



**Nick Wallis**

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Good morning and welcome to the penultimate day of the Post Office Horizon IT Inquiry. Sir Wyn Williams is in the Chair. He begins by recording the death of Mrs Margaret Boston - a former Subpostmaster in Brex in Rotherham in South Yorkshire. She died on 2 November. She was a core participant in the Inquiry.



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"Incompetence", "wilful blindness" and "inertia" are key components of this scandal. Board was not effective. Are board effectiveness reviews the best way to see if boards are operating effectively?

There was failure of oversight -UKGI and govt more generally needs to learn from this.

TM goes to redress, restorative justice (RJ) and restoring trust. Ministers say they want full and fair compensation. It not been prompt and in many cases it has not been either full or fair.

The retraumatising experience of applying for compensation has been well-documented. Many are living in poverty whilst waiting for compensation.

On RJ we welcome F and govts potential willingness to engage with Lost Chances for Subpostmasters. When the actions of the state harms its citizens this is more than just about an oppo to generate good press. it needs to be more than about compensation and should come through schemes designed to restore trust.

Final topic - where are we now. In Oct 2024 outgoing PO CEO Nick Read said an H replacement was urgent. In Dec 2024 a new deal was signed with F for H. Whilst the new deal for SPMs was trumpeted by the PO in Nov - it's nearly 5 years since the 2019 judgments.

In failing to grapple with the IT problem in 1999 and again and again since - successive govts have failed on IT making PO lose sight of true value of the network and all in it.

PV and AP knew that if H were to fail, the mutualisation of the PO would not happen. What happened to the SPMs can never be allowed to happen again. It is simply not acceptable for hardworking people to be collateral damage in the pursuit of commercial imperatives.

In communities across this country the role of the SPM is of high net worth. And although the PO see the SPMs as subbies with hands in the till, this inquiry has supported them. They now await the findings of the inquiry.

[TM ends and we will resume just after 2pm]

Apologies to keep flogging this, but it's only been announced today. I'm writing a new book about the Post Office scandal called The Great Post Office Cover-Up. More info here:

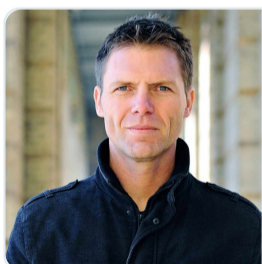


**New book now on pre-sale: The Great Post Office Cover-Up**

(draft cover) I am delighted to announce I have struck a deal with Bath Publishing's new-ish Cinto imprint to write another book about the Post Office scandal. This one will be called The Gre...

<https://www.postofficescandal.uk/post/new-book-now-on-pre-sale-the-great-post-office-cover-up/>

Here is the piece which has gone in the Bookseller magazine:



**Bath Publishing acquires second book on the Post Office Scandal by investigative journalist Nick Wallis**

Bath Publishing, under its Cinto Press imprint, has acquired a second book on the Post Office scandal by investigative journalist Nick Wallis.

<https://www.thebookseller.com/rights/bath-publishing-acquires-second-book-on-the-post-office-scandal-by-investigative-journa...>

We are back after lunch and Stuart Munro, who represents a sole Scottish Subpostmaster Susan Sinclair, is demonstrating the very clear differences between Scottish and English law and quite how ignorant the Post Office was of its legal position in Scotland. It's a useful primer for legal students. The Fraud Act does not apply in Scotland.

And corroboration is a big thing - no one can be convicted on a single source. Horizon was (perhaps predictably) used as a strong source of corroboration.

This is Mr Munro in flow

You can watch proceedings live here:

### Post Office Horizon IT Inquiry Live Stream



Catriona Watt (CW) for the @NFSP\_UK on her feet.

CW starts by thanking the Inquiry. Endorses and adopts Subpostmaster CP recommendations re govt and Vennells and written recs of Howe and Co.

@NFSP\_UK Whatever the PO motto is today - Abandon Hope All Ye Who Enter from Dante's Inferno was metaphorically across the door of those who fell foul of H and the PO's toxic culture, culminating in full scale defence of GLO. There seemed to be no hope for those advised to plead guilty...

