

## **Project May - investigation into the racial classification document found at Post Office**

As of February 2024, the report into the racial classification document found at Post Office was released. The full report can be found [here](#).

Post Office is committed to changing the culture of the business. We wanted to be fully transparent about the findings of the report and while it is an extremely difficult read, it's important that we acknowledge what's gone wrong in the past, so we can prevent failings in the future. We'll continue to work with our ED&I team, networks and senior leadership to ensure we can continue to build a better Post Office for the future.

The full report can be quite technical, so we have broken it down into themes below, which will hopefully explain the findings and answer any questions you may have.

### **Background – why was this investigation taking place?**

- In April 2023, Post Office Ltd received a request under the 'Freedom of Information Act' for documents that were used by the Security Team between 2008-2011.
- Eight documents were supplied to comply with the request.
- One of the documents referred to seven identity codes, each of which with language describing a person's racial origins.
- One description used the outdated and offensive term "Negroid Types".
- Other archaic and offensive terms within the identity codes included "Siamese" and "Malaya". IC5 was also used for "Chinese/Japanese Types" and was defined as "i.e. Malaya, Japanese, Philippino, Burmese, Siamese, Mongolia etc". Leaving aside the misspelling of "Filipino", Siam ceased to be the name for what is now Thailand in 1939, and "Malaya" had also been out of use for almost half a century by 2011.
- Law enforcement and prosecutors in the UK have for many decades standardised the description of people in 'identification codes', including their perceived skin colour.
- For example, "IC1" related to a person perceived as being white and of northern European origin.
- The document in question of this investigation was an informal, Word document, which was unbranded.
- The document's heading was '*identification codes*'.
- Extensive research was completed under 'Project May' – which was the name of the investigation into the racial codification documents to find out how and why they were being used.

### **Theme 1: The aim of the investigation:**

- The aim of the investigation was to find out:
  - How the 'document' with the identification codes in was created;
  - How the description of identification codes became present in Post Office Ltd's documents;
  - To determine if the descriptors used in the document originated from the Home Office or other department of the State (and if so, when they were used in public services?);
  - To establish a time period during which identity codes were present and/or used by Post Office Ltd from 2012 (when Post Office parted with Royal Mail) to the present date of the investigation;

- To establish whether the descriptor codes were actively used in Post Office Ltd investigation or prosecution documentation and for what purpose;
- To identify the rationale for using identification codes, if they were used;
- To identify any legislative purpose or requirements for the use of the identification codes e.g. under Section 95 in the Criminal Justice Act 1991 identification codes are used;
- To establish whether there were any additional investigative or prosecution documents used by Post Office Ltd during the timeframe that contained race identification codes;
- And to establish what training on the use of identification codes was provided to Post Office Ltd investigation and prosecution staff.

## **Theme 2: How did the descriptors come into use at Post Office Ltd? And how often were they being used?**

Let's take a look from a timeline perspective:

- Pre 2012, Royal Mail Security Group (RMG) were using the document found containing the identification codes.
- Post Office Ltd became a separate entity from Royal Mail in April 2012. There was a subsequent file transfer of documents.
- Following the split from Royal Mail Group, Post Office Ltd reviewed the investigation documents that were on file in April 2012 for use in investigations going forward.

After reviewing the timeline above, we can begin to understand the next steps that happened.

- Royal Mail Group were approached, with permission, to search their document archives in an attempt to locate the document. Initial searches did not identify the document, but a later deep dive search identified that two of their employees had opened documents that contained the offensive term.
- These documents were opened in April 2011 and April 1996. Neither of the employees when spoken to could recall the offensive term that was contained in the documents, but one did recall that identification codes were used by the Royal Mail Group.
- The document, plus the seven further documents, which were passed over for the Freedom of Information request were imported from Royal Mail Group and then given to employees working in Post Office Ltd's investigation compliance team.
- The seven documents were rebranded as Post Office documents, however the only exception to this rebranding process was the document used for identification codes itself, which also did not hold any version information history. *Please note: During investigations it was found the document with descriptor codes may have always been unbranded or the Royal Mail Group branding may have been removed from the document as part of the split in 2012.*
- Searches for electronic copy documents on the 'Relativity' database, an eDiscovery platform used by Herbert Smith Freehills (HSF), was undertaken in 2023. The search looked for emails sent or received (whether directly or in copy) by a group of named individuals in the security teams which related to the term or other relevant keywords.
- The results of this search were received on 21/06/23. Initially, the search produced 33,974 hits. This was refined to some 812 hits. Within these, several relevant documents were identified, which are explained in the 'findings section'.

