

“An extraordinary journalistic expose of a huge miscarriage of justice.”
Ian Hislop, Editor, Private Eye.

The Post Office Scandal

As the head count rises and the murky tale of a cover up in the Post Office scandal beomes clearer, journalist **Nick Wallis**, one of those that helped bring the ITV drama *Mr Bates vs The Post Office* to our screens talks to **Fergus Byrne**.

For former subpostmasters Peter Hexham from Devon, Louise Mann also from Devon and Kathleen Schofield from Portland in Dorset, the news that subpostmasters are to have their charges quashed or have their compensation claims met, has come too late. They are just a few of the more than 60 people from all over the United Kingdom that have died waiting for compensation from the Post Office since the scandal known as ‘the greatest miscarriage of justice in British history’ became too big to cover up.

More than 900 subpostmasters and postmistresses were prosecuted for stealing money because of incorrect information provided by a computer system called Horizon, which had been supplied to the government-owned Post Office by Fujitsu UK.

Nick Wallis, a freelance journalist and author has been heavily involved in telling the story of how hundreds of innocent people fought to clear their names after being pursued by the Post Office through the criminal courts. Proud pillars of their communities, they were stripped of their jobs and livelihoods. Many were forced into bankruptcy or borrowed from friends and family to give the Post Office thousands of pounds they did not owe. Many were sent to prison—and some took their own lives.

Following the astounding and rightful public outrage, brought to the fore by ITV’s *Mr Bates vs The Post Office* series, Nick Wallis—who worked as series consultant on drama—is now taking the latest twists and turns of the whole affair on an extraordinary tour of the UK, starting in Lyme Regis in March.

Nick first talked to one of the victims while working for BBC Radio Surrey. It happened after he responded to a tweet from a local taxi driver, Davinder Misra, who told him about how his pregnant wife had been thrown into prison for a crime she did not commit. She had been sentenced to 15 months for stealing £75,000 from the Post Office. Nick remembers Davinder as ‘a man in genuine distress’. Following the conversation he looked up the research done by *Computer Weekly* who were investigating seven case studies, separate to Davinder’s. ‘And then he also told me about the Justice for Subpostmasters Alliance’ remembers Nick. ‘So within an hour of talking to Davinder, I was talking to Alan Bates in his very methodical and calm manner, and he was telling me that there were plenty more cases out there all over the country.’

Nick broadcast his first investigation for the BBC in 2011. In the same year he took the story to *Private Eye*. He has subsequently made three *Panoramas*, a



Nick Wallis, author, journalist and broadcaster and Series Consultant on the ITV drama Mr Bates vs The Post Office

Radio 4 series, and raised thousands of pounds to crowdfund his own court reporting for the Post Office Trial website. He has also written the first definitive account of the scandal in a book called *The Great Post Office Scandal*, published by Bath Publishing.

Although Nick didn't produce ITV's *Mr Bates vs The Post Office*, his groundbreaking research and reporting went a long way to making the story big enough to warrant a TV drama. For years the efforts of subpostmasters, journalists, solicitors and even MPs had been constantly rebuffed by the Post Office and Fujitsu UK. Both organisations constantly denied any fault in the system and probably would still do today if it hadn't been for a former Fujitsu UK employee, Richard Roll, who agreed to give evidence admitting that, not only did the system have many flaws, but that he and others were employed to remotely log into individual sub post office terminals and try to fix issues.

Richard Roll's evidence was a game changer and opened up the possibility of others coming forward. Nick says other whistleblowers have come forward and he has reported on them. He talks about a recent email claiming to be from someone from Fujitsu that makes an 'extraordinary allegation' that he is 'very much looking forward to following' up on.

Nick says the ITV drama has 'shifted the dial to such a degree', that people who were sitting on information that they perhaps were wary of sharing 'because they were worried about the response', are now feeling much more comfortable. 'I mean, there's safety in numbers there. They are feeling considerably more brave about it.' He talks about a couple of tapes that he had of the Director of Communications at the Post Office, disparaging the subpostmasters and suggesting that they may well have had their hands in the till. The person who was responsible for that recording was concerned, 'for obvious reasons', about handing it over and allowing Nick to publish it. 'But in the light of the drama' he says 'they were so outraged' by what they saw that they agreed to make it public. 'And as a result, the current Director of Communications at the Post Office has been suspended.'

Whilst the Post Office scandal highlights the damage to people's lives initiated by management and individuals employed by the Post Office, one of the most uncomfortable things for the government and the public to consider is how much of our lives is dependent on large IT systems. Fujitsu is now a 'multi billion pound company' says Nick, and their software is in 'pretty much every element of public

sector IT systems.' He sees an enormous example of corporate greed at the expense of those that couldn't stand against their accusers. 'I've used this phrase before, and I don't shy away from it' he says. 'They built their multibillion pound UK empire on the broken backs of the subpostmasters.'

While the public enquiry grinds on and the government wrangles with how to deal with the fallout, an even bigger headache is looming on the horizon (*pun intended*). Nick says that Fujitsu UK warned the government that if they dropped the Horizon system or 'walk away from this contract, Fujitsu UK will probably become insolvent and have to collapse.' He believes the government had to take heed of that warning and allowed Fujitsu UK to make the best go of the contract that they could.

