

WITNESS: JANINE POWELL

STATEMENT NUMBER: WITN0256\_01

EXHIBITS: 0

DATED: Jan 14, 2022

**POST OFFICE HORIZON I.T INQUIRY**

**FIRST WRITTEN STATEMENT OF JANINE POWELL**

THIS STATEMENT IS PROVIDED IN RESPONSE TO THE RULE 9 REQUEST OF THE PUBLIC INQUIRY DATED 29/10/2021 TO ADDRESS THE HUMAN IMPACT OF THE FAILINGS OF THE HORIZON IT SYSTEM

I, MISS JANINE POWELL, Date of Birth  of address   
 will say

as follows:-

**PERSONAL BACKGROUND**

1. I am now 50 years of age, and I am a Bar Manager at the Broadway Park

Hotel on the Isle Of Wight. I live  and have done since

a few months ago. I have 3 children

All of my children live on the mainland.

## **POST OFFICE HISTORY**

2. Prior to working at the Post Office, I was employed by Edinburgh Woollen Mill, a clothing retailer. I started this job in 1995/1996 and stayed for about 3 years. I then took a gap in my employment to be a full-time mum before applying to work in the Post Office.
3. I saw there was a vacancy for a counter assistant at the Cowley Moor Post Office, Tiverton in 2005/2006. This was ideal for me because it was close to where I lived, and I was eager to serve the people of my community. It was my hometown. I was a sociable and confident person and enjoyed the interaction with the public.
4. It was only after a few weeks of working as a counter assistant that I was given the role of sub-postmaster. This was not a role I applied for, but I was asked if I would like to take on this when the previous sub-postmaster resigned. Although I found the new position daunting, as I had only worked at the Post Office for a matter of weeks, I was also very excited about my new role and was eager and confident I could make it work.

## **CRIMINAL ALLIGATIONS AND ANY PROCEEDINGS/CONVICTION**

5. I was living above the Post Office with my two children, GRO GRO was living with his father. In early 2007, I remember receiving a phone call from the Area Manager and an auditor. They asked me to come downstairs and meet them in the Post Office.
6. When I joined them, I was asked to hand my keys to them, and I was advised that I was suspended pending an investigation into the theft of around £74,000. My contract was subsequently terminated by the Post Office. I am

unable to put into words how I felt at that moment in time: confused; dismayed; numb. I felt sure that they would realise their mistake.

7. I was summoned to court to face charges of Theft in September 2008. I pleaded Not Guilty to the charge but was convicted of Theft and sentenced to 18 months imprisonment.

## **THE HUMAN IMPACT**

8. The human impact which the failings of the Horizon I.T System have had and continue to have upon me, and my family are set out in the remainder of this statement. The section headings follow the particular questions posed but the Inquiry.

## **WHAT WERE THE CONSEQUENCES OF BEING REQUIRED TO MAKE GOOD APPARENT SHORTFALLS SHOWN BY THE HORIZON I.T SYSTEM**

9. I had experienced issues previously with Horizon, whereby discrepancies would appear and not make sense. I would go through the accounts with colleagues, and we couldn't work out where these discrepancies came from.
10. We corrected the system ourselves to account for the discrepancies and made each other aware of this, but we would refer the issues onto my Area Manager, who would then refer it on to the Head Office. The Area Manager corrected the system, and we did not have to pay back any of these discrepancies.
11. I do not recall ever signing any contract with the Post Office.

**WHAT WERE THE COSTS OF MAKING GOOD ALLEGED SHORTFALLS SHOWN BY HORIZON?**

12. As stated above, I was fully upfront with the shortfalls alleged by the Horizon system with my Area Manager, and these issues were resolved as and when they occurred.
13. These shortfalls were rolled over, corrected on the system, and reported to the Post Office Head Office.

