

Appendix 1

Progress of Rule 9 Requests

1. Request dated 17 August 2021 for a witness statement on the Historical Shortfall Scheme (the "HSS"): POL provided a short witness statement from Nick Read dated 31 August 2021 containing information on the progress of the HSS.
2. Request dated 9 September 2021: POL had previously disclosed a number of redacted and unredacted documents pursuant to requests made by the Inquiry when it was on a non-statutory footing. Following its move to a statutory footing, by a letter dated 9 September, the Inquiry asked POL to: (i) confirm that the Inquiry can treat the unredacted documents as evidence, (ii) provide unredacted versions of the documents which had been disclosed in redacted form, and (iii) provide certain documents which had not previously been provided to the Inquiry. POL had previously withheld from disclosure certain documents in relation to which it would have needed to obtain third party consent for disclosure to the Inquiry. Pursuant to further directions from the Inquiry received on 22 October POL has since obtained such consent from RMG, UKGI, Fujitsu and KPMG and disclosed the relevant documents to the Inquiry on 29 October 2021.
3. Request dated 8 October 2021: The Inquiry requested copies of the trial bundles produced for the Common Issues and Horizon Issues trials and POL's disclosure list in the Court of Appeal (Criminal Division) proceedings in *Hamilton & Ors v Post Office* [2021] EWCA Crim 577. These were provided to the Inquiry on 29 October 2021. Before disclosing the trial bundles POL sought and obtained consent from a number of third parties in order to disapply the restrictions that are imposed by the Civil Procedure Rules on the collateral use of documents disclosed, and witness statements served, by other parties to litigation.
4. Request dated 3 November 2021 for all board minutes since 2000 which relate to the Horizon IT System: As the request could be regarded as open to interpretation as to how far it extends, in particular, whether it seeks disclosure in relation to the various sub-committees that exist and have existed within POL (and prior to that, Royal Mail) since 2000, HSF wrote to the Inquiry on behalf of POL in a letter dated 23 November 2021 raising POL's queries regarding:
 - a. The restructuring that took place prior to 2012 within Royal Mail Group Limited ("**RMG**"); and
 - b. The presence of sub-committees in addition to the Board of Directors.

In response, the Inquiry requested in a letter of 26 November 2021 that POL provide certain sub-committee minutes by 3 January 2022.

HSF arranged for copies of responsive board minutes to be provided to the Inquiry on 1 December 2021 as requested. HSF subsequently arranged for copies of the Sparrow and GLO Sub-Committees to be provided in response to the Legal Advice Rule 9 (see below). As regards the balance of sub-committee minutes, HSF arranged for responsive documents to be uploaded via the Inquiry's Quatrix platform and for a response to be provided to the Inquiry on 22 December 2021. Accordingly, the Sub-Committees Rule 9 has now been satisfied. In addition to the sub-committee minutes, HSF identified two draft minutes / notes of the board's strategy sessions in 2018 that were relevant to the Inquiry and had not previously been disclosed. In the absence of formal, approved board minutes for these meetings, these draft minutes were also disclosed on 22 December 2021.

5. Request dated 26 November 2021 for legal advices: The Inquiry requested copies of documents responsive to categories of legal advice. HSF wrote to the Inquiry on 15 December 2021 noting that whilst it would be providing a significant amount of documentation on 17 December 2021, given the breadth of the request, POL required a short extension in order to provide a further tranche of documents responsive to this request by 14 January 2022. This extension was granted by the Inquiry and HSF are on track to provide the tranche by that deadline. In order to prepare the further tranche, HSF is currently conducting supplemental reviews, including reviews of documents provided by WBD.

6. Request dated 3 December 2021 for prosecution files: The Inquiry requested statistics of the prosecutions brought by POL between 2000 and 2015 as well as the number of those prosecutions that resulted in a conviction. The Inquiry also requested POL's prosecution files in relation to any conviction of a SPM, assistant or employee in the years 2001 and 2011. The requested prosecution statistics were provided on 15 December 2021, with the prosecution case files being provided on 17 December 2021.

