

Wednesday, 23 November 2022

(11.00 am)

(Proceedings delayed)

(11.18 am)

MR BLAKE: Good morning, sir.

SIR WYN WILLIAMS: Good morning, Mr Blake. I'm very sorry if I've kept people waiting.

MR BLAKE: Sir, today's witness is Mr Sibbick. Thank you.

SIR WYN WILLIAMS: Yes.

DAVID SIBBICK (sworn)

Questioned by MR BLAKE

MR BLAKE: Thank you very much.

Can you give your full name, please?

A. My name is David Sibbick.

Q. Mr Sibbick, you should have in front of you a witness statement.

A. I do.

Q. Is that statement dated 26 August of this year? Yes?

A. Yes, I have that.

Q. Thank you. On the final page, page 19, there's a signature there. Can you confirm that that's your signature?

A. That is indeed my signature.

Q. Thank you. Is that statement true to the best of your knowledge and belief?

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Q. Then at some stage you became the private secretary to the Permanent Secretary in that Department?

A. Yes, I did.

Q. Eventually that Department became the Department for Trade and Industry?

A. It was absorbed into the DTI as then was.

Q. In 1989 you became Director of Posts --

A. Correct.

Q. -- and you retired from the Civil Service in 2000?

A. Yes.

Q. In the period that we're dealing with, in this phase, procurement, acceptance and rollout, it looks as though you were the most experienced member of the Civil Service when it came to matters relating to the Post Office.

A. I think that's almost certainly correct, yes.

Q. Thank you.

Before we start, do you have any general observations on how the Post Office was governed during your period?

A. Well, that is an absolutely huge question which I'm sure you will be looking at in much greater detail in Phase 6 of this Inquiry. I suppose what I can say is that there was a convention at the time that the way these organisations should be governed was that the

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A. Yes, it is.

Q. Thank you very much.

For the purpose of the record, the statement is WITN03350100.

Mr Sibbick, thank you very much for attending the Inquiry today. As you know, I'm going to be asking questions on behalf of the Inquiry.

Your statement and the exhibits are now in evidence, so anything that I'll ask you will be supplementary to that.

I'm going to start with your background. You started your career in the Civil Service in 1960?

A. I did, a long time ago.

Q. I think you began in the Post Office itself?

A. That's correct.

Q. What did you do in the Post Office?

A. I started by working in what was, I think, called the Establishments Division, it was concerned with postmen's pay and issues like that.

Q. Thank you. Then you moved to what was then called the Ministry of Posts and Telecommunications?

A. When the Post Office moved from being a government department, there was a small sponsoring Ministry set up to do the things that sponsoring ministries do, and I moved to that rather than staying in the Post Office.

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government, a minister, would appoint the board, and the board was responsible for all operational issues within the Post Office, reporting obviously to the Minister, who would have regular dialogue with the chairman, but the overriding principle was you appoint the chairman and board and then you either back them or sack them.

You didn't meddle day to day and part of the argument for that was that, if you were going to meddle day to day, if you were going to have your civil servants crawling over everything that the operational people in the organisation tried to do, you would not attract to the top of the organisation people of the sort of quality that you needed to attract.

Q. We'll get to the detail in due course but, in practice, was the Post Office left alone to get on with its business or was there meddling?

A. I suppose it depends on what you call "meddling". This overall principle was there but, as almost everything in the real world or the political world, it gets a bit overtaken from time to time by events, and Horizon turned out to be one such event.

Q. I'm going to take things chronologically, starting with your first involvement.

At paragraph 7 of your witness statement you've said, you describe the long-running sore between the

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1 Benefits Agency and the Post Office and officials being
2 scarred by their involvement. Those are obviously
3 powerful words. Can you tell us about your early
4 involvement in the project, so the early to mid-1990s,
5 and those differences?

6 **A.** I was not particularly involved in the early part of all
7 of this. My close involvement really started at the
8 point when the Secretary of State for the Benefits --
9 responsible for the Benefits Agency wrote to my
10 Secretary of State and to the Treasury Secretary of
11 State, saying "Look, we've got a problem here, we need
12 to get round a table and sort it", and that, I think,
13 was in the late summer/early autumn of 1997.

14 I was aware before then of the Horizon project, and
15 I was aware from talking perhaps informally to people
16 that there were these frictions --

17 **Q.** Can I just pause you there for one second, sorry, only
18 because we've lost the Chair on the screen.

19 **A.** Oh.

20 **Q.** Sorry, we may have to wait a moment. There is
21 a transcript, so everything you've said will be
22 recorded.

23 **A.** Yes.

24 **MR BLAKE:** We're just trying to re-establish connection.

(Pause)

5

1 on, I suspect, every time that the contract had to be
2 renegotiated.

3 The Benefits Agency, or DSS, also had a particular
4 problem in, as I understand it, they were not able to
5 get their accounts signed off by their auditors because
6 of the volume of fraudulent transactions around the
7 Benefit Payment Card or other payment methods, and the
8 large amount of money that went missing.

9 So they also had that interest.

10 **Q.** How important was the benefits card aspect of the
11 Horizon project in those early days?

12 **A.** I think it was absolutely crucial, from the point of
13 view of Post Office Counters. The great fear was that
14 if too many customers -- if they were forced to accept
15 automatic credit transfer of their payments, would no
16 longer go into Post Offices and, apart from withdrawing
17 their money, actually spending their money on the
18 private side of the shop, the so-called "footfall", and
19 I think this footfall aspect was hugely important to
20 subpostmasters, to the National Federation of
21 SubPostmasters, and the threat of ACT had some years
22 earlier resulted in the National Federation organising
23 a significant protest march down Whitehall, as I recall,
24 from people not so much, I think, opposed to the idea of
25 having to have their payments into bank accounts but the

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1 Sir, we can see you now. Can you see and hear us?

2 **SIR WYN WILLIAMS:** Yes, for the first time, I think, in
3 however many months this has been happening, a glitch
4 occurred. So I didn't catch what Mr Sibbick was going
5 to say in answer to your questions on paragraph 7,
6 Mr Blake.

7 **MR BLAKE:** So this is the long-running sore; you described
8 in 1997 your first awareness that there were --

9 **A.** That was the first time that ministers were involved
10 and, therefore, I was involved in having to brief
11 ministers on how to best take all of this forward and
12 what our line might be.

13 **Q.** You've said officials being scarred by their
14 involvement --

15 **A.** I knew, before then, but it was interesting to have it
16 confirmed by a senior official from DSS that these
17 issues had been rumbling on for a long, long time. The
18 Benefits Agency, they can obviously speak for
19 themselves, but they felt that they were being ripped
20 off, if I can put it like that, by the charges that they
21 were having to pay to get the work done by the Post
22 Office. The Post Office, of course, thought the
23 Benefits Agency were not paying nearly enough for the
24 work that they were carrying out for the
25 Benefits Agency, and I think these squabbles just went

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1 fear that they would lose their village shop or their
2 corner shop, if they lived in an urban area.

3 I think, you know, this was the big concern, and why
4 politically it was so important to have in place, if you
5 will, trying to get away from the fraud-prone paper
6 based pension books, and so on, to have something else
7 in place, and the Benefit Payment Card was what they
8 came up with to serve that purpose.

9 **Q.** Keith Todd, the former CEO of ICL, has given evidence
10 that he didn't expect the complexities arising from what
11 he had thought were two aligned government entities, the
12 Benefits Agency and the Post Office. How obvious would
13 it have been outside of Government that there were these
14 frictions between the Benefits Agency and the Post
15 Office?

16 **A.** Well, I don't think it would have been evident to the
17 general public necessarily, but I'm sure people who had
18 any real involvement in either of these organisations
19 would have known that this was, as I say, a long-running
20 difficulty.

21 **Q.** The procurement process began in 1994. Were you
22 involved in that at all?

23 **A.** No, I was not. I was not. I knew that -- I knew that
24 it was going on but I wasn't involved in any way.

25 **Q.** Were you aware that Pathway's technical solution was the

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1 least preferred option of the three bidders?

2 **A.** The Tom, Dick and Harry, as I believe it was referred

3 to?

4 **Q.** Yes.

5 **A.** Yes, subsequently, I was certainly aware that ICL

6 Pathway had been accepted over the other two bidders, in

7 part because it appeared that they were willing to take

8 the biggest element of risk in the project.

9 **Q.** Were you aware that their technical solution was the

10 least preferred of the three?

11 **A.** I'm not sure that I was conscious of this. In the early

12 days, I had no reason to believe that ICL would not be

13 capable of delivering what they had contracted to

14 deliver.

15 **Q.** We'll come to work that was carried out in the summer of

16 1998 but, at the procurement stage or between the

17 procurement stage and that period, were you aware, for

18 example, that concerns had been raised about a system

19 known as Riposte during the procurement stage?

20 **A.** My understanding was that Riposte was something that

21 emerged once it had been decided not to go ahead with

22 the Benefit Payment Card. I'm not a computer expert,

23 I'm not even terribly computer literate, but what I did

24 understand and I understood from talking to senior

25 people in ICL, that ripping out the Benefit Payment Card

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1 as I say, it was about that time that ministers got

2 involved, because they could see -- well, they could see

3 a car crash coming.

4 **Q.** Let's move to the spring to autumn of 1998 -- you have

5 dealt with that at paragraphs 15 to 17 of your witness

6 statement -- and the Horizon Working Group. Can you

7 tell us why the Horizon Working Group was set up?

8 **A.** Yes. First, there's some confusion. There were two

9 Horizon working groups. The first one was the sort of

10 ministerial one, senior officials, and so on, with

11 Adrian Montague's technical group reporting to it.

12 There was a second group set up which, at the time,

13 nobody could think of an original name to distinguish it

14 from the first one, I suppose, but that was more to keep

15 some of the other parties -- so the NFSP, the CWU, and

16 so on -- to keep them involved. It was also thought

17 that, because it was their members who were going to be

18 using this system, that it would be a very useful body

19 to monitor progress of the rollout once that had

20 started.

21 So that had an ongoing role, if you like, the second

22 one. It was chaired initially by Ian McCartney,

23 I think, and subsequently by Alan Johnson.

24 **Q.** Yes, and I think you refer to them in your witness

25 statement as the working group 1998 and the working

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1 part of the system and replacing it with something else

2 was absolutely a non-trivial thing to have to do and

3 would require a lot of work in a certain amount of time.

4 To answer your question about Riposte, my

5 understanding was that Riposte kind of emerged when you

6 were looking at the, I think it's called middleware or

7 shareware, for the system going forward without the

8 Benefit Payment Card. I wasn't aware that it was, in

9 any sense, an issue whilst the Benefit Payment Card was

10 still the way forward.

11 **Q.** We will, in due course, come to some references to that

12 system in 1998, so I don't want to -- I'll take you to

13 that.

14 Were you aware, for example, that the evaluation

15 board had concluded that Pathway required a proactive

16 management stance going forward from the procurement

17 stage?

18 **A.** I think probably not really. I had no reason to believe

19 that the Pathway project was not being well managed

20 until it emerged that it was running late and over

21 budget, and so on, which was -- I think the system

22 originally went live in 1996 and it was in late 1997

23 that the two parties put Pathway into a position of "We

24 can pull the plug on this now if we want to, we've got

25 the right now to pull the plug if we want to". And,

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1 group 1999?

2 **A.** Yes.

3 **Q.** Let's focus on the working group 1998 for now.

4 **A.** Yes.

5 **Q.** Can we go to HMT00000034, please. Thank you very much.

6 This is the report that they produced in July 1998.

7 Can you tell us the background to this report, please?

8 **A.** Well, the background to it was to look at where the

9 project had got to, what options there were moving

10 forward, and to make sure, as well, through the

11 technical subgroup that the technical aspects of it had

12 been properly explored and properly understood by

13 government.

14 **Q.** Can we turn to page 4, please. That's internal page 3,

15 but it's page 4 on the pdf. Thank you. This is the

16 "Summary and conclusions", and I'm just going to read

17 from 1.1. At the end of 1.1 it says:

18 "We were asked to consider:

19 "[First] whether the project is technically viable;

20 and if so, how quickly it can be completed and at what

21 cost to government;

22 "[second] the direct and indirect costs of

23 cancellation and of any alternative available to deliver

24 the project's objectives."

25 Then it says:

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1 "We set up an Independent Panel of experts to
2 address the first question."

3 The independent panel of experts is the group that's
4 led by Adrian Montague; is that correct?

5 **A.** That is correct.

6 **Q.** Thank you. Then can we look at, down the page to 1.4,
7 please, these are the three options that this group set
8 out at this stage, so the summer of 1998. Number 1 was
9 "Seeking to continue the project"; and scrolling down,
10 the second option would be to "[Reshape] the project by
11 cancelling the Benefit Payment Card"; and the third
12 option "Terminating the whole project".

13 So those were the three options in play at that
14 stage.

15 Can we look at the "Recommendations" on page 8,
16 please, and it's at the bottom of page 8. Thank you.
17 So the recommendations, starting at 1.7:

18 "The Working Group, apart from the DSS and Treasury
19 Social Security team, recommends that ..."

20 Then over the page, thank you very much, first:

21 "in line with option 1, ICL Pathway should be given
22 terms for continuing with the project ..."

23 So essentially their first recommendation is
24 continuation.

25 Then we see, for example, the third bullet point

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1 **Q.** Yes. Yes, but it was the DSS and the Treasury Social
2 Security team, and the DTI were presumably members of --

3 **A.** Oh, yes.

4 **Q.** -- the group?

5 **A.** Oh, yes.

6 **Q.** Yes. So in other words, translating 1.8, the DTI agrees
7 with continuation, the Treasury, save for their social
8 security team, agree with continuation -- you're not so
9 sure?

10 **A.** I think the Treasury probably, at this point, were
11 wavering. They appeared to start off being quite firmly
12 opposed to the project and seeing, understandably, the
13 benefits from ACT. I think they moved a bit, probably
14 with the personnel involved, to, I thought,
15 understanding the problems that cancellation would
16 cause, politically, both in terms of the network of Post
17 Offices but also the harm to the country's industrial
18 strategy, in particular the damage, possibly even
19 bringing collapse of ICL, Fujitsu being a major inward
20 investor, and so on, and I think those issues started to
21 weigh a bit more heavily in some Treasury minds at
22 least.

23 **Q.** So, at this stage, who is it that really supports
24 option 1? That's the recommendation of the group, but
25 it seems as though, even at this stage, the DSS

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1 there:

2 "If ICL cannot accept these terms, or if the
3 negotiations cannot be satisfactorily concluded within
4 two months, Ministers should sanction the public sector
5 parties withdrawing from the contracts on the grounds of
6 ICL Pathway's non-performance and we should implement
7 option 3."

8 So the options there are continuation, give them
9 a chance, but if negotiations break down, withdrawal.
10 Is that a fair summary there?

11 **A.** Yes, it is.

12 **Q.** Thank you. Then below that at 1.8 it says:

13 "DSS recommend a similar approach with ICL, but
14 based on option 2."

15 So that's option 2 was getting rid of the benefit
16 card part of the programme?

17 **A.** Continuing with the project but dropping the Benefit
18 Payment Card, yes.

19 **Q.** Then it says:

20 "Treasury Social Security team prefers option 3."
21 Option 3 being cancellation.

22 Now, DSS and Treasury Social Security team are quite
23 significant parts of this working group, in that -- who
24 formed the working group? It was the DTI --

25 **A.** No, it was set up by the Treasury.

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1 certainly don't and the Treasury Social Security team
2 don't.

3 **A.** Well, I think -- I think the group didn't succeed, if
4 indeed it was even trying to do that, in persuading
5 certain members of the group that continuation was not
6 the best way forward. And this was the issue that was
7 then -- "fought over" is perhaps putting it too
8 strongly -- for quite a few months after that.

9 **Q.** The section on technical viability is on page 12, and
10 can we have a look at that, please. If we could scroll
11 down to the second half of that page, thank you. So it
12 says:

13 "The Panel has concluded ..."

14 Is that the independent panel that you mentioned
15 before with Adrian Montague, or is that --

16 **A.** Yes, I think that's what it's referring to.

17 **Q.** "The Panel has concluded that the project is technically
18 viable, although there are some risks, in particular
19 around:

20 "scalability and robustness. The programme is
21 probably the biggest of its kind and the system has had
22 to be tested at the level of its component parts. The
23 Panel is satisfied these risks are being well managed by
24 ICL Pathway, but they nevertheless remain.