**HOW WERE YOU AFFECTED WHEN ALLEGED TO BE RESPONSIBLE FOR THE SHORTFALLS OR DISCREPANCIES SHOWN BY THE HORIZON I.T SYSTEM?**

14. My overall feeling at the time was a sense of shock and hurt. I had been running the Post Office successfully for about a year or so and, whilst I noticed shortfalls from time to time, these were always reported, and I was always advised not to worry by the Post Office Helpline.
15. I was trying to understand where the money could have gone. I didn't get the chance to talk to the auditors about it as they weren't interested in what I had to say. It was like they needed someone to blame; they chose me and that was it. This act alone made me feel hurt and unheard. It all made me feel like a criminal because I was presumed guilty. I felt sick and numb.

**WHAT WERE THE CONSEQUENCES OF BEING HELD RESPONSIBLE FOR SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON I.T SYSTEM?**

16. As explained above, following the audit by the Post Office, I was suspended, and my contract terminated.

17. As a direct result of the Post Office's accusations, I was summonsed to court to answer the charge of Theft of £74,000. I was very upset when I received the summons as I was adamant that I had done nothing wrong.
18. I pleaded not guilty throughout the trial and thought it was ludicrous that anyone could believe I had stolen that much money. I had never stolen anything before in my life and had never been in trouble with the police or committed any criminal offences.
19. Because I pleaded not guilty at the Magistrates' Court, my case was transferred to the Crown Court. I maintained my not guilty stance throughout the trial. My barrister advised me that I should plead guilty after receiving a plea deal from the Post Office. The Post Office wanted me to plead guilty to False Accounting and they would drop the Theft charges. My barrister said that if I pleaded guilty to this, it was more likely that I would avoid a custodial sentence.
20. This was a very difficult decision for me as I had three children to think about, two of whom – GRO – were living with and dependent on me. However, I could not believe that I would be found guilty of this offence, especially as I knew I had not taken the money; I believed they would see the mistake soon enough.
21. I reported issues with Horizon on numerous occasions to the Helpline and thought that this would be thoroughly scrutinised. It was clear to me that there were issues with Horizon, and I thought this would have exonerated me, I'd never been in trouble before and I'd never dealt with solicitors before, so I was just trying to do the right thing, but also wanted to defend myself from something I didn't do.

22. I chose to maintain my innocence throughout the Trial.

**WHAT WERE YOUR FINANCIAL LOSSES CAUSED BY ACTION TAKEN AGAINST YOU IN RELIANCE UPON HORIZON DATA?**

23. Shortly after my suspension, my friend at the time, GRO was working at Specsavers and said that there was a position available. I applied and got the job as a contact lens consultant.

24. However, since I was released from prison, I have found it very difficult to seek employment.

**WHAT EFFECT DID IT HAVE TO BE ACCUSED OF COMMITTING CRIMINAL OFFENCES AS A RESULT OF SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON I.T SYSTEM?**

25. I just couldn't, and didn't, believe it. I couldn't understand how I was being labelled as a thief as I did not do anything wrong. I was in total shock from the moment I received my summons. I find it difficult to express how I felt as I have tried to block out all memories of this dark time. I was worried about how my family would react, especially my children and what this meant for them.

26. I have not opened up to many people about my experiences with the Post Office and the memories are still very sore.

27. After the first court hearing, I remember there being press coverage about the crime I had been accused of committing. This was just embarrassing and degrading. When I went into my shop with a friend, I saw myself in the local papers, such as the Echo. I went outside and one of the customers at the

shop stared at me; she clearly knew that I was the person in the news article. This just made me want to stay inside and hide. I didn't want to face the world – I didn't want people staring at me and judging me. I kept questioning myself that if they knew and recognised me, what would this mean for my children?

28. One of my friends told me that she saw details of my conviction being shown on television. Being told everything was being aired on the TV for all to hear and see was very upsetting and something I struggled to come to terms with. I didn't want to see anyone, I didn't want them judging me for something they knew nothing about. They only knew one side of the story, and only what they had been told.

