

Witness Name: Benjamin Andrew Foat

Statement No: WITN09980500

Dated: 29 May 2024

## THE POST OFFICE HORIZON IT INQUIRY

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### FIFTH WITNESS STATEMENT OF BENJAMIN ANDREW FOAT

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I, Benjamin Andrew Foat, will say as follows:

#### Introduction

1. I have been employed by Post Office Limited (**POL**) as its Group General Counsel (**GC**) since 1 May 2019.

#### Fourth witness statement

2. I wish to produce a further document [**POL00104220**]. It is a relevant document related to question 38 of the request made by the Post Office Horizon IT Inquiry (**the Inquiry**) pursuant to Rule 9 of the Inquiry Rules 2006, dated 27 March 2024, which asked me to provide a full account of my role and

involvement in the settlement negotiations and their outcome. The letter details an inequity in compensation. This issue was brought to the attention of the Chairman. I flagged the issue and subsequently had an input on the drafting of the letter, which was sent to Paul Scully MP.

### **Background**

3. On 3 May 2024 my fourth (signed) witness statement (**Fourth Statement**) was provided to the Inquiry.
4. On 15 May 2024, the solicitors representing me (Farrer & Co), were contacted by the Inquiry requesting that I provide a fifth witness statement, addressing certain document references contained within my Fourth Statement, along with its accompanying index, and amending them as necessary and/or requested.
5. The facts in this witness statement are true, complete, and accurate to the best of my knowledge and belief.

### **Amendments to document references in Fourth Statement**

6. I have set out the amendments in the table below, in the order that they appear in my Fourth Statement:

<b>Paragraph in Fourth Statement</b>	<b>Reference in Fourth Statement</b>	<b>Amended reference</b>
48	POL0146535	POL00158234

48	POL0146594	POL00158365
95.16	POL0006397	POL00006397
95.19	POL0020135	POL00023656
95.19	POL0020136	POL00023657
116	POL0152923	POL00152923
205	POL000112590	POL00112590
225	POL000023525	POL00023525
225	POL000123523	POL00023523
236	POL0031089	POL00031089
250	POL000103870	POL00103870

7. I append to this statement an updated index to my Fourth Statement, to reflect the amended document reference numbers. I have highlighted the

amendments in red in Exhibit 1 [WITN09980501] and provide a clean copy of the index at Exhibit 2 [WITN09980502].

8. I hope the above clarification is of assistance. The content of my Fourth Statement otherwise remains unaffected and true to the best of my knowledge and belief.

**Statement of Truth**

I believe the content of this statement to be true.

**GRO**

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Benjamin Andrew Foat

Date: 29 May 2024

**Index to Fifth Witness Statement of Benjamin Foat**

<b><u>No.</u></b>	<b><u>URN</u></b>	<b><u>Document Description</u></b>	<b><u>Control Number</u></b>
1	POL00104220	Letter from Tim Parker to Paul Scully MP dated 25 May 2021	POL-0103803
2	WITN09980501	Updated index to the Fourth Witness Statement of Benjamin Foat (redline)	WITN09980501
3	WITN09980502	Updated index to the Fourth Witness Statement of Benjamin Foat (clean)	WITN09980502