



Information Rights Team  
Post Office Limited  
Ground Floor  
Finsbury Dials  
20 Finsbury Street  
London EC2Y 9AQ  
033 3665 3951  
Your reference:  
Our reference: FOI2023/00154

John O'Sullivan  
request-954553-cfdc6c2d@whatdotheyknow.com

31 March 2023

Dear Mr O'Sullivan,

**Freedom of Information Request – FOI2023/00154**

Please note, this letter is repeated for cases with the following references numbers:  
FOI2023/00115; FOI2023/00126; FOI2023/00146; FOI2023/00154; FOI2023/00161;  
FOI2023/00162; FOI2023/00171.

I am writing in response to your email received by Post Office Limited ("**Post Office**") on 22 March, in which you asked:

***"Do you have access to David Smith's evidence to the Horizon Inquiry? That may have a summary of who he is/was? Similarly do you not have any obligation to keep a record of all the people you used as Expert Witnesses in order to aid you prosecute SPM's? To that end and please treat this as a new request how many people were so used and what was their Job Title and Employer?"***

As with all FOI requests, Post Office takes these seriously and supports the principle of transparency. Although your request can be in the form of a question, rather than a request for specific documents, the Freedom of Information Act 2000 ("**FOIA**") does not oblige an authority to answer a question if this would mean creating new information or giving an opinion or judgment that is not already recorded, which applies to the question you have raised.

As we have explained on many previous occasions, your emails to Post Office sent as requests under the Freedom of Information Act are frequently not requests for recorded information, including ones sent with the reference numbers outlined above. Notwithstanding this, we have provided further assistance and clarification where possible.

As of 31 March 2023, 26 emails you have sent since 1 January 2023, have been processed by the Information Rights Team. We treat all information requests with due care and consideration in accordance with the legislation, but those that do not contain a request for recorded information place an extra burden on the Post Office, which is potentially detrimental to our service for all FOI requesters.

Where a true FOI request is received, we may still need to take into account the burden placed on the organisation and the serious purpose behind the request, in-line with the Information Commissioner's guidance on section 14 of the FOIA.

It may be helpful to draw your attention to public information that may be of interest. A number of your emails relate to the ongoing Horizon IT Public Inquiry, which is covered extensively at the Inquiry website ([www.postofficehorizoninquiry.org.uk](http://www.postofficehorizoninquiry.org.uk)). We

urge you to use this website, although you should be aware that the Inquiry itself is not subject to the FOIA.

In addition, Post Office's website contains detailed information about historical matters at the following link:

<https://corporate.postoffice.co.uk/>

We once again remind you that you should refer to the Information Commissioner's Office (ICO) guidance on how to access information from a public authority, should you wish to submit a request for recorded information. This can be found at the following link:

<https://ico.org.uk/your-data-matters/official-information>

Yours sincerely,

**Information Rights Team**

[information.rights@postoffice.co.uk](mailto:information.rights@postoffice.co.uk)

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