

Wednesday, 30 November 2022

1

2 (10.00 am)

3 MS KENNEDY: Good morning, chair.

4 SIR WYN WILLIAMS: Good morning.

5 MS KENNEDY: Chair, our first witness today is Mr Colin
6 Baker.

7 COLIN HERBERT BAKER (sworn)

8 Questioned by MS KENNEDY

9 THE WITNESS: Good morning, Mr Chairman.

10 MS KENNEDY: Mr Baker, you should have there in front of you
11 a copy of your witness statement. Do you have that
12 there?

13 A. I do.

14 Q. If you turn over to the last page, is that your
15 signature there?

16 A. It is.

17 Q. Have you read through this statement recently?

18 A. I have.

19 Q. Is it true to the best of your knowledge and belief?

20 A. It is indeed.

21 Q. That statement is now in evidence in the Inquiry.
22 Everything that I ask you now will be supplementary, and
23 can I begin by thanking you for coming to give evidence
24 to the Inquiry here today. I'm going to start by asking
25 a few questions about your background. You started as

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1 Q. You say in your statement -- and if we could pull that
2 up, please, it's WITN03780100, and if we could turn to
3 page 3 please. Looking at paragraph 7, you say there
4 that you felt during your tenure this coincided with
5 a period of great change at Post Office Counters. Could
6 you explain what you meant by that, or a bit more?

7 A. Yes. I'd love to. Coming from a position of being
8 a subpostmaster, sort of trading on your own, and in
9 your Post Office, and that was the beginning and end of
10 your world, as it were. And the cash account was
11 primary among them all. And moving to Federation
12 headquarters I realised there was a much bigger world
13 around subpostmasters than what I thought it was, and
14 that world, I felt, was changing because I got to know
15 the Benefits Agency were part of it, part of the change,
16 Post Office Counters were clearly the prime movers in
17 the change, there were other people in the Post Office,
18 other unions, et cetera, and the feeling I had at the
19 time was that if we didn't change to meet the challenges
20 ahead, we probably wouldn't be there for very much
21 longer.

22 I thought that it was a far more dynamic world than
23 I was used to, and that's what I meant by that, that
24 suddenly we were thrust into another type of world, as
25 it were, a world of economics, a world of automation,

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1 a subpostmaster in 1968 in the head office in
2 Stoke-on-Trent; is that right?

3 A. Yes, it's not actually a head office; it's a Post Office
4 in Birches Head in Stoke-on-Trent.

5 Q. After that, you then joined your local branch -- or at
6 that time you joint your local branch of the National
7 Federation of SubPostmasters?

8 A. I did, yes.

9 Q. Then you became involved in the North Staffs branch; is
10 that right?

11 A. Correct.

12 Q. Then you applied for a full-time position as Assistant
13 Secretary at HQ?

14 A. Yes, I did.

15 Q. That involved moving to Sussex; is that right?

16 A. Yes, indeed, with my wife and two girls. Not very
17 popular man at the time, I assure you.

18 Q. Then in 1986, you were appointed Deputy General
19 Secretary of the Federation?

20 A. Yes.

21 Q. Then you went on to become Deputy General Secretary in
22 1988 --

23 A. Yes.

24 Q. -- and General Secretary in 1999; is that right?

25 A. That's correct.

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1 computers, et cetera, so much more than I ever thought
2 possible at the time.

3 And so I realised that I had to come out of this,
4 that sort of mental feeling of what post offices and sub
5 post offices were, and where they fitted into this great
6 big new world I was suddenly thrust into.

7 Q. One of the key issues was that the Benefits Agency
8 wanted to start making payments into individual bank
9 accounts. Why was that potentially a problem?

10 A. Well, that was of the bread and butter, really, of
11 a Post Office, a sub post office, anyway, that if you've
12 ever witnessed outside a post office on a Monday morning
13 or a Thursday morning, because they did what they call
14 peak smoothing for payment of benefits at the time. It
15 started on a Monday and then they moved to Thursday,
16 then it moved back to Monday again. There would be
17 queues outside the post office, no matter if it was
18 raining, snowing or whatever, they were queueing for the
19 post office to open and that queue was there nearly all
20 day.

21 Obviously, we used to work hard to try to serve them
22 quickly and get them back home but it was the bread and
23 butter, that was the actual -- the basis of, really,
24 subpostmasters like myself becoming a subpostmaster, one
25 because you served the public and you like the focal

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1 point within the village and you can imagine Birches
2 Head was not that big so you become the focal point
3 within the village and also serving the customers and
4 that was where you derived your income from.

5 Your post office pay was based on the number of
6 transactions you did, and those -- the majority of those
7 transactions at the time were pensions and allowance
8 payments.

9 **Q.** Did you feel at the time that post offices could survive
10 the BA withdrawing that line of work?

11 **A.** Not unless it was addressed. If we just sat there and
12 said "Well, okay, it's going", then we would go with it.
13 But I felt at the time, and I mentioned -- make the
14 point in my statement, that we needed -- we've got to
15 address this. This is something we've got to address.
16 And I was General Secretary at the time -- I think I'm
17 right in saying I was General Secretary at the time --
18 and I felt the onus was on me to do something about it
19 because as individual subpostmasters, far flung,
20 ubiquitous, but you don't really know your mate you
21 know, because it's not like a workshop union, they were
22 individuals.

23 I felt the onus was on me and the Federation and
24 I took it very seriously that we've got to address this,
25 and that became my life's work.

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1 "I am sure you will be pleased with the attached
2 letter which sets in train the first stages of that
3 formal relationship. We will report further
4 developments in due course at which time we hope to have
5 a clearer understanding of the possible involvement of
6 Executive Officers and, indeed, Branch Secretaries.

7 "You will also be interested to know that I have had
8 a meeting with the company who are going to be training
9 Sub-Postmasters. We have agreed to continue that
10 relationship as training will be very important as it
11 becomes linked to the rollout programme."

12 If we turn over the page, and scroll down, this
13 a letter from Paul Rich at Pathway to you, from
14 4 September 1996 and if we look at paragraph 2, it says:

15 "First, on more strategic issues, I will keep you in
16 touch, on a personal basis, with overall progress,
17 including an understanding of any critical political and
18 commercial dimensions."

19 So from the very beginning, you have personal
20 contact with Pathway and you're seen as the contact
21 person at the NFSP; is that right?

22 **A.** I was certainly the contact person in the NFSP, yes.
23 The relationship -- I think you said this was authored
24 by Paul Rich?

25 **Q.** Yes, we can see this if we turn over the page.

7

1 **Q.** At the time before Horizon was introduced, you would
2 have been aware that subpostmasters could be prosecuted
3 by the Post Office?

4 **A.** Oh, yes.

5 **Q.** Also before Horizon, you would have been aware that
6 subpostmasters or the Post Office could seek to recover
7 losses from subpostmasters?

8 **A.** Yes, that was all in the subpostmasters' contract that
9 they signed for the Post Office and with the Post
10 Office, yes. Oh yes.

11 **Q.** Turning to the beginning of the development of Horizon,
12 the NFSP and you were involved from the beginning when
13 Pathway was announced as a chosen contractor; is that
14 right?

15 **A.** That's correct.

16 **Q.** If we turn up a minute from 5 September 1996, that's
17 NFSP00000120. If we could scroll down, please. This is
18 a letter from you to Executive Officers in 1996?

19 **A.** Yes.

20 **Q.** You say:

21 "Further to the meeting at Pathway on 23rd July you
22 will recall that we were keen to establish the
23 Federation as a partner with Pathway and part of the
24 formal development of the automation platform and its
25 introduction into the network.

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1 **A.** I think Paul Rich worked for the Post Office, not
2 Pathway, didn't he? Or at least when I knew him.

3 **Q.** Oh, my apologies. You're right he did work for Post
4 Office but this is being point person in relation --

5 **A.** Oh yes, me and the rest of the people in Federation
6 Headquarters of course, but I would be the letterbox.

7 **Q.** He was personally in contact with you?

8 **A.** Yes.

9 **Q.** If we turn over to a circular from 25 September 1996
10 that's at NFSP00000035. This is a circular that you
11 wrote to the National Executive Council, and if we
12 scroll down, this is talking about the Initial Go Live,
13 isn't it?

14 If we look, it says:

15 "I am sure you will be interested in the attached
16 correspondence which is information regarding the
17 progress of automation from the original ten offices
18 previously advised to you [in] the next phase of a live
19 trial."

20 If we look down at the fourth paragraph, it says:

21 "It is planned to launch the system publicly when
22 the remainder of the ten go live in October. This will
23 clearly help us with our publicity as the first office
24 was not a member. Whilst we had asked BA/POCL to hold
25 off their publicity until a Federation member was

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1 involved in the trial, the lack of a public announcement
2 was probably due to the forthcoming Conservative Party
3 Conference and not because Leonard Stanley Post Office
4 was not a member of the Federation. An article is being
5 prepared for the next edition of the journal to provide
6 members with additional information."

7 We can see here that already you're looking to
8 publicise the NFSP's involvement in the automation
9 process; is that right?

10 **A.** That's correct but it's not entirely the story. I did
11 have an executive council and branch secretaries and
12 members that wanted to see what the Federation was
13 doing. So it was far better, in my view, for them to
14 read it -- not from my source -- from other sources --
15 than for me to tell them. So in part it was that. Yes,
16 it was beating the Federation's drum, of course, which
17 I thought was my job.

18 **Q.** Did you feel at that stage that you really needed to
19 push to get the project over the line for the benefit of
20 your membership?

21 **A.** Yes, and that didn't stop there either. I had that
22 feeling right until I finished.

23 **Q.** The NFSP had a negotiating committee; is that right?

24 **A.** Yes.

25 **Q.** Can you tell us a bit about what the negotiating

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1 so big, and there were subpostmasters in the audience.
2 Paul Rich and myself, and I think there was someone else
3 there as well. And we tried to stem any fears that the
4 audience might have had and to make sure that they were
5 on side, as far as the development of this was
6 concerned. But we didn't have anything to do with the
7 actual equipment at that time.

8 **Q.** What fears did they have?

9 **A.** Fear of the unknown, I think, quite honestly, that their
10 post offices, by nature of being sub post offices, were
11 much smaller than what you'd imagine. Some of them were
12 quite tiny, and so they feared the disruption, they
13 feared computers. I mean, it was a little while ago
14 before everybody had -- well, they might have had
15 a mobile phone but that was about it.

16 So there were fears -- fear of the unknown, fear of
17 automation, fear of their post offices being disrupted,
18 fear of not being able to look at the customer when they
19 were serving them. That sort of thing. And they needed
20 to vent, to be honest with you. And part of my style,
21 I think, is to allow people to vent and then we can
22 allay any concerns that they might have.

23 **Q.** So when it says there "The reaction from Sub-Postmasters
24 was of delight" --

25 **A.** Yes, it was.

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1 committee involved?

2 **A.** Yes, they were all subpostmasters, they were all
3 Executive Officers. So when you see there I'm writing
4 to "Dear Executive Officer", they'd be included in that.
5 But they were a close team for me and we used to
6 negotiate pay and conditions of service for
7 subpostmasters and the negotiating committee were
8 clearly involved in that. But so was I. So they were,
9 if you like, my close committee to help me to form
10 opinions and make decisions, and negotiate.

11 **Q.** If we could turn to a meeting minute, NFSP0000560. You
12 can see there this is the report of the meeting of the
13 Negotiating Committee.

14 **A.** Yes.

15 **Q.** If we could turn over to page 7, please, this is the
16 section that deals with counter automation, and it says:

17 "The General Secretary reported he had visited
18 Newcastle on 27th and 28th May in the company of Paul
19 Rich and John Bennett in which area OBCS was being
20 installed in 100 Sub Post Offices. The reach from
21 Sub-Postmasters was of delight."

22 Do you remember that meeting in Newcastle?

23 **A.** I do, yes.

24 **Q.** Can you describe what it was like?

25 **A.** Well, it was in room not dissimilar to this, not quite

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1 **Q.** -- what's that in reference to?

2 **A.** They were pleased that, at last, they were going to get
3 some counter automation and some backing and some
4 recognition. They were delighted.

5 **Q.** So they were delighted and fearful at the same time?

6 **A.** Delighted at the decision that had been made to automate
7 their post offices and fearful of what that really
8 meant.

9 **Q.** The note goes on to say:

10 "The action points from the meeting were circulated
11 (copy attached)."

12 If we turn over to page 21, we can see these are the
13 action points, and there's a list of them.

14 **A.** Yes.

15 **Q.** If we could turn over to the next page, which is 22, and
16 third bullet point down, it says:

17 "Subpostmasters not reporting all systems errors --
18 distorting error rate figures."

19 Can you explain what is meant by that?

20 **A.** Well, I can try to remember what was said. I think that
21 the problem is one well known to me, and that is
22 subpostmasters working for the Post Office, if they had
23 a shortage, knowing that in their contract they had to
24 make good shortages -- that was what they were
25 contracted to do -- that they didn't always report them.

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1 They would just make good the sums, and move on.
 2 But, of course, with the automation system, the
 3 Horizon System, they needed to report it, and that was
 4 the change. Because before, it was their Post Office,
 5 their cash account, they were responsible for the funds,
 6 they knew that, and so they didn't always report
 7 shortage of, say, £1 or £2 or £3. They put the money in
 8 because next week they might have been £2 or £3 over,
 9 and so that was the relationship they had with the cash
 10 account and, therefore, that's why they wouldn't have
 11 been reporting. They were not used to reporting every
 12 error.

13 **Q.** So, at this stage, it was known that the sums showing on
 14 Horizon, subpostmasters would be required to account for
 15 those figures?

16 **A.** Yes, oh yes. That's a contractual thing.

17 **Q.** How did you feel about the system at this stage? We're
 18 in 1997.

19 **A.** Well, the system was one I grew up with --
 20 subpostmaster, not long since I stopped being
 21 a subpostmaster -- and it was well accepted by
 22 subpostmasters that they made good shortages when they
 23 arrived, and so -- and I can tell you that I've spent
 24 many hours -- we used to balance on a Friday night
 25 then -- I've spent many hours on a Friday night trying

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1 **Q.** If we could turn up a meeting minute from the National
 2 Executive Council, NFSP00000461. This is in March 1998,
 3 and if we turn to page 17, and if we can scroll down to
 4 the "Counter Automation" section, it says:
 5 "The minutes of the Negotiating Committee reflected
 6 the situation which existed at the time. There had been
 7 a great deal of press speculation about the future of
 8 the Horizon Platform and that speculation was growing."
 9 What were the press saying at that time?

10 **A.** I think the press were saying that it was doomed. That
 11 they'd never seen a successful PFI in their life and
 12 this was another one that was going to go down the
 13 tubes. Basically saying that. They didn't quite use
 14 that language.

15 **Q.** "Intelligence sources are still saying that the Benefit
 16 Agency would like to be disengaged from the project and
 17 concentrate on ACT and an updated ALPs style of fraud
 18 detection. Everyone in Post Office Counters, the
 19 Corporation and ICL Pathway were involved in keeping the
 20 Government interest in Horizon and the Federation was
 21 fully involved with all those and the DTI. The news
 22 that John Denham MP would be at Conference was
 23 an excellent signal of commitment and his interest must
 24 be maintained.
 25 "The General Secretary commented the press reports

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1 to find money that wasn't balancing but, eventually,
 2 you've got to go through, you've got to count every
 3 stamp and every pension. You've got to get -- really,
 4 really ground everything within your Post Office, and
 5 that's how you reached a balance. And if you did miss
 6 something when you were counting the stock, then you'd
 7 have a misbalance, and so you've got to keep working
 8 until you've found a balance.

9 **Q.** So at this stage, you were already flagging up to
 10 subpostmasters that they really must report errors
 11 because they'll be held accountable for them?

12 **A.** No, not that specific, not that specific at all.
 13 I mean, I didn't recognise at that time that the fact
 14 that they weren't reporting all shortages was going to
 15 be -- well a heinous thing. I, in my innocence, thought
 16 that the relationship that the subpostmaster had with
 17 the cash account was still the same. I know it was
 18 automated but it would still be his Post Office and the
 19 money that he's responsible for. So, no, I didn't see
 20 it in quite the light you've just described.

21 **Q.** There were delays with the Horizon project, weren't
 22 there?

23 **A.** There were.

24 **Q.** Did you find those frustrating?

25 **A.** I did.

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1 were predominantly true, with *Government Computing*
 2 containing leaks from the Benefits Agency."
 3 What was morale from the subpostmasters like at this
 4 time? What were you hearing on the ground?

5 **A.** Um ... I can't really remember the comments from
 6 subpostmasters. I mean, they were many and varied. The
 7 morale certainly around me at the time, was one of
 8 disappointment, because we really needed this
 9 automation. I think that, hopefully, it comes through
 10 in spades. We really needed it. And I was disappointed
 11 that the speculation of our people writing magazines and
 12 novels, that it was in peril, and I was really, really
 13 disappointed with that.
 14 I spent a great deal of time trying to find out
 15 precisely what the situation was but I was never allowed
 16 close to Pathway and Fujitsu. I was always told, you
 17 know, everything's okay.

18 **Q.** You said you went to a great deal of effort. Who were
 19 you speaking to and what channels did you use?

20 **A.** I'd speak to anybody, go anywhere, and use any channels
 21 to find out, and that did take a lot of time and energy.
 22 But, predominantly, Post Office Counters Limited, who
 23 always reassured me, and I'm sure that's what they
 24 thought at the time. I don't think they were just
 25 purposely misleading me. And I was reading newspapers

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1 and I got a research officer at Shoreham who was also
2 reading. We were keeping -- trying to keep an eye on it
3 because this was clearly very, very important for us,
4 and what I didn't know at the time was just how many
5 people were involved in this decision and how many
6 people were involved in bringing it -- bringing the
7 automation to market. I was amazed to find out, and
8 a lot of it with this hearing.

9 **Q.** You also made press releases in support of the project,
10 in response to some of the press coverage. If we could
11 turn up NFSP00000280, and if we could turn on to
12 page 4., it says:

13 "The National Federation of SubPostmasters, which
14 represents 85% of the UK's army of Sub-Postmasters has
15 criticised the media obsession of denigrating the
16 Horizon/automation project, the system which will
17 automate all post offices to provide benefits payments
18 and banking services in the future.

19 "General Secretary, Colin Baker, acknowledged that
20 press speculation was inevitable, particularly with the
21 Treasury Review now reaching a critical stage.
22 Nevertheless, this most recent speculation was now
23 causing concern amongst Sub-Postmasters. Mr Baker
24 reminded everyone that the Minister for Welfare Reform,
25 Mr Frank Field MP, had not only sent his PPS, Kate Hoey

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1 it continued to have your support, precisely because you
2 would release press releases like this; isn't that
3 right?

4 **A.** Yes, I think the Post Office sometimes wondered what was
5 I doing, what was I about. But on this occasion we
6 happened to be on the same plane.

7 **Q.** You were part of the Horizon Working Group in 1999 --

8 **A.** Yes.

9 **Q.** -- and you were invited to join this group by Sir Ian
10 McCartney. If we could turn up NFSP00000064. If we
11 could look at the second paragraph -- or rather, sorry,
12 the first paragraph:

13 "You will know that following the recent agreement
14 in principle with ICL on completing project Horizon in
15 a restructured and simplified form, the Secretary of
16 State asked me to set up a small working group of key
17 players to help ensure that the project is now taken
18 forward in a positive and decisive way to a successful
19 conclusion.

20 "I have decided to invite four organisations to be
21 full members of the Horizon Working Group, namely the
22 Post Office, the Communication Workers Union, the
23 Communication Managers Association and the National
24 Federation of SubPostmasters. Clearly we need
25 a dialogue with other organisations including ICL, the

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1 MP, to our Annual Conference to report good news for the
2 network, but had followed it up with a letter confirming
3 key points."

4 So you were publicly defending the project at this
5 stage in 1999; is that right?

6 **A.** Let's be specific on this one. I was publicly defending
7 the principle of automation in post offices. I wasn't
8 publicly defending Pathway or anybody else. It just
9 happen to be Pathway, but that was not my choice.

10 **Q.** But at this stage, you said you put a lot of effort in
11 tying to get to the bottom of what was going on --

12 **A.** Yes.

13 **Q.** -- and you were being neglected and people weren't
14 engaging with you; isn't that right?

15 **A.** No, I think they did. I think they did engage with me.
16 They might have been saying what they thought I wanted
17 to hear, and I can't speak for them, obviously, but
18 I don't think I was ignored, as such. I think I might
19 have been held at arm's length, as it were.

20 **Q.** Because it would have been a problem for the Post
21 Office, wouldn't it, if the Federation turned against
22 the Horizon project?

23 **A.** Oh yes, it would have been a problem for subpostmasters
24 as well.

25 **Q.** Because the Post Office had an interest in ensuring that

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1 Department of Health and Social Security, the Benefits
2 Agency and the Treasury, but I have not thought it
3 appropriate to include them as full members."

4 Then if we scroll down, we can see that there are
5 three -- he proposes that the group's work would fall
6 into three main areas. So, firstly:

7 "... there are the negotiations between POCL and
8 ICL, and between POCL and BA, that need to take place
9 over the next few weeks to put in place the detailed
10 contractual arrangements that will give effect to the
11 outline agreement reached on 24 May. I see a role for
12 the Working Group in carefully monitoring these
13 negotiations and in addressing and helping to resolve
14 any sticking points that may be encountered.

15 "The second area covers the remaining development
16 phases of Horizon, including large scale live trials,
17 system acceptance, and rollout of the system smoothly
18 and in a timely fashion to all offices within the
19 network followed by the migration from paper-based
20 methods of benefit payment to ACT-based payments
21 accessible at post offices. I believe that the Working
22 Group could provide a valuable forum for bringing
23 pressure to bear when needed for seeking solutions to
24 any problems that may arise."

25 If we can go on:

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1 "The third area concerns the commercial exploitation
2 of the very considerable potential which the Horizon
3 platform will offer once in place. The combined
4 experience of the Working Group should prove a valuable
5 source of ideas and contacts for business opportunities
6 and future revenue streams."

7 Does that reflect what you saw the Horizon Working
8 Group to have been set up to achieve and is that how you
9 found the meetings? Did it cover those areas?

10 **A.** It certainly -- I agreed with what it was designed to do
11 or what it was put in place to do. We didn't, as far as
12 I'm aware, anyway, get involved in the negotiations
13 between Pathway and the Post Office and anybody else for
14 that matter. But we did certainly inject ideas
15 regarding the future and how to use the Horizon platform
16 or how we wanted to use the Horizon platform. That was
17 most definitely that -- and we also had a say in the
18 type of publicity which the Benefits Agency were putting
19 out, because it was clear from that point that the
20 Benefits Agency didn't particularly want Post Office
21 automated.

22 **Q.** Did you see your role as providing feedback on the
23 Horizon system itself?

24 **A.** Not in that committee, no. We certainly did feed back
25 to the Post Office, to Post Office Counters Limited,

21

1 listen.

2 **Q.** If we could look at BEIS0000345. Yes, that's the one.
3 Thank you. This a steering brief from David Sibbick,
4 and if we turn over to page 2, this is from 7 June 1999,
5 and scroll down to paragraph 5, please. It says:

6 "The NFSP are likely to warn that fears about the
7 future viability of post offices will lead to further
8 loss of confidence amongst subpostmasters and post
9 office closures, especially in rural areas. They will
10 ask what the Government intends to do about the obvious
11 and very large funding gap that will open beyond 2003
12 with the progressive disappearance of the BA revenue,
13 against the repeated commitment by Ministers to the
14 nationwide network of post offices. Given the lack of
15 Ministerial consensus on the way forward on this issue
16 the answer has to be that we look to the members of the
17 group to work together to maximise the very great
18 commercial potential of the Horizon platform, but that
19 the Government will be discussing the longer term
20 viability of the network with the Post Office in the
21 context of the Strategic Plan."

22 Was that your position at the time, that you were
23 fearful about the viability of post offices?

24 **A.** Yes.

25 **Q.** Again, this was partly because of the disappearance of

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1 about the Horizon platform, and we did that a lot, but
2 I can't -- I genuinely can't recall whether that forum
3 was one that took on board our comments regarding the
4 operation of Horizon.

5 **Q.** When Mr Sibbick gave evidence to this Inquiry he said
6 that this was designed as a channel for feeding back
7 from subpostmasters on the system. Would you accept
8 that?

9 **A.** It might have been set up to do that. I don't think it
10 did.

11 **Q.** It didn't because you didn't raise those issues, or
12 because they weren't interested in discussing them?

13 **A.** It was at a higher level. I think, anyway -- this is
14 going back a little while -- I think that it was
15 discussing things on a higher level than what
16 subpostmasters at the time were feeding to me, which
17 was, you know, the scales don't work, there's lots of
18 dropouts for the screen. That type of thing, that they
19 were experiencing their problems in their post offices,
20 wasn't the right -- or didn't appear to be the right
21 forum to have been having those sort of discussions.

22 **Q.** What would have been the right forum?

23 **A.** The forum I was using, which was I went to the Post
24 Office and spoke to them at length about it, and
25 reported it, and, you know, anyone that -- anyone would

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1 BA funding?

2 **A.** Yes, as I've explained, this was a fundamental part of
3 the daily life of a subpostmaster.

4 **Q.** In your mind, this was the key issue at the time --

5 **A.** Yes.

6 **Q.** -- to raise with the Government?

7 **A.** Yes, yes. At the time.

8 **Q.** Did you feel that this was a particularly difficult
9 time?

10 **A.** It was. In fact, I had some meetings with the Benefits
11 Agency people themselves and, suffice to say, they were
12 brutal negotiators. They really didn't want this
13 through Post Offices and they made that very clear. We
14 really, really did, so you can see we didn't see eye to
15 eye very often.