25 "the system is (necessarily) heavily dependent on

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1 a third party 'middleware' product called 'Riposte'.
2 ICL Pathway have taken steps to cover their dependency
3 on the project."

4 So that's where Riposte is mentioned.

5 **A.** Yes, it is. It is, and I have to confess that I don't
6 remember Riposte being such a major part of the project
7 at this stage.

8 As I said, I know it became a major issue when the
9 Benefit Payment Card part of the system had to be -- had
10 to be removed and replaced with something else, but what
11 we did know, I think, from Adrian Montague's report, was
12 that Riposte had been used by a number of other Post
13 Offices, I think, and certainly other applications.

14 So they had reason to believe that it would be fit
15 for purpose. I know that later on there was discussion
16 way above my head, in terms of technical understanding,
17 about Riposte and web-based Riposte and whether, if they
18 adopted that, it would negate some of the features of
19 Windows NT, which had hitherto been relied on to carry
20 out certain functions, and so on. So I think it was not
21 without some technical controversy.

22 **Q.** If we look below that:

23 "The Panel also believes that the basic
24 infrastructure is very robust for the future and is
25 generally based on industry standard products. It

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1 25 years, all of that would make a lot more sense than
2 it perhaps would seem to today, when -- but maybe you
3 wouldn't even consider these as problems.

4 **Q.** But you would accept that what's in front of you is at
5 least some concerns about robustness and dependency on
6 Riposte?

7 **A.** Yes, I would absolutely accept that.

8 **Q.** Perhaps we should look at the Montague report itself,
9 which may assist to develop that further. Can we look
10 at POL00028094, please. So this is the report. Can you
11 tell us a little bit about the other author -- in fact,
12 all three authors? Who was Adrian Montague?

13 **A.** Adrian Montague was the person who was in charge of the
14 Government's PFI initiative.

15 **Q.** And Bill Robins?

16 **A.** I don't know.

17 **Q.** I think he was head of the Northern Ireland Social
18 Security Agency.

19 **A.** Okay.

20 **Q.** And Alec Wylie?

21 **A.** Again, I don't know.

22 **Q.** He was Director General of Communications and
23 Information Services at the Ministry of Defence. Does
24 that help your recollection or not?

25 **A.** Not really, I'm afraid, no.

19

1 should therefore allow POCL to compete for new business
2 in a variety of markets, and for example develop new
3 applications based on smart cards ...

4 "The Panel has seen no evidence to suggest that the
5 systems being developed by BA and POCL to connect up to
6 the systems being developed by Pathway will not work as
7 required."

8 Let's look at the report itself. So that section is
9 on "Technical viability", and that's the heading there,
10 and what it's highlighted is some risks around
11 robustness, that's that first bullet point, and also
12 some concerns about the use of Riposte, albeit at 3.1.5
13 it says "the basic infrastructure is very robust"?

14 **A.** I think it may well be that, if Riposte was a part of it
15 at that stage, it was just, as it were, a standard
16 industry application that was working perfectly well.

17 Again, my limited understanding was that the Benefit
18 Payment Card was operated within the system on a kind of
19 batch basis, so that the information would be -- from it
20 would be collected up at the end of the day and
21 presumably consolidated, and then fired off back to the
22 Benefits Agency or whoever, over lines that were leased
23 or paid for much more cheaply than if you had the thing
24 online all the time during the day.

25 I suspect that if we could think back 20 or

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1 **Q.** Do you know how they were selected for that particular
2 project?

3 **A.** How Adrian Montague was?

4 **Q.** Adrian Montague or all three of them.

5 **A.** Well, I imagine Adrian Montague himself recruited those
6 two people, I don't know that.

7 **Q.** We'll be hearing from --

8 **A.** Yes.

9 **Q.** -- Sir Adrian.

10 **A.** Okay. Why Adrian Montague? Well, this was -- Horizon
11 was at that point a massive PFI scheme, so it's not
12 surprising, perhaps, that he was selected for that task.

13 **Q.** He wasn't himself a technical expert, though?

14 **A.** I believe not.

15 **Q.** No. You've said in your statement that ministers and
16 officials were effectively reliant on these experts to
17 inform them of technical issues.

18 **A.** Yes.

19 **Q.** Was there a standing body of technical advisers within
20 Government dealing with Horizon or was it --

21 **A.** No.

22 **Q.** -- reliant on reports such as this?

23 **A.** It was reliant on reports such as this. What I would
24 say is that I know that the Post Office itself had an IT
25 department headed by -- I can't remember his name but

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1 I believe he was very well respected within the IT
2 industry, and I'm sure the Benefits Agency, likewise,
3 would have had their own technical expert. So it's not
4 that the project lacked technical people looking at it,
5 and evaluating it.

6 **Q.** Was Government therefore dependent on what they were
7 told by the Post Office?

8 **A.** Dependent what we were told by the technical
9 subcommittee. They were -- they were there to provide
10 technical expertise to all the government parties
11 involved equally, rather than each of us trying to set
12 up our own expert and have experts layered on experts
13 layered on experts, and so on.

14 **Q.** Can we look at page 3 of this document, which provides
15 the "Executive Summary". The third bullet point under
16 "Background" reads as follows:

17 "In the light of concerns over progress, this Panel,
18 chaired by the head of the Treasury Task Force on
19 Private Finance, was set up to make an independent
20 assessment of whether the programme was technically
21 viable, if so how quickly it could be completed and at
22 what cost."

23 Is that your recollection of its purpose?

24 **A.** Yes, it is.

25 **Q.** The issue, it seems, from the third bullet point, is one

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1 at a very detailed level, issues such as technical
2 faults and reliability of the system?

3 **A.** When I read the report of the Adrian Montague group, it
4 looks to me as though it does go into quite a lot of
5 technical detail, and I imagine they drew on whatever
6 they needed to draw on to come up with that.

7 I think it was quite reassuring and I don't think it
8 was kind of deliberately slanted because that's what
9 ministers or anyone else wanted to hear.

10 **Q.** Perhaps we can look at the "Findings". If we look at
11 the second finding there, the second bullet point, it
12 says:

13 "Our view is that the programme is technically
14 viable. There must be some risk around scalability and
15 robustness because the system has had to be tested at
16 the level of component parts, but we are satisfied these
17 risks are being well managed by Pathway."

18 So their view being expressed there is that the
19 programme itself is technically viable, albeit there are
20 risks with regard to scalability and robustness. Is
21 that a fair reading of that finding?

22 **A.** Yes, I think -- I think that is exactly right. If there
23 was -- if there were issues around testing, and those
24 later on as well, I think it was around the fact that
25 this is an immense project, in terms of the numbers --

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1 of viability rather than, for example, reliability.

2 Would you agree with that, at that stage, in 1998?

3 **A.** Yes, given that that was a finding of the technical
4 committee.

5 **Q.** Yes. But the focus, the word that we've used, we've
6 heard, both from the overall working group report and
7 from this report, is one of "viability".

8 **A.** I think what was meant by that was technical viability.

9 **Q.** Yes.

10 **A.** There were financing issues, of course, and they come up
11 a bit later on in all of this but I think at this point
12 one is talking about technical viability: will the
13 system work? Will it do what it's supposed to do?

14 **Q.** Peter Copping of PA Consulting has given evidence to
15 this Inquiry, and he has described the task that he was
16 asked to carry out for this expert panel as "calibrating
17 the art of the possible", rather than looking at, for
18 example, technical faults and defects. Would you agree
19 with that?

20 **A.** Well, that was his view. I mean, I have no real basis
21 for challenging that but what we -- what Government
22 needed was advice on whether this thing can be made to
23 work and do the job that it was -- that it was set up to
24 do.

25 **Q.** Would you accept that it wasn't a report that addressed,

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1 20,000 post offices, 40,000 counter positions, if

2 I vaguely remember the numbers -- and I would have
3 thought anything that you tried to put together, you can
4 test in a much more limited environment, but you don't
5 know what's going to happen when you roll it out at that
6 sort of -- at that sort of scale.

7 And I wonder whether the testing that was done at
8 the end, after the Benefit Payment Card had gone from
9 the system, whether that was sort of tested at
10 sufficient scale, I don't know. I seem to remember
11 seeing bits of paper around the place where people were
12 expressing concerns that it hadn't been.

13 I think some of these pieces of paper came from the
14 National Federation of SubPostmasters, where members who
15 had early experience of the system were finding all
16 sorts of bugs in it that they were reporting upwards.

17 I don't think it's surprising that there were such
18 bugs. My understanding of the way these huge systems
19 work, whether they're the bank's systems or government
20 systems or anything else, you know, there will be bugs,
21 and the issue is whether they can be identified quickly
22 enough and whether they can be put right quickly enough.

23 **Q.** Is that kind of analysis, I think your view is that that
24 should take place towards the rollout stage or later
25 down the line than, for example, 1998?

24

1 A. I think, I think what I'm saying is that you need to
 2 test the system at all stages but when it's kind of
 3 complete, when you're about to push the button and roll
 4 it out to all of these post offices, you do want to make
 5 sure, I would suggest, that you have tried to test the
 6 thing at scale as thoroughly as you possibly can.
 7 Q. Looking again at that second finding, where they say
 8 "There must be some risk around scalability and
 9 robustness" --
 10 A. Yes.
 11 Q. -- would it be fair to say that the expert report wasn't
 12 finding the Horizon system at that stage as robust, that
 13 wasn't a finding that they were making? I will out of
 14 fairness take you to the next paragraph, which does
 15 say -- I'll read that:
 16 "There is good evidence of future proofing at all
 17 levels. The basic infrastructure is very robust for the
 18 future and, in the main, industry standard products have
 19 been used. The system who allow POCL to compete for new
 20 business in a variety of markets, including banking and
 21 financial services. New applications based on smartcard
 22 technology should be relatively straightforward and
 23 economic. If online applications are required, they may
 24 take longer and require more investment."
 25 So looking at those two paragraphs --

25

1 recognised that there was actually quite a lot of
 2 development work still to be done on that.
 3 Q. Would you accept that those two paragraphs there are not
 4 signing off Horizon as being robust?
 5 A. I think it's signing it off as being robust, as far as
 6 they had got. But it wasn't finished. There was more
 7 to be done, and then the scalability thing was always
 8 going to be -- have a big question mark over it. You
 9 know, would it really work at -- I think it's something
 10 like 40,000 counter positions. So you then have not
 11 just issues about the system itself but about the
 12 training to use it, whether it's easy to use, whether
 13 some 80-year old subpostmistress in the Orkneys is going
 14 to easily get to grips with that technology. And I can
 15 feel for the poor lady, because I wouldn't be very good
 16 at it either.
 17 Q. I think your evidence is that it was saying that it was
 18 sufficient at that stage but there were undoubtedly
 19 risks with regards to scalability, for example?
 20 A. Absolutely, and possibly not just scalability. What
 21 I recall was that, at the end, in a big rush after it
 22 had been decided to drop the Benefit Payment Card, the
 23 system had to be adapted to work without it and perhaps,
 24 as far as possible, to make provision for things to be
 25 added later on, and there was then a lot of -- I don't

27

1 A. Yeah.
 2 Q. -- is a fair summary that, in terms of the actual
 3 working of the Horizon system, there are certainly risks
 4 around robustness, the basic infrastructure itself is
 5 robust, very robust for the future, but there are
 6 undoubtedly risks with regards to scalability and
 7 robustness of, for example, the software that it would
 8 use?
 9 A. Yeah, I think that's what I was probably rather
 10 inadequately trying to express, that the system had been
 11 tested -- I won't say in the laboratory, because
 12 obviously it was a lot more than that. The system had
 13 been thoroughly tested and all the bits were shown to
 14 work, and so on, but, when you start rolling it out into
 15 the real world, you are bound to get problems coming up
 16 with it. I think the final sentence of that "If online
 17 applications are required, they may take longer and
 18 require more investment", and that was also very much my
 19 understanding, that it's one thing to take the Benefit
 20 Payment Card out of the system, though you still need to
 21 test how it works, sort of, without that, but what you
 22 need to replace it with is smartcard technology and
 23 that -- that still had to be developed.
 24 That was a bit of an un -- as I understood it, that
 25 was a bit of an unknown at that time and ICL, I think,

26

1 like to use the word "pressure" because it sounds as
 2 though somebody is sort of breathing down their necks
 3 and saying "Get on with this".
 4 The pressure came from the political decision to
 5 finally agree that the Benefits Agency could start
 6 rolling out their ACT solution from 2003, which was not
 7 a very long way ahead, given the time it takes for all
 8 of these things to work through.
 9 So that was, that was, if you like, the pressure to
 10 get the system done and rolled out. Of course, it
 11 wouldn't have been accepted by POCL, if they thought
 12 there were major flaws with it. I remember there were
 13 a couple of flaws identified at the very end, just
 14 before the sign-off, and they were put right and they
 15 were tested and shown to be okay, so that POCL was
 16 satisfied with that, and then they wrote a rather large
 17 cheque.
 18 Q. We'll get to all of that probably this afternoon, but
 19 I'm happy to stay with it briefly now. Is it therefore
 20 your view that, ultimately, Horizon was rushed out after
 21 the Benefits Agency pulled out of the project?
 22 A. I don't like to say "rushed out", because that sounds
 23 like it was just kind of "Get it out of here,
 24 willy-nilly". I don't think it was that at all. I do
 25 think there was a lot of pressure, a lot of desire on

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1 the part of the Post Office to get this thing moving
2 because, if you sit around too long you're not going to
3 get it all sorted by the time ACT comes along, and you
4 want to get it out there and in use in order to persuade
5 banks and other organisations to start using it because,
6 apart from anything else, you're going to need
7 additional revenue streams when the amount that the
8 Benefits Agency is asking you to do is reduced and,
9 therefore, the amount of income you get from that is
10 reduced.

11 Q. Thank you.

12 Returning to the findings, can we just scroll down
13 a little bit, please. Thank you. So it goes on there:

14 "A further nine months delay to the programme is our
15 best forecast, with September 2001 for national rollout
16 completion. Critical path issues will have to be
17 resolved fast to make this possible, and the date could
18 be brought forward with commitment and goodwill on all
19 sides."

20 Perhaps that gives an indication as to the time
21 pressures that may might be involved --

22 A. Yes, yes.

23 Q. -- in rollout, even at that stage, while the benefits
24 card system was part of the project. Do you agree with
25 that?

29

1 offer ... a way forward.

2 "The restructuring would extend the use of the card
3 beyond the current contract end date. BA and POCL would
4 prepare for a rapid increase thereafter in benefit
5 payments via the banking system ... POCL could by then
6 be ready to offer a competitively priced service for
7 customers who still wished to use post offices for
8 access to cash in this new environment. Pathway would
9 be closer to recouping its investment.

10 "A second option [so this is the alternative], less
11 risky in programme management terms, would be to descope
12 the programme by stopping the Benefit Payment Card,
13 while still allowing time for BA and POCL to prepare for
14 ACT."

15 So what were the proposals being put forward by the
16 expert group at that stage?

17 A. Well, as I understand that, what they're saying was "We
18 could propose going forward, still on the basis of the
19 Benefit Payment Card, for a limited period and then to
20 have to switch over".

21 The alternative that they were proposing, I think,
22 was, well, the one of scrapping the Benefit Payment Card
23 and then trying to move forward without it, until such
24 time as an alternative can be -- can be developed.

25 Q. Can we turn to page 11, which sets out some of the

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1 A. Yes, I think so.

2 Q. Moving down to the bottom of that page:

3 "Driven mainly by timetable slippage, the sponsors'
4 business cases are eroding. The direct cost of delay is
5 estimated at £180 [million], over half of which falls to
6 the sponsors. Potential savings from fraud reduction
7 would also be delayed. Pathway, on the basis of the
8 figures it has provided, would make an overall loss if
9 the contract continued on its present terms and would
10 require an extension to break even."

11 So, I mean, perhaps even in the summer of 1998 there
12 seemed to be significant time pressures to complete the
13 project?

14 A. I think that's right.

15 Q. Can we go over the page, please.

16 A. We say "time pressures". I mean, the pressures came, at
17 least in part, from the fact that all the disadvantages
18 of the situation, as it was then, were costing everybody
19 money. You know, "We can't sit around and just let this
20 thing kind of bleed to death and us bleed to death with
21 it".

