, to express
5 your support privately, to Mr Bates --

6 **A.** Yes.

7 **Q.** -- in respect of --

8 **A.** Yes.

9 **Q.** -- the bringing of the litigation?

10 **A.** Absolutely.

11 **Q.** Now, please could we bring up paragraph 135 of your
12 statement, in which you address the approach which you
13 adopted publicly, to the Group Litigation. The
14 reference to the statement, please, WITN00370100, thank
15 you, and it's page 47. Thank you. If we scroll down,
16 please, paragraph 135, thank you very much. You say
17 here:

18 "The legal process was under way with court dates
19 set when I took on the Chief Executive role in June
20 2018, and the NFSP was not a party in the [Group
21 Litigation] case. Therefore, I determined it was right
22 to allow the due legal process to take place and allow
23 the courts to determine once and for all what the answer
24 to the Horizon issue was. Added, as someone not
25 experienced or practised in the legal process, I did not

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1 reported extensively on the Group Litigation.

2 **A.** He has.

3 **Q.** If we scroll down to the middle of page 2, please, we
4 can see there, his email, addressed to Amanda Cox, who,
5 from the email, appears to have been the General
6 Official Supervisor and Receptionist; is that correct?

7 **A.** Yes.

8 **Q.** This email is dated 16 November 2018 and it reads as
9 follows:

10 "Hi

11 "I am a journalist covering the Bates v Post Office
12 High Court trial and yesterday, as you may know, the
13 NFSP's independence was queried in court.

14 "I have covered this as a reporter and published
15 a separate piece for my blog outlining the NFSP's
16 historic refusal to get behind claims that Horizon is
17 not fit for purpose.

18 "My separate piece is a piece of comment and I am
19 very hard on the NFSP -- focusing on its contractual
20 inability to criticise the Post Office on this issue and
21 the decision it appears to have taken as an organisation
22 that it is better to let its members hang out to dry if
23 they are having problems with Horizon, in order to
24 protect the integrity of the brand to clients and other
25 subpostmasters (as explained by George Thomson in his

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1 evidence to Parliament on 3 February 2015)."
 2 He goes on to say:
 3 "It is both right and fair to offer you the
 4 opportunity to have your position acknowledged and
 5 incorporated into the piece.
 6 "You could do this in one of two ways -- issue
 7 a statement or have the right of reply."
 8 He then goes on to suggest some topics that could be
 9 covered if you were to issue a statement and he
 10 expressly says, if we go down, please:
 11 "If the CEO of the NFSP would prefer to write
 12 a right of reply piece for publication on my blog, he
 13 would be more than welcome."
 14 If we scroll up to the bottom of the first page,
 15 please, we can see that that email was forwarded by
 16 Ms Cox to you and to Lynn Eccles. What was Ms Eccles'
 17 role within the NFSP.
 18 **A.** She was the Communication Director.
 19 **Q.** Thank you. If we could scroll up then please to the top
 20 of the first page, Ms Eccles writes to you, it appears,
 21 later the same day. She says:
 22 "Thanks Amanda, Calum the ongoing court case line
 23 doesn't entirely stand up because not all of these
 24 questions are linked directly to what's happening in
 25 court.

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1 **Q.** Was this not an excellent opportunity to set the record
 2 straight and lend your support to the Group Litigation?
 3 **A.** Well, as I've mentioned in my witness statement, I'm not
 4 conversed as far as legal matters are concerned, and
 5 I had faith and confidence -- well, I do have faith and
 6 confidence in the legal process. I didn't think it was
 7 right and appropriate for the NFSP to be making any
 8 comment in relation to an ongoing case. I didn't think
 9 that would be -- I didn't know if that could potentially
 10 get us into trouble and I felt that the right thing to
 11 do was to wait and allow Lord Justice Fraser and the due
 12 judicial process to take place and therefore understand
 13 exactly what is -- the powers of the justice system were
 14 far greater than those of the NFSP. So as far as
 15 understanding the truth, the whole truth and nothing but
 16 the truth, I had confidence in that process.
 17 So I didn't think we could. So we just sat back,
 18 really, waiting for that process to take place. If --
 19 sorry, you know, yeah, if I'm wrong in that, you know,
 20 I'll accept that but certainly that's our mindset at
 21 that time.
 22 **Q.** It might be thought that adopting a neutral stance was
 23 quite a cynical decision to take, as it allowed the NFSP
 24 to back the winning horse after the outcome the case had
 25 been determined; is that fair?

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1 "Still, I don't think we should provide a detailed
 2 comment, it'll give the discussion around our
 3 independence legs. I think there is also a risk if we
 4 just step up and defend the NFSP it gives support to the
 5 perception that we only really care about the Fed and
 6 not the [subpostmasters] which are part of this class
 7 action.

8 "Nick will criticise us for hiding court process but
 9 given that we are no longer firmly coming down on one
 10 side or the other I think that's the best we can do for
 11 now.

12 "Suggest something like this:

13 "Thanks for sharing the blog and giving us the right
 14 to reply. We welcome the opportunity for these matters
 15 to be explored fully in court and respect the court's
 16 process. We do not wish to contribute to a running
 17 commentary on the case and won't be making any comment
 18 until all matters have been aired in the court."

19 She then says:

20 "FYI -- he [that is Nick] will come back to us for
 21 a comment when it is all done and dusted so you will
 22 need to be ready for that."

23 Did you agree with the response that was proposed by
 24 Ms Eccles?

25 **A.** Yes, I did.

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1 **A.** I think that would be a cynical view.
 2 **Q.** You had implored your predecessor, had you not, to
 3 support the subpostmasters whose cases were being
 4 reviewed by Second Sight before you became CEO of the
 5 organisation?
 6 **A.** Yes.
 7 **Q.** Why, then, did you not, in your role as CEO, support the
 8 claimants who were bringing their claims in court?
 9 **A.** Because I didn't think we could. I, you know -- I --
 10 sorry if that's -- if that was wrong in that way but
 11 I honestly didn't think it was our place. As Lord
 12 Justice Fraser made it clear, we were not involved in
 13 the court case, so I didn't think we could make comment.
 14 I honestly thought that if we did, that might prejudice
 15 it in some way, shape or form. I didn't want to do
 16 that.
 17 **Q.** So are you saying that, so far as you were concerned,
 18 there was a fundamental difference between supporting
 19 those cases that were being reviewed by Second Sight,
 20 even though they might have resulted in a criminal
 21 prosecution and therefore a legal process, and
 22 supporting the Group Litigation, which was ongoing at
 23 that time; is that your evidence?
 24 **A.** Sorry, I'm not really understanding it. All I can say
 25 is that I just didn't think that it was our place, we

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1 could make comment on an ongoing case. I didn't think
 2 we could, so we didn't.
 3 **Q.** Please could NFSP00000710 be shown on the screen. This
 4 is an external email chain between members of you team
 5 discussing whether or not the NFSP should comment
 6 publicly on the GLO proceedings. Please could we scroll
 7 down to the bottom of page 4. We can see there an email
 8 from Jon Follenfont, which has the title "Article for
 9 the Magazine", it's dated 8 November 2018. It reads:
 10 "Hi
 11 "Two things:
 12 "There is a Forum of [Post Office] people and
 13 subpostmasters which meets to outline new proposals, new
 14 kit, etc -- perhaps a report is needed in the magazine.
 15 "I have been following the initial High Court case
 16 about Horizon problems and the disciplinary action taken
 17 by [Post Office] over the years -- quite interesting and
 18 potentially a major issue for the [Post Office] in the
 19 future. It must be costing [Post Office] and thus the
 20 network a lot of money in legal fees. Whether we can be
 21 that critical in a magazine funded by [Post Office] is
 22 an interesting point."
 23 "Regards.
 24 "Jon."
 25 He raises there a concern that because the

1 Now, what you appear to be saying here to your
 2 colleagues is that you don't know which way the case is
 3 going to be decided and so it would be in the best
 4 interests of the NFSP to hedge their bets; is that fair?
 5 **A.** No.
 6 **Q.** Is there anything further you wish to say about this
 7 email, before I move on?
 8 **A.** Well, I think the very about is important as well. I'd
 9 received an email, it's probably the vilest --
 10 I can't -- I tried to find where that email is.
 11 I haven't been able to find it but it gives indication
 12 to really some of the stuff that we receive from people,
 13 whether they're postmasters or just interested
 14 individuals from the general public.
 15 It was a lot of pressure on us in one way, shape or
 16 form. As I say, all we were trying to do is allow the
 17 due legal process to take place and here, because we
 18 didn't know, we simply didn't -- we didn't have the
 19 evidence and we hoped that, through the GLO, the
 20 evidence would come out and reveal exactly what had gone
 21 on in the past.
 22 So that was just our view. We felt that it wasn't
 23 right for us to make comment.
 24 **Q.** Please can NFSP00000707 be shown on the screen. This
 25 document contains an email from you to an employee of

1 SubPostmaster Magazine is ultimately funded by the Post
 2 Office, it wouldn't be appropriate for the NFSP to
 3 comment; did you agree with that?
 4 **A.** No. Can I just sort of add, I mean this was
 5 obviously -- Jon is a lovely, lovely gentleman, who
 6 cares passionately about the business. He was
 7 a postmaster for a good number of years and, thankfully,
 8 has only very recently been able to finally retire and,
 9 you know, I don't think he, in any way shape or form,
 10 would try to put across a view that would be detrimental
 11 to postmasters.
 12 **Q.** If we scroll up to the middle of the third page, please,
 13 we can see your response. Thank you very much. So your
 14 response of 8 November reads:
 15 "Hi Jon
 16 "My viewpoint is that as individuals with personal
 17 interest in this case, we want to know the verdict of
 18 the Judge but it would be unwise for us to make any
 19 comment at this stage.
 20 "I was present today. I would say that we are still
 21 at the opening credits of the case so it is way too
 22 early to ascertain which way it will go.
 23 "As Lynn suggests acknowledging that the case is
 24 being heard and we await the judgment with interest is
 25 the best we should do via the SubPostmaster."

1 the Post Office named Rob Houghton. Can you please
 2 explain his role and the nature of your relationship
 3 with him?
 4 **A.** So Rob Houghton was the Chief Information Officer at the
 5 Post Office. He wasn't there long, maybe 2017 to 2019,
 6 I don't think he was there that long, but anyway, that's
 7 who he was.
 8 **Q.** I'd like to ask you about some comments which you make
 9 in the second paragraph of this email, thank you. It's
 10 dated 24 April 2018 from you to Rob with the subject
 11 "Branch Refresh". You say:
 12 "There are a number of aspects that I feel I need to
 13 highlight with you but most pressing is the growing loss
 14 of confidence by colleagues in the system due to both
 15 a mixture of hardware and software issues during and
 16 after installation of the new system and/or router. Add
 17 to this that there have now been 4 system faults over
 18 the last month, which have caused nationwide access
 19 problems thus I am concerned that we are handing Freeths
 20 a stronger case to bring to court in November as 'the
 21 present is a guide to the past' is a strong argument."
 22 Now, one possible reading of this email is that you
 23 were not as well disposed to the group litigants and
 24 their litigation as you are now claiming to be and that
 25 you were primarily concerned about maintaining

1 confidence in the Horizon system; would that be fair?
 2 **A.** I think it would be fair to say that I was trying to
 3 sort of ensure that there was confidence in the Horizon
 4 system. I think that's important, as a postmaster,
 5 someone who uses Horizon and, along with the rest of my
 6 colleagues, I think it is vitally important that we have
 7 confidence in it. But what I was trying to sort of do
 8 here, and if I may, sort of, there was this branch
 9 refresh that was going on at that time and postmasters
 10 were coming to us and saying that they were having
 11 problems.

12 Now, and where it says "It was literally good to
 13 bump into you", that was a little description that
 14 I happened to come out of a room within the Post Office,
 15 turned a corner and I literally flattened him because
 16 I bumped into him and he virtually ended up on the
 17 floor. So hence the "it was literally good to bump into
 18 you". But all I'm trying to do here is highlight that
 19 there are problems with Horizon today and, if you don't
 20 sort this out, then you're in essence giving -- making
 21 it easy for -- you know, easier for Freeths as far as
 22 their case is concerned. Do something about this.

23 But I'm not saying I disagree with what's going on.
 24 I'm just trying to make sure that what was happening to
 25 postmasters at that time in relation to the new system

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1 the Post Office to enable the NFSP to offer support to
 2 postmasters. It was designed so that this support was
 3 free at the point of use to all postmasters."

4 Is that correct?

5 **A.** Yes.

6 **Q.** I think you accept that this apparent benevolence of the
 7 Post Office came at a certain price; is that right?

8 **A.** Given the type of organisation that the Post Office is,
 9 it is very difficult to deal with them in any way, shape
 10 or form. I think, when -- you know, if you consider the
 11 time period that the Inquiry looking at, the Grant
 12 Framework Agreement is only in place to the very end of
 13 it. That had nothing to do with the activities and
 14 viewpoints of the NFSP prior to that.

15 As far as this situation is concerned, the Grant
 16 Framework had nothing to do with the view that I was
 17 taking. There was no influence from the Post Office in
 18 any way, shape or form to pressurise the NFSP into
 19 taking a view or a stance.

20 So it had nothing to do with it in that way.

21 **Q.** I'd like, if we can, please, to look at the terms of
 22 that agreement. It bears the reference NFSP00001075.
 23 Thank you. So the agreement is dated 21 July 2015. The
 24 relevant clause can be found at page 10, please, under
 25 the heading "General Conditions of the Grant". So

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1 was problems and eventually what came out of this
 2 meeting was we ended up with different suppliers from
 3 the Post Office all in a room there I was able to
 4 explain to those individuals what postmasters were
 5 experiencing because postmasters were not able to trade.
 6 They were losing business. That's what I was trying to
 7 sort of do. Not anything -- I appreciate how you can
 8 read it but that's not what I was trying to say.

9 **Q.** I'd like to explore with you what, if any, role the
 10 Grant Framework Agreement had in your decision not to
 11 speak out in support of the Group Litigation. The
 12 Inquiry has heard evidence from your predecessor about
 13 the background to the Grant Framework Agreement.
 14 I don't propose to go over the same ground with you, as
 15 you were not directly involved in the negotiation which
 16 led to it; is that correct?

17 **A.** Yes.

18 **Q.** You are, however, familiar with its terms as it remained
 19 in force when you took over as CEO in June 2018; is that
 20 right?

21 **A.** Yes.

22 **Q.** In your statement, you describe the Framework Agreement
 23 in this way, you say:

24 "The Grant Framework Agreement is an agreement
 25 between the NFSP and Post Office to provide funding from

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1 paragraph 5.3:

2 "The NFSP shall not engage in the following
 3 activities or behaviours ..."

4 These being the conditions on which the grant
 5 funding is made:

6 "The NFSP shall not [firstly]:

7 "[Undertake] any public activity which may prevent
 8 [Post Office] from implementing any of its initiatives,
 9 policies or strategies;

10 "[Secondly] undertaking or inducing a third party to
 11 undertake media or political campaigns against [the Post
 12 Office];

13 "[Thirdly] organising or inducing a third party to
 14 organise public demonstrations, protests or petitions
 15 against [the Post Office];

16 "[Fourthly] organising or inducing a third party to
 17 organise boycotts of [Post Office] business;

18 "[Fifthly] funding or inducing any third party
 19 litigation against [Post Office]; and

20 "[Finally, broad catch-all] other activities or
 21 behaviour the effect of which may be materially
 22 detrimental to [the Post Office]."

23 So those are some of the conditions of the Grant.

24 Can we please scroll to page 16 of the document. We see
 25 there another related clause, which bears the heading,

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1 "Withholding, Suspending and Repayment of Grant", this
 2 is clause number 17. It reads:
 3 "[The Post Office's] intention is that the Grant
 4 will be paid to the NFSP in full. However, without
 5 prejudice to [the Post Office's] other rights and
 6 remedies, [it] may at its discretion withhold or suspend
 7 payment of the Annual Grant Payment and/or an Individual
 8 Grant and/or require repayment of all or part of the
 9 Annual Grant ... and/or an Individual Grant if there is
 10 an Event of Clawback."