7. Request dated 13 December 2021 for Horizon roll-out materials: On 23 December 2021, HSF wrote to the Inquiry explaining that searches conducted by POL on Relativity (Brisbane, GLO and Peters & Peters databases), at the Postal Museum and of indices of documents held by Oasis (an off-site storage provider) had not identified any of the documents that were the subject of the Rule 9, but that POL intended to review certain boxes and files of hard copy documents held at Oasis for completeness. The letter explained that:
 - a. Searches had identified a small number of files that may hold some potentially relevant documents, albeit it was not entirely clear from the descriptions in the indices that that was definitely the case.
 - b. Oasis files are held outside of London and that HSF would seek to obtain access to them and review them as soon as possible but that that may not happen until early January.
 - c. It has become apparent that the way in which the Oasis indices describe boxes and files does not always accurately reflect their actual contents (we have been informed that in a sampling exercise which was conducted in relation to the HSS and the PCDE, the descriptions were found to be c 90% accurate). We also understand that there are some unindexed documents held at Oasis.

We understand that POL has requested the relevant files from Oasis and we are waiting for them to be scanned to us so that we can review them for relevance to the request. In the event that we locate relevant documents, we will send them to the Inquiry.

We are separately considering whether there is a reasonable and proportionate way for POL to deal with the unindexed documents in the Inquiry context. We understand that POL is also giving thought to how the unindexed documents can be reviewed for the purposes of POL's business more generally.

8. Request dated 17 December 2021 for Inquiry Teach-In materials: On 21 December 2021 the Inquiry confirmed that the Teach-In Rule 9 Request may be shared with the POL personnel who attended the sessions for the purposes of responding to the Request, without them needing to sign confidentiality undertakings. HSF wrote to the Inquiry on 23 December 2021 to request that the Inquiry releases to POL the recordings and/or transcripts of the Teach-In sessions it holds and clarify points including the format of the statement(s). The Inquiry initially agreed that the Teach-In sessions would be provided on a confidential basis. Whilst the Request explains that the Inquiry does not intend to disclose the recordings of the sessions,

POL's attendees would nevertheless not have anticipated that their names may be disclosed in connection with the sessions. At the point at which the Inquiry informs POL that it intends either to disclose to Core Participants or publish more widely the names of those attendees, it will be open to POL to seek a Restriction Order preserving their anonymity though POL may seek to raise this point with the Inquiry in advance. POL has set up folders on Relativity and Sharepoint to collate documents relating to the Teach-Ins, which it has shared with HSF. Work has been done to identify the appropriate attendee(s) to provide the witness statement(s) requested, although some possible individuals have since left POL (██████████).

9. Request dated 17 December 2021 for further Horizon roll-out materials: HSF have been progressing key word searches of various Relativity databases (Project Brisbane, GLO, Peters & Peters) and indices of documents held at Oasis. We have also made enquiries of the Postal Museum, which appears to hold some potentially relevant documents which we are liaising with the Postal Museum to obtain.

Key word searches of the Oasis indices have yielded a considerable number of potentially relevant results (c.430). Relevant files will need to be obtained from Oasis and reviewed – an index has been provided to POL which is liaising with Oasis about retrieving the files. At present we anticipate a three-stage review process:

- a. in-person hard copy review conducted by a small team from HSF at Oasis' site(s) to filter out irrelevant files;
- b. couriering of relevant files to HSF's London office for upload to the KPMG Relativity database (and return of files to Oasis thereafter);
- c. further, more detailed review for relevance and privilege conducted on the KPMG Relativity database.

We anticipate that it will be difficult to retrieve and review all of the Oasis material accurately in advance of the deadline of 28 January but at this stage it is not possible to say how much additional time will be needed. We await further detail from POL on when Oasis can provide access to the material. Once we have begun the in-person hard copy review, we ought to have a better sense of how many files require transporting to London for review. We expect it will then be necessary to write a letter to the Inquiry to request an extension in respect of documents held at Oasis.

As indicated above, POL has also received requests from the Inquiry to (i) provide to the Inquiry a list of potential witnesses by 26 January 2022 for phase 1 and 2 hearings and by 9 February 2022 for phase 3-6 hearings, (ii) identify repositories of documents outside of POL's control by 26 January 2022 for phase 1 and 2 hearings and by 9 February 2022 for phase 3-6 hearings and Liaise with MdR concerning the disclosure of documents provided by POL to Paula Vennells and by 19 January 2022 confirm to the Inquiry that agreement has been reached or alternatively provide the Inquiry with a list of the material previously supplied to MdR.