22 Q. Then the report suggests a "Possible way forward", and
23 it says, for example, in the first bullet point:

24 "Although the parties did not ... agree, we believe
25 that a restructuring of the full programme could

30

1 problems that had been identified by the expert panel.
2 It's paragraph 22 that I'd like to look at.

3 So it says there -- I'm going to read it just for
4 the purposes of the transcript:

5 "However there remain problems and difficulties in
6 formally signing off requirements and solutions so that
7 delivery dates can be planned and agreed. For example:

8 "there is not yet a stable baseline requirement
9 formally agreed by all parties on which plans and key
10 milestones can be agreed;

11 "the parties have yet to sign off proposals to
12 descope Release 2 ... in New Release 2 ... a partial
13 solution ready for the start of national rollout and New
14 Release 2+ ... the full solution to be available later;

15 "there is no agreed Acceptance Plan or timescale for
16 acceptance, which puts at risk the timetable for
17 contractual acceptance of the system;

18 "there is no consensus on the length of Model Office
19 testing, live trial ... and the contingency to be
20 allowed;

21 "there is no agreement on the rate of rollout, or
22 'beat rate';

23 "there are no agreed timescales for change control
24 decisions;

25 "version 4 of the Master Plan ... has not been

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1 signed off and there is no formal agreement about the
2 conditions for deciding that rollout has been completed;
3 and

4 "hence the dates proposed for the start of live
5 trial and rollout to all 19,000 post offices are at
6 risk."

7 Over the page, please, to paragraph 27, this is
8 again a mention of the Riposte concerns, it says:

9 "Although we believe the architecture to be viable,
10 there is a concern that the system is (necessarily)
11 heavily dependent on the third party middleware product
12 'Riposte'. This risk will persist and steps must be
13 taken to manage this risk over the operational lifetime
14 of the system (in addition to those steps already taken
15 in the development stages by ICL and Pathway). If, as
16 is confidently predicted by ICL [and I think this is
17 a point that you were making earlier] by ICL, this
18 product becomes a Postal industry standard, this risk is
19 significantly mitigated. Pathway has also taken steps
20 to cover their dependency on Riposte by holding a copy
21 of the source code and by training their staff in its
22 use."

23 Now, again, those passages that I've just mentioned,
24 there are certainly risks that are being highlighted
25 with regards to the Horizon project?

33

1 in order to allow the functionality that POCL wanted to
2 see for the future.

3 Q. I mean --

4 A. If I've got that wrong, then I apologise.

5 Q. No, I mean, sticking with Riposte, we know, for example,
6 that there was a known bug identified later on, that we
7 refer to as the Callendar Square bug, 2000 and onwards.

8 Was there anyone in Government tracking these kinds
9 of issues that were highlighted in this report?

10 A. I'm not aware that there was anyone in -- certainly in
11 DTI, I don't know what DSS were doing, but not tracking
12 it on a sort of day-by-day, issue-by-issue basis.

13 Q. Because a report of this kind, it provides a snapshot in
14 time, doesn't it?

15 A. Yes, it does.

16 Q. I think you've said that you would have relied on the
17 Post Office to have followed these kinds of matters
18 forward?

19 A. Er --

20 Q. The highly technical matters that --

21 A. Well, I'm sure that, if highly technical matters looked
22 as though they could be showstoppers, then they would
23 have been escalated up within the Post Office. But the
24 Post Office is, as you know, a very big organisation and
25 lots of different bits and functions of it, so I don't

35

1 A. There certainly are, yes.

2 Q. Do you know how your Department envisaged that
3 monitoring would take place with regards to the
4 operational lifetime of Horizon?

5 A. I don't think that we had any plans to closely monitor
6 this on a day-to-day basis. Horizon had become
7 a political issue, with ministers involved, and
8 ministers were just concerned to get a solution. We
9 were not concerned to stand over the thing and try to
10 see whether each individual little bit can get properly
11 resolved. We just wanted to know whether what ministers
12 had agreed to could be delivered in time and, if it
13 couldn't, then it comes back for some decisions on what
14 we do in those new circumstances.

15 As far as we were concerned, all of these things
16 here -- and I agree there are quite a lot of them --
17 were for the parties involved to solve, and they were
18 not saying to us that those issues could not be
19 resolved. They'd been flagged up as things that needed
20 to be put right.

21 I, again, find this reference to Riposte a little
22 confusing because, if it had always been part of the
23 system, then I'm not sure what the -- what the issue
24 was.

25 I knew that it needed to become part of the system

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1 think the board would have seen -- seen it as its job to
2 follow these issues on a day-by-day basis to make sure
3 that they were getting resolved. Like us, they would
4 want to know whether everything is going to be okay to
5 go ahead.

6 Q. I'm going to move on to November 1998. Can we look at
7 BEIS0000181, please. Are you content? We do usually
8 take a morning break. We've started quite late today.

9 Are you happy to --

10 A. No, I'm content to go on if that's what you wish to do.

11 Q. Please do tell me if you would like to at any stage
12 though.

13 A. Thank you.

14 Q. So let's look at this document. One thing that you've
15 also referred to in your witness statement is a KPMG
16 report addressing technical issues, and I just wanted to
17 cover that off as well.

18 Do you recognise this document? I think it's
19 an annex to a ministerial submission.

20 A. Yes. Yes.

21 Q. It talks there of the three options: option 1,
22 continuing with Horizon; option 2, continuing with the
23 project minus the benefit card; and option 3,
24 cancellation of the project.

25 Can we look at page 3, please. Option 2 is the

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1 continuation minus the benefit card, and it says there:
 2 "KPMG have confirmed that Option 2 is technically
 3 and commercially feasible."
 4 Again, similar to the kind of language that we heard
 5 from that expert's report: feasibility, viability. Do
 6 you consider those similar terms, that the experts there
 7 are looking into feasibility rather than, for example,
 8 reliability?
 9 **A.** That might be a better word, yes.
 10 **Q.** Would it be fair to say that the focus of the Government
 11 at this stage, at that time, was whether the project was
 12 possible rather than whether it would be, for example,
 13 reliable?
 14 **A.** Of course, we would want to see that it was -- that it
 15 was reliable. It was going to be responsible for making
 16 an enormous number of, if you like, state payments or
 17 benefits to a great number of people living all over the
 18 country, and it needed to work, it needed to be
 19 reliable, it needed to be relatively easy to use.
 20 **Q.** But we saw the task that was set for the independent
 21 group was whether the system was viable. If we look at
 22 some of these KPMG documents we can see there that their
 23 task was whether it was feasible.
 24 Do you see the difference between that and asking
 25 somebody whether the system is reliable or to analyse

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1 options."
 2 It may assist if I take you to one further document
 3 that relates to KPMG and that is HMT00000005. This is
 4 a KPMG report or interim -- I think it's a progress
 5 report, and perhaps we could -- I think you're named
 6 there as one of the recipients -- just scroll to the
 7 final page of that, page 5. It again addresses
 8 "Option 2 viability", and it says:
 9 "Having examined the high level architecture of ICL
 10 Pathway it would appear that Option 2 is technically
 11 feasible. Indeed Pathway are actively marketing the
 12 system to overseas post offices, without the Benefit
 13 Payment Card."
 14 Again, I think that's something that you mentioned
 15 earlier, that it was being used abroad in other post
 16 offices?
 17 **A.** Riposte.
 18 **Q.** Riposte?
 19 **A.** Yes.
 20 **Q.** Again, there we see reference to technical feasibility
 21 and --
 22 **A.** Yeah.
 23 **Q.** -- KPMG having examined the high level architecture.
 24 Did you understand anybody to be producing, at that
 25 stage, a report that went into the detail of, for

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1 and assess the reliability of the system?
 2 **A.** I think -- of course, the -- of course, financial issues
 3 came into all of this, but I don't think, in the context
 4 that we've discussed so far this morning, we were
 5 talking about anything other than whether the system
 6 could work.
 7 **Q.** Can we look at BEIS0000179. This is another document
 8 that describes the work that KPMG were carrying out.
 9 I think you wrote this ministerial submission --
 10 **A.** Yes, looks like it.
 11 **Q.** -- to the Secretary of State. This is 6 November 1998.
 12 It's over the page, please, paragraphs 5 and 6,
 13 which discuss, to some extent, KPMG's role. It says
 14 there:
 15 "To assist with the first strand of work, the
 16 negotiations between BA/POCL and ICL, Graham Corbett,
 17 Deputy Chairman of the MMC and former Finance Director
 18 of EuroTunnel was appointed to chair the negotiations.
 19 KPMG were appointed to assist him, particularly in
 20 understanding and validating the business cases of each
 21 of the contracting parties."
 22 Then the next paragraph:
 23 "KPMG were also asked to undertake a major piece of
 24 work on the second strand of activity, that of enabling
 25 value for money comparisons to be made between the three

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1 example, bugs and errors or technical concerns about
 2 reliability?
 3 **A.** I don't think so. Here we have moved on, apart from the
 4 high level architecture bit, we are here talking about
 5 financial viability of the project and whether the
 6 financial attributes would -- could be made to be
 7 acceptable to ICL and to the Post Office. So now,
 8 I think, Mr Corbett was brought in and KPMG, to look at
 9 these things, because now we're kind of moving more
 10 towards "We think we know where the system is going in
 11 a physical sense, now does it make commercial sense, can
 12 it be made to make commercial financial sense?"
 13 **Q.** One thing that KPMG has looked at is the high level
 14 architecture --
 15 **A.** Yes, yes.
 16 **Q.** -- and it said that it's technically feasible?
 17 **A.** Yeah. Again, they believe that it's technically sound
 18 and can work.
 19 **Q.** I suppose "technically sound" may be different to
 20 "technically feasible", and I think the point I'm really
 21 making is: at the DTI, were you interpreting these
 22 reports as signing off the Horizon system?
 23 **A.** No.
 24 **Q.** No?
 25 **A.** No, I don't think so. I think we were reassured by

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1 these reports that there was something there that could
 2 be made to fulfil the functions that we needed from it.
 3 I don't think at any stage we were saying "Oh, okay,
 4 this is now an absolute done deal, it's a masterpiece,
 5 it will work, no problems with that, we can forget about
 6 that entirely". But I think these reports were giving
 7 us reassurance that the thing was going in the right
 8 direction and could continue to be made sound in wind
 9 and limb.

10 **Q.** Albeit subject to the risks that we've seen identified
 11 in the experts' report?

12 **A.** Absolutely, absolutely.

13 **Q.** Can we look at a document from December 1998, and that
 14 is at CBO00100001_072. This is a document that I'm
 15 afraid we have only sent you quite recently. Have you
 16 had a chance to have a look at that?

17 **A.** I've sort of skimmed it, yes.

18 **Q.** It's a letter or a note to the Prime Minister from Geoff
 19 Mulgan. Do you remember who Geoff Mulgan was?

20 **A.** Er ...

21 **Q.** I think he was a special adviser to the Prime Minister.

22 **A.** I think he was a special adviser to Lord Falconer.

23 **Q.** Thank you. Would you have seen this document at the
 24 time?

25 **A.** I would expect to have done, yes.

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1 likely soon to be obsolete. Indeed, ICL acknowledge
 2 that the [Benefit Payment Card] will have not commercial
 3 value to them at the end of the project. Although they
 4 remain underdeveloped, the alternatives, which involve
 5 simpler off-the-shelf banking technology, look
 6 increasingly attractive, offering a route to universal
 7 banking, automated post offices and better provision of
 8 government information."

9 Were you aware at that time of the suggestion that
 10 the technology had been overengineered?

11 **A.** I don't -- I don't know exactly what is meant by that.
 12 I'm sure that ICL would have wanted to do everything
 13 that they could, to put everything that they could into
 14 the system to make sure that when it was rolled out in
 15 these huge numbers that it would -- that it would all
 16 work. You can look at it afterwards, I suppose, and
 17 say, "Well, you didn't really need to go to quite these
 18 lengths, look, it works an absolute treat, nothing ever
 19 goes wrong with it, you could have cut some corners, you
 20 might have had one or two things -- one or two things
 21 being thrown up, but it would have been good enough".

22 I think the -- in a way, the way that I -- that
 23 I read this, this whole piece, is that it would be so
 24 much easier if we weren't starting from where we are
 25 starting. If we could start with a clean sheet of

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1 **Q.** I'll just read the underlined part of paragraph 1:
 2 "A decision now needs to be taken on whether to
 3 proceed with the Horizon project."
 4 Can we go over the page, please. I'm going to read
 5 paragraph 4 in its entirety for the record. It says:
 6 "However, the decision is not clear cut. The
 7 problems that have beset this project may well continue;
 8 continuation would lock the government in for
 9 10-12 years to what many see as a flawed system;
 10 cancellation on the other hand would enable the Post
 11 Office to take advantage of newer, cheaper or more
 12 flexible technology, while the DSS could move rapidly to
 13 paying benefits into people's bank accounts.
 14 Cancellation would also release around £2-3 [billion]
 15 over the next decade to be spent in other ways to
 16 support and automate the Post Office."

17 Paragraph 6:
 18 "in making a judgement, the following issues are
 19 paramount ..."
 20 It's that first bullet point that I want to focus
 21 on. It says:
 22 "The virtues of the project itself: overall,
 23 Horizon, now looks increasingly flawed. It is centred
 24 around a technology, the Benefit Payment Card ... that
 25 is both overengineered -- and very expensive -- and

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1 paper, life would be so much simpler. But the point
 2 underlying it all was: but we're not starting with
 3 a clean sheet of paper, we've got ICL involved in
 4 a major, major project, the collapse of which would
 5 be -- have serious implications, as I've said, for them,
 6 for Fujitsu, for inward investment, for the Private
 7 Finance Initiative, and so on, and what do you do about
 8 the whole thing of the Post Office Counters Network?

9 So I understand absolutely what this is saying. My
 10 reaction to it is: yeah, but we're not starting with
 11 a clean sheet of paper, we've got what we've got and we
 12 probably need to try to make the best of it.

13 **Q.** Could we go over the page, please, to paragraph 7. In
 14 fact, it may be over two pages. Thank you very much.
 15 It says there:

16 "Departments remain divided. Alistair Darling
 17 remains strongly opposed to continuing. Ian McCartney
 18 for DTI will argue strongly for accepting a deal (Peter
 19 Mandelson has largely kept out of the discussions). The
 20 Treasury is divided at official level, but Stephen Byers
 21 will probably, on balance, want to accept the deal for
 22 pragmatic reason, even though he would prefer to
 23 cancel."

24 **A.** Yes.

25 **Q.** Is that an accurate reflection of the respective

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1 positions at that stage?

2 **A.** I think absolutely so, yes.

3 **Q.** Then moving on to the next paragraph:

4 "At first glance, most of the factors point towards
5 continuation. However my view, which Lord Falconer
6 broadly shares, is that although short-term
7 considerations and expedience point strongly towards
8 making a deal, this will in the [long term] prove
9 unsatisfactory, leaving the Post Office and government
10 dependent on a hugely expensive, inflexible,
11 inappropriate and possibly unreliable system."

12 Do you know where those concerns about reliability
13 came from?

14 **A.** I suppose they came from some of what we've seen, that
15 there are risks attached to -- to all of this, and the
16 Benefits Agency, which is -- which was much closer to
17 the project than we were, for example, had, I think,
18 increasingly cast doubts on ICL's ability to deliver
19 that. They didn't want the project from the word go.
20 So they were always rather hostile to it and I'm sure
21 that they would have interpreted a lot of these caveats
22 that we've seen as, "Well, look, look at all this, look
23 at all this, it's going to be awful, isn't it, and, at
24 the end of the day, we would have spent a huge amount of
25 money and we won't actually have achieved our longer

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1 **A.** Yes.

2 **Q.** -- who you've said has received it likely from the DSS.
3 Is that a fair analysis of what's happened --

4 **A.** Yeah, I don't -- I mean, I think it's a fair -- a fair
5 statement of where, you know, where they were coming
6 from, and I don't think I disagree with very much of
7 what's said. But all of that, in the end, had to be
8 tempered by the political damage on the other side of
9 cancellation.

10 **Q.** Thank you.

11 Those kinds of concerns, though, about the system
12 being flawed, don't seem to appear to be articulated in
13 DTI correspondence. Do you think that's fair, from what
14 you've seen of the submissions and the letters at the
15 time?