11 The term "Event of Clawback" is defined on the
 12 following page under clause 17.2, and the first such
 13 event or circumstance is where:

14 "... the NFSP commits a breach of any of its
 15 obligations under clause 5 ... and/or clause 1 ..."

16 Now, you say that you said in your statement and you
 17 claim in your evidence today that these clauses had no
 18 bearing upon the actions of the NFSP in relation to
 19 Horizon; is that your evidence?

20 **A.** No, I don't think that's what I'd said. In relation to
 21 the GLO, because that's the question you were asking me,
 22 it had no bearing on that and I don't think that, given
 23 the fact that the GFA only came into place in 2016, when
 24 all of the criminal prosecutions had stopped by then,
 25 had really much to do, because it didn't really cover

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1 at NFSP00000534. This a meeting of the Board in June
 2 2017. By this stage you were a member of the Board of
 3 the NFSP. If we could turn please to page 12, we see
 4 there recorded a discussion about the Group Litigation,
 5 it's under the heading "Communications". The third
 6 bullet point reads:

7 "Against express instructions, in the last issue of
 8 The SubPostmaster, LBM had taken an advert from
 9 Freeths/Justice for Subpostmasters."

10 LBM were who, please?

11 **A.** Lewis Business Media, who publish The SubPostmaster
 12 magazine.

13 **Q.** "[Post Office] understandably went ballistic. Emergency
 14 meeting held with LBM with [Post Office] in attendance.
 15 It was made crystal clear that their actions were
 16 totally unacceptable. It made it look like the NFSP
 17 were inciting subpostmasters to take the company to
 18 court. May need to beef up resources and bring the
 19 magazine in-house in the future. That mistake could
 20 have cost the NFSP payments from [Post Office] and
 21 ultimately finish the organisation. It was really very
 22 serious.

23 Now, we see Ms Eccles mentioned at the top there,
 24 was that an update, was that an update from her in her
 25 capacity as Director of Communications?

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1 the time period, and -- when most of the time period
 2 that the Inquiry and the GLO was covering, the NFSP was
 3 a trade union funded by its members. So, therefore, it
 4 couldn't have anything -- really, it didn't have
 5 anything to do with it.

6 **Q.** Now, you've made the point in your statement and this
 7 morning that, so far as the period prior to the Grant
 8 Framework Agreement is concerned, that could not have
 9 been influenced by these provisions because they didn't
 10 come into force until 2015. As you rightly say, I'm
 11 asking you about the period after they came into force
 12 and your conduct in relation to the Group Litigation.

13 Now, you've explained that you felt sympathy for the
 14 group litigants and, indeed, you wished to convey that
 15 and to show your support privately to Mr Bates, but you
 16 weren't prepared to do so publicly. Is it your evidence
 17 that that decision was not in any way influenced by
 18 those provisions?

19 **A.** Absolutely.

20 **Q.** You were aware though, were you not, that there was
 21 a risk that the Post Office might seek to clawback the
 22 funding provided to the NFSP if you incited other
 23 subpostmasters to bring claims against it?

24 **A.** It's sort there sort of within the clause, clause 5.3.

25 **Q.** Let's take a look, please, at some minutes of the Board

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1 **A.** No, I don't think she had even started at that point.
 2 It was more just informing the point that Lynn would be
 3 starting.

4 **Q.** These minutes show, do they not, that the Board of the
 5 NFSP at that time was fearful that it would lose its
 6 funding from the Post Office, if it were to lend its
 7 support to the Group Litigation?

8 **A.** I think at that point it was being -- this discussion
 9 was being led by George, rather than the Board and
 10 George was putting forward his view. I think George's
 11 view on Horizon is pretty clear but that doesn't
 12 necessarily mean to say that that was the view of the
 13 whole Board and, anyway, that was George's view,
 14 George's opinion. But I wasn't aware -- I wasn't party
 15 to the discussion that took place. I don't know if the
 16 Post Office did go ballistic or whether that was
 17 George's interpretation of it. I've no idea.

18 **Q.** These minutes suggest, do they not, that the loss of
 19 grant funding would have brought an end to the National
 20 Federation of SubPostmasters?

21 **A.** Well, I think so. You know, any business exists on its
 22 ability to fund its outgoings. If it's not able to do
 23 that, then it will no longer exist. It's as simple as
 24 that.

25 **Q.** Having been appointed the new leader of the NFSP, was

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1 your primary concern to ensure the survival of the
2 organisation, rather than to obtain justice for
3 subpostmasters who'd been wrongly convicted?

4 **A.** No. I think, you know, we've got a -- postmasters need
5 a body that represents them. It needs a body that can
6 do that but I think sort of what we really need to take
7 into account here is the culture within the Post Office.
8 I don't -- personally I don't think the GFA is
9 necessarily the issue. I think the culture within the
10 Post Office is. If the culture within the Post Office
11 is that they act in an honourable manner, then the GFA
12 works. But if you've got an organisation that is
13 incapable of doing it that and is going to use every
14 trick in the book and everything that it can to push
15 forward its view and defend its position, then it
16 doesn't matter what kind of -- it doesn't really matter.
17 It's not going to work.

18 The culture in the Post Office is the problem. Sort
19 the culture in the Post Office and we don't have
20 a problem. What we've seen over the last couple of days
21 in relation to the Postmaster Non-Executive Directors is
22 exactly how the Post Office works today. That's the
23 problem, not the GFA, in my view.

24 You know, we need something to be able to hold the
25 Post Office to account, and the fact of the matter is,

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1 Civil Service, the Post Office, postmasters, working
2 together in unity and harmony for the good of this
3 business, not a business working for its own benefit.
4 And that's exactly what the Post Office has been doing,
5 and that's the problem. And if they were prepared to
6 behave in the right moral manner, we don't have
7 a problem.

8 The fact of the matter is, Lord Justice Fraser and
9 this Inquiry have demonstrated, time after time after
10 time, that this business is incapable of acting in the
11 right manner. How difficult has the Inquiry felt, with
12 all the power, authority and influence you have, in
13 getting this business to provide you with the
14 information to engage with this Inquiry in the right
15 manner? You've found it virtually impossible. The
16 frustration -- I've sat here in this room, time after
17 time, experiencing the frustration that the Inquiry has,
18 because the culture in the Post Office simply isn't
19 there. Get that sorted and I think we have a chance; if
20 the Post Office continues on its current trajectory, in
21 the manner it is, we don't, and postmasters will suffer
22 as a result, and we've got to get it right.

23 **Q.** It might be suggested, Mr Greenhow, that, in your
24 evidence to this Inquiry, you are seeking to shift the
25 blame away from your organisation's focus on its own

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1 over this period, the Post Office has not been held to
2 account, by -- not been able to be held to account by
3 anyone, and it has done everything it possibly can to
4 obfuscate and to push through so it gets its views.

5 So, obviously, I'm sure you're wanting to come on to
6 it, is the new GFA and, you can see, sort of straight
7 away, so, like, I'm looking to remove these clauses.
8 Why these clauses were originally in the GFA, I don't
9 know, I can't say because I wasn't sort of party to it.
10 Do I agree with them? No. Should they be removed?
11 Absolutely. And, thankfully, they now have.

12 **Q.** If, as you say the problem resides not in the GFA but in
13 the culture of the Post Office, why have you, in your
14 words, worked so hard to remove them from the agreement?

15 **A.** Well, is the culture in the Post Office today where it
16 needs to be? No, it's not. You know, we can see that.
17 This business is in absolute meltdown from the top.
18 It's Board, it's senior management, they're just
19 incapable of working in the right way. What Justice
20 Fraser has pointed to these as clauses that are -- were
21 problematic to him, we've followed the guidance from
22 Justice Fraser to have those removed. But I still
23 think, if we have the right culture within the business,
24 then we can move forward.

25 I mean, from what I want, is I want Government, the

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1 financial interests and are laying blame squarely on the
2 Post Office; would that be fair?

3 **A.** I think that's taking it a little bit sort of far.
4 I am -- you know, the reality is the NFSP, I think,
5 quite in essence, was on the wrong side of right, here.
6 We cannot escape that, and we -- I have been open from
7 when I came in, I have offered my apologies, I have been
8 open and straight with people that the NFSP got it
9 wrong. My predecessors put their faith in the Post
10 Office rather than actually in postmasters. They
11 believed the Post Office, rather than believing their
12 own fellow colleagues. The simple reality is they got
13 it wrong.

14 So I'm not trying to shift responsible at all but
15 I am trying to sort of highlight that the culture within
16 the Post Office is the fundamental problem. They misled
17 everybody.

18 **Q.** But do you accept that you and your colleagues put the
19 financial interests of your organisation above the
20 interests of its members?

21 **A.** When?

22 **Q.** In its decision to refuse to support the Group
23 Litigation?

24 **A.** I -- no, I don't think they did but I do think that
25 George's view of the past was fundamentally wrong and

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1 I don't think -- I mean, obviously you've had the
 2 opportunity to ask George that and, unfortunately, you
 3 didn't get the opportunity to get that out of him, but
 4 certainly from -- I can't answer for the past on that
 5 basis but I can talk about, from my own part, and I've
 6 certainly put the financial position of the NFSP before
 7 members. In fact, I think the evidence demonstrates
 8 that.

9 **Q.** You've explained in your statement that you had not
 10 anticipated the NFSP would become a focus of criticism
 11 in the litigation?

12 **A.** Yeah.

13 **Q.** One of the criminals which was made by Mr Justice
 14 Fraser, as he then was, in his Common Issues judgment
 15 concerned the NFSP's publication of the Grant Framework
 16 Agreement on its website. In summary, the criticism
 17 which was made of the NFSP was that, during the Common
 18 Issues trial, it had made changes to its website to add
 19 a link to the Framework Agreement in circumstances which
 20 were highly suspicious. Do you agree that's a fair
 21 characterisation of the criticism that was made --

22 **A.** Yes.

23 **Q.** -- by Mr Justice Fraser. The reasons why these changes
 24 to the website appeared suspicious to him at the time
 25 were that, firstly, the link to the Framework Agreement

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1 I couldn't print it off so I was having to email it to
 2 myself so that could print it off. So that's -- if you
 3 see that, that's the reason for it.

4 **Q.** We can see the date there is, of course, September 2023.

5 **A.** Yes, but it's -- you could look at that and go "Oh, its
 6 Calum Greenhow at the top, so therefore he must have
 7 known about it" but, actually, that's what I was doing.

8 **Q.** That, of course, significantly post-dates the actual
 9 email?

10 **A.** Yes.

11 **Q.** So the chain we have there is dated December 2016. It
 12 concerned the publication of the GLO. If we could go to
 13 the bottom of page 1, please. Thank you. There's
 14 an email from Nick Beal to George Thomson and copied to
 15 Jenna Khalfan. Please could you explain Nick Beal's
 16 role there, please? We can see there, at the bottom of
 17 the page, he was Head of Agents' Development and
 18 Remuneration?

19 **A.** Yeah.

20 **Q.** So his email reads, subject "Grant Agreement":

21 "Dear George

22 "Further to the discussions we have had between us
 23 since the inception of the Grant Agreement in 2013,
 24 I can confirm that we are now in a position to agree
 25 publication of the agreement (and associated Novation

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1 had not been present at the start of the Common Issues
 2 trial, and the link had been added during the trial in
 3 a manner which appeared to support the Post Office's
 4 case. Again, is that a fair summary of what the
 5 judge --

6 **A.** That's what Lord Justice Fraser -- however, I think as
 7 you know I can --

8 **Q.** Yes, we'll come on to your explanation but just --

9 **A.** Yes, yeah --

10 **Q.** -- to place it in context --

11 **A.** -- that's exactly what he said.

12 **Q.** -- that was the nature of the criticism?

13 I'd like to ask you, please, first, to clarify when
 14 it was that the framework agreement was first published
 15 on the NFSP's website.

16 **A.** I can't answer that. That was before my time.

17 **Q.** Please can NFSP00000728 be shown on the screen. Thank
 18 you. So this is an email chain, an internal email
 19 chain --

20 **A.** Sorry, before you go on, can I highlight, so this is
 21 just at the top, just for everybody's benefit, you can
 22 see that's an email Calum Greenhow, 21 September 2023 to
 23 Calum Greenhow, that was me in relation to a Rule 9
 24 Request, that was me going through, as information that
 25 could -- that complied with the Rule 9 Request, and

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1 Agreement)."

2 Are you able to confirm: what was the purpose of the
 3 novation agreement, do you recall?

4 **A.** Well, it was before my time. It may be in the bundle
 5 but I can't remember offhand.

6 **Q.** "We have decided previously that this would be via NFSP
 7 publishing via your website -- please proceed with this
 8 as soon as possible. I have attached a PDF version of
 9 each document -- please can you ensure for the GA [Grant
 10 Agreement] it was clear that this was the version that
 11 was entered into and the date of the agreement
 12 (21/7/15).

13 "Please advise when this has been placed on your
 14 website and a copy of the link."

15 If we scroll up, please, we can see an email from
 16 Jenna Khalfan to George Thomson, so this now
 17 19 December:

18 "George,

19 "I'm going to publish the attached grant agreement
 20 on the 'about us' page on our website. Do I need to
 21 publish the deed of novation too?"

22 So far as you're aware, is this the best evidence
 23 which the NFSP has as to the date on which the Framework
 24 Agreement was first published on the website?

25 **A.** To my knowledge, yes.

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1 Q. We know that by early October 2018, the GFA had been
 2 removed from the website.
 3 A. That was during the GLO, yeah.
 4 Q. Exactly. In your statement you say that the GFA was
 5 removed as part some improvements that were being made
 6 by the Communications Director; is that right?
 7 A. Yes.
 8 Q. At that stage that would have been Ms Eccles?
 9 A. Yes.
 10 Q. When were these improvements made which resulted in the
 11 removal of the GFA?
 12 A. They were ongoing at that period of time, so late 2018.
 13 Q. So after your appointment as CEO?
 14 A. Yeah, yeah.
 15 Q. So they coincided with the Common Issues trial; is that
 16 essentially what you're saying?
 17 A. They did, yes.
 18 Q. But the agreement was removed before the trial
 19 commenced?
 20 A. I don't know if it was removed before the trial
 21 commenced but I'm aware that it obviously was removed,
 22 and then subsequently put back up.
 23 Q. Why was there any need to remove the agreement from the
 24 website?
 25 A. So Lynn -- I mean, in essence, one of the -- you know,

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1 A. Not until afterwards, actually. It wasn't a case of --
 2 she was following Nick Wallis' live blog, which was very
 3 helpful, I was busy dealing with other things and,
 4 obviously, she realised that it was there and, as I've
 5 explained in my statement, she felt that people might go
 6 and have a look for it. So she decided to put it back
 7 on.
 8 Q. It is an odd coincidence that these changes coincided
 9 with the Common Issues trial?
 10 A. Call it a coincidence; these do happen.
 11 Q. But you can understand, can you, why the judge at least
 12 appeared to think that was something that was quite
 13 suspicious?
 14 A. Yeah, I can understand, given sort of everything that he
 15 was hearing, of course, I wasn't aware of exactly
 16 everything he was hearing. I wasn't aware of all the
 17 bundles all the evidence that he was getting but, yes,
 18 I could understand it. But, from my perspective, as
 19 I was looking at it, I know that there was nothing
 20 suspicious about it, there was nothing going on, and we
 21 were certainly not trying to bolster the position of the
 22 Post Office. I know that for a fact.
 23 Q. Was Ms Eccles concerned, based on your discussions with
 24 her, to answer the criticisms that were being made in
 25 the proceedings about the lack of transparency that the

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1 through conversation that Lynn and I had been having, we
 2 just felt that, in essence, I was a different person,
 3 I have a different character, I have a different
 4 outlook, that there were many aspects of the Federation
 5 that were kind of oldie, and we wanted to really give
 6 the whole outlook and business a freshen-up, in essence.
 7 So we introduced you to our mission vision in
 8 values, we were changing our colour schemes, the logo,
 9 our tone of voice. We were doing -- going through doing
 10 a new website, and Lyn felt that the "About Us" was not
 11 the right place for it to be. She was going to put it
 12 into a different part of the new website that she was
 13 working on, and she had taken it off as she was working
 14 on that particular page. That's certainly what she had
 15 told me at the time.
 16 Q. Could the GFA, could the agreement, not have remained on
 17 the website pending its relocation?
 18 A. It could have.
 19 Q. You go on to explain in your statement that Ms Eccles
 20 decided to place the GFA back on to the website but when
 21 she discovered that its publication had become the
 22 subject of discussion in the Common Issues trial; is
 23 that right?
 24 A. Yes.
 25 Q. Did you discuss this decision with her at the time?