16 **Q.** If we could turn to NFSP0000026, please, and if we turn
17 over to page 2. This is a note of the meeting of the
18 Horizon Working Group on 8 June. I think this was the
19 first meeting, does that sound about right?

20 **A.** Yes.

21 **Q.** It records the issues that you raised. If we could
22 scroll down. If we look at paragraph 1, it states:

23 "Mr McCartney began by acknowledging that
24 negotiations on the Horizon project had been protracted
25 and difficult. He hoped that, following the

24

1 announcement on 24 May, the Working Group could keep
2 discussions on track for a successful agreement by
3 16 July. The Group would bring together various strands
4 and give political accountability. From the
5 Government's viewpoint there clearly needed to be more
6 effective monitoring and oversight of the project."

7 If we scroll down to paragraph 6, we can see that
8 you raise an issue at this meeting saying you had
9 "a fundamental point to raise". This was to do with the
10 wording of the second term of reference, "methods of
11 payment also accessible through post offices". It says
12 that you felt that that would send the wrong signal to
13 post office staff and subpostmasters:

14 "Where was the long-term protection for the
15 network?"

16 Was that a contribution that you remember making at
17 the --

18 A. Yes, it was, yes.

19 Q. At this time, did you know that subpostmasters were
20 having difficulties with the Horizon project and that
21 there were difficulties balancing?

22 A. I wasn't -- I knew they had difficulties. They had
23 difficulties with, as I've mentioned before, screens and
24 dropouts, and all that type of trouble. And I wasn't
25 aware that there was a major -- which I am now, of

25

1 Q. What, sorry?

2 A. Well, you're drawing paragraph 6 my attention.

3 Q. Yes, so essentially what I'm putting to you is you're
4 drawing issues out to do with the terms of reference.

5 A. Yes.

6 Q. This would have been an ideal time to say, "Well,
7 actually, leave aside the terms of reference,
8 subpostmasters are having real difficulties with using
9 this new project. It's a real problem". But you didn't
10 do that?

11 A. No, because, at the time, it wasn't a great issue. Now,
12 I fully accept it was boiling up to become one but, at
13 the time, it wasn't. We were talking about the terms of
14 reference, and the terms of reference -- there was the
15 Benefits Agency putting out a leaflet which said words
16 to the effect of "Oh, and you can always go to the Post
17 Office if you want to", it was promoting Automatic
18 Credit Transfer into people's bank accounts and all
19 I was doing in that meeting, at that point, was saying
20 to them "Just a minute, let's have a level playing field
21 if nothing else".

22 So that was really not related to counter losses and
23 the operation of Horizon by subpostmasters. That was
24 referring to that -- it was a high-level meeting. We've
25 got Ian McCartney and people in there like that. It was

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1 course, I fully accept -- and there was a major problem
2 with the balancing. And I think it's because of
3 something you asked me earlier on, which was the
4 contractual relationship and making good losses.

5 There has always been losses in post offices and
6 gains, I imagine, and so that was -- that bit there was
7 typical, I think, of the everyday working, and so that
8 didn't particularly draw my attention, I don't think, at
9 the time. But others did, and this was the Horizon
10 Working Group, if you remember, and what we were
11 discussing was Horizon, and the sort of thing that
12 happens with the -- the counter screen had to be moved
13 and all that sort of a thing. It was a real, real *mélée*
14 of different things, of which that was one. But
15 I didn't attribute any great concern to it, because it
16 was always thus. What I didn't know then which I know
17 now, of course, was the scale of it.

18 Q. Do you accept that it was a mistake not to raise this
19 clearly in these Working Group meetings, these kind of
20 issues?

21 A. No, I don't think I do. I mean, it's a wise man who
22 knows what he doesn't know, and I didn't know what was
23 looming -- what was on the pot boiling. It was -- I was
24 going to say it's fundamentally -- I think what we're
25 talking about isn't that, is it?

26

1 referring to the terms of reference that were -- people
2 were going to follow as it went through. And my concern
3 at that point was, "Let's have a level playing field.
4 Let's not have Automatic Credit Transfer and just
5 mention subpostmasters *en passant*. That's what I was
6 about at that point.

7 Q. We can see further issues that you raise at this meeting
8 if we turn to page 4, and if we look at paragraph 11 and
9 12:

10 "On Mr Baker's point about long-term security for
11 the network, Mr McCartney pointed out that even the
12 benefit payment card would have been a relatively
13 short-term solution, which was never envisaged to have
14 a long-term future given the accelerating trend for the
15 new benefit recipients to opt for ACT.

16 "Mr Baker accepted Mr McCartney's point that the job
17 now was to secure the success of the platform, but
18 argued that the Post Office should be flagged up in the
19 terms of reference as the preferred port of call for
20 benefit recipients."

21 Was that your position at the time: that the job was
22 to secure the success of the platform?

23 A. Yes.

24 Q. This was despite the fact that you didn't have the
25 technical expertise to assess the viability of the

28

1 platform itself?

2 **A.** That's correct. I didn't have. But I put my trust in
3 the Post Office and others that did have the expertise,
4 or at least I hoped they had. They were the ones that
5 negotiated the contract, not me. But I did throw myself
6 and the Federation wholeheartedly behind it. Because
7 without automation, without that sort of counter
8 automation, we would be doomed, I'm sure. It was life
9 saving for us.

10 **Q.** What did you know at this time about the reasons why the
11 Benefits Agency had withdrawn from the project?

12 **A.** I don't think I, or anybody else on our side of the
13 dealings really knew why, other than it was a question
14 of how much it cost the Benefits Agency to push order
15 books through, the amount of fraud that the order books
16 attracted. That was what I thought. But I didn't
17 really know.

18 **Q.** Did you ask anyone at the time?

19 **A.** Yes, I asked the Benefits Agency.

20 **Q.** Moving forward slightly to the 10 June 1999, if we could
21 pull up NFSP00000479, this is another report of the
22 meeting of the Negotiating Committee, and if we could
23 turn to page 9, please; these is the start of the
24 discussion about counter automation. It seems like this
25 was a standing item on the Negotiation Committee at the

29

1 sorry, just scrolling down.

2 **A.** That's all right. I'll have a drink while you're doing
3 that.

4 **Q.** Please let me know if you need a break at any time?

5 **A.** Yeah. I'm fine, just thirsty.

6 **Q.** It says:
7 "Some subpostmasters have had enormous difficulties
8 balancing up and finishing their cash accounts, even to
9 the point of still struggling to finish on Friday
10 nights.
11 "Tomorrow's special Executive Council meeting, which
12 is being attended for a short time by Stuart Sweetman
13 and David Miller, is crucial to finding out what has
14 gone wrong with the Horizon programme. ICL Pathway/POCL
15 say it's not the system."
16 Do you see that there?

17 **A.** Yes.

18 **Q.** So, at this time, it sounds like a very serious issue
19 that subpostmasters are reporting enormous difficulties
20 balancing up. To you, was that business as usual or was
21 that new?

22 **A.** No, that's when we sensed that it was escalating. Hence
23 we got David Miller and Stuart Sweetman along to the
24 meeting to account for themselves, and for them to hear
25 for themselves what the Executive Council was saying.

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1 time. Would that have been right?

2 **A.** That's absolutely right yes.

3 **Q.** If we could turn over to page 12, please, and scroll to
4 the bottom. We can see that it's recorded:
5 "The General Secretary and-on Peberdy advised the
6 committee that they'd gone to the meeting with the
7 preconceived idea that attempts would be made to 'buy
8 them off' and placate them with platitudes. However, it
9 appears the government are worried about the extent of
10 the Federation's influence and it is our intention to
11 keep them worried. The Federation has a substantial
12 role in the Working Group and will be in prime position
13 to have as much influence as possible. The Minister is
14 under no illusion that the Federation intends to bide
15 its time and see what it is to be delivered before
16 taking any further action."
17 Is that what you said at the time?

18 **A.** Well, that's recorded in the minutes. I can't genuinely
19 remember what I said, but that's in the minutes so
20 I imagine, yes.

21 **Q.** Did you feel like the Federation could have
22 a substantial role in the Working Group and be
23 influential?

24 **A.** Yes.

25 **Q.** On this same page, if we look further down, it says --

30

1 Because we only -- we at Federation headquarters know
2 what the subpostmasters said to the branch secretary and
3 what the branch secretary said to the Executive Council,
4 because these are Executive Council meetings. And so
5 what we wanted from that meeting was for Stuart Sweetman
6 and David Miller to hear for themselves, not from
7 subpostmasters, from the representatives ourselves,
8 exactly what they were being told by subpostmasters.

9 **Q.** You said this issue was escalating. Where was this now
10 on your list of priorities as General Secretary?

11 **A.** Right up at the top. I spent more time on this -- and
12 I think you'll be able to see it from the evidence
13 you've got there -- of just how much time did have to
14 spend on this. In fact, I don't think I was a proper
15 dad and a proper husband at the time. I was really,
16 really focused on getting this system into post offices
17 to ease subpostmasters' minds and give them a bit of
18 money.

19 **Q.** You mentioned the meeting the next day on 11 June. If
20 we could turn that up which is NFSP00000539. This is
21 a special meeting of the National Executive Committee,
22 and if we could turn to page 7, please and we can scroll
23 down. We can see this is where Mr Sweetman and
24 Mr Miller joined the meeting because they only joined
25 for part of it; is that right?

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1 A. Yes.

2 Q. If we look at after they join, we can see that they're
3 welcomed and then if we look at the paragraph beginning
4 "Mr Sweetman", it says:
5 "Mr Sweetman thanked the Chairman for the invitation
6 to [meet]. He introduced Mr Miller who had two roles.
7 He was the existing Role Programme Director of the
8 Horizon Programme, a position he had held since the
9 beginning of the previous year, and Managing Director of
10 the new Post Office Network Business Unit. In the
11 latter role he would be responsible for all things to do
12 with the Post Office Network and the interests of the
13 Federation and its members. Mr Sweetman's objective at
14 the meeting was to try to bring the Committee up to
15 date, from his point of view, on the path that they had
16 to tread and the route that POCL and the Federation must
17 travel together if they were going to be successful in
18 partnership."
19 If we scroll down again, it says:
20 "Automation would continue. All the central
21 payments and communications would go into the post
22 office but there would not be a Benefit Payment Card on
23 the system. Benefits would be paid by barcoded savings
24 books. The contract would run until 2005 by which time
25 benefits would only be paid by banking system or

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1 Mr Sweetman about things other than the difficulties
2 that are being suffered by subpostmasters; isn't there?
3 A. Yes.

4 Q. If we scroll over the page, so when we get to Mr Butlin,
5 it says:
6 "Mr Butlin referred to the serious problems that the
7 South West was having with the software, especially with
8 the balance, and asked Mr Miller whether any changes
9 were to be made in that respect. An assurance was
10 sought by the Committee that the balance would become
11 more user friendly, more logical and easier for
12 subpostmasters to use. Would it be possible for
13 subpostmasters to have more input into the way the
14 balance was done. The North East was facing similar
15 problems, subpostmasters were incurring additional staff
16 costs, an example being around £350 in the four weeks
17 that his office had been up and running."
18 So it was at this stage that the software issues are
19 raised, isn't it?
20 A. Yes.

21 Q. That's what Mr Butlin is referring to, is the
22 difficulties that subpostmasters are having?
23 A. Yes.

24 Q. Do you feel like this, as you said, very important issue
25 has got buried amongst a lot of the other issues that

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1 emergency Green Giros. The contract with ICL would
2 change from PFI transactions, only going through the
3 system to one where The Post Office effectively
4 purchased the system from ICL Pathway."
5 A moment ago you said it was important for Mr Miller
6 and Mr Sweetman to come to this meeting and to answer
7 your questions. They seemed to think that they're
8 coming for a more general discussion about the project.
9 Would you accept that?
10 A. Yes, I would say, as well: they would, wouldn't they?
11 Q. If we can scroll over the page, we can see number of
12 questions that are put to Mr Sweetman. They're to do
13 with ACT, and if we scroll down further, resultant loss
14 of benefits, agency work. Then scrolling down:
15 "What plans do you have to:
16 "a) become a bank?
17 "b) combat the threat?"
18 Scrolling over the page:
19 "c) Secure other work/income for the Network?
20 "d) reduce your costs?"
21 Scrolling down again:
22 "How will this decision affect the agreement that
23 subpostmasters will not have to pay for the automation
24 of their offices?"
25 So there's quite a lot of discussion with

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1 were raised at this meeting?
2 A. Um, there was certainly a lot of issues raised in the
3 meeting. But I wouldn't have said that any particular
4 issue got buried. It was a -- you can imagine running
5 a union, particularly with the Post Office, there's lots
6 of issues to be gone through on the agenda. We had to
7 deal with all of them. And you'll notice that Mr Miller
8 actually made comment to that point later.
9 Q. Yes, if we scroll -- sorry, if we scroll down, I can
10 show you that. It says, this is what you were referring
11 to:
12 "Mr Miller acknowledged there was a problem and ...
13 there would be a software change to improve the
14 situation."
15 A. Yes.

16 Q. "If there were serious problems that could not be
17 overcome in the timescale the rollout would be delayed."
18 Would you accept those are two conflicting points,
19 though: that if there were problems the timescale for
20 the rollout would be delayed, and that's not something
21 you wanted either, was it?
22 A. No, but we did want it to be right. We didn't want to
23 have automation at any cost, and with warts and all. We
24 wanted it to be right, and so we not only would be
25 pressing the Government and the Post Office and anyone

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1 else that "Let's have this automation in Counters, it's
2 vital", but also, we wanted it right. Of course we did.
3 **Q.** If we could turn over to page 14, please. I think at
4 this meeting there was a discussion about whether or not
5 the Federation should stay and work with POCL or break
6 away; is that right?
7 **A.** Yes, it was a-- it was a suggestion by one of the
8 Executive Council, yes.
9 **Q.** Why was that? Why was there a suggestion of breaking
10 away?
11 **A.** I think the feeling that we all had -- I had the feeling
12 as well -- that we were only told what they wanted us to
13 know, you know. They were involved in the negotiations
14 with ICL and Pathway. They knew what the Benefits
15 Agency and what the Treasury, and that, people were
16 saying. Very didn't. We were, if you like, artisans on
17 this one. We were foot soldiers, and doing our best to
18 get this automation in. But it needed it to be right.
19 And so there was a view that, well, let's cut and run.
20 Well, I mean, we had suggestions on the Executive
21 Council about buying a bank, buying National Savings,
22 all those things but you talk them through and people
23 realise that maybe it wasn't such a good idea after all.
24 **Q.** If we look at the bottom of that page 14, we see
25 a comment from a Miss Lindon?

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1 would address them and talk to subpostmasters to see
2 what they wanted on the programme. He was embarrassed
3 that this had not happened already."
4 Did you get a list of those problems with the
5 software?
6 **A.** Well, yes.
7 **Q.** Did you understand what they meant?
8 **A.** Yes.
9 **Q.** It also goes on to say:
10 "It was important that members be advised
11 immediately of the outcome of this meeting and this
12 needed to be done in a way that would make them aware of
13 the seriousness of the situation, without resorting to
14 scaremongering."
15 Why was there a concern about scaremongering?
16 **A.** Well, because we mentioned before about the bad press
17 that this was getting, and I didn't want -- or we didn't
18 want that to be fuelled, you know. We wanted to -- we
19 didn't want to wash our dirty linen in public, put it
20 that way. We wanted this to be a success. We still
21 wanted this to be a success. And so what we didn't want
22 to do was to scaremonger so that people who wanted to
23 could write articles about it, nasty ones.
24 **Q.** Turning forward to 14 June a few days later, there's
25 a Select Committee hearing and if we could turn up

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1 **A.** Yes.
2 **Q.** "Miss Lindon referred to the controversy concerning the
3 plans for Horizon and questioned whether the Federation
4 was getting the package they needed. She suggested that
5 this, being negotiation time, was an opportunity for
6 POCL to talk to ICL ... about modifying and simplifying
7 the package before it was too late."
8 Would you agree with that? Was that a possibility
9 at that time, or did you see that as off the table?
10 **A.** No, I saw it as a possibility at the time, and that was
11 what we discussed with David Miller. And that wasn't --
12 there wasn't a one meeting with David Miller; we had
13 regular, regular meetings with David Miller. And,
14 I have to say, he was very good and he did understand
15 whether -- whether David Miller could change anything,
16 I don't know, but he could certainly influence it from
17 the Post Office Board, which is where we needed it to be
18 influenced.
19 I eventually got to the Post Office Board, to the
20 Chairman, Allan Leighton, but my style is to gather in
21 people that would support us and let them do the
22 supporting, and David Miller was certainly a supporter.
23 **Q.** The note goes on to say:
24 "The Chairman advised that Mr Miller had requested
25 a list of all the problems with the software and he

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1 POL00028522, and if we could look at page 2, we can see
2 there the record of the Trade and Industry Select
3 Committee meeting. If we turn to page 6, we can see
4 this is the "Submission by the National Federation of
5 SubPostmasters". Were you involved in putting this
6 together?
7 **A.** Yes.
8 **Q.** If we turn to page 9, this is a section on "Programme
9 Delivery". If we look at the third paragraph,
10 underneath "Programme Delivery":
11 "On the system side, our understanding is that the
12 system had been moved successfully through the final
13 stages of testing prior to addition of the remaining
14 officers to make up the balance of 300 taking part in
15 the formal live trial. The training courses, go-live
16 arrangements and support arrangements both at offices
17 and via the helplines were ready to ensure a successful
18 trial prior to national rollout."
19 You don't mention in your submission that there are
20 subpostmasters who are suffering difficulties with using
21 the system, do you?
22 **A.** No.
23 **Q.** Why was that?
24 **A.** Well, I think, as I said before, this was -- this has
25 got a slow roll. It wasn't immediately big and serious.

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1 This was -- most certainly we couldn't take our eyes off
2 it, but it was a slow roll. And there's always been
3 losses in sub post offices and, you know, they've been
4 addressed over time. But I could only repeat to
5 Government and to the Select Committee what's been fed
6 to me and that comes through the Branch Secretary, the
7 Executive Council, and then the meetings and the
8 subpostmaster -- and the subpostmasters would write to
9 me as well, and it was not an issue, in my view, at the
10 time to be raised to the Select Committee.

11 **Q.** Shortly after this, on 21, 22 and 23 June, there's
12 a National Executive Council meeting and, if we could
13 turn that up, it is at NFSP00000471.

14 **A.** Yes.

15 **Q.** If we could turn to page 22, please, and scroll down to
16 the bottom, we can see here that this is where counter
17 automation begins to be discussed again. If we turn
18 over on to page 23, and we look at the second paragraph,
19 we can see it says:

20 "The General Secretary described an excellent radio
21 interview broadcast on the Jimmy Young show, Radio 2,
22 with himself and the Labour spokesman Mr Martin O'Neill.
23 The Select Committee meeting he had attended with
24 Mr Peberdy had gone very well. They appeared to be
25 given longer to speak than anybody else and he felt they

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1 **A.** Yes, it does.

2 **Q.** So people were discussing trauma. Yes?

3 **A.** Yes.

4 **Q.** Was that very concerning for you?

5 **A.** Of course it was, yes.

6 **Q.** Was that something you felt you needed to action
7 immediately?

8 **A.** Yes, and we did. And I was reassured that it couldn't
9 possibly be the Horizon programme, that was perfect.
10 And I went through a process of seeing different people
11 at different heights within the Post Office and that was
12 the standard answer I received. It was a very difficult
13 time, to be honest with you, and it just seemed as
14 though, with all the pressurising we were doing to
15 people, that was the answer we were giving.

16 **Q.** It goes on to say:

17 "Although there may be improvements to the general
18 system, most members present wanted to know if the
19 Committee had the power to say that the current system
20 is obviously not working and instruct ICL and the Post
21 Office to review or restart with more subpostmaster
22 friendly software."

23 Was that something that you considered?

24 **A.** Well, I didn't think in my wildest dreams we'd be able
25 to get the Post Office or anybody else, for that matter,

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1 had given a good account of themselves. The Select
2 Committee seemed very much in favour of sub post
3 offices."

4 Is that how you felt about that Select Committee
5 meeting?

6 **A.** Yes, it was.

7 **Q.** If we scroll down, it states:

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

20 Do you remember these comments being made at this
21 meeting?

22 **A.** Yes.

23 **Q.** How did the subpostmasters feel or how did the
24 representations that you were hearing sound? Does this
25 accord with it?

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1 to -- we couldn't instruct them, ICL or anybody, to
2 change the system, but they were left in no doubt how we
3 felt about it, and that we weren't satisfied with the
4 sort of answers that we were getting.

5 But, even worse than that, we weren't satisfied with
6 the way that the security division were treating
7 subpostmasters, as though they didn't have any say in
8 the matter at all. That was awful. I mean, it's bad
9 enough for the system to be not good, but for the Post
10 Office to follow up -- the security division to follow
11 it up with browbeating and pressurising subpostmasters
12 was unforgivable.

13 **Q.** But why did you feel you couldn't go to ICL and the Post
14 Office and say, "Look, why don't you start afresh?"

15 **A.** Well, we didn't have any negotiating powers with ICL, of
16 course. We could only ask, and the Post Office we did
17 ask. We did ask, and we were told, you know, "It'll
18 work its way through".

19 **Q.** If we turn over to page 24, we can see some of the
20 further concerns that were raised by subpostmasters.
21 Sorry, if we could go back to the previous page, it
22 starts there:

23 "Mr Marshall reported that it took two hours for his
24 printer to come back up and since then, after printers
25 on different counters had gone down, it has taken at

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1 least two hours for each to become operational again.
 2 Rebooting the system takes at 12 minutes and, taking
 3 into account all the time spent on the telephone with
 4 the helpline, it takes many hours to balance on
 5 Wednesday afternoon. There have been reports of
 6 subpostmasters working until 10.00/10.30 pm which is not
 7 only stressful, but eroding their free time."

8 Scrolling down:

9 "Mr Jannetta said that he and others of his
 10 colleagues would have to rely on those subpostmasters in
 11 the North East and South West who currently have this
 12 system in place, to make sure their voices are heard
 13 with their problems and to ensure that all the
 14 difficulties encountered are satisfactorily overcome.
 15 The point must be clearly made to the Business that this
 16 automation is not going to do the job, that
 17 subpostmasters have learned enough to know it will not
 18 work satisfactorily and that it must not be rolled out
 19 to an excess of fifteen thousand sub post offices until
 20 all the problems have been overcome.

21 "The Richard Jackson automated system was considered
 22 by both Mr Marshall and Mr Darvill to be an easier to
 23 use, preferable, alternative to the present system.
 24 Mr Darvill wanted to know if the lawyers had some hold
 25 on the Horizon System for some reason, that it could not

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1 I don't think the Post Office looked endearingly at me
 2 at the time, but I had to do what I had to do.
 3 Q. If we could look at page 25. It refers to, if we look
 4 down the page, "Mr Peberdy thanked the Council for their
 5 information", and that reflects the concerns that were
 6 voiced by the various representatives. It says:

7 "They were exactly the problems expressed to Dave
 8 Miller at their meeting on 11 June."

9 We've already been to the minutes of that meeting.
 10 Do you feel like they were fully raised at the meeting
 11 on 11 June?

12 A. Yes, yes, I do. I felt as though we'd done our job with
 13 David Miller and Stuart Sweetman. That was the meeting
 14 you were referring to, wasn't it?

15 Q. Yes.

16 A. Yes, I did.

17 Q. Turning over the page to page 26, and if we scroll down,
 18 it says:

19 "The General Secretary was asked by Miss Lindon to
 20 confirm the rollout would not take place until the
 21 problems had been resolved. She said her region was
 22 being told August. Mr Baker was emphatic that this
 23 would not be permitted to happen and the resolution of
 24 problems prior to rollout could be ensured. The
 25 Federation had equal standing with the other

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1 be changed."

2 How did it make you feel, hearing stores like this?

3 A. I was very, very uncomfortable at the time throughout,
 4 because I felt as though I was banging on doors to make
 5 my points made, but I was sent away with some smooth
 6 words, and -- but I felt helpless, really, in not being
 7 able to go to ICL. I did have meetings with -- well,
 8 I forget his name, a gentleman from Pathway, and made
 9 him know exactly what was going on, but whether that was
 10 fed back in -- because the relationship between the Post
 11 Office and ICL was outwith me. I didn't have anything
 12 to do with that, and sad to say, I wish I had have done.

13 Q. If we could scroll down again a little bit, and a bit
 14 more. It says:

15 "Mr Edmondson felt that, in general, most of
 16 subpostmasters' difficulties and complaints about the
 17 system were being largely ignored."

18 Do you feel like your concerns were being largely
 19 ignored?

20 A. I felt as though I was being listened to and, after I'd
 21 gone out of the room, I'd gone out of the room. That's
 22 what I felt. But I still had to keep on championing the
 23 cause. I couldn't stop. I was on this treadmill and
 24 I had to get it done and I had to get it delivered but
 25 I had to tell them about all the problems, as well. So

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1 participants in the Working Group and our views would
 2 therefore receive equal consideration."

3 Is that right, that you had the power to refuse
 4 rollout or you felt you had the power to refuse rollout
 5 if the problems weren't resolved?

6 A. No, I don't think it was right. I'm reading it, and,
 7 well, they are minutes taken at the time, so I can't
 8 argue with that. But I might have been emphatic that we
 9 would let everybody know, but I -- we, the Federation,
 10 didn't have the power to stop the rollout. We did have
 11 the power to tell people in the position of power what
 12 the situation was, and we did. But we were a very small
 13 cog in a very big wheel, and I did my best.

14 We did our best to bring this to the attention of
 15 the Post Office, but we didn't deal directly with ICL or
 16 anyone else, really. So all we could do was refer back
 17 to the Post Office, Dave Miller and all those that were
 18 delivering this project to Post Office, because you'll
 19 know there was loads and loads of people delivering the
 20 project, and some people making sure the counters were
 21 okay, others making sure the screens were -- loads of
 22 people.

