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# PRIVATE EYE

## POST OFFICE ROBBERY!



NOT INSIDE: ANYONE IN CHARGE

*Thank you Private Eye*



# Edinburgh Branch

## The Post Office Horizon Scandal

“We didn’t know what  
we were doing”

James Christie  
2 October 2024

# James Christie – jack of all trades, master of some

**The Guardian**  
News provider of the year

## Post Office Horizon scandal

### Letters

Change the law on computer evidence with an amendment to data protection bill

A group of software experts and barristers who have been supporting the subpostmasters affected by the Post Office Horizon miscarriages of justice call for changes to the bill going through the House of Lords

Mon 22 Apr 2024 18.25 BST

Developer, development team lead, business analyst & project manager (insurance financial systems)

IT auditor (including fraud investigations)

Information security manager

Test manager and consultant

Financial services and large scale IT outsourcing

*investment accountant & football reporter*





# Fujitsu and the Homer Simpson Software Development Method

Homer:

*“I have absolutely no idea what’s going on”*

Fujitsu Programme Manager for Horizon development:

*“I was never made aware of the fact that the IT system was to be used to prosecute and potentially imprison Post Office staff”*



## The background to Horizon

Conceived in the 1990s as a swipe card system for payment of pensions and benefits through Post Office branches

Windows NT, Visual Basic, C, C++ then Java

ISDN connections

Drastically revised to become the PO system for branch accounting

Horizon went live in 1999



## The background to Horizon

738 people convicted using Horizon evidence between 2000 and 2015


555 postmasters take the Post Office to court – Horizon is unreliable

Legislation passed to acquit postmasters en masse

2,000+ compensation claims

“Going concern” only if the government bails it out

£1.2 billion set aside by government



POST OFFICE HORIZON IT  
**INQUIRY**

Fujitsu July 2024

“We didn’t know what we were doing”

Terence Austin

Horizon Programme Director, 1995–2000

*“I was never made aware of the fact that the IT system was to be used to prosecute and potentially imprison Post Office staff. Had I known that an accounting glitch could result in staff being prosecuted and imprisoned, I would have responded with incredulity and disbelief because the risks of a miscarriage of justice would be considerable.”*

POST OFFICE HORIZON IT  
**INQUIRY**

Fujitsu July 2024

“We didn’t know what we were doing”

Terence Austin

Horizon Programme Director, 1995–2000

*“I would suggest that not only was there a breakdown in communication between the Post Office and Fujitsu but also between the Post Office legal dept and the Post Office IT dept.”*



“I have absolutely no idea what’s going on”

POST OFFICE HORIZON IT  
**INQUIRY**

Fujitsu July 2024

“We didn’t know what we were doing”

Terence Austin

Horizon Programme Director, 1995–2000

*“We have seen business requirements for PACE certification and the requirement to provide audit data but where is the business requirement to provide irrefutable evidence to support a prosecution case and to guarantee the accuracy and integrity of the data?”*



“I have absolutely no idea what’s going on”



*“Prosecution support*

*4.1.8 The Contractor shall ensure that all relevant information produced by the POCL Service Infrastructure at the request of POCL shall be **evidentially admissible and capable of certification in accordance with the Police and Criminal Evidence Act (PACE) 1984, the Police and Criminal Evidence (Northern Ireland) Order 1989 and equivalent legislation covering Scotland. [Requirement 829 para 1]**”*

## 1.133 Requirement 829– General– Security

### *“Prosecution support*

*1.133.1 The Contractor shall ensure that all relevant information produced by the POCL Service Infrastructure at the request of POCL shall be **evidentially admissible and capable of certification in accordance with the Police and Criminal Evidence Act (PACE) 1984, the Police and Criminal Evidence (Northern Ireland) Order 1989 and equivalent legislation covering Scotland.**”*

*“Pathway response*

*Pathway confirms it will ensure that all relevant information produced ~~by the POCL Service Infrastructure~~ at the request of POCL shall be **evidentially admissible and capable of certification in accordance with the Police and Criminal Evidence Act (PACE) 1984, the Police and Criminal Evidence (Northern Ireland) Order 1989 and equivalent legislation covering Scotland.**”*