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1 NFSP and the Post Office were showing in relation to the
 2 terms of the agreement?
 3 A. No, I think it was more -- it's being discussed, people
 4 might go and look for it, we'd better make sure that
 5 it's there. I don't think there was anything of any
 6 transparent concerns that were going on.
 7 Q. I'd like to move on to a new topic, please. This
 8 concerns the outcome of the Group Litigation and how the
 9 NFSP has responded to the issues raised in the judgment
 10 of Mr Justice Fraser. How would you characterise your
 11 initial reaction to the Common Issues judgment?
 12 A. Well, I think there was an email where I -- I think
 13 I sent to the Board, where I outline that the Common
 14 Issues ruling has been handed down, that we need to read
 15 it, we need to understand it. It was a long, obviously,
 16 ruling, and, again, not I'm not a lawyer, it's going to
 17 be take me a little bit time to actually understand the
 18 nuance of it. Obviously, there's a lot of legal speak,
 19 sort of in it which, I -- to someone who is not trained
 20 might be difficult to understand. So let's take time to
 21 actually fully understand exactly what's going on.
 22 At the same time, across social media, there were
 23 those who have an anti-NFSP feeling, who were using that
 24 to challenge the NFSP, undermine the NFSP, criticise the
 25 NFSP in front of our peers, and that caused us to have

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1 to, in essence, do a bit of a knee-jerk response without
2 really fully understanding exactly what Justice Fraser
3 had said. But, given the fact that they were focusing
4 on those specific aspects of, was it -- well, it was
5 clause 574 onwards, and (f), within his ruling, that
6 covered the NFSP. We had to respond to that.

7 But I think, as -- yeah, it's not what I wanted to
8 do, but I felt I had to say something, and I very
9 quickly -- once that was dealt with, very quickly was
10 able to focus on exactly what it was that Justice Fraser
11 said, and I think so that the evidence is there, that we
12 really start to really, you know -- the full reality of
13 exactly what the Post Office had done, and the exposure
14 to risk that postmasters, all postmasters and all
15 employees of the Post Office, in essence, anyone who
16 worked behind the counter of a Post Office, was faced.

17 And we really, you know, with -- we really couldn't
18 believe that the most trusted brand in the Post Office,
19 a government-owned department, could behave in the way
20 they actually did and you can see that sort of from the
21 statements that we were putting out at that time, that
22 there was one statement that we put out that has a bit
23 of a knee-jerk, but the rest of it was very much
24 critical of the Post Office and supportive of the
25 victims of this miscarriage of justice.

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1 **A.** I think we were surprised, as the -- is the reality of
2 it. We -- you know, we just felt that in essence,
3 bemused, and again, I appreciate, as a lawyer who is
4 experienced in these things, but to people who are not,
5 we just couldn't sort of -- we didn't realise that we
6 would be focused -- be such a focus and, obviously,
7 there were things that were being said about the NFSP at
8 the time by others that were really making it difficult
9 for us -- making it difficult for the NFSP.

10 You know, the reality sort of was that we were also
11 aware that there were things that he said, ie "highly
12 suspicious", we knew that wasn't correct, we had
13 "bolstered the position of the Post Office", we knew
14 that wasn't correct and, you know, we were stunned, in
15 one sense.

16 **Q.** It appears that your initial focus was upon the
17 reputation of the organisation; is that fair?

18 **A.** The immediate sort of aspect, the reputation of the
19 NFSP, yes, of course. The reality is that, you know, as
20 an organisation, you know, we wanted to help
21 postmasters. We wanted to sort of make sure. We are
22 postmasters. You know, at this moment in time, I still
23 own a post office. I want to make sure that this
24 network not just survives but it thrives. I want to
25 make sure that sort of postmasters are able to continue

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1 **Q.** It might be suggested, Mr Greenhow, that in the
2 explanation you've just given, you're somewhat
3 downplaying the sense of anger and frustration which you
4 expressed at the time, at the judgment of Mr Justice
5 Fraser in the Common Issues trial; is that fair?

6 **A.** Sorry, could you explain just what you're meaning by
7 that?

8 **Q.** I'm suggesting that you are downplaying the anger and
9 frustration that you felt at the time about what was
10 said about the NFSP in the Common Issues judgment; is
11 that fair?

12 **A.** No.

13 **Q.** Please can we look at NFSP00000558. These are the
14 minutes of a Board meeting held in March 2019 at which
15 you gave a presentation to the Board about the Common
16 Issues judgment; is that correct?

17 **A.** Yes.

18 **Q.** We can see a description of your initial reaction at the
19 top of page 6, please. The third paragraph reads:

20 "General outrage that the judge should see fit to
21 cast aspersions about the NFSP who played no part in the
22 trial, gave no evidence, were not asked for
23 documentation, or given the right to defend ourselves."

24 Does that accurately summarise how you felt about
25 the judgment when it was first handed down?

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1 to provide services in their community, and there were
2 those who were really trying to make it difficult for
3 the NFSP and they were using the judgment as a weapon to
4 criticise us. So that's, in essence, what we were
5 feeling. It wasn't just about what Lord Justice Fraser
6 had said it was about, sort of, actually, the level of
7 stuff that was being mentioned across social media.

8 **Q.** Would I be right to say that your initial feelings of
9 anger gave way to a period of reflection and have
10 resulted in changes being made to the organisation --

11 **A.** Oh, absolutely.

12 **Q.** -- and structure of the NFSP --

13 **A.** Absolutely, absolutely. I think, if I may, you can sort
14 of see the before the judgment that has come out, that
15 I was trying to make those and, in essence, I could see
16 this -- and this might sound wrong, so please forgive
17 me -- a little bit of a distraction, and where I felt
18 that I needed to take the business and where the Board
19 needed to take the NFSP, for the good of postmasters,
20 for the benefit of postmasters, that this was going to
21 make it difficult, this was making the journey or the
22 hill steeper and, as I say, there were those who were
23 trying to really weaponise the judgment against the NFSP
24 and, you know, this was kind of taking us back a step or
25 two.

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1 Whether that was going to make it more difficult for
2 us to make the changes within the NFSP that we needed to
3 and, in essence, this has haunted me all of the way
4 through sort of the time I've been the Chief Executive
5 of the NFSP.

6 I know what I need to do in this business. My board
7 knows what we need to do in this business to really take
8 this organisation forward for the good and benefit of
9 postmasters and, you know, people try to weaponise this
10 and it makes the harder. I keep on having to come back
11 to this, and deal with it, rather than being able to do
12 what I need to do, what we need to do to move the NFSP
13 forward for the good of postmasters.

14 **Q.** The first initiative which I'd like to examine with you
15 relates to the recording and monitoring of members'
16 concerns.

17 **A.** Yes.

18 **Q.** Prior to the GLO, is it right that there was no system
19 in place which required local representatives whether
20 Branch Secretaries or Regional Secretaries --

21 **A.** No.

22 **Q.** -- to report to central office the issues which were
23 being communicated by their members?

24 **A.** No.

25 **Q.** There was also no system in place to enable the central

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1 **A.** Yes.

2 **Q.** Please can you describe the nature of the concerns that
3 are still being raised by your members in relation to
4 the scheme?

5 **A.** I -- well, lately, what people have -- they've been
6 receiving the letters in relation to the 75,000, and
7 they've thought it was a scam. So they've been calling
8 us to say, "Is this right?" We've been able to
9 obviously assure them that it is. Others, you know,
10 "Just how long -- you know, how long is it taking? How
11 do I fill out the form? Where can I get the form? Can
12 I still apply?" All things like that.

13 **Q.** It sounds from your description that those are more
14 queries than complaints; is that fair?

15 **A.** Yeah, I would say so, yeah.

16 **Q.** Now, another method I think you've mentioned in your
17 statement for canvassing views of the membership is the
18 use of surveys; is that correct?

19 **A.** Yes.

20 **Q.** How frequently are they undertaken?

21 **A.** On a monthly basis. We have done two large case member
22 surveys, 2019 and 2021, and on both of those occasions
23 I think we had about 1,000 postmasters that were
24 involved in that, and that was done to quite a -- I'm
25 not a statistician or -- I don't know what the term is

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1 recording and monitoring of such issues; is that right?

2 **A.** I would say to my knowledge, no.

3 **Q.** Please can you describe the action which you have taken
4 to address this problem?

5 **A.** So one of the things that sort to we've tried to put in
6 a place or have put into place is the collation --
7 there's a spreadsheet that we deal with on a weekly
8 basis. If any branch secretary has received a call from
9 a member, that they fill in a form. They do it on
10 a weekly basis. That sort of automatically comes into
11 the central -- into the central NFSP and that is
12 collated onto a central record and then myself and two
13 employees of the NFSP on a monthly basis go through that
14 to ascertain whether there's any anomalies or any issues
15 that we really need to highlight.

16 That is then put into data that is provided to the
17 board. We put it into The SubPostmaster so that members
18 are aware of exactly what's going on.

19 **Q.** So, in your statement, you've mentioned that the
20 spreadsheet is collated and it culminates in a quarterly
21 report to the Board. You've explained that the most
22 common issues raised, I think in at least the last year,
23 relate to the Historic Shortfall Scheme --

24 **A.** Yes.

25 **Q.** -- is that correct?

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1 but anyway -- a researcher. So -- but they're done to
2 industry standards and, you know, the information that
3 came back.

4 So we made sure there was a certain number of local
5 post offices, mains post offices, different contracts,
6 traditional contracts and also spread around the country
7 as well. So there we really got a very broad
8 cross-section, so we had an understanding of exactly
9 what it is the postmasters think.

10 The monthly ones are just put out and it's for any
11 postmaster to respond. So it's not done to the gold
12 standard. It's just literally a survey that goes out
13 and people respond.

14 **Q.** Now, I think it's your evidence that, during the period
15 covered by this Inquiry, there was no formal
16 whistleblowing policy or complaints procedure in place
17 within the NFSP; is that correct?

18 **A.** That's correct.

19 **Q.** What action have you taken to address that gap in the
20 procedures?

21 **A.** Well, we've done that now and we've obviously supplied
22 those to the Inquiry, they're on our website now and,
23 with the help of our Legal Team, we've drafted them, and
24 they are now available.

25 **Q.** And --

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1 **A.** So that's a whistleblowing, a complaints and also
 2 an equality and diversity policy.
 3 **Q.** They're now all publicly available on your website?
 4 **A.** They're available to the members on our member -- so
 5 there's two sides to our website; there's the members
 6 side and then the public side, so they're available on
 7 the members side.
 8 **Q.** Why are they not available on the public side?
 9 **A.** It's for members, so that's why we've put it on that
 10 side.
 11 **Q.** The second initiative which I would like to examine with
 12 you concerns the provision of training given to those
 13 responsible for representing subpostmasters in disputes
 14 with the Post Office. You've explained in your
 15 statement that, when you were appointed a branch
 16 secretary in 2012, there was no formal training on the
 17 conduct of interviews; is that correct?
 18 **A.** That's correct.
 19 **Q.** You say that you believe this resulted in a lack of
 20 consistency in the support which was provided to
 21 subpostmasters in the period covered by this Inquiry; is
 22 that right?
 23 **A.** Would agree with that.
 24 **Q.** You have launched an initiative which you describe as
 25 the advocacy representative project?

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1 representatives who are trained in the Post Office's
 2 contracts to represent subpostmasters --
 3 **A.** Yes.
 4 **Q.** -- interview. Who provided or who provides the training
 5 to those representatives?
 6 **A.** So it was in-house that we did that. However, we did
 7 seek the support and help of our employment
 8 professionals, HR:4UK, and they gave us guidance on how
 9 to do that. We have continued to reflect and continued
 10 to look at that, and we are now engaging with ACAS
 11 because they have a mediation service and we're looking
 12 to sort of see if that could be something that would
 13 actually sit better for us, so that it would be not only
 14 an external, but it would be an accredited
 15 qualification. So we're in the process of looking at
 16 that and seeing if that would work and sit with us.
 17 **Q.** How is the performance of these new representatives
 18 monitored by the NFSP; do you have any systems in place
 19 for that purpose?
 20 **A.** Good question. We don't have any KPIs if that's what
 21 you're referring to, but I do meet with the two
 22 individuals who are responsible for overlooking -- for
 23 overlooking this and, in essence, you know, going
 24 through and ascertaining whether the right decision has
 25 been reached. I've not, as I've looked at things, had

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1 **A.** Yes.
 2 **Q.** Can you please describe that project which you've
 3 established to address this issue?
 4 **A.** So, again, sort of listening to the GLO and listening
 5 to -- and taking my own experience into account, I felt
 6 that, you know, dealing with the Post Office is not
 7 an easy -- not an easy thing. As far as any policies,
 8 procedures, the way the Post Office go about things,
 9 they can change and, therefore, I felt that it was right
 10 and appropriate that we had properly trained
 11 individuals, a small team, that if there was
 12 a contractual issue that may result in a suspension or
 13 termination, that it wasn't just anybody who would deal
 14 with that. We would have a small team that could work
 15 together, pool their resources together, pool their
 16 experience together and, you know, make sure that, if
 17 a colleague was in that situation again, as we've heard
 18 just over the last couple of days just how harrowing
 19 that can be, that the NFSP is there to challenge the
 20 Post Office appropriately and to make sure that
 21 everything is being done to investigate exactly why
 22 a discrepancy has taken place, and that it's not simply,
 23 "You're short, you owe us the money, if you don't give
 24 us the money we're going to terminate your contract".
 25 **Q.** You said in your statement you now have six dedicated

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1 any issues or any worries as far as outcomes are
 2 concerned. However, I do -- we do feel that it would be
 3 better for us to have an external accredited
 4 qualification to give our members greater confidence in
 5 relation to the quality of knowledge and understanding
 6 that we have in that area.
 7 **Q.** Thank you. In your statement, you've described the
 8 current approach that's adopted by the NFSP when
 9 supporting subpostmasters in disputes with the Post
 10 Office. That's at paragraph 273 of your statement,
 11 please, at WITN00370100. Thank you. The paragraph can
 12 be found at page 94 going onto page 95. Thank you very
 13 much. If we scroll down, please, thank you. So that
 14 reads:
 15 "Where the NFSP is asked for help, our goal is to
 16 ensure that Post Office is respectful, helpful in terms
 17 of providing access to any information, carries out
 18 a full and thorough investigation and is understanding
 19 in terms of any conclusion. In terms of
 20 an investigation, Post Office must answer the three
 21 questions of
 22 "(a) Is it computer error?
 23 "(b) Has someone made a mistake and why?
 24 "(c) Have the funds of the Post Office been used in
 25 the manner they are not intended and by whom?"

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1 You go on to say:

2 "If Post Office cannot answer these questions
3 factually, then the postmaster should not be held to
4 account. Some of these cases are very complex and are
5 being dealt with by the relevant police authorities."