### **Theme 3: Findings of words and phrases across Post Office Ltd systems and documents:**

#### ***The word 'Offender/Suspect':***

- A typewritten Royal Mail Group "***Offender/Suspect***" form was identified in the search, the earliest version discovered dated 1987. The form required an investigator to insert a descriptor denoting the perceived ethnicity of the person being investigated.
- Completed copies of this form, which have been reviewed, use the same numeric codes (i.e., 1-7) as they appear on the identification code document. It also contains the offensive language descriptors – presumably to provide investigators with guidance as to which numeric descriptor to use.
- This 1987 document was largely identical to the later document discovered in 2023 but contained the phrase "*can be light or white skinned*" after the Term for IC3. It also contained spelling errors such as "Morrocan", "Carribbean" or "Carribbean", and "Spannish", and was headed "Ethnic Group Codes" instead of "Identification Codes". "Javanese" appeared instead of "Japanese" in the list of examples under IC5.
- Among other differences, the 1987 document also differed in its description of IC1, referring to "English, Scottish, Welsh" instead of "British" in its list of "White Skinned European Types".

#### ***The words 'Ethnic Group Codes and Identification Codes':***

- An identified Word document with the heading: '***Ethnic Group Codes and Identification Codes***' appears to date from the early 2000s.
- The information within the document shows that it was opened as early as 2008 and last edited in 2009.
- An employee who worked in the Security and Investigations Department in Royal Mail Group and Post Office Ltd was linked to the document in 2009 and 2019.
- This document was identical to the 1987 document, but was in an electronic format in Word, rather than a paper, type-written document.
- The IC code numbers on this form were also in red and there was no visible branding on this form.

#### ***The words 'Western Territory Security Team':***

- The words '***Western Territory Security Team***' were identified in a file concerning a robbery in 2000.
- It was a standard incident form, completed on the day of the robbery. At the bottom of this form as part of its template is a list of IC number and definitions.
- The description for IC3 is not "Negroid Types", but "Negroid or Afro-Caribbean". This precise terminology is distinct from that used in either the document or the 2000s document.
- There was no specific space on the 2000 form for the insertion of an IC number, although there was a space for "description of assailants/offenders" in which, presumably, an IC number could be included.

#### ***The words 'Report of Impounded Open Value Postal Order':***

- A document called "***Report of Impounded Open Value Postal Order***" was discovered on a backup tape, which was recovered from Chesterfield.
- This document appears to be a completed incident report form that was used to report offences relating to Postal Orders.

- The Postal Order Form does not contain IC numbers, but a box headed “Race or Nationality” in the form template had been filled in with the words “Afro/Negroid”, which along with other descriptors describes a suspected offender.
- The form appears either to have been completed at a Post Office and then forwarded to the Postal Order Correspondence Section at Chesterfield, or to have been filled in by someone at that section following a report by a clerk at the Post Office in question.
- Enquiries in relation to the Postal Order form failed to identify any employee with corporate knowledge of the document. This is likely to have been because it does not appear to have been in use for some years and possibly due to the fact that payment by means of Postal Order is a payment practice that is now much less common than some years ago.

***Were any other documents or communications found?***

- Other than these documents, electronic searches made, as part of this investigation, across Post Office Ltd databases have not produced any document which provides information concerning how the document, its hard-copy ancestors, or the offensive language within it entered Post Office Ltd.
- In an effort to determine whether the offending document was transferred from Royal Mail Group to Post Office Ltd, a current member of the IT department at Post Office who was involved in the migration of data when the two organisations separated was questioned.
- Data was migrated from Royal Mail Group to a cloud and then Post Office Ltd received a direct data transfer from there onto their own servers. This means that if the document concerned was transferred across, it would not have left an email footprint between the two organisations. The document migration between Royal Mail Group and Post Office Ltd had taken place as late as 2015. Data existing before this period that was not selected for transfer would no longer be available. A refined search of transferred documents took place, but this failed to provide any further information.
- There is material located at the Post Office Ltd archive facility that is yet to be scanned and uploaded to Relativity and therefore would not be accessible to electronic data searches. This material may or may not contain material referring to the term.
- A search of our Chesterfield office, identified several historic server tapes at the archive facility, as well as servers, domain controllers and other backup server tapes. This IT equipment may contain copies of the identification code documents, as well as potential disclosure material for the Inquiry.
- The investigation has also discovered a reference to backup server tapes. There won't be any further enquiries into these, given the material already uncovered.
- Discovered emails have identified a list of documents from Royal Mail Group which were recorded as retained (“live”) and discarded (“obsolete”). The document containing the racist descriptor was not present in either list.
- The retained documents did include the NPA01 (Notification of Proceedings to Police) form that was referred to as necessary for processing private prosecutions.
- Employees were encouraged if they had any information relating to the document to contact the whistleblowing team. No responses were forthcoming.
- The search did find offensive terms beyond those used in the document including both deliberate and distinct ethnic slurs and terms (and partial terms) which frequently appear in innocent contexts, and produced results which included the names of countries such as Pakistan or Nigeria as well as results which might include offensive descriptors.

