

Witness Name: Simon Baker

Statement No.: WITN04730100

Dated: 25 October 2024

## **POST OFFICE HORIZON IT INQUIRY**

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### **FIRST WITNESS STATEMENT OF SIMON BAKER**

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I, **SIMON BAKER**, will say as follows:

#### **A. INTRODUCTION**

- 1 I am a former employee of Post Office Limited ("**POL**"). My career at POL began in May 2009 as a Quality Assurance ("**QA**") manager and ended in August 2013 as Head of Programmes & Planning.
- 2 I make this witness statement to assist the Post Office Horizon IT Inquiry (the "**Inquiry**") with the matters set out in the Rule 9 Request dated 2 August 2024 (the "**Request**"). Throughout this witness statement, I will use the structure and headings of the Request.
- 3 The Inquiry has not asked me to give a complete account of every aspect of my work, actions, and opinions whilst at POL. I have been asked a list of detailed and specific questions. Accordingly, this statement is not a chronological list or a complete account of all my actions but a series of answers to the questions I have been asked.

- 4 I have prepared and submitted this witness statement within two months of receiving the Request on 2 August 2024, which was the first notification that I had been asked to submit a witness statement to the Inquiry. The accompanying disclosure to the Request amounted to over 540 pages, which arrived in two tranches: 2 August 2024 and 12 September 2024. In addition, it has been necessary for me to consider evidence given to the Inquiry by other witnesses. Accordingly, I have tried to provide the Inquiry with the relevant information to answer the questions to the best of my ability. I have not had the time to comment on each document in the disclosure bundle, given the short deadline to submit my witness statement, nor have I explained some of the technical concepts and terms pertinent to the Inquiry on the basis that I believe many of these are well known and understood by the Inquiry through other witness evidence. Should the Inquiry wish for further information or for me to expand upon any matters raised in this witness statement, I will do my best to respond within a reasonable timeframe.
- 5 Within the Request, I am asked at various points to comment on my thoughts, beliefs, concerns, opinions, and observations using the benefit of hindsight. To do so, I have drawn on my recollection from the time to the best of my ability. However, given the amount of additional information I have learned from various sources about Horizon (as defined below) in the 11 years since I left POL, it is difficult for me to attribute precisely the source of the information I have gathered, especially as I no longer have access to my POL email account or any other source documentation.
- 6 References to “**SPMs**” are to SubPostmasters, Subpostmistresses, Managers and Assistants. “**Horizon**” refers to both variations of the Horizon IT Systems:

Legacy Horizon and Horizon Online. References to “**Legacy Horizon**” are to the first iteration of the Horizon. “**Horizon Online or HNGx**” is the second iteration that was rolled out from March 2010. “**Separation**” is reference to POL becoming independent from RMG on 1 April 2012. References to “**BEDs**” are to bugs, errors, or defects with Horizon or any other IT system. References to “**Fujitsu**” are to Fujitsu Limited.

- 7 Since my tenure at POL (May 2009 - August 2013), a significant amount of time has passed. In making this statement, I have sought to refresh my memory from the contemporaneous documents provided by the Inquiry insofar as possible. I make this witness statement to the best of my recollection, knowledge, and belief. My legal representatives assisted me in preparing this witness statement.

## **B. BACKGROUND**

- 8 After completing my A-levels, I moved to Los Angeles, United States, where I completed my undergraduate studies, obtaining a Bachelor of Arts in Liberal Arts in 1989 from Ambassador University, Los Angeles. In 1994, I received a Masters in Business Administration, from California State University, specialising in Data Information Systems.
- 9 Between 1994 and 2004, I worked for GlaxoSmithKline. I initially started as a project manager, responsible for delivering UK IT projects. I later became their Head of Global Programmes, where I was responsible for leading global IT programmes, implementing IT solutions, including Enterprise Resource Planning (“**ERP**”), Customer Resource Management, etc., and deploying over 40 ERP platforms in 20 countries.

10 From 2004 to 2007, I served as Head of IT for Digital Services at EMI Music. I was responsible for the overall IT strategy, project delivery, and service management for Digital Services. This involved building the digital supply chain, digitalising the organisation's media assets, creating systems and business processes to manage the metadata, and building links with Digital Service providers.

11 From 2007 to 2008, I was Head of Development at WHSmith, responsible for all IT changes. The projects varied from core infrastructure to logistics solutions, retail-specific applications, and core ERP (Oracle) implementations.

(i) Roles and Responsibilities Within POL

12 In May 2009, I joined POL as QA Manager, reporting to Stephen Grayston, Change Manager, and David Smith, Head of Operational Efficiency. This can be seen from POL's Organisational Chart dated 25 August 2009 (Organogram seemingly covers the entire organisations (runs to 62 slides) - **FUJ00116860**). At the time of joining, the QA team had three QA Managers, namely Grayston, Ian Oakley and me. Our responsibility was to independently assess and perform quality assurance on POL's IT programmes. Specifically, I was assigned to independently assess, perform quality assurance, and offer corrective plans on IT programmes, such as the SAP (enterprise software) implementation in Chesterfield and the Master Data Management project. At no time was I ever responsible for or involved in the QA of Horizon Online. Horizon Online was a very large IT project with a separate Programme Delivery leader. Mark Burley ("**Burley**"), Head of (IT) Projects, was responsible for Horizon Online and for some of my time at POL (approximately 2009-2011) Burley was also the IT leader responsible for all IT projects.

- 13 In March 2011, I was promoted to Programme Manager, reporting to Lesley Sewell ("**Sewell**"), Chief Information Officer. During this time, I led and was responsible for delivering POL's second-largest IT project, the POLSAP implementation project ("**POLSAP**"). POLSAP aimed to merge three IT systems into one system to manage POL's cash supply chain: an SAP system, an Oracle system, and an in-house POL system. During this time, I was responsible for liaising with Fujitsu's commercial team (separate from the Horizon Online Fujitsu team) to negotiate the POLSAP contract. At this time, my interactions with Fujitsu were limited to the POLSAP project. While I was working on POLSAP, there were frustrations with Fujitsu in the early stages, as Fujitsu's performance was not where we needed it to be; the project missed its milestones, and it was not going to deliver on time. I conducted a project reset, which included swapping out their POLSAP lead person and rewriting our POLSAP contract. After the project reset, around six to nine months later, the relationship with Fujitsu started progressing more positively, and Fujitsu began to deliver. I discuss my relationship with Fujitsu from 2012 onwards in section H (Relationship with Fujitsu in 2012) below.
- 14 In mid-2011, after delivering the POLSAP implementation project, I became responsible for leading POL's IT projects for Government Services. Specifically, I led POL's Front Office of Government Services team, which was responsible for actively responding to Government bids and tenders for Government services POL could provide via POL's branch network. At times, if a project or service within my portfolio needed to interface with Horizon Online to deliver its requirements in POL branches, I would ask the Horizon Online team to provide their input into the tenders for procurement purposes. During my time in this

role, we won seven contracts with Government agencies and local Government, including the United Kingdom Border Agency, the Driver and Vehicle Licensing Agency, the Department for Work and Pensions, and Westminster City Council ("**WCC**"). For example, POL won a Government contract to install IT equipment in Post Office branches to allow individuals to process their biometrics for residence permits. We required assistance from the Horizon Online team to develop the necessary IT system changes. The Horizon Online team was responsible for delivering this IT solution as part of our Government contract. Similarly, we won a contract with WCC to allow local residents to pay their council tax at local post office branches. In this WCC project, the Horizon Online team created the corresponding IT transaction in Horizon Online to support this new type of transaction so it could be accepted at Branch offices in the Westminster area.

