



PROJECT PHOENIX

THEMATIC REPORT

ASSURANCE AND COMPLEX INVESTIGATION TEAM

FIRST REPORT - DATED: 28th AUGUST 2024

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EXECUTIVE SUMMARY

1. Project Phoenix was commissioned by the Post Office Limited (POL) Inquiry Team to review cases raised at the Public Inquiry following the Human Impact Hearings phase of the inquiry. The project currently involves the review of 47 cases and this thematic report is based on the completed reviews of 17 cases.

2. The scope of Project Phoenix is to review matters raised in the Human Impact evidence that centre around issues with the conduct of POL employees and the quality of the investigations that encompasses the associated policy, procedure, and legislative requirements.

3. The thematic review has identified five key themes:

1. Investigative issues.
2. Record keeping.
3. Recruitment and training.
4. Separation of function.
5. Conduct of POL staff.

4. Each theme has additional related sub-theme elements that are related to the overarching themes that have emanated from the cases reviewed.

5. **Investigative issues:**

- i. A range of issues with the quality of the investigations relating to the Criminal Procedures and Investigation Act 1996 and the apparent failings to investigate all reasonable lines of enquiry were identified in all reviews conducted to date.
- ii. Issues with the disclosure process in that evidence that may have undermined the prosecution case or assist the defence case was not disclosed in all reviews conducted to date.
- iii. Issues were identified in a number of the reviews relating to the Police and Criminal Evidence Act 1984 which governs the treatment and questioning of suspects. The identified issues relate predominantly to the questioning of Postmasters and provision of their rights during the investigation.

6. **Record keeping:**

- i. The record keeping in general was consistently poor across all reviews and there was a distinct lack of evidence to suggest that effective record keeping of the investigative process was conducted.
- ii. There was no evidence of any electronic or physical case management system that was in place which recorded decision making, actions taken or supervision any of the cases reviewed so far.
- iii. There was also a lack of records relating to qualifications, training, and experience of those operating in the Security Team and Contract Team who conducted complex investigations into Branch discrepancies which made it difficult to

understand whether people had the requisite qualification or experience for the roles they were undertaking.

7. Recruitment and training:

- i. This key area requires a caveat in that there was a lack of records available for review. However, from the available evidence, it was established that none of the investigators conducting criminal investigations in the Security Team (in the cases the team reviewed) had previous criminal investigative or Law Enforcement experience.
- ii. Although there has been the suggestion that several weeks of training were provided before operating in the investigative role, there were significant flaws with all the investigations undertaken. The available evidence suggests that the levels of experience in the Security Team (other than from operating in the Post Office Investigation Team) was not to the required standard. There is little evidence of the provision of additional training and regular professional development or even the capturing of lessons learned or updates on nationally recognised best practice. It may be that records of this activity have been lost or destroyed but the evidence of poor investigations and lack of supervision suggests otherwise.
- iii. There was also a distinct lack of evidence of supervision of the investigations in all cases and is a significant theme of concern.

8. Separation of function:

- i. The reviews identified that in many cases the Security Team and Contract Team operated in parallel with no apparent consideration of collaboration and understanding of each teams' process and the potential issues with both functions operating in silo. This presented issues of fairness, and it was evident that the contract team were also interviewing Postmasters about the same issue during the criminal/contract investigation without consideration of fairness surrounding interviews and provision of rights when questioned about criminal/contract allegations.
- ii. There was an apparent theme of a one-sided approach to hold the Postmaster accountable for losses that were never actually proven, and this was often pursued by both the Security Team and Contract Team to achieve the same objective and focus. This presented itself to the Phoenix team as an intent to recover a pecuniary loss by any means possible.

9. Conduct of POL staff:

- i. A range of issues were raised in the Human Impact evidence and was a main driver for the initiation of Project Phoenix. Some allegations have been disproved with factual evidence obtained by the Phoenix team but there have also been matters relating to current POL employees that have been referred for code of conduct investigations by the Employee Relations (ER) team that are currently ongoing.
- ii. Matters of a potential criminal nature have also been identified and with Panel approval and submission through the POL Co-operation with Law Enforcement