16 **A.** Well, a lot of the technical reports, and so on, were
17 appended to briefing. I don't think that we were trying
18 to frighten ministers with some of the things that could
19 go wrong. I don't think either we were implying that
20 everything is okay and all you've got to do is take
21 a decision and everything will be wonderful. And
22 I think that our ministers, like other ministers, were
23 very well aware of the pressures that were increasing,
24 almost day by day, that some decision wasn't taken and
25 something moved forward.

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1 term objectives with it".

2 **Q.** If we go to the final page, there are some handwritten
3 notes. Now, we have a statement from Sir Tony Blair now
4 and his statement can be found at WITN06080100. I'm not
5 going to bring it up on screen but that's just for the
6 record and so that it is in evidence.

7 Sorry, could we go to the page before as well, which
8 is where the handwriting starts. I can read you, he has
9 typed out this handwriting, just in case you can't read
10 it?

11 **A.** I think I can, in fact, read the handwriting.

12 **Q.** Well, I'll read you his interpretation of it. It is:

13 "I would favour Option 1 but for Geoff's statement
14 that the system itself is flawed. Surely there must be
15 a clear view on this. Speak to me on that, ie reading
16 the enclosed paper, it all focuses on the financial deal
17 but there the risks are pretty even, probably coming
18 down on the side of continuing. The real heart of it is
19 the system itself."

20 **A.** Yeah.

21 **Q.** Now, the message seems to be getting there to the Prime
22 Minister that the system itself has flaws or it is
23 flawed. Where would he be getting that information
24 from? Is that also -- I mean, I suppose that's from the
25 author of this letter --

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1 I mean, it had just kind of got stuck in the mud, as
2 it were, and all of that time -- I can't remember what
3 the number was -- but several million pounds a day were
4 being thrown away.

5 **Q.** Because of its commitment to the project and to that
6 option 1, do you think that the DTI shied away from
7 highlighting those kinds of problems at that time?

8 **A.** It's possible that we were misinterpreting the gravity
9 of, of some of these things. But I don't think we were
10 any more biased one way or the other than the technical
11 reports that we were receiving.

12 **Q.** Can we look at BEIS0000418, please. This is a letter
13 from Peter Mandelson, who was at that time the Secretary
14 of State --

15 **A.** Yes.

16 **Q.** -- to Stephen Byers, who was the chief secretary to the
17 Treasury. Would you have drafted this kind of letter?

18 **A.** Probably.

19 **Q.** I'm going to read the first paragraph. It says -- can
20 we just scroll down slightly, thank you:

21 "I was disappointed that our meeting yesterday was
22 again unable to reach a clear decision on the way
23 forward for the BA/POCL automation project. The
24 continued uncertainty is becoming increasingly damaging
25 for all the parties concerned. As I see it, the choice

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1 is a straightforward one:

2 "to continue with Horizon, we will need to secure
3 heads of agreement. Within two to three years Horizon
4 will have equipped the Post Office with a modern IT
5 system, capable not only of handling the Benefit Payment
6 Card, but also front-end banking facilities in
7 conjunction with the commercial banks. This will help
8 us to implement our social banking policies, and to
9 bring modern electronic government into communities
10 which other organisations simply do not reach."

11 So a positive result of Horizon being implemented,
12 or suggested quite considerable benefits from Horizon.

13 **A.** That such benefits could and should flow from proceeding
14 with Horizon, yes.

15 **Q.** Then the next bullet point, quite a bleak picture is
16 painted:

17 "or we can take a major step into the unknown,
18 delaying the modernisation of the Post Office Counters
19 network, risking the departure of existing clients and
20 virtually eliminating the possibility of attracting new
21 ones. The damage to the confidence of subpostmasters
22 and the knock-on effect of network closures will produce
23 political fallout, no matter how carefully we try to
24 handle it. The reduction in the network will reduce our
25 ability to extend social banking and modern government

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1 they all look the right ones and put together in the
2 right order, in a way that would work and work reliably.

3 **Q.** So I'll just read the whole of that sentence. It says:

4 "... the basic development work has been thoroughly
5 evaluated by independent experts who have pronounced it
6 viable, robust and of a design which should accommodate
7 future technological developments."

8 Do you think that fairly and accurately reflected
9 what the independent group had found or do you think it
10 was painting again a slightly rosy picture?

11 **A.** I think so, I mean, the technical group and other people
12 accepted that the system, if it was going to do proper
13 smartcard functions, would need further development work
14 but the -- if you like, the architecture of the whole
15 thing looked as though it was suitable for those
16 adaptations, when they came along.

17 **Q.** Could we bring on screen, perhaps alongside this
18 document, a document we've seen, it's POL00028094, and
19 it's -- thank you. That's the report. If we could look
20 at page 3 of the report, thank you, and if we scroll
21 down slightly, thank you, so this is where it says:

22 "Our view [of] the programme is technically viable.
23 There must be some risk around scalability and
24 robustness because the system has to be tested at the
25 level of component parts."

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1 into the very communities we most wish to target. Our
2 relations with Fujitsu, a major inward investor into the
3 UK over the past decade, would be severely damaged, as
4 would the credibility of PFI."

5 Those are some of the things that you've been
6 telling us about this morning. Would you accept that
7 quite a bleak picture is being painted there?

8 **A.** Well, I think, I think what that was -- what this letter
9 was doing was countering the letter from, was it
10 Alistair Darling or Geoff Mulgan or someone, who seemed
11 to be painting a very, very different picture from the
12 one that we were interpreting from the evidence that we
13 had.

14 **Q.** Can we go over the page, please:

15 "There is still some way to go to complete the
16 Horizon project, but the basic development work has been
17 thoroughly evaluated by independent experts ..."

18 Can I pause there: is that a reference to the expert
19 group that we've seen?

20 **A.** Yes, it is, and I think the point there is that those
21 experts were saying that the basic development work was
22 robust, because it hadn't really moved much beyond that
23 at the point that they were looking at it. So they were
24 saying that, if you like, the nuts and bolts -- or the
25 electronic equivalent of nuts and bolts -- you know,

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1 Do you think that that is fairly reflected in the
2 statement that it is viable, robust and of a design that
3 should accommodate future technological developments?

4 **A.** I think it broadly is, yes. I mean, this says that --
5 technically viable, the system has been tested at the
6 level of component parts. So the basic bits of it,
7 which is what they had at that time, they kind of signed
8 off as being fit for purpose. But it doesn't in any
9 way, shape or form say that, you know, this means that
10 the whole project, when it's completed, will be
11 absolutely fine. It says, "As far as it's got, when
12 we're looking at it, it looks good to us".

13 **Q.** One of the things that the Inquiry is trying to
14 establish is where this term "robust" comes from and
15 it's a phrase that we'll then see in quite a few
16 documents from the DTI.

17 **A.** Yes.

18 **Q.** Do you think that, effectively, shorthand has been used
19 there to describe a much more complex problem, or a much
20 more complex issue?

21 **A.** Well, I'm sure robust doesn't mean it'll bounce if you
22 drop it on the floor; it's not that kind of robustness.
23 I think what it's saying is the way that it's being
24 built and put together should mean that, in use, in the
25 way that it's likely to be used, it should stand up to

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1 the task being asked of it.

2 **Q.** Do you think that the risks that were highlighted by the
3 independent group should have been highlighted in this
4 kind of correspondence, the risk to robustness that they
5 identified?

6 **A.** Yes, as I say, I don't think they were trying to say
7 everything is perfect, what they're saying is "We've
8 looked at it and, as far as we can see, it looks at this
9 stage to be okay". They're not saying "We're absolutely
10 certain that it'll be okay when more work has been done
11 on it". At this stage it looks -- it looks good, or
12 good enough.

13 **Q.** Moving on to the next paragraph, it says:

14 "I believe the only sensible choice is to proceed
15 with the Horizon project. It is the way forward which
16 offers the least commercial and technological risk."

17 Do you know where that came from, that it offers the
18 least technological risk?

19 **A.** No, I think that what -- what it refers to, or what it's
20 trying to refer to is, if you cancelled the project and
21 you had to start from scratch again, you would be --
22 because you've then got nothing, you don't know whether
23 something else could be developed that would be that
24 much better. I mean, you know what you've got, you
25 don't know what you haven't got. It might be wonderful,

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1 order --

2 **A.** I don't think the technological -- least technological
3 risk was spinning it. I think if you were to throw away
4 Horizon and then go out into the marketplace and try to
5 get something else, you don't know what you would get.
6 So there would be a much bigger risk around that. I'm
7 not suggesting that you might not find something better,
8 but there's a risk that you would find something worse.

9 **Q.** It wouldn't have posed the least technological risk,
10 though. I mean, having nothing poses the least
11 technological risk, doesn't it?

12 **A.** It poses the least technological risk but an enormous,
13 enormous political risk.

14 **Q.** Yes, but do you think the phrase there "least
15 technological risk" was really trying to make the risks
16 involved in the project seem less than they were?

17 **A.** No, well, I hope it wasn't interpreted like that, it
18 wasn't intended to mean that. What it was intended to
19 do, as I've just said, is to say "Well, we've got
20 something that we know here -- we think, not that there
21 are no problems with it or no technological risks left,
22 but we think that it's going to be okay; if you start
23 from scratch again, that could be a greater risk".

24 **Q.** Before we break for lunch, can we look at CBO00000009,
25 please. Now, this is a letter or a note from Jeremy

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1 it might be rubbish.

2 **Q.** At that stage, you were aware that ICL Pathway, out of
3 the three bidders, for example, posed the highest
4 technological risk?

5 **A.** I didn't know at the time, I was not involved in that at
6 the time. I've subsequently learned that the parties
7 had chosen ICL Pathway because their proposal meant that
8 ICL would be carrying the greatest risk, was my
9 understanding of the --

10 **Q.** I mean, do you think in December 1998 the Secretary of
11 State, or those in high levels within the DTI, would
12 have been aware that Pathway, in fact, had been found to
13 pose the highest technological risk at the procurement
14 stage?

15 **A.** Probably not.

16 **Q.** Do you think that these kind of --

17 **A.** I don't know what DSS ministers would have known from
18 the Benefits Agency, but I don't think that was anything
19 that was ever brought to our attention at the time.

20 **Q.** Do you think that Peter Mandelson in this letter, having
21 referred to the system to be "viable, robust and of
22 a design that should accommodate future technological
23 developments", and also highlighting that it offered the
24 least technological risk, do you think that was trying
25 to spin it a little bit and sound a bit positive in

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1 Heywood, it is effectively the response from the Prime
2 Minister to Geoff Mulgan's note that we saw earlier.

3 **A.** Yes, yes.

4 **Q.** I'm going to read that second paragraph, it says:

5 "The Prime Minister was concerned about your view
6 that the Benefit Payment Card is over-engineered and is
7 likely soon to be obsolete. His clear preference would
8 be to avoid cancelling the project, but to go for
9 a variant of your Option 1 and Option 2. We should
10 retain the [Benefit Payment Card] but seek to ensure
11 that over time it delivers real benefits and provides
12 an effective transition path to a satisfactory long-term
13 position. If necessary the Prime Minister thinks it may
14 be sensible to give ICL a financial incentive to improve
15 the [benefit card] project in this way."

16 So this is just a few days after that letter from
17 Peter Mandelson, again being quite frank about the
18 overengineering and likely to be soon obsolete aspect of
19 the benefit card payment aspect. Was there a feeling in
20 the Department for Trade and Industry at this time that
21 those kinds of issues just shouldn't be mentioned, or
22 should be underplayed?

23 **A.** Sorry, I'm not quite sure I understand.

24 **Q.** So we have, at exactly the same period as we have that
25 Peter Mandelson letter --

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1 A. Yes.

2 Q. -- where again it's referring to the issues that have
3 been highlighted by Geoff Mulgan about the
4 overengineering.

5 A. Yes, yes.

6 Q. I think his letter also referred to reliability
7 problems. That seems to be quite frank about those
8 problems.

9 A. Yes.

10 Q. Was there a lack of candour about those kinds of issues
11 arising from DTI correspondence on these issues?

12 A. Er ...

13 Q. Again, were the DTI underplaying the technical concerns,
14 were they minimising them?

15 A. Certainly -- they certainly weren't trying to talk them
16 up. I'm quite certain of that. I don't think we would
17 have argued that the Benefit Payment Card, in the light
18 of developments in the marketplace since the project had
19 been started, has turned out to be the cleverest choice
20 that could have been made, but -- I come back to this
21 point again -- we've got what we've got and we need to
22 try to make the best of it.

23 So you had an option of taking the project forward,
24 I mean, if you didn't want to abandon the -- if you
25 didn't want to abandon Horizon and, as it were drop, ICL

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1 Sir, I think that might be an appropriate time to
2 break for lunch.

3 **SIR WYN WILLIAMS:** All right, that's fine by me.
4 Are we on schedule to finish Mr Sibbick at
5 a reasonable time this afternoon, Mr Blake?

6 **MR BLAKE:** Yes, we are. I mean, we could start, perhaps, at
7 1.50 rather than 1.55.

8 **SIR WYN WILLIAMS:** All right, let's do that. Fine, thank
9 you.

10 **MR BLAKE:** Thank you very much.
11 (12.56 pm)

12 (The short adjournment)
13 (1.50 pm)

14 **MR BLAKE:** Good afternoon, sir.

15 **SIR WYN WILLIAMS:** Good afternoon.

16 **MR BLAKE:** Thank you very much, Mr Sibbick, before lunch we
17 were on 14 December, I'm now moving to 21 December and
18 it seems as though it was a very busy pre-Christmas
19 period in 1998.

20 A. It was.

21 Q. Let's look at CBO00100001_057, please. This is
22 a document from the Chief Secretary to the Treasury,
23 suggesting a proposed way forward. Do you remember this
24 at all?

25 A. In general terms, yes.

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1 off a very high cliff, so you want to continue with ICL,
2 so you have a choice of doing it with the Benefit
3 Payment Card where, in a sense, the longer you stick
4 with it the more you're investing in a technology that
5 you know is not really going to be fit for purpose a bit
6 further down the road, or do you drop the Benefit
7 Payment Card at this point and say "Right, we're now
8 going to have to find something quickly that will serve
9 for the future", some form of smartcard.

10 But I think we all -- we would have all agreed that
11 the Benefit Payment Card was not the best choice that
12 could have been made, in the light of experience.

13 Q. Do you think that the DTI and the DSS were so
14 fundamentally locked into their positions that,
15 effectively, the DTI was supporting Horizon at any cost?

16 A. Well, I don't know, I don't know "at any cost".
17 I certainly think that we understood the major, major
18 problems that would arise from scrapping Horizon,
19 as I said, for ICL, for the Post Office Counters
20 Network, and so on. So I think we were very solid, if
21 you like, on the right answer -- maybe wish we didn't
22 start from here, but the right answer, given where we
23 are, has got to be to stick with this thing in one form
24 or another.

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

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1 Q. That Chief Secretary to the Treasury, as of that date,
2 was Stephen Byers.

3 Can we go over to page 2, please, which is where we
4 find the passage on the way forward, it's on the second
5 half of that page. So his proposal for the way forward
6 was, "Stage 1 -- stabilisation":
7 "Ministers would agree by 24 December:
8 "to continue the programme with the Benefit Payment
9 Card, with a firm re-commitment to deliver the project
10 on time by all parties;
11 "to agree commercial terms with ICL on the basis of
12 the 9 December offer updated by Keith Todd's letter of
13 18 December", and various other provisions.

14 But the key one there being to continue with the
15 Benefit Payment Card, and then there being a stage 2
16 which we will see over the page. It's the bottom of the
17 page, "Stage 2":
18 "By the end of March 1999, with the commercial
19 arrangements redrawn as above, the parties will have
20 an opportunity to see whether the programme can do more
21 to deliver the Government's present policy objectives.
22 Ministers will ask the Post Office to take forward
23 discussions between the parties in the context of the
24 PPP envisaged with ICL to explore what more could be
25 done, with the agreement of all parties, to further the

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1 following objectives", and there are various objectives
2 on the page after.

3 Essentially, what is being proposed by the Chief
4 Secretary to the Treasury at that stage is more Horizon,
5 rather than less Horizon; do you agree with that, as in
6 to use Horizon for future additional purposes?