6 Now, earlier in your evidence we examined a case in
7 which the Post Office did not provide the information
8 which you had requested on behalf of a member. What is
9 your organisation doing now to ensure that full
10 disclosure is being provided to subpostmasters as you've
11 outlined here?

12 **A.** Well, when it comes to -- there are certain -- there are
13 certain reports that the Post Office does, and that is
14 the first thing that we sort of ask for and, if we don't
15 get those, we don't move forward. It's as simple as
16 that. But I have to sort of say, Post Office --
17 certainly my understanding is -- are far more
18 transparent than they have been in the past, and
19 certainly going back to 2016, if we asked for
20 information, they will usually provide it. There's
21 not -- it's not been reported to me any concerns and any
22 issues on that.

23 **Q.** So is it your evidence that these questions that you've
24 outlined here, they are now being answered, to your
25 knowledge, satisfactorily by the Post Office in cases in

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1 a level of toxicity in the network, as a result of that.

2 Postmasters are understandably very, very worried
3 about their future and the viability of their business
4 and I think that is -- that pressure is causing some to
5 maybe act in a manner that maybe doesn't quite sort of
6 reach the standards that postmasters should maintain
7 and, therefore, on that basis, I think it's important
8 that we have postmasters themselves helping us to
9 establish what it is that that standard should be. What
10 is it -- you know, we can all sit here and say that
11 subpostmasters are good, honest, decent people, fine,
12 upstanding pillars of the community, which
13 I fundamentally believe that they are, but what's wrong
14 within the network? And I do believe that it's very
15 important that we all take a good look at ourselves in
16 the mirror, everyone who has been involved in this, and
17 go, "Where did we get this wrong? How can -- you know,
18 where's our culture part of the problem?" And it's very
19 easy for us to point the finger of blame at sort of like
20 other people but we've got to sort of first and foremost
21 look at ourselves.

22 And, therefore, what I'm looking for is I'm looking
23 for postmasters to help us make sure that the culture
24 within the network is right, so that we can help take
25 this business forward and make sure that postmasters'

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1 which your members are concerned?

2 **A.** To my knowledge, yes.

3 **Q.** I'd like to examine with you now the efforts you've made
4 to bring about cultural change within the NFSP. You
5 identify in your statement a number of initiatives,
6 which you have adopted to improve the culture of the
7 NFSP and the wellbeing of its members. One of those
8 initiatives is the establishment of a Culture Committee.
9 Can you please explain the background to that?
10 **A.** So we haven't -- that's not established yet. We're in
11 the process of doing that. As I highlighted, we had
12 Darren Burns from the Timpson Group come along to the
13 NFSP conference this year. In preparation for Darren
14 coming, I read Sir John Timpson's book, *Upside Down
15 Management*, and I came across this within his book and
16 he explained it beautifully, and I thought, "This is
17 exactly what we need. We need to do this".

18 As I've highlighted sort of before, I'm an inclusive
19 person rather than exclusive person. I want to
20 encourage people, I want to lift people up, I want to
21 encourage them on. I enjoy hearing and listening to
22 different voices, different viewpoints. But I do think
23 that, culturally, as I've already highlighted, the Post
24 Office has clearly not moved forward in any way, shape
25 or form since the GLO. I also think that there's

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1 businesses are as viable as they possibly can.

2 So I don't want to be prescriptive as to what that
3 is, but I'm looking for ten people across the country,
4 one per region -- if there's more than one person comes
5 forward, they will have a democratic vote on that within
6 the region -- but I will be looking, and then, once that
7 Culture Committee has been established, we will sit down
8 and we will look at what is it that the focus of that
9 committee is going to be, what is it that's going to be
10 the priorities and how are we going to bring that about?

11 **Q.** Mr Greenhow, in answer to my question about the NFSP's
12 culture, you said that you don't believe that the
13 culture of the Post Office has moved on.

14 **A.** Yes.

15 **Q.** We'll come on a little later to the culture of the Post
16 Office but I want to test with you whether that's a fair
17 statement in light of the evidence that you've just
18 given about the approach that the Post Office is taking
19 to its investigation as to contractual shortfalls and
20 the disclosure that it's providing. You've just told
21 the Inquiry that, so far as you are aware, proper and
22 adequate disclosure is being provided now by the Post
23 Office in the context of those investigations. So does
24 that not reflect some change of culture and attitude
25 within the organisation?

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1 **A.** I would accept that and, actually, I have to sort of say
 2 that -- and again, I say it in my statement, that,
 3 actually, within the branch assurance team, I think
 4 there are real major changes there and real efforts to
 5 be far more open and transparent as -- than what
 6 I experienced in the past. Sorry, I was, in essence,
 7 highlighting at a senior level that the -- you know, and
 8 what we've heard and what we've listened to, certainly
 9 in relation to the two Postmaster Non-Executive
 10 Directors and what they've experienced.
 11 Clearly there are still a long way still to go, but
 12 yes, there is -- I would say there are some lovely,
 13 lovely people within the Post Office who really want to
 14 engage in work and have the right attitude. I'm not
 15 saying all is bad. There are some aspects that are
 16 positive, and I think that comes down to the
 17 individuals, and we have to encourage them and support
 18 them as they move forward in that, and really try to
 19 make that cultural change that is required.
 20 **Q.** Before we move off this topic, please, I'd like to ask
 21 you about a recent decision of the NFSP to refuse the
 22 application of an individual who wished to be admitted
 23 as a member.
 24 So far as the rules governing membership of the NFSP
 25 are concerned, you've explained in your statement,

1 down with someone who is legally -- who would have
 2 a legal understanding and gone through it line by line
 3 and said, "Yeah, you need to change this, this would be
 4 a good idea", and I do think that allowing an appeal
 5 process would be a good thing to introduce.
 6 And it's something I would like to do in -- maybe
 7 when this Inquiry is all over. But it's consumed my
 8 life for the last four years, as I'm sure it has yours,
 9 and, you know, I feel that I need to deal with this now
 10 and then I'll deal with that then. But there's a lot in
 11 those Articles of Association that I think I would like
 12 to change.
 13 But when that happens, it will be done with the help
 14 and support of postmasters, the membership of the NFSP.
 15 **Q.** Thank you. Please could we bring up your statement at
 16 page 106, please, where we can the explanation that
 17 you've given and the reasons you've given as to why the
 18 Board refused that application. Paragraph 299, please.
 19 Thank you. You say there:
 20 "In this calendar year, one application was refused.
 21 This is the only application I am aware of being refused
 22 since I came into post as Chief Executive. This
 23 application came from someone who had previously been
 24 a member of the NFSP. I have highlighted above the
 25 behaviour of some on social media, whether by members or

1 firstly, that anyone who holds a contract to operate as
 2 a subpostmaster may be admitted to the organisation; is
 3 that correct?
 4 **A.** Correct.
 5 **Q.** That, secondly, the Board of the NFSP has the right, in
 6 its reasonable discretion, to refuse to admit
 7 an applicant and not to provide its reasons for doing
 8 so; is that right?
 9 **A.** Yes.
 10 **Q.** And that there is no right of appeal in respect of that
 11 decision?
 12 **A.** Yes.
 13 **Q.** That's all provided for in the NFSP's Articles of
 14 Association?
 15 **A.** Which were obviously laid down in 2015 when we became
 16 a company limited by guarantee.
 17 **Q.** Now I wonder if we could turn, please, to --
 18 **A.** Can I just come back to that, if I may. I'd love to
 19 change the Articles of Association because I feel
 20 there's a lot in there that we need to shift forward on.
 21 It's a huge piece of work and I've tried to do some
 22 things, particularly around the branch and regional
 23 secretaries, just to give them far greater prominence
 24 and position within the NFSP, but there's a lot that
 25 I would like to -- but if I may, I haven't actually sat

1 former members, and the mental health impact of that on
 2 our employees and [postmasters]."
 3 Just pausing there, please, we haven't gone to that.
 4 Can you describe what you're referring there, the
 5 behaviour on social media and the impact that this had
 6 on your employees?
 7 **A.** Yeah, so the individual -- I'm not sure if I'm
 8 allowed -- I don't know if I can talk about the
 9 specifics or the generality but let me be general and,
 10 if you feel you want me to be specific, I'm more than
 11 happy to be.
 12 But there are some within the network who use social
 13 media to -- and that causes postmaster colleagues and
 14 NFSP employees quite considerable mental stress. To
 15 give an example, there was -- just about ten days ago
 16 there was, on a social media site, an encouragement to
 17 postmasters to single out and target a member of --
 18 an employee of the NFSP, to harass them for a bit of
 19 fun.
 20 Obviously, on Monday, Tuesday, the Inquiry heard
 21 about, you know, playground, schoolboy antics. I don't
 22 consider that to necessarily fall into that level. To
 23 specifically target an individual, to harass them,
 24 I again, I don't think meets the standards of how
 25 postmasters should behave. On groups, to encourage

1 people to behave in that way, to me, is not acceptable.
 2 And, therefore, if we are aware of that going on,
 3 you know, it's not how we want -- it's part of the
 4 reason why we want to set up the Culture Committee.
 5 It's part of the reason why we want to do that. So that
 6 postmasters, whilst we understand people's frustration,
 7 there's a limit to sort of where that should go and
 8 a limit to how that should -- you know, there's below
 9 the line and there's above the line. There's acceptable
 10 and unacceptable. And we just felt that, in this case,
 11 the individual had displayed some of that in the past
 12 and had caused employees distress and that, by admitting
 13 the individual back into the NFSP, that was only
 14 inviting or allowing that to happen again.

15 Therefore, on that basis, we have a duty of care
 16 towards not only our postmaster members but our NFSP
 17 employees and, therefore, reluctantly -- and we
 18 deliberated at great length -- we decided that, you
 19 know, to protect our members, that was the right
 20 decision.

21 It's not what we want to do but, you know, some
 22 people -- it doesn't matter what you say, they're not
 23 prepared to -- they think they can do what they want,
 24 when they want, how they want and, if you disagree with
 25 them, they will use any avenue that they possibly can to

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1 to admit this individual --
 2 **A.** Yes.
 3 **Q.** -- into the NFSP, is that your evidence?
 4 **A.** Yes.
 5 **Q.** Now --
 6 **A.** Can I also clarify that they didn't actually apply in
 7 their name, they applied in a pseudonym. So -- again,
 8 so we felt that that wasn't -- that that was
 9 disingenuous, that if you're not willing to be open and
 10 transparent with us as to who you are, that doesn't
 11 really show respect towards the NFSP and, therefore,
 12 again, that was also part of the reasons why we declined
 13 their membership.
 14 **Q.** Please can WITN00370127 be shown on the screen. Thank
 15 you. If we scroll down, please -- sorry, if we could go
 16 down a little bit further, thank you -- this appears to
 17 be a draft of the letter which was sent to the applicant
 18 refusing his application for membership; is that
 19 correct?

20 **A.** Yes.

21 **Q.** So it's dated 13 March 2024 and reads:

22 "Dear Mr Jay

23 "Thank you for your email and completed NFSP
 24 application form dated 6 February 2024.

25 "I am writing to inform you that a decision has been

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1 call you for whatever. Well, that's not acceptable.
 2 That's -- I personally don't think that that's the
 3 standard that postmasters should behave in.
 4 **Q.** I just wanted to clarify with you, to make sure I've
 5 fully understood the reasons. What I understand you to
 6 be saying is that this individual applicant had been
 7 responsible in the recent past for posting social media
 8 posts which were abusive in their content?
 9 **A.** Yes.
 10 **Q.** Is that what you're saying?
 11 **A.** And they had specifically hounded an NFSP employee and
 12 caused them quite considerable distress.
 13 **Q.** Again, sorry, it was this particular applicant who had
 14 targeted --
 15 **A.** Yes.
 16 **Q.** -- you say, one of your employees --
 17 **A.** Yes.
 18 **Q.** -- on social media --
 19 **A.** Yes.
 20 **Q.** -- in a manner that you've described as harassment,
 21 harassing --
 22 **A.** Yes.
 23 **Q.** -- is that correct? It was based on the content of the
 24 abusive messages and the distress which it caused at
 25 least one of your employees that the Board decided not

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1 made by the NFSP's Board members to decline your
 2 application for NFSP membership. The decision will also
 3 become applicable if you or any other member applies to
 4 nominate you as an Organisational Representative and
 5 I refer you to Section 9, Item 9.3 of our Articles of
 6 Association [which provide] 'The council may in its
 7 reasonable discretion decline to accept any person as
 8 a Member and need not provide its reasons for so
 9 doing'."

10 Now, in your statement and in your evidence today
 11 you've given a detailed reason as to why the application
 12 was refused. Why did this letter provide no reason to
 13 the applicant explaining the grounds for the refusal of
 14 his application?
 15 **A.** We just thought it was -- that's the decision we had
 16 made. We didn't have to, as per 9.3, provide a specific
 17 reason for doing so. We just felt that that was
 18 probably the simplest and easiest way to sort of deal
 19 with it. I don't think they, you know, I -- knowing the
 20 individual, it wouldn't matter what we put down, I don't
 21 think it would have been accepted. It didn't matter
 22 what we said. It would be used in a manner to undermine
 23 the NFSP, you know, because that's the behaviour -- that
 24 was the behaviour of the individual, and it's sad that
 25 that's the case.

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1 I would rather have -- as I say, I'm an inclusive
 2 person. This is not something that sits easily with me,
 3 it's not something that sits comfortably with me but
 4 sometimes I have to make difficult decisions, and this
 5 was one of them.

6 **Q.** The fact that you don't have a duty to give a reason, of
 7 course, doesn't preclude you from giving a reason to the
 8 applicant, does it?

9 **A.** Yeah, but, as I've already said, I don't think any
 10 answer that we would have given would have -- there's --
 11 I don't think there was any way that the individual
 12 would go "Yeah, fair enough. That's fair enough.
 13 That's a fair point". This is not an individual sort of
 14 who, you know, has -- any conversation, any discourse
 15 that we've had with him over the period, has ever
 16 accepted anything that we've said, you know, and as I've
 17 said, has gone to quite significant lengths, and has
 18 caused our employees -- some really, really good
 19 people -- distress.

20 And despite trying to say, "Look, you know, just
 21 tone it down and maybe there's a different way we can do
 22 this, it's not going to happen", so, you know, as I say,
 23 knowing the individual, it didn't matter what we said,
 24 it was never going to be accepted, so just quote the
 25 rules and move on.

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1 would never take anything that we said as, "All right,
 2 okay, fair enough. I've overstepped the line. Maybe
 3 the language that I've used or maybe the things that
 4 I've done, I've gone too far". He demonstrated that
 5 time after time. So, as I say, it was simply, to
 6 protect our employees from further potential harassment,
 7 we felt that this was the right course of action.

8 **MS HODGE:** Thank you, sir, that brings us to the end of that
 9 topic. I'm mindful it's 12.55. It may be sensible to
 10 break now.

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

12 **MS HODGE:** Shall we return, then, at -- we can make it 2.00.
 13 I don't think we're going to take up the whole of the
 14 afternoon.

15 **SIR WYN WILLIAMS:** Yes, that's fine.

16 **MS HODGE:** Thank you.

17 (12.57 pm)

18 (The Short Adjournment)

19 (2.00 pm)

20 **MS HODGE:** Good afternoon, sir. Can you see and hear us?

21 **SIR WYN WILLIAMS:** Yes, I can, thank you.

22 **MS HODGE:** Thank you.

23 Mr Greenhow, before I move on, is there anything
 24 further you wish to say about the matters we were
 25 discussing shortly before the lunch break?

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1 **Q.** If you are concerned about the culture on social
 2 media --

3 **A.** Very concerned about the culture on social media.

4 **Q.** -- why, then, not explain to the applicant the reasons
 5 why you considered their conduct to be unacceptable?