- Ultimately some 80 potentially responsive documents were identified. Three that appeared were provided to this investigation.
- Each was an Excel spreadsheet which appeared to be used by Security & Investigations (and its descendants) to track incidents of all kinds. The spreadsheets cover incidents from March 2010 to June 2011; from April 2011 to January 2013; and from March 2018 to September 2023 (the 2018-2023 Spreadsheet).
- There are several dozen columns on each spreadsheet, covering details from the location and nature of the incident to identifying details of one or more suspects. In the two earlier spreadsheets (the 2010-2013 Spreadsheets), the identifying details include a column for each suspect's "identity code". This is not a free-text box. Instead, there are seven pre-defined options. Each includes an IC number and a short descriptor. IC3's descriptor is "Black/Afro Caribbean".
- The 2018-2023 Spreadsheet does not have any column for ethnic descriptors of suspects.

#### ***Outside of Post Office:***

- As part of the investigation, enquiries were made with the College of Policing and several police forces to understand if these offensive and archaic terms were historically used, and if the version held by Post Office Ltd originated from previous versions of the identification codes. No substantive responses have been received directly from police forces.
- Enquiries were also made with the Postal Museum. They too have been unsuccessful in identifying a date of entry into Post Office Ltd for the offensive language. However, the Museum located a "Post Office Detective Staff Manual" dated April 1999, within which was a document – "Appendix 6" – which required identification of an investigation subject's IC number.
- ETICA (Global), the ethics consultancy which has been engaged by external counsel to review Project May as Ethics Monitor may have access to archival law enforcement policy documents. As part of the monitorship, it is anticipated that a search will be made to see whether they can assist with relevant historic documentation.
- Open-source research – including news reports published during July 2023 – indicate that Post Office Ltd was not the only public sector organisation whose investigative functions used the term. Among those identified (and which have acknowledged their usage) is the Department of Work and Pensions (DWP). A report in the Independent dated 04/07/2023 alleged that the term was used in DWP guidance developed in 2010, but still in use in Northern Ireland until recently in relation to the assessment of benefit claimants. DWP acknowledged the existence and use of the document.
- Further open-source research has surfaced a report from the Guardian newspaper dated 14 June 1978, which suggests that ethnic coding began in the Metropolitan Police Service (MPS) in 1975 and that recognisable IC codes came into use in or around early 1977. Post Office will have been required to use the Police identification codes for anyone summoned to court and will have been using the codes that were in use by law enforcement at the time.

#### **Theme 4: Points in time when the document was used:**

The investigation was able to uncover when the documents were in circulation, and we thought this would provide some context:

- An email dated 23/05/11 from a member of the Post Office Ltd Security team to the Security Compliance Team, had as an attachment a zip file. That zip file contained nine documents entitled "Appendices". One was the document in question. The zip folder

was described as “relevant documents that feed into the compliance process”. Recipients of the email – including “new people to the team” – were instructed to “familiarise yourself with these documents”. The other documents included rebranded training and standards forms, which were used in addressing and compiling casefiles.

- The zip file, containing the document, suggests it was created in 2003 and was “modified” in 2011. What “modified” means in practice remains unclear but is suggestive that the document did not wholly remain untouched or unnoticed.
- A further email in August 2011 from Post Office Ltd Security team saw the same ‘Appendices’ forwarded on, by forwarding the same zip folder, with identical contents, that was attached to the 23/05/11 email.
- Another email in October 2012 from Post Office Ltd Security Team again sent on the ‘Appendices’ – again in a zip folder – to a group of Post Office Ltd investigators.
- Following examination of the contents of this zip folder, it is believed that all Appendices, bar the document with descriptors, had been updated in some way since 2011. For example, the text of the 27/04/12 email included a note that in one document of the ‘Appendices’, entitled “Discipline Report”, “superfluous information for contract managers (e.g. Identification Code...) has been removed.”
- The next email on record is from June 2016 to a member of Post Office Ltd Security. It had an attachment of investigation standards documents and the identity code word document (again attached as a collection in a zip folder). The data attached to the version of the document suggests it was last amended in 2013. However, while the filename was changed, the contents and wording were unchanged.
- The zip folder was then forwarded by this colleague to another Post Office Limited colleague, who was assisting with a disclosure process for Womble Bond Dickinson, in which policy documents were being reviewed. It is unclear what happened to those documents once sent on, however they’re referred to as “previous documents used” in compiling a review completed in August 2013. Womble Bond Dickinson were able to confirm that they received the offending documents as part of the disclosure to the Further Issues Trial. Their review of the documents would have been limited to determining their relevance and whether any privilege attached to them and wider areas of relevance in the Group Litigation Order. Womble Bond Dickinson were not aware of there being any communications between them and Post Office Ltd which discussed the contents of documents they received in general or specific terms, and in particular were not able to identify any discussion or spotlighting of the offending language.
- An email sent in May 2019 had an attachment of 14 items which are again file standards-related and training material, including the identity code documents (again in a zip folder; identical both in filename and contents to the 2016 version). Certainly by 2019 the Document’s appearance in email appears to be wholly historic, appearing only in relation to disclosure searches related to the Inquiry.
- An external specialist in digital forensics, QCC, found that the version of the document attached to emails in both 2016 and 2019 appears, from metadata embedded in its internal OLE file system, to have been last opened on 2 July 2013.
- A meeting with the colleague who sent the document in 2011 took place on 25 July 2023 with the internal investigators and the assistance of forensic specialists.