He tells the story of a man he was filming with last week who said he had a £4,000 discrepancy. He had tried to determine what caused it and told the Post Office that he had tried to get to the bottom of it but that it wasn't his liability. 'And so the Post Office had to write it off.' They couldn't prove that it was not IT error. 'Now, if you're a bent subpostmaster, what's to stop you taking ten grand out of the safe and saying, Oh, I've got a ten grand discrepancy. Now, I'm pretty sure it's not me, you'll have to prove it to me if you want me to give it back, or want me to make it good. So the Post Office has shot itself in the foot, catastrophically, and you do wonder what kind of problems it might be having with money falling out of the system? In fact, that's an investigation in itself.'

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'And for a while it was the golden goose, it was Fujitsu UK's cash cow which they milked relentlessly in order to expand the other areas of their business.' Nick says that if Fujitsu UK walked away from the UK economy now, 'or certainly from the public sector provision of IT services, then I think the government would fall over.'

Which leaves the government, the Post Office and Fujitsu UK in a very precarious position. 'It's very difficult for the Post Office to extricate themselves from Horizon' says Nick. 'Both the Chief Executive of the Post Office and the Chief Executive of Fujitsu UK sat in the select committee hearing and said neither of us want to be running Horizon.' The fact is that, like many large IT systems, it is such a complex system and the network requirements are so vast that nobody else wants to take it on. 'And the risks involved in taking on a new system are huge' says Nick. 'The Post Office is going to be running Horizon for the foreseeable future. And there is very little that anyone can do about it.'

However, the system itself is not the only problem. Nick says that by avoiding the real issues for so long and deciding to try to cover up system problems by hounding subpostmasters, the Post Office has shot itself in the foot. He says that for the last 24 years 'the Post Office has not been able to tell the difference between computer error and fraud. And it compounded that by prosecuting innocent people because it thought it could. Then, when it realised it couldn't, it just left the gates open to fraud.'

These are ongoing and future problems that are already causing nightmares, but in the meantime hundreds of innocent postmasters are awaiting the outcome of a public enquiry that is already into its third year. The big question and the most vociferous call from an incensed public is who should go to jail. There are even those that are calling for manslaughter charges on the basis that some actions contributed to the suicides of people found guilty. Nick explains the police have three charge options; fraud, conspiracy to pervert the course of justice, and perjury.

He explains that the case of perjury could be brought against those that gave evidence that was untrue. The charge of criminal conspiracy to pervert the course of justice, Nick says, is because 'the Post Office knew it was potentially responsible for some miscarriages of justice, it covered that information up and didn't give it to Parliament or the campaign.' And 'most interestingly', he says, the Met is looking at charges of fraud because subpostmasters were forced to hand their own money over to the Post Office at threat of losing their job over alleged discrepancies in their accounts, 'which the Post Office did nothing to properly investigate.'

Talking to James O'Brien on LBC Radio last week Nick Wallis said subpostmasters were 'the very best of us'. He described them as community minded, hardworking and loyal and said 'the only reason this story broke is because the government, the Post Office and Fujitsu underestimated the determination of the subpostmasters'. Talking to me yesterday he



Cheering subpostmasters after the Horizon trial

'They believed in this arm of the British state, this pillar of the British psyche. And they got steamrolled by these authoritarian incompetents.'

added to that description saying they were 'trusting as well. They believed in the Post Office. They believed in this arm of the British state, this pillar of the British psyche. And they got steamrolled by these authoritarian incompetents.'

Heartbreakingly, and infuriatingly the story of broken trust carries on in the Public Enquiry. Nick says the chair of the Public Enquiry hopes to get all the evidence heard by the end of this calendar year but Nick thinks it will rumble on into next year. Mostly because of delays in disclosure. 'The problem is, they're wholly reliant on the disclosure of documents, which is in the Post Office's hands. And the Post Office has made some catastrophic failings in terms of its disclosure of documents, which has delayed the inquiry to such a degree that the chair is now holding regular disclosure hearings to monitor how well and efficiently and timely the Post Office disclosure actually is.'

Dr Neil Hudgell, executive chairman of Hudgell Solicitors who are representing subpostmasters, also pointed to the Post Office's continuing failure to

deliver on disclosure in a timely manner. He says it has been a 'source of frustration' and also a 'source of continued mistrust for the clients'. Because they see it as 'the Post Office up to their old tricks.'

It is no surprise that the public outcry has taken on a life of its own, with many calling for serious jail sentences for those eventually convicted. Nick Wallis is one of many people determined to keep the story alive in order to pursue justice in a shockingly unjust situation.

Nick will start off his series of talks bringing details, updates and anecdotes of this horrific miscarriage of justice to audiences around the country at the Marine Theatre in Lyme Regis, Dorset on 23 March at 1.30pm. This is a matinee performance only.

For tickets visit www.marinetheatre.com. Book online at any time or at the Lyme Regis Bookshop and Bridport Tourist Information Centre during normal opening hours, the Marine on Monday and Friday mornings 10 – 1, and over the phone on 01308 424901.