6 **A.** Because I think that's only just going to invite more,
 7 and more, and more, and more. You know, the reality is,
 8 this is, as I've tried to sort of say, this is not
 9 someone who will take -- this is someone who believes
 10 they can do what they want, when they want, how they
 11 want and, if you happen to disagree with them, they will
 12 go to extreme lengths to get their way, even if it's
 13 causing people mental distress. That's of no concern.
 14 So, you know, I don't think that there's any --
 15 sometimes you've really just got to go, "Sorry, no, move
 16 on".

17 **Q.** Do you not think it would help, Mr Greenhow, to be more
 18 transparent about your decision making in order to avoid
 19 possible misunderstandings or suspicion about the
 20 motives of the Board in turning down an application like
 21 this?

22 **A.** If you're dealing with an individual who would be
 23 willing to be reasonable on that matter, then, yes,
 24 I would agree with you but, as I've tried to explain, it
 25 doesn't matter what we said to this individual, they

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1 **A.** No, that's okay. Thank you.

2 **Q.** My next topic is the extent of change which has been
 3 brought about within the Post Office.

4 **A.** Sorry, the?

5 **Q.** Within the Post Office?

6 **A.** No, but change?

7 **Q.** The extent of change which has been brought about within
 8 the Post Office?

9 **A.** Oh, sorry. Thank you.

10 **Q.** In your statement and in your evidence to the Inquiry
 11 this morning, you've expressed concern that the culture
 12 of the Post Office has not changed; is that correct?

13 **A.** Certainly, at a Board and senior executive level, yes.

14 **Q.** In your statement, you cite as an example the time which
 15 it has taken to negotiate changes to the Grant Framework
 16 Agreement --

17 **A.** Yes.

18 **Q.** -- to remove the clauses which restricted the activities
 19 of the NFSP --

20 **A.** Yeah.

21 **Q.** -- is that correct?

22 You describe those negotiations as protracted and
 23 difficult; is that fair?

24 **A.** Yes.

25 **Q.** You suggest that, so far as you are concerned, they are

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1 evidence of the fact that the leopard has not changed
 2 its spots?
 3 **A.** Yes.
 4 **Q.** Please can we bring up your statement at paragraph 317,
 5 page 113. You say there that:
 6 "Post Office provided the NFSP with a note of
 7 novation."
 8 When was that, please; do you recall?
 9 **A.** Yeah, it would be some point in 2019. The exact month
 10 I can't remember but it would be in 2019.
 11 **Q.** You say:
 12 "The legal advice we received said this did not
 13 address the specific clauses which were raised by Lord
 14 Justice Fraser at paragraphs 590 and 596 of the Common
 15 Issues Judgment [those being those] related to clauses
 16 5, 17 and 26."
 17 You say:
 18 "The advice we received is that the [Grant Framework
 19 Agreement] would require significant alteration to
 20 comply with the Common Issues judgment."
 21 You go on to say that an amended note of novation
 22 was prepared by your solicitors and presented to the
 23 Board of the NFSP in October 2019 and approved prior
 24 being sent to Post Office for consideration. You then
 25 say this:

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1 "We proposed that the term 'good faith' be placed in
 2 the recitals section, but this was ... rejected by Post
 3 Office. The reality of the Post Office refusing all
 4 attempts to include this tenet in the [Grant Framework
 5 Agreement] gives voice to concerns that, culturally,
 6 Post Office has not changed and that there is
 7 an unwillingness by the Post Office to act in good faith
 8 towards the NFSP and therefore our Postmaster members."
 9 Now, a new Grant Framework Agreement has now been
 10 signed by both the NFSP and the Post Office; is that
 11 correct?
 12 **A.** Yes.
 13 **Q.** For the benefit of the transcript, that document bears
 14 the reference WITN00370137. Please could that be shown
 15 on the screen.
 16 Thank you. If we scroll over the page, please.
 17 Thank you and, again, then down to page 1, please. Yes,
 18 thank you, the first page of the agreement. So it's
 19 dated 16 September 2024, so very recent.
 20 **A.** It is.
 21 **Q.** -- since the time that you produced your statement. By
 22 way of background, it states this:
 23 "[The Post Office] and NFSP are parties to a Grant
 24 Framework Agreement originally entering into between
 25 [the Post Office] and the unincorporated association

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1 "It has taken the best part of five years to get the
 2 Post Office to the point of agreeing some of the changes
 3 we were proposing."
 4 Now, I think it's right to say that you attribute
 5 that significant period of delay to the Post Office; is
 6 that correct?
 7 **A.** Yes.
 8 **Q.** One of the issues you say that acted as a stumbling
 9 block was their refusal to acknowledge that they had
 10 a duty to act in good faith towards their members; is
 11 that correct?
 12 **A.** Well, acted -- one of the aspects that Lord Justice
 13 Fraser talks about is that the Post Office had a duty to
 14 act in good faith in relation to postmasters and he
 15 makes such a -- that is really a central tenet of his
 16 ruling, that we felt that it was important that, if that
 17 is how the Post Office are supposed to behave towards
 18 postmasters, that given the fact that the NFSP is
 19 postmasters, then that's how they should act towards the
 20 NFSP as well.
 21 **Q.** If we could look, please, at paragraph 319, onto the
 22 next page, please. So you explain there what you've
 23 just said: that so far as you were concerned, this issue
 24 of good faith was a central tenet of the judgment. You
 25 say this:

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1 known as the National Federation of SubPostmasters dated
 2 21 July 2015 and novated to the NFSP by a Deed of
 3 Novation dated 5 November 2016 ..."
 4 You may recall I asked you about the deed of
 5 novation. Does that help you as to why there was a deed
 6 of novation?
 7 **A.** Yeah, but I'll be honest with you, I can't explain what
 8 the deed of novation was about. Why there was
 9 an update, I don't know.
 10 **Q.** There seems to be a distinction being drawn here
 11 between --
 12 **A.** Yes.
 13 **Q.** -- the NFSP as a unincorporated association and its
 14 subsequent incarnation as a private limited company.
 15 **A.** So that may be the reason why, then because, certainly
 16 when the Certification Officer ruled that we weren't
 17 a trade union, we were unincorporated for a period of
 18 time and then -- until we actually got ourselves
 19 incorporated.
 20 **Q.** It goes on to say this at B:
 21 "Following Alan Bates and Others v Post Office
 22 Limited (the Common Issues judgment), the parties have
 23 agreed to amend the Original Grant Framework Agreement
 24 to address those matters raised in the Common Issues
 25 Judgment relating to the original Grant Framework

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1 Agreement.

2 "The parties have therefore agreed to amend and

3 restate the original Grant Framework Agreement as set

4 out in this deed."

5 We can see it's at page 14, please, there's a new

6 clause 5. This reads "General conditions of the Grant":

7 "Both parties shall use reasonable endeavours to

8 identify any issues which will or may create tension

9 between the interests of [the Post Office] and those of

10 Postmasters and use reasonable endeavours to resolve any

11 such issues.

12 "For the avoidance of doubt, it is hereby

13 acknowledged that the NFSP may:

14 "[Firstly] represent individual Postmasters;

15 "[Secondly] discuss and comment on [the Post

16 Office's] initiatives, policies or strategies with its

17 membership;

18 "[Thirdly] publicly comment on the same;

19 "[Fourthly] state and plea ins its opinions on the

20 same, even if not in support of [Post Office]; and

21 "[Finally] lobby relevant stakeholders such as BEIS

22 and Royal Mail Group Limited on behalf of its members."

23 So quite a significant change then, relative to the

24 provisions that we looked at this morning?

25 **A.** Yes, I mean, that's obviously in line with Lord Justice

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1 **A.** Well, they determine sort of whether there is

2 a shortfall. They'll obviously -- you know, as I've

3 said earlier on, there's the three questions: is it

4 Horizon; is it a mistake and by whom; or has the assets

5 been used in the manner that was not intended?

6 Postmasters are still explaining that they are

7 experiencing losses. They then receive a letter, which

8 isn't a demand for money but is, "You've got a debt",

9 and, you know, we need to be in a situation where the

10 Post Office are able to bring that to an open and

11 transparent conclusion, rather than it just going on and

12 going on. Some of these cases have been outstanding for

13 years because they can't be brought to a conclusion.

14 And I do think we need to be in a situation where we

15 have complete confidence in Horizon as a system. As

16 I've highlighted, postmasters are still experiencing

17 shortfalls. We've asked the Government for a full,

18 in-depth look at the hardware, the software, the

19 telecommunications, the processes, practices within

20 Fujitsu and also within the Post Office, but there's

21 a reluctance to do that.

22 I still think that there's a belief within the Post

23 Office that Horizon is robust. I had a conversation

24 with officials in the Department of Business and Trade

25 not that long ago where I asked the question, and I was

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1 Fraser's ruling and why did it take five years to do

2 that? I have no idea.

3 **Q.** I'd like to must move on, please, if I may to the

4 subject of audits and investigations. You've said

5 earlier in your evidence that I think you accept that

6 there has been a change of culture within the Post

7 Office, so far as their conduct of audits and

8 investigations is concerned; is that correct?

9 **A.** Yes, there has and I think that's down to the

10 individuals involved and I think they have to be

11 congratulated on that. However, that's not to sort of

12 say that we're kind of where we need to be. Not -- I do

13 feel that we need to do more and I still think the Post

14 Office is acting as judge, jury and executioner in

15 certain aspects, and we need to have something in place

16 that will enable the Post Office to bring its evidence,

17 particularly where there's a disagreement with the

18 postmaster, and the postmaster can bring their evidences

19 as well, and that can be deliberate on and discussed in

20 a far more open and transparent way rather than, as we

21 have seen, in relation to what took place with one of

22 the Postmaster Non-Executive Directors.

23 **Q.** Can you please clarify what you mean when you say that,

24 in certain respects, the Post Office is still acting as

25 judge, jury and executioner?

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1 told the Post Office are telling them that the system is

2 robust. However, postmasters are experiencing

3 shortfalls.

4 So I think we need to -- there needs to be something

5 else there that enables both the Post Office and

6 postmasters to come together so that it's -- certainly

7 I can't remember if it was Saf or -- Mr Ismail or

8 Mr Jacobs who were talking about these being done

9 externally. I don't disagree with that to a point but

10 what we have been saying for a long period of time is

11 that there needs to be another process where the Post

12 Office can bring to an independent body and the

13 postmaster can bring to an independent body if they have

14 concerns about what the conclusion that the Post Office

15 draw.

16 **Q.** You've explained in your statement that the NFSP is

17 aware of four cases in which a subpostmaster has

18 requested support in their defence either of a criminal

19 prosecution --

20 **A.** Yes.

21 **Q.** -- or a civil claim --

22 **A.** Yes.

23 **Q.** -- and that, in one of those cases, the subpostmaster

24 has been exonerated; is that correct?

25 **A.** It was, yes. If I may sort of -- this wasn't something

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1 that was done by Post Office. It was actually -- it was
 2 the police who bought this. I don't think I should go
 3 into maybe the specifics of the case, only on the basis
 4 I'm not sure if I can, you know, within this framework
 5 or not, but --

6 **Q.** Well, let me ask you this: in relation to the
 7 exoneration, you said that a criminal prosecution was
 8 brought?

9 **A.** Yes.

10 **Q.** At what stage was the subpostmaster exonerated?

11 **A.** I think it went to court and it was thrown out.

12 **Q.** Okay, so it will be a matter of public record. Did you
 13 or any of your colleagues have any concerns about the
 14 manner in which that case was investigated or the way in
 15 which the prosecution was conducted?

16 **A.** Yes, but, as say it wasn't done by the police -- sorry,
 17 it wasn't done by the Post Office; it was done by the
 18 police, and I was concerned as to the way the police
 19 were going about it. They seemed to just look at the
 20 postmaster as guilty until proven otherwise. Hence, the
 21 reason when they came to us, I know we need to get some
 22 legal advice here, and I was directed to a solicitor who
 23 would be able to help because it was down south and,
 24 obviously, my connections are north of the border and
 25 obviously a different jurisdiction, and I have to sort

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1 by the Post Office to be open and honest with the NFSP
 2 about the extent of the problems that were being
 3 encountered in the project to replace Horizon; is that
 4 correct?

5 **A.** Not just the NFSP but other postmasters who were
 6 present.

7 **Q.** Can you expand, please, on that?

8 **A.** Well, there was another group of postmasters who were
 9 present. So there was myself and my Chair, Tim
 10 Boothman, who were present at that, and there were other
 11 postmasters who were present.

12 **Q.** At that meeting you were told what?

13 **A.** That there had been problems with the New Business IT,
 14 but these had been overcome and that we were on track
 15 and we've got a strategy ahead.

16 **Q.** Why do you characterise that as displaying a lack of
 17 transparency?

18 **A.** Well, given the fact that the very following day
 19 Computer Weekly gave a completely different story, the
 20 accurate story, that there are serious, serious concerns
 21 within Government in relation to how the programme is
 22 being developed, the cost of the programme, not only is
 23 it behind schedule it's being taken in-house, I can't
 24 remember exactly what the department within Government
 25 it's being looked at but it's all to do with -- I do

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1 of say I was delighted in the way that the solicitor
 2 approached it, how they engaged with the NFSP, how they
 3 sought the NFSP's help and guidance in relation to
 4 things, and just how they approached the postmaster with
 5 the greatest of respect and support right the way
 6 through.

7 And the stress that that postmaster was under was
 8 colossal but thankfully, ultimately, the right decision
 9 was made.

10 **Q.** But to be clear, in this particular case, your concerns
 11 related to the conduct of the police force --

12 **A.** Yes.

13 **Q.** -- the officers investigating --

14 **A.** Yes.

15 **Q.** -- rather than the Post Office?

16 **A.** Yes, the Post Office really didn't have anything to do
 17 with it, as far as an investigation is concerned.

18 **Q.** You say in your statement that your relationship, the
 19 relationship of the NFSP, with the leadership of the
 20 Post Office is very strained?

21 **A.** Yes.

22 **Q.** You suggest there remains a lack of trust in the senior
 23 management and Board of the Post Office --

24 **A.** Yes.

25 **Q.** -- and you cite as an example what you say was a failure

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1 mention it in my statement -- but it's the part of
 2 Government that looks after all the major
 3 infrastructures like HS2, et cetera, that's looking
 4 after it.

5 I think there was a Government Audit Team that had
 6 looked at it and highlighted grave concerns so there was
 7 nothing along those lines.

8 Kind of ironically, my wife and I had been given
 9 tickets to Chitty Chitty Bang Bang, and we were sitting
 10 in the theatre and on the break, and I looked at my
 11 phone and up came the report from Computer Weekly.
 12 I read it, I immediately emailed Nick Read and said,
 13 "What the heck's going on here? This is not what you
 14 told us yesterday". That resulted in a conversation on
 15 the Friday with the Head of IT Services within the Post
 16 Office and I simply said, "Listen, if I was the new
 17 Chair and you had told me what you told me on Wednesday
 18 and, on Thursday, I've learned what I've learned, what
 19 do you think the conversation would be today?"

20 That's it. I mean, you had the most senior
 21 individuals within the Post Office, from an executive
 22 point of view in that meeting, bar obviously Al Cameron,
 23 who was the Chief Financial Officer, and basically what
 24 the NFSP and other postmasters were told was not
 25 accurate.

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1 Q. In your statement, you say that you believe the problem
2 lies in the governance of the Post Office?

3 A. Oh, without question, yes.

4 Q. But you don't believe that the creation of the
5 Subpostmaster Non-Executive Director is the answer to
6 that problem; is that right?

7 A. I think it brings a conflict on the basis that they have
8 their own businesses, potentially directors within their
9 own businesses and, therefore, they have to act in the
10 interests of the business of which they are a director.
11 It is possible, you know, they can't vote on a number of
12 things, particularly in relation to remuneration? So
13 I don't think it necessarily is the answer, no, and
14 unfortunately, you know, you have to listen with great
15 empathy and sympathy as to what both those two
16 Postmaster Non-Executive Directors have gone through.