23 And we told them all what was going on, but it was
 24 frustrating to think, at that time, that we wanted to
 25 bring it home, but we also wanted correcting things that

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1 were going wrong.

2 **Q.** So coming back to this minute, I think you say: if the
3 minute says that, then you probably did say it. But
4 would you accept that, in saying that you wouldn't
5 permit rollout to happen, you were overstating to your
6 members the power that your group had?

7 **A.** Yes, I would. If that's what I'd said, I would
8 definitely say that we were overstating our powers.

9 **Q.** If we could turn to page 27 -- sorry, actually at the
10 bottom of page 26, it says:

11 "Discussion at length took place between members as
12 to whether a public campaign should be started. Many
13 felt that at action should begin at once [I think
14 'action should begin at once'], while others felt that
15 we may lose the goodwill of Government and the Post
16 Office if an offensive was launched immediately.
17 A militant attitude may also jeopardise the Federation's
18 acceptance as an equal member of the Working Party. In
19 general it was felt that no plans could be made until
20 after the issue of the Government's White Paper in early
21 July and the contract was signed on the 19th ..."

22 Can you explain what happened at the meeting and why
23 and how it was decided that a public campaign shouldn't
24 be launched?

25 **A.** I can't, actually. I can tell you the experiences at
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1 criticise the Horizon System publicly?

2 **A.** I certainly said that. I don't know whether it's this
3 time or not, but I've certainly said "Be careful what
4 you say about Horizon outside, because we don't want to
5 kill it. We want it to happen but we want it to happen
6 right". So while we, within the Federation, are arguing
7 with the Post Office, arguing with anybody else that
8 will listen to us about the faults that are wrong with
9 it and the difficulty we were having. We still wanted
10 it to happen.

11 Let me say, I held no torch for Pathway or ICL. We
12 didn't have any say in who got this contract at all. We
13 were not allowed to go anywhere near it. But, having
14 got it, it's the best we'd got. We didn't have anything
15 else so we needed to make it a success. So it's always
16 a balance. Life's a balance and that was a balance.

17 **Q.** Turning to page 27 and scrolling further down, please,
18 to the National President. It says:

19 "The National President asked the meeting if
20 everyone was happy that the agreed way forward would be
21 decided on 11th July and that a public campaign would
22 not, for the moment be pursued."

23 So the upshot of this meeting was "Let's wait and
24 see"; is that right?

25 **A.** It would appear that way, yes. I couldn't honestly say,
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1 the time, but I can't remember that particular
2 discussion. We had two campaigns. We marched on
3 Parliament on both. The latter one we had -- I can't
4 remember the dates precisely, we delivered a petition
5 for 4 million signatures to Tony Blair, and these were
6 signatures, not e-signatures: signatures. And that was
7 important -- it was important we did that and that was
8 the second one of the two, because the only power we'd
9 got, really, was the number of customers that were
10 coming through our doors.

11 That was our strength, and so we showed our
12 strength. That's the way we showed it. We don't go on
13 strike. There isn't even a no-strike agreement. It's
14 just that subpostmasters are shopkeepers as well as
15 subpostmasters, we couldn't -- they wouldn't close their
16 doors anyway, and why should they?

17 So that was how we exercised our power and, out of
18 that, come the PIU report; out of that, the Select
19 Committee report. We were pretty influential for being
20 a small cog in a big wheel, we were. But -- so militant
21 attitude? Is a march on Parliament of thousands of
22 subpostmasters? It probably is bordering on militance,
23 only like subpostmasters can be militant, of course. So
24 no, we do it when we need to.

25 **Q.** Were you telling people at this time they shouldn't
50

1 but it would appear that way.

2 **MS KENNEDY:** Chair, I'm looking at the time. This might be
3 a convenient moment for a short break.

4 **SIR WYN WILLIAMS:** Yes. Can I just ask Mr Baker one or two
5 things before we do that, if we're leaving that
6 document.

7 On a number of occasions, in answer to counsel's
8 questions, you've said that you raised it with the Post
9 Office, all right? Now I want you to be, if you can,
10 a bit more precise about the personnel that we're
11 talking about, all right?

12 **A.** Right.

13 **SIR WYN WILLIAMS:** So I understand or I think I understand
14 that some of the occasions you may have raised this
15 would have been with Mr Miller?

16 **A.** Correct.

17 **SIR WYN WILLIAMS:** Was that a direct you-to-Mr Miller sort
18 of thing in a discussion between the two of you?

19 **A.** Yes, well, I would probably have my colleague John
20 Peberdy with me. I think you've got him to come later
21 on.

22 **SIR WYN WILLIAMS:** A small group of people where you were
23 discussing these things frankly; is that what I'm to
24 understand?

25 **A.** Correct, yes. But it didn't stay at Dave Miller. There
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1 was David Mills, who was the Chief Executive at some
2 point, Allan Leighton, who was the Chairman of the Post
3 Office, Stuart Sweetman. It would be anyone. Anyone
4 that we could talk to, we would. If you can hear
5 desperation in my voice now, I'm only echoing what it
6 was like at the time.

7 **SIR WYN WILLIAMS:** All right. So do I get the impression
8 that you would raise these issues with as many senior
9 Post Office people as you could?

10 **A.** Yes, anyone that would listen.

11 **SIR WYN WILLIAMS:** Right. Was this done in an arranged
12 meeting or would you pick up the phone, or what are we
13 talking about here?

14 **A.** Well, anything, any of those. An arranged meeting,
15 picking up the phone, tried to take him to dinner one
16 night and coax him into having a glass of wine and
17 listening to me. Anything that I could to bring it home
18 to the Post Office. And, in fact, there were many, many
19 days in my working life -- I'd work Monday to Friday in
20 my office in Shoreham, I'd then jump on a train and go
21 to London to see people there, and then on a Saturday,
22 I would get in my car and drive up to Cumbria, say, and
23 do a dinner-dance there and speak to subpostmasters.
24 That was my life. I was doing nothing else.

25 **SIR WYN WILLIAMS:** All right. I think I've got the full

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1 subpostmasters who were experiencing difficulties as
2 this information would assist them to provide us with
3 the help we require."

4 Is that what happened at the meeting?

5 **A.** Um, that's what happened, yeah, that's the report of the
6 meeting we had with them. We also had a meeting with
7 the Post Office about it and we did give them the
8 information yes.

9 **Q.** We also have the working party minutes of that meeting,
10 if we can turn up NFSP00000203, and on to the next page.
11 If we look at paragraph 5, we can see there that you
12 say:

13 "Mr Baker said it was extremely important for the
14 rollout to be absolutely right; with so many planned per
15 week ... there would be risk of collapse otherwise."

16 It doesn't record there that you raised issues with
17 software problems. Was that something that was missed
18 off the meeting minute?

19 **A.** Um, I was making a general point there, as far as I can
20 recall. Well, most certainly it was important, the
21 rollout, you're absolutely right, and that sentence
22 embraces all aspects of the rollout.

23 **Q.** But you'd just left a meeting where you were hearing
24 really distressing things about what subpostmasters were
25 going through.

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1 flavour now.

2 So yes, let's have our break. What time shall we
3 recommence?

4 **MS KENNEDY:** 11.30?

5 **SIR WYN WILLIAMS:** That's fine. Thank you very much.

6 **MS KENNEDY:** Thank you, Chair.

7 (11.12 am)

8 (A short break)

9 (11.30 am)

10 **MS KENNEDY:** Hello, Chair.

11 **SIR WYN WILLIAMS:** Hello, there.

12 **MS KENNEDY:** Restarting with the evidence of Mr Baker. If
13 we could call up NFSP00 -- yes, that's the one. We were
14 looking at this document when we left off but if we
15 could scroll down to the bottom, you left this general
16 Executive Council meeting to go to a working party
17 meeting; is that right?

18 **A.** Yes.

19 **Q.** We see your report at page 27 onwards, and if we turn
20 over to page 28, and scroll down, we can see there that
21 your report says:

22 "The subject of systems faults was raised and the
23 NFSP were given assurances that there would be software
24 improvements to cure the present difficulties. The
25 Federation were asked for more precise numbers of

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1 **A.** Yes.

2 **Q.** Did you not think at this meeting you should, front and
3 centre, be saying, "This is terrible, let me tell you
4 about what subpostmasters are going through"?

5 **A.** I can't recall whether I said that or not, to be
6 perfectly honest with you. I mean, that's a minute that
7 obviously somebody has taken, and I don't know whether
8 that was paraphrasing what I said, or shortening it, or
9 whatever. I don't know. I can't remember. But, yes,
10 it was written beginning in my ears. It had been for
11 some time.

12 **Q.** Do you feel you got your point across to the Working
13 Group that this was such a serious issue?

14 **A.** It's a cautious yes, because getting your point across
15 is one thing, whether anybody takes any notice of it
16 once you've got it across, is entirely something else.
17 And I was and remain very concerned that, whilst I was
18 talking to the Working Group and management of the Post
19 Office, Post Office Counters Limited, David Miller,
20 et cetera, the people in the Post Office Investigation
21 Department -- whether there was a disconnect between the
22 two, I don't know.

23 But the treatment that they were metering out to
24 subpostmasters were not in any way in the spirit of the
25 discussions I was having with them.

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1 Q. You mentioned correspondence with David Miller. On
 2 24 June you sent a letter on to the executive officers,
 3 that you received from David Miller. If we can call
 4 that up, it's NFSP00000073, and if we could first look
 5 at the letter which is on page 2., and scroll down.
 6 This is a letter in response to something that Jean
 7 Kendall presented with a list of issues that
 8 subpostmasters, as the NFSP saw it, were having.
 9 If we could scroll over on to the third page and
 10 scroll down, we can see that David Miller, under
 11 "Training", is saying:
 12 "This is probably our greatest area of concern and
 13 is being pursued vigorously with ICL. The areas you
 14 have identified such as balancing and cash account are
 15 part of the redesign which is currently taking place and
 16 is based on subpostmasters' real experience."
 17 That would suggest that David Miller saw some of the
 18 balancing issues as concerned with training. Is that
 19 how you read that?
 20 A. Yes.
 21 Q. If we turn over to page 4, we can see balancing has been
 22 raised as a separate issue, and it says:
 23 "Your concerns about printing, redeclaration of
 24 stocks, and identification of first and second class
 25 stamps and postal orders are already in the process of

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1 Q. Yes. You say it goes some way to explain the problems.
 2 What did you feel was outstanding? What other things
 3 did you want answers on?
 4 A. I was desperate to get answers about the treatment that
 5 subpostmasters were receiving from the Post Office
 6 Investigation Department, when errors had been
 7 discovered or reported. They were treated as criminals,
 8 and it was offensive to me and I wished that I could do
 9 something about it. But whenever I pushed on that door,
 10 I was told that the system can't make errors. You know,
 11 "What you put in, you get out", sort of thing, and
 12 I resented that. That's what I meant by that.
 13 Q. But to be clear, were you raising issues about the
 14 system itself or the action that was taken by Post
 15 Office against subpostmasters?
 16 A. I was referring to the latter of those at the time.
 17 Although the system and the hardware and software, and
 18 so on, yes, we were deeply concerned about that, as
 19 well, we wanted it to be a success, but not at any cost,
 20 and one of the costs was the treatment that the
 21 people -- I'd never call people my members but, in fact,
 22 that's how I felt.
 23 Q. Did you believe the Post Office at this time when it was
 24 saying to you it was infallible and Horizon was always
 25 right?

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1 resolution and a software drop in July will deal with
 2 them. However, there are issues around the balancing
 3 process which are part of the training response and have
 4 yet to be satisfactorily addressed by Pathway. Clearly,
 5 this is something on which we will base our decisions
 6 about acceptance and rollout."

7 So there you're being told there are issues with the
 8 software, which will be dealt with by a software
 9 release, or there are issues with training, which will
 10 be dealt with by training.

11 If we turn back to page 1, and scroll down, we can
 12 see that, in sending this letter on, you say:

13 "Please see attached a letter from David Miller
 14 which goes some way to explain the problems and
 15 corrective action which has been taken."

16 Did you feel that corrective action was being taken
 17 at that action?

18 A. Not at that time, no, but I believed that corrective
 19 action would be taken once it's been reported to David
 20 Miller, and his actions should prove so. And, I mean,
 21 this actually underlines the point about your earlier
 22 question, as to about who did we raise it to and whether
 23 they did take any notice of it. Well, I think that
 24 statement from David Miller demonstrates that yes, we
 25 did, and yes, he did listen.

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1 A. At that point, I really had no choice but to believe
 2 them, because they were the masters of it all. I mean,
 3 I wasn't. And I did believe, actually, in the Post
 4 Office, up to some point -- and I can't remember
 5 precisely what point we're at, at this stage, but you
 6 do -- you do, you tend to want to believe them because
 7 that's what you want to hear. You wanted to hear that
 8 the system is robust. But, in fact, what subpostmasters
 9 were saying to me was "No, it's not".
 10 Q. Turning forward to 7 July 1999, it's NFSP00000200, and
 11 if we could up page 2. This is a further meeting of the
 12 Horizon System Working Group. And, again, if we look at
 13 the contributions you and the NFSP make, if we look at
 14 paragraph 4, there's mention of acceptance testing:
 15 "... Mr Miller said that [this] was going ahead with
 16 ICL to a pre-agreed programme. Mr Peberdy asked what
 17 defined a 'high' category incident. Mr Miller said this
 18 would be one which threatened the progress with the
 19 project within the agreed timescale. He did not think
 20 there would be major problems. Mr Hodgson emphasised
 21 the need for regular progress reports."
 22 At this meeting, you are not making a point of
 23 raising the balancing issues that subpostmasters are
 24 facing, are you?

25 A. No, I'm not, no. Can I just interject here at this

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1 point?

2 **Q.** Please.

3 **A.** It didn't start with the Big Bang, as I explained

4 before. It was a slow, a gradual increase in the

5 numbers of subpostmasters. And I only get to hear what

6 is fed to me. Now, there's three classes of

7 subpostmasters, can I put it that way? There are those

8 that are members of the Federation and would refer it to

9 the branch secretary and who we hope would refer it

10 to -- there are non-members, who wouldn't, obviously,

11 because they're not members. And a third category is

12 those that felt embarrassed that they had losses in

13 their Post Office and weren't saying anything.

14 And so we had to amass pass this information the

15 best way we could, and it should be fed back to the

16 Federation headquarters, via the branch secretaries and

17 the Executive Council. If that didn't happen, we

18 wouldn't get to know about it. And so, at this point,

19 1999, it wasn't the real problem that it is now. And so

20 we were making decisions on what we knew at the time.

21 **Q.** If I could refer you to paragraph 9 of that document,

22 which is on the next page. It says:

23 "Moving on to a report on the government's intention

24 to establish an interdepartmental working group on POCL

25 funding issues, Mr McCartney said the current

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1 yes, of course, but that's -- you know, that was my job

2 at the time.

3 **Q.** Moving on to 10 August 1999, there was a special Horizon

4 meeting in Newcastle. If we turn up NFSP00000237. You

5 went with David Miller of POCL to this meeting, and it

6 records, in the second paragraph, that:

7 "[Mr Miller] gave a short address, followed by Colin

8 Baker, General Secretary, NFSP. Mr Miller told the

9 meeting that Horizon was formally accepted 2 weeks

10 ago -- ... trigger points were important."

11 I think if we scroll down further, it says:

12 "The meeting was then opened for subpostmasters to

13 comment on the Horizon Programme and for questions to be

14 asked of POCL and requests made for future actions."

15 So, at this stage at this meeting, subpostmasters

16 are being encouraged to share their experiences of the

17 Horizon programme, aren't they?

18 **A.** Yes.

19 **Q.** If we scroll down again, it says, "General point":

20 "Agreed by all on the trial of:

21 "the stress on the workforce

22 "the strain on people's lives and marriages

23 "lost holidays by some subpostmasters

24 "the miserly amounts paid by POCL to subpostmasters

25 on trial. (Colin Baker explained that the amounts paid

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1 speculation in the press on the future of the network

2 was not a helpful background. Mr Baker said that he

3 thought the group should have a role in disseminating

4 good news stories to counter the scaremongering."

5 What did you mean by "scaremongering" in this

6 context?

7 **A.** The people that were saying that it was doomed. I think

8 something like *Computer* -- I hate to say it, *Computer*

9 *Weekly* maybe, or something like that, you know, were

10 saying the system is bugged.

11 **Q.** But at this stage you've got subpostmasters telling you

12 they're suffering with all these difficulties and you're

13 proposing to go forward and speak to the press about how

14 positively it's a good thing.

15 **A.** Yes.

16 **Q.** Is there a tension there?

17 **A.** Yes, I've explained the dilemma that we have. We wanted

18 to be a success, we wanted this to happen because,

19 without it, we'd be dead in the water, but we also

20 wanted to be right. Now, as far as the public were

21 concerned, they didn't know or we didn't want them to

22 know that it was perilous and threatened. We wanted

23 them to think it was fine. But we, in our negotiations,

24 wanted to tell the Post Office that we were very worried

25 about it. So there was a tension there between the two,

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1 were not negotiated by the Federation but on the

2 Federation's representatives the amounts had been

3 doubled from the cash to be paid. Subpostmasters told

4 of costs up to £780 in extra wages.

5 "Of the 44 Horizon offices present in a vote

6 30 offices said that they suffered stress and only

7 4 thought payment was sufficient, and they had been in

8 first phrase."

9 Was this a difficult meeting for you?

10 **A.** No, not really. It was, again, part of my technique to

11 put management in front of subpostmasters and let them

12 hear for themselves. So it wasn't a difficult meeting

13 for me. It might have been difficult for David Miller,

14 but they were doing -- subpostmasters were doing what

15 I wanted them to do.

16 **Q.** If we turn over the page, it says:

17 "All offices agreed that a checking system without

18 information having to be removed is essential to the

19 successful use of the system."

20 What was that about?

21 **A.** I really couldn't tell you. I really don't know. Sorry

22 about that.

23 **Q.** Was it mentioned that it would be helpful to have a way

24 that subpostmasters could check the Horizon data to see

25 if it was correct?

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1 A. It might well refer to that but, for the life of me,
2 I can't remember what that point is.

3 Q. If we turn to page 4, under "Balancing":
4 "Every office complained of System Failure, every
5 balance day need to reboot. POCL have system to know
6 how many reboot without offices informing POCL -- but no
7 action taken by POCL to improve situation. Waiting time
8 at Helpline for rebooting instructions make SPMs act on
9 their own."

10 This sounds like such quite a dire situation; did it
11 feel that way?

12 A. Yes, for offices involved in that part of the trial,
13 yes, it was. It was dire, and it was all referred to
14 the Post Office.

15 Q. Did you see that as your role: to allow subpostmasters
16 to say what they wanted to the Post Office (**The witness**
17 **nodded**) and then that was the end of your role in
18 respect of these issues?

19 A. No, it wasn't the end-off my role. My role was ongoing
20 for many years. But, most certainly, it was part of my
21 technique to put subpostmasters in front of managers
22 with us there and let them vent their feelings and let
23 them tell them precisely. Because although I can tell
24 them, it's nothing like hearing from subpostmasters
25 themselves.

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1 Q. Did that ring alarm bells with you?

2 A. Um, no more than were already there, to be honest with
3 you. We obviously knew there were problems with it and
4 we wanted him to address it.

5 Q. But you've previously said that you knew that
6 postmasters would be responsible for the losses?

7 A. Yes.

8 Q. If there's an issue with data integrity, it logically
9 follows that they could be responsible for losses that
10 didn't exist, doesn't it?

11 A. Correct.

12 Q. So was this now highest on your list of priorities?

13 A. I don't know. I don't know what was highest on my
14 priorities at all. I was very concerned about what
15 investigations were going on or lack of it, but I can't
16 really say whether it was the highest or not.

17 Q. If we look further down to paragraph 7, scrolling down,
18 it says:
19 "Mr Deegan asked about the issues of spare capacity
20 and triggers for payment. Mr Miller confirmed that the
21 Post Office were clear that they would be able to use
22 spare capacity on the system (this had previously been
23 an issue of dispute with ICL). The Post Office will pay
24 ICL £60 [million] on 24 October on initial acceptance of
25 the system and will pay ICL a further £80 [million] when

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1 Q. If we look at the very bottom of that page it says:
2 "All offices agreed there was nothing fundamentally
3 wrong with the system, however they did not want rollout
4 until further improvements had been made."
5 Was that something you decided you would keep an eye
6 on, to see whether those improvements were made?

7 A. Yes.

8 Q. Moving forward in time to 11 October 1999, if we can
9 turn up NFSP00000066, and if we could turn to page 4 and
10 look at paragraph 5. So this is the start of the
11 meeting notes but if we look at page 5, paragraph 5., we
12 can see:
13 "Mr Miller explained that formal acceptance of the
14 reconfigured Horizon system planned for 18 August had
15 been postponed because of POCL's concern about training,
16 system stability, data integrity (there had been
17 an unacceptably high level of screen freezes) and
18 effective operation of the helpdesk. The Post Office
19 had accepted the system on 24 September on the basis
20 that effective remedial action had either been completed
21 or was in hand."
22 So, at this stage, Mr Miller is flagging up that
23 there are issues with data integrity in the system; is
24 that right?

25 A. Yes.

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1 they achieve rollout to 1,600 offices, which is planned
2 for around Christmas time. ICL would not receive
3 payment until the target had been reached, though the
4 Post Office was not expecting significant slippage.
5 Mr Baker expressed support for the Post Office's
6 position -- whilst the there was a need for ICL to hit
7 deadlines it was also important for the system to be
8 delivered in full working order. The feedback which
9 Mr Baker had received from NFSP members was
10 intermittent, and not all positive but problems now
11 seemed to be being sorted out and training seemed to
12 have improved."

13 Is that an adequate reflection of the feedback that
14 you were receiving from NFSP members at that time?

15 A. Yes, at that time, I'm pretty sure it was.

16 Q. But it was not all positive. What I've just shown
17 you --

18 A. No, it's definitely not all positive.

19 Q. Would you agree it was generally quite negative?

20 A. I would agree that it was not all positive. I'm quite
21 sure where we would draw the line there.

22 Q. You had an opportunity here to cut through and say to
23 the working group "Subpostmasters are finding this
24 really difficult, we don't think it's fit for purpose,
25 we're talking about whether we could go with something

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1 completely different". But you decided not to do that
 2 here. Why?
 3 **A.** This was the Horizon Working Group, chaired by
 4 government. Those sort of discussions were left for
 5 management of the Post Office, and those that were
 6 responsible to delivering the programme. This is -- you
 7 know, we're talking -- we'd go from one -- say, "950
 8 post offices automated", to "Mr Baker expressed support
 9 for that position". Fine. And then it says "It has
 10 been received from members that it was not all
 11 positive". Well, you know, that was -- that high-level
 12 discussion, that was a high-level statement.
 13 **Q.** With the benefit of hindsight, do you wish that you'd
 14 raised this as an issue at that time?
 15 **A.** With what I know now, yes.
 16 **Q.** Moving forward to 15 November, there's another note of
 17 the Horizon Working Group at NFSP0000063 and, again,
 18 given your previous answers -- sorry, if we turn to
 19 page 5, that's the start. You don't raise the issues
 20 that subpostmasters were having with the system. Was
 21 that, again, because you felt it was inappropriate to do
 22 so in this forum?
 23 **A.** The bit I'm looking at talks about the Child Benefit
 24 form. Am I missing a little bit?
 25 **Q.** Yes, sorry, scrolling down. You can see there there's
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1 as I set out earlier, contractual. A subpostmaster is
 2 responsible for all losses incurred, including those of
 3 his assistants. Now, we've identified at this stage
 4 that there's glitches in the system, and I think what
 5 this is saying, if I recall it, is that we needed some
 6 leniency in this.
 7 We're not trying to come away from the contractual
 8 side of it at all, which is there and, you know, is
 9 agreed. But because subpostmasters were now sending
 10 their cash accounts off through Horizon and there was
 11 some funny stuff happening to it when it got there, we
 12 needed another look at this, really. And we needed to
 13 engage with Steve Gibbs, and whoever, for a little bit
 14 of leniency in it.
 15 But even then, at this stage, we weren't aware of
 16 what's coming down the track regarding subpostmasters'
 17 losses and how many there were.
 18 **Q.** If we could turn forward to the 1 February 2000 when you
 19 received a letter from Don Grey, that's NFSP00000348.
 20 I think it starts by saying:
 21 "I was sorry to learn from our recent telephone
 22 conversation you had received no affirmation of Horizon
 23 national rollout from the 24 January."
 24 Was that right? Were you not informed of that?
 25 **A.** Yes, as far as I can recall.
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1 discussion of the Child Benefit form.
 2 **A.** Yes.
 3 **Q.** If we go through, let me know if you'd like a moment to
 4 read through it fully.
 5 **A.** Which bit?
 6 **Q.** Well, I'm putting to you, in a way, the note in its
 7 entirety. We can have a break for you to read it, but
 8 you didn't feel it appropriate to raise the issues that
 9 the subpostmasters were having with the system in this
 10 Working Group?
 11 **A.** Not in this Working Group, no. I did raise concerns in
 12 this Working Group, and you'll see at paragraph 5 what
 13 I said there. But not this Working Group, no.
 14 **Q.** At the beginning of January 2000, the Post Office
 15 started looking at reforming the policy on losses. If
 16 we could turn up NFSP00000361, and if we can blow that
 17 up and scroll down, please. In the second paragraph, it
 18 says:
 19 "As discussed over the phone the policy should have
 20 been amended to cover how we deal with subsequent losses
 21 as the current policy could be deemed punitive."
 22 Do you remember what that current policy was?
 23 **A.** Can I just see who has authored this letter?
 24 **Q.** If you scroll down, it's Steve Gibbs?
 25 **A.** Oh, Steve Gibbs, yes, okay. Thank you. The policy was,
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1 **Q.** If we look at the second -- sorry, third paragraph,
 2 scrolling down, it talks about the system since rollout,
 3 and it says:
 4 "Hopefully these improvements will have an evident
 5 beneficial effect and tackle the problems identified in
 6 the pre-Christmas research that was done via
 7 335 telephone interviews with staff and agents who were
 8 involved in Horizon rollout last Autumn. There is some
 9 positive feedback from this research ([for example] 36%
 10 improvement in ease of balancing; 90% found the system
 11 was easy to use; fewer dissatisfied with training than
 12 in live trial and 80% satisfaction with the automation
 13 programme in general)."
 14 Did you consider that this was an improvement and
 15 that improvements were being made throughout this time?
 16 **A.** Yes, I did.
 17 **Q.** Do you understand what was meant by a 36 per cent
 18 improvement in ease of balancing?
 19 **A.** Yeah, I do.
 20 **Q.** What were they, or what was it?
 21 **A.** It was 36 per cent of offices had experienced
 22 an improvement in ease of balancing. Now, for the life
 23 of me, I can't -- I don't know what they thought was
 24 easier, but I can only take it on face value that
 25 36 per cent had an easier balance. I can't know what
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1 goes on in every Post Office in the land all the time.
 2 **Q.** Turning forward to 10 February 2000. If we can pull up
 3 NFSP00000261. Scrolling down, this is a letter that you
 4 wrote to Executive Officers saying:

5 "Having been putting pressure on the Automation
 6 Director for some information regarding Horizon Rollout,
 7 I am sure you will be keen to see a letter which we
 8 received which sets out the position following the
 9 review held by Post Office Network Unit.