7 **A.** Yes, I think it was envisaged from quite an early stage
8 that Horizon, as it was being developed at that point in
9 time, needed to be a springboard, if you like, or
10 a platform that could be developed for wider and more
11 modern purposes.

12 **Q.** Then perhaps we could go to BEIS0000397 and that is
13 a ministerial submission that I believe you drafted on
14 21 December, so, again, the same day as that was
15 received from the chief secretary to the Treasury.
16 Would you have received the chief secretary's document
17 in advance? Would you have seen it before others,
18 perhaps?

19 **A.** I think it looks from this as though, as though when
20 I drafted this, we had sight of the chief secretary's
21 note.

22 **Q.** Yes. So, I mean, it says there:

23 "The Chief Secretary's office has this evening
24 circulated a note ..."

25 Would this ministerial submission perhaps have been

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1 that stage then, and which Government departments were
2 supportive of the DTI at that stage?

3 **A.** I think we knew at that stage that Number 10 was broadly
4 supportive of moving in that direction, albeit with some
5 reluctance, in that they saw it, we all saw it, as
6 a less than optimum solution.

7 **Q.** Perhaps we can look at a letter to Number 10, and that
8 is CBO00100001_053, please. This is just a couple of
9 days later, a letter from Ian McCartney, who was then
10 Minister of State, to the Prime Minister.

11 Is this a document, a letter, that you would have
12 drafted or been involved in the drafting of?

13 **A.** Yes.

14 **Q.** I'm going to read the first two paragraphs. It says:

15 "I have become seriously concerned at our handling
16 of the decision on the future of the BA/POCL counters
17 automation project, Horizon. The Christmas break is
18 upon us, yet despite a series of meetings and several
19 rounds of correspondence, a decision remains beyond our
20 grasp.

21 "On Monday, Stephen Byers put forward a suggested
22 compromise [that's I think the one we just saw] that
23 seemed to command a broad measure of support. Certainly
24 we in DTI would have been content to sign up to it.
25 Yesterday Alistair Darling submitted a counter-proposal

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1 drafted earlier in the day and bits filled in or do you
2 think you actually urgently responded in the evening of
3 21 December --

4 **A.** I think it's entirely possible that I responded that
5 evening. I do remember that around this time there were
6 an awful lot of awfully late nights.

7 **Q.** If we look at paragraph 2, please, it says there in bold
8 and underlined:

9 "This is the outcome for which we have fought for
10 the last nine months, and you should strongly support
11 the Chief Secretary's proposal."

12 So clearly, in terms of the DTI position as at
13 21 December, it was fully in support of that proposal?

14 **A.** Yes.

15 **Q.** Can we go over the page, please, to paragraph 7. Now,
16 we saw stage 2 mentioned in the chief secretary's
17 document, and it says here:

18 "Stage 2 has clearly been devised to try to make the
19 package more palatable to DSS. At any level much beyond
20 that of a rather obvious face-saver it seems unlikely to
21 succeed. What may also help, however, is that the
22 argument has moved quite strongly against DSS and
23 Option 3 (termination of Horizon, rapid move to ACT) on
24 two fronts in recent weeks."

25 Can you tell us about where things had reached at

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1 which essentially revisits an option we had already
2 discarded -- namely that of continuing with the Horizon
3 infrastructure whilst dropping the Benefit Payment
4 Card ... and introducing early compulsory ACT."

5 The next paragraph says:

6 "We should be clear that the smartcard at the heart
7 of Alistair's proposal has absolutely no direct role in
8 the delivery of welfare benefits or in the early
9 introduction of front-end banking at post office
10 counters."

11 Would it be fair to say that that was quite a tense
12 period with the Treasury and those are quite strong
13 words?

14 **A.** I do remember drafting this and feeling at the time --
15 and I was absolutely not alone in this -- that this kind
16 of paralysis that seemed to have been reached at
17 ministerial level was damaging everybody and costing
18 a lot of money, and not moving anything towards
19 an outcome at all, and that somehow this logjam needed
20 to be broken, and that it was very disappointing that
21 DSS was simply trying to loop the thing back into the
22 same old arguments.

23 I think the sentence about "We should be clear that
24 the smartcard ... has absolutely no direct role in the
25 delivery of welfare benefits", I think that meant at

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1 that point in time, not that it wasn't the right way
2 forward for the longer term. But the system at that
3 stage wasn't ready for that, and we hadn't at all worked
4 out how that was all going to be -- how that was all
5 going to be done.

6 The intention had been, from the DTI's standpoint,
7 was that it would be best to continue with the Benefit
8 Payment Card until such time as the technology had sort
9 of caught up, and the Benefit Payment Card could then be
10 converted to have smart -- I mean, not the card itself,
11 because that was just a "dumb" card, but that it could
12 be replaced by a smartcard which would do the same thing
13 as the Benefit Payment Card plus a load of other things.

14 **Q.** 23 December 1998 is a significant date in that it was
15 the date that Stephen Byers was appointed as Secretary
16 of State at the DTI.

17 It's referring to the proposal he made whilst Chief
18 Secretary to the Treasury. Are we to read anything into
19 his appointment at the DTI in respect of Horizon and
20 whether it was effectively a safe pair of hands in terms
21 of the continuation of the Horizon project?

22 **A.** I think you'd probably have to ask the Prime Minister
23 that, what his motivation in moving his ministers around
24 in the way that he did at that point in time.

25 **Q.** Was there a consistency of approach by his appointment?

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1 50% above the level of previous years. Most of them are
2 those which for social reasons we least want to lose.

3 The General Secretary of the National Federation of
4 SubPostmasters is in no doubt that the largest single
5 factor behind these depressing figures is the continued
6 uncertainty about the future of the Horizon project and
7 the associated introduction of the BPC."

8 Again, that's quite a bleak picture if Horizon isn't
9 taken forward; would you agree with that?

10 **A.** I would ... a slight gloss on that. It's a pretty
11 depressing picture if nothing is decided. We want -- we
12 know what we wanted/decided, but it was getting to the
13 point where almost any decision that moved the thing
14 forward would have avoided this situation which is spelt
15 out here.

16 I think the level of frustration behind this that
17 you can perhaps read into it ... I may have written the
18 words but it was a widely shared sentiment at that point
19 in time.

20 **Q.** But the next paragraph refers to concerns about Fujitsu
21 and Japan, and that's something that I'm going to come
22 onto, but certainly the picture that's being painted
23 there for the Prime Minister is that things are going to
24 be very bad if the Horizon project isn't taken forward?

25 **A.** If -- again, I would say if no decision is made. The

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1 **A.** Well, as it happens, yes, there was. Whether that was
2 deliberate or not, I can't -- I can't tell you.

3 **Q.** If we go over the page, I assume that this letter was
4 written before the change in Secretary of State, because
5 it refers to --

6 **A.** Yes, I believe, I believe it was, yes.

7 **Q.** Is that a reason why it was sent from Ian McCartney at
8 that time, because perhaps the Secretary of State
9 himself was moving?

10 **A.** It might have been, I honestly don't remember.

11 **Q.** I'm going to read the first paragraph there, so it says:
12 "We simply cannot allow ourselves the luxury of
13 continuing to avoid a decision by tabling each time some
14 new variation on which to commission further work. The
15 continuing delay and uncertainty is already causing
16 serious damage and hardship. The 18,000 subpostmasters,
17 who have collectively sunk £1 billion of their own money
18 in the business, are finding it increasingly difficult
19 to sell their businesses when they wish to retire or
20 move on. The number of such offices remaining unsold on
21 the market is unusually high. Reinforcing this, the
22 number of net closures within the network (offices which
23 have closed and for which the Post Office has been
24 unable to find replacement subpostmasters) in the seven
25 months since the beginning of April is running at some

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1 decision we wanted, of course, was that Horizon should
2 be taken forward, for all the reasons that we've been
3 spelling out for weeks and months, but I think more than
4 anything at this point in time was "For heaven's sake,
5 can we not take a decision on moving forward?"

6 **Q.** Then the paragraph after, I'm just going to read the
7 first half of that paragraph, if we could scroll down
8 slightly:

9 "The proposal in Stephen Byers' letter of
10 21 December is based on a long period of intensive
11 commercial negotiation as well as a thorough technical
12 appraisal. It offers both a way forward with the lowest
13 technical and commercial risks, and the best prospects
14 of maintaining a financially viable nationwide network
15 of post offices into the future."

16 We again there see that reference to "lowest
17 technical risk".

18 There seems to be a theme in DTI correspondence over
19 this period which is at odds with some of the risks that
20 were being presented in that expert report that we saw
21 this morning.

22 Would you agree with that, or do you still maintain
23 the position you had before lunch?

24 **A.** I still maintain the position. Maybe the words were not
25 as well chosen as they might have been. We believed at

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1 that stage genuinely that the Horizon project, as
2 outlined at this point in time, was going to work and
3 offered a better and more secure way forward than
4 abandoning it and starting something completely new at
5 this point in time.

6 **Q.** Moving to early 1999, it seems as though there were
7 quite a few developments over Christmas and the early
8 New Year. Can we look at CBO00100001_039.

9 Thank you very much. This is a letter from the
10 Private Secretary to the Prime Minister, it's addressed
11 to Rod Clark, who I believe was at the DSS at that time,
12 and it's dated 14 January 1999.

13 Do you recognise this letter, or would you have seen
14 this letter at the time?

15 **A.** Yeah, I will have -- I would have seen it, yes.

16 **Q.** There is a very bold header that says:

17 "NO FURTHER COPIES SHOULD BE MADE of this letter,
18 and it should be made available ONLY to other Ministers
19 and officials with a STRICT NEED TO KNOW of its
20 contents."

21 Is that unusual?

22 **A.** I have not seen it very often, if at all.

23 **Q.** Do you know why it would have been written?

24 **A.** I imagine because some very sensitive negotiations were
25 going on at the time, and what was going on at

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1 demonstration in March that the National Federation of
2 SubPostmasters organised back in about 1994, people were
3 joining that not because they were so opposed to the
4 idea of having their benefits paid into bank accounts,
5 though a lot of them obviously were, but more because
6 they were told that this would pose a very real threat
7 to their village shop, to their corner shop, and so on.

8 **Q.** We see some more involvement from the Prime Minister on
9 1 March 1999. Can we look at that, BEIS0000375. This
10 again is a letter from the Principal Private Secretary.
11 Would you have seen this at the time?

12 **A.** Well, at the time or very shortly thereafter, yes.

13 **Q.** Can we just scroll down slightly. This addresses what
14 was then called "Option 2a". I think that was a benefit
15 account that was only accessible at the Post Office plus
16 a smartcard option. Do you remember that at all?

17 **A.** I confess at this distance in time my recollection of
18 exactly what the various options -- I think at one time
19 there was an option A, B1, B2, B3, C -- I don't remember
20 the detail of them all.

21 **Q.** Are you aware of what the Prime Minister's position was
22 around this time? Did he continue to be supportive of
23 the overall project?

24 **A.** I think he remained supportive of not walking away from
25 ICL, in particular, and of finding some way that

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1 a political level in the background was perhaps best
2 kept away from those commercial negotiations, I guess.

3 **Q.** The Prime Minister's position is set out there, and I'll
4 just read those two points. It says:

5 "our key objective should be to develop the Horizon
6 Project, by negotiating with ICL the earliest possible
7 move to smart cards. It will be extremely important to
8 get the Post Office to take this negotiation seriously.

9 "but at the end of the day, if this negotiation does
10 not succeed in improving upon the existing Benefit
11 Payment Card project, it would be better to accept this
12 project than to pull out of the negotiation with ICL
13 completely, with all the damage that could do."

14 Were you aware at the time of why the Prime Minister
15 was of that opinion?

16 **A.** I think the Prime Minister was very well aware of the
17 damage that pulling out of Horizon, pulling out of ICL,
18 I think, would do to ICL, to Fujitsu, to that sector of
19 the UK economy, to the credibility of the PFI project,
20 as well as the political fallout from subpostmasters and
21 people who liked to use sub post offices, if something
22 was leaked or made publicly available, which meant that
23 they risked losing their village Post Office or their
24 corner shop, or whatever it is.

25 I'm quite sure from talking to people that the

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1 satisfied the parties who were involved in all of this
2 and allowed the project to move forward, with -- with
3 ICL, I think is the key bit of that.

4 **Q.** How important was the Prime Minister's guidance,
5 direction, decision, view?

6 **A.** I would have taken it very seriously, certainly, yes.

7 **Q.** How important -- were you aware of, for example, the
8 Post Office taking it seriously?

9 **A.** Erm ...

10 **Q.** Were you aware of the Post Office even being aware of
11 it?

12 **A.** Not aware of this in terms, no. You'd have to ask them,
13 obviously, but my recollection is that the Post Office
14 were getting more and more fed up with this. They
15 clearly -- their position was different from ours, if
16 you like, in that what they wanted was to keep the
17 Benefit Payment Card, and anything that took away from
18 that increased, in their view, the risk to their
19 customer base -- and that was obviously something they
20 didn't want to see -- and not just their customer base,
21 but also the revenue that they got from the
22 Benefits Agency for delivering those services.

23 **Q.** To what extent were they influenced by senior
24 politicians?

25 **A.** The Post Office board was clearly made aware of our

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1 Secretary of State's thinking. They were -- they would
2 also have been aware through POCL's links with the
3 Benefits Agency and through DSS, and so on, where other
4 ministers were on all of this, and what the remaining
5 risks were that it would all go against them still. But
6 I think they shared the frustration that things had got
7 stuck and they couldn't move them forward and, you know,
8 all the time things were kind of drifting away from
9 them.

10 I think, even at the point that the project, as
11 finally agreed, started to be rolled out, they may have
12 got a bit more relaxed about it once it was going. But
13 I remember sensing still quite a lot of residual
14 bitterness, a feeling that they had been shafted, if you
15 like, and hadn't got what they wanted. Nobody had got
16 exactly what they wanted. It was a compromise.

17 **Q.** Moving to April 1999, can we look at BEIS0000362,
18 please. This is another ministerial submission that you
19 wrote on 16 April 1999. Can we look at paragraph 2,
20 please:

21 "After an immense amount of effort by all the
22 parties concerned over the past two or three days to
23 refine and analyse the costings associated with Option B
24 (the smartcard-based post office benefit account) ..."

25 So I think that was the option that, at some stage,

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1 **A.** Absolutely.

2 **Q.** -- and the DTI's position is clearly set out there, that
3 it certainly wouldn't be a party to termination?

4 **A.** Yes.

5 **Q.** Then if we go over the page, paragraph 5, you make
6 a number of points, the first is:

7 "The Prime Minister's remit was to explore
8 an alternative way forward to Option A, not to introduce
9 the already discarded option of termination."

10 If we could look at the very final bullet point:

11 "Finally, the history of Option A is indeed one of
12 dysfunctional relationships, but tame acceptance that
13 two public sector bodies would refuse to give effect to
14 a clear collective decision by Ministers is a sad basis
15 for deciding on termination, with all the damage that
16 would do."

17 Again, strongly worded --

18 **A.** Oh dear, I was upset. Yes.

19 **Q.** Had ministerial submissions become less strongly worded
20 over the years or was this a particularly
21 strongly-worded ministerial submission, or maybe both?

22 **A.** Maybe a bit of both. Again, the frustration that we're
23 just going round the same loop again and not finding
24 a way through it. Nobody's disputing that some of these
25 arguments that are put on the other side had validity

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1 was a 2a, the one that I mentioned before:

2 "... the inescapable conclusion is, looked at
3 narrowly, this option is significantly more expensive
4 than Option A (the Benefit Payment Card)."

5 Just at the end of that paragraph:

6 "This conclusion is scarcely surprising since
7 Option B involves paying ICL for the aborted Benefit
8 Payment Card and then paying on top of that for the
9 development for the Post Office benefit account and for
10 the smartcard.

11 "This led the Treasury to produce at lunchtime today
12 a draft report by officials for Ministers concluding
13 that Option B is too expensive and should be rejected by
14 Ministers; and that Option A is undeliverable -- not for
15 technical reasons but because of the
16 'dysfunctional relationships' between the contracting
17 parties -- and should also therefore be rejected. This
18 leaves only termination which should be accepted by
19 Ministers as the least bad of three thoroughly
20 unattractive options."

21 You say at the bottom there, in paragraph 4:

22 "I said immediately that DTI officials could not be
23 party to such a conclusion."