17 They have tried everything they possibly can to try
18 to help this business turn around but this business is
19 not prepared to listen and it'll do anything and
20 everything to undermine anybody who threatens its
21 position of power, authority and influence.

22 Q. Your proposed solution to the problem is the
23 establishment of an oversight committee; is that
24 correct?

25 A. Yes.

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1 the knowledge, in my view, of Government, because
2 there's a Government representative on the Board.

3 After everything had taken place, not one Director
4 of the Board was asked to step down or looked at
5 themselves in the mirror and went, "Yeah, we got this
6 wrong". They all carried on. Indeed, the Chief
7 Executive, whilst she left the business, left with
8 a golden goodbye, a CBE and a job in the Cabinet Office.
9 That's hardly an indication of the owner of the
10 shareholder thinking that the Board had made the wrong
11 decision and given what came out right across the two --
12 the Common Issues and the Horizon Issues judgments,
13 never mind the recusal.

14 So I felt that the relationship between Post Office,
15 the Civil Service and Government was where the problem
16 was. And I also think that, as a postmaster, as an --
17 I am an investor -- well, I'm not a postmaster now, so
18 apologies, but I am -- my postmaster colleagues are
19 investors in this business and, over the last 30 years,
20 I've seen decision, after decision, after decision that
21 has resulted in the security in the viability of their
22 businesses being undermined and reduced. Postmasters'
23 income has declined from -- in '21 it's gone from
24 48 pence in the --

25 Q. Mr --

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1 Q. Can you please explain briefly what your proposal is in
2 that respect?

3 A. So it's actually quite common on the continent and I --
4 you know, back in 2022, I was sitting thinking, what can
5 we do? I was understanding that the governance was the
6 problem and I really felt that the relationship between
7 Government and Civil Service and Post Office was the
8 fundamental problem that had resulted in this scandal
9 happening and everything was being done just to push it
10 down the line, push it down the line, push it down the
11 line.

12 So we needed to have a situation where we could have
13 a body that would sit alongside. It's not to replace,
14 it's not to slow things down or obfuscate things but
15 actually to sit alongside and hold the Post Office to
16 account.

17 Because the reality is, in my view, as I look back
18 on it, unfortunately, I don't think Government have
19 actually held Post Office to account and let me explain
20 why.

21 Back in 2018 the Post Office Board set a strategy
22 and that strategy was to ensure -- to defend the
23 indefensible and ensure that the victims remained guilty
24 and they knew that there was a problem but they still
25 went ahead with it. And that would have been done with

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1 A. Sorry. So put all of that together, put all that
2 together, I just feel we need to have another body that
3 can actually hold the Post Office to account and can
4 work alongside it. And it's quite common, as I say, on
5 the continent. So that's what we came up with.

6 Q. Okay, so that's the background. What is your proposal
7 in relation to the composition of this committee?

8 A. So Government need to be on there, obviously they're the
9 shareholder. Obviously those who are the
10 representatives, so Unite, who represent the management
11 of the Post Office; the CWU, who represent the employees
12 of the Post Office; the NFSP who represents postmasters.
13 But I do think it's also really important we bring on
14 consumer champions because it's about -- you know, the
15 Post Office has a social purpose. So what is it that
16 society needs? What is it that the community needs from
17 the Post Office?

18 The Government are making decisions that are having
19 a detrimental impact; post offices are closing right
20 around the country; postmasters are no longer able to
21 afford to run their businesses; communities are being
22 left without post offices; services are being taken
23 away; and we need to bring those community champions or
24 those consumer champions on so that Government, when
25 it's making decisions, actually understand what

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1 consumers need, rather than, in essence, decisions being
2 made that actually have a detrimental impact on
3 communities the length and breadth of the country.

4 **Q.** What I'd like to fix on, Mr Greenhow, is how to you
5 envisage this proposal for an oversight committee
6 bringing about change in the culture of the Post Office,
7 that being your primary concern, underlying a lot of the
8 other matters that you --

9 **A.** Yeah, well, given the fact that Government will be on
10 that committee, then you're basically saying to the
11 Government, "You're the shareholder, you own this is
12 business. Here's the evidence that things are not
13 right. We've got to put that right".

14 If I go to --

15 **Q.** Can I just pause you there. What you've just said,
16 essentially, is that you would like to have direct
17 access to the Government to be able to communicate the
18 concerns of the organisation and the concerns of your
19 members to ministers; is that the essence of it?

20 **A.** Well, yes, I think what we need to sort of be able to
21 sort of do is there is -- to our knowledge, there is no
22 strategy for the Post Office going forward. There isn't
23 one. And, to our knowledge, there really hasn't been
24 one for a significant period of time. Now, Post Office
25 might say something different. Just saying that's our

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1 **A.** Yes.

2 **Q.** Does your proposal for an oversight committee reflect
3 a concern that that Working Group is not providing
4 adequate governance of the Post Office or contributing
5 to adequate governance of the Post Office at present?

6 **A.** Well, I mean, we talked just briefly about NBIT. I have
7 been trying to get the Head of IT to come along to that
8 tripartite working group so that they are -- he is
9 providing an update within that forum as to how this is
10 progressing. He's never appeared. He's never sort of
11 come to it, and I don't know why. Every single time
12 I ask for NBIT to be on the agenda, but it's not. I'm
13 asking about what we can do to improve remuneration for
14 postmasters and not seeing anything.

15 I'm not seeing anything that is giving me confidence
16 that the Government and the Post Office after working
17 for the benefit of postmasters. It's just -- it's as
18 if -- it's a talking group, it's a talking shop.
19 There's nothing there that's giving me confidence that
20 we are actually working together for the good of the
21 future of this business. And that, I feel, sort of, is
22 indicative of how things have been.

23 I do believe that, behind the scenes, Government and
24 Post Office are talking and are working and -- but
25 I don't know what it is, I don't know what they're

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1 view. And, therefore, I think those who represent the
2 employees and the postmasters, but also consumers, need
3 to be able to work with Government, the shareholder, to
4 ensure that there is a strategy in place for the good of
5 this business. Well, where things are being done wrong,
6 there is a body there that can actually highlight this,
7 and actually bring this to the surface and hold Post
8 Office to account. That was the problem in the past.

9 All of this was getting done -- we talked earlier on
10 about transparency -- this was all getting done behind
11 the scenes, between the Government the Civil Service and
12 the Post Office and, as a result of that, this was
13 kicked down the -- sorry, the can was kicked down the
14 road. There wasn't sort of the ability for it to really
15 be brought to the surface. It was suppressed,
16 suppressed, suppressed.

17 And I think, with an oversight committee, we've got
18 the opportunity to -- if there is anything like this
19 happens again, it's going to be brought to the surface,
20 and Government won't be able to obfuscate it. They
21 won't be able to just brush it under the carpet.

22 **Q.** You've mentioned in your statement that you've
23 contributed to a tripartite working group comprising of
24 the Postal Affairs Minister and his Department, the Post
25 Office and the NFSP; is that correct?

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1 doing, I don't know what plan they have, and I'm worried
2 about it and so are my colleagues.

3 **Q.** I think you've explained in your statement that you
4 brought your proposal for an oversight committee to the
5 Working Group --

6 **A.** Yes.

7 **Q.** -- is that correct? What is the current status of that
8 proposal?

9 **A.** Again, I describe in my statement that the Minister
10 asked us in January to -- for the Post Office and the
11 NFSP, to work together and bring it back to him. The
12 very first meeting that I had, I was told by the then
13 Chief Retail Officer that the Post Office has no desire
14 to change its governance whatsoever. Well, that kind of
15 tells you a story. I had to really sort of push back to
16 that individual and I don't think he'd ever been spoken
17 to in that manner by anyone before, not that I was
18 disrespectful but it was just the fact that I was going,
19 you know, "You're an employee of this organisation and
20 if the Minister tells you to do something, you've got
21 a duty to do that, and going against the wishes of the
22 Minister is not something that a senior employee of the
23 Post Office should be doing".

24 Where we are at this moment in time, yes, there are
25 discussions as far as potential governance proposals.

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1 Obviously, I wasn't aware that the Post Office had
 2 commissioned Grant Thornton to look into governance of
 3 the Post Office. That's obviously come out now via the
 4 Inquiry, and all of this was going on before. So I've
 5 been trying to push for a change in the governance of
 6 the Post Office at least for two years now and it's good
 7 to see that we are starting to make some progress.

8 If I may, I'm not saying that it's -- the oversight
 9 committee is the only way. I'm not saying that if it's
 10 not my way, I'm not playing. But I do think we need to
 11 seriously look at the governance of the Post Office
 12 because I think that is where it's fundamentally broken
 13 down for -- over such a long period of time that has
 14 resulted in so many people having their lives ruined.

15 **Q.** Thank you. My final topic, Mr Greenhow, is the current
 16 policies, that is to say the written policies of the
 17 Post Office, in relation to audits, investigations,
 18 suspensions and other decisions. Now, you say in your
 19 statement that the NFSP was invited by the Post Office
 20 to comment on drafts of the whole suite of policies
 21 governing this whole area, that is to say the conduct of
 22 audits --

23 **A.** Yes.

24 **Q.** -- investigations and decision making in relation to the
 25 suspension and termination of the subpostmaster's

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1 **Q.** -- at the point at which they come to the --

2 **A.** Yeah.

3 **Q.** -- branch to carry out an audit?

4 **A.** Yeah.

5 **Q.** Can we look, please, at your statement at paragraph 326,
 6 page 117. Thank you. You say there:

7 "... we have raised concerns about the Audit
 8 Reporting Script, we did suggest an alternative script
 9 which the postmaster or OIC ..."

10 Can you explain that reference, please?

11 **A.** Officer in charge.

12 **Q.** Thank you:

13 "... would be required to sign with a copy retained
 14 by the postmaster. Part of the opening script informed
 15 the postmaster or [Officer in Charge] that the NFSP was
 16 available for help and support. Additionally, we
 17 suggested a checklist for the postmaster and [the
 18 officer in charge] to follow given the potential
 19 stressful situation that may be dealt with. This would
 20 enable notes to be taken for reflection afterwards."

21 You say:

22 "Sadly, this was rejected by the Post Office on
 23 a number of occasions."

24 Were you given reasons as to why your proposals were
 25 rejected?

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1 contract. In your statement you say that you're -- and
 2 forgive me, that's something which you are now doing on
 3 an annual basis -- is that correct --

4 **A.** Yes.

5 **Q.** -- viewing and providing comments --

6 **A.** Yes.

7 **Q.** -- upon the policies. You --

8 **A.** I have -- if I may, although I was personally dealing
 9 with it, along with another colleague, obviously the
 10 work that I'm doing as far as the Inquiry has taken up
 11 so much of my time, I've had to step back from that at
 12 this moment in time and delegate it to other individuals
 13 within the NFSP.

14 **Q.** You identify in your statement two areas of concern that
 15 you have in relation to the existing policies. One
 16 relates to what is known as the audit reporting script;
 17 is that correct?

18 **A.** Yes.

19 **Q.** That's a script, is this right, to be used by the Post
 20 Office auditor --

21 **A.** Yes.

22 **Q.** -- to address their first interactions --

23 **A.** Yes.

24 **Q.** -- with the subpostmaster or his staff --

25 **A.** Yes.

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1 **A.** It's not what they wanted to do.

2 **Q.** Secondly, in the following paragraph, you mention some
 3 reservations you have about the role of the Decision
 4 Review Panel; is that correct?

5 **A.** Yes.

6 **Q.** If we could turn, please, to the Decision Review Policy,
 7 that's contained at POL00088892. Thank you. This is
 8 version 2.3. At page 3, please, paragraph 1.3, under
 9 the heading "Core Principles" it states:

10 "A challenge will be heard by a review panel who
 11 will have no prior it in the circumstances which led to
 12 the termination and the challenge being raised."

13 So this a proposal, effectively, for a level of
 14 independent review of the decision to terminate the
 15 subpostmaster's contract; is that correct?

16 **A.** My understanding, yes.

17 **Q.** On page 7, please, at paragraph 2.4. Under the heading
 18 "Roles & Responsibilities", it provides this in relation
 19 to the review panel, it will be a panel of:

20 "... external members, who are responsible for
 21 deploying the procedures set out in this policy and for
 22 making a final decision on the review requested by the
 23 postmaster. The Review Panel will be supported by the
 24 Contract Investigation & Resolution manager to:

25 "[Firstly] apply Post Office's underpinning

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1 behaviours of fairness, transparency and
 2 professionalism;
 3 "[Secondly] be fully conversant with this policy and
 4 linked policies;
 5 "[Thirdly] gather as much information as possible
 6 relating to the background behind the termination;
 7 "[Fourthly] complete a Termination Decision Review
 8 Rationale Document before making a decision in
 9 consequence of a challenge. The rationale document is
 10 a report which includes facts and findings of the
 11 investigation, and the rationale used to determine the
 12 outcome;
 13 "[Fifthly] to ensure any decision arising from
 14 a challenge is made in line with all other Post Office
 15 policies ...
 16 "[Finally] ensure this policy is adhered to and the
 17 postmaster is treated with fairness, transparency and
 18 professionalism throughout the process ..."
 19 If we could go, please, to page 12, under
 20 paragraph 3.2, we see there an explanation of the role
 21 of the review panel. It provides:
 22 "It is the role of the Review Panel to ascertain
 23 whether the decision to terminate was taken in
 24 compliance with the relevant contract and requirement
 25 set out in section 3.1.

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1 the basis of, if something did go wrong, the Post Office
 2 is then able to turn round and go "Well, we had
 3 postmasters there, they said it was okay".
 4 I don't think that's fair, for postmasters who may
 5 be entering into these situations in good faith, and
 6 I don't think it's -- you know, the Post Office have
 7 still got too much control over it and hence the reason
 8 we would prefer to see a proper mediation to the process
 9 with CEDR or ACAS, so that, if it gets to that
 10 situation, it's taken out of the Post Office's hands, in
 11 essence, and it's someone else who is making the
 12 decision, just as the Postmaster Non-Executive Directors
 13 discussed earlier on this week.
 14 **Q.** So your proposal is for some form of formal mediation --
 15 **A.** Yes.
 16 **Q.** -- is that correct? Who in your view should be
 17 responsible for funding that process?
 18 **A.** Well, the Post Office.
 19 **MS HODGE:** Thank you. I've no further questions for you,
 20 Mr Greenhow. If you could remain there --
 21 **A.** Thank you.
 22 **MS HODGE:** -- the Chair may have some questions for you and
 23 I believe there are some questions from some of the Core
 24 Participants.
 25 **SIR WYN WILLIAMS:** Well, let's have the Core Participants,

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1 "Any investigation must be a fair and unbiased
 2 method of investigating the issues raised in the
 3 challenge. The process of investigation allows the
 4 Review Panel to establish facts relating to the issues
 5 raised and gives the postmaster the opportunity to
 6 identify and answer any points or queries raised by the
 7 Review Panel. The Review Panel may have to undertake
 8 further enquiries as a result of any new and/or
 9 additional information provided as part of the decision
 10 review process."
 11 Just pausing there, the nature of your concern, as
 12 I understand it, relates primarily to the composition of
 13 that panel; is that correct?
 14 **A.** Yes.
 15 **Q.** Now, I don't believe we see the composition of the panel
 16 defined in this policy document. Why are you concerned
 17 about Post Office's proposals in relation to who will
 18 sit on this review panel and make a determination?
 19 **A.** Yes, well, my understanding is it would consist of two
 20 senior Post Office employees, a non-voting chair and
 21 a postmaster, and we felt -- and we see this in a lot of
 22 the processes that the Post Office are putting in place,
 23 they're bringing postmasters into, in essence,
 24 a decision-making place, and we feel that that's placing
 25 those postmasters in a potential position of harm, on

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1 please.
 2 **Questioned by MS PATRICK**
 3 **MS PATRICK:** Good afternoon, Mr Greenhow. My name is
 4 Ms Patrick and, together with Mr Moloney, we ask
 5 questions on behalf of number of postmasters who were
 6 convicted and have since had their convictions quashed.
 7 You'll be happy to know I only want to ask you about two
 8 documents and two issues.
 9 **A.** Yes.
 10 **Q.** The first issue, is about the pre-GFA relationship
 11 between the Post Office and the NFSP?
 12 **A.** Yes.
 13 **Q.** I want to look at one document, it's POL00021485. Now,
 14 just before it comes up I'll tell you what it is. It's
 15 not a document we would have expected you to see at the
 16 time.
 17 **A.** Oh.
 18 **Q.** It's a Board minute from the Post Office from 2004.
 19 **A.** Ah.
 20 **Q.** So before your time. I just want us to have a look at
 21 it together. You see on the first page, just to
 22 confirm, there's meetings of the Board, 13 October 2004.
 23 The section I want to look at is on page 13, so if we
 24 could scroll to page 13 I'd be very grateful.
 25 It's the section at the bottom half, so if we can go

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1 to the bottom half of the page and stop there. If we
 2 can scroll a little bit back up, I'd be grateful, thank
 3 you. Now can you see that section there headed
 4 "Subpostmaster exhibition"?