15 In early 2012, Neil Lecky-Thompson ("**Lecky-Thompson**"), Head of Programme and Planning, left POL. During this time, Sewell asked me to fill Lecky-Thompson's role temporarily, and therefore, I was promoted to Head of Programmes and Planning, still reporting to Sewell. I was responsible for delivering all of POL's technology and business transformation programmes except Horizon Online. During my time, I successfully delivered over 150 IT projects and programmes. Further, during the Separation, I was responsible for setting up POL's independent IT programmes. For example, I implemented the new IT systems to support finance and HR (e.g. SAP), e-business, and customer contact centres.

16 In April 2012, Sewell, asked me to assist Susan Crichton ("**Crichton**"), General Counsel, and facilitate the independent review of Horizon Online, known as

Project Zebra. Project Zebra involved: (i) procuring an independent forensic consultant; (ii) sending the Terms of Reference (“**ToR**”) to the preferred two consultants; Deloitte Touche Tohmatsu Limited (“**Deloitte**”) and Second Sight Support Services Limited (“**SS**”); (iii) answering preliminary questions and discussing their proposals; (iv) preparing summaries for POL to make the decision on who to instruct; and (v) becoming the liaison (e.g. point of contact) between POL and the selected consultant. I discuss my involvement in Project Zebra in more detail section E (Review into Horizon) below.

- 17 In June 2012, I was informed that POL had selected SS to conduct the independent review of Horizon Online (“**SS Review**”). From June 2012 until I left in August 2013, I liaised with and facilitated SS by coordinating their requests for information, documents, and data. For example, I would obtain and provide legal and commercial documents from POL’s archives, as well as audit records and BED defect logs, etc. During this time, Sewell asked me to attend monthly meetings (“**Monthly Meetings**”) with Paula Vennells, (“**Vennells**”) Crichton, Alwen Lyons (“**Lyons**”), Alice Perkins (“**Perkins**”), and Angela Van-Den-Bogerd (“**Van-Den-Bogerd**”), (the “**Core Team**”) to provide them updates on the SS Review. I do not recall Sewell attending the Monthly Meetings as she was not part of the Core Team. It was my responsibility to prepare the written updates ahead of the Monthly Meetings and report back on SS’s findings. I did not prepare any written updates for POL’s Executive Committee (“**ExCo**”) or the Board of Directors (“**BoD**”); I am unaware of who from the Core Team updated ExCo or the BoD.

- (ii) Role After POL

18 After leaving POL and between 2013 and 2017, I was the Head of Solution Delivery at National Grid Electricity Transmission (“NGET”). I was responsible for improving the performance of the NGET’s IT delivery function and delivering over 100 IT projects. From 2017 to 2021, I was the Chief Information Officer (“CIO”) and a member of the ExCo at NGET. In 2022 I moved to the USA to take on the role of CIO US Customer at National Grid where I am accountable for National Grid’s IT Customer strategy, ensuring it aligns with the business’s overall strategy.

**C. KNOWLEDGE OF HORIZON, LEGACY HORIZON, AND ROLL OUT OF HORIZON ONLINE**

(i) 2009 - 2010

19 I have been asked by the Inquiry to describe my knowledge of Horizon when I joined POL and any changes to my knowledge throughout my time at POL. I had no knowledge of Horizon when I joined POL nor during my early tenure. I was not responsible for nor involved with any Horizon-related projects, and I was not involved in the development, pilot, or rollout of Horizon Online (HNG-X Programme Board Meeting of 08/07/2010 - **FUJ00097616**).

20 During my entire time at POL, the Horizon training team provided me with one day of training on using Horizon. The training course was very high-level and involved understanding the basic functions (e.g. counterwork, conducting basic transactions such as helping customers with buying stamps, postage services, mailing, social security payments, etc.). I received this training so that in the event of strike action by POL workers, I as well as others that received the training, could fulfil roles to help POL keep the post offices running. I do not



recall which Horizon system I was trained on: Legacy Horizon or Horizon Online.

- 21 Separately, I have been asked by the Inquiry to explain my understanding of and/or involvement with the HNGx Joint Steering Board and the HNGx Programme Board. From late 2009 onwards, I started attending monthly IT meetings, known as the Joint Programme Board meetings, with other Programme Delivery leaders. In those monthly Joint Programme Board meetings, each Programme Delivery leader would share progress updates and challenges on their projects; this was helpful in case there were interdependencies between the IT projects (e.g. one IT program required support from another IT program). For example, on 18 May 2010, I attended a Joint Programme Board meeting, where Programme Delivery leaders shared and provided updates on their IT projects, specifically the two largest Fujitsu programmes at the time: POLSAP and HNGx. (Fujitsu - Joint Programme Board - **FUJ00095766**).
- 22 As I mentioned, I was a member of the Joint Programme Board and attended monthly meetings. However, I was not a member of or involved in the HNG-x Programme Board and I do not recall being involved in an “HNG Joint Steering Board” (**FUJ00097616**).
- 23 In March 2010, during Horizon Online’s rollout phase, I started becoming aware of Horizon Online’s challenges and BEDs, such as performance and responsiveness issues, during the early pilot phase. In one of the monthly Joint Programme Board meetings, I recall Burley sharing some Horizon Online-related operational challenges and/or defects, mainly around deployment and performance (i.e. Horizon Online was not performing fast enough or as

responsive as expected). In or around late 2010 early 2011, I remember the performance issues led POL to temporarily stop the rollout of Horizon Online across all branches.

24 I do not recall thinking the Horizon Online-related challenges were a “big deal” at the time. I was not concerned as it is typical and expect IT issues in new large IT deployments. For example, it is expected to discover BEDs outside of a testing environment because the real-world environment is different, and therefore, it is common to slow down the rollout of an IT programme. I would have been more surprised if there were no IT issues.

25 The need to fix or update BEDs is not unusual, nor does it indicate integrity issues with the system. Additionally, I do not remember hearing about any integrity-related matters in any of the monthly Joint Programme Board meetings. I did not have any concerns with the integrity of Horizon Online at this time as I was confident in POL’s testing team, which I knew worked thoroughly and diligently.

26 As I was not responsible for Horizon Online and not part of the Horizon Online programme team, I did not take any steps to address any challenges in Horizon Online. In any case I also did not think they were challenges for which I needed to intervene. Additionally, I did not communicate or share information regarding Horizon with the ExCo, BoD, or any similar committee. I believe the Horizon Online programme team communicated the challenges to the ExCo or BoD; I was not privy to these meetings.

27 At the time, the objectives of the Horizon Online upgrade from Legacy Horizon were to reduce the running costs and address any architectural challenges (e.g.

upgrade the user interface) (HNG-X Programme Board Meeting of 08/07/2010 - **FUJ00097616**).