10 "Hopefully a regular dialogue will soon be
 11 established at territorial level in order to assist
 12 members to overcome the difficulties that they may well
 13 experience as their offices are automated."

14 If we turn over the page to page 2 -- sorry page 3.,
 15 and scroll down. This is a letter that was written to
 16 you from David Smith, and if we look at the third or
 17 fourth paragraph, it says:

18 "The feedback points in the direction of training,
 19 balancing and helpdesks as the major improvement areas
 20 with balancing very much the common theme. However, in
 21 each of these areas outlets are more or less evenly
 22 split between those who think we've got it right as
 23 opposed to wrong. The trick to be pulled off is to
 24 improve matters for those who believe we need to improve
 25 without 'turning off' those who think we've got it

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1 Post Offices yesterday. We are waiting for a definitive
 2 answer from POCL on the problems encountered. However,
 3 what we know so far is that a problem arose last
 4 Thursday morning in the uprating of stamps and resulting
 5 from poor advice some subpostmasters did not correctly
 6 complete the upgrading of stock relation that day. That
 7 manifested when they tried to balance yesterday.

8 "As a result of the difficulties, the system tried
 9 to produce a negative balance but Horizon will not allow
 10 a negative balance and, therefore, subpostmasters'
 11 balances could not be completed."

12 Do you remember this specific incident?

13 **A.** I do, yes. I remember being at the office late trying
 14 to resolve the situation from my position afar, really.

15 **Q.** Do you think that it could have been an issue with the
 16 Horizon System itself?

17 **A.** Oh, yes, yes, definitely did.

18 **Q.** If we turn over to page --

19 **A.** Sorry, I think though there was some telephone problems
 20 there. I think it was a telephone line that might not
 21 have been working. Don't hold me to that.

22 **Q.** If we can turn over to the second page, it says:

23 "The difficulties with Horizon yesterday, we were
 24 advised, was primarily not a systems fault. It was
 25 primarily difficulties encountered by subpostmasters

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1 right."

2 So in terms of balancing being the common theme, in
 3 terms of feedback points, was this what you would have
 4 expected the feedback to be at this stage of the
 5 rollout?

6 **A.** Yes, I only get bad news from subpostmasters, by the
 7 way. They don't write in and say how lovely things are.
 8 So I would not be surprised at that at all.

9 **Q.** Were you concerned that the Post Office seemed to
 10 repeatedly attribute issues to training, rather than the
 11 Horizon program itself?

12 **A.** Yes, because they were consistently saying, at this
 13 stage, that there was nothing with Horizon, it was
 14 perfect, you only get out what you put in. So that was
 15 why they were focused on training and things. And I do
 16 believe that the people that I was dealing with at the
 17 time believed that. But I'm not sure now, with the
 18 benefit of hindsight, that there were those who knew
 19 something was not entirely correct.

20 **Q.** Moving forward to 4 May 2000, if we could turn up
 21 NFSP00000020 and scroll down. This is a letter that you
 22 wrote, a circular to the National Executive Council, and
 23 in it you say:

24 "You may no doubt be aware that there were
 25 significant difficulties with Horizon balancing at some

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1 last Thursday in understanding the instructions for
 2 uprating their postage stock which led to balancing
 3 difficulties yesterday."

4 When you say "we were advised", where has that come
 5 from?

6 **A.** The only people it could have come from was Post Office
 7 Counters Limited but at what level that would be,
 8 I don't know.

9 **Q.** So, even at this stage, the Post Office were saying to
 10 you it's to do with user error rather than an issue with
 11 the system?

12 **A.** Oh yes. Oh yeah. They were adamant that Horizon was
 13 perfect, and they were user errors.

14 **Q.** When you say "they", who was it who was saying this to
 15 you?

16 **A.** Well, right up to David Miller, I think.

17 **Q.** The last paragraph says:

18 "They have accepted that there is a clear learning
 19 point to make sure instructions are more understandable
 20 and they have also accepted a need to review and
 21 communicate the difficulties of what they have learned
 22 both to those within the Business and to subpostmasters.
 23 They are however trying to deal with the problems today
 24 and clearly this is the most critical aim for them to
 25 focus upon."

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1 So did you feel that you were forced to accept what
2 the Post Office was saying, that there was no systems
3 error and you had to proceed from there?

4 **A.** Yes, yes.

5 **Q.** At this period of time, you've known that there are
6 issues with subpostmasters struggling to balance for
7 over a year. Do you think you could have done more at
8 this stage, when this type of issue arose, to stand up
9 for subpostmasters?

10 **A.** The -- for more than a year comment? Can you just
11 repeat that? I'm not quite --

12 **Q.** So I've taken you through a number of minutes that show
13 that subpostmasters back to 199 --

14 **A.** Oh, I see what you mean, yes.

15 **Q.** So to ask my question again, did you feel, at this time,
16 it was time to escalate this or to do more to try to say
17 to the Post Office, "Look, these issues have been going
18 on for over a year, we need to do something about the
19 system?"

20 **A.** Yes. Yes, I did.

21 **Q.** If we could move to 5 October, you received a circular
22 from POL. If we could turn up NFSP00000406.

23 **A.** Can I see who has signed it, please?

24 **Q.** Yes, I was going to ask. If we turn over the page.

25 **A.** Okay.

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1 **A.** It didn't surprise me. Yes, I was concerned about the
2 whole thing at this stage, but it didn't surprise me
3 because, as we've discovered before, there was -- some
4 subpostmasters weren't showing all the errors. Some
5 were. And with Horizon, of course, they had to show the
6 errors. And so I would not have been surprised to have
7 seen that, although I don't remember seeing it, of
8 course.

9 **Q.** Turning on to November 2000, if we could turn up
10 NFSP00000153. This is a circular to the National
11 Executive Council about ghost entries on giro daily
12 reports. Do you remember this incident?

13 **A.** Yes.

14 **Q.** If we turn over the page to page 2, and if we look at
15 that main text in the middle of the box, it says:

16 "There have been occasions where Girobank transfers
17 entered onto CSR+ Horizon terminals may not be visible
18 on the office copy in the Horizon daily records. The
19 transaction will, however, be included in the grand
20 total value and volume reported to the cash account. In
21 addition, the individual totals on one or more Horizon
22 daily records may be wrong. This fault is due to be
23 fixed in December."

24 So this is the Post Office telling you that Horizon
25 records may not be correct?

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1 **Q.** I was going to ask you if you remember this or who sent
2 it to you. Because it's not signed.

3 **A.** I don't, actually. I don't actually remember it. No,
4 I don't, I'm sorry to say.

5 **Q.** Please don't apologise. We can see that it's from the
6 Post Office, if we scroll back to the first page.

7 **A.** Yes, indeed.

8 **Q.** What I wanted to ask you about, so this is generally
9 headed that it's about "National Rollout Progress"?

10 **A.** Mm-hm.

11 **Q.** But if we turn on to the second page, and we scroll
12 down, the "Cash Account" section, which is second from
13 the bottom, "Cash Accounts":

14 "Since the introduction of Horizon there has been
15 a significant reduction in amounts held in unclaimed
16 payments/uncharged receipts. The same cannot be said of
17 authorised shortages, and internal processes, including
18 additional help to specific outlets, had been improved.
19 The level of errors on Horizon continues to fall but has
20 still not returned to pre-Horizon levels and analysis of
21 root causes has led to a number of remedial actions
22 being taken."

23 So in October 2000, the Post Office is saying that
24 there are higher levels of errors on Horizon than there
25 were before. Again, did this concern you?

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1 **A.** Yes.

2 **Q.** Again, did this surprise you?

3 **A.** Err ... yes, I think it did surprise me, at the time.

4 This was handled by my assistant, Kevin -- very good --
5 and it did surprise me. It surprised me because I saw
6 Post Office admitting now that there's something not
7 quite right with the transaction record. That surprised
8 me, but I was anxious to see a resolution to it.

9 **Q.** At this stage, were you aware of the Post Office
10 prosecuting any of your members on the basis of Horizon
11 data?

12 **A.** What's the date of this one?

13 **Q.** So this November 2000.

14 **A.** I was not aware, then, of prosecutions. If there were
15 any, I don't think I heard about it, really.

16 **Q.** Turning forward to the beginning of 2001, and if we
17 could call up NFSP00000557, so this is the National
18 Executive Council meeting, and if we turn to page 9 and
19 scroll down please, under "Horizon Implementation" it
20 says:

21 "Mr Peberdy reported that he thought that Don Grey
22 did his best to sort out problems with Horizon."

23 Did you agree with that? Did you feel that Don Grey
24 did a good job of sorting out the issues with the
25 Horizon?

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1 A. I was taking advice on it from Mr Peberdy.
 2 Q. Is that something we should ask him about?
 3 A. Yes, I think so.
 4 Q. If we turn over to page 10, which is the next -- and
 5 then (f), thank you. Do you remember what Horizon
 6 polling problems were?
 7 A. No, I don't. I'm just reading on a bit. I would
 8 imagine "polling" meant drawing information from post
 9 offices. I don't know for sure. Sorry, can't help you
 10 with that one.
 11 Q. Thank you. Then moving forward again to March 2001, if
 12 we can call up NFSP0000513 and if we could turn to
 13 page 15. Scrolling down, please. Thank you. This
 14 again concerns Horizon polling problems. Does any of
 15 this refresh your memory?
 16 A. I just have to take a minute to --
 17 Q. No, please do. Take your time.
 18 A. I'm refreshing my memory and I can't say that I've got
 19 a vivid memory of this but the second paragraph there,
 20 about the Horizon problems, the stories that were told,
 21 I mean, that's all very familiar to me.
 22 Q. So picking up on that second paragraph about the money
 23 held in the suspense account:
 24 "He had been led to understand that there was
 25 10 million in a suspense account now, as opposed to

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1 If we scroll down, Mr Morgan Jones highlighted
 2 a particular case, which was a hostage situation, and
 3 the subpostmaster was asked to pay 53,000 which was now
 4 being reduced to 5,250:
 5 "At the interview for the appeal the subpostmaster
 6 was asked if he was insured and gave Mr Morgan Jones
 7 a great deal of concern. Eagle Star provided a 5,000
 8 cover under certain circumstances."
 9 So at this stage, members are starting to raise
 10 concerns about people being asked to repay quite large
 11 sums of money on the basis of Horizon data; is that
 12 right?
 13 A. I don't know whether it was Horizon data, was it? Was
 14 it highlighted particularly, as well? Hostage
 15 situation? Um, I'm not sure whether that was due
 16 because of Horizon, or whether it was due to the hostage
 17 situation, whether the subpostmaster actually gave --
 18 was taken hostage and gave the money out. I don't know.
 19 I honestly don't know.
 20 Q. Turning forward, then, to 2003. If we could turn to
 21 NFSP00000411. This is a letter that you received in
 22 2003. If we could scroll down and on to the second
 23 page. Scroll down, please. You received a letter from
 24 a firm of solicitors saying:
 25 "We have been instructed in connection with recovery

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1 2 million, 18 months ago."
 2 A. Mm-hm.
 3 Q. Was that something you were aware of at the time?
 4 A. No, it wasn't but I was aware of it after John had told
 5 me.
 6 Q. Was it concerning to you?
 7 A. Yes, I wondered how that happened, why it should be.
 8 Because, as I go back, the contract says that the
 9 subpostmaster makes good losses at the time. So is this
 10 money that the subpostmaster put in that's in a suspense
 11 account? Or is this money that it -- I'm asking you the
 12 question, you don't know and I don't know -- or whether
 13 it's a suspense account where subpostmasters should have
 14 put £10 million in and haven't done. I don't know.
 15 Q. If we could turn over the page to page 16 we can see
 16 Mr Walsh asks a question:
 17 "Mr Walsh asked a question about losses and gains
 18 policy, whose responsibility was it when a claim for
 19 money was sent out, whether it was put in as per the
 20 loss and gains policy or whether the total amount should
 21 be asked for. When Post Office Network requested
 22 repayment of money, they would know in the losses and
 23 gains policy they should only be asking for 25% plus
 24 £2,000 if the loss was £10,000. Why did they not ask
 25 for that immediately."

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1 of a purported late account for a local Post Office.
 2 The postmaster, however, is adamant that she did not
 3 take that money. There is approximately 3,000 in
 4 dispute. Our client vehemently believes that there was
 5 a 'glitch' with the computer system that night which
 6 cannot now be located. We are wondering whether you're
 7 aware of any additional 'glitches' with such systems."
 8 If we could turn back to the first page, we can see
 9 your response, scrolling down. You said:
 10 "I can advise that at the time of migration from the
 11 manual system to the computerised one, a number of
 12 subpostmasters complained of errors that had been
 13 created by the system. We have no way here of knowing
 14 whether such errors were as a result of the computer
 15 system and, therefore, the matter was raised with Post
 16 Office Limited. We are advised that all cases were
 17 examined and some were found to be computer glitches
 18 whilst others were zero."
 19 So that was your response when this was raised in
 20 2003, as a potential cause of a shortfall; is that
 21 right?
 22 A. Well, there's another paragraph to follow that one,
 23 where I advised that the most productive way forward to
 24 proceed would be for the client to request
 25 an investigation. As to the system:

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1 "... it should be able to identify all transactions
2 undertaken. If your client is a member of our
3 organisation, we will be pleased to request such
4 an investigation."
5 So it wasn't just left there. I actually did
6 suggest an action.
7 **Q.** Did you remember receiving this letter?
8 **A.** I do, yes. Yes.
9 **Q.** Did you think at the time that this might have been
10 a manifestation of the issues that we have discussed
11 today?
12 **A.** Yes, I thought it was a distinct possibility, yes.
13 **Q.** Do you think that you deferred too much to the Post
14 Office?
15 **A.** In as much as I was asking for an investigation into it,
16 we -- the National Federation of SubPostmasters couldn't
17 investigate into it because we weren't -- we don't know
18 the other end of the Horizon System and what was
19 happening there. Only the Post Office and ICL Pathway
20 could have undertaken that sort of investigation, but we
21 did urge a member -- I'm assuming a member -- to go down
22 that route. And what I've said in the final paragraph,
23 "We were pleased to request such an investigation".
24 I don't think we heard anything from that.
25 **MS KENNEDY:** Mr Baker, I don't have any further questions.

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1 because it's talking about postponement of acceptance of
2 the system, et cetera, which would seem to mean that it
3 was either late '99 or 2000.
4 **A.** Yes, that's correct, and that's underscored, I think, by
5 the paragraph, "Complaints at that time were mainly
6 about training and delays in receiving help from the
7 helpline".
8 That was the feeling that we had at the time, yes.
9 That's about right.
10 **SIR WYN WILLIAMS:** What I want to ask you about are two
11 names about six lines down. First of all, is "David
12 Mills" correct or should it be "David Miller".
13 **A.** No, that's David Mills.
14 **SIR WYN WILLIAMS:** It is David Mills, that's fine.
15 **A.** He was David Miller's boss.
16 **SIR WYN WILLIAMS:** Then, for the first time in this phase,
17 the name "Paula Vennells" has cropped up.
18 **A.** Yes, indeed.
19 **SIR WYN WILLIAMS:** So could you explain to me your
20 understanding of what role Ms Vennells was playing in
21 1999/2000?
22 **A.** I would. I think she was the managing director of Post
23 Office Counters Limited.
24 **SIR WYN WILLIAMS:** Right, thank you.
25 **A.** So she was a pretty high up person.

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1 Chair, do you have any questions for Mr Baker at
2 this stage?

Questioned by SIR WYN WILLIAMS

3
4 **SIR WYN WILLIAMS:** There's just one, if I may. It arises
5 out of paragraph 20 of Mr Baker's witness statement. So
6 if that could be put on the screen and Ms Kennedy, if
7 you could give the number.
8 **MS KENNEDY:** Yes. It is WITN-- oh, there it is.
9 WITN03780100, just for the transcript.
10 **SIR WYN WILLIAMS:** If you'd look at paragraph 20, please --
11 **A.** Certainly.
12 **SIR WYN WILLIAMS:** -- which is page 7 of 10 in the witness
13 statement.
14 **A.** Thank you, paragraph --
15 **SIR WYN WILLIAMS:** That's it. This is all part of
16 a narrative which you've been taken through by
17 counsel --
18 **A.** Yes.
19 **SIR WYN WILLIAMS:** -- as to the various things that were
20 happening, essentially from 1999 onwards, and I read
21 that paragraph as having occurred sometime in the year
22 2000, all right? So would you just read that to
23 yourself --
24 **A.** Yes.
25 **SIR WYN WILLIAMS:** -- and see if I've got that right,

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1 **SIR WYN WILLIAMS:** Are you saying in that, where you use the
2 phrase "We continued to raise them with David Mills and
3 Ms Vennells", that you personally, either in writing or
4 orally, discussed these issues with Ms Vennells?
5 **A.** Yes.
6 **SIR WYN WILLIAMS:** Right. All right, thank you very much.
7 **A.** Yes, I did.

8 **MS KENNEDY:** Chair, we've given permission for Mr Stein and
9 Ms Page to ask questions.
10 **SIR WYN WILLIAMS:** Yes, certainly, yes.

Questioned by MR STEIN

12 **MR STEIN:** Mr Baker, good afternoon. My name is Sam Stein,
13 I represent a very large number of subpostmasters,
14 mistresses and managers. I'm going to take you
15 directly, please, to a document with the reference
16 POL00028530.

17 Now, Mr Baker, in your evidence you have stressed
18 that, without automation -- I quote from you, "without
19 account automation, we would be doomed. I'm sure it was
20 lifesaving for us".

21 That appears to have been an attitude that you've
22 expressed throughout your evidence. Now, I assume from
23 what you're saying in your evidence that you mean that
24 without automation, or your perception of what
25 automation can do, then many, many branch offices of the

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1 Post Office would be closed?
 2 **A.** Many sub post offices, yes.
 3 **Q.** Yes, okay.
 4 **A.** Eventually, closed. I didn't think the axe would fall
 5 instantly.
 6 **Q.** So that was the threat you were working under and
 7 seeking to avoid; is that correct?
 8 **A.** Threat? Yes, yes, I would concede that, although
 9 I don't like the word threat, to be honest.
 10 **Q.** Let's have a look at this document, then. This is in
 11 November 1998, as you can see. "Restricted policy and
 12 Commercial, Department for Trade and Industry". It's
 13 for the attention of Jonathan Evans, from Isabel
 14 Anderson, Postal Services Directorate. Can we go to
 15 Relativity page 2, please. We'll see there that, under
 16 the heading "Restricted policy and commercial", this is
 17 the draft as at 6.30 pm on 13 November 1998, "BA/POCL
 18 Automation Project". So this goes back to those
 19 particular days, as you can see, that it included, at
 20 that particular point, BA, and then it's
 21 an interdepartmental working group report to ministers,
 22 so we can see what this is about.
 23 **A.** Yes.
 24 **Q.** This is a briefing or a report to ministers in relation
 25 to matters as of that time, okay?

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1 agents who run the majority of the Post Office Network)
 2 perceive that Post Office business can provide a viable
 3 future and do not voluntarily exit the market (reducing
 4 the ability of the Post Office to manage network
 5 closures and migrate business to other offices)?"
 6 **A.** I see that, yes.
 7 **Q.** Okay. If we can go down to paragraph 21, and again
 8 highlight paragraph 21 this time, please. So
 9 paragraph 21 says:
 10 "Under all options the Post Office will be seeking
 11 to manage a reshaping of the network, against
 12 a background of commitment to a nationwide network of
 13 post offices."
 14 I'm only pausing, Mr Baker, so you can make sure --
 15 **A.** No, okay, I was following you.
 16 **Q.** I understand, but just so that you're comfortable with
 17 having your glass of water.
 18 **A.** Okay.
 19 **Q.** "Under all options the Post Office will be seeking to
 20 manage a reshaping of the network, against a background
 21 of commitment to a nationwide network of post offices.
 22 Their objective is to retain the current levels of
 23 access, particularly in rural areas, but to reduce
 24 over-provision in some urban and suburban areas,
 25 replacing some physical offices with electronic access

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1 Then if we can now move, please, to the bottom of
 2 page 7 of 30. At this point in the document, the
 3 document is going through various options, so if you
 4 look at "Recap on the options", the impact of each
 5 option on the Benefits Agency and the Post Office are
 6 driven by the following key factors. So it's looking at
 7 different options that are available for the possible
 8 continuation of the project. Then under "Managing the
 9 Changes to the Post Office Network":
 10 "The response of the Post Office under each option
 11 and in particular how any changes to the network will be
 12 managed, would be an important factor in any decision on
 13 the way forward. There are differences of view between
 14 the parties on ..."
 15 Then if we go over the page, please:
 16 "... the ability of the Post Office to manage
 17 changes to the network under each scenario."
 18 Can we then concentrate, please, on "Key issues will
 19 be", and the first one is how to maximise POCL's
 20 existing customer base, as benefit payment switches to
 21 ACT. Second one is how to maintain relations with
 22 existing clients. Then the third one, please, and if we
 23 can highlight the third bullet point "How to ensure",
 24 that one, please -- thank you:
 25 "How to ensure that the subpostmasters (private

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1 points. Current trends would, in any case, see
 2 a reduction in the rural network by some 200 offices
 3 each year, and a gradual shift to ACT-based methods of
 4 payment over time (by 2009/10 almost 50% of claimants
 5 are expected to have switched to ACT).
 6 "Compared to the current network of 19,000 offices,
 7 POCL believe that their vision for the future could be
 8 served by a network consisting of around 11,000-13,000
 9 full service offices supplemented by 5,000-10,000
 10 electronic access points, many of which could continue
 11 to be sited in existing Post Offices ..."
 12 So in November 1998 were you aware of this vision
 13 that the Post Office had regarding a substantial
 14 closure?
 15 **A.** No, I wasn't. And I would have been surprised if they'd
 16 have shared it with me, to be honest.
 17 **Q.** Do you see that, under the third bullet point, what's
 18 being set out here in the briefing to ministers is that,
 19 bearing in mind what you can see in paragraph 21, that
 20 what was being thought to be appropriate was to "ensure
 21 that subpostmasters, (private agents who run the
 22 majority of the Post Office Network) perceive that Post
 23 Office business can provide a viable future".
 24 You're an ex-subpostmaster yourself, I don't know
 25 how you funded your own Post Office branch, but you'll

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1 understand that many people had loans --
 2 **A.** Oh, I had a loan.
 3 **Q.** -- they invested their own funds, savings into it.
 4 **A.** Yes.
 5 **Q.** They did that in the hope that they would have a settled
 6 provision for the future?
 7 **A.** That's correct.
 8 **Q.** They hoped that the money from the Post Office and the
 9 money they'd get from any associated other business that
 10 they'd run alongside the Post Office would provide them
 11 with a reasonable income and, hopefully, therefore,
 12 provide them with an income to satisfy their children's
 13 needs, their own needs, and indeed retire in the future?
 14 **A.** Yes.
 15 **Q.** Okay. So presumably what you were doing, Mr Baker, was
 16 that you were seeing automation as being, in your mind,
 17 the best way to preserve this big network of
 18 18,000/19,000 offices --
 19 **A.** Yes indeed, yes indeed.
 20 **Q.** -- precisely for the reasons that I've just gone
 21 through, which is that these are hardworking people who
 22 had put in a lot of time and effort --
 23 **A.** We were already doing a lot of other things as well,
 24 regarding compensation of office agreement with the Post
 25 Office Limited, so that should the axe fall on any

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1 it was a Government report, of which we had a great say
 2 in it, and the Prime Minister, Tony Blair at the time,
 3 came out in favour of it, and it stressed there what we
 4 should do. I haven't got it with me. It was the PIU
 5 report.
 6 Have you read it, sir? Can I recommend it to you.
 7 Thank you.
 8 **Q.** Do you feel as though you were misled by the Post Office
 9 if this was what they had in mind, this intention to
 10 cut, by well over a third, the Post Office in 1998 --
 11 **A.** I don't think I was misled because --
 12 **Q.** -- using the very system of automation that, in fact,
 13 you championed. Do you consider that you were misled by
 14 the Post Office?
 15 **A.** No, sir.
 16 **Q.** Why not --
 17 **A.** I consider --
 18 **Q.** -- because, here you are, championing the automation of
 19 the project and, in fact, they intended it to cut
 20 massively?
 21 **A.** But they didn't. Influences were at work, not least of
 22 those of the National Federation of SubPostmasters, who
 23 got this PIU report -- and I too recommend you read
 24 it -- then you might reconsider your question to me.
 25 You might.