5 **A.** Absolutely.

6 **Q.** It says, "David Mills reported", and there's a little
 7 bit of a conversation there about a subsidiary of Hayes
 8 Travel being offered a stand at a subpostmaster
 9 exhibition to promote a *Bureau de Change* product.
 10 There's a little bit about a conflict of interest
 11 potentially, and it says:

12 "The Board agreed that:
 13 "It was both damaging and inappropriate for a direct
 14 competitor of Post Office to be accommodated at the
 15 exhibition in this way."
 16 The second bullet point:
 17 "Post Office Limited would reconsider the subsidy
 18 provided to the NFSP if they continued to undermine the
 19 position of Post Office Limited", and then they go on
 20 with a few other things, the next steps they're going to
 21 take, having suggested their concern.
 22 Now, this suggests that, even in 2004, there were
 23 some subsidies being paid by the Post Office to the
 24 NFSP, doesn't it?

25 **A.** It does.

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1 **Q.** That relationship was always going to be one where the
 2 interests of the Federation as a whole would be at the
 3 forefront of the organisation and perhaps something that
 4 would be difficult to put before the interests of
 5 a small group of subpostmasters, no matter how
 6 catastrophic the damage to that small group might be.

7 **A.** Well, I think if you -- and I don't know where it is
 8 actually in my written statement but, when you not --
 9 long after this in 2006, there is the evidence in
 10 relation to the Green Giros and, at that point, the NFSP
 11 threatening to take legal action against the Post Office
 12 for its actions against postmasters.

13 So no, I wouldn't necessarily agree with you but
 14 what I can't turn round and say at this point in time
 15 is, as I've indicated before, the simple reality is the
 16 NFSP of the past believed the Post Office and put their
 17 faith in the Post Office, rather than believing and
 18 putting their faith in postmasters.

19 **Q.** Okay.

20 **A.** It's particularly in relation to this case, and it is --
 21 and, again, I put it in my witness statement -- that
 22 it's sad in one sense that, despite the fact that
 23 through the branch and regional network, the information
 24 came to the Executive of the Post Office who acted upon
 25 it, but it doesn't appear that when it comes to this

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1 **Q.** As far as the Post Office at least was concerned from
 2 this, one of the potential levers the business held was
 3 in the manipulation or the use of the subsidies, wasn't
 4 it?

5 **A.** Yes.

6 **Q.** Now, you've said today that the problem lies in the
 7 controlling culture of the Post Office and how that's
 8 reflected in its relationship with subpostmasters and
 9 with the Federation?

10 **A.** Yes.

11 **Q.** Is that kind of attitude, that problematic culture,
 12 reflected in this minute?

13 **A.** I would say so.

14 **Q.** Yeah. Is it indicative of that kind of historic problem
 15 in the relationship that you've told the Inquiry about
 16 today?

17 **A.** Well, obviously back in 2004, I was just an honorary
 18 member. So I wasn't really involved in the NFSP in any
 19 way, shape or form at that point. However, I would
 20 suggest, as I did read this, prior, that this gives
 21 an indication of how long the manipulative behaviour of
 22 the Post Office has existed.

23 **Q.** If we can be really frank, this is a relationship
 24 between the NFSP and the business, the Post Office?

25 **A.** Yes.

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1 situation, that that unfortunately happened.

2 So again, you know, I offer my apologies to those
 3 victims.

4 **Q.** Okay. If we can move on to the second issue, thank you.
 5 It's a point about the position of the NFSP during the
 6 GLO, litigation?

7 **A.** Thank you.

8 **Q.** You've gone over the information with the Counsel to the
 9 Inquiry at some length; I only want to look at one
 10 point. If we can go back, this morning you described
 11 attending the first day of trial --

12 **A.** Yes.

13 **Q.** -- and not being able to afford private support to
 14 Mr Bates having missed him in the corridor during
 15 a break?

16 **A.** Yes.

17 **Q.** You said your colleagues at the NFSP were following the
 18 trial, including daily updates being put online by
 19 Mr Wallis on his blog --

20 **A.** Yes.

21 **Q.** -- and, of course, it was important that the
 22 organisation was following what was going on, wasn't it?

23 **A.** Yes.

24 **Q.** Might you have dipped into the blog yourself?

25 **A.** I did on occasions, yes.

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1 Q. Now, I'm just going to have a quick look at the Common
 2 Issues judgment for the one point that I want to ask you
 3 about it, and it's POL00112043. If that could be
 4 brought up, I'd be grateful, if it can't, you can trust
 5 me that I'm reading from it.

6 A. Which paragraph is it within there?

7 Q. It might help you, Mr Greenhow, we're going to look at
 8 the two paragraphs you said that initially you paid
 9 particular attention to this morning, paragraph 574
 10 which is on page 185, and I'll start reading and it may
 11 appear, because I think this paragraph and the paragraph
 12 after may be very familiar to you. I can see you've got
 13 the hard copy, which is very helpful.

14 A. Yes.

15 Q. It's under the heading, "The Post Office's relationship
 16 with the NFSP".

17 A. Yes.

18 Q. It says, "subject relevant for the following reasons",
 19 and it's the first part of 574 I want us to look at:
 20 "The Post Office relied in numerous places, both in
 21 its evidence and in its submissions, upon the fact that
 22 the NFSP does not support the litigation."

23 A. Mm-hm.

24 Q. It gives an example:
 25 "As an example, in its written opening it is

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1 Office therefore relies upon this support by the NFSP to
 2 support its stance in this litigation."

3 Now, I just have a few questions for you, having
 4 read it, and I'm sorry that it's not come up on screen
 5 for everyone. Did the NFSP have any discussion
 6 internally during the trial when it became clear that
 7 the Post Office was relying on their lack of support for
 8 the GLO claimants?

9 A. I don't think so I think the first time that I became
 10 aware of this was when I read it. However, I was
 11 present in court when Mr Beal said what he said, and
 12 I thought, "Well, that's strange. Where's he got that
 13 from?" Obviously I've learned now, this side of the
 14 GLO, exactly where it came from and, obviously, my
 15 predecessor was very much supportive of the Post
 16 Office's position but I don't think that was necessarily
 17 indicative of everyone within the NFSP, but certainly
 18 was indicative of his viewpoint.

19 Q. You can see there, and you've said again, your view
 20 points weren't necessarily indicative of your
 21 predecessor. But you were in charge by this time, and
 22 here was -- perhaps not unsurprisingly -- the Post
 23 Office relying expressly in the litigation on the
 24 publicly repeatedly-expressed position of the NFSP that
 25 Horizon was considered to be robust.

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1 submitted, 'It should be noted that the National
 2 Federation of SubPostmasters, the NFSP, which is the
 3 organisation which represents subpostmasters and their
 4 interests Nationwide, does not [not underlined]
 5 support this action and does not endorse the factual
 6 premises of the claims."

7 If we can skip down to the next paragraph, down to
 8 575, it goes on again:
 9 "Public support for a cause or a lack of NFSP
 10 support for the claimants does not cut much ice in
 11 court."

12 A. Mm-hm.

13 Q. "It plays no part whatsoever in the outcome. I have
 14 already referred to public and press interest in this
 15 litigation for the reasons explained, and that plays no
 16 part either. I'm entirely disinterested in whether the
 17 NFSP does or does not support the proceedings. However,
 18 for the two reasons identified, and because some of the
 19 Post Office witnesses, for example Mr Beal, dealt with
 20 NFSP involvement, and it was relied upon by the Post
 21 Office, it was of sufficient relevance to permit
 22 Mr Green some limited cross-examination on this subject.
 23 "It should also be noted that Mrs van den Bogerd
 24 also gave evidence that the NFSP has publicly supported the
 25 Post Office's view that Horizon is robust. The Post

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1 When that became clear, did it become clear to you
 2 during the trial?

3 A. I don't think it did, no.

4 Q. So had the NFSP taken a position that it was going to be
 5 studiously and positively neutral, without a clear
 6 appreciation of the case that the business was going to
 7 run against its former members?

8 A. You know, as I've already sort of explained, we just
 9 felt -- you know, I was new to the role, and we were --
 10 we were not involved in the case. We didn't know what
 11 was being said, really, so we didn't know the inner
 12 workings of it. We could sort of see what was being
 13 said.

14 Q. Can I just stop you there, Mr Greenhow. The NFSP
 15 position really wasn't really truly neutral was it? You
 16 were really just letting the Post Office do what it
 17 wished with your name, holding your peace and waiting to
 18 see where the chips fell?

19 A. Sorry, I don't agree with that.

20 Q. In the circumstances of what happened, where the Post
 21 Office was actively reliant on the lack of support from
 22 the NFSP, where your colleagues were monitoring the
 23 proceedings in the trial from the blog covering the
 24 daily events, where you turned up to court on the first
 25 day without expressing any support for those 555 GLO

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1 claimants, where you couldn't manage to reach out to
 2 Mr Bates on the day, despite seeing him across the room,
 3 can you appreciate that your position was seen by them
 4 as very far, far away from neutral?
 5 **A.** Yes, I can see that but that honestly wasn't sort of the
 6 case, and I think the evidence that's been presented, to
 7 the kind of viewpoint that I was taken to before, gave
 8 an indication that my viewpoint was different to that of
 9 my predecessor. But that's as much as I can say.
 10 **Q.** Did you ever say that on the record, before the judgment
 11 was handed down?
 12 **A.** I don't think I did, no.
 13 **MS PATRICK:** Thank you. No more questions, Mr Greenhow.
 14 **Questioned by MR STEIN**
 15 **MR STEIN:** Mr Greenhow, my name is Sam Stein. I represent
 16 a large group of subpostmasters who have been affected
 17 by the Post Office scandal.
 18 Now, during the evidence this week, we heard the
 19 questioning of Mr Ismail, Saf Ismail.
 20 **A.** Yes.
 21 **Q.** During the course of that, there was discussion
 22 regarding a letter written on 17 May this year from
 23 Mr Patterson of Fujitsu. Now, that letter -- and I'll
 24 quote it from the evidence -- states that:
 25 "To be clear, Fujitsu (FSL) will not support the
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1 And my -- it really concerns me because it shouldn't be
 2 a case that any postmaster, whether it's 20 quid, when
 3 they do their trading period, that they put that 20 quid
 4 in. That is a huge question.
 5 **Q.** It goes to two issues, doesn't it: the one you've just
 6 been speaking about that affects postmasters in their
 7 branches --
 8 **A.** Yeah.
 9 **Q.** -- where there is a shortfall --
 10 **A.** Yeah.
 11 **Q.** -- and, as we know from the YouGov report, people are
 12 still paying up for shortfalls?
 13 **A.** Yes.
 14 **Q.** So where there are shortfalls, it should have been made
 15 clear, do you agree, immediately --
 16 **A.** Absolutely.
 17 **Q.** -- that the data from Horizon was unreliable and
 18 unreliable for the pursuit of shortfalls?
 19 **A.** Yes.
 20 **Q.** The second part that that particular information in May
 21 of this year affects is the question of ongoing
 22 investigations into postmasters --
 23 **A.** Yeah.
 24 **Q.** -- for the obvious reason that, if the police are
 25 carrying out, at this moment in time, an investigation
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1 Post Office to act against subpostmasters. We will not
 2 provide support for any enforcement actions taken by the
 3 Post Office against postmasters, whether civil or
 4 criminal, for alleged shortfalls, fraud or false
 5 accounting."
 6 The letter goes on to say:
 7 "It seems that the Post Office may be continuing to
 8 pursue permits for shortfalls in their accounts using
 9 Horizon data. We would have expected that the Post
 10 Office has changed its behaviour in light of the
 11 criticisms and is appropriately circumspect with respect
 12 to any enforcement actions."
 13 Then, lastly, Mr Patterson of Fujitsu says this:
 14 "It should not be relying on Horizon data as the
 15 basis for such shortfall enforcement."
 16 I'll repeat that last bit. So Mr Patterson, middle
 17 of May 2024, is saying the Post Office should not be
 18 relying on Horizon data as the basis for such shortfall
 19 enforcement.
 20 The date of that letter is 17 May 2024. Was the
 21 NFSP told about the content of that letter from Fujitsu?
 22 **A.** The first time I became aware of it was as it was read
 23 out in court and I immediately contacted some colleagues
 24 and said "Horizon is no longer reliable, what does that
 25 mean in relation to what we do as far as any shortages?"
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1 into any subpostmaster, they should have been informed
 2 immediately in May 2024 that the Horizon system was, as
 3 ever, unreliable for the purposes of providing data to
 4 support investigations; do you agree?
 5 **A.** Yes, I do, and if I may to go back to what said earlier
 6 on, I've tried to get the Government to do a full review
 7 of Horizon. But there is a refusal to do that because
 8 Post Office are telling Government that Horizon is
 9 robust.
 10 **Q.** During this Inquiry we've considered what's happened
 11 when investigations into individuals, subpostmasters,
 12 have been the result of a failure of disclosure. We've
 13 seen what's happened.
 14 In May this year, the Post Office was told that
 15 Fujitsu's Horizon system should not be used as the basis
 16 for investigations, considerations for shortfalls, yet
 17 nobody is told about it; is it same old, same old for
 18 the Post Office.
 19 **A.** It would appear so in that case, yes.
 20 **Q.** Now, I'll turn to a different point, if I may. You make
 21 a point in your statement regarding the question of
 22 Network Transformation --
 23 **A.** Yes.
 24 **Q.** -- and its impact upon subpostmasters, branches and,
 25 indeed, I think your own branch right?
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1 **A.** Yes, we will be losing our branch on 11 October.
 2 **Q.** Help us understand a little bit more how that's
 3 connected to Network Transformation because, if we go
 4 back in time, Network Transformation is a while ago.
 5 Why is that still having an impact; why is that having
 6 an impact on your branch and others in terms of closing
 7 them?
 8 **A.** So Network Transformation was a programme that was --
 9 a Government programme that started in 2012 and it ran
 10 to 2018. In 2018, when the programme finished, there
 11 was about 700 postmasters who were classified as Hard to
 12 Place and my own office was one of them, the reason
 13 being is that no one was wanting -- there was no
 14 potential new postmaster who was coming forward to take
 15 on the business. As I've already explained in 2015, my
 16 wife and I had to make the very difficult decision not
 17 to sort of carry on -- or not convert to the local
 18 model, because we felt -- sorry, I might be speaking too
 19 quickly here -- we felt that it was -- it would not make
 20 financial sense to do that.