@NFSP\_UK ... told they were the only ones etc etc, all at the hands of the PO. In the Greek Myth of Pandora's box, hope remained inside the box. Hope, sir, lies with you. There may be an outcome from your report which ensures the H scandal cannot happen again.

It is submitted by the NFSP that we sit between hope and fear given what we heard in phase 7 of the Inquiry. SPMs have been ignored. True engagement has been illusory. Everything said to the NFSP by the PO has turned out to not be true. NT would transform earnings of SPMs...

... not true. H is robust.... not true. All losses are recoverable from SPMs... not true. Prosecutions are safe... not true.

Those whose lives and finances were ruined do not have the redress they deserve.

What we heard about the H replacement NBIT and its canning echoes the disasters we heard about H in phase 2.

The PO has not changed. The appt of the SPM NEDs to the board gave hope it had. Then we heard they were both under investigation. They said they felt they were being ignored. They can't vote on remuneration. The NFSP does not believe that increasing SPM NEDs is a solution is the solution.

SPM NEDs have no way of engaging with the wide and diverse views of the SPM population. They must not be the last word in SPM representation. It's not their job. Any SPM NED who thinks they can change the PO's strategy potentially has a conflict in the Companies Act which says they have to act in the best interests of the company

The timing of what is being said about the future is incomprehensible - the announcement of the the New Deal was made public on the last day of Phase 7 - just when the Inquiry's experts were talking about the PO's dreadful governance. The plan was published without consultation with any union.

The strategic review presentation pack had no deal - it introduces a Postmaster panel - this reinforces rather than changes things. It is an illusory mechanism whilst giving the PO control. The panel will be approved and run by the PO and will only be formed after the govt has approved the PO's plans so will have limited scope.

NBIT is the perfect example of how little has changed since the Inquiry started. The PO's governance is still terrible. How could it let NBIT happen.

A franchising model rather than mutualisation transfers risk to the SPM even more than now. Might have to pay the PO. Will have to bear IT risk. We should mutualise. Postmasters today are facing an attrition of business and govt work promised under NT did not materialise.

In fact we're still losing govt work. We campaigned to keep DVLA work. The govt and PO have been unwilling or unable to invest in the network.

Early reports of the new deal suggests there will be a decrease in central costs. No detail on this nor how SPM pay will increase. We've had network reinvention, network change and then network transformation - none of these works. NT in particular was sold to SPMs and NFSP...

... and it was a disaster. It made SPMs poorer. This new deal was an oppo, but it did not consult with the NFSP or Subpostmasters. No feedback on it sought before publication. The announcement of the new deal means the inquiry cannot respond to it given it is part of its terms of reference.

The details were only shared in December a day before final written submissions were required by the Inquiry. Not sure if this was deliberate but it has meant the inquiry cannot scrutinise the new deal.

You may need to reconvene the inquiry to scrutinise the new deal to fulfil your remit.

The PO's failure to grasp the issues of oversight and governance means the NFSP's proposal for an oversight committee should be taken forward.

The Grant Thornton reported that there was a lack of accountability, decision-making forums did not understand objectives, misalignment on govt, PO and UKGI made working relationships difficult.

Dame Sandra Dawson said a functioning board which properly challenged the exec was the best way forward. The PO is nowhere near that. The transformation plan without consultation shows Dame Sandra's ideal is some way off. Since the GLO time and time again the PO has failed to change

It's merrily tried to pay itself full bonuses, the uplift to Nick Read's incentive payment, the inquiry bonusgate, past roles review/project phoenix, NBIT etc. Something urgently needs to be put in place. Sir Alex Chisholm was up for this even tho he said in a perfect world you wouldn't need it.

We need an independent oversight committee outside the control of PO and UKGI.

CW calls up a the oversight committee proposal doc

Goes into it:

The NFSP's oversight committee shall

And will be made up of...

And these are the gaps it will plug....

Reiterates that something independent of govt and PO with power must be set up.