POST OFFICE HORIZON IT  
**INQUIRY**

## Police and Criminal Evidence Act 1984

*“Section 69: Evidence from computer records*

*(1) In any proceedings, a statement in a document produced by a computer shall not be **admissible** as evidence of any fact stated therein unless it is shown—*

*(a) that there are no reasonable grounds for believing that the statement is inaccurate because of **improper use** of the computer;*

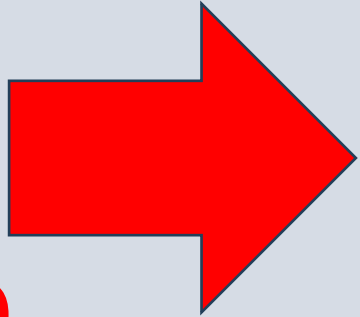
*(b) that at all material times **the computer** was operating properly...”*

**misuse** →

**hardware** →

POST OFFICE HORIZON IT  
**INQUIRY**

**none  
of  
these**



## Police and Criminal Evidence Act 1984

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*(a) that there are no reasonable grounds for believing that the statement is inaccurate because of improper use of the computer;*

*(b) that at all material times the computer was operating properly...”*

**Processing integrity?**

**Reliability?**

**Complete?**


**Accurate?**

**Duly authorised?**

**Timely**

**Valid?**

**Audited?**



POST OFFICE HORIZON IT  
INQUIRY

What was Fujitsu's response to such unrealistic legislation?


Pedantic contract interpretation

It's not about processing integrity or data integrity

Certification is a "security requirement"

Genuine "prosecution support" requires a contract change (*it didn't happen*)

The Post Office wants s69 certification to prosecute benefits fraudsters – surely they won't go after postmasters



POST OFFICE HORIZON IT  
**INQUIRY**

What was the Post Office's response to Fujitsu's proposal?

PACE 1984 section 69 was going anyway

Since 2000 there has been no legal requirement for reliability of computer evidence in E&W – and the PO knew this was coming

The contract change was only that computer evidence must be admissible – and according to the law anything is ok

Yeah, whatever... an 0.6% error rate for branch cash accounts is acceptable



Law  
Commission

Reforming the law



The Post Office wanted PACE  
1984 s69 repealed – ASAP


July 1995 *“S69 of the 1984 Act is onerous from a prosecution viewpoint.”*

Oct 1995 *“This office inter alia prosecutes... employees, subpostmasters or members of the public...”*

*The Sub-postmaster (being prosecuted) is frequently the only person who can give the evidence required by PACE 1984 s69...*

*The PO may not be able to satisfy the technical requirements of s69.”*






POST OFFICE HORIZON IT  
**INQUIRY**

## An embarrassing timeline

- May 95 Law Commission proposes PACE s69 repeal without replacement
- July 95 PO backs LC – S69 must go
- Oct 95 PO confirms to LC that it wants s69 repealed to make it easier to prosecute postmasters
- May 96 Fujitsu/ICL wins contract to develop Horizon
- Sep 96 Limited pilot to pay benefits
- Apr 97 LC confirms recommendation to repeal s69



POST OFFICE HORIZON IT  
**INQUIRY**

## An embarrassing timeline

- Nov 97 Benefits pilot extended
- May 99 Benefits cards dropped and a new contract negotiated
- July 99 PO and Fujitsu argue about s69 and “Prosecution Support”
  - Fri 23* Fujitsu and PO arguing about meaning of Requirement 829
  - Mon 26* House of Lords repeals s69
  - Tue 27* Royal assent is confirmed
  - Wed 28* New contract is signed

# POST OFFICE HORIZON IT INQUIRY

## An embarrassing timeline

Aug 99 Horizon roll-out starts

Apr 00 Presumption of reliability takes effect

++++ Fujitsu staff continue to provide meaningless 's69 certification' statements to assist prosecutions without any understanding of what they mean – for year after year