21 Sadly, in 2023, in February 2023, the Post Office
 22 came along and they presented good news to me that they
 23 were going to shut all of the remaining Hard to Place
 24 and at that time there was about 130 of them, and the
 25 reason that I was given that was because of the NBIT
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1 I've said, my office will close on 11 October.
 2 May I just sort of say this point -- and it's
 3 important -- because I think it's important to not just
 4 hear but to colleagues who may be listening to this:
 5 it's been said on some social media groups that I may
 6 have accepted a deal from the Post Office and I want to
 7 make it clear that in no way shape or form have
 8 I accepted any financial agreement from the Post Office,
 9 that benefits me to the detriment of my fellow
 10 colleagues. I would never do that.

11 **Q.** Did Network Transformation, and the issues you've
 12 discussed, did that have an unfair or unequal impact
 13 upon smaller branches, family branches, in rural areas
 14 or areas of lower population?
 15 **A.** I wouldn't go as far as to say that but what I would say
 16 is that the way that business is being run today,
 17 I would say that the new services that are coming on
 18 tend to be going to the larger offices. So, for
 19 example, Evri that's coming on, Amazon, DPD, a lot of
 20 the banking is actually done within the larger offices
 21 and that's meaning that more rural, urban, post offices
 22 are not getting those services. They are losing income.
 23 So we are seeing a disproportionate -- those who are
 24 doing quite well versus those who are struggling.

25 **Q.** Now, the Post Office has a social aspect, in terms of
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1 coming in by March 2025. They did not wish to put that
 2 group of postmasters through the training and also the
 3 investment, as far as the equipment is concerned. So
 4 they were going to be closing those offices, leaving
 5 those offices without potential provision.

6 But they also stated that they were going to change
 7 the exit compensation that postmasters would receive
 8 from 26 months down to 12 months, which would result in
 9 those postmasters losing, on average, £43,000, which is
 10 obviously a significant amount of money, depending on
 11 the stage of life that you happen to be.

12 Many of those colleagues were well beyond state
 13 retirement age and had underlying health issues that
 14 meant that they shouldn't be working and -- but yet the
 15 Post Office's attitude was, "We've made our Board
 16 decision, that's what's happening, and we're not
 17 prepared to shift in any way, shape or form".

18 The only concession that we could get was that, at
 19 the start of this year, they would put boots on the
 20 ground, as they said, and they would go round the
 21 remaining offices to see if someone would be willing to
 22 take on the office within the community. Unfortunately,
 23 I've said in my statement there was 30. That is now 40
 24 postmasters who are going to be in a situation, ten have
 25 already closed, 30 are in the process of closing, and as
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1 social provision of services within the community.

2 **A.** Absolutely.

3 **Q.** Within the Government funding requirements, there are
 4 requirements to ensure that there are certain numbers of
 5 branches within given areas and head of population?

6 **A.** Access criteria, yeah.

7 **Q.** Repeat that, please?

8 **A.** Access criteria.

9 **Q.** Now, in terms of the access criteria, where you are
 10 looking at a branch in an area perhaps of low population
 11 density, which would tend to mean lower footfall within
 12 the Post Office branch, is that reflected, that lower
 13 income into the branch, is that reflected in the income
 14 from the Post Office to the subpostmaster?

15 **A.** Well, yes. What we've got is a situation that, if we
 16 were to go back to 2013, the average income to
 17 a postmaster was about £42,000. It's now down to about
 18 35,000. That's the average income to a postmaster. If
 19 you take inflation into account, obviously that's going
 20 to be significantly lower.

21 **Q.** But just make sure we understand, and perhaps I missed
 22 it because I was being given a piece of information, but
 23 in the smaller branches, is there a funding, if you
 24 like, bias towards those branches?

25 **A.** Yes.
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1 Q. Right.

2 A. Now, some of them will be, for example, my own office,
3 still receive what's known as -- well, it was known as
4 core tier payment, but it's now called an assigned
5 office payment, which is, in essence, a basic flat
6 remuneration, and then we get paid a commission on each
7 transaction that we do.

8 Q. Right. When was that last reviewed?

9 A. It's that -- the review for the assigned office payment
10 is usually done on an annual basis and that is usually
11 linked to inflation, and that is something that the NFSP
12 have negotiated with the Post Office and got in place.

13 Q. Okay, and can you just confirm that the DBT are
14 reviewing the National Transformation Scheme?

15 A. No, they're not, and I think they should. As you know,
16 we have launched a campaign, as far as Network
17 Transformation is concerned, because having -- you know,
18 having been part of this Inquiry for so long and
19 listening to what is being said, I came to realise, in
20 one sense, two things: that the organisation back in
21 2012/2015, that was doing everything it possibly could
22 in relation to the Complaints and Mediation Scheme was
23 exactly the same organisation that was implementing
24 Network Transformation.

25 Too often, I was hearing from colleagues that they

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1 Q. The helplines, the Post Office helpline and then the
2 Fujitsu helpline. The questions that we've been
3 pursuing, as you're well aware is whether those
4 helplines have actually provided any help at all or are
5 they, in fact, the unhelpful lines, okay? Now, we know
6 through the YouGov report that people are still having
7 difficulties with the Horizon system; people are still
8 experiencing shortfalls; they are still paying off
9 shortfalls, okay? Does the NFSP receive information
10 regarding the helplines, the calls that are being made,
11 the way that they are dealt with and trends being
12 expressed within those helplines?

13 A. Not that I'm aware of.

14 Q. Why not?

15 A. Good question. That's --

16 Q. Have you asked for that?

17 A. I'm not aware if we have, actually, to be honest.

18 Q. Well, that sounds like a no.

19 A. No, okay.

20 Q. Do you agree it will be helpful if the NFSP and any
21 other organisation had access to the data and is being
22 provided across the helplines, the scripts, the
23 complaints, the concerns being expressed to those
24 helplines, as far as it is possible to get them cleaned
25 of any confidential information?

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1 felt as if they were being cajoled or forced or bullied
2 into converting to one of the models, and that has led
3 to their financial detriment.

4 Now, I've described in my statement that I am
5 a qualified mortgage adviser, not practising any longer,
6 so I can't use the -- I'm not qualified -- I'm not
7 authorised, as you'd say, but I am qualified. And
8 I know under that that you have to be qualified and
9 authorised to give financial advice. Well, did that
10 constitute financial advice? When the Post Office came
11 in and said, "Right, okay, we think's a good idea for
12 you to move or convert" or whatever, was that
13 constituting financial advice?

14 So I think the Government should really do a full
15 review, how that review is done, whether that's
16 a judicial review or legal review, or whatever it is,
17 but do think Government has to look into that and
18 investigate whether the activities and the actions and
19 the culture of the Post Office has led to the detriment
20 of postmasters under the Network Transformation
21 programme.

22 Q. Okay. Last topic, should be quite short. Throughout
23 the Inquiry we've been pursuing the question of the
24 helplines.

25 A. The helplines?

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1 A. Absolutely.

2 Q. Is that a matter that you're going to undertake to take
3 up with the Post Office?

4 A. Leave that with me. You can be assured that that will
5 be done.

6 MR STEIN: One minute.

7 Thank you.

8 **Questioned by MS ALLAN**

9 MS ALLAN: Good afternoon, Mr Greenhow. My name is Christie
10 Allan and, as you're aware, I represent Core Participant
11 Susan Sinclair, who was the first subpostmaster to
12 successfully appeal her conviction in Scotland.

13 I just have a few questions for you today. At
14 paragraph 174 of your first witness statement, you state
15 that:

16 "On the back of the mass exoneration legislation
17 proposed by the UK Government earlier this year, the
18 NFSP made several attempts to initiate a meeting with
19 the Scottish Justice Minister and the Lord Advocate but
20 to no avail."

21 A. Yeah.

22 Q. Can you please elaborate on your attempts to meet with
23 these individuals: when did you first contact them,
24 what; was the format of your communication; and have you
25 been successful in receiving any kind of response?

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1 A. Well, we've received a response, which I think is within
2 the core bundle and I can't remember the very specific
3 details of it, but I think you'll have been able to read
4 that. But as far as, you know, trying to get to the
5 Lord Advocate and the Justice Minister of Scotland has
6 proved difficult. I think they've obfuscated that down
7 the line.

8 I have to say, in contrast, we sent the same
9 correspondence at the same time to the counterparts
10 within Northern Ireland, who very graciously invited us
11 to meet with them and they were very clear about their
12 desire to be included within the new legislation that
13 the Government introduced. But we've heard nothing from
14 the Scottish Government or the Lord Advocate on that
15 basis.

16 Q. So there's no proposed meeting at the moment with the
17 Lord Advocate?

18 A. No.

19 Q. In recent months, the Lord Advocate in Scotland has
20 publicly confirmed that she and the Crown Office in
21 Scotland is committed to addressing all miscarriages of
22 justice and that she to achieving justice for those
23 impacted and that she is committed to reflecting on
24 whether anything could have been done definitely by
25 prosecutors in Scotland?

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1 the Lord Advocate needs to sort of like answer, as to
2 why there is as many people within Scotland who have
3 been victimised on a proportional basis as there has
4 been sort of down here.

5 But I do think it's really important that, when it
6 comes to exonerating these people and making sure that
7 they get their redress that they deserve, that happens
8 as quickly as possible, and it's really important that
9 the Scottish Government and the Lord Advocate get that
10 sorted.

11 Q. That brings me on to my final question: according to
12 information provided by the Scottish Cabinet Secretary,
13 Angela Constance, earlier this month, only two out of
14 a possible 141 affected subpostmasters have thus far
15 been written to in accordance with the terms of the mass
16 exoneration legislation in Scotland and, indeed, that
17 the Scottish Government is apparently still in the
18 process of assessing the 141 possible cases. In your
19 view, what more should be done in Scotland at this time
20 and by whom?

21 A. Ooh, that's a good question. I don't know the answer to
22 that one, to be honest. I'm sorry. But I think the
23 Lord Advocate -- you know, at the end of the day, the
24 Lord Advocate is the most senior person within the legal
25 industry within Scotland, so you'd have to sort of say

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1 Is this reflective of the NFSP's experience of the
2 personal commitment by the Lord Advocate to get to the
3 bottom of the events which gave rise to this scandal in
4 Scotland?

5 A. As you know, obviously the process in Scotland is
6 different than it is down here, and it's something that
7 has kind of perplexed me, I have to sort of say, and
8 again, I'm talking about someone who is non-legal. But
9 much has been made about the fact that the Post Office
10 can do private prosecutions. But coming from Scotland,
11 I'm aware that obviously that can't be done and, when
12 you look at the proportion of people who have been
13 convicted in Scotland, in comparison to the rest of the
14 country, it's not disproportionate.

15 So you kind of have to question what has gone on
16 within Scotland that's different to down here. Because
17 you would -- I would have hoped that, actually, given
18 the fact that the Procurator Fiscal has to take it --
19 and I hope right in saying that -- so the evidence is
20 presented to the Procurator Fiscal, who then sort of
21 looks at it and determines whether a case will still be
22 brought, rather than the Post Office being able to
23 obfuscate all of that and bring it. There would have
24 been less people in Scotland, but it doesn't seem to be
25 the case, and I think that's a fundamental question that

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1 the responsibility lies with her. I think it's a her.
2 So, on that basis, I think that's where it should start.

3 I think what is worrying is my understanding is
4 that, when it comes to the number of people -- the
5 people who have been convicted, actually they're not
6 necessarily aware of who the people are. There's a lot
7 of people that they just don't know who -- they know
8 there's been convictions but they don't know who they
9 are or where they are. And that's really worrying
10 because there could be people sitting at home -- and
11 I think this is maybe something -- and I hope I'm not
12 talking out of turn here -- I am not sure whether we can
13 just exonerate someone, give them some money, "Job's
14 done, see you later, on you go".

15 I don't think that's enough because I do think that
16 there are people out there who are broken: emotionally,
17 physically. As a result of that, they have absolutely
18 no trust within the authorities of this country. It has
19 left them broken, and I do think that there has been
20 an attempt -- maybe attempt is the wrong word -- but
21 there has been, well, a kind of thought process, "Well,
22 if we'd just say sorry, we exonerate them, give them
23 some money, everything is fine. Everything in the
24 garden is rosy", and I don't think that's going to be
25 the case.

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1 I think this is going to live with people for the
2 rest of their lives, irrespective of whether they are
3 exonerated and get compensation.

4 You know, one of the other things that is going on
5 at this moment in time or has just completed is the
6 infected blood scandal. Okay, so we say sorry, we give
7 them the compensation. You can't cure hepatitis on that
8 basis. These people unfortunately -- and I know people
9 who have sadly -- whose families have been impacted by
10 that. You can't just get away from that.

11 **Q.** So, in short, more work needs to be done in Scotland?

12 **A.** Oh, absolutely without question. Sorry.

13 **MS ALLAN:** Thank you, Mr Greenhow.

14 **Questioned by SIR WYN WILLIAMS**

15 **SIR WYN WILLIAMS:** Mr Greenhow, in respect either of
16 Scotland -- just Scotland -- or in relation to all parts
17 of the United Kingdom, do you think that the NFSP has
18 a role to play in speeding up the exoneration process?
19 I'm not asking you that just in the abstract but, in
20 particular, in relation to providing any information
21 that you may hold about former members who were
22 convicted.

23 **A.** Listen, if there's anything that we can do to help, we
24 will. I think we've shown through this Inquiry just
25 exactly how much time and effort that we have given to

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1 related to their work as a subpostmaster, the
2 consequence would be that they'd cease to be
3 a subpostmaster but also cease to be a member of the
4 Federation, and I just wondered whether you'd have any
5 records of that kind?

6 **A.** No, I think we certainly weren't told the reason why
7 they were no longer a postmaster. So we -- I don't
8 think we know and, certainly to my knowledge, there
9 hasn't been any correlation work done, at the time, to
10 why someone stopped being a postmaster and whether there
11 was actually a court case was the reason behind it. So,
12 unfortunately, I don't think we know.

13 If there's anything we can do then --

14 **SIR WYN WILLIAMS:** That's fine. Yeah, fine.

15 Any other questions?

16 **MS HODGE:** Sir, I think that concludes --

17 **SIR WYN WILLIAMS:** Well, then thank you very much,
18 Mr Greenhow, for your participation to date, which I'm
19 sure will continue. I think I'm right in saying that
20 you have been seeking to assist the Inquiry throughout
21 all its phases, including the non-statutory phase of it,
22 so I'm very grateful to you for that and, obviously, I'm
23 very grateful for your detailed witness statement and
24 your oral evidence today.

25 **THE WITNESS:** Thank you.

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1 this Inquiry. If you've asked for any information,
2 we've given you the information. We've volunteered
3 information, even that we haven't been asked for. If
4 there's anything we can do, we will do it. We just --
5 **SIR WYN WILLIAMS:** Well, I think this wouldn't be the
6 Inquiry seeking information from you; this would be if
7 it's practical. I'm asking you an open-ended question:
8 if it's practical for the NFSP to search its records for
9 former members who were convicted and provide those
10 names to whichever authority it is, in whichever country
11 of the United Kingdom.

12 **A.** I don't think we know, actually, that's the problem.

13 **SIR WYN WILLIAMS:** You don't know either?

14 **A.** We don't know either, that's the problem. I mean, one
15 of the aspects and one of the things that sort of
16 concerns me about all of this is, when it came to
17 a conviction, the NFSP were not involved. That's not --
18 that's beyond our remit. That's within, dare I say it,
19 Sir Wyn, within your remit. That's within the legal
20 industry. That, you know, so --

21 **SIR WYN WILLIAMS:** Well, hang on a second --

22 **A.** We didn't get involved. We didn't get involved.

23 **SIR WYN WILLIAMS:** Hang on a sec. I would have expected,
24 I should say, not imagined, that if a member of the
25 Federation had, in fact, been convicted of an offence

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1 **SIR WYN WILLIAMS:** So Ms Hodge we start again at 10.00
2 tomorrow morning?

3 **MS HODGE:** I believe so, sir, yes.

4 **SIR WYN WILLIAMS:** Fine. All right, thanks very much.

5 **MS HODGE:** Thank you.

6 (3.20 pm)

7 (The hearing adjourned until 10.00 am the following day)

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