- It appears from that meeting (and from a subsequent check on 27 July on Exchange365 server-held email) that the emails in question were stored in Exchange365 and not solely on the colleague's local laptop storage.
- No further emails or instances of the document were uncovered in this process.

#### **Reasons why the document was still in use:**

- The investigation stated that all Post Office Limited staff were directed in 2012 not to destroy any records, as they may be required for disclosure purposes for the Inquiry or Group Litigation Order or for another Horizon-related purpose. The identification code document thus sat in the Security team archive on SharePoint.

#### **Are investigations continuing?**

- Post Office Limited has approached the Inquiry to ask on behalf of the investigation team if they can continue to question those linked to the document. A response is yet to come, but the fact find is now complete.
- The investigation team tried to contact six individuals linked to the document, five of which were impossible to contact, with the sixth giving responses electronically and saying they had no knowledge of the identification codes, how they entered Post Office and what they were being used for. The investigation team will update their report as the Inquiry is ongoing if necessary and if there are further developments.

#### **In conclusion**

- At the end of the report, it was deemed further investigation to pinpoint the entry point of the document into Royal Mail Group, and later Post Office Ltd, could not be justified. However, it was likely that the terms ended up in the document from a public sector source, before going into Royal Mail and ultimately onto Post Office.
- Post Office Ltd were not the only company within the specified timeframe to use identification codes.
- It's cautiously stated that while IC codes were in operation at Post Office it is difficult to tell if they were a primary source of guidance or used to any material extent with colleagues. And while the documents were in existence during the first few years of Post Office Ltd.'s split from Royal Mail, it does not mean the terminology was in general use.
- It appears that post Royal Mail Group split, despite the document still being accessed in 2016, it was not being widely used, but its existence was known and referred to as a 'previous document'.
- The report deemed in the personal view of Jeremy Scott-Joynt, a barrister at Outer Temple Chambers, who was engaged as external counsel to Project May said that it was *'In my view, the use of IC codes alone as reviewed above under Issue 2a (Usage/IC numbers) – that is, without reference to underlying racist terminology – is unlikely without more to put people with any specific ethnicity at a particular disadvantage. I say this because as far as has thus been determined, the use of such codes was driven not by any perceived internal policy imperative (or internal desire to distinguish between different ethnicities within investigations), but because they were seen as an externally imposed requirement for prosecution purposes. The wording in the Document (as reviewed above under Issue 2b – Usage/Document) is more problematic. The fact that while some of the (arguably less) offensive wording was weeded out over time yet the Term and other offensive language survived, might indicate a tendency to be blind to any ethnic partiality in how investigations*

*were prioritised or undertaken. This hypothesis gains some support from the 2000 Form, which used the Term but in a different construction than appeared in the Document or its successors. As I indicated above at paragraph 51, I think this is a more likely hypothesis than the alternative one. But I must stress this is necessarily an interim view, not a conclusion. Any more certain conclusion would have to wait for any further work done at phase 2 encompassing (among other things) Issue 2c.'*

- The investigation into phase one has now essentially been concluded. There is a further ask to complete some extra interviews, which have been requested to the Inquiry, if not possible, it's likely that reviews of Inquiry evidence will take place instead. The team would also like to review the earlier versions of the 2013 policy used by the Security Team, and they will update their report as necessary from those findings. All lines of enquiry have now been exhausted.
- Phase 2 scoping will proceed once phase 1 has been completed with the further asks set out above.