*"I have absolutely no idea what's going on"*



# Legal matters

## Postmasters' contracts

- PM responsible for all errors
- PM had to agree accounts or close the branch

Post Office had prosecution powers in England & Wales

Massive conflicts of interest

Current English legal presumption;  
**computer evidence is reliable**



## Legal matters

The presumption's effect on prosecutions; **“Prove you are innocent!”**

### Scottish position

- Corroboration
- Specialist Reporting Agency, not prosecutor
- Lord Advocate's statements
- The Post Office lied to the Crown Office & Procurator Fiscal Service



## Legal matters

Subpostmasters win the  
Common Issues trial (2018–19)

Nonsensical contract

- *“Duty of care”*
- *“Oppressive and unlawful”*

Post Office panic

Scorched earth legal tactics



## Horizon Issues trial 2019

*“The test team felt they were under enormous pressure”*

Judge’s attitude? “I don’t care”

Thinking like an IT auditor

Never mind the requirements or design specifications

Processing integrity (an IT auditor’s obsession)

What is the purpose of the system?



## Justice Fraser's approach

AICPA *"Processing integrity addresses whether systems achieve the aim or purpose for which they exist"*

*"Complete, accurate, authorised, timely, valid"*

- ✓ Feeding the corporate accounts
- ✓ PO managing the branches
- ? Banking services
- ✗ SPMs managing their branch
- ✗ Source of evidence in court cases





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✗ SPMs managing their branch

✗ Source of evidence for prosecutions



## Justice Fraser's approach

AICPA *“Processing integrity addresses whether systems achieve **the aim or purpose for which they exist**”*

*“Complete, accurate, authorised, timely, valid”*

Two purposes of Horizon

× SPMs managing their branch

× Errors, accuracy, **integrity**, controls

× Information available to SPMs

*“User error bias”*



## Justice Fraser's approach

AICPA *"Processing integrity addresses whether systems achieve **the aim or purpose for which they exist**"*

*"Complete, accurate, authorised, timely, valid"*

### Two purposes of Horizon

#### ✗ Source of evidence for prosecutions

- ✗ Poor system quality
- ✗ Fujitsu staff changing data
- ✗ Lousy info security management



## Justice Fraser's approach

AICPA *"Processing integrity addresses whether systems achieve **the aim or purpose for which they exist**"*

*"Complete, accurate, authorised, timely, valid"*

Second Sight – 2013

*"Although the system was working as designed the lack of timely, accurate and complete information presented to the SPM was a significant factor in his failing to follow the correct procedure"*



## Justice Fraser's approach

AICPA *"Processing integrity addresses whether systems achieve **the aim or purpose for which they exist**"*

*"Complete, accurate, authorised, timely, valid"*

**Reliable? Working as designed?**

Fraser on Post Office statistical analysis

*"...so riddled with plainly insupportable assumptions as to make it of no evidential value"* (0.6% errors)



## Justice Fraser's approach

AICPA *"Processing integrity addresses whether systems achieve **the aim or purpose for which they exist**"*

*"Complete, accurate, authorised, timely, valid"*

**Reliable? Working as designed?**

Fraser on the Post Office's approach

*"...amounts to the 21st century equivalent of maintaining that the earth is flat"*



The basic lessons I was taught

What does the contract say?

What will that mean in practice?

How do we go about building a system that will comply?

How will we and the client/users know the system is fit for its purposes?

What are the requirements?

**You don't know what you are doing if you are not clear about the purposes (plural) of the system.**



What on earth were they thinking?

It's been so hard to make sense of what Fujitsu and Post Office executives were doing. Where were the people asking challenging questions?



# THE GREAT POST OFFICE SCANDAL

The fight to expose a multimillion  
pound IT disaster which put innocent  
people in jail

NICK WALLIS

*"An extraordinary journalistic exposé of a huge miscarriage  
of justice"*

IAN HISLOP

The end

“The Great Post Office Scandal”  
Nick Wallis, Bath Publishing

<https://www.postofficetrial.com/>  
<https://www.postofficescandal.uk/>

## Digital Evidence and Electronic Signature Law Review

<https://journals.sas.ac.uk/deeslr/>  
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