Moves on to past roles which is about individuals partly responsible for the scandal who are still in the business. She names

Tracy Marshall, Roderic Williams, Nick Beal and Martin Edwards. The latter is PV's former Chief of Staff. He is now going to implement the PO's new deal strategy.

Why was it ever considered appropriate to involve people who had roles during the scandal to the remediation unit. What, also is with the "untouchables" issue - a word Nick Read denies using despite three people saying they heard him say it.

Raises Project Bolland - a failed attempt to find the missing money could be dropped by the PO without Inquiry scrutiny.

We discuss the past in our written submission. We take this oppo to apologise for the failures of the past. When we were fed the line by the PO that H was robust. When the former Gen Sec George Thomson was told he did not act nor did he share the info with others. GT forwarded alan bates correspondence to the PO calling it rubbish. He should have challenged the PO. He did not. We are truly sorry.

The PO and Govt were able to rely on GT for the "H is robust" mantra. The NFSP wants to be clear to the inquiry that H was rolled out in 1999 to NFSP's ending of being a union in 2014 we were the same as the CWU. We do not provide legal rep in criminal trials. Both CWU and NFSP..

... took assurances about H from the PO at face value. There was no difference between the NFSP and the CWU.

The inquiry will have seen the closing submissions of the CWU which calls for union representation of SPMs. The NFSP has got rid of the requirement not to criticise the PO. Our CEO Calum Greenhow has demonstrated real learning on behalf of the organisation.

[lists a lot of changes and work done]

It was reasonable for the NFSP to believe what it was told about H, certainly in its early years.

Nothing that the Inquiry has heard could suggest the NFSP of today is a puppet or patsy of the PO. it is not. The NFSP asks the inquiry to take into account its submissions of phase 5 and 6 in particular the timeline.

The 1000s of SPMS who are members of the NFSP need such a body. Informal groups with a few hundred members here or there can get absorbed into its corporate structure. The organisation criticised by Lord Justice Fraser has learned and adjusted and is the true campaigning voice for SPMs.

The PO has broken every element of trust there ever was but it is still needed. SPMs have invested their time money families and lives into this. The PO needs proper oversight. SPMs serve their communities every day. The

The NFSP has faith in the findings of the inquiry will serve to protect SPMs who have served so well for decades. The Inquiry has heard so many "I don't recall"s etc - but it has the doc evidence. facts that cannot be denied. The trust of the SPMS and the public lies with you.

[CW ends. We have a short break then the final submission of the day from Neil Sheldon KC who is making closing submissions on behalf of UKGI]

NS is on his feet. Says he has not addressed inquiry since 2022, but has submitted written statements to phases of the Inquiry. We have endeavoured to be frank and self-critical. We have provided you with a lengthy set of written closings. We have sought to focus on the present situation

... to address head on the issues of concern which we suspect might be raised.

Here is Neil Sheldon KC

We wish to address directly the purpose of the task with which we are engaged. You don't need me to tell you of the utter devastation of so many lives. They likely wont want to hear yet another expression of sympathy of an institution which could have done more to stop it happening.

We have had our responsibilities to SPMs at the forefront of our minds throughout and a determination to ensure nothing like this can happen again. it has informed every aspect of every submission we have made. We must objective and self-critical and transparent and willing to learn lessons.

We stand by those obligations and understand that we will be and should be judged by them.

It seems to us from the evidence you have heard there were governance failures in which UKGI and its predecessor ShEx played its part. We were too ready to listen to the PO and dismiss SPM concerns as baseless. We could have done more. Investigations were started, but they were not followed through. We were not objective enough. We just reflected the PO's view. We've read all the written conclusions. In some respects we agree with the criticisms of UKGI. Where we disagree we have said so. We have tried to be as frank as we can.

We're not going to start blaming others or avoid responsibility. Corp gov (CG) goes to the heart of what we do and it should have been delivered more effectively. I doubt there has been a clearer example of what can go wrong if CG goes wrong. On the totality of the evidence we should have provided more robust challenge and curiosity.