24 Again, there seems to be quite a divide in
25 Government on the way forward --

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1 but, at the end of the day, you were in a situation

2 which had generated some political imperatives and
3 trying to pretend that they didn't exist or kicking
4 against them, if you like, was just wasting everybody's
5 time.

6 **Q.** I'm going to move to May 1999, and can we look at
7 BEIS0000275, please. This is a note of a document of
8 11 May 1999. It's from Katherine Hathaway, I believe
9 she was a civil servant in your Department; is that
10 right? Do you remember --

11 **A.** I don't remember, actually, I'm sorry, but I don't.

12 **Q.** In the first paragraph it mentions a meeting with
13 George Hall?

14 **A.** Yes.

15 **Q.** Do you recall George Hall? I believe he worked at ICL.

16 **A.** Yes.

17 **Q.** This is a document that the Inquiry's seen before, it
18 was put to Keith Todd, and I'll just read to you the
19 first paragraph under "Horizon".

20 **A.** Yes.

21 **Q.** It says:

22 "We spent the first 30 minutes discussing Horizon
23 during which George confirmed that he knew that
24 Ministers were split between cancelling the project and
25 option B1 (version 2) -- he also knew exactly where that

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1 split lay, ie HMT/DSS versus the others. When asked how
2 the deadline of 23 April had been extended he admitted
3 it was only because ICL were fudging their financial
4 reporting with potentially disastrous results as far as
5 the directors were concerned."

6 Can you offer us any insight into that at all?

7 **A.** Into what ICL were doing? No, I can't.

8 **Q.** Do you remember this allegation being --

9 **A.** Well, I know that what -- they were doing everything in
10 their power to keep the project alive. I also know --
11 I don't remember the details of it very well -- that
12 Fujitsu were looking to float Horizon -- to float -- I'm
13 sorry, to float ICL and, obviously, ICL were trying to
14 make sure that nothing awful happened that would kill
15 that.

16 **Q.** The next paragraph:

17 "He confirmed that Keith Todd will lose his job
18 should Horizon go down and that Fujitsu will divest
19 themselves of ICL which will be broken up and the
20 Services side will probably go to Siemens along with
21 some other Fujitsu interests on the hardware side.
22 Siemens are known to be interested in acquiring
23 a services business and are already in discussion with
24 Fujitsu."

25 Did you see that as a genuine concern or

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1 **A.** I don't know what he meant by that. I can only guess
2 that he may have meant that a lot of DSS's claims were
3 not well-founded and that DSS were attempting to achieve
4 their objectives using information that wasn't really
5 correct or wasn't proven, or whatever. I don't know.

6 **Q.** This is quite a frank conversation with somebody from
7 ICL. Did ICL see the DTI as being very much on their
8 side --

9 **A.** Yes. Yes, they did. And I had that from a number of
10 sources on a number of occasions, that they were
11 grateful that we were -- we were doing our best for
12 them, and they knew that we were fighting hard against
13 a very determined opposition. And I say it again:
14 I have a great deal of sympathy with the
15 Benefits Agency's stance on this. It made perfect sense
16 from their point of view.

17 **Q.** This is 11 May. On 24 May, POCL and ICL reached
18 an in-principle agreement, and I'm going to go to
19 28 May, that's BEIS0000355. This is another submission
20 from yourself and this is a stage where a new working
21 group was established. This is the 1999 working group
22 I think that you mentioned earlier.

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

24 **Q.** Can you tell us briefly why that working group was set
25 up?

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1 a negotiating tactic of some sort, regarding the future
2 of ICL?

3 **A.** Yeah. Ultimately, I think, you know, that is what --
4 that is what could have happened. I'm not saying that
5 I thought at the time that this is imminent, this is
6 what is going to happen. But certainly I didn't
7 discount it as, if we carried on fudging this and making
8 such a mess of it, that might well be where it all ended
9 up, and particularly so, particularly so, if we cut
10 loose ICL from going forward with the project.

11 **Q.** The next paragraph:

12 "He also said that he was personally hawkish about
13 the legal situation and regarded DSS as having been
14 utterly duplicitous (he suggested that ICL might accuse
15 DSS of fraud -- which I somehow doubt actually). Indeed
16 he suggested that Horizon had been a great eye-opener
17 for ICL as regards to how the Government did business
18 and that ICL would think very hard about ever
19 undertaking this kind of project again. I assume that
20 this will become common knowledge around the industry
21 eventually and that PFI in IT areas will become even
22 more difficult than it already is."

23 Why were DSS seen as duplicitous? Are you able to
24 offer any insight into that? I appreciate they're not
25 your words.

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1 **A.** Yes. I think it was to involve parties who hadn't been
2 directly involved in other discussions, to bring them
3 together, mainly the groups of people, NFSP and CWU, and
4 so on, who were going to be using the equipment. We
5 wanted to bring them in at that stage so that they had
6 a sense of understanding where we were trying to get to
7 and how we were trying to get there. But, equally
8 importantly, we saw that group as being a very useful
9 source of feedback as to how the rollout was actually
10 going and whether problems were being quickly
11 identified, quickly reported back, quickly acted on,
12 quickly resolved.

13 **Q.** This submission sets out four issues. Can we look at
14 paragraph 2. The first issue there:

15 "... there are negotiations between POCL and ICL
16 that need to take place over the next 2-3 months to put
17 in place the detailed contractual arrangement that will
18 give effect to the outline agreement reached last
19 weekend."

20 Then the next paragraph outlines a second issue, if
21 we could scroll down slightly:

22 "The second issue is to ensure that the remaining
23 development phases of Horizon, including large scale
24 live trials are completed without further slippage; and
25 most crucially that the rollout of the system following

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1 acceptance to all offices within the network is
2 accomplished in a smooth and timely fashion. The CWU
3 and NFSP members will be in the front line of the action
4 during these phases, and both organisations have much to
5 contribute to the successful completion of these
6 phases."

7 It seems that the second issue is about prompt
8 rollout of the system, no further slippage; is that
9 right?

10 A. I --

11 Q. Is that a fair description of that second issue?

12 A. Yes, it is.

13 Q. Over the page, please, to number 4. This is the third
14 issue:

15 "The third issue is how to maximise the commercial
16 potential of the Horizon platform."

17 Then number 5 sets out the fourth issue:

18 "The fourth issue is how POCL is to be funded in the
19 medium and longer term future once some £400 million of
20 revenue from BA ... begin progressively to walk out
21 through the door from 2003."

22 At the bottom of the page, it has the suggested
23 terms of reference and, over the page, please, there are
24 the three points there. Number 1:

25 "To oversee the negotiations between POCL and ICL

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1 wasn't working properly.

2 Looking at these words again, I don't know, I think,
3 if I was drafting it today -- which thank goodness I'm
4 not -- rather than "oversee", which implies some kind of
5 control over it, as it were, I think the concept was
6 more to keep a very close eye on and to see whether
7 there are thoughts or whatever that you can contribute
8 to the process, as it goes on.

9 Q. Who was expected to pass on through this group those
10 kinds of issues?

11 A. I'm ...

12 Q. Who would you have expected to be contributing within
13 the group --

14 A. Yes.

15 Q. -- to problems with the completion and development --

16 A. To be contributing within the group? I would have
17 thought, particularly, the National Federation of
18 SubPostmasters because it was primarily their members up
19 and down the country operating 40,000 or whatever it was
20 of these terminals, who would be coming up with any
21 problems that they were -- that they were finding.
22 I mean, they would know if something wasn't working
23 properly, and if it wasn't working properly it needed to
24 be reported upwards and it needed to be jumped on very,
25 very quickly.

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1 which will develop the letter of agreement signed
2 between the parties on 24 May into a Codified Agreement
3 governing the contractual relationship under which the
4 project will be taken forward; and to facilitate
5 solutions to say any problems which may arise ..."

6 Second:

7 "To oversee, to contribute actively to, and to
8 facilitate solutions where problems arise, the
9 completion of the development phases of the Horizon
10 project, and in particular the smooth and timely rollout
11 of the system to all offices within the Post Office
12 network; and [three]

13 "To contribute through ideas, contacts and other
14 practical measures, to maximising the commercial
15 potential of the Horizon infrastructure, thereby to the
16 future viability of the Post Office network as a whole."

17 Is it right to say that this 1999 working group
18 wasn't a technical group to analyse technical issues?

19 A. No, not at all. No, not at all. But, except that if
20 issues arose in sub post offices when they were trying
21 to work the system for the first time, those issues
22 would be identified and reported back. Whether they
23 were technical issues or not, I don't know, and probably
24 the people who were reporting them back wouldn't
25 necessarily know. They would just know that something

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1 Q. In terms of significant technical reports to government,
2 am I right in saying that it's the 1998 working group
3 that was the significant report, as far as that is
4 concerned, and that the -- sorry, the 1998 working group
5 report, and that the 1999 working group was not looking
6 at things at a technical level but was --

7 A. Yes.

8 Q. -- as you say, receiving information from, amongst other
9 people --

10 A. Yes.

11 Q. -- the NFSP?

12 A. At this point in time, I'm not sure how much the
13 original working group and its technical subgroup were
14 still actively involved in all of this. My
15 recollection, which may be quite wrong, is that they
16 weren't or weren't to any very great extent. I don't
17 recall them as being. What I would have expected is, if
18 some of these things that were being identified by
19 subpostmasters as not working properly, they would have
20 been, as I say, reported up to their bosses, to
21 helpdesks or whatever and, if necessary, they would have
22 been escalated upwards, the Benefits Agency is out of it
23 at this point of course, through POCL, through ICL, and
24 escalated to whatever level was necessary to authorise
25 whatever needed to be done to put it right.

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1 Q. We see on this page the suggested membership, so we have
2 there the DTI --

3 A. Yes.

4 Q. -- POCL, Communications Workers Union, National
5 Federation of SubPostmasters, "ICL would not formally be
6 a member, but would be invited to attend meetings as
7 appropriate". Is this group the core group for feeding
8 back those kinds of concerns that are arising during
9 that rollout period?

10 A. It was absolutely -- it was intended to be absolutely
11 a primary channel for that purpose. It doesn't mean
12 that it would be the only one, but yes, it would be
13 a primary one and it would be perhaps the -- I was going
14 to say almost the only one that would be reporting --
15 whose reports back would have gone to ministers.

16 Q. Can we look at NFSP00000471, please. This is a report
17 of an NFSP meeting in June 1999.

18 Would you have seen these reports at the time?

19 A. Not at all, no.

20 Q. I've taken previous witnesses to these minutes and I'm
21 going to take you to the same couple of passages at
22 page 23, please, about halfway down on that page.

23 In fact, if we look at the page before, it will make
24 it clear at the bottom of that page, 9(c), the
25 discussion here is on "Counter Automation -- BA/POCL",

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1 "Pointing out that it is now three years since the
2 project was first mooted, which is a very long time in
3 the technological world, she suggested that a different
4 system be tried, smaller and less complicated, which
5 would be of greater benefit to the smaller offices and
6 probably be a good deal cheaper and easier to operate.
7 POCL seem to be attempting to build an audit system into
8 the project, making the whole thing far too *[sic]* big,
9 too cumbersome and too complicated."

10 Were you aware of these kinds of concerns at the
11 time being raised in an NFSP meeting?

12 A. No, I read the pages that you've just referred to and
13 several of the pages that follow it and I was absolutely
14 horrified. I thought it was unbelievable that, with
15 this level of concern at this stage in the rollout, this
16 very early stage in the rollout of the project, that
17 something was not done about it.

18 Going on a few pages from here, there's the report
19 of a meeting that I attended --

20 Q. Perhaps we could go to, is it page 27 at the bottom?

21 Sorry, do carry on. I may be pointing to the wrong
22 part.

23 A. There was a bit where the Minister was reported as
24 saying -- or the implication is "I don't care what's the
25 matter with it, this thing's got to go ahead and there

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1 and this is a meeting in June 1999.

2 If we go over the page, please, about three-quarters
3 of the way down there is a paragraph:

4 "There was general discussion on the severe
5 difficulties being experienced by subpostmasters who are
6 already running an automated system. Seven sheets of
7 comments from the North East had been passed to Mr Dave
8 Miller. The difficulties and trauma being experienced
9 by some subpostmasters were giving rise to concerns for
10 their health and emotional wellbeing. It was felt by
11 some that a tragedy was not far away if something was
12 not altered soon. The software was considered to be
13 poor quality and not intended to run such a huge
14 network. The system is based on ECCO which was
15 originally written for a network of 700 -- not 15,500."

16 Over the page, please, about halfway down it says:

17 "The general secretary assured the meeting that
18 Mr David Miller had been informed of the difficulties in
19 no uncertain terms."

20 Over the page again, we have the comments from
21 Miss Lindon:

22 "Miss Lindon commented that this seemed to be
23 a typical Post Office Counters situation and felt that
24 ICL could not be blamed for the problems."

25 It says there:

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1 should be no slippage". I don't recollect at all the
2 Minister saying that sort of thing in those terms. This
3 is very, very stark, and absolutely not what we would
4 have wanted to see. I know there was pressure to get
5 the rollout going and even accelerating, but I can't --
6 I find it difficult to believe that this is something
7 that we would have, as a Department, as a Government, we
8 would have countenanced just turning a blind eye and
9 saying "Get on with it".

10 It didn't come out, I think, in the meeting anything
11 like as starkly as it did in the paragraphs to which you
12 referred just now, and some of the paragraphs around it,
13 which make absolutely terrifying reading, really.

14 Q. So the meeting that you attended, which I think is at
15 the bottom of page 27 --

16 A. Yes.

17 Q. -- that was a meeting with Mr Peberdy and the general
18 secretary. You weren't present at the larger meeting,
19 which is the subject of this report; is that right?

20 A. No, no, no, I was present at the meeting of the working
21 group.

22 Q. Yes.

23 A. Not anything else.

24 Q. The kinds of concerns that we have heard in this report,
25 were those kinds of concerns in any way brought to your

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1 attention by Mr Peberdy at that meeting on 22 June?

2 **A.** I don't think that we -- I'm not saying he was trying to

3 hide anything or not say that there weren't problems,

4 but I don't ever remember getting from anyone anything

5 with the flavour of those earlier paragraphs, which are

6 really -- at the beginning of something, that you're now

7 going to multiply by 100, and 1,000, and 10,000, and so

8 on, and just leave it.

9 **Q.** You've said that the Horizon Working Group 1999 was --

10 **A.** Yes.

11 **Q.** -- the forum to raise those kinds of issues?

12 **A.** It was -- it was a forum to raise these sort of things.

13 Obviously not the only one. Obviously, if you've got

14 a problem you report it to your supervisor or you report

15 it to a helpdesk or whatever, or whatever. But this was

16 certainly a channel for feeding back those kinds of

17 discoveries, if you like, these reactions, and it was

18 the one channel, I would have said, that has direct

19 access to a minister.

20 **Q.** We've seen who was at that NFSP meeting, and we've heard

21 and read that comments were fed back to David Miller of

22 POCL. Who should have been passing on those messages to

23 Government or through the Horizon Working Group?

24 **A.** It should have come out, in my view, much more starkly

25 at the meeting of that working group than it did.

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1 let's not frighten everybody".

2 **Q.** Moving --

3 **A.** That's what I think. I mean, I don't -- you have to ask

4 them about it. But you've got the two documents there,

5 you've got the one which records what's being said about

6 the awful situation which some subpostmasters were

7 finding themselves in, and then you've got the minutes

8 of the meeting, which I suggest don't quite reflect

9 fully the flavour of -- of that.

10 **Q.** Moving to July 1999, can we look at BEIS0000236, please.

11 This is another ministerial submission from yourself.

12 If we scroll down, please -- thank you:

13 "The detailed agreement between Post Office Counters

14 Limited ... and ICL for taking forward the restructured

15 Horizon project was signed by the parties this morning."

16 Over the page, please, to paragraph 5:

17 "After a slow and resentful start, POCL have I think

18 surprised themselves at the progress that they have been

19 able to make with ICL, both in contractual discussions

20 and in resolving a large number of outstanding technical

21 issues. It is very early days yet, and at risk of

22 accusations of wishful thinking, I nevertheless detect

23 in this early progress perhaps some vindication of

24 Ministers' decision to simplify the contractual

25 relationship by taking the Benefits Agency out of the

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1 I don't think -- I don't recall and I don't think the

2 minutes really bring out that anything was put to the

3 group in quite those stark terms. I don't know, maybe

4 I'm misremembering, but I don't recall -- I don't recall

5 that.

