



Information Rights Team
Post Office Limited
Ground Floor
Finsbury Dials
20 Finsbury Street
London EC2Y 9AQ

Your reference:
Our reference: FOI2022/00733

John O'Sullivan
request-911714-2fe31742@whatdotheyknow.com

24 November 2022

Dear Mr O'Sullivan,

Freedom of Information Request – FOI2022/00733

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 27 October, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”).

In your email you have requested the information shown in bold below:

**“This is what your legal team told Seema Misra.
‘The retrieval of data is not a free service,’ it said.
‘It is very expensive and depends upon the amount of data which has to be retrieved which is why you are requested to be very precise... Please could you also advise us as to why you consider the data relevant.”
Anthony Oppenheim ICL boss in giving evidence to the Horizon Inquiry yesterday said The Post Office’s attitude was “contractually and morally wrong”.
What documents do you hold that show Fujitsu charged Post Office Ltd to supply documents/data when requested by SPM's, their defence teams or others?”**

We can confirm that Post Office does hold the information you have requested. The Post Office Horizon IT contract with Fujitsu details the terms and conditions for providing data regardless of who has requested it. Please find two relevant extracts below from the contract below.

Clause 25.7:

25.7 Notwithstanding the provisions of this Clause 25 and anything else to the contrary in this Agreement, all access to the audit trail of Transactions held by Fujitsu Services in respect of Transaction data created on or after the date of commencement of NB Pilot (Soft Launch) shall be conducted as Audit Record Queries and shall be subject to the limits and Service Level Targets set out in the information retrieval and audit sections of the following CCDs, as applicable in accordance with the provisions of Schedule B3.1: “Service Description for the Security Management Service” (CS/SER/016) and “Security Management Service: Service Description” (SVM/SDM/SD/0017).

Schedule D1 charges:

If Post Office exercises its option under the CCD entitled “Service Description for the Security Management Service” (CS/SER/016), when that CCD is in effect, or the CCD entitled “Security Management Service: Service Description” (SVM/SDM/SD/0017), when that CCD is in effect, to vary the maximum number of Audit Record Queries which Fujitsu Services is required to carry out, the Operational Fixed Charge in respect of the Security Management Service shall, with effect from the date on which that revised maximum becomes effective, be increased by £ 249.18 per Audit Record Query by which such maximum is increased.

The following extract is taken from the key supporting document SVM/SDM/SD/0017:

2.4.1 RECORD QUERIES		
Table 2 defines the limits on Record Queries, including APOP Voucher Queries which Fujitsu Services shall be obliged to complete.		
TABLE 2		
		(2) Limits on Audit Record Queries
		Period One and Period Two
Limits		<p>Subject to section 2.4.1, the limit per year (on a rolling year basis) shall be the first of the following to be reached; (i) 720 Audit Record Queries & APOP Voucher Queries or; (ii) 15,000 Query Days; APOP Voucher Queries being limited to 50 per year (on a rolling year basis)</p> <p>The limit per calendar month, allowing a 'burst rate' of 14% shall be the first of the following to be reached, of which not more than 10 shall be APOP Voucher Queries: (i) 100 Audit Record Queries, or (ii) 2100 Query Days subject to the constraints of the agreed annual limits above.</p>

We recognise that your FOI request is related to on-going evidence that is being heard by the Post Office Horizon IT Inquiry. Representatives from Post Office will be providing evidence at the Inquiry at various stages and when listening to the Inquiry, should you have further questions relating to the evidence being heard that you feel Post Office should respond to, you may also wish to consider contacting the Inquiry directly with your feedback.

The contact details for the Inquiry can be found at the following link:

<https://www.postofficehorizoninquiry.org.uk/contact-us>

If you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address below stating your reasons for your internal review request.

Information Rights Team
 Post Office Limited
 Ground Floor
 Finsbury Dials
 20 Finsbury Street
 London EC2Y 9AQ
information.rights@postoffice.co.uk

If, having requested an internal review by Post Office, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office
 Wycliffe House
 Water Lane
 Wilmslow
 Cheshire SK9 5AF

Telephone: 0303 123 1113

<https://ico.org.uk>

Yours sincerely,

Information Rights Team

information.rights@postoffice.co.uk

<https://corporate.postoffice.co.uk/en/governance/access-to-information/access-to-information/>

Post Office Limited is committed to protecting your privacy, information about how we do this can be found on our website at www.postoffice.co.uk/privacy.