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1 particular sub post office, that subpostmaster could be
 2 compensated. That was a negotiation by the National
 3 Federation of SubPostmasters, one of which I'm proud,
 4 because there was something there for the subpostmaster
 5 should the axe fall, because the subpostmasters'
 6 contract is in the gift of the Post Office. And, you
 7 know, we've got to prepare our members for should that
 8 happen.
 9 Now, with that compensation agreement, some
 10 subpostmasters volunteered closure. It was worth their
 11 while to go, and -- because maybe they could see the
 12 writing on the wall. But that is most definitely --
 13 it's impeccable, what you've just read out there.
 14 That's true. But we had to seek to address it, and
 15 that's something else which we would do.
 16 **Q.** You say it's true but were you aware of this vision?
 17 Did you understand that --
 18 **A.** I wasn't aware of the vision. No, I was aware that
 19 there's plenty of facts in there but I was not aware
 20 that that was the Post Office vision. No.
 21 **Q.** What would you have done --
 22 **A.** Um --
 23 **Q.** -- if you knew this?
 24 **A.** Well, what I would have done and what I did was champion
 25 something called the ... I've left my papers behind --

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1 **Q.** Mr Baker, the position of the National Federation of
 2 SubPostmasters appears to have been to essentially
 3 attempt to work with the Post Office to get the
 4 automation set out within all of the Post Office
 5 branches, yes?
 6 **A.** That is absolutely correct sir, yes.
 7 **Q.** Did that mean that you had to keep facts back from your
 8 own membership?
 9 **A.** No.
 10 **Q.** No? So you adequately told them, did you, at all times,
 11 about the problems that you were aware of?
 12 **A.** Yes. In fact, you've probably got all the evidence that
 13 I've got, two folders full of it, meetings with the
 14 Executive Council, meetings with the branches. In
 15 addition to that, we had a subpostmasters journal, *The*
 16 *SubPostmaster* it was called, monthly, and there was to
 17 and fro exchange of information, and I didn't keep
 18 anything, particularly the naughty stories, I didn't
 19 keep them from you at all. I believed that because they
 20 got a lot of money invested in it, that they deserved to
 21 know which way was up, personally.
 22 **Q.** All right, Mr Baker. I'll leave it there. You may have
 23 been told by the Inquiry that you're expected to return
 24 at a later stage --
 25 **A.** No, I haven't been told that. I look forward to it.

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- 1 Q. You're expected to return at a later stage in the
2 hearings, Mr Baker, and we look forward to seeing you
3 then.
- 4 A. Thank you very much indeed.
- 5 **Questioned by MS PAGE**
- 6 **MS PAGE:** Mr Baker, I am Flora Page, I'm also representing
7 a number of subpostmasters in the proceedings.
- 8 A. Nice to meet you.
- 9 Q. Can I just clear up something to start off with, which
10 I expect is just that somebody else bears your name.
11 I just want to clear this up.
- 12 A. Okay.
- 13 Q. A "Colin Baker" appears occasionally in technical fault
14 documents on ICL. You never would have seen those,
15 would you?
- 16 A. I would be the last people to be pointing faults to ICL,
17 to be honest with you.
- 18 Q. No, thank you. That's, just, as I say, to clear that
19 up.
- 20 Can I then, please, look at a slightly different bit
21 of a document we've already looked at, which is
22 NFSP00000203, and this is the report of the Horizon
23 Working Group meeting, which was interjected into the
24 middle of your NFSP meeting.
- 25 A. Okay, yes.

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- 1 they're buying and that ICL aren't giving them access to
2 it.
- 3 A. Yeah.
- 4 Q. So, no doubt you're saying, "Well, hang on a minute, we
5 need to know what this is all about before it's rolled
6 out".
- 7 What I want to look at is the next paragraph where
8 Mr McCartney, the Minister of State, said that rollout
9 was crucial. He was emphatically not prepared to accept
10 getting away from the commitment to 2001:
- 11 "Slippage would make the wider discussions on
12 Government usage of the network impossible. If there
13 were problems with software, training, etc, then these
14 should have been flagged up earlier and must now be
15 resolved in a way that enabled the 2001 timetable to be
16 recovered."
- 17 Now, was that really "automation at any price",
18 there?
- 19 A. Well, you're quoting Mr McCartney's words to me, and
20 I suppose it could be interpreted as that, yes. What --
21 my bit about -- my comments relating to "automation at
22 any price" was the way in which subpostmasters were
23 browbeaten and treated. That's the price I found
24 unacceptable.
- 25 Q. All right, well --

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- 1 Q. As I understand it, you were at your NFSP meeting, you
2 went to the Working Group, and then you returned. If we
3 go down, please, to paragraph 6, I think it is.
- 4 A. Thank you.
- 5 Q. Yes, actually, sorry. I do apologise. If we start off,
6 first of all, with paragraph 4. You've looked at your
7 interjection in paragraph 5 but I just want to look at
8 what's said either side of your interjection. We've
9 looked at the fact that Ms Rego had pointed out some
10 emerging issues around acceptance and, over the page,
11 she says -- or at least I suspect it was her who says:
- 12 "There was a need to establish exactly what it was
13 POCL was buying. ICL have not allowed access to POCL so
14 that they could determine this and have insisted that
15 this is not a contractual issue. They have, however,
16 indicated that they are willing to talk informally.
17 POCL consider the issue to be too important to the
18 commercial future prospects of the project to rest on
19 a purely informal and unenforceable indication."
- 20 That, no doubt, is what you were reacting to when
21 you said it was extremely important for the rollout to
22 be absolutely right. So, in effect, what they're saying
23 here at this quite important juncture, after the Post
24 Office has relatively recently gone into the bilateral
25 agreement, they're saying they don't really know what

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- 1 A. But we can talk about getting the bits and bobs right,
2 you know, the software and hardware and position on the
3 counters, and the helpline and -- that was work in
4 progress all the time. But the bit that I found totally
5 unacceptable was that: the treatment of subpostmasters.
- 6 Q. All right, well, we'll come back to that. But what
7 Mr McCartney here is saying is that, in effect, this is
8 going to be pushed through no matter what, isn't he:
9 2001 is happening?
- 10 A. Yeah, that's what he's saying there, yeah. Whether that
11 was fact or not, I don't know, because we -- you know,
12 we got told some stuff.
- 13 Q. Well, when you then go back to your meeting -- and so if
14 we can now have a look, again, at NFSP00000203, and if
15 we go down to page 23, I think it is.
- 16 **MS KENNEDY:** I'm being told that's the same document as
17 earlier.
- 18 **MS PAGE:** I'm so sorry, I've cited the same reference. Hang
19 on for a moment.
- 20 Sorry, it's NFSP00000471, and it's page 29, in fact,
21 that I wanted to zoom in on. In that large paragraph in
22 the bottom half of the page, about partway through, this
23 appears to be you reporting back on your view on
24 Mr McCartney. It tells us that Mr McCartney appeared to
25 be wholeheartedly in favour of preserving and improving

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1 the Post Office system. That's sort of just over
 2 halfway down the big paragraph; do you see that?
 3 **A.** Yes.
 4 **Q.** "It was felt by Mr Peberdy and Mr Baker that he would be
 5 a valuable ally in the struggle for replacement of the
 6 lost benefits work, with other government usage of post
 7 offices."
 8 **A.** Yes.
 9 **Q.** "We hope that he will remain in the job long enough to
 10 see the project through to fruition."
 11 **A.** Here we go.
 12 **Q.** So, in other words, your take on Mr McCartney was his
 13 determination to see this through, even if there were
 14 software problems, was a good thing?
 15 **A.** Well, it was wider than that, if I could put words into
 16 Mr McCartney's mouth. It was wider than that, and the
 17 references to utilising the network for other things
 18 other than Benefits Agency payments, because by then we
 19 knew that the axe was going to fall on Benefits Agency
 20 payments. So what Ian McCartney was saying, and whether
 21 it's all documented there I couldn't say, but he was
 22 onside with the other things that subpostmasters could
 23 do.
 24 And some of the things in the PIU report was
 25 subpostmasters, with the use of automation, could be

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1 Horizon was going to be able to do and, ultimately,
 2 perhaps that's what you're talking about when you
 3 referred to the PIU report in --
 4 **A.** That's exactly what I was --
 5 **Q.** That's where that was all --
 6 **A.** Have you read it, madam?
 7 **Q.** I have.
 8 **A.** Good, innit?
 9 **Q.** I'll come back to that perhaps, as well, if I have time,
 10 but the point is that, at this juncture, despite what
 11 you've told us was ringing in your ears about the trauma
 12 of people's experiences with the software --
 13 **A.** Mm-hm.
 14 **Q.** -- you were prepared to see him as an ally with that
 15 software rolling out, no matter what, because of what
 16 you could get out of it, what you saw you were able to
 17 get out of it in the future?
 18 **A.** I think that's an extremely black and white view of the
 19 world -- of my world, as it was at the time. I go back
 20 to saying that we saw automation of post office counters
 21 as the answer to our problems, okay? Not Pathway, not
 22 ICL. Automation of post office counters. And it was
 23 essential that that came along because of all the other
 24 things it brought with it. Ian McCartney seemed to have
 25 a grasp of that.

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1 general practitioners for government. A one-stop shop
 2 to go and access government -- motor vehicle licences,
 3 forms, that sort of thing, you could get from the local
 4 Post Office. And if you could imagine the vision,
 5 certainly the vision I had, and I think it was shared
 6 with many people -- was there was this ubiquitous
 7 network standing there ready to enable people to go and
 8 interrogate government, to -- we could give them all --
 9 we could give them bus timetables, we could do all sorts
 10 of things because we'd got the automation there to do it
 11 with.
 12 That was the vision, and I think that Ian McCartney
 13 actually shared that view, not the precise detail, but
 14 shared the view that there were more things that the
 15 Post Office could do.
 16 **Q.** If we could just take the document down for a moment.
 17 So what I think you're saying, and you'd tell me if I'm
 18 wrong, is that there were two sides to what Mr McCartney
 19 was saying. On the one hand, he wanted to get this done
 20 absolutely on time?
 21 **A.** Mm-hm.
 22 **Q.** He had no hesitation in saying "Software problems,
 23 I don't mind about that, I want to get this rolled out".
 24 **A.** Yes.
 25 **Q.** But, on the plus side, he had this vision for what

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1 His job was to get the thing delivered. That wasn't
 2 my job. That was his job, to get it delivered. And
 3 he's making the statements that he makes because that's
 4 his job. My job is to protect and defend the interests
 5 of subpostmasters and, by doing that, I'm also thinking
 6 about their business and their livelihoods and all that
 7 sort of thing as well. So, to some extent, we come from
 8 different positions, but it's as well that you
 9 understand other people's opinions and what they are
 10 about before you can actually get a good negotiation
 11 with them.
 12 So, yeah, he seemed to be saying the right words,
 13 and I'm sure that he was saying those words because
 14 somebody had got a knife in his back saying, "You'd
 15 better deliver it or not".
 16 **Q.** All right. Well, if I may then, there's another
 17 document I'd like to put to you, which is
 18 CBO00100006_074.
 19 **A.** Yes.
 20 **Q.** If we could perhaps zoom in a bit so it's a bit easier
 21 for us to read.
 22 **A.** Thank you.
 23 **Q.** What we can see is that this is a letter to the
 24 Chancellor and, if we go down to the end -- I think
 25 we're nearly there -- it's from Mr Byers. What it tells

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1 us -- sorry, if you don't mind, if we go back to the
2 beginning -- is that in July 2000 Mr Byers was rather
3 pleased that he'd been able to keep you on board. This
4 is in relation to the PIU report, and he says at the end
5 of that top paragraph:

6 "We achieved a key objective of securing public
7 support from Colin Baker."

8 Next paragraph:

9 "Much remains to be done, however. There has been
10 a good deal of criticism of Colin's stance from elements
11 within the NFSP who believe that the commitments made in
12 our response to the PIU report lack sufficient substance
13 (and this will be a recurring theme until we're able to
14 attach [pound signs, I take it or million pound signs],
15 to specific funding packages when we announce SR2000,
16 about which I've written about separately). Unless we
17 are able to show regular and tangible progress with the
18 implementation of the package, there is a real risk that
19 Colin will be unable to hold his line with his Executive
20 Council and the wider membership.

21 "A resumption of the Federation's campaign,
22 accompanied by accusations that the Government has shown
23 itself to be cynical and duplicitous on this issue would
24 be politically disastrous and I therefore look to EA
25 colleagues to cooperate fully in taking forward urgently

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1 post offices and, at the end of it, every --

2 **Q.** Can I interrupt to say the document can come down, so
3 that the Chair can see you.

4 **A.** Oh right. Hello.

5 **Q.** Please do go on. I'm so sorry.

6 **A.** Okay. I'm proud of the results of the negotiations that
7 we carried through all that period. Not every post
8 office is automated now but every single counter
9 position in every Post Office, at no cost to the
10 subpostmasters, no cost to our members. So I don't know
11 how you measure success, but I think that was
12 a successful period. Now, in part, there were some
13 subpostmasters that want to nibble at my ankles, that's
14 fair game. I've always said the tallest tree gets most
15 of the wind and I got a fair bit of it.

16 **Q.** The point is, isn't it, that you achieved your goal of
17 automating the Post Office, but along side that, we know
18 that between 2000 and 2014, 736 subpostmasters were
19 prosecuted on the basis of Horizon evidence, or at least
20 736 -- that's a figure that has been put about. What
21 did your organisation do to join the dots and recognise
22 that this unlikely crime wave was actually a result of
23 implementing Horizon?

24 **A.** When I was General Secretary of the organisation, we
25 were consistently beating a path to the Post Office's

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1 the various elements of the package."

2 He says:

3 "Nowhere is this more true than in respect of the
4 universal bank", and he goes on to talk about how
5 important that particular element of it was.

6 So is that right: was there a real difficulty with
7 holding the line, as it were?

8 **A.** One of the tools in the General Secretary's bag is to
9 threaten the Government with dire action from his
10 members.

11 **Q.** Certainly.

12 **A.** "I can't control the member's, Governor, you know,
13 they'll do what they want to do".

14 **Q.** So, to some extent, this was a little bit of
15 negotiation, was it, with the Government?

16 **A.** It was precisely that, yes.

17 **Q.** All right. So would you say you were carrying,
18 reasonably easily, the NFSP with you?

19 **A.** No, I wouldn't say I was carrying them easily. There
20 was one or two of them that would call for my
21 resignation, and other things. Horrible stuff. It
22 wasn't the easiest of rides. But I always had my eye on
23 the goal, and that goal was a network of automated post
24 offices. And can I just remind -- if you don't mind --
25 saying that we set out to get counter automation for

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1 door, consistently. And it included up to and including
2 the counter losses. But I've said before, the -- it was
3 a slow roll, these Horizon losses. And I retired in
4 2007, so I can't say anything about what happened after
5 then, forgive me. But I think we did our absolute
6 utmost -- I don't know how many of the 700 or so were
7 pre-2007 or post-2007. I've not seen that information.

8 I don't know whether all or any were members of the
9 Federation. I don't know whether all or any actually
10 referred it to the Federation. So it's not a question
11 that I would attempt to answer, and I would venture to
12 suggest it's not a question you should attempt to ask.

13 **Q.** Well, we may come back to that, Mr Baker.

14 **A.** Okay.

15 **MS PAGE:** Thank you. Those are the question is have for
16 now.

17 **SIR WYN WILLIAMS:** Thank you very much, Mr Baker, for taking
18 the trouble to write a witness statement but perhaps,
19 more importantly, taking the trouble to answer very many
20 questions this morning.

21 **MS KENNEDY:** Chair, I'm so sorry, we also have questions
22 from Ms Watt from the NFSP.

23 **SIR WYN WILLIAMS:** Right.

24 **Questioned by MS WATT**

25 **MS WATT:** Thank you, Chair. Just a couple of questions

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1 arising from the evidence that has been given. Thank
2 you very much for allowing these to be asked.

3 Mr Baker, you gave evidence earlier about, in the
4 pre-Horizon situation, of how discrepancies or errors
5 could arise on balancing, and I just wondered if, in the
6 wider context of how such errors, as you described
7 occurring, of when we hear about the post-Horizon errors
8 that you were asked about, is every error that arose
9 there as a result of Horizon, as far as you can tell?

10 **A.** I couldn't possibly tell. I wouldn't know what was
11 an Horizon error and what wasn't, unless I knew exactly
12 what was going on in that particular Post Office. And
13 I'm reliant, as I hope, anyway, you can grasp -- I'm
14 reliant on the information that's fed to me, and then
15 I have to test that information. So if a non-member
16 tried -- if it was a non-Horizon error, that I think
17 we've already touched on one today, where it was
18 a hostage situation. You know, so you've got to analyse
19 them all. But no, absolutely not.

20 **Q.** You talked about hindsight in your evidence --

21 **A.** Yes, indeed.

22 **Q.** -- and what you know now. But, at the time, were you
23 working on this -- for instance, the Horizon Working
24 Group and in any other situations, with other
25 representative bodies, those who represented other

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1 really. I mean, they only came flowing in when we
2 realised just how many there were, and that was
3 post-those meetings that we were having. So no, in no
4 way could we envisage that.

5 **Q.** Just to sum up from your evidence, in the light of all
6 that you've said and been asked and what you now know,
7 in what way do you feel, in your time as General
8 Secretary, that you and the NFSP represented all the
9 interests of your members in relation to the Horizon
10 scheme.

11 **A.** Yes, I do, in fact, we were championing counter
12 automation, not only for subpostmasters but the whole
13 network, the CWU and CMA and people of that nature. So,
14 yeah I think we were all right. I think we did okay.
15 Thank you.

16 **MS WATT:** Thank you. No further questions.

17 **MS KENNEDY:** Thank you. Chair, I have one clarificatory
18 re-examination question.

19 **SIR WYN WILLIAMS:** Of course.

20 **Further questioned by MS KENNEDY**

21 **MS KENNEDY:** When you were asked questions by the Chair
22 a moment ago, about paragraph 20 of your witness
23 statement, David Mills and Paula Vennells, you were
24 asked about whether you were speaking to Ms Vennells in
25 the year 2000. Ms Vennells didn't start at the Post

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1 employees or managers, as well as the NFSP, and how were
2 you working with them? What were they doing?

3 **A.** I don't know what they were doing offline, I'm sure, but
4 in the meetings, some were quite vocal. Some were not
5 so vocal. I think I was an irritant, maybe the grain of
6 sand in the oyster, perhaps. I get the impression --
7 I mean, there was a vast array of people, there were
8 ministers and all sorts -- I think probably I was one of
9 the most vocal but there were others. I think -- yeah,
10 I think I was one of the most vocal.

11 **Q.** Can you recall who else was involved?

12 **A.** I think the General Secretary of the CWU was involved
13 and he had a word or two to say. And I don't think the
14 Post Office was saying much at that time, but I don't
15 know what meetings were had before or after, you see.
16 So, again, it's a wise man who knows what he doesn't
17 know.

18 **Q.** Just staying with the theme of hindsight, thinking about
19 that, do you think that you or these other
20 organisations, based on what you knew at the time could
21 have foreseen what was going to happen?

22 **A.** No, we couldn't foresee that. I mean, we were
23 focused -- as we've said, in the meeting, we were
24 focused really on the Horizon platform and losses,
25 counter losses, at that time, stood outside of that,

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1 Office until 2007.

2 **A.** Yes.

3 **Q.** So you wouldn't have been speaking to her in the year
4 2000 about these issues?

5 **A.** No, that's true. Thank you for that. Yeah, it would be
6 who Paula Vennells replaced, which I think was David
7 Miller.

8 **Q.** Thank you.

9 **A.** But David Mills was the -- I think he was Chief
10 Executive or Chairman or something. He was pretty high
11 up, David Mills, yeah.

12 **MS KENNEDY:** Thank you, chair. I have no further questions.

13 **SIR WYN WILLIAMS:** I launched into a thanks to you,
14 Mr Baker, when I was told very politely that the session
15 hadn't ended. So I think it has ended now, but my
16 thanks remains the same. Thank you very much for
17 coming.

18 **A.** Thank you, Mr Chairman.

19 And all the participants in this, I wish you every
20 success with this Inquiry. It needed doing, and I wish
21 you every success. Thank you.

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

23 Are we going to take an hour and then safely
24 complete Sir Ian McCartney this afternoon, as far as
25 you're aware?

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1 **MS KENNEDY:** Yes, Chair, as far as I'm aware, coming back at
2 2.00, so taking the full hour for lunch.

3 **SIR WYN WILLIAMS:** Fine, very good. So then that's what
4 we'll do.

5 **MS KENNEDY:** Thank you.

6 (12.53 pm)

7 (The Short Adjournment)

8 (1.57 pm)

9 **MR BLAKE:** Good afternoon.

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

11 **MR BLAKE:** You should be able to see both myself and Sir Ian
12 McCartney.

13 **SIR WYN WILLIAMS:** I can indeed.

14 **MR BLAKE:** Excellent. Can we call Sir Ian McCartney,
15 please.

16 **SIR IAN McCARTNEY (affirmed)**

17 **Questioned by MR BLAKE**

18 **MR BLAKE:** Thank you very much, can you give your full name,
19 please?

20 **A.** My name is Ian McCartney.

21 **Q.** Thank you very much, Sir Ian, for attending today. You
22 should have in front of you your witness statement --

23 **A.** Yes.

24 **Q.** -- dated 27 September of this year; is that correct?

25 **A.** Yes, and my signature --

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1 responsibility for postal affairs following the May 1997
2 election; is that right?

3 **A.** That is correct.

4 **Q.** That was until 2001 when you moved to the DWP as
5 Pensions Minister?

6 **A.** No.

7 **Q.** No?

8 **A.** To 1999, that's when I moved to the Cabinet Office, and
9 such was my duties as a minister that he decided to then
10 send me to the Department for Work and Pensions.
11 Ironical.

12 **Q.** In 2003, you, I think, rejoined the Cabinet Office as
13 a minister without portfolio; is that correct?

14 **A.** That's right, yes.

15 **Q.** Then in 2006 you were appointed as Minister for Trade
16 and Foreign Affairs, and you left government when Gordon
17 Brown became Prime Minister and you retired from
18 Parliament in 2010.

19 **A.** That's correct.

20 **Q.** Thank you very much. I'm going to begin by asking you
21 about the information that you were provided with when
22 you became a minister. You have described in your
23 statement, it's paragraph 26 of your witness statement,
24 that you were briefed about the Horizon project when you
25 began, albeit you were briefed on a number of other

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1 **Q.** Is on page 33 --

2 **A.** Yes.

3 **Q.** -- is that correct? Is that statement true to the best
4 of your knowledge and belief?

5 **A.** Yes, indeed.

6 **Q.** Thank you very much.

7 **A.** Before you go any further, sir, could I just point out
8 to the left of me is my friend and neighbour, Mr Adrian
9 Blundell(?), who signed a confidentiality undertaking
10 for yourselves, and he's here solely to pass any
11 materials or deal with issues around my health profile,
12 if required.

13 **Q.** Absolutely, and he has no personal involvement in any
14 matters relating to the Horizon project?

15 **A.** No, none whatsoever.

16 **SIR WYN WILLIAMS:** That's fine, Sir Ian. That's fine.

17 **A.** Thank you. Thank you, Sir Wyn.

18 **MR BLAKE:** So your witness statement is WITN03370100. That
19 statement will go into evidence and the questions that
20 I'll ask you today will be supplementary to that. But
21 I will begin just with a brief background. You've set
22 out your professional background in quite a lot of
23 detail in your witness statement.

24 For the purpose of your appearance today, the most
25 relevant is that you were minister in the DTI with

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1 things at the time as well.

2 Were you aware that Pathway was the least preferred
3 bidder from a technical perspective during the
4 procurement phase?

5 **A.** No, and indeed we knew nothing about the procurement
6 phase and decision making, as it had been done by the
7 previous Conservative administration. I do not make
8 a point here -- a party political point -- where it was
9 a situation where a number of us ministers asked if we
10 could see the documentation to try to ensure, rather
11 than assure, ourselves as to precisely what the
12 agreement was and the reasons behind the arrangements,
13 and what was set out there for the disputes and the
14 resolution of disputes.

15 And I wasn't interested in a partisan political
16 discussions. It may have been in some documents.
17 That's no problem. But the fact that we weren't allowed
18 to see is an issue, I think, it's still not resolved by
19 governments today, and it's something that should
20 because it also harms any Inquiry like this one, who I'm
21 sure would have liked to have access to the documents as
22 well as ourselves at the time.

23 **Q.** We have seen quite a lot of those procurement documents.

24 **A.** All right.

25 **Q.** We've also looked at the rules, for example, through the

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1 Directory of Civil Service Guidance from around the
2 time. It seems as though the rules do allow for sharing
3 of information for continuity of policy reasons. Were
4 you aware of that at the time?

5 **A.** No. No.

6 **Q.** Did you ask for the specific documents or did you ask
7 for information relating to the procurement process?

8 **A.** No, I asked for access to the decision-making process,
9 and I think ministers at the DSS, and certainly my
10 Secretary of State, and I'm assuming a colleague at the
11 time at the Treasury.

12 **Q.** Do you recall who you asked for that information?