6 I know things were raised and, "Yes, we're going to

7 talk to the Post Office about it", and so on. Not --

8 nothing like "This is awful, if this isn't resolved this

9 is an absolute showstopper, you know, we can't roll the

10 thing out like this to all those poor subpostmasters and

11 subpostmistresses around the country and have them

12 having nervous breakdowns, and what have you, because

13 they can't make the system work".

14 **Q.** Who should have been shouting that message?

15 **A.** Well, the representatives in particular of the National

16 Federation of SubPostmasters. I'm not saying they

17 weren't doing their job. I think -- I mean, they must

18 answer to themselves and I knew them very well and they

19 were good people, but they too needed to see the system

20 rolled out and working, and I guess they thought, "Well,

21 we don't necessarily want to start ringing alarm bells

22 too loudly in case it generates pressure to stop the

23 project, or whatever it is. You know, these are

24 concerns, they must be raised with the Post Office, they

25 must be sorted. But let's not overreact, let's not ...

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1 frame, and to simplify the technical content of the

2 project by removing the Benefit Payment Card."

3 Would it be fair to say that you were cautiously

4 optimistic at that stage?

5 **A.** Yes, I was, and I think what I was particularly

6 optimistic about was that what caused the original

7 Horizon project, if I can put it like that, to fail more

8 than anything, I think, was that the Benefits Agency and

9 POCL -- I'm not attaching blame to either side -- just

10 couldn't get on, and ICL, who probably had their faults

11 as well, were stuck in the middle of this. And it's --

12 I think it was probably more than anything that that

13 caused the delays and eventually the, sort of, collapse

14 of Horizon Mark I, if I can call it that.

15 **Q.** Paragraph 6:

16 "By the same token, however, if POCL are at least

17 beginning to lift themselves out of the depression into

18 which they sank as a result of the decision to allow BA

19 to move to ACT from 2003, it will now be very important

20 to them for Ministers to reach a compromise that at

21 least gives them some modest gains over what is

22 currently on offer in their negotiations with BA."

23 A bit further down:

24 "They have a mountain to climb if the hugely

25 ambitious programme for rollout of the system to 40,000

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1 counter positions in nearly 19,000 offices is to be
2 completed on schedule, and if they are to drive forward
3 in a positive and optimistic spirit the search for new
4 business to help plug the £400 million a year hole in
5 their finances that the loss of BA revenue will create.
6 A positive sign from Ministers now stands to produce
7 benefits well beyond its modest cost; a negative sign
8 could not fail to damage the healing process."

9 I think the "state of depression" is something that
10 you mentioned earlier. Can you give us a flavour of
11 that, please?

12 **A.** I just think that, at the end of all these negotiations
13 and before they'd actually got anything on the ground to
14 show for it, POCL felt that they'd been shafted. They
15 felt that they'd been kind of cut adrift with no Benefit
16 Payment Card and a system that they didn't know what
17 they could do with.

18 The negotiations with ICL for Horizon Mark I had
19 been so fractious and unproductive that they probably
20 feared that the same thing might happen with Horizon
21 Mark II, but I think they found -- or at least the
22 people who were dealing with ICL found -- that when it
23 was just a one on one and there wasn't this ridiculous
24 sort of triangular relationship, that they could
25 actually make progress and get things done, and I think

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1 before, but I thought -- and after the end of -- or
2 towards the end of 2000, I wasn't there any more, I'd
3 retired, so I don't know how it progressed after that
4 point. But when I left it, I thought there was
5 a greater sense of optimism than there had been up until
6 that point.

7 **Q.** The second half of this paragraph describes the rollout
8 as "hugely ambitious". Do you think it was too
9 ambitious in respect of its timeframe, for example?

10 **A.** I'm sorry, what are we looking at now?

11 **Q.** So:

12 "They have a mountain to climb if the hugely
13 ambitious programme for rollout of the system to 40,000
14 counter positions and nearly 19,000 offices is to be
15 completed on schedule ..."

16 **A.** Yeah.

17 **Q.** Looking back at it, or perhaps even your view at the
18 time, do you or did you consider that it was too
19 optimistic and perhaps rushed?

20 **A.** I remember thinking that this was a huge programme to
21 try to manage, to, you know, to get 40,000 terminals in
22 and working and the people trained to use it properly
23 and the helpdesk set up and in place, and all that.
24 Yes, enormously ambitious. I don't think I had a sense
25 that, "Oh, this can't possibly work, can it?" But just

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1 they started to feel an awful lot more cheerful.

2 That was the sense that I got from the people that
3 I spoke to but perhaps I was speaking to the wrong
4 people.

5 **Q.** Well, we've seen an ICL monthly report, I'm not going to
6 take you to it, I think you have been provided with it
7 recently. Its reference, for the purpose of the
8 transcript, is FUJ00058183. That's a report of
9 June 1999 and it says that POCL continued to remain
10 negative and critical towards the programme and hadn't
11 got over their bitterness in the way in which they'd
12 been treated by the public sector and that they held ICL
13 partly responsible. Is that something you would agree
14 with?

15 **A.** Well, it's obviously somebody's interpretation of what
16 they feel the mood in POCL to be. You know, I've said
17 that there was a great deal of bitterness around the
18 start of the rollout programme. I was certainly aware
19 of that. But the clouds seemed to be lifting, it seemed
20 to be looking an awful lot more positive, but ...

21 **Q.** Did you sense any mistrust between the Post Office and
22 ICL at that stage?

23 **A.** No, I don't think I did. I think probably POCL, as the
24 thing went along, were kind of half expecting nasty
25 surprises, because of the bad experience that they'd had

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1 sort of looking with some awe at what they were planning
2 to achieve.

3 **Q.** The Benefits Agency had pulled out in May 1999, the plan
4 was to roll out pretty soon. Do you think the time
5 period that was left for, for example, all of that
6 testing that you talked about at the very beginning of
7 today, do you think there was sufficient time for all of
8 that?

9 **A.** I suppose, do I or did I? I don't know, I don't know at
10 the time how conscious I was of all of that. Looking at
11 it now, my understanding is that, once they had ripped
12 the guts out of Horizon, that is the removal of the
13 Benefit Payment Card part of the technology, the amount
14 of testing that was done thereafter to see whether the
15 residual bits were working properly, there was very
16 little time. I'm not saying that the testing wasn't
17 adequate. There was very little time, and I wonder
18 whether there was enough time for all of the testing
19 that should have been done, could have been done, would
20 have been desirable to do, was actually done.

21 But it's very easy always in these circumstances to
22 say "Well, in an ideal world we'd have spent another
23 six months testing this" but it wasn't -- it was
24 a somewhat less than optimum world, if you like, that
25 they were trying to do all of this in.

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1 Q. We know from this morning that in 1998 there was this
2 thorough look into the viability of the Horizon system.
3 Do you think that that summer of 1999 would have been
4 an appropriate time to have carried out another
5 government look at the reliability, this time, of the
6 Horizon system?

7 A. Yeah, in retrospect, perhaps it would. I don't know
8 what the technical experts would have felt at the time,
9 whether it was worth going back and having another
10 sort of look at the roots, as it were, to see how they
11 were growing. Clearly, by the time it was rolled out,
12 quite a lot of time had elapsed and we know that, in
13 that time, it wasn't -- it wasn't visible to us. But we
14 knew that work was continuing, even though ICL had been
15 put in breach back in the November, or whatever it was,
16 and they must have known that that was coming down the
17 road at them anyway.

18 My understanding is that they carried on working and
19 carried on with developments, in the hope, certainly,
20 that when ministers finally sort of say got their act
21 together -- that sounds terribly patronising, I don't
22 mean that -- that once decisions had been reached they
23 would be that much further forward and be able to move
24 the thing on.

25 Everyone, I think, was conscious of time in all of

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1 freeze'.

2 "ICL confident that these are just glitches for
3 which they have an effective fix. POCL want
4 a demonstration of this by 2-3 weeks clear running
5 before accepting the system [because] (acceptance
6 triggers a [significant payout to ICL, £68 million]."

7 Where would that information have come from, do you
8 know?

9 A. I think we would have been -- we would have been told of
10 that by the Post Office, I assume. I don't know --

11 Q. Is that the kind of technical detail that you would be
12 provided with at that stage, that limited detail, or do
13 you think --

14 A. I don't think we would have been provided with that
15 sort of level of detail at all if it hadn't suddenly
16 cropped up as a potentially serious means of delay to
17 the programme. In the event, it wasn't and POCL
18 apparently had satisfied themselves that the patches
19 that had been put in place were good and were holding,
20 and so they went ahead with it.

21 But no, we wouldn't normally have had sight of that
22 level of detail, if it hadn't been for the context of
23 it. I believe there was something else around at the
24 time concerning helpdesks that had to be resolved as
25 well, that POCL were unhappy about. But, other than

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1 this. The Benefits Agency, very conscious that until
2 something was sorted the losses from fraud on the
3 paper-based system would continue unabated, so they too
4 needed this thing to be, to be settled.

5 Q. Can we look at a document from August 1999, that's
6 BEIS0000119, please. This is lines to take that had
7 been prepared for a meeting with Derek Hodgson. Do you
8 recall this document or the background to this at all?

9 A. I think I probably do, yes.

10 Q. It doesn't matter so much because I'm only really going
11 to take you to the background section but if there is
12 anything that you recall --

13 A. I was just going to say about what's on the screen at
14 the moment, "in two respects the system was not yet
15 suitable for acceptance and declined to do so". What we
16 understood, that there were screen freezes and something
17 at the --

18 Q. Perhaps we could scroll down, actually, as that's where
19 the two problem areas are highlighted. It says:

20 "The two problem areas which led POCL to refuse
21 acceptance on 18 August are:

22 "(a) some connection difficulties resulting in
23 a small number of counter transactions not being
24 properly recorded in the 'back end' systems;

25 "(b) higher than expected incidence of 'screen

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1 that, at that point in time, we had no reason to believe
2 that POCL were anything -- and ICL -- were anything
3 other than satisfied that the system was in
4 a sufficiently good shape for it to be rolled out.

5 Q. You have mentioned the helpdesk. Perhaps I can take you
6 to another document that shows that, BEIS0000264.

7 A. Yes.

8 Q. This is just a front sheet. In fact, it's the annex to
9 that that I'd like to take you to, but that has
10 a separate document reference number, that is
11 BEIS0000265, and these are "Points to make". It's for
12 a meeting between Patricia Hewitt and ICL on
13 2 November 1999.

14 It says there:

15 "I was pleased to hear that the Post Office formally
16 accepted the Horizon automation system on 24 September
17 although I understand that this was delayed by one
18 month."

19 If we look over the page, it has some background
20 there:

21 "Formal acceptance of the reconfigured Horizon
22 system planned for 18 August was postponed because of
23 Post Office Counters' concerns about training, system
24 stability, data integrity (there had been
25 an unacceptably high level of screen freezes) and the

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1 effective operation of the helpdesk. The Post Office
2 accepted the system on 24 September on the basis that
3 effective remedial action had either been completed or
4 was in hand.

5 "Currently 950 post offices are automated and the
6 Post Office expect that this will rise to 1,800 before
7 Christmas. The Post Office is committed to achieving
8 rollout of the system by March 2001 at the rate of 300
9 offices per week."

10 So, again, there there's mention in very summary
11 form of the kinds of issues that are being experienced
12 on the Horizon system.

13 Having seen those NFSP meeting minutes, for example,
14 do you feel that, at that time, so August, September,
15 October 1999, you were being provided with a frank
16 assessment of the rollout success or otherwise?

17 **A.** I have no reason to believe that the Post Office, that
18 POCL, would have wanted to cover up any problems that
19 there were. I can't believe that they would have wanted
20 to sign a cheque for £68 million, or whatever it was,
21 for the system if they weren't satisfied -- well, in the
22 words here, "that effective remedial action had either
23 been completed or was in hand".

24 I think -- again, I've said before, a system of this
25 size and this complexity was bound to have teething

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1 about?

2 **A.** I don't remember that particular document.

3 **Q.** Perhaps we could scroll down slightly.

4 **A.** Yeah. I think this was -- I mean, this was just lines
5 to take on what the select committee had reported --

6 **Q.** Yes.

7 **A.** -- on.

8 **Q.** Perhaps if we keep on scrolling --

9 **A.** Yes.

10 **Q.** -- we can see where it goes to the Q&A brief.

11 **A.** Yes.

12 **Q.** Over the page, please.

13 **A.** Yeah.

14 **Q.** It addresses on page 5 --

15 **A.** Right.

16 **Q.** -- halfway down -- these are simply, I think, press
17 lines or lines to take, I think the -- in fact, the
18 covering document said "To: Ms Madson News", so
19 presumably that's the newsdesk of the DTI, is it?

20 **A.** Yes.

21 **Q.** Yes. It says there:

22 "Given the failures in this project, why didn't the
23 Government just terminate and find another supplier?"

24 The line to take there is:

25 "The Government is satisfied that the agreement has

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1 problems showing up and the issue was: how quickly can
2 you jump on these, how quickly can you resolve them and
3 put corrections in place?

4 I don't know what the answer to that was because, as
5 I say, I wasn't there for very long after that.

6 **Q.** But do you think at that time you were being provided
7 with sufficient information about how it was going?

8 **A.** I don't think we would have been provided with a lot of
9 detailed information at all. We would have been
10 provided with information about the bigger issues and
11 told when they were -- and told when they had been
12 resolved. I'm not sure how much of this also came up
13 through the Horizon group 1999.

14 **Q.** I'm going to take you to one more document before we
15 have a short break, and then I've just got some
16 individual issues to take you to that shouldn't last too
17 long.

18 Let's look at this further document, it's
19 BEIS0000478. You produced some briefings and lines to
20 take in autumn of 1999. I think a few different ones
21 have been provided to you in advance of today, but it's
22 this one that I will take you to.

23 These are lines to take in respect of the Trade and
24 Industry Select Committee report. Do you remember in
25 summary what that report said or what that report was

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1 put the project back on track, this will deliver
2 a modern online IT platform to some 40,000 counter
3 positions in more than 18,000 post offices and
4 represents the best value for money for the taxpayer."

5 There are lots, if we keep on scrolling, of subjects
6 but technical robustness is only addressed at page 13.
7 Over to page 13, please, thank you. It's the second
8 point there, it says:

9 "IT consultants appointed by the Government's review
10 found the system to be technically robust and
11 deliverable?"

12 So this is a point, an anticipated point, that
13 somebody may put to the DTI?

14 **A.** Yes. Yes.

15 **Q.** The response is:

16 "They also found that its deliverability wasn't
17 dependent on a number of other factors. Given the
18 possibility of further delays with the project, and the
19 lack of assurances on cost and timetable, the Government
20 decided that a restructuring of the project had become
21 essential."

22 That reference there to IT consultants having found
23 the system to be technically robust and deliverable,
24 that seems again to be a reference back to the 1998
25 report and the DTI's interpretation of that report. Do

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1 you --

2 **A.** I think it must have been earlier than that. I think --

3 my recollection is that the original Horizon, Horizon

4 Mark I, if you like, which was -- which was close to

5 completion, although it wasn't allowed to go ahead and

6 get properly completed, the technical experts looked at

7 that and said, in effect "If this had been allowed to go

8 ahead we think it would have worked and worked well", is

9 my recollection.

10 **Q.** So you don't think that that is a reference to,

11 for example, the PA Consulting report back in 1998 that

12 fed into the Horizon Working Group report?

13 **A.** I don't think specifically it was a PA report, no.

14 **Q.** No.

15 **A.** I mean, various -- at that stage, various people were

16 looking at various things.

17 **Q.** What there hadn't been, by this stage, though, so

18 1999 --

19 **A.** Yeah.

20 **Q.** -- was an up-to-date consultant report that found the

21 system, as then being rolled out, to be technically

22 robust and deliverable?

23 **A.** I agree with that, yes, that's true.

24 **Q.** Do you think that that was perhaps a missed opportunity?

25 **A.** It might have been. I'm sure that the reason for it was

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1 **MR BLAKE:** Hello, sir.

2 **SIR WYN WILLIAMS:** Hi there.