For our failures in this regard we apologise unreservedly. We don't think there is any evidence of any ShEx or UKGI employee engaged in any cover-up. It was just a lack of curiosity or objectivity. Re UKGI or ShEx employees - no defects with H were concealed denied or obfuscated. Same with wrongful convictions etc. No evidence, none put and no support for any suggestions. We have not found any. If we did, we would have told you.

We should have clocked the scandal sooner, but no one sought to suppress any information.

My focus this afternoon is how UKGI looks to deliver effective governance oversight to all our assets.

The shareholder model or framework over which we try to extend CG is fundamentally a sound one. There are over 300 arms length bodies. The most complex are outsourced to UKGI.

I'm going to focus on how effective CG should be delivered within that model to portray how the system should operate.

The first level is frank, accurate and honest reporting by the exec to the board. Identify a problem, tell it to the board and the company culture should allow that. Then second level is challenge from an engaged proactive and

but it must test it. It has a range of tools to do so. The shareholder NED as a board member must play a part in ensuring that is done.

The third level is the shareholder with responsibility for the asset. ShEx was a directorate of DBT until UKGI was created. Frequent interactions at a variety of levels are important at all levels. Through this interaction the dept become aware of the way issues are being dealt with by the company.

It is not the role of UKGI to run the PO. That's the job of the execs overseen by the board. Nor is it the role of the shareholder to act as a shadow board or executive.

We should not run assets or second guess the exec. We need to assess risks and support companies when issues arise. UKGI is a learning org which seeks to evolve to incorporate CG standards in its practice. We recognise effective shareholder oversight of a company not providing a full account of problems is difficult. The history of corp scandals is littered with boards which failed to spot problem. The PO board had a number of highly skilled experienced individuals who missed the rising scandal. As did ShEx/UKGI. Many have said they would have welcomed the challenge of being told what was going on. But it took the GLO to reveal it.

We need to have an "open no surprises culture of frank reporting". We need to assess the culture of every organisation. There should never be an example where the executive is less than open or frank with the board. It cannot happen or the shareholder's ability to act is diminished.

We now have a clear emphasis on corporate culture which runs through our training and methods. We need to monitor and report on the state of the culture within our assets and take steps to promote a healthy corporate culture.

The PO board did not display adequate curiosity or challenge. It relies on the exec and trusts it for info. It can ask questions. It can direct execs to find more info and it can undertake investigations itself. During scandal it did this - after the SS interim report

... the commissioning of the independent assurance work by Linklaters and Deloitte. Detailed refutations to problems were prepared by the exec and were accepted by the board. The board never ordered a full drains-up review of Horizon which the GLO eventually delivered.

How do we fix this? The first is ensuring the board is subject to a regular and thorough process of evaluation. Board effectiveness review must happen every year with every third year done by an external co - tone culture, clarity of instructions to exec. A separate chair appraisal.

Secondly - clear set of specific requirements of information flow so the board knows what it is being told. legal prof privilege was used as a justification for hiding info. It has been made crystal clear that LPP will not be used as an excuse for hiding info.

Third way is a development of a suite of good practice guidance. we don't have time to deal with that this afternoon, but it's all set out in our written closing, but I will touch on whistleblowing.

Re whistleblowing - the position now is that we expressly require our NEDs to ensure that whistleblowing procedures are adequate and we have set out exactly what this should look like.

The sense that UKGI might have been staffed in the past by investment banking dealmakers is emphatically not the case now. We are much more diverse.

Re training of our NEDs we recognise this was found wanting in the past. We now have a learning and development leader who oversees all that.

Understanding of and compliance with the civil service code is essential for all our staff. Those dealing with the H

explanation. The suite of resources now available to NEDs to test, escalate info are obvious.

Re separation of shareholder and policy roles. Achieved in 2018 and now established across all assets.

Two essential points. P1 - provision of advice to ministers. In 2015 the issue arose as to whether BEIS should get involved over the H issue. Those concerns were not expressed at the time and the minister commissioned the chairman's review. but the problem in this context...

... is that there is potential between shareholder and policy roles when a difficult issue might get public opinion. How a minister should approach something might generate different advice when looked at a CG perspective and a policy perspective.