**WHAT WERE THE CONSEQUENCES OF BEING CONVICTED OF A CRIMINAL OFFENCE AS A RESULT OF SHORTFALLS AND DISCREPANCIES SHOWN BY THE HORIZON I.T SYSTEM?**

29. Despite pleading my innocence throughout the trial, I was convicted of Theft. I was released on bail and advised that I would need to come back for a further hearing for sentencing.

30. I was very worried when it was explained to me by my solicitor that I should bring in a bag of clothes in case I was given a custodial sentence.

31. I brought a close friend along with me to the sentencing hearing for support. She believed that I was innocent throughout the ordeal with the Post Office, and it meant a great deal to me that she was there for me and my family.

32. I was sentenced to 18 months imprisonment. As soon as I heard this in the Court room, I felt faint, and my legs felt like they were going to give way. I could not believe my life had come to this point. I felt in a total haze and

remember making eye contact with my friend in the public gallery and seeing her face. This moment will live with me forever. Questions about my kids and family were running through my head; 18 months sounds like a short time but when you have to be away from your children for this long, it feels like a lifetime.

33. I was led down the stairs after being handcuffed by the police officers. I had known there was a real possibility that I could go to prison and had to prepare myself for the worst, but it was still a massive shock when I found out I would be going to prison and how long it would be for. Nothing could really have prepared me for it.

34. My son, **GRO** was 18 at the time and had to go and live in a shared house in Tiverton with people his age. He was placed there by CAMHS. My daughter, **GRO** was 10 years old at the time. I was sentenced 2 days after her 10<sup>th</sup> birthday and I had arranged for her to be looked after by my friend at the time, **GRO** just in case I was given a custodial sentence. She lived in North Petherton, which meant that **GRO** had to change schools. This was hard for her, as some of the students at her new school had found out about my conviction and bullied her.

35. I was up front with all my children about my conviction from the start. We have always been a close family and tried to be straight with each other. **GRO** was 15 at the time and lived with his dad but I knew that, although he was not living with me or having to move and make new friends, this would still impact him greatly. I knew it would impact all my kids. I'm their mum, I'm supposed to be there looking after them, looking out for them. But because of the conviction, I couldn't.



36. In the end I served 5 months in prison and roughly 3 months with an electronic tag. I was initially at East Wood Park Prison in Gloucestershire. This was for the first 2 or 3 weeks, and this involved being held in the cell for most of the day. However, I could still use communal areas in certain hours.
37. I was then moved to Downview Prison, which made it difficult for my family to come and see me. This wasn't an open prison and we had certain rules and curfews to abide by. At weekends it was normal to be held in my cell for 23 hours a day due to staffing shortages. I remember there was another time for about a week or two where this would be routine, every day. This was due to the amount of snow that had fallen which had affected the prison guard staffing levels.
38. I was moved the day my children were supposed to visit me. I was given the moving information the night before. I cried. It broke me. It was hard enough struggling to see my children at visitation, but this move made it even harder.
39. After I was released from prison, I went to live with GRO for about 4 to 6 weeks; this is when I found out that the letters and cards that GRO had written and made for me had been hidden by GRO and never sent.
40. I had to wear an electronic tag for 3 months and I avoided going outside where I could because I didn't want anyone to see the tag and I also didn't want to sound the alarm; I was extremely anxious.
41. The alarm would often sound anyway, even when I was in my bedroom. I was called by the officers who monitor the tag and asked where I was. I told them that I hadn't moved and that I was in my house. The officer said that the tag recognises when it's been kept quite still, and so it thinks it has been cut off,

and that someone is breaking their curfew. In essence, the alarm sounded on the tag because I stayed indoors too much. This would also result in police turning up at the house and again this made me anxious about what the neighbours would think and how this would affect my daughter.