13 **A.** No, the Secretary -- to be honest with you, it wasn't --
14 I didn't go to the Permanent Secretary, or anything like
15 that. It would be through my personal assistants in the
16 office. I left that to them to provide me with
17 an answer.

18 **Q.** Thank you. That would be your ministerial private
19 office?

20 **A.** Yes, indeed.

21 **Q.** Thank you. Paragraph 37 of your witness statement, you
22 have said that ICL and Fujitsu were a huge multinational
23 company with technical expertise, and you would have
24 thought that when ICL were originally appointed, this
25 was on the basis that the persons who appointed them

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1 procurement process began in 1994. ICL Pathway was
2 selected in 1996. When you arrived in your office in
3 1997, what did you understand, if anything, about
4 technical concerns relating to Horizon?

5 **A.** I knew nothing, but that doesn't mean that anything was
6 kept away from me, in the sense that we'd just become
7 a government and it was normal practice -- the first
8 thing after saying hello to everybody, was to get these
9 red binders. In my case, there must have been about 20
10 of them, which rather shocked me, how many there were,
11 and one of them was the Post Office. It might even have
12 been two from the Post Office, first and second class
13 delivery.

14 And we -- my task then was to very quickly acquaint
15 myself with the issues in the documentation from the
16 Civil Service but, also, I came into office with a list
17 of already -- priorities already in the public domain,
18 which included employment relations, the social
19 chapter -- I'll not go into that -- and issues around
20 the creation of a low-pay commission and the creation of
21 the National Minimum Wage.

22 **Q.** Thank you very much. You described a tug of war between
23 the Department for Trade and Industry and the Department
24 for Social Security when you entered government. We've
25 heard about that quite a lot already but can you briefly

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1 also had that same expectation. Was that something you
2 ever discussed, the fact that they were a large
3 corporation or something along those lines? Were you --

4 **A.** No, but the situation was that there were a few
5 companies in the marketplace who were large and
6 significant players in what was a growing global
7 industry, seeking out contracts with governments on
8 these types of issues. And my expectation was that only
9 companies with technical abilities and knowledge and, in
10 some instances, obviously the skills -- not in some
11 instances, in all instances -- the skills.

12 And, as we went into this review, and decisions, to
13 see whether we could save it, continue it, or release it
14 and start again, it became obvious to me that both in
15 the public sector and in the private sector, there was
16 a real shortage of technical expertise and, indeed, in
17 the private sector, I would say there was a -- there was
18 a dodge being played that when they sat down with
19 governments, they would bring in their group of highly
20 skilled professionals to outline the proposals. But,
21 subsequent to that, it was more junior ranking and less
22 qualified people that were then put in place to take on
23 the contract if it was offered to them.

24 **Q.** Thank you very much, we may go into that in more detail
25 when we look at your reports that you authored. The

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1 give us your take on that tug of war?

2 **A.** Yes, I was shaken from my naivety that government across
3 Whitehall all worked together, hand in hand, and in the
4 same order marching bands would do. But very quickly
5 I realised that this project had been established -- and
6 it wasn't the first time and I doubt that it had been
7 the last project where two departments with competing
8 interests were brought together and those interests were
9 legitimate, by the way, from the point of view of the
10 then Department of Social Security and the Benefits
11 Agency, and from the Department for Trade and Industry
12 in relation to the Post Office Counters Limited.

13 But because of this from the outset, and no central
14 structure in place across Government to determine the
15 priorities for the programme -- I'm assuming this
16 because I haven't seen their papers -- but no programme
17 was available that set out who would be a customer, who
18 would be the provider and who, in all of this, would be
19 responsible to ensure the project was indeed agreed
20 fully; that it was transparent, the responsibilities in
21 the project; that there was a process in place, again
22 transparent to deal with issues as there always is in
23 IT, issues around complexity, quality of the work being
24 done; and, thirdly, a timetable to ensure the work and
25 the financial situation were closely monitored and

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1 regularly updated.

2 And what I found from the outset, was that the
3 ministers in both Departments -- that includes myself
4 and others -- were deemed -- basically put in the
5 position of "Here's the historical situation from our
6 area of interest, and here's the other interest area".

7 And then the other minister, if you spoke to them, they
8 would give to me their interest in the area, and their
9 expectations and also, if the expectations weren't met,
10 what their intentions would be.

11 And that's where it was obvious this was a very
12 difficult, difficult situation with probably a breach in
13 people wishing to trust each other, certainly a lack of
14 trust completely in ICL, and a legacy, to the point
15 that -- the mistrust had got so complex itself, that was
16 added on to the complexity of the programme, the policy,
17 and that made it an absolute quagmire in terms of
18 finding potentially a way forward out of it.

19 **Q.** You've said a lack of trust "in ICL" or was that "by
20 ICL"? Sorry, which one. I didn't quite hear that?

21 **A.** No, a lack of trust in ICL by the players involved,
22 their customer base. It should have been at the outset,
23 a contract -- this is my view -- a contract with Post
24 Office Counters Limited and that BA was the customer,
25 and the customer required to be satisfied from the

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1 more complex. It was an evolving -- I know there's
2 a science -- but an evolving way of doing business and,
3 with that, the complexities of doing business in a way
4 that you were always making the funding up as you went
5 along, and so the Treasury indeed had a huge interest.

6 And, of course, we had technical expertise in
7 Montague, who I think, also, my first recollection of
8 him -- I think he's a Sir now, isn't he? Adrian, isn't
9 it?

10 **Q.** Yes.

11 **A.** Sir Adrian. I may be wrong and I apologise if I am,
12 I think he was known to us when he came into office
13 because of his work on the project in the Channel Tunnel
14 with him and another colleague he subsequently came with
15 us, Mr Corbett. And so he had a significant knowledge
16 and skill in relation to these subjects but, even in IT,
17 I would imagine it would stretch him as well.

18 **Q.** Absolutely, and we'll come to his report shortly. Can
19 we start, though, with your report, which was later on.
20 When was your report? I don't actually think it has
21 a date on it.

22 **A.** It was in 1999, after I moved, and so it was between
23 1999 and 2000 it was published.

24 **Q.** Thank you very much. Can we look at it it's
25 WITN03370101.

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1 outset that what was being constructed would meet their
2 requirements as a business going forward.

3 But it was also true at the time of the changes
4 taking place in IT -- IT -- it had a huge potential
5 impact on the world's post offices and, in our respect,
6 into the Post Office here. As well as having financial
7 obligations, there was political obligations put on them
8 by successive governments, including my own, to have
9 a social input in terms of the structure of the company,
10 the services that were provided across the board in the
11 three companies that were the Royal Mail.

12 **Q.** Thank you very much. You've mentioned the Department
13 for Trade and Industry and the DSS. We know that the
14 Treasury also became involved.

15 **A.** Mm.

16 **Q.** We heard quite a lot of that yesterday but, again, can
17 you give us your take on the Treasury's involvement and
18 the impact that it had?

19 **A.** Yes, clearly the Treasury had responsibilities for the
20 PFI programme -- the PFI programme which covered the
21 previous Government and, of course, the incoming
22 Government also had decided to utilise PFI in a whole
23 range of areas. Easiest ones are things like
24 construction, refurbishment, that type. IT was of
25 a different magnitude, in my view. It was significantly

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1 **A.** And could you, from that perspective --

2 **Q.** If you'd like to look at your hard copy, it's tab B1.

3 **A.** Thank you.

4 **Q.** I'm going to look at page 12. Before I get to that,
5 what was the purpose behind this report?

6 **A.** Right. It's one of those occasions where you get moved
7 in Government reshuffled, and you get reshuffled, and
8 there's a lot of nuggets of potential activities, which
9 aren't on the front of the tin or printed on the tin of
10 the job, and this was one of them. And it became
11 particularly clear to me that there was an opportunity
12 here to learn significantly from my experience on
13 Horizon what became clear in talking to officials in the
14 Cabinet Office, and the fact that the Government were
15 contemplating the establishment or having the
16 establishment of an IT czar, that there was room here
17 for significant work to be done, and the situation was
18 particularly bad across all parts of Government, and
19 indeed, in terms of the skills or lack of skills across
20 Government dealing with these companies, coming from
21 a -- taking us to the cleaners.

22 **Q.** Is it fair to say that Horizon is cited throughout this
23 report as, essentially, an example of what to avoid, in
24 many respects?

25 **A.** Horizon -- and some of the report has been anonymised in

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1 the sense that, to get cooperation from both public and
2 private sectors, we engaged a range of different
3 organisations with different types of IT projects, and
4 the skill mix, as you'll see on the membership of the
5 group of us who looked into this matter, was extensive.

6 And what we found was that, across the piste, there
7 were substantial issues of a fundamental nature. Not
8 just the structures of Government, the structures in
9 terms of the way in which procurement took place, the
10 lack of structure and the lack of skilled personnel to
11 plan and then to implement, and there were also, across
12 the piste, huge gaps in the management of complex, and
13 sometimes not so complex but they become complex because
14 of mistakes -- of IT projects, both in the public and
15 the private sector.

16 **Q.** Let's go to page 12, if we can, and if we could look at
17 the bottom half of the page there is a section that's
18 highlighted there, as an example of evidence. It says
19 there:

20 "A major project involving a number of public sector
21 organisations did not establish a single, consolidated
22 business case until late into development. Although
23 benefits had been identified, they had not been
24 validated against the joint agreement of the total
25 change envisaged. When problems arose, therefore, their

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1 **A.** And that's in my report?

2 **Q.** Well, it's page 12, and if you look below 1.14 there is
3 a box.

4 **A.** Yes. That's right. I apologise.

5 **Q.** That's absolutely fine.

6 **A.** Yes. This here would fit very snugly in the shoes of
7 the project they're undertaking to talk about. The
8 problems that advisers would encapsulate here is that
9 the joint agreement of the total change envisaged never
10 was, in fact, a compatible vision in the sense that the
11 visions that the partners had, the business partners
12 had, from the prospect of British -- sorry, the
13 Benefits Agency and POCL were entirely different. POCL
14 wanted to be able to maintain a paper-based system to
15 a position that they could realise at a later date
16 a technological fix to ensure that, going forward, they
17 could enter the IT Age with a business which was fit for
18 purpose.

19 **Q.** The lack of a single consolidated business case that's
20 referred to there, whose responsibility, in your view,
21 was that?

22 **A.** Well, that should have been at the outset, when
23 procurement -- at the point of procurement, there should
24 have been an agreed management programme and a senior
25 reporting officer. In a case like this, a very senior

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1 impact on the projected benefits could not be tracked
2 against the original change planned, and those benefits
3 were quickly eroded."

4 That, I think, is an example of Horizon that you're
5 citing there?

6 **A.** Yes. I can't remember if it's specifically Horizon, but
7 it certainly fits the -- Horizon's MO in terms of the
8 project going forward.

9 **Q.** Thank you. You don't need to turn to it, but it's on
10 page -- electronic page 133 or internal page 106. It
11 refers to number 8, joint venture between the Benefits
12 Agency and Post Office Counters Limited and, in this
13 particular example it has a footnote 8, so perhaps that
14 is that example.

15 **A.** Mm yeah. If -- do you want me to look at it?

16 **Q.** No, not at all. Can you tell us how this particular
17 problem, that's identified there, manifested itself in
18 relation to Horizon?

19 **A.** Sorry, can you repeat that again?

20 **Q.** Absolutely. You've highlighted a problem there in that
21 box on page 12. How did this display itself in the
22 Horizon project?

23 **A.** Right, I'm trying to --

24 **Q.** Please do feel free to spend a moment having a look at
25 that particular example.

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1 person identified and agreed to draw up the programme
2 we're talking about, and this didn't happen. So you
3 ended up with, on the side lines, the Treasury,
4 increasingly having to pay bills, and then you've got
5 the Benefits Agency/DSS, the DTI/Post Office or POCL,
6 and of course, on the other side, you've got the company
7 itself, who saw a huge advantage in creating a structure
8 that could be sold on to other businesses worldwide, and
9 if they could get it to the position they wanted it to,
10 would be very beneficial to them going forward as
11 a business.

12 **Q.** Thank you very much. Can we turn to page 15, please,
13 and this is another example in respect of something that
14 went wrong. It's in the section 2 which is entitled
15 "Leadership and Responsibility" and if we look at that
16 example halfway down the page there. There's --

17 **A.** Page?

18 **Q.** Page 15.

19 **A.** Right, okay, I'm going backwards here.

20 **Q.** That's absolutely fine. Please do take your time, we
21 have plenty of time this afternoon.

22 **A.** Right. Page 15?

23 **Q.** Yes. If on the screen we could scroll down, thank you
24 very much. It's the first example under "Evidence"
25 there. I'll read that for the record. It says:

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1 "A very large project central to the business of
2 number of public sector organisations, and justified on
3 the basis of a shared business case, did not establish
4 single ownership of the business case and project until
5 two years after contract signing. By this time, much of
6 the original value of the business case had been eroded.
7 The lack of a single point with overall responsible for
8 the project caused difficulties from the beginning, as
9 the different organisations had varying degrees of
10 commitment to the project objectives. This became more
11 apparent as the project progressed and the benefits
12 eroded. Conflict management, prioritisation and
13 resolution processes were also adversely affected."

14 Again, insofar as you're able to, can you expand
15 upon that in relation to the Horizon project? Because
16 the footnote there, footnote 11, again refers back to
17 the Horizon project.

18 **A.** Yes. Again, this is evidence that they'd foot the bill
19 in terms of Horizon. You've got an agreement two years
20 late, but it's not an agreement in the way in which the
21 rest of that paragraph suggests, in that once they had
22 an agreement, it was only to have the project done.
23 There was no shared business case, in reality, in terms
24 of the -- at the end of this programme, what will be
25 achieved? What were the goals? What would be achieved?

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1 the project management and identifying the targets that
2 were required to be done and how the project is managed
3 and run.

4 **Q.** Is that somebody in government, outside government?

5 **A.** It should be a senior responsible officer who can be in
6 government. I would have said at this time, when this
7 was published, you'd be very hard pushed to find anybody
8 in government of that that seniority and skill to take
9 on a task like this, and that's not a criticism of some
10 of the people that got landed some of this work. It's
11 an expanding area of expertise and knowledge, which was
12 not part of the public sector going forward, looking at
13 workplace development, workplace training and education.
14 Nothing in terms of the labour market, knowledge of --
15 to be able to recruit and retain and pay responsibly the
16 type of people that were needed. And, therefore, most
17 of the skill and knowledge lay in the private sector
18 making bids.

19 But that didn't mean that the private sector was
20 also covered. There was a huge underpinning of the
21 skill base required for this emerging part of the world
22 economy -- never mind ours -- and I'm still sure today
23 we've not got on top of that but maybe somebody else who
24 is more knowledgeable than I am now at this point can
25 disagree with that, but it seems to me that it was

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1 Is it workable, and when will it work, and the cost of
2 it, and whether the financial cost will be able to be
3 scaled to a point where the project will be financially
4 viable?

5 And so, of course, you've got BA signing up to get
6 to ACT very quickly, POCL signs up to -- not to get to
7 ACT very quickly but provide a platform for them to be
8 able to at least dabble in the IT services area and, of
9 course, the organisation themselves, who had a long-term
10 strategy for the development of ICL and Fujitsu into
11 a company of international importance for the business
12 going forward, and being able to provide a product or
13 products which were seen to be products that would work,
14 in circumstances like the Post Office and other
15 organisations like the Post Office, with a significantly
16 large footfall in the market of consumers.

17 **Q.** Thank you very much. One of the things that the Chair
18 will have to consider in due course is recommendations
19 for the future. As somebody who wrote this report, who
20 did you have been in mind as acting as the single point
21 of contact with overall responsibility in a project like
22 Horizon?

23 **A.** Well, there would have to have been an RO it's so
24 important that there is a person of knowledge, skills,
25 workplace skills, skills in relation to understanding

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1 a huge accident waiting to happen.

2 **Q.** One final example is on page 44, if I could take you to
3 the bottom of page 44. I thank you. I'll read that
4 out. It says:

5 "When examined during the course of this study, four
6 central government projects, involving three
7 departments, were shown to have solutions being
8 developed that would not deliver the business benefits
9 anticipated at the outset. In each case, had the
10 suppliers' plans been examined and measured against the
11 required business benefits at stages throughout the
12 procurement lifecycle, the emergence of a significant
13 gap would have been exposed."

14 So is that saying that there needs to be greater
15 examination and measurement throughout the project?

16 **A.** Oh, without a shadow of a doubt. You're absolutely
17 right in that comment. But it's a bit more than that.
18 It only works throughout, if you know what -- before you
19 start, what is your programme of work, and what will be
20 the choices you make in respect of being able to ensure
21 that suppliers' plans are robust, are transparent and
22 clearly capable of carrying out the contract that you're
23 signed up and giving to them.

24 And that was not always the case. Because of a lack
25 of skills, again, you took -- not for granted, but you

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1 took on trust what they were saying. And this goes back
2 to an earlier point of myself that they put their A team
3 up and then give the public sector their B or sometimes
4 their C team to carry the project out. And that's when
5 you get purely exposed in the gap between what you
6 expect in outcome at the outset, and what's delivered
7 isn't at all like what you expected.

8 **Q.** We will probably come to it in due course, but just
9 pausing there, then, is that what you experienced with
10 the Horizon System?

11 **A.** Well, that's part of the experience, yes. But the --

12 **Q.** That refers to a few different examples --

13 **A.** Yeah, but it was also not just due to this type of
14 evidence. It was also still due to the fact that the
15 Departments involved in Horizon had different endgames
16 envisaged, and you could say that ICL was left to weave
17 a way through the middle of the two of them.

18 **Q.** So did you feel that you were being given the B or
19 C team by ICL or was the problem more about ICL having
20 to navigate the Different departments or both?

21 **A.** I think it was part of both. And I don't want to be
22 unfair to ICL in respect of the skills that these people
23 were in place, where I arrived at, anyway, into post,
24 but the reality of the delay and when they started
25 initial discussions about how do we get out of this

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1 Pensions in the DWP with Alistair Darling -- it just
2 shows you how the roundabout goes round -- and I started
3 getting letters and complaints from the public, and it
4 was only then when I asked "What's all this about and
5 why the delays?" and it was then they told me about the
6 falling over of the system. I think when it was
7 switched on it fell over. And it was a number of
8 years -- in fact, they were still, I think, at it when
9 I left the Department in 2003, were still working on
10 getting back the material that was lost, or trying to
11 find it and, as a consequence to that, they were taking
12 years and years and god knows the cost to get the system
13 online and working effectively, and all the material
14 records and stuff that should be on it were on it.

15 **Q.** We heard from Lord Darling, he had raised NIRS2 in
16 a letter, warning about what not to do in terms of
17 rushing things out without proper testing. Is that
18 something that you remember at all?

19 **A.** Proper testing of NIRS?

20 **Q.** Yes.

21 **A.** Yes, I can't remember the letter but I'm not surprised,
22 and I can be fair to Alistair Darling, he never spoke to
23 me about it. We worked very closely. And so
24 I apologise, but I've got no recollection of the letter.
25 It's quite --

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1 delay, some of the -- by the time some of this would
2 come forward, it would have been nearly 10 years, and
3 still not a computer in a Post Office Counter anywhere.

4 And so it seemed to indicate to me that, at the very
5 highest levels of the project, the people senior on the
6 project themselves either had failed completely in
7 carrying out instructions, but more importantly, they
8 would probably have argued -- they would argue that much
9 of the job became overcomplicated because the Government
10 Departments hadn't done sufficient work themselves in
11 relation to their own solutions. And every time
12 a mistake or a difference of opinion came up in
13 something, it was further cost, further time -- time
14 restraints, until another solution was found to go and
15 help develop the programme. I don't know if that's
16 helpful or too long winded.

17 **Q.** Thank you very much. In that example there, you've
18 referred to -- I think there were a few different
19 examples. One of them is Horizon. Another was the
20 National Insurance Recording System or NIRS2. I don't
21 know -- you haven't been asked about this in your
22 witness statement. I don't know if you remember it.
23 But --

24 **A.** I'll tell you how I remember it. It's not because of
25 the shambles. It was when I became a Minister for

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1 **Q.** No, not so much the letter, but were you aware during
2 your involvement in Horizon of concerns from, for
3 example, Lord Darling, about previous IT projects that
4 had suffered problems because of a lack of adequate
5 testing?

6 **A.** No.

7 **Q.** No.

8 **A.** Absolutely not.

9 **Q.** I'm going to move on to the running of the Post Office,
10 and can we look at your witness statement at
11 WITN03370100. Thank you very much. Can we look at
12 paragraph 21, that's page 8.

13 **A.** Thank you.

14 **Q.** Thank you. It's on screen, if you'd like to see it on
15 screen --

16 **A.** I've got it there.

17 **Q.** -- and I'll also read you the passage. It says:

18 "From my perspective, as the Minister with
19 responsibility for the Post Office, my role was to
20 represent the points of view and problems faced by
21 [subpostmasters] and POCL. The latter was a public body
22 that, in my view, could and should have been doing
23 better -- a business of its size and complexity should
24 have a more detailed forward plan about how to modernise
25 and bring into the business technology which was already

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1 in existence in one form or another in post offices
2 around the world."

3 Can you expand upon that, please, and tell us why
4 you reached that conclusion about the Post Office?

5 **A.** In general terms, in answering that, I very quickly had
6 concerns about the whole breadth of Royal Mail,
7 including, of course, POCL. All three businesses faced
8 significantly large issues in terms of market, in terms
9 of technology, skills and a lack of opportunity to
10 expand their markets in a way that they hadn't or hadn't
11 been allowed to over a long period of time.

12 For example -- I'll come to POCL in a minute. For
13 example, the Royal Mail and its industrial relations
14 problems have led to the situation of a lack of a lot of
15 progress in terms of the introduction of new
16 technological equipment to improve their operation and
17 the delivery of the post that they received.

18 The problem with their delivery distribution
19 group -- there were some when we came into power in '97
20 in the Treasury who wanted an immediate privatisation of
21 this section of the Post Office, because it lacked
22 capital investment and was underperforming in a growing
23 market in terms of logistics. I wanted the company to
24 consider seriously becoming not just a postal
25 distribution parcel company -- Parcelforce, I'm talking

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1 **Q.** Sticking specifically with Post Office Counters Limited
2 what was your view of their leadership?

3 **A.** Ooh ... **(The witness laughed)**

4 Maybe unambitious, and I don't want to be unfair.
5 I mean, I find these people were hardworking and wanted
6 to do their best by people. But, I mean, the leadership
7 of it also stems from the board and the boards that
8 preceded them. And so there also lies, because of this,
9 because of governments prior to us coming in and
10 subsequent, the Post Office was sat upon and used as
11 a cash cow by the Treasury over 20 years or more,
12 I think, where when they were making profits, a lot of
13 that was just profits which were taken by the Treasury
14 and recirculated. But none of it recirculated back to
15 the Post Office for investing in the future.

16 And so, being seen as a cash cow, suddenly because
17 of what's happening with new technology, it's no longer
18 a cash cow. It's going to be having cash given to it in
19 huge amounts over a long period of time. And so I do
20 think that this affected the management and their
21 attitude that, even if they'd brought forward new ideas,
22 it would depend upon the political decision by
23 government ministers.

24 **Q.** Was it in some way easier for them to sit on the cash
25 cow than spend time developing new IT projects?

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1 about -- but I wanted it to be a logistical company
2 which wasn't taking a van load up to Scotland with
3 parcels and coming back empty. It really needed to be
4 better run and provide, with capital investment, the
5 appropriate vehicles and stuff, and could have been
6 a big competitor, in my view, across the whole
7 distribution market, and not just parcels.

8 And, of course, POCL is the third area and this was
9 an area which -- I don't think they took a sense of
10 where the wind was blowing when IT -- and I don't blame
11 them, this is true of both public and private sectors
12 all over the place -- that how quickly IT would become
13 so important to not just the retention of the business
14 but, more importantly, how to expand it, and be able to
15 have a business which looked after the needs of citizens
16 who were going to be increasingly engaging in IT
17 purchasing and, through that, being able to, from the
18 Post Office point of view, being able to ensure that,
19 even if they go to a -- were going to use banking
20 services, they should take advantage of the then and
21 continuing -- even today, I noticed -- banks closing
22 huge numbers of branches and the only availability of
23 services previously in rural and some urban areas would
24 be a Post Office with an IT technology, delivering for
25 the banks, where they'd withdrawn their services.

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1 **A.** I've got no evidence in the sense of a paper I could
2 show you, but I think there was a great deal of
3 disincentive because if you thought about it for
4 a moment, if your business -- you're working through
5 a huge customer base and at the end of each year, in the
6 main -- not every year, but in the main -- significant
7 sums of profit are made, and that profit then, before
8 you can even discuss it, is transferred -- has to be
9 transferred out to the Treasury. You have to say to
10 yourself "Well, what benefit have" -- I don't mean me
11 personally, them personally -- the business that they're
12 working for, and the business that they support.

13 I found that people that worked for the Post Office
14 are very loyal to the Post Office. At every level I've
15 found that. And so the disincentive wasn't the
16 caring -- if there was a disincentive, I think it was
17 out of the way in which central government dealt with
18 the Post Office over a long period of time.

19 **Q.** Sir Adrian Montague's evidence was that the Post Office
20 had failed to develop a comprehensive and effective
21 approach towards managing the project. Would you agree
22 with that or would you disagree, or would you say
23 something slightly different?

24 **A.** No, that is a fair summarisation from the Treasury
25 spokesperson.

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1 Q. I'm going to move on to the subject of technical
2 viability and reliability. I think you've heard the
3 evidence given by Mr Sibbick in relation to the Montague
4 report; is that --

5 A. Can I say I was so pleased to see how well he was and
6 how sharp he still was, and I've a great deal of -- not
7 a soft spot, I'm not that kind of person, but I really
8 appreciated his work when I was a minister.