(ii) 2012 - 2013

- 28 In or around June 2012, after POL selected SS and I started liaising with them, I became more aware of Horizon Online's specific BEDs from SS's requests for information, the documents, and my conversations with SS. Prior to SS's Review, I was unaware of instances of Fujitsu inserting, editing, or deleting transaction data or data in branch accounts without the knowledge or consent of SPMs. I was also not aware of Fujitsu exercising any direct remote access without the knowledge and consent of SPMs.
- 29 From my experience with numerous IT systems where remote changes to data are required, good processes and controls are needed. For example, when users telephone a helpdesk line, they raise a ticket and escalate it to an IT manager to authorise the change. Such a process should be logged and fully auditable. I had no belief or understanding during this period that Fujitsu would directly access Horizon Online independently without the SPM's consent. My natural assumption was that there would be controls in place and any direct remote access to Horizon Online would create an audit log/trail. Given my general knowledge of IT architecture and capability, at the time, I did not think it was surprising that Fujitsu had direct remote access to Horizon Online, as direct access to IT systems and the capabilities to make data updates are possible in any IT system.
- 30 Towards the end of 2012, during a telephone meeting with SS, SS asked me to inquire with Fujitsu about direct remote access with Horizon Online. I asked

Gareth Jenkins (“**Jenkins**”), the Fujitsu Engineer and my point of contact at Fujitsu at the time, about Fujitsu’s direct remote access controls. He informed me that Fujitsu could directly and remotely update the SPM’s database, and that Fujitsu had good controls in place. He did not specify the controls or explain whether SPMs needed to consent to any or all database changes. I relayed my discussion with Jenkins to SS. I recall SS then liaised directly with Rod Ismay (“**Ismay**”), Head of Product and Branch Accounting, on this issue and requested additional specific information, including process flow charts and data around transactional corrections from Ismay

31 During the next Monthly Meeting with the Core Team after the telephone call with SS, I provided an update and mentioned that Fujitsu could directly and remotely access the SPMs database. I remember Vennells appeared surprised by this information, based on her body language, which I found puzzling since direct remote access was possible in any IT system, and there must be controls in place. I recall reassuring her that this was a standard feature in IT systems. As I was already providing regular updates to the Core Team (who were also members of ExCo), I never communicated or shared information directly with the ExCo, BoD, or any similar committee. I believe members of the Core Team would have communicated the challenges to the ExCo or BoD; I was not privy to these meetings.

32 During my entire time at POL, I was never directly informed that Fujitsu had accessed and changed SPM data on Horizon Online without their consent. However, in my regular meetings with SS, I was aware that SS had raised this as a potential concern with Ismay. In the email dated 5 July 2012, from SS to Ismay, SS raised concerns about the adequacy of the controls, specifically

pointing out that the measures in place for direct and remote access might not have been sufficient. I cannot recall if I discussed SS's concerns with the Core Team (Email from Simon Baker to Rod Ismay, Alana Renner, Mike Granville and others re: Today's meeting- **POL00107746**).

**D. IT and CHANGE**

33 I have been asked by the Inquiry to describe my understanding and involvement of the IT & Change Weekly Highly Reports. In my last role as Interim Head of Programmes & Planning, I would ask each of my direct reports to provide me with a status update on POL's IT projects in my portfolio. I would review each update and prepare the weekly status update reports: IT & Change Weekly Highlight Report & Service Management Weekly Performance Reports. The purpose of these reports was to provide a status update of POLs IT projects to Sewell. These reports included detailed updates on POL's IT projects (excluding Horizon). I would send these weekly reports to Sewell every Friday (IT & Change - Weekly Highlight Report - week 7. Owner Steve Allchorn and Sponsored by Lesley J Sewell - **POL00340358** and POL Service Management Weekly Performance Measures - Week Ending 3rd March 2013 - **POL00340359**).

**E. REVIEW INTO HORIZON**

34 I have been asked by the Inquiry to outline the background and my involvement in Project Zebra. As mentioned in paragraph 16, Project Zebra was an independent review of Horizon Online. Legal Services ("**Legal**"), headed by Crichton, was responsible for overseeing and managing Project Zebra in its entirety. Although I do not remember seeing the Briefing Note signed by Legal

Services on 20 April 2012, it confirms that Legal was in charge of managing the independent review (Briefing Note - **POL00057623**).

- 35 In June 2012, during Project Zebra's kick-off meeting with the Core Team, Perkins explained to me that the purpose of the Project Zebra was to conduct an independent review of Horizon Online focused on "uncovering the truth". I recall Perkins mentioning that an independent review of Horizon Online would enable POL to address issues related to the integrity of the system and offer a reassuring response to Members of Parliament ("**MPs**"). Through informal discussions with Sewell and Crichton, as well as indirect remarks made during the Monthly Meetings, I began to feel that POL was facing pressure from MPs who expressed concerns that POL might have wrongfully prosecuted SPMs.
- 36 I was not involved in drafting or preparing the ToR sent to the consultants. In an email dated 8 June 2012, from Alice Perkins to Susan Crichton and Paula Vennells with Alwen Lyons, Lesley Sewells and me on copy, Perkins forwards a revised draft version of the ToR. I believe I was only copied in to keep me involved and for background and understanding purposes (Email from Alice Perkins to Susan Crichton and Paula Vennells re: Horizon investigation - **POL00113792**).
- 37 I do recall seeing an email explaining why other external auditors, such as EY, could not be used at that time, but I do not remember the specific reasons. Crichton introduced SS to me, as she was familiar with them from her previous job. I cannot recall why Deloitte was asked to submit a tender, but I suspect it was because POL had an existing audit relationship with Deloitte (Deloitte Project Zebra Supporting Your Assurance Needs - Post Office Limited – **POL00027716**).

- 38 I was not involved in the decision-making process or the selection of SS; I believe Crichton ultimately made the final decision. No explanation was given to me for why SS was chosen over Deloitte. I assumed that POL selected SS because their fees were significantly lower than Deloitte, as there did not seem to be any other rationale more advantageous for not choosing to instruct Deloitte.
- 39 I have been asked by the Inquiry to comment on document referenced POL00295178 and to describe my views as to the 'robustness' of Horizon Online at the time. In May 2012, before the SS Review commenced, Angela Van-Den-Bogard sent an email to Craig Tuthill dated 1 May 2012. In the email, Van-Den-Bogard explained that Perkins had asked me to find a way of "demonstrating that the Horizon [Online] system is robust and not subject to glitches". I do not recall Perkins ever asking me to find a way of demonstrating that Horizon Online was robust and not subject to glitches. Once SS commenced their review, my understanding and belief was that the SS Review was conducted with an approach to find the truth regardless of the consequences. Throughout my time assisting SS, SS were provided the freedom to conduct their review independently (Email from Angela Van Den Bogerd to Craig Tuthill re IN STRICTEST CONFIDENCE - Urgent Request Please - **POL00295178**).
- 40 Regarding Horizon Online's robustness, at this time, in May/June 2012, I was not aware of any evidence to suggest systematic defects with Horizon Online. While I was open to the idea that there could be problems, I believed it was unlikely that any widespread Horizon Online defects were causing the cash shortfalls in the SPM accounts. I have been asked by the Inquiry to explain my

understanding of the Shoosmiths' legal action. I became aware of Shoosmiths's litigation in June 2012 during an informal conversation with some members of the Legal department; though I cannot remember who they were. I understood from those conversations that Shoosmiths represented many of the SPMs (together with the JFSA). I did not attend any meeting where Shoosmiths's litigation was discussed. There was a general internal understanding, based on casual chat, that any court issues involving Horizon Online at that point had led to positive outcomes for POL. This led to an internal understanding that there were no integrity issues with Horizon Online.

- 41 From April 2013 onwards, I began to question how SPMs were being treated, which needed improvement, rather than any significant flaw with the Horizon Online system itself. SS shared various examples and cases with me that reinforced my belief that POL mistreated the SPMs. For instance, POL did not provide adequate support to SPMs when they raised concerns through the help desk. I brought this issue to the Core Team during our Monthly Meetings. It was the collective opinion of the Core Team that a good way forward would be for POL to acknowledge the mistreatment and lack of support, offer an apology, provide compensation where necessary, and improve communication with the SPMs. However, based on my knowledge at the time, I did not believe POL needed to accept that there was a widespread IT issue with Horizon Online, as I did not think any known BEDs in Horizon Online were responsible for the monetary shortfalls that were experienced by the SPMs.
- 42 On 8 July 2013, SS released their interim report ("**SS Interim Report**") of their findings, which validated my opinion. The SS Interim Report concluded that there was no systemic issue with Horizon Online, though there were concerns



with the processes surrounding its use (Signed Interim Report into alleged problems with the Horizon system - **POL00191272**). I discuss SS's Interim Report in more detail in section K (Second Sight Interim Report 2013) below.