42. I was horrified when **GRO** told me about her time living with **GRO**. It became apparent to me that **GRO** was very unhappy, and I'm saddened and hurt that I couldn't be there to look after and protect my daughter, as a mother should do.
43. I remember going to the shop with **GRO** immediately after my release, and I told her to go and pick a chocolate bar for herself. **GRO** became upset and told me that she wasn't allowed to. I told her that she was allowed to and to help herself. She chose a Double Decker, and after we had paid, she had eaten the bar before we had even left the shop, because she didn't want to get into trouble. The shop was directly opposite the house.
44. **GRO** and I moved out of **GRO** house and into our own house in the same village. We had been looking to move out ever since I had found the hidden letters and **GRO** had told me about her experience at **GRO**. Eventually, **GRO** moved in with us too and we were reunited. Although the memories would never leave us, at least we were together again.
45. After my tag was taken off, I decided I wanted to enrol onto a Level 3 course in Midwifery. In order to enrol onto the course, I needed to complete an application which set out that I needed to gain some experience in care. I applied to many places to get this experience, including a number of care homes and to Musgrove Hospital. However, once they knew about my conviction, I was let go. This meant that I could never obtain the experience

needed to enrol onto the midwifery course. It also stopped me from fostering children which is something I had always wanted to do but, as a result of my conviction, I was never allowed to.

46. I decided to apply to the One Tree Hotel in North Petherton as a receptionist. I did not forewarn them about my conviction when I applied as I knew it would mean they probably wouldn't hire me. I got the job and had been there for 2 months when they found out about my conviction and decided to let me go. I felt not revealing my conviction was the only way to move forward with my life and start afresh with my kids.

47. I tried to apply for more care homes and decided to be upfront about my conviction, because it was frustrating being let go after it was discovered on a later date. I couldn't escape from the label. However, no care home would employ me due to my conviction. No matter where I am or what I have done, my conviction has followed me. I just wanted to be left alone and to get on with my life with my kids and help them lead good lives.

48. A taxi company employed me as a passenger assistant. I declared my conviction to them, and they were very kind about it. Despite my CRB check coming back positive, they allowed me to work for them.

49. I could never escape my conviction despite the many years that had passed. On a night out, whilst I was still working at the taxi company, someone who I was out with mentioned the conviction and I just couldn't deal with it any longer. My friend had recently moved to Durham, and she said for me to go and join her, so I moved along with my daughter **GRO**

50. During my time living in Durham, I did not work. I was suffering with depression and anxiety and was also self-harming and suffered suicidal

thoughts. This was all directly related to the social condemnation I received from my friends and community following my conviction. Moving to Durham was the right move for me at the time, as it avoided all the glares I would get when in public and the tongue in cheek comments from people who I thought were my friends. I was somewhere where nobody knew my past and I could look forward instead of my past degrading and controlling everything I did.

51. I have recently started working for the Broadway Park Hotel in Sandown, Isle of Wight, as a bar manager. I thoroughly enjoy the work that I am doing now and I was able to get this job as my conviction was spent. GRO

GRO

**WHAT EFFECT DID THESE ISSUES HAVE UPON YOUR RELATIONSHIP WITH YOUR FAMILY, FRIENDS, COLLEAGUES AND LOCAL COMMUNITY?**

52. GRO has been affected massively by my situation with the Post Office. As stated above, I left her in the care of someone who I thought I could trust whilst I was in prison. Only after my release did I realise that this was not the case.

53. GRO suffers enormously with anxiety and received treatment from her GP. She suffers from panic attacks and social anxiety, and I firmly believe this is due to being separated from me for 5 months when she was so young. She was also diagnosed with depression, EUPD (Emotionally Unstable Personality Disorder) and trust issues. Her anxiety is a lot better now, and she has settled down in Durham. Although she was young when I was convicted, she still recalls the day I was sentenced and everything in between.