9 Q. By the sound of it, you had a lot of faith in the
10 information that he gave you that it was reliable?

11 A. Yeah, not only in terms of its honesty, but also the
12 transparency of why he was giving the advice to me in
13 the first place, and his capacity to take very difficult
14 issues, which he had dealt with for many years, if I can
15 put it that way, relationships with the Post Office, and
16 the Treasury, and was able to take me through it and
17 probably made me a better minister in dealing with it.

18 Q. I'm not going to spend a lot of time on the Montague
19 report because we have seen it and we know what it says,
20 but I'll just take you to the executive summary. It's
21 POL00028094.

22 A. And that's what?

23 Q. If we can look at page 3, please, that's where the
24 executive summary is.

25 A. Right, okay.

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1 problems that are identified. Was your understanding at
2 the time that you received this report that it was
3 signing off Horizon as robust?

4 A. I'd have to, in the sense of answering that, give you
5 a general view. You could interpret it that way but,
6 from my own point of view, with all the documents that
7 are coming across my desk on this and discussions I've
8 had, and from various relationships involved in the
9 project, I wouldn't have been -- I wouldn't have enough
10 information or proof, as it were, enough history to say
11 that all the component parts tested -- all fitted
12 together and were well managed through the system. And
13 I think the papers that you follow on over the months
14 proved that to be the case, in terms of -- I don't mean
15 supporting my theory. I don't mean that at all.

16 I mean, I think it proved the case just how much
17 work had to be carried out following this report and,
18 indeed, how close it came to collapsing.

19 Q. Thank you very much. I get the sense that you followed
20 quite a lot of the evidence of Mr Sibbick and others,
21 and that I don't need to take you to those consequent
22 reports and matters such as that. I'll very briefly
23 take you just to a November 1998 document, so it's
24 BEIS0000103. I think it's your D2, if that helps. I'm
25 only going to look at it very briefly, because this is

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1 Q. Now, I perhaps don't even need to ask you about anything
2 that's written there, because if you've heard the
3 evidence of Mr Sibbick, I want to pose a similar
4 question to you, which is: was your understanding that
5 this report was saying that Horizon was robust and
6 reliable or that it was a viable or feasible system, or
7 something else?

8 A. Yes. It's what you mean by "robust", I think, is key
9 here. I think it was robust in the sense that, at the
10 point that he looked at it, there was either in place,
11 or there was going to be in place, a means of having
12 a business structure and plan to carry out the project
13 in a different way but bring a project to fruition from
14 where it was. And that was what he recommended. If you
15 said it was robust in terms of signing it off and
16 setting out a date to start the services in post
17 offices, I wouldn't say that at all. No way were we
18 anywhere near that.

19 Q. If we look at the second bullet point under "Findings",
20 it says:

21 "Our view is that the programme is technically
22 viable. There must be some risk around scalability and
23 robustness because the system has had to be tested at
24 the level of component parts", et cetera.

25 There are sections in this report that identify

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1 shortly after. So the Montague report was July 1998.
2 I'm going to look at page 15 of this November 1998
3 document and it's paragraph 6, on page 15.

4 A. Have I got the right document, B?

5 Q. D2. Sorry, D.

6 A. D2?

7 Q. Yes.

8 A. Right, the document I've got in D2 is "BA/POCL
9 Automation".

10 Q. Absolutely, yes. That's a progress report and it has
11 your name in the top right-hand corner on the first page
12 or your private secretary slash your name.

13 A. That's page 6?

14 Q. Yes. Sorry, page 15. Internal page 14, but it's our
15 page 15. The detail of this report doesn't really
16 matter, and I'm just going to read you a very short
17 passage.

18 A. Apologies for the -- on page 15, mine is "Comments on
19 funding proposal", and it's got --

20 Q. It's the page before that.

21 A. The page before that --

22 Q. Yes.

23 A. -- hasn't got --

24 Q. It should have something that says, "Acceptance" there,
25 number 6?

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1 A. Yes, apologies. I've got that now.
 2 Q. I'll very briefly just read that one paragraph there.
 3 It says:
 4 "ICL Pathway's proposals on Acceptance would mean
 5 that the Contracting Authorities would be locked into
 6 the system before it has been fully tried and tested.
 7 BA and POCL have already made a very significant
 8 concession on Acceptance as part of the Corbett
 9 proposal, ie in waiving their termination rights at
 10 Acceptance of NR2, which has not delivered the full
 11 contracted requirements. Both parties are not willing
 12 to bring forward acceptance before the end of the Live
 13 Trial. Both parties are prepared to consider a modest
 14 increase in the number of allowable faults but not in
 15 the magnitude being proposed by ICL."

16 Do you recall, in the winter of 1998, movement away
 17 from trials with regards to ICL's negotiating position,
 18 that they wanted to have less testing of the system,
 19 effectively?

20 A. Yes, indeed, and it was one of the issues that the group
 21 that I established via the Secretary of State, Stephen
 22 Byers, of the staff unions, the postmasters, and other
 23 key people, as one of the things that I wanted us to do
 24 was to be able to monitor and monitor effectively the
 25 trials and the quality of the trials. And, despite the

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1 picture that, if we go over the page, he uses the
 2 following words. He says:

3 "There is still some way to go to complete the
 4 Horizon project, but the basic development work has been
 5 thoroughly evaluated by independent experts who have
 6 pronounced it viable, robust and of a design which
 7 should accommodate future technological developments."

8 Did you understand, at that stage, that Horizon was
 9 robust, or was that putting a gloss on how things were,
 10 or something else?

11 A. No, I don't think that -- despite his reputation,
 12 I don't think that's what Peter Mandelson was doing.
 13 When he became the Secretary of State, from my
 14 knowledge, he was very hands on with this with me and
 15 engaged with us, and he had a really strong view of the
 16 Government and the development of Government Departments
 17 and businesses, and so he did have a knowledge of it.
 18 He may well, of course, have been given further
 19 briefings which he would have told me about, and so
 20 I think this would be his honest view of the information
 21 that he'd had. This may have been because they'd worked
 22 hard over the previous weeks and they'd seen other
 23 papers, where the situation looks hopeless, and once
 24 heads were knocked together they made quick progress on
 25 matters between them. So this may well be one of those

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1 need for us to get to a point of where we established,
 2 as soon as we can, the programme in terms of rollout, it
 3 shouldn't be rolled out at the expense of quality and
 4 transparency of the trials.

5 Q. Yes. Absolutely. We'll get to the Working Group
 6 shortly, but just sticking it in the winter of 1998, I'm
 7 going to take you to a document that you will, again,
 8 already have seen. It's BEIS0000418. This is a month
 9 after that update that we just saw, and this is the
 10 letter from Peter Mandelson to Stephen Byers.

11 Now, at this time, December 1998, we've heard quite
 12 a lot of evidence of a real divide within the Government
 13 Departments about the future of the project. The
 14 picture that is painted in this letter is quite stark,
 15 from the Secretary of State for Trade and Industry. If
 16 we look lower down the page, please, the final
 17 paragraph, Lord Mandelson saw two options: continuation
 18 or, in the words that he's used on that second bullet
 19 point:

20 "or we can take a major step into the unknown,
 21 delaying the modernisation of the Post Office Counters
 22 network, risking the departure of existing clients and
 23 virtually eliminating the possibility of attracting new
 24 ones."

25 It's in this letter, having painted the stark

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1 which he'd be happy with.

2 Q. If that was reference to the Montague report, would it
 3 be correct?

4 A. Well, I don't know that I can comment that, in the sense
 5 that is it the exact same information as he got from --
 6 that Montague got or is it a subsequent look at the
 7 situation and evaluating it? I notice there are
 8 independent experts. I'm assuming that -- I'm not sure
 9 if that's CA or --

10 Q. Sorry, we've just had a fire alarm. We may need to
 11 break.

12 Sir, perhaps this is a good time to take our
 13 mid-afternoon break.

14 SIR WYN WILLIAMS: Yes, that seems fine to me, Mr Blake.

15 MR BLAKE: We're probably meant to rushing about a lot more.

16 SIR WYN WILLIAMS: Let's have a break, in any event, for
 17 ten minutes and if it's going to be any longer, you let
 18 me know.

19 MR BLAKE: Thank you very much.

20 THE WITNESS: Thank you.

21 (2.59 pm)

(A short break)

23 (3.18 pm)

24 MR BLAKE: Thank you very much, sir. It turns out there
 25 wasn't a fire. Thank you.

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1 Sir Ian, we were just looking at document before the
2 break, from Peter Mandelson, where it states that:

3 "Independent experts have pronounced it as viable,
4 robust, and of a design which should accommodate future
5 technological developments."

6 We're interest in knowing where the term "robust"
7 comes from, or if it's used in the same way by
8 Government as it was later by others. Was that term
9 used, to your recollection, within your department, as
10 shorthand for the state of Horizon?

11 **A.** Yes. I think that would be a fair point to make.
12 That's why I said in a previous answer that the
13 interpretation of "robust" -- I didn't say it in this
14 way, but "robust" is quite a stretchable phrase. And in
15 that respect, I'm absolutely sure you've got -- you've
16 now got a "robust" from the then Secretary of State,
17 a "robust" from the Treasury spokesperson. And as
18 a consequence of that, we were in a situation where
19 I suspect that we were now going to try and move on to
20 see if -- with the situation, as explained by both of
21 them, that we could try and take things forward to
22 proceed with the project. And that, I would advise
23 ministers at the DTI -- which includes myself -- were
24 probably very concerned that the package could still --
25 is still -- be withdrawn, that the programme would be

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1 **Q.** So would it be fair to say that by then, by
2 December 1998, as far as the Department for Trade and
3 Industry were concerned, abandonment was out of the
4 question?

5 **A.** Yeah, I would say abandonment was out of the question,
6 but it was a bit like -- I felt like a poker player
7 where I got showed three hands and none of them would
8 win a game. And so you had to then think: what was the
9 best one? What was the best chance you have in getting
10 across what we wanted to do, in the end, and find a way
11 of doing it to ensure that we did get a new
12 technological platform, going forward, for the Post
13 Office that the Benefits Agency got what they were
14 committed to during the election: an electronic safe
15 system for delivery of benefits, and the savings from
16 that being able to be regenerated? And I would imagine
17 we were, at the time, saying anti-poverty measures.

18 And so there was, I think, a necessity to -- not to
19 forget those commitments.

20 **Q.** Can we look at CBO00100001_072, please.

21 **A.** What's that?

22 **Q.** You don't need to turn to that. It'll be brought on to
23 screen, and it's a document that we won't go to any
24 detail in, but it's one that you will probably have seen
25 through other witnesses.

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1 withdrawn, and the consequences for that would be very
2 difficult indeed. And, obviously, very robust in
3 negative terms.

4 **Q.** So in this period, is there a degree of trying to sell
5 Horizon to the rest of Government on behalf of the
6 Department for Trade and Industry?

7 **A.** I would say that there was obviously advocacy involved,
8 and their advocacy's involved because of the commitments
9 in the manifesto, and other things about the future of
10 the Post Office, and the Post Office's Network that POCL
11 were responsible for.

12 And in that situation I would find it very difficult
13 indeed for the Government -- indeed, not only difficult,
14 in many areas impossible, having given that
15 commitment -- quite freely and openly committed
16 ourselves to the network -- that unless we had, going
17 forward, a business plan and a technological plan, then
18 that commitment could never -- could never have
19 survived.

20 The closure programme would have intensified. The
21 customer base would be eroded extremely quickly, in my
22 view, and the consequences for that for the Post Office
23 Counters and the Government's veracity in its claim in
24 its manifesto would be -- well, it would be knocked out
25 completely.

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1 **A.** Yeah.

2 **Q.** It's the note from Geoff Mulgan to the Prime Minister,
3 and it's page 4, paragraph 8, where the message to the
4 Prime Minister is -- and it's the last few words of that
5 paragraph -- I'll read that paragraph. It says:

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

14 Then over the page we have the handwriting of the
15 Prime Minister at the bottom. And again, there's
16 a reference there to the system itself being flawed.

17 And my question for you arising from that document
18 is simply that we don't see those kinds of concerns
19 about reliability being displayed in documents coming
20 out of the Department for Trade and Industry at that
21 time. Is that something that you agree with?

22 **A.** No, can we just go back? Geoff Mulgan has written that,
23 and to my knowledge, at the time he was writing it --
24 and he's a very good advisor, or was -- never spoke to
25 any of us. I mean, that's a personal opinion that he

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1 has personally expressed, and he's done it in a way he's
2 picked out items from various sources and put together
3 an argument for the Prime Minister. I mean, it's not
4 unusual from a special advisor to put an argument in
5 that way.

6 The interesting thing -- although the Prime
7 Minister's note -- the Prime Minister didn't waiver from
8 the need to continue the project. The Prime Minister
9 was secure in the view that the project had to be found
10 a way of working, and even put forward, I think at some
11 point, suggestions on how to do that. So interesting as
12 it was, Geoff Mulgan's -- I will just it's a note in
13 history, and I think the project has lasted longer than
14 he did.

15 **Q.** Do you not think that, at the same time, the Department
16 for Trade and Industry were doing the same thing in not
17 highlighting flaws with the system?

18 **A.** No. I mean, I can only say, as a minister, I'm given
19 information that I knew that I would be nothing other
20 than transparent and honest, even if it upset people,
21 and even if it was -- transparency made it more
22 difficult for me to put a case. I saw no benefit
23 whatsoever, given that I was arguing for a transparent
24 system from the beginning, not to be transparent.

25 Alongside of that, I had a duty -- and this is
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1 were for me, as a minister, were extremely helpful.
2 Very helpful and sensible and pragmatic.

3 The point is that DTI, POCL, BA, DSS didn't have the
4 sufficient number of technical experts. Indeed, if they
5 had any at DTI, I'd like to know who they were.

6 **Q.** Absolutely. I could take you to some more ministerial
7 submissions, but perhaps I don't need to because there
8 are submissions throughout December and later in the
9 year that are pleading the case for Horizon, but that
10 aren't dwelling on technical matters. And is it your
11 evidence that that's because they simply didn't have the
12 technical expertise to look into those kinds of things?

13 **A.** That's partly true, yes. But remember, they've got the
14 political pressure of a White Paper coming down the
15 track. You've got opinions asking -- and quite rightly,
16 postmasters -- about the situation, and when are we
17 going to come -- somebody come up with a proposal that
18 looks like it's going to be doable and be effective?

19 And the objectives that were set right at the outset
20 for this project, and therefore you will see, and in
21 some places you may see in the paperwork, I got the
22 impression of it being not a mêlée as such, but a huge
23 amount of activity on the political front of people
24 putting their points. But the points are put in a way
25 that it leaves a door open for some other kind of

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1 transparent as well -- to put across the consequences.
2 Because in the end, I'm not an official; I'm
3 a politician. And my political brief, given to me by
4 the Prime Minister, was to ensure we implemented what
5 we'd said about the Post Office. The fact that I knew
6 nothing of ICL until I came to Government, that just
7 happens. That's, for a politician, another day in the
8 office to sort out -- that the situation is different to
9 what you first envisaged. But I had a duty of care to
10 the Government in that sense, but it's not a duty of
11 care to mislead or misrepresent. It's a transparent
12 responsibility that I would be carrying out.

13 **Q.** Absolutely. If we put allegations of misleading totally
14 to one side, I think the suggestion might be that the
15 Department for Trade and Industry weren't looking to
16 where they should have been, in terms of the technical
17 robustness of the system. They weren't carrying out
18 those kinds of investigations because they were so
19 headstrong that they wanted the system. Is that
20 something that you would agree with?

21 **A.** I'll take you back to it, and the McCartney report
22 highlighted it in spades. And to be fair to Mr Sibbick,
23 yesterday, he made the point. He wasn't technically
24 engaged or trained to do this. His training and skills
25 were at a different level, and the level of his skills

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1 discussion. And in the end, reading the documents,
2 I must admit, I was getting confused at some time as to
3 which option we were looking at. We were getting
4 options flying around the room with option A, option B0,
5 option 2, option 3. Then out of the blue, another
6 option comes up: A2, with Lord Falconer's name on it. I
7 never actually seen that one, so I don't know what it
8 said.

9 And just reading the documents, it does look like
10 a maelstrom of activity, where people in favour of the
11 project were putting as much effort as they could into
12 it, intellectually and politically, to try and establish
13 something with the time clock going closer and closer
14 towards a collapse in the project.

15 **Q.** Would it be fair to say that the Department for Trade
16 and Industry wanted to shut the door on further
17 discussions so they could get on with the project?

18 **A.** No, that would never have happened under the Secretary
19 of State that we had, and I wouldn't advise that. And
20 you'll see in the documentation the importance that we
21 laid on getting agreement, and we would help facilitate
22 those agreements. And those agreements could be quite
23 complex. You get POCL and their arrangements with ICL,
24 then you've got BA and POCL, and then BA and ICL. And
25 this kind of pyramid sometimes felt it was sitting

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1 upside down. It wasn't something -- it was other than
2 shaky, at best.
3 And so it was important that whatever, in the end,
4 we came up with, it was doable. It was transparently
5 so. I know I keep using this word "transparent", but
6 it's so important in public life. And that the finances
7 were available on an agreed basis to take the project
8 forward, and the design work, the engineering work, the
9 strategic work around it, building the project to the
10 ability to go live, it was critically important that all
11 that was agreed, and there was a signed agreement in the
12 end.

13 And there was a date in April sometime, I think. It
14 was critical, because Fujitsu's board were meeting in
15 April. I only say April -- I think it was around about
16 either my birthday, the 25th, or my granddaughter's, the
17 23rd.

18 **Q.** We'll get to April shortly.

19 **A.** I'm not saying that to get a card off you, by the way.
20 That was the kind of timescale that we were potentially
21 having to work to.

22 **Q.** Sticking with the winter of 1998 -- and I will move on
23 from this period shortly -- as you've fairly described,
24 there were lots of discussions at a political level.
25 I've mentioned before, in November, discussions about
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1 the acceptance test procedure. Some do indeed involve
2 elements of bench and/or model office testing, but all
3 also include live trial in 300 offices."

4 When Lord Darling gave his evidence, he expressed
5 some concerns that he had concern at the time about the
6 size of those trials, only in 300 offices, when it was
7 going to have such a significant project throughout the
8 country, when it was finally rolled out. Do you recall
9 those discussions about testing at that stage?

10 **A.** Not in detail, no, but having said that, when
11 I established the panel that I've set up, the point
12 I made, both in writing and in person, was that I'd like
13 to see us, as a group, press for large-scale live
14 trials. That, I think, is the word I used: a large --
15 a large scale. And this is the group that was
16 established by me with the appropriate representations
17 of the unions, postmasters, postmistresses, and other
18 key people.

19 **Q.** Absolutely. We will get to that very shortly. But just
20 in terms of testing, do you remember a continued theme
21 throughout this period and onwards was ICL not wanting
22 to carry out further model office testing that the
23 Department for Social Security wanted at that stage? Do
24 you remember that discussion at all?

25 **A.** No, but I wouldn't be surprised, because there were
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1 testing. I'm going to look at a document from December,
2 14 December, that also talks about testing. That is
3 BEIS0000400, please. It's a letter from yourself to
4 Stephen Byers. If you want the hard copy, it's D98, but
5 again, I don't think you necessarily need to turn to it
6 in hard copy, because it's one paragraph that you may
7 have seen from others' evidence.

8 It's a letter from yourself, as I say, to Stephen
9 Byers. And if we go over the page, there is there
10 a discussion about -- it is a dispute that has taken
11 place with Alistair Darling, and it's about acceptance
12 testing. It says there:

13 "Third, acceptance testing. Alistair states that
14 'ICL persist in asking for acceptance on the basis of
15 a laboratory test of the system as opposed to a live
16 trial ...'. We agree with him that it is a hugely
17 important point. It would be unthinkable to sign off
18 acceptance of the system until it has been shown
19 convincingly to work on a reasonable scale in a live
20 environment. But Alistair is we believe mistaken. ICL
21 are asking no such thing. The company have moved
22 substantially from their 9 November position and we have
23 now conceded that acceptance will follow live trials
24 based on the NIRS2 software released at 300 offices.
25 More specifically, there are 24 separate components of
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1 quite a few occasions through the whole saga. You had
2 to really push ICL to do what's been requested by each
3 customer.

4 **Q.** Can we --

5 **A.** It goes right back to the early discussion about the
6 lack of senior responsible officers -- officer, and
7 a development programme, and a programme alongside of
8 that in terms of implementation. And if we had that in
9 place, it shouldn't have required to get letters from
10 Alistair or from me, interpreting information from the
11 frontline from people who may have an interest in the
12 frontline as to its outcome. And so that's not an
13 excuse; it's an absolute fact. This just shows you the
14 difficulties when you've not got in place the
15 recommendations that are in the McCartney report. So
16 I'm trying to make it a bestseller.

17 **Q.** Absolutely. So you have the lack of a single point of
18 contact, and I think you've also expressed concerns
19 about a lack of expertise on the Civil Service side.

20 **A.** Mm.

21 **Q.** And perhaps we can go to your witness statement. That's
22 WITN03370100. And we'll start at page 12, paragraph 29.
23 So this is talking about 1998, and you say:

24 "At the time, technical knowledge and understanding
25 of computer systems in Government was extremely poor.
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1 Few people had the knowledge and understanding of
2 procuring and developing systems such as Horizon, and so
3 the civil servants managing the project did not always
4 have the appropriate level of understanding to identify
5 or raise issues."

6 If I could look at another paragraph, it's
7 paragraph 29. Sorry, paragraph 69, page 29. Sorry,
8 page 30, over the page. Paragraph 72. So it's at the
9 bottom of page 30. It says:

10 "At the time, promotions within the Civil Service
11 were based on years of service. So you had people who
12 didn't know how to turn on a computer leading on IT
13 issues, and we were getting taken to the cleaners in
14 negotiations with software companies."

15 **A.** Yeah.

16 **Q.** Now, at this stage you had the Montague report
17 addressing technical viability, as we've discussed,
18 a very early stage snapshot. You have ICL moving, or
19 trying to move away from certain types of testing. Am
20 I right in saying that at this stage, so late the 1998
21 into 1999, there was no further significant Government
22 commissioned analysis of the technical viability of
23 Horizon?

24 **A.** That would have been my understanding that was the case,
25 but that doesn't mean that was actually in practice.

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1 inadequate, that was the engagement of people where the
2 technology would impact on, in terms of a business, or
3 in terms of as an employee, in terms of being a manager.
4 It was always discussions with people at the top, and
5 I wanted -- and I've got a view of life, still have,
6 that people's lived experience is as important as the
7 so-called professional experience that people are
8 claiming. And if I wanted a group set up, and suggested
9 the group to the Secretary of State, that this group
10 would be a door opening for people with skill, knowledge
11 and commitment, who, from their practical experience,
12 knew what was required on the ground, knew what they
13 wanted on the ground, and had the capacity to understand
14 whether or not the systems in place would be robust or
15 not, or that the system being put in place would be
16 sufficient to ensure that the business on the ground was
17 able to continue and flourish at a later date, in terms
18 of a development of other products.

19 And the other reason with the unions and the CWU,
20 the CWU, for many years, had had issues along the lines
21 of the introduction of technology, which I alluded to in
22 a previous answer. And it was therefore important to me
23 that their experiences, negative or otherwise, that it
24 was important that they felt part of being engaged in
25 making decisions about this very, very big, difficult,

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1 I just don't remember anything like that coming across
2 my desk.

3 **Q.** The in-principle agreement was not until 24 May 1999.

4 **A.** Mm.

5 **Q.** Would it be fair to say that, to the best of your
6 recollection, there wasn't a significant, independent or
7 otherwise, report into the technical reliability and
8 robustness of Horizon?

9 **A.** Yeah, that could have -- in my view, looking back, as
10 I do, in terms of lessons learnt -- that should have
11 been a report alongside of the other report giving
12 absolute clarity of what had been done to secure the
13 objectives in the way that you describe, and that should
14 have been -- would have been signed off or should have
15 been signed off by a senior reporting officer.

16 And again, that's another sign of the lack of the
17 structure in terms of management. Management control.

18 **Q.** I'm coming now to the thing that I think you're very
19 keen to talk about, which is the Horizon Working Group
20 of 1999. Am I right in saying that you saw that as
21 a forum to raise those kinds of technical issues?

22 **A.** Yes, if people knew of them. The point, for me, was
23 that during all the discussions that I'd been involved
24 in as a minister, and meetings with other ministers and
25 colleagues, the one element which I thought was

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1 complex, and in-trouble policy.

2 **Q.** Can we look at BEIS0000345, please. That's your D53, if
3 you need a hard copy. But again, I don't think -- we're
4 certainly not going to go into detail in this document.
5 It's a submission to you from David Sibbick of
6 7 June 1999. It addresses the initial meeting, the
7 first meeting of the Horizon Working Group. It's
8 a steering brief. And if we scroll down, we can see
9 those who attended.

10 Now, bearing in mind the time here is 7 June 1999,
11 detailed agreement between Post Office Counters Limited
12 and ICL wasn't reached until 28 July of 1999. So it
13 seems as though the Horizon Working Group was working in
14 parallel with discussions in respect of the detailed
15 agreement between the parties. Was that intentional?

16 **A.** Yes. I think it was. Certainly from my perspective, if
17 I could have got agreement, I'd have had the Horizon
18 Working Group in place before when we did do. But the
19 timing of it was down to the politics of it. I don't
20 mean partisan politics, I mean tension of politics of
21 where each of the main players were positioned in the
22 discussions that were taking place. And so the balanced
23 came to: let's get the group up and running now, and
24 then potentially get to the endgame, whatever that
25 endgame is. And so that's why we met, and this was the

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1 first meeting.

