

Wednesday, 1 October 2025

(10.00 am)

BRADLEY SUTHERLAND (sworn)

Questioned by MS WAKEMAN

**SIR ADRIAN FULFORD:** Do have a seat.

**A.** Thank you.

**MS WAKEMAN:** Could you start by giving us your full name.

**A.** Bradley Sutherland.

**Q.** If we could bring up on screen, please, TAC000002. Do you recognise that to be your witness statement?

**A.** Yes, that's my statement.

**Q.** Have you signed that statement?

**A.** Yes, I have.

**Q.** Is that statement true to the best of your knowledge and belief?

**A.** Yes, it is.

**Q.** I understand that you are the Director of MB Outdoors Limited --

**A.** Yes, that's correct.

**Q.** -- which trades as Tactical Archery UK?

**A.** Yes, that's correct.

**Q.** Is it right that you were the Director of Tactical Archery UK at the time when AR made contact with the company?

**A.** Yes, that's correct.

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**A.** Oh, yes, for the sport of archery.

**Q.** I will come on to it in a bit more detail later but, just by way of brief overview, is it right that, essentially, your company's involvement with AR was that you received some enquiries by email from him on 3 and 4 May 2022, where he was asking questions about how crossbows that you sold were packaged?

**A.** Yes, that's correct.

**Q.** But, ultimately, AR never actually went on to place an order with Tactical Archery?

**A.** No, he didn't.

**Q.** Thank you. It is right, isn't it, that bows, arrows and crossbows all have the potential to cause harm?

**A.** Yes, that's correct.

**Q.** Online sales of crossbows, in particular, pose a risk of inadvertently selling those items to under-18s because you can't physically see the person in front of you or check their ID in person?

**A.** Yes, that is possible but we do take the safety of the public very seriously and age verification is one of our primary concerns.

**Q.** Yes, so a careful approach is needed if you're going to be selling those items online?

**A.** Yes, 100 per cent. Yes, definitely.

**Q.** I now just want to look at what the law requires in

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**Q.** That was in May 2022.

**A.** Yes.

**Q.** Are you still the director now?

**A.** Yes, that's correct.

**Q.** What are the main responsibilities in that role?

**A.** My main responsibility is -- well, being the director, everything, to be honest, including customer service, marketing, admin, finance, all aspects of the business, sort of overseeing.

**Q.** You say in your statement as well that age verification processes is one of your responsibilities, which you share with another director, Mr Chance; is that right?

**A.** Yes. Yes, that's correct.

**Q.** Just give us an idea of the size of the company?

**A.** So we have three employees, including me and the other director. That's it.

**Q.** What are the main types of product that you are selling on your website?

**A.** The main types of products is archery equipment, such as bows and crossbows.

**Q.** What's your understanding of who your customers are, generally?

**A.** Could you expand on that, sorry?

**Q.** Do you have a sense of why people are buying products from you?

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relation to selling those items online, so if we could bring up on screen HOM000078. So this is a witness statement that has been provided on behalf of the Home Office and if we could look please at page 66, and if we could zoom in on paragraph 229.

So there the Home Office explain that there is specific legislation about the sale of crossbows, which is the Crossbows Act 1987, but there is no legislation that specifically applies to other types of bow, such as a longbow. Is that your understanding as well?

**A.** Yes, that's correct.

**Q.** So if we look at crossbows in particular, could we have on screen, please, ILT000046 and page 8. Apologies, next page, please. So this is the Crossbows Act 1987 and we can see that, at Section 5, it doesn't apply to crossbows with a draw weight of less than 1.4 kilograms. Could you just explain what a draw weight is?

**A.** So a draw weight is the amount of force needed to pull back the string and the higher the draw weight, the more powerful the crossbow is.

**Q.** Is it your understanding that the Act applies to all crossbows with a weight of more than 1.4?

**A.** Yes, that's correct.

**Q.** I should say 1.4 or more. Could we go to page 1 of the Act, please. If we could zoom in on Section 1 under

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1 "England and Wales". So here we can see that it's an  
 2 offence to sell a crossbow to somebody that's under 18,  
 3 unless you believe them to be 18 years of age or older  
 4 and have a reasonable ground for that belief; is that  
 5 your understanding?  
 6 **A.** Yes, that's correct.  
 7 **Q.** If we could then look at page 3. If we could zoom in on  
 8 1A(1), we can see here that there's a specific defence,  
 9 if you are charged with an offence under Section 1, if  
 10 you can show that you believed the person to whom you  
 11 sold the crossbow was 18 or over and either you took  
 12 reasonable steps to establish their age or no reasonable  
 13 person could have suspected from their appearance that  
 14 they were under 18; is that right?  
 15 **A.** Yes, that's correct.  
 16 **Q.** If we could scroll down to look at subsection (2), you  
 17 are treated as having taken reasonable steps to  
 18 establish their age if and only if you were shown any of  
 19 the documents in subsection 3 and the document would  
 20 have convinced a reasonable person. So is your  
 21 understanding that convincing a reasonable person -- if  
 22 it's an obviously fake driving licence, for example?  
 23 **A.** Yes, that's correct.  
 24 **Q.** If we could then just look at subsection 3 which -- the  
 25 documents have to be a passport and then, over the page,