It's a potential conflict of interest. Funding is one example. Others may arise. It is important not to overstate the issue. When a company is owned by a sole shareholder as the views of the company and shareholder are likely to be aligned.

When conflicts arise for shareholder NEDs, our view is that these are very manageable. In some cases formal recusal may be necessary. But the NED can convey the views of the shareholder to the asset board so it can advise on their view. What happened re the recusal of justice fraser - it was a unique situation. The NED sought and followed legal advice from the Dept's lawyers and communicated the view from the shareholder to the board.

[this is a specific plea to SWW not to recommend that shareholder NEDs are removed from the boards of arms-length bodies]

UKGI has an important role to play with the PO going forward. We're an interlocutor between PO and shareholder. The PO board effectiveness is being regularly assessed. We have good visibility on the info coming through. There is no avoiding the fact the PO faces challenges in improving its relationship with SPMs and having an embedded culture which sees them as partners.

It is not uncommon for institutional CPs to assert that we are keen to hear what the inquiry has to say. In my experience what the inquiry and the public will expect to see is that the institution has not sat around waiting for your conclusion but got on with fixing its problems.

We started reflecting in 2020. We gave a progress report to you in 2022. This is a further update. We are acutely conscious we cannot undo the mistakes of the past. We can only apologise for what we got wrong and do our utmost to ensure it doesn't happen again.

[NS finishes with a few thank yous to the inquiry team and apologies to SPMs and their families for the "irreperable damage" done to them.]

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Nov 11

JR takes him to the following article:

[sorry that was JB] JB: what's your take on this JR: I'll listen to anything Alan Bates says JB have you done any blue sky thinking on this JR: we have sped things up, it hasn't reduced the accuracy or fairness or reduced the evidential bar.

JR: we've sped up to due more capacity and we're all keen to get it done in DBT [JB wants to take him to the PO Horizon

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Oct 18

Good morning from day 189 of the Post Office Horizon IT Inquiry. Giving evidence this morning is the "stepped back" Post Office General Counsel, Ben Foat. Foat has stepped back from his day-to-day responsibilities to focus on his work on the Inquiry. He also...

... has been suffering from ill health. As such he is appearing at the Inquiry from a remote location and we are doing 1 hour of evidence followed by a 15 min break, then another hour of

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Jul 30

Good morning and welcome to the final day of the Post Office Horizon IT Inquiry (day 174) before the summer break.



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Jul 29

SS also raises SC raising the 2S issue - can you tell us what you spoke to PV about on the back of this note NM no - can

... and is by far the poshest-sounding witness we have had for some time. Her accent is somewhere between aristocratic and minor royal (says affirm "a-fyaarm" She is currently DCMS Permanent Secretary and has been sworn in, along with her

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about tenor of convo? NM not sure if this is a recollection or an imagining but...

... my reaction is that SC was being "over-emotional" - resigning over the 2S report would be "daft" - we were right

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Jul 29

Welcome to the Post Office scandal's Hotel California. This is day 173 of the public inquiry into the various failings by multiple individuals who were either corrupt, incompetent or asleep at the wheel. Today we're going to hear from...

Neil McCausland - former Senior Non-Executive Director and Interim Chair of Post Office Ltd. It looks like Sam Stevens is going to ask the questions. McCausland is being sworn in. Live tweets to follow. You can also watch along

Read 154 tweets



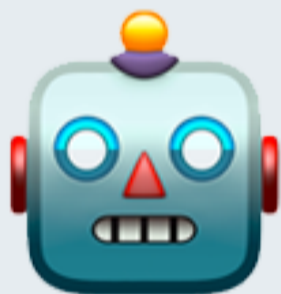
**Nick Wallis**  
@nickwallis

Jul 25

Good morning and welcome to day 171 of the Post Office Inquiry. Sir Vince Cable and Greg Clark - two former Biz Secretaries giving evidence today. Cable first. Here's his welcome committee outside Aldwych House.

I'm joined on the press bench by Adam and Emily from BBC Online. The hearing room is slightly less sparse than it was yesterday for Margot James. This is my report on her evidence - she spoke about the PO being great at playing the

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