#### **F. ENGAGEMENT with MPs DURING 2012**

- 43 I have been asked by the Inquiry to detail the nature and scope of my interactions with MPs in 2012. My involvement was primarily focused on preparing briefing packs and agendas for POL-relevant employees who engaged with MPs, including Crichton, Lyons, Van-Den-Bogard, and Vennells. Crichton assigned me the task of compiling the briefing materials. To do this, I gathered information and case summaries from Legal and organised the packs to clearly represent POL's position (which I have been told by Legal at the time that there were no fundamental problems with Horizon Online), ensuring that attendees were well-prepared for the meetings. Finalising the briefing notes was a collaborative process involving myself, Crichton (and other Legal team members), Van-Den-Bogard, and Ismay (Email from Simon Baker to Alwen Lyons, Angela Van Den Bogerd, Chris Darvill and others Re: Agenda for tomorrow's meeting - **POL00137247**).
- 44 From early 2012, I started to be copied into emails discussing meetings with MPs for background and context; however, I never directly engaged, met, emailed, or communicated with MPs. Although I never attended the meetings with MPs, I understood from Crichton the purpose of the meetings was to discuss the concerns of SPMs in their constituencies (Email from Chris Darvill to Susan Crichton, Alwen Lyons and Simon Baker. RE: FW: FW: FOR ACTION: Ref: PV 1380 Customer name: Rt Hon Alan Duncan MP Feedback due: 10 April 2012 Case signatory: Michele Graves - update, please - **POL00143030**).

45 In an email dated 30 April 2012 from me to Susan Crichton, Alwen Lyons, Rod Ismay, Chris Darvill and copying Lesley Sewell, I explained my intention to use the South Warnborough case of Jo Hamilton as an example to reassure James Arbuthnot ("**Arbuthnot**") of the integrity of Horizon Online for the May briefing pack. In the email, I asked Ismay to "take us through the audit records (currently locked in the safe) [and] explain [how] to interpret them and how the[y] support our case". I recall that POL's procedure was to keep all audit records stored in a safe for security purposes. At the time, I believed there was nothing fundamentally wrong with Horizon Online, and we aimed to provide evidence related to Jo Hamilton's legal case to reiterate POL's confidence in the conviction. Therefore, I wanted Ismay to review the audit records to demonstrate to the MPs that audit trail would confirm Horizon Online's reliability (Email from Simon Baker to Susan Crichton, Alwen Lyons, and Chris Darvill re Agenda for prep meeting - **POL00181179**).

46 At the time of preparing these briefing packs, I started to learn about the prosecutions in more detail. Although I was not involved in reviewing or analysing the criminal prosecutions, I liaised with Legal to obtain and collate summaries of criminal prosecutions to include in the briefing packs. I tried to anticipate scrutiny and possible questions from MPs, ensuring that the information was accurate and logical. For example, I recall anticipating questions around the growth of Jo Hamilton's cash discrepancy and why POL did not intervene earlier. Accordingly, I raised the issue with Chris Darvill ("**Darvill**"), Legal Services, particularly asking why no one flagged the cash discrepancies sooner. In an email dated 11 May 2012, Darvill informed me that Graham Brander, an Investigation Manager, had prepared a report for Juliet

McFarlane, an in-house lawyer overseeing the prosecutions. The report suggested that the significant cash holdings were not flagged immediately because the branch did not have an Overnight Cash Holding target, a requirement normally set by an automated system. In cases where too much money was held, a “pop-up” message would usually appear on the Horizon Online terminal, but in this instance, no such message appeared, which may explain why the issue remained unnoticed until March 2006 (Email from Chris Darvill to Simon Baker, RE: South Warnborough - **POL00057728**).

47 Documents **POL00179839** and **POL00179925** are examples of briefing packs that I prepared in 2012. The briefing pack dated 17 May 2012 lists the MPs who attended, including Arbuthnot (MP for Northeast Hampshire) and Oliver Letwin (MP for West Dorset), alongside POL’s representatives, including Vennells, Perkins, Crichton, and Sewell. This pack included case reviews of Jo Hamilton and Tracey Merrick’s case, as they were members of Arbuthnot’s and Oliver Letwin’s constituencies. Since I did not believe there were any fundamental integrity issues with Horizon Online, I included graphs illustrating the significant growth in Jo Hamilton’s cash shortfalls, which led us to speculate that the missing cash had to be going somewhere (Meeting Pack for James Arbuthnot and Oliver Letwin for 17 May 2012 **POL00179839** and Post Office Pack for meeting with James Arbuthnot and other MPs Meeting scheduled for 18 June 2012, 6 pm, Portcullis House **POL00179925**).

48 I have been asked by the Inquiry to outline my views on POL’s approach towards MPs at this time. I believe POL knew that scrutiny by MPs was a problem that needed to be taken seriously because POL is 100% owned by the UK Government. Based on conversations and insights I gained from the

Monthly Meetings, it was clear that when POL representatives, namely, Vennells, Perkins, Crichton, and Sewell, engaged with MPs, their underlying approach was to present a strong and detailed defence of POL's position. I believe POL's decision to conduct the independent review was right, given the small but growing number of vocal MPs asking questions about Horizon Online.

**G. SECOND SIGHT – INITIAL ENGAGEMENT IN 2012**

49 In June 2012, following SS's instruction, my primary roles and responsibilities were to: (i) liaise with Ron Warmington ("**Warmington**") and Ian Henderson ("**Henderson**") from SS; and (ii) gather the information and data they requested and provide it to them.

50 During my initial meetings with SS, they gave me a substantial document request, which took considerable time to compile. This involved retrieving archived data and technical documentation, including audit logs, emails, process documentation, contracts, etc. Throughout their review, they continued to request additional information. For instance, I remember SS asking for a Horizon Online bug list later in the process, which I subsequently requested and obtained from Fujitsu.

51 In SS's initial proposal and methodology, their approach involved conducting spot reviews, which meant reviewing a sample of SPM cases from start to finish ("**Spot Review**"). I was not involved in the decision to conduct Spot Reviews. My role was limited to assisting SS with these Spot Reviews by gathering information from the relevant departments. For example, if SS had any questions or needed data for a specific Spot Review case, they would reach out to me, and I would either provide the information or connect SS with the

appropriate department. For example, if SS required legal files, I would locate the physical documents from POL's storage, and if technical data was required, I would connect SS with Jenkins at Fujitsu.

52 I met with Warmington and Henderson fortnightly, either face-to-face or via telephone. Warmington was responsible for conducting field visits, while Henderson reviewed the technical data. During our meetings, SS would either request additional documents or provide updates on their review. SS occasionally asked if I faced any challenges retrieving the data. I do not recall any issues with data retrieval from POL's departments or employees. From my understanding of what my role was, I understood from Crichton my aim was to assist SS in their investigation.

53 As in paragraph 38 above, I was not involved in the decision-making process regarding the choice of consulting firm for the independent investigation. However, had I had been consulted, I would have preferred Deloitte, as I believed their reputation as one of the 'Big 4' audit firms would enhance the credibility of their findings, making it difficult for stakeholders like the JFSA and MPs to undermine or discredit their review. Additionally, I thought POL should not select the sample list of cases for SS's review to avoid accusations of "cherry-picking". Instead, my view was that the Spot Review process had to be transparent and fully agreed upon by all stakeholders. In an email dated 26 July 2012, sent to Alwen Lyons, Susan Crichton, Angela Van-Den-Bogerd, Ron Warmington, Ian Henderson, and Rod Ismay, I emphasised that POL should not be involved in determining which cases to include. I do not remember anyone challenging my email, and to the best of my recollection, POL did not try to influence the selection of cases for the review (Email from Ian Henderson

to Simon Baker, Alwen Lyons, Susan Crichton and others. Re: 2nd Sight Audit - **POL00091031**).