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1 simply says:  
 2 "Hi,  
 3 "I would like to purchase from Tactical Archery but  
 4 I would prefer discrete [*sic*] packaging which doesn't  
 5 provide any information on what is inside the box.  
 6 Could I see a photo of what the external packaging of  
 7 your products look like?  
 8 "Thanks in advance.  
 9 "A."  
 10 We can't see it on this version of the email itself  
 11 but you have confirmed in your statement that AR used  
 12 the email address a.megalanian7@yahoo.com; is that  
 13 correct?  
 14 **A.** Yes, that's correct.  
 15 **Q.** But the email itself is just signed off as "A", so no  
 16 name given?  
 17 **A.** Yes.  
 18 **Q.** I just want to pause there. You explain in your  
 19 statement that there was some timing difficulty with  
 20 some of the screenshots of emails.  
 21 **A.** Yes, so the email software that we used, it was -- it  
 22 just wasn't configured, so the time there says 9.35 but  
 23 it was actually in the American time zone, so I believe  
 24 it was about four hours difference, so I think this is  
 25 really 1.35 pm.

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1 a UK driving licence, a EU photocard driving licence,  
 2 and then there's also provision related to the Scottish  
 3 Ministers. So is that your understanding -- I think  
 4 that's the main legal obligations relating to selling  
 5 crossbows?  
 6 **A.** Yes, that's correct.  
 7 **Q.** Unlike with knives, there's no requirement at the moment  
 8 to have an age-verified delivery of crossbows; is that  
 9 right?  
 10 **A.** That's correct but we do that anyway.  
 11 **Q.** We will come on to that.  
 12 **A.** Yes.  
 13 **Q.** There's also no specific packaging requirement for  
 14 crossbows?  
 15 **A.** No.  
 16 **Q.** So there's no requirement at the moment to have  
 17 a warning label or to say that it needs to be delivered  
 18 to someone over 18?  
 19 **A.** No requirement, no.  
 20 **Q.** Thank you. I now want to move to ask you some questions  
 21 about the specific contact that Tactical Archery had  
 22 with AR in May 2022 and that was a series of emails. If  
 23 we could bring up the first one, it's TAC000003. So we  
 24 see it's an email from somebody called AR to  
 25 info@tacticalarchery.co.uk, 9.35 on 3 May 2022, and it

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1 **Q.** The timing doesn't particularly matter for our purposes  
 2 but, just to iron this out quickly, you say in your  
 3 statement that I think you had been working from  
 4 a screenshot that said 1.35 pm, which you understood to  
 5 be US time --  
 6 **A.** Yes.  
 7 **Q.** -- and 9.35 am is UK time. So does it look as if these  
 8 screenshots are actually the correct time?  
 9 **A.** Yes -- no, they're not. So that time on there, that's  
 10 the American time.  
 11 **Q.** So your understanding is it's four hours previous to  
 12 this time?  
 13 **A.** Yes. Sorry, I believe so, yes. Yes, that's correct,  
 14 yes.  
 15 **Q.** If we could just have up on screen paragraph 4 of your  
 16 statement and the statement is TAC000002. If we could  
 17 go to page 2, so you say:  
 18 "... AR sent us three emails in total ... there is  
 19 a 4-hour time difference ... In the first of the  
 20 emails ... the time says 13.35 pm (US time) when in fact  
 21 it was 9.35 am ..."  
 22 But the screenshot the Inquiry has actually does say  
 23 9.35, so it does look to be the correct time but do tell  
 24 me if that's different?  
 25 **A.** No, there is definitely a -- I'm not sure what's

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1 happened but there is definitely a time zone difference  
 2 because, like I said, the email software was set up as  
 3 an American time zone, we just hadn't changed it.  
 4 **Q.** All right, I won't ask you about it on every email but  
 5 we should generally take it that the time should be four  
 6 hours back than written in the email?  
 7 **A.** Yes, that's correct.  
 8 **Q.** Can we then bring up the reply to the email, which is at  
 9 TAC000004. We have a reply from Mr Chance. Is it right  
 10 that he is your customer service representative?  
 11 **A.** Yes, that's correct.  
 12 **Q.** He says:  
 13 "Thanks for getting in touch.  
 14 "We use grey packaging bags when sending out  
 15 crossbows.  
 16 "This is so that no one is able to see what is  
 17 inside."  
 18 Then TAC000005. We have a further email from AR  
 19 which says:  
 20 "Does the crossbow packaging say 'Tactical Archery'  
 21 on it or any other branding?"  
 22 Is that right?  
 23 **A.** Yes, that's correct.  
 24 **Q.** Then we have a third and final email from AR which is  
 25 TAC000007. It essentially says the same question:

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1 bigger we use black wrap."  
 2 Is that right?  
 3 **A.** Yes, that's correct.  
 4 **Q.** We have already established that AR, following that  
 5 exchange of emails, didn't go on to place an order with  
 6 you --  
 7 **A.** No, he didn't.  
 8 **Q.** -- and you have not located any other emails from AR?  
 9 **A.** No, no. We searched all of our email accounts.  
 10 **Q.** So we can take that document down, thank you.  
 11 In terms of the enquiries that were made by AR it's  
 12 right, isn't it, that he only ever gave his name as "A"?  
 13 **A.** Yes, that's correct.  
 14 **Q.** His email address didn't contain a full name either, it  
 15 was just a.megalanian?  
 16 **A.** Yes, that's correct.  
 17 **Q.** He was making repeated enquiries to check that the  
 18 contents of the package or the nature of the package  
 19 wouldn't be clear from the outside?  
 20 **A.** Yes, that's correct.  
 21 **Q.** So he was going to quite some lengths to determine the  
 22 nature of the packaging on the crossbow that he may have  
 23 been seeking to order.  
 24 **A.** Yes, you could say that, looking at it from hindsight,  
 25 yes.

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1 "Hi, does the crossbow packaging saying 'Tactical  
 2 Archery' on it or any other branding?  
 3 "Thanks in advance.  
 4 "A."  
 5 So none of the emails were signed off with an actual  
 6 full name, were they?  
 7 **A.** No.  
 8 **Q.** If we could look then at TAC000008. This is a reply  
 9 from Mr Chance. He says:  
 10 "Hi,  
 11 "They come in grey packaging bags so the item inside  
 12 is disclosed ..."  
 13 I understand you explain in your statement that  
 14 that's a typo and it should have said "The item inside  
 15 is not disclosed"; is that right?  
 16 **A.** Yes, that's correct, yes.  
 17 **Q.** So, at that time, your orders were sent in sort of fully  
 18 discreet packaging, in a sense?  
 19 **A.** Yes, but not to be purposefully discreet, that's just  
 20 the most economically efficient packaging, which we  
 21 still use to this day.  
 22 **Q.** Right, and if we could look then at TAC000006. We've  
 23 got a further email from Mr Chance, which says:  
 24 "Hi,  
 25 "No just plain grey bags or if the crossbow is

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1 **Q.** You say in your statement that Mr Chance didn't suspect  
 2 that AR might have been a child looking to buy  
 3 a crossbow because the questions regarding the packaging  
 4 was not unusual; is that right?  
 5 **A.** Yes, that's correct.  
 6 **Q.** So did you get a lot of enquiries from people asking  
 7 about packaging?  
 8 **A.** I mean, we don't get like loads and loads but we do get  
 9 them often enough to not think anything of it because  
 10 some people do buy these as gifts or they just don't  
 11 want their partner to see, or neighbours, et cetera.  
 12 **Q.** Looking back now at the nature of the enquiries and the  
 13 information that you had about the person making them,  
 14 should those enquiries, do you think, have given rise to  
 15 some suspicion about why that person might be so  
 16 determined to check the packaging?  
 17 **A.** Yes, looking back at it, like I said, with the benefit  
 18 of hindsight, I do think the fact that he did ask three  
 19 times was a bit suspicious.  
 20 **Q.** Looking back with the benefit of hindsight, is there  
 21 anything that you think Tactical Archery should have  
 22 done upon receiving those enquiries, in terms of  
 23 reporting it, or anything else?  
 24 **A.** It's hard to say because, like I said, it didn't really  
 25 raise any cause for concern because it isn't an unusual

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1 question, which is why it wasn't reported, but I think  
 2 the fact that he did ask three times, I think, we would  
 3 have reported that and, going forward, we will do if we  
 4 do get any more suspicious enquiries like that.  
 5 **Q.** At that time, did you have any system for logging  
 6 suspicious enquiries or particular email addresses that  
 7 you'd had concerning enquiries from?  
 8 **A.** We would block their -- so on our website, we would  
 9 block their email, just so they can't place orders.  
 10 That's about it because we haven't really had any  
 11 suspicious enquiries, to be honest, so we didn't really  
 12 have that.  
 13 **Q.** Was that in place at the time in 2022 as well as now?  
 14 **A.** Yes, that's correct.  
 15 **Q.** You say that Mr Chance has been given training on how to  
 16 use and follow age verification processes, as well as  
 17 how to spot underage individuals that might be trying to  
 18 purchase crossbows. What did that training cover?  
 19 **A.** So we just -- we trained him how to use the age  
 20 verification software, how to run their details through  
 21 the system, and that was about it.  
 22 **Q.** You say in your statement that, if Mr Chance suspects  
 23 an email will be suspicious, he flags it to senior  
 24 management. Would that be you or the other director?  
 25 **A.** Either one of us.

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1 legislation to do so.  
 2 **A.** Yes, yes.  
 3 **Q.** That's the case now and then in 2022; is that right?  
 4 **A.** Yes, that's correct.  
 5 **Q.** But crossbows, you explain in your statement -- could we  
 6 have this up? This is page 3 at the bottom of the page,  
 7 paragraph 16, and the statement is TAC000002. If we  
 8 could zoom in on paragraph 16. You say:  
 9 "At the time in May 2022 ...  
 10 "Customers must be