54. Although he didn't live with me, **GRO** was also highly impacted by this ordeal. From the moment he heard I was under investigation, he was devastated. He didn't know what to expect or how to handle the news. He was just undertaking his GCSEs so it was added stress he didn't need at the time.
55. When he found out I had been found guilty his heart sank and he didn't say a lot to anyone for a couple of days. He found it hard to concentrate on his GCSEs whilst also worrying about what I was doing each day inside a prison cell and also how his elder brother was coping on his own, and how his younger sister was coping not being with the family. When he visited me in prison, he found it extremely hard.
56. When I was released from prison **GRO** and I reconnected. He knew I wasn't the same person I was before I was wrongly accused. I was isolating myself from everything and everyone and I had a tendency to push people away. **GRO** and I had a really good relationship before this all happened, and ever since we have drifted apart. It pains us both every day how much we have drifted, but he just knew I wasn't the same person. He understands how this whole ordeal has impacted the mental health of us all.
57. The impact on **GRO** was complicated. He was 18 at the time of my conviction and was placed into shared accommodation. Due to my conviction and situation after my prison sentence, we no longer lived together and our relationship wasn't as close as it used to be. He suffered with depression and tried to overdose on two occasions. I was and remain very upset that I couldn't be there for him, and I am sure that if our relationship was in a good place like it had been before my conviction, he would have come to me for help.

58. Whenever [GRO] would go out on a night out, someone would say something to him about me and start goading him about my conviction. This was a lot of abuse for [GRO] to experience and it impacted on his mental health.

59. After my conviction I lost touch with most people from my hometown. I knew they would all be talking about me and what they would be saying. I didn't want to have to deal with the social condemnation and constant judgment, so decided to move away to Durham and move on with my life.

60. I feel like it has only been since I moved to the Isle Of Wight, that I have finally felt free. I can now start to open up and talk more about what has happened due to it finally being resolved and my innocence proven.

**PLEASE DESCRIBE THE DIRECT AND INDIRECT EFFECT WHICH THESE ISSUES HAD UPON THE MEMBERS OF YOUR FAMILY?**

61. [GRO] developed anxiety and began self-harming after my release. She has been heavily assessed by her doctors, and this has also come between us. My relationship with [GRO] has been strained for years as she couldn't accept that I had left her in [GRO] care.

62. [GRO] was understandably upset when she learned that I had left her in [GRO] care to go to prison. I believe that she had been angry with me, as in her eyes this all happened because I stole from the Post Office.

63. It's only recently that [GRO] has accepted that maybe I hadn't taken this money and I have explained to her that the Horizon system was faulty. I told [GRO] about my conviction being quashed on 22<sup>nd</sup> November 2021, but she didn't really understand. Our relationship is much better these days.

64. After my conviction, **GRO** I think that the stress **GRO** coupled with the abuse that he was receiving due to my conviction had a big impact on his mental health. Nowadays, **GRO** is living in Devon nearer to his brother, **GRO** and he leads a normal life. I have a very close relationship with **GRO** now and he comes to visit me on the Isle Of Wight when he can.
65. **GRO** is now engaged, with 3 children, living happily, with a good career behind him.
66. I am proud of all of my children, despite what we have all been through as a family leading up to, during and after my conviction.

#### **CONCLUDING REMARKS**

67. My experience with the Post Office has had a long-lasting impact on my family's lives. Since I was first accused of stealing money from the Post Office, my mental health has suffered enormously, and I had to part with my children when I was sentenced. This was heart breaking and made even worse by the fact that the friend I left **GRO** in care of, ended up being someone I could not trust. This was also made worse by my eldest, **GRO** being on his own, and not being able to see his brother **GRO** on weekends and talk to him.
68. I have struggled to gain employment for years, and my aspirations of working in midwifery and fostering were never fulfilled. My relationships with my family and friends were strained but now I hope my family and I can finally be free.

**Statement Of Truth**

I believe that the facts stated in this witness statement are true.

Signed:

**GRO**

Janine marie powell (Jan 14, 2022 13:36 GMT)

Position Or

Office Held:

Print Full

Date of signature: Jan 14, 2022

Name: JANINE POWELL

FILE REFERENCE:

**GRO**