54 Following my fortnightly meetings with SS, I would prepare and share an update in my Monthly Meetings with the Core Team. For example, I would send regular updates to Crichton and Lyons (Case review status update of Sub-Postmasters - Second Sight and MPs - **POL00180883**). From my recollection, I believe SS also had ad hoc update meetings with Crichton and Lyons, which I was not involved in.

55 I have been asked by the Inquiry to outline my involvement and interactions with MPs, the Media, and the JFSA.

(i) Interactions with MPs

56 I never provided MPs with any official response or discussed SS's Review with MPs, as that was not part of my responsibilities. I was aware of SS's meetings with MPs as previously mentioned above. For example, in an email chain dated 5 July 2012 between me, Rod Ismay, and Ron Warmington with Susan Crichton, Ian Henderson, Alana Renner, Mike Granville, Lesley Sewell, Angela Van-Den-Bogard and Alwen Lyons on copy, Warmington shared notes from his meeting with MPs. He informed us that the meeting covered the review's scope, SS's independence, and issues with Horizon Online. In the same email chain, Ismay removed SS from copy and created an internal discussion where he commented on Warmington's update. I responded, noting that "[t]here is a risk that the review will be inconclusive which will probably lead to demands of more work, e.g. a drains up review of the Horizon [Online] which will be expensive but if it puts the issue to bed probably worth it". In essence, I told Ismay that SS

must reach its own independent conclusions (by which I meant they should not be wrongly influenced by POL), but SS's approach of reviewing only a sample of cases might not yield definitive results, possibly leading stakeholders to request a more comprehensive review of Horizon Online, which would be expensive (**POL00107746**).

57 From my perspective, the Core Team were eager to ensure that MPs and the JFSA were aligned with the nature and scope of SS's Review. SS regularly provided updates to some members of the Core Team on their meetings with MPs and the JFSA on the nature and scope of their review. For example, in an email dated 13 July 2012, Henderson shared a note detailing the sample selection process and access to information and data, including access to relevant records and POL's retention policy (Email from Susan Crichton to Alwen Lyons et al re: Notes from today's meeting at Portcullis House - **POL00180866**).

58 Other updates from Warmington regarding his meetings with MPs are documented in POL00143372 and POL00143373, where Warmington emails me, Susan Crichton, and Ian Henderson with notes from meetings with James Arbuthnot (MP), Alan Bates (SPM), and Kay Linnell (JFSA) (Email from Simon Baker to Alwen Lyons re notes from today's meeting at Portcullis House - **POL00143372** and Notes from meeting at Portcullis House 12.07.2012 - Present: James Arbuthnot MP; Alan Bates, Kay Linnell, Ian Henderson, Ron Warmington - **POL00143373**).

(ii) Interactions with the Media

59 I never directly engaged or communicated with any media outlet. However, I sometimes interacted with POL's Public Affairs ("**PA**") team to confirm that SS's Review was properly characterised in the media. For example, Legal assigned me the task of preparing briefing notes and/or liaising with the PA team to review specific media posts (Post Office Limited - Internal Briefing Note to Paula Vennells: Second Sight Review into Horizon -Implications of Interim Report – DRAFT - **POL00115919**). Additionally, in an email from Alana Renner ("**Renner**"), Deputy Communications Director, dated 15 January 2013, Renner asked me to look at a specific media article to confirm SS's Review was accurately characterised in the article. From recollection I did review the article and confirmed that it reflected the SS investigation accurately (Email from Alana Renner to Simon Baker cc'd Mark R Davies re: JFSA - two more press pieces - **POL00161845**).

60 In another instance, Lyons requested my help in coordinating a response to the media concerning SS's Interim Report. Legal drafted the content, the PA team made modifications, and I reviewed it for accuracy. I confirmed the accuracy of the content in an email from Ronan Kelleher, Head of PA and Media. However, I did not approve the tone of the media message, as determining the tone was outside my responsibilities (Email from Simon Baker to Ronan Kelleher, CC'ing Alwen Lyons, Susan Crichton, and others regarding the 2nd Sight Review Draft - **POL00143499**).

(iii) Interactions with the JFSA

61 I had limited contact or interactions with JFSA. I emailed Alan Bates ("**Bates**"), a few times and met him and some JFSA members once in a meeting I helped organise regarding the mediation scheme. For example, on 14 November 2012,



I sent Bates an email with a draft of the immunity agreement prepared by Legal. The immunity agreement was intended to protect any SPMs hesitant to come forward with additional cases for SS's review. I do not recall why I was asked to send a legal document to Bates, but I assume it was an action point assigned to me following a meeting with either Vennells or Crichton. I cannot recall if Bates ever responded to my email (Email from Simon Baker to Martin Edwards and Alwen Lyons Re "Raising confers with Horizon" document - **POL00143976**).

#### **H. RELATIONSHIP WITH FUJITSU IN 2012**

- 62 I have been asked by the Inquiry to describe my recollection of POL's relationship with Fujitsu. From what I observed during the Joint Board Meetings, POL and Fujitsu's Horizon Online team maintained a professional and effective working relationship. Throughout the delivery of the complex Horizon Online IT project, POL and Fujitsu developed a productive collaboration. While all complex IT projects face challenges, it is my understanding, through my observations at the Joint Program Board, that POL and Fujitsu successfully navigated and resolved any issues that arose during difficult times.
- 63 From 2012, my relationship with Fujitsu's Horizon Online team developed through the SS Review. For example, in a meeting held on 27 July 2012, the meeting minutes reflect a telephone conference between POL and Fujitsu. Attendees from POL included Jane Owens ("**Owens**"), Security Manager and myself. Henderson from SS was also present, along with Jenkins from Fujitsu. During this meeting, we discussed the "Advanced Forensic" review of Horizon Online, where SS would select and review 10-20 cases, both new and old. The goal was to align POL and Fujitsu on the process for retrieving the necessary

data for SS's review. This proactive approach aimed to address SS's requests efficiently once the cases were identified. We also considered organising a workshop to educate SS about Horizon Online's architecture and provide context for interpreting the data and process flows. I believe the workshop was scheduled and took place, but I do not remember if I attended (Meeting minutes of the telephone conference on 27 July 2012 - **FUJ00232048**).

64 As I mentioned earlier, Jenkins was my primary contact for obtaining Horizon Online information while I assisted SS, and I would describe our interactions as formal, helpful, transparent, and technical, but were limited to only discussing SS's requests. We did not have many back-and-forth conversations. I believe Owens handled the commercial aspects for Fujitsu's support with the SS review; I don't recall discussing any commercial details with Jenkins. Additionally, SS established its own direct communication channels with Fujitsu. For instance, Henderson would contact Jenkins directly for specific technical queries, and I remember Henderson and Jenkins participating in a Horizon Online technical workshop with Fujitsu, which I do not remember attending.

65 I was aware that Jenkins was an expert technical witness for the criminal prosecutions brought by POL at that time. However, we never talked about his role in the prosecutions, and I didn't inquire about it. I have not discussed the prosecutions with any other Fujitsu employees either.

66 I have been asked by the Inquiry to outline my understanding of ARQ data. My general understanding of ARQ data is that it is a way of auditing every single keystroke, or electronic event that occurs in a Post Office branch (i.e., any transaction or event can be audited at any specific time, and the audit log can

be extracted). I do not recall what “ARQ” stands for; it is not a term familiar to me from my time at POL.