3 **MR BLAKE:** Mr Sibbick, I'm going to ask you about a few

4 discrete issues. I shouldn't be very long. I can't

5 imagine I'll be longer than half an hour.

6 **A.** As far as I'm concerned, as long as you need.

7 **Q.** Thank you.

8 The first one is Japan. There are many documents

9 that you have been provided with that address the

10 relations with Fujitsu and wider relations, commercial

11 relations. For the record, for example, they include

12 BEIS0000127, BEIS0000281, BEIS0000127, BEIS0000421.

13 Those are all from September and October 1998.

14 I'm going to start with December 1998, and can we

15 look at BEIS0000336, please. There's BEIS0000334 which

16 is just a covering telegram, and I'll skip over that.

17 Do you remember seeing this, at least in

18 preparation? If not, we can take a bit more time over

19 it. It's a telegram --

20 **A.** Yeah.

21 **Q.** -- from Tokyo, from the British Embassy.

22 **(Pause)**

23 It may assist -- sorry, could we go to BEIS0000334,

24 please. So this is from Isabel Anderson, who I believe

25 worked for you or with you?

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1 the pressure now to simply get this thing on the road

2 and going. In retrospect, it's possible to say that, if

3 there had been more time, things could have been done

4 differently and perhaps better. But, at the time, and

5 in the circumstances, that was the way that it was

6 handled, as I say, possibly less than optimum.

7 But it was always the time pressure, and this is not

8 just the time pressure from the Post Office or the DTI;

9 it was the time pressure from everybody, you know. The

10 Benefits Agency Agency wanted the thing moved forward so

11 that they could get closer to the point when they could

12 plug the leak of fraudulent money disappearing from the

13 system that they had to account for. So everybody

14 wanted a solution.

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

16 Sir, I think that's a convenient moment to take

17 perhaps a ten-minute break.

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

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

20 **SIR WYN WILLIAMS:** Will that be 3.25?

21 **MR BLAKE:** Yes, thank you very much.

22 **SIR WYN WILLIAMS:** Fine. Thank you.

23 **(3.14 pm)**

24 **(A short break)**

25 **(3.25 pm)**

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1 **A.** With me, yes, yes.

2 **Q.** I think you are, yes, copied in there. This is

3 attaching certain documents including a note of

4 a meeting between Sir David Wright, Ambassador in Japan,

5 and Mr Naruto, Vice Chairman of Fujitsu and Chairman of

6 ICL UK, and Mr Sakai, Senior Vice President of Fujitsu,

7 and Mr Yurino, director of ICL UK.

8 Then perhaps, if we could go to 336, this is the

9 note, this is the telegram itself.

10 I don't need to go into great detail of this

11 particular document. Perhaps we can just look at

12 paragraph 3. You have there Mr Naruto stressing the

13 difficult and serious crisis that Horizon faced at that

14 time. So that's December 1998.

15 They were worried that HMG didn't fully understand

16 the seriousness of the suggestion and perhaps, at the

17 bottom of the page, we have Mr Naruto fearing for

18 Fujitsu's domestic reputation if the project failed and

19 he repeatedly stressed that the failure of the project

20 will have serious repercussions for Fujitsu's

21 international standing.

22 Perhaps we can go down to the "Conclusion":

23 "The contents of the letter and the tone of

24 Mr Naruto's approach make it quite clear that we have

25 a major and potentially damaging problem on our hands.

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1 The next paragraph, paragraph 8:
 2 "Failure of Project Horizon and of ICL's role in it
 3 would also knock a hole in the credit we get here for
 4 PFI/PPP initiatives. The Fujitsu/ICL role in Project
 5 Horizon has been seen as a template for high level
 6 political study here of this approach to large-scale
 7 public projects."
 8 Paragraph 9, it continues:
 9 "... any threat to ICL's continued viability would
 10 have profound implications for jobs in the UK and for
 11 bilateral ties."
 12 Could we go to BEIS0000278. This is another
 13 telegram from the British Embassy, 25 January 1999, so
 14 moving on slightly. This is, if we look at paragraph 1:
 15 "At his request, Keith Todd, Chief Executive of ICL,
 16 called on me [that's the ambassador] on ... 23 [May] ...
 17 after talks with the Fujitsu President. He expressed
 18 Fujitsu's quote complete disbelief and lack of
 19 understanding at HMG's decision-making process unquote."
 20 That telegram continues in a similar theme.
 21 Can we look at BEIS0000315, please. This is
 22 a briefing for the Secretary of State on 4 June 1999, so
 23 quite a bit on.
 24 If we go over the page, and over the page again, to
 25 the background, it sets out that there was a meeting on
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1 the Deputy Ambassador on your behalf that persuaded
 2 Fujitsu not to abandon the negotiations."
 3 Can you tell us, over this period, how significant
 4 it was that -- and how much pressure there was to
 5 maintain this relationship with ICL and not to damage
 6 ties with Fujitsu?
 7 **A.** I think it was, from the very beginning, seen within the
 8 DTI as very important indeed, that it would have been
 9 a major blow, as I think I've already described, to the
 10 whole PFI concept if a project of this importance and
 11 this stature, if you like, failed. But it was -- it
 12 was -- however important that was, that was only one
 13 element in our consideration.
 14 The other was the damage to the network of post
 15 offices up and down the country if the thing failed. So
 16 we had these twin objectives, as it were, to keep on
 17 trying to press ministers into a solution that dealt
 18 with these two issues, and I think it was the
 19 combination of them, the industrial one and the purely
 20 political one, the subpostmasters and the network, and
 21 so on, that, in the end, the force of those arguments --
 22 I would say that, wouldn't I -- but the force of those
 23 arguments were what prevailed. And ...
 24 **Q.** We see at paragraph 2 the Chairman of Fujitsu stressing
 25 that an unconditional agreement needed to be signed by

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1 14 May:
 2 "... against the background of negotiations which
 3 had been taking place between HMG and ICL led by
 4 HM Treasury on a compromise solution ..."
 5 It sets out there, in paragraph 2, that:
 6 "Mr Sekizawa stressed that unless an unconditional
 7 agreement could be signed by 17 May, Fujitsu would have
 8 to accept a £306 [million] provision in their
 9 consolidated group accounts. If that happened he would
 10 find it very difficult to justify to shareholders and
 11 analysts any course of action other than to walk away
 12 from the project and seek to recover the £300 [million]
 13 development costs already incurred.
 14 Paragraph 3:
 15 "Later that evening, Steve Robson wrote to ICL with
 16 a counter proposal requiring ICL to accept a loss
 17 estimated by ICL to be £250 million. There is no doubt
 18 that when news of this offer reached Mr Sekizawa and
 19 Mr Naruto on their arrival in Japan there were strong
 20 feelings that the company had been betrayed by the
 21 British Government.
 22 "In these tense negotiations over the following days
 23 we know that it was your letter to Keith Todd of 21 May
 24 confirming the Government's wish to proceed with the
 25 project, and later the personal appeal to Mr Naruto by
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1 17 May, and negotiations thereafter concerning the
 2 date -- and May was seen as particularly important,
 3 May 2000 -- sorry, May 1999. I mean, can you tell us
 4 how much time pressure there was coming from the Fujitsu
 5 end to get --
 6 **A.** Quite -- quite a lot. As we understood it, there was
 7 a lot of pressure on them to get this sorted out so that
 8 they could sign off their accounts, as I understand it,
 9 for that year, and a lot hinged on this as to whether
 10 Fujitsu would have no alternative but to kind of cut ICL
 11 loose, disband it, whatever they were going to do with
 12 it.
 13 And we understood that there were genuine,
 14 absolutely genuine, time pressures there, and this
 15 wasn't just Fujitsu trying to scare us or whatever. We
 16 believed that it was real, rightly or wrongly, I think
 17 it was real.
 18 **Q.** A second topic I'd like to ask you about is simply the
 19 financial success or otherwise of ICL. Can we look at
 20 BEIS0000255, please.
 21 This is a submission to Sir Michael Scholar on
 22 14 July 2000 and it relates to a draft National Audit
 23 Office report on the cancellation of the Benefit Payment
 24 Card project, so it's a draft of that report that had
 25 been received by that date.

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1 Can we look at page 4 of that submission, please.
 2 It's paragraph 8 that I'd like to ask you about.
 3 **A.** Right.
 4 **Q.** It says:
 5 "Given how badly wrong the project went from almost
 6 day one, the [National Audit Office] report could hardly
 7 fail to make uncomfortable reading to a greater or
 8 lesser extent for each of the key players. Within this,
 9 however, our objective has been to secure a report which
 10 focuses in a positive way on the lessons to be learned
 11 from the project, and which without pulling punches at
 12 least avoids unnecessary criticism that could
 13 gratuitously damage the commercial prospects either of
 14 ICL (and through them our relations with their parent,
 15 Fujitsu) or of POCL."
 16 How important was avoiding damage to the commercial
 17 prospects of ICL and Fujitsu, even at this stage, after
 18 the rollout had taken place and the contracts had all
 19 been signed?
 20 **A.** I think it was important in the sense that ICL needed to
 21 be a healthy partner going forward on all this. You
 22 know, we weren't there to make ICL rich or anything like
 23 that, but we did need them to be financially viable so
 24 that they could take this project forward, they could --
 25 they would have money to spend on developments, further

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1 too -- I don't think that we were too close to them at
 2 all. I think we had a genuine interest in seeing ICL as
 3 a healthy company in a very important sector of our
 4 economy.
 5 **Q.** Do you think that it would be right for the DTI to be
 6 concerned about the timing of a publication to minimise
 7 the effect on ICL's planned flotation, for example?
 8 **A.** If it was something that was going to happen anyway, and
 9 you could do it at a certain time, rather than another
 10 time, and that would be helpful to one of the partners
 11 of a huge project, why wouldn't you do that? You know,
 12 why would you go out of your way to be unhelpful if you
 13 could do the reverse?
 14 **Q.** Thank you very much.
 15 The next subject I'd like to ask you about is PFI.
 16 So at paragraph 33 of your statement, and I think you've
 17 already mentioned it already today, you said that the:
 18 "DTI avoided the loss of a major player in the
 19 electronics sector, the risk of future investment
 20 prospects, and the damage to the PFI brand."
 21 Then at paragraph 34 of your statement you refer
 22 again to "damage to the image of the UK's PFI
 23 initiative".
 24 How important was the PFI brand?
 25 **A.** Erm ... it was something to which the Government

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1 development of the project, that was going to be
 2 essential if it was to survive more than a few years
 3 without completely running into the sand.
 4 So, yes, we did want to see ICL financially healthy.
 5 **Q.** Can we look at BEIS0000253, please. This is again
 6 31 July 2000, so again long after the contracts had been
 7 signed and rollout had commenced. This is a submission
 8 from yourself to the Secretary of State.
 9 **A.** Yeah.
 10 **Q.** It's about the timing of the publication of the NAO
 11 report. I just want to look at the second half of
 12 paragraph 1, please, it says:
 13 "ICL wanted early publication to minimise the
 14 adverse effect on their planned flotation in the autumn
 15 of a report which shows the company's performance on the
 16 Horizon project in a less than flattering light."
 17 Do you think that, by that stage, the DTI had become
 18 too close to ICL?
 19 **A.** No, I don't think so. There are two -- there was a part
 20 of the DTI, not the part that I was in, that was
 21 responsible for sponsoring the electronic sector or
 22 whatever it was called. I didn't have the sense that
 23 they were necessarily too close to ICL. I certainly
 24 wasn't. I spoke to them periodically, I knew some of
 25 the senior people there. But, no, I don't think we were

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1 attached quite a lot of importance. It was
 2 Adrian Montague's -- I was going to say "baby". He was
 3 sort of in charge of promoting that. I think it was
 4 just something that the UK had kind of come up with and
 5 a lot of other administrations were interested in that
 6 as a way of helping to finance public sector projects,
 7 and people who were looking to us and saying "Wow,
 8 aren't you clever, this is a wonderful way of doing
 9 things". Would have -- well, we wouldn't have wanted
 10 then to see the thing suddenly collapse and say "Not
 11 such a good way after all, perhaps".
 12 **Q.** Are you aware of any complications that PFI may have
 13 imposed in the project itself, such as problems with the
 14 sharing of information between Fujitsu and the Post
 15 Office?
 16 **A.** I'm personally not aware of that, no.
 17 **Q.** I'm going to move on to prosecutions.
 18 To what extent were you aware of any consideration
 19 being given to the use of Horizon for prosecutions, or
 20 Horizon data for prosecutions?
 21 **A.** I was not aware of that at all.
 22 **Q.** Thank you very much.
 23 Mr Sibbick, is there anything else that you'd like
 24 to add that may assist the Chair or that you would like
 25 to say?

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1 A. A number of things, I suppose, if I can kind of order
 2 them a bit.
 3 The first -- the first is: we -- with the benefit of
 4 hindsight, we can all be geniuses and we wouldn't have
 5 necessarily done things in the way that we did had we
 6 had wider sight or wider knowledge, as it were.
 7 Perhaps the second thing that I would say is that
 8 you will see that I've put a lot of submissions, a lot
 9 of advice to ministers over this period. Ministers I've
 10 been fortunate enough to work for have been pretty
 11 bright people, more than capable of making up their own
 12 minds on things -- try to give them the facts -- they
 13 could accept what I was suggesting they should do, what
 14 the action should be, but they were clearly under no
 15 obligation whatsoever to accept that. If they thought
 16 I was wrong, they'd have said so, they'd have had no
 17 hesitation in saying so.
 18 The third thing, perhaps, if I may, is that I don't
 19 think any of the parties to this were acting in bad
 20 faith. I think they were promoting vigorously their own
 21 vested -- and I'm sure -- their own interests, which was
 22 what they were there, what they were there to do, and
 23 I think all of them genuinely believed what they were
 24 saying.
 25 I've said several times that what the Benefits

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1 difficult compromise to reach. I was very pleased to
 2 play some small part in all of that.
 3 I'm so, so sorry that it turned out badly in the end
 4 for so many people and I just wish your Inquiry every
 5 success in getting to the bottom of this and, above all,
 6 in making sure that nothing like this could ever happen
 7 again.
 8 **MR BLAKE:** Thank you very much, Mr Sibbick.
 9 Sir, do you have any questions at all?
 10 **SIR WYN WILLIAMS:** No, I don't, thank you.
 11 Do I take it, Mr Blake, that you've have asked all
 12 the questions, in this instance, that this witness is to
 13 be asked?
 14 **MR BLAKE:** Yes, I have.
 15 **SIR WYN WILLIAMS:** Thank you.
 16 Well, I'm very grateful to you, Mr Sibbick, for
 17 coming to give evidence to the Inquiry. I'm sorry that
 18 I caused a slight delay this morning, which I hope
 19 didn't inconvenience you too much, and thanks again for
 20 attending.
 21 A. Thank you very much, sir.
 22 **SIR WYN WILLIAMS:** So 10.00 tomorrow, Mr Blake?
 23 **MR BLAKE:** Yes, thank you very much.
 24 **SIR WYN WILLIAMS:** All right, thank you very much.
 25 (3.51 pm)

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1 Agency wanted, what DSS wanted, on their terms made
 2 absolute sense, it was the right thing to do and, in
 3 a wider sense, it was also the right thing to do. It
 4 just so happened that there were some arguments on the
 5 other side that were also very persuasive and which, in
 6 the end, more or less prevailed.
 7 Perhaps a final thought. I don't know if it's the
 8 final one, but another thought is that everybody
 9 acted -- this was a huge complicated project, it was, to
 10 a large extent, treading ground that hadn't been trodden
 11 before. It would have been wrong to expect perfection
 12 first time round, you know, it was never going to be
 13 like that. And then when it went wrong initially,
 14 various stakes had already been put in the ground.
 15 You know, we had a contract with ICL, it was a highly
 16 publicised contract, the Horizon project, and you
 17 couldn't -- you couldn't undo that, you couldn't sort of
 18 unsee that.
 19 So there was a compulsion to say, "Okay, that's
 20 there, we -- it would be pretty awful just to sort of
 21 abandon it, we perhaps don't have that luxury, we need
 22 to take it forward, we need to find some way of taking
 23 it forward".
 24 I don't think at the end of this anybody got exactly
 25 what they wanted. It was a compromise and a very

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1 (The hearing adjourned until 10.00 am
 2 on Thursday, 24 November 2022)

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