2 **Q.** We see there the attendees included the Managing
3 Director of Post Office Counters Limited, and Mr Dave
4 Miller from Post Office Counters Limited, the CWU, the
5 Communication Managers Association, and the NFSP.

6 **A.** Yes. I think the Communication Managers Union is now
7 part of Unite the Union.

8 **Q.** And what did you envisage that the three different
9 associations there would bring to the table, in respect
10 of their various roles and responsibilities?

11 **A.** Okay, well, the Communication Workers Union were
12 involved in the mechanisation of the Royal Mail's
13 delivery collection, delivery services, and there had
14 been, over the years, some difficult discussions between
15 management and -- well, the company and the unions.
16 Obviously I was never involved in those, but I knew of
17 them because of my knowledge of the General Secretary,
18 Derek, and others before him. And therefore, it was
19 important to ensure that they felt they get, from their
20 perspective, a view of how IT should be introduced, and
21 how it should work, in terms of those engaged in making
22 sure it works.

23 And the Managers Association, which as I say was
24 a big part of Unite the Union, these are the managers on
25 the floor working with the CWU members. And as

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1 impossible for it to be bought. And so it was
2 critically important, that.

3 And also, of course, they'd sunk, as I understand
4 it, as I remember, approximately £1 billion of their own
5 money over the years in the business itself. And that
6 shouldn't be sniffed at, given that £0.5 billion had
7 already been spent and covered, and no equipment had
8 been put in the Post Office. And so I think that was
9 one of the important reasons why they got involved.

10 Now I always found that the General Secretary, like
11 any other General Secretary, puts the case for their
12 members, and advocates them. I always found him a man
13 who gave me it from the frontline, and didn't mix his
14 metaphors, and in a way in which I could fully
15 understand that what was happening on the frontline, as
16 far as postmasters were concerned.

17 **Q.** So there you're talking about Mr Baker?

18 **A.** Oh yes.

19 **Q.** Yes. In respect of the three of those organisations,
20 was there one in particular that stood out with regards
21 to what you imagined they would be able to help you
22 with, when it came to the technical side of Horizon, or
23 were they equal?

24 **A.** No, it wasn't a matter of being equal. They all gave
25 what they could to the discussions. And they were

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1 management, of course, their duty is to put across the
2 view of the company itself on issues, as well as
3 expressing their own issues about it. And therefore it
4 was important that that level of management expertise
5 and knowledge got reflected in what was happening for
6 the endgame.

7 And then the subpostmasters -- I mean, that was
8 critically important. It's not just the fact that they
9 had 20,000 outlets; it was that most of them had
10 experience and years of knowledge of their customer
11 base, the operation of the facility, whether it was
12 a single Post Office or, like most of them, you know,
13 a shop which included the Post Office, and their
14 knowledge, in terms of what would be required for them
15 to be able to sustain their business.

16 Secondly, in retiring, as many people were doing --
17 some of course obviously because they didn't want
18 technology, fair enough -- but lots of them were getting
19 to the age where retirement was a great option for them,
20 and as a consequence of that, procedures were in place,
21 in terms of payments to subpostmasters who were leaving.
22 And it was important, therefore, to them that the
23 business, when it went for sale, was viable, was
24 feasible. Because if it didn't, it would be just be
25 collapsing and nobody would buy it, and it would be

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1 coming from sometimes a potentially different expertise,
2 ie subpostmasters didn't work in the big sorting offices
3 that CWU members did. So CWU union members didn't run
4 sub post offices, but that was, in the rural areas in
5 particular, a base for postmen and postwomen to deliver.
6 And, of course, the Communication Managers Association,
7 it's now Unite the Union, their task was to implement
8 and ensure the smooth running of technology changes in
9 the Post Office, and therefore their knowledge, in terms
10 of not only what happened technically, but when actually
11 equipment was put in place, what was their response to
12 it in terms of staff, skill, knowledge, willingness,
13 et cetera? And so they also had a story to tell.

14 **Q.** Can we look at BEIS0000345, please. That's your D53.
15 Sorry, that's the same document, is it?

16 If we could go now to BEIS0000346, and that's your
17 D54. This includes the proposed terms of reference for
18 that group, and can we look at page 2 at the bottom,
19 please. You may have heard these being read to Mr Baker
20 this morning but I'll read them out again, just in case.

21 **A.** No, I didn't.

22 **Q.** Okay. So it says there:

23 "I see the work of the group as falling into three
24 main areas. First, there are the negotiations between
25 POCL and ICL, and between POCL and BA, that need to take

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1 place over the next few weeks to put in place the
2 detailed contractual arrangements that will give effect
3 to the outline agreement reached on 24 May."

4 So that's as I said, that they had reached the
5 outline agreement and were still negotiating the
6 detailed agreement:

7 "I see a role for the working group in carefully
8 monitoring these negotiations and in addressing and
9 helping to resolve any sticking points that may be
10 encountered."

11 Over the page, please, thank you:

12 "The second area covers the remaining development of
13 phases of Horizon, including large scale live trials,
14 system acceptance, and rollout of the system smoothly
15 and in a timely fashion to all offices within the
16 network, followed by the migration from paper-based
17 methods of payment to ACT-based payments accessible at
18 post offices. I believe that the Working Group could
19 provide a valuable forum for bringing pressure to bear
20 where needed and for seeking solutions to any problems
21 that may arise."

22 Just pausing on that second one, can you give us
23 an example of what you had in mind when you said
24 "seeking solutions to any problems that may arise"?

25 **A.** Yes, well, as you will note, the -- in the whole of this
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1 the NFSP and trade unions, via the CWU and
2 Communications Managers Association, were engaged and
3 involved in the working group so that they could explain
4 what was actually happening on the ground."

5 Was that your intention?

6 **A.** Yes. Oh, yes. I mean, although I've got all my input
7 and sympathy is with the employees, unless I knew what
8 was going on, I wasn't prepared just simply to take the
9 views of people at a hugely elevated level of any of the
10 businesses, given that their line may well have been the
11 right line, but I also wanted to know on the ground what
12 were people feeling, what were they facing, and what was
13 their knowledge? How much information they were given
14 to ensure that their members had a sense of what was
15 going on and had a chance of putting a view if they
16 thought there was a view that needed to be put.

17 **Q.** Can we look at BEIS0000355, please. This is again,
18 another ministerial submission this time from David
19 Sibbick, 28 May. Can we look at that paragraph there.
20 It's your D62 but, again, I really don't think -- I'm
21 just going to read to you a few sentences. It says:

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 group of events, when you think you're getting a smooth
2 run at things, suddenly something out of your left side
3 arrives, and it's a showstopper. And, as we know, that
4 had been happening on a regular basis, and there were
5 still now at a point when this was going on, issues to
6 be resolved, and some of those issues still related to
7 the final look of the project, in terms of options.

8 And it was important that they brought some pressure
9 to bear from their experience and knowledge, in
10 particular subpostmasters, to -- being able to express
11 their views in what they would see as a way forward to
12 any of the problems that arise. And also, that put
13 pressure on me, and rightly so, to ensure that they were
14 aware of what problems had arisen and I had been
15 informed about.

16 **Q.** It says:

17 "The third area concerns the commercial exploitation
18 of the very considerable potential which the Horizon
19 platform will offer once in place. The combined
20 experience of the Working Group should prove a valuable
21 source of ideas and contacts for business opportunities
22 and future revenue streams."

23 So focusing on the second area, really. You've said
24 in your witness statement:

25 "I thought it was important that subpostmasters, via
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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 Does that make the same point: that your vision for
8 the group would be that the CWU and NFSP being on the
9 frontline would be an important component of that group?

10 **A.** Yes, as was the National -- although it's not mentioned
11 in that paragraph, that would include the National
12 Federation, most assuredly.

13 **Q.** To make the point once more, let's look at NFSP00000064.
14 This is a letter from you to Colin Baker at the National
15 Federation of SubPostmasters, 7 June 1999, and this is
16 talking about the Horizon Working Group, and its aims
17 and objectives. It's the final paragraph on that page
18 that I'd very briefly like to take you to. It
19 outlines -- we talked about the three areas. This is
20 talking about the second area. It says:

21 "The second area covers the remaining development
22 areas of Horizon, including large scale live trials,
23 system acceptance, and rollout of the system smoothly
24 and in a timely fashion to all offices within the
25 network followed by the migration from paper-based

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1 methods of benefit payment to ACT-based payments
2 accessible at post offices. I believe that the Working
3 Group could provide a valuable forum for bringing
4 pressure to bear where needed and for seeking solutions
5 to any problems that may arise."

6 That's the same point being made in a letter there
7 to Colin Baker of the NFSP.

8 **A.** Mm-hm, yes.

9 **Q.** You actually launched the working group at a CWU
10 conference. We can see that at BEIS0000357.

11 **A.** Yes.

12 **Q.** Do you remember this --

13 **A.** Yes, I also -- at the same time, I informed them of the
14 purchase of the German postal service. I don't mean
15 their national post office. It was a group of
16 distributors in Germany of parcels, et cetera, and
17 having spoken to the chief executive, John Roberts, at
18 the time, it was a potentially important marketplace
19 which they would want to -- need to get into, given that
20 the German, French, Dutch and other parcel services and
21 post offices were becoming active in the British market.

22 **Q.** Thank you. So we're here now in May 1999. Your
23 evidence so far has been that there wasn't a significant
24 Government study or you're not aware of a technical
25 study between the Montague report and the summer of

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1 that they are willing to talk informally. POCL consider
2 the issue to be too important to the future commercial
3 prospects of the projects to rest on a purely informal
4 and unenforceable indication ..."

5 I apologise for just quickly taking you to one
6 paragraph, but are you able to assist us with that at
7 all?

8 **A.** That's a classic -- if you don't mind me saying --
9 reason why we established the group because, unless we
10 had the group, it is absolutely certain that the key
11 people in the frontline would have no knowledge of this
12 difficulty. None whatsoever. Therefore this was
13 a matter for the group to consider and, from that, what
14 actions or recommendations they wanted to make, or
15 whether they just wanted to say "Well, you as ministers
16 get on with this. Sort this out and come back to us
17 with what you're proposing".

18 **Q.** I'm now going to read to you paragraph 6, and it's one
19 that you may have already seen. It says:

20 "Mr McCartney said that the rollout issue was
21 crucial; he was emphatically not prepared to accept
22 getting away from the commitment to 2001. Slippage
23 would make the wider discussions on government usage of
24 the network impossible. If there were problems with
25 software, training, etc, then these should have been

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1 1999, and also that Government civil servants weren't
2 that knowledgeable about technical matters. How
3 important did you see, at this time, these meetings to
4 be the forum to raise technical issues with Horizon?

5 **A.** I thought it was critical, and it was incumbent on me
6 and then, subsequently, I didn't last as chair very
7 long. I was out the door and on to the Cabinet Office.
8 I felt it was a duty of care towards people that this
9 system wasn't just a one-line press release. We've got
10 this group, I wanted it to be a working body recognised
11 by all concerned, treated with respect, and one that
12 views would be listened to and taken into account in
13 an effective way.

14 **Q.** Can we look at NFSP00000203. This is the note of the
15 first meeting on 22 June. Can we go over the page,
16 please. So this is the first meeting, 22 June. You're
17 there present, along with the Union, Association and
18 NFSP. Can we go over the page, please, to page 3 and
19 there are two paragraphs that I'd just like you to give
20 a little bit more detail about. In this top paragraph,
21 it says:

22 "There was a need to establish exactly what POCL was
23 buying. ICL have not allowed access to policy so that
24 they could determine this and have insisted that it is
25 not a contractual issue. They have however indicated

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1 flagged up earlier, and must now be resolved in a way
2 that enabled the 2001 timetable to be recovered."

3 It seems to be your position expressed there that
4 software issues would have to wait. Do you agree with
5 that?

6 **A.** Not wait. I was wondering if I can -- what I read here
7 is that I'm saying is that these should have been dealt
8 with earlier and we've got to deal with them now. And
9 it's got to be dealt with, because they'd not been dealt
10 with earlier, and the timescale and the commitment that
11 was previously given. And so the pressure that was on
12 me, as a minister, and the ministerial team and their
13 technical people, was to ensure that that -- those
14 issues were resolved and resolved effectively, and
15 hopefully maintain the commitment to 2001, which
16 wouldn't be easy to do, given the number of years the
17 commitment -- the previous commitments were out of date.

18 And so that's what that means. It's not dealing
19 with issues that need dealing with, it's complaining
20 that the slippage should never have happened in the way
21 it did, and when it did happen, it should have been
22 dealt with. This goes back again to the senior
23 reporting officer role, et cetera.

24 **Q.** It may be suggested that the impression that you are
25 giving at that meeting is that speed was now more

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1 important than technical concerns. What would you say
2 about that?
3 **A.** No. I'm simply telling them, reminding them what the
4 commitment was and that the slippage was now causing
5 these difficulties. But that doesn't suggest, from me,
6 that I would have -- "Well, let's forget it, let it drop
7 off the end of the truck". Far from it. I wanted this
8 to be resolved. But it was important that the key
9 people on the frontline there knew what was going on,
10 and what the consequences could be, and the consequences
11 could be -- and I can't remember if it did happen -- was
12 that the 2001 commitment would be passed.

13 **Q.** You've said that you were dependent on the CWU and NFSP
14 raising concerns at this stage about the technical
15 issues. Do you think that the atmosphere was such that
16 they were concerned that they shouldn't raise concerns
17 at that stage because it would delay rollout?

18 **A.** Are you suggesting that that's what the union's
19 positions were? Is that what you're saying to me?

20 **Q.** Well, if they were to suggest that it wasn't really
21 an atmosphere in which they could raise technical
22 issues, because of those kinds of time pressures that
23 you've mentioned at paragraph 6 there, would they be
24 right in that or not?

25 **A.** No, but I can understand that that's why they're all on
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1 we go over the page, it says -- a little bit further
2 down, please.

3 It records as having been discussed at that first
4 meeting:

5 "The subject of systems faults was raised and the
6 NFSP were given assurances that there would be software
7 improvements to cure the present difficulties. The
8 Federation were asked for more precise numbers of
9 Subpostmasters who were experiencing difficulties as
10 this information would assist them to provide us with
11 the help we require."

12 That reference to the subject of system faults being
13 raised, that is contained in the NFSP's note of the
14 working party meeting of 22 June but it doesn't appear
15 in the official minutes or note of the working party
16 meeting. Is it something you remember being raised by
17 the NFSP?

18 **A.** Oh, yes. I mean, that was clearly raised, and it was
19 raised alongside -- because I was acutely aware, on the
20 statement that I'd given to call the meeting, about the
21 importance of the trials and the basis for them, and the
22 range of them. So yes, I remember that. Why it's not
23 in the minutes, I don't know. It's too far away.

24 It wouldn't be my part trying to stop it. The
25 minutes are done by the civil servants, and yes, we get
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1 there. Their interest is slightly different from
2 subpostmasters, although they were committed to making
3 sure the subpostmasters were dealt with very well. And
4 it may well be, remembering they were already in
5 discussions with Government senior ministers, including
6 the Secretary of State, regarding the drafting of the
7 White Paper, and it may well have been tactically they
8 wanted to ensure that, in the White Paper, if required,
9 there would be some input/recognition of issues relating
10 to this.

11 And that may well have been what the case was: that
12 they wanted to -- as well as making comment here, they
13 wanted to keep open the door that they had directly to
14 the Secretary of State and others involved in the
15 drafting of the White Paper.

16 **Q.** Is it your evidence that the atmosphere was such during
17 those meetings that the unions and NFSP were fully able
18 to raise technical concerns, should they have had them?

19 **A.** Yes. Absolutely no doubt. That's what the meetings
20 were there for: to hear from them.

21 **Q.** Can we look at NFSP00000471, please. This is a report
22 of the NFSP National Executive Council. It's a document
23 that we've seen several times in this Inquiry. Can we
24 look at page 27. Page 27 at the bottom contains
25 a summary of the same meeting, so 22 June meeting. If
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1 them and we've got to approve them. So I must have
2 approved it but to be honest with you, that should be --
3 should have appeared.

4 **Q.** So you draw recall the NFSP having raised system faults
5 during that meeting?

6 **A.** Yeah, not just during that meeting. They'd raised
7 them -- yeah, they'd raised them -- Mr Baker had raised
8 them before, if I remember correctly.

9 **Q.** Actually, if we could go back to that document again
10 sorry, look at page 23. This report goes on to minute
11 the meeting of the NFSP. So that took place after that
12 first Working Group meeting. This is, again, something
13 you may have seen during this Inquiry. If we look
14 a little bit further down, there's quite a lot of
15 criticism from subpostmasters about the system that's
16 then available. It says, for example:

17 "There was general discussion on the severe
18 difficulties being experienced by subpostmasters who are
19 already running an automated system. Seven sheets of
20 comments from the North East had been passed to Mr Dave
21 Miller."

22 Pausing there, do you remember that at all? Did
23 Dave Miller ever mention to you that he had been
24 passed --

25 **A.** Who's Dave Miller?

1 Q. From the Post Office?
 2 A. No, I don't recognise it.
 3 Q. "The difficulties and trauma being experienced by some
 4 subpostmasters were giving rise to concerns for their
 5 health and emotional wellbeing. It was felt by some
 6 that a tragedy was not far away if something was not
 7 altered soon. The software was considered to be poor
 8 quality and not intended to run such a huge network.
 9 The system is based on ECCO which was originally written
 10 for a network of 700 -- not 15,500."

11 Perhaps we can go over the page. Similar concerns
 12 continue to be expressed and there's a mention there of
 13 the General Secretary assuring the meeting that Mr David
 14 Miller had been informed of the difficulties in no
 15 uncertain terms. Sticking with that paragraph, it says:

16 "We cannot continue to have experienced
 17 subpostmasters/mistresses in distress on the telephone
 18 struggling until all hours to balance. These situations
 19 must not be permitted to arise."

20 Was that level of concern being raised, to the best
 21 of your recollection, at the Horizon Working Group
 22 meetings?

23 A. That specific example, no.

24 Q. Not that specific example, but perhaps that
 25 subpostmasters were distressed by the new system?

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1 themselves and the technology and how they would use it.
 2 I mean, these people had been under pressure for such
 3 a significant time, and that's one of the reasons that
 4 we wanted to ensure that we got a settlement and got it
 5 in an effective way, or this would just continue into
 6 the future, and that would be absolutely wrong.

7 Q. But we're now talking about a position where certain
 8 subpostmasters do have the system and are raising
 9 concerns about the software, et cetera?

10 A. Yes.

11 Q. Mr Baker's evidence this morning was that he didn't
 12 think that the working group was the forum to raise
 13 those kinds of technical issues. Is your evidence that
 14 those kinds of technical issues were, in fact, raised at
 15 the Working Group or not?

16 A. What would have been very helpful -- I'm not criticising
 17 him, far from it -- he worked with me over a significant
 18 period and so we knew each other pretty well.

19 I would say that his reasoning was a quite clear
 20 one, in that he had access to the people who were
 21 responsible for dealing with these issues, and so he
 22 went direct to them. The issue is if we'd known about
 23 it, I could do something effectively. Because I don't
 24 know what the outcome was with Mr Miller. But,
 25 certainly, if we'd known as a committee -- because

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1 A. Well, if the report that went to Mr Miller had actually
 2 come to our committee, I would have seen it and would
 3 have dealt with it. That was the whole purpose of the
 4 committee. I don't recognise Mr Miller. I apologise to
 5 him if he's ever met me, but I just don't remember him
 6 in or getting any information from him. And I'm sure if
 7 he had sent me information, it would appear in the
 8 documents.

9 Q. So, to the best of your recollection of those Horizon
 10 Working Group meetings, was that kind of information
 11 the -- certainly the emotion that we've seen that's
 12 raised at that meeting, or the detail of problems that
 13 were being raised at that meeting -- were those kinds of
 14 things being raised at the Horizon Working Group or not?

15 A. As a constituency MP in an area where Post Office
 16 closures had been going on apace, and also as
 17 postmasters and mistresses were coming up for
 18 retirement, the difficulties that were then apparent in
 19 securing new ownership, and so -- and I was not unaware
 20 of the emotional distress and concern and worry that
 21 people had, and understandably so, given the potential
 22 changes that were to take place and the length of time
 23 that it had been taking.

24 We're talking years here. They were having to
 25 speculate what was going to happen to their business,

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1 you'll see in my letter it said about raising issues on
 2 the frontline. It was about the frontline and what was
 3 happening to it that was critically important to me.

4 Q. Just so we're absolutely clear, because I appreciate
 5 we've been going for some time this afternoon, were
 6 those kinds of issues in fact raised at the working
 7 group or do you think that they were raised separately
 8 with Mr Miller and the Post Office?

9 A. Well, it would seem that that's the case with Mr Miller
 10 and the Post Office.

11 Q. But you've said also that you were, in any event, aware
 12 because those kinds of issues --

13 A. Yes.

14 Q. -- as a constituency MP?

15 A. Yes, and that's why I had the empathy I did to get the
 16 matter resolved and also to ensure that frontline voices
 17 were heard.

18 Q. When you say "to get the matter resolved", how was it
 19 resolved?

20 A. Apologies. I don't mean that individual case.

21 Q. No, not at all. I just want to make sure there's
 22 absolutely no confusion. We're talking now the summer
 23 of 1999 and you've said that there were concerns raised
 24 at a constituency level. What period was that?

25 A. That was over quite a considerable period, following the

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1 miners' strike. In areas like my own, there was
 2 significant closures.
 3 **Q.** Ah, so your concern was closures, but what about
 4 technical problems with Horizon?
 5 **A.** No, I can honestly say I'd had no technical problems
 6 raised with me, but what I had noticed and had raised
 7 with me was people's anxiety, concern, lack of
 8 information, if you want, all sorts of things. And that
 9 takes its toll on people, their mental health suffers
 10 from that, and the decision making about the next stage
 11 in their life is acutely upended, and that's why these
 12 signs are as important as some of the technical
 13 difficulties that arose.
 14 **Q.** So the concerns that were being raised to you at the
 15 Horizon Working Group concerned concerns about the Post
 16 Office Network generally, rather than technical issues
 17 with Horizon software, for example, the kinds of things
 18 that we saw in those NFSP minutes?
 19 **A.** Yes. I think that would be fair to say. I apologise if
 20 I forgot, and there was issues raised by Mr Baker.
 21 **Q.** Not at all. In fact, his evidence was to the contrary:
 22 that he didn't see the Horizon Working Group as the
 23 forum to raise those kinds of technical issues.
 24 **A.** Okay.
 25 **Q.** Was that the impression that you had at the time?

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1 **MR BLAKE:** We won't be longer than -- certainly not more
 2 than an hour tomorrow morning.
 3 **SIR WYN WILLIAMS:** It doesn't have to be tomorrow morning,
 4 does it, Mr Blake, in the sense that Sir Ian could be
 5 fitted in, so to speak, at some suitable moment?
 6 **MR BLAKE:** Yes.
 7 **THE WITNESS:** Tomorrow is Friday?
 8 **MR BLAKE:** Tomorrow is Thursday.
 9 **THE WITNESS:** No, Thursday, sorry. Other than having
 10 a Scottish Labour Party dinner, which I'm not going to,
 11 we're free.
 12 **SIR WYN WILLIAMS:** So could you come back at 10.00 tomorrow
 13 morning, Sir Ian?
 14 **THE WITNESS:** Yes, I can.
 15 **SIR WYN WILLIAMS:** Well, then, I propose to call a halt at
 16 this point, Mr Blake. Yes?
 17 **MR BLAKE:** Absolutely.
 18 Sir, I wonder, can I just take -- it may be that we
 19 need to start slightly earlier tomorrow, only because we
 20 have, I think, it's Alan Milburn tomorrow, who may have
 21 other commitments. Would it be a problem for everybody
 22 if we started at 9.30 tomorrow?
 23 **SIR WYN WILLIAMS:** Well, for Sir Ian and I, it's probably
 24 not a problem at all but, as for the people in the hall,
 25 they'd better say now.

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1 **A.** No, not an impression. I mean, it was clear from what
 2 I'd said verbally, what I'd written in calling the group
 3 together, was I wanted to know what the frontline was
 4 experiencing, including, of course, what they thought of
 5 the system that was going to be put in, or was being put
 6 in, and so that was a major point of why I wanted it to
 7 work.
 8 **Q.** I'm going to look very briefly at the next minutes of
 9 the 7 July, that's NFSP --
 10 **SIR WYN WILLIAMS:** Mr Blake, before you do that, I think
 11 I should let everybody know that I cannot sit beyond
 12 4.30 tonight. I hadn't for a minute thought that these
 13 two witnesses would take us right to the end of the day,
 14 so to speak.
 15 **MR BLAKE:** I know, sir. I apologise for that.
 16 **SIR WYN WILLIAMS:** I mean, since Sir Ian is remote, it's not
 17 as critical, in the sense he might be able to come back
 18 much more easily, rather than try and cram everything
 19 into five or six minutes.
 20 **MR BLAKE:** Absolutely.
 21 Sir Ian, are you able to attend tomorrow morning?
 22 **THE WITNESS:** Yeah, I'll just check, if I can, my diary. It
 23 sounds like I've got a full-time job. It just seems
 24 that way sometimes, volunteering. I think I'm -- I'll
 25 just double check. I may have to cancel an optician.

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1 **MR BLAKE:** Everybody seems to be in agreement that 9.30 is
 2 absolutely fine tomorrow.
 3 **SIR WYN WILLIAMS:** Right, we'll break now and start again at
 4 9.30 tomorrow, so as to ensure that everybody who is due
 5 to give evidence tomorrow has sufficient time to do it.
 6 **MR BLAKE:** Thank you very much.
 7 **SIR WYN WILLIAMS:** Thank you all.
 8 **THE WITNESS:** Thank you.
 9 (4.25 pm)
 10 (The hearing adjourned until 9.30 am the following day)

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