**I. HORIZON AND POL IN 2013**

67 In early 2013, I grew increasingly concerned that the SS review was taking longer than initially expected. Originally, it was scheduled to end in August 2012, but it became evident that the review was far from complete. Based on my understanding of its progress—particularly regarding issues like direct remote access, BEDs, and SBR training—I realised that the review might leave POL with additional issues to address.

68 In January 2013, after a meeting with Crichton, Vennells, and Lyons, I emailed Crichton explaining that we should consider adding possible negative findings from the SS Review to POL’s organisational risk register. I had wanted to bring this up during the meeting but hesitated, as the meeting was progressing smoothly through the agenda, and I felt that introducing a new and potentially challenging topic might not be well-received by Vennells and/or Lyons. Therefore, I chose to address my concerns with Crichton via email, hoping that, as Head of Legal and responsible for managing such risks, she might be able to present the suggestion in a way that would be better received by Vennells and Lyons. Crichton did not respond to my email, and I chose not to follow up, trusting her judgement on whether to bring the matter to Vennells and Lyons (Email chain from Simon Baker to Susan Crichton re organisational risks - **POL00184548**).

69 At that time in early 2013, I had not seen any evidence of a widespread systemic IT problem with Horizon Online; however, as the SS Review was

ongoing and raising concerns about processes and controls, I felt it was important to ensure that the potential for negative findings was acknowledged at the Board level as a possible business concern.

- 70 In or around February 2013, I recall SS attempting to understand Fujitsu's direct and remote access to SPM Horizon Online terminals. In an email dated 5 February 2013 from Ron Warmington to Rod Ismay and Angela Van-Den-Bogerd, with me copied, Warmington sought to clarify POL's involvement and whether POL was aware that Fujitsu operated a basement office in Bracknell where entries were made to the live Horizon Online system without the knowledge or consent of SPMs. Warmington mentioned that Michael Rudkin ("**Rudkin**"), an SPM, had reported witnessing or believing that Fujitsu employees were remotely accessing and altering SPM accounts and Horizon Online data without their consent. Ismay confirmed that POL's finance team could no longer adjust client accounts on-site. Warmington responded, requesting further details, documents, and audit trails. I believe I was copied on this email chain merely as a courtesy. However, my view, when reading the email was that Rudkin was viewing a test system in Bracknell, not the live Horizon Online system. My reasoning was that I knew there was a test system in Bracknell, and I wouldn't expect any organisation (especially Fujitsu) to allow uncontrolled access to live data as Rudkin had described. As a result, I intervened to help resolve the matter so that POL could provide the necessary evidence and assistance to SS. I replied to Warmington, asking for clarification on his specific request (Email from Simon Baker to Rod Ismay, "Re: Does POL have (and use) a facility to make entries to Sub Post Office Branch books without the SPMRs' knowledge, approval, or involvement?" - **POL00031329**).

71 I became aware of the concerns raised by Rudkin about Fujitsu employees remotely accessing and altering SPM accounts and Horizon Online data without consent through the email sent by Ron Warmington to Rod Ismay on 5 February 2013, as well as through informal discussions with SS. However, as I mentioned earlier, like any IT system, remote access to the system is possible but should only occur with the proper controls and transparency. As I mentioned in paragraph 70 above, I was particularly doubtful of Rudkin's claim that employees were directly entering or modifying Horizon Online records as he described, as this would imply a lack of controls (something that, at that time, I did not see as likely). I, therefore, believed he had observed a test system rather than the live system, as I was under the impression Fujitsu had the expected controls in place, as it is a matter of IT industry norms to ensure controls are used appropriately.

72 In my last role at POL in late 2012 early 2013, when I became the Interim Head of Programmes & Planning, I took on the responsibility of overseeing all of POL's IT testing teams, including the Horizon Online testing team some of who were located in Bracknell. Bracknell was Fujitsu's headquarters and their main centre for development and support. Horizon Online's test environment and systems were in the basement level at Bracknell. Within the Horizon Online testing team there are Fujitsu and POL employees. This team handled various types of testing. During a meeting on 22 February 2013, Crichton, Henderson, Warmington, and I agreed that I would no longer be responsible for or involved in any future discussions related to Bracknell issues that SS was investigating, as the Horizon Online testing team now reported to me. This decision was made to prevent a conflict of interest in any review or investigation involving the

Bracknell testing team, which I was now managing (Email from Simon Baker to Alwen Lyons, Rod Ismay, Angela Van Den Bogerd and others RE: Notes from today's second sight meeting - **POL00185672**).

73 I have been asked by the Inquiry to outline my views as to the integrity of Horizon Online in 2013 before the SS Interim Report was published. In early 2013, I still believed it was unlikely that the IT defects were severe or widespread enough to account for the cash shortfalls in the branches. As I mentioned in paragraph 72 above, since I was managing POL's testing team at that time, I had confidence in the thoroughness of POL's testing process, as I was familiar with how meticulous and cautious our testing team was. I also understood from working with this team the structured and disciplined approach POL took in testing new systems (**POL00184548**).

74 As I mentioned in paragraph 41, before the SS Review commenced and the Interim Report was published, I was unaware of the severity of the issues SPMs were experiencing with the support they received from the POL help desk. During the SS review, I discovered that the help desk had been perceived as unhelpful and unsupportive (Email from Simon Baker to Susan Crichton and Alwen Lyons RE: Sub-Postmaster case reviews - **POL00180882**).

75 When reviewing some of the issues outlined in the cases selected by SS for their Spot Reviews, I formed the opinion that POL had not provided adequate support to SPMs when they raised concerns with the helpdesk. The reviews contained strong criticism aimed at the helpdesk, with some highlighting a lack of training on the systems. In response to SS's early findings, I was asked by the Core Team to arrange an internal meeting with senior management of

POL's Network team to discuss additional support that could be provided to SPMs.

76 I have been requested by the Inquiry to explain my understanding of the reasons behind the Horizon [Online] Investigation Monthly Project Board meetings in April 2013. Unfortunately, I do not recall the specific reasons for their establishment at that time. However, given that the SS Review extended beyond its original deadline of August 2012, I suspect that the additional monthly board meetings were implemented to address and manage the delays in progress.

77 Towards the end of my time at POL, as POL considered longer-term alternatives to Horizon Online, there was frustration and concern over how Fujitsu might leverage its position for maximum commercial gain. There were concerns that as Fujitsu owned the intellectual property ("IP") rights over Horizon Online, buying the IP rights from Fujitsu or POL's options for contracting with alternative suppliers could be costly. I was not involved in these discussions but was aware of this concern.

**J. HELEN ROSE REPORT**

78 I have been asked by the Inquiry to comment on the Helen Rose Report. I do not recall reviewing the Helen Rose report during my time at POL (Horizon Data Lepton SPSO 191320 by Helen Rose (v.1 draft) - **POL00022598**). Further, I do not recall being involved in or discussing the Helen Rose report with anyone at POL. For example, I am not involved in an email between John Scott ("**Scott**"), Head of Security, and Crichton, where Scott and Crichton discuss the production and circulation of the Helen Rose report. Accordingly, I do not know

how or why the Helen Rose report was drafted (Email from John Scott to Susan Crichton CC John Scott re: Weds Call - Integrity of the Horizon System and Branch Support Programme - **POL00139690**).

79 As I do not recall reading the Helen Rose report, I did not know how POL responded to it.

80 In reading the Helen Rose report as part of this Inquiry process, I only remembered some details about a British Telecom bill payment. I recall discussing the British Telecom transaction with SS and Van-Den-Bogard. I do not remember that this transaction showed any integrity issues with Horizon Online or serious "alarm bells". Accordingly, I may have received parts of the information in the Helen Rose report, but I do not recall it being called the Helen Rose report at the time, which is why I cannot remember it.

81 I do not recall taking any steps following and because of the Helen Rose report. If I had received any information in the Helen Rose report, I would have passed it to SS as material for their review. Also, I do not recall what steps POL took relating to the issues raised by Helen Rose.

82 Although I do not recall reading the Helen Rose report previously, after reading it now, I understand it cast doubt on the safety of the convictions of SPMs whose prosecutions were based wholly or partly on Horizon Online data.

**K. SECOND SIGHT'S INTERIM REPORT IN JULY 2013 AND LEAVING POL IN 2013**

83 On 8 June 2013, SS published its SS Interim Report. I was not involved in drafting the SS Interim Report. The Interim Report was a snapshot of SS's findings at that time. The Interim Report contained a review of the information



POL provided to SS and externally gathered information, such as the output of SS interviewing SPMs. I was aware of all the findings in the SS Interim Report (**POL00191272**). I did not find any of the report's findings surprising. The Interim Report was prepared for and provided to MPs, JFSA, in addition to POL.

84 I reviewed the SS Interim Report in a meeting with SS and Lyons. This meeting took several hours as we reviewed the SS Interim Report line-by-line to ensure it was factually accurate. My role in the meeting, as assigned by the Core Team, was to ensure that the SS Interim Report was fair and that there was no speculation or inaccuracies. I do not recall any disagreements between us, and I do not think SS made any substantive changes to its SS Interim Report following that meeting.

85 After receiving and reviewing the draft version of the SS Interim Report, I prepared an internal briefing note for Vennells dated 2 July 2013, which Crichton finalised and presented to Vennells. The Core Team discussed the briefing note in one of the Monthly Meetings that I attended. I do not remember anyone being surprised by the findings. Vennells was relieved that SS did not find any systemic IT issues with Horizon Online, and Van-Den-Bogard was willing to address the problems of process and support raised. Overall, I thought SS's report was a fair and accurate reflection of their review and reflected the evidence that they had compiled (**POL00115919**).

86 The SS Interim Report detailed three bugs/defects with Horizon Online. These bugs/defects were brought to SS's attention after they asked me to provide them with a list of Horizon Online bugs/defects. Following their request, I contacted Jenkins at Fujitsu, who sent me information detailing the Horizon Online bugs, which I forwarded to SS without reviewing. SS told me this could

be a problem that may need to be investigated further. Based on the additional information SS was gathering about these BEDs, I understood that the BEDs detailed in the Interim Report were contained to a small number of branches and had been resolved. Therefore, I did not understand why they viewed this as a problem.

87 Shortly after the SS Interim Report was published, the Core Team reflected on how to respond. Specifically, Van-Den-Bogerd discussed the SS Interim Report with the Network team. In a Monthly Meeting, the Core Team discussed that POL needed to improve their support levels to the SPMs by providing better onsite training and improvements to the help desk.

88 Within one month after the Interim Report was published, discussions between POL, JFSA, and POL started around the introduction of a mediation scheme (“**Mediation**”). The proposed Mediation required a Spot Review of new cases SPMs wanted to be considered for Mediation. I was involved in the initial phases of setting up the Mediation. The Mediation was an attempt by POL to draw the review to a conclusion in an acceptable way to all parties (MPs, JFSA, and POL). I recall initial discussions about the Mediation started around May 2013. I helped facilitate a meeting with POL and some JFSA members, during which we discussed the mediation steps and how the process might work. I never met with MPs or other external stakeholders to discuss the Mediation.

89 I did not have any involvement with the ExCo regarding the Mediation. I left POL in August 2013, and the Mediation did not start until early 2014. At the time I left POL, I believed the Mediation was a good idea and would result in a favourable outcome for all parties.

- 90 I do not recall whether SS shared a draft version of the report with other stakeholders (e.g. MPs, JFSA, etc) before it was finalised and published. Further, I am unaware whether SS ever published a final report; if they did, I have not seen it. After I left, I believe SS and POL continued with the Mediation with SPMs, which I hoped would lead to matters being resolved positively.
- 91 In my last week at POL, on 14 August 2013, I emailed Malcolm Zack ("**Zack**"), Head of Internal Audit, Sewell and Crichton, requesting time with him to provide my views on how events unfolded during the SS Review, given that I had been assisting SS since its inception. I recall Vennells or the BoD asking Zack to audit how the SS Review was conducted. I felt it was crucial to document how the events unfolded throughout the investigation and to ensure the SS Review's independence was upheld at every stage. Additionally, I had some views on how the following steps should proceed, so I wanted to make my views heard, especially as I was about to leave POL. I wanted to ensure that the next step was a successful mediation process (Email from Simon Baker To: Malcolm Zack CC: Lesley J Sewell, Susan Crichton re-review of second sight investigation -**POL00193477**).
- 92 On 21 August 2013, the day before I left, I emailed Vennells to give her my closing thoughts. The purpose of my email was to try to address her frustrations regarding the length of time the SS Review took and offer some suggestions to help as she moves forward with the review. Vennells had previously shared her frustrations with the Core Team during the Monthly Meeting about how long the review was taking, as well as whether SS had the capacity to handle such significant workload. In the email, I proposed that instead of relying on SS for ongoing independent reviews, POL could develop and establish an internal,

independent team to handle investigations reporting directly to the BoD. In my view, I believe that an internal independent team providing services similar to those of SS, could be adequately resourced to manage substantial workload. This approach would enable POL to sustain the work started by SS and address issues akin to those outlined in the Interim Report as they arise in the future. I also recommended maintaining open communication channels with Bates and SPMs. I felt that having regular communication with SPMs would help POL reach a faster reconciliation (Email from Simon Baker to Paula Vennells re: final thoughts - **POL00381544**).

**L. INITIAL COMPLAINT REVIEW AND MEDIATION SCHEME – EXCO UPDATE IN 2014**

- 93 I was not involved in preparing any of the “Initial Complaint Review and Mediation Scheme – ExCo Update” PowerPoint presentations dated February 2014. I do not recall seeing them. I had left POL several months before the meetings commenced (Initial Complaint Review and Mediation Scheme - ExCo Update **POL00344417**, (Initial Complaint Review and Mediation Scheme - ExCo Update - **POL00344511**, POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.1 - draft - **POL00344531**, POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.2 – draft - **POL00344534**, Initial Complaint Review and Mediation Scheme - ExCo Update **POL00344521**, POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.2 – draft - **POL00344538**, POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.3 - draft with Speaker notes -

**POL00344544**, and POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.3 - draft with Speaker notes - **POL00344546**).

- 94 As I was not involved in creating the PowerPoint presentations, I do not know who prepared the presentations, where the information came from, or whether the information was a commonly held view within POL at the time.

#### **M. REFLECTIONS**

- 95 In hindsight, I do not think I could have done anything differently if I had my time again. I have asked myself and considered whether there was anything I could have done differently while I was there to have put POL on a different course. I do not know if there was anything I could have done differently regarding how the SS Review ran. At the time I left, I thought POL and the JFSA were in a better place, about to start the Mediation, and on a path to reconciliation. Unfortunately, and regretfully, after I left, I learned matters did not progress well, and the relationship between POL and the JFSA deteriorated further.
- 96 As mentioned in paragraph 68 above, I now wish I had the courage to have raised the possibility of registering the negative findings on POL's risk log directly with Vennells and Lyons.
- 97 I would like the Chair to know that I sincerely wanted POL and SS to get to the truth while I was at POL, no matter how unpleasant it might be. While helping SS, I was not hindered in providing them with any information. With support from IT and Legal, I provided all the materials SS requested. Crichton and Sewell gave me total freedom to support SS and provide them with all the information needed to help them get to the truth.

#### **N. MISCELLANEOUS QUESTIONS**

98 I have been asked by the Inquiry to provide my recollection of POL's approach to legal privilege. During my involvement with the SS Review, and even now, my understanding of the principles of legal privilege remains quite limited. I understood from the Legal department that legal privilege primarily involved including specific terms (e.g., "Strictly Private & Confidential") at the top of emails and other internal communications, which I believed would protect the communications from being disclosed in legal proceedings. I recall the Legal team instructing us to label documents as "Strictly Private & Confidential". For instance, in an email from Rodric Williams ("**Williams**"), a Litigation Lawyer, to Ivan Swepson, copied to Alison Belsove, Andrew Winn, Craig Tuthill, and Rod Ismay, Williams emphasised that the information provided in response to the Spot Review requests needed to be accurate and should not unnecessarily expose POL. He also recommended marking drafts and documents with "Strictly Private and Confidential – Subject to Legal Privilege". I generally followed these instructions and marked documents as "Subject to Legal Privilege "when advised to do so" (Email chain from Rodric Williams to Ivan Swepson, Simon Baker, Alison Bolsover, and others regarding the SR Protocol - POL00323839).

**Statement of Truth**

**I believe the content of this statement to be true.**

**Signed:**

**GRO**

**Dated:**

25<sup>th</sup> October 2024

**Index to First Witness Statement of SIMON BAKER**

No.	URN	Document Description	Control Number
1.	FUJ00116860	Organogram seemingly covers the entire organisations (runs to 62 slides)	POINQ0123031F
2.	FUJ00097616	HNG-X Programme Board Meeting of 08/07/2010	POINQ0103787F
3.	FUJ00095766	Fujitsu - Joint Programme Board	POINQ0101937F
4.	POL00107746	Email from Simon Baker to Rod Ismay, Alana Renner, Mike Granville and others re: Today's meeting	POL-0106006
5.	POL00340358	IT & Change - Weekly Highlight Report - week 7. Owner Steve Allchorn and Sponsored by Lesley J Sewell	POL-BSFF- 0029335
6.	POL00340359	POL Service Management Weekly Performance Measures - Week Ending 3rd March 2013	POL-BSFF-01660 80
7.	POL00057623	Briefing Note	POL-0054102
8.	POL00113792	Email from Alice Perkins to Susan Critchton and Paula Vennells re: Horizon investigation	POL-0112900
9.	POL00027716	Deloitte Project Zebra Supporting Your Assurance Needs - Post Office Limited.	POL-0024357
10.	POL00295178	Email from Angela Van Den Bogerd to Craig Tuthill re IN STRICTEST CONFIDENCE - Urgent Request Please.	POL-BSFF-0133228

11.	POL00191272	Signed Interim Report into alleged problems with the Horizon system	POL-0098646
12.	POL00137247	Email from Simon Baker to Alwen Lyons, Angela Van Den Bogerd, Chris Darvill and others Re: Agenda for tomorrow's meeting	POL-BSFF- 0000031
13.	POL00143030	Email from Chris Darvill to Susan Crichton, Alwen Lyons and Simon Baker. RE: FW: FW: FOR ACTION: Ref: PV 1380 Customer name: Rt Hon Alan Duncan MP Feedback due: 10 April 2012 Case signatory: Michele Graves - update, please.	POL-BSFF-0002195
14.	POL00181179	Email from Simon Baker to Susan Crichton, Alwen Lyons, Chris Darvill re Agenda for prep meeting	POL-BSFF-0019242
15.	POL00057728	Email from Chris Darvil to Simon Baker, RE: South Warnborough	POL-0054207
16.	POL00179839	Meeting Pack for James Arbuthnot and Oliver Letwin for 17th May 2012	POL-0030760
17.	POL00179925	Post Office Pack for meeting with James Arbuthnot and other MPs Meeting scheduled for 18th June 2012, 6pm, Portcullis House	POL-0096223
18.	POL00091031	Email from Ian Henderson to Simon Baker, Alwen Lyons, Susan Crichton and others. Re: 2nd Sight Audit	POL-0090675



19.	POL00180883	Case review status update of Sub-Postmasters - Second Sight and MPs	POL-BSFF0018944
20.	POL00180866	Email from Susan Crichton to Alwen Lyons et al re: Notes from today's meeting at Portcullis House	POL-BSFF-0018929
21.	POL00143372	Email from Simon Baker to Alwen Lyons re notes from todays meeting at portcullis house	POL-BSFF-0002537
22.	POL00143373	Notes from meeting at Portcullis house 12.07.2012 - Present: James Arbuthnot MP; Alan Bates, Kay LINNELL, Ian Henderson, Ron Warmington.	POL-BSFF-0002538
23.	POL00115919	Post Office Limited - Internal Briefing Note to Paula Vennells: Second Sight review into Horizon -Implications of Interim Report - DRAFT	POL-0116921
24.	POL00161845	Email from Alana Renner to Simon Baker cc'd Mark R Davies re: JFSA - two more press pieces	POL-0150336
25.	POL00143499	Email from Simon Baker to Ronan Kelleher CC'd Alwen Lyons, Susan Crichton and others RE; 2nd Sight Review Draft	POL-BSFF-0002664
26.	POL00143976	Email from Simon Baker to Martin Edwards and Alwen Lyons Re "Raising confers with Horizon "document	POL-BSFF-0003131

27.	FUJ00232048	Meeting minutes of the telephone conference on Friday 27 July 2012	POINQ0238202F
28.	POL00184548	Email chain from Simon Baker to Susan Crichton re organisational risks	POL-BSFF-0022611
29.	POL00031329	Email from Simon Baker to Rod Ismay, @Re: Does POL have (and use) a facility to make entries to Sub Post Office Branch books without the SPMRs knowledge, approval or involvement?	POL-0028231
30.	POL00185672	Email from Simon Baker to Alwen Lyons, Rod Ismay, Angela Van Den Bogerd and others RE: Notes from today's second sight meeting	POL-BSFF0023735
31.	POL00180882	Email from Simon Baker to Susan Crichton, Alwen Lyons RE: Sub-Postmaster case reviews	POL-BSFF-0018945
32.	POL00022598	Horizon Data Lepton SPSO 191320 by Helen Rose (v.1 draft)	POL-0019077
33.	POL00139690	Email from John Scott to Susan Crichton CC John Scott re: Weds Call - Integrity of the Horizon System and Branch Support Programme	POL-0141391
34.	POL00193477	Email from Simon Baker To: Malcolm Zack CC: Lesley J Sewell, Susan Crichton re review of second sight investigation	POL-BSFF-0031540
35.	POL00381544	Email from Simon Baker to Paula Vennells re: final thoughts.	POL-BSFF-0208431

36.	POL00344417	Initial Complaint Review and Mediation Scheme - ExCo Update	POL-BSFF-0170138
37.	POL00344511	Initial Complaint Review and Mediation Scheme - ExCo Update	POL-BSFF-0170232
38.	POL00344531	POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.1 - draft	POL-BSFF-0170252
39.	POL00344534	POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.2 - draft	POL-BSFF-0170255
40.	POL00344521	Initial Complaint Review and Mediation Scheme - ExCo Update	POL-BSFF-0170242
41.	POL00344538	POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.2 - draft	POL-BSFF-0170259
42.	POL00344544	POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.3 - draft with Speaker notes	POL-BSFF-0170265
43.	POL00344546	POL Initial Complaint Review and Mediation Scheme ExCo Update slides v0.3 - draft with Speaker notes	POL-BSFF-0170267
44.	POL00323839	Email chain from Rodric Williams to Ivan Swepson, Simon Baker, Alison Bolsover and others re SR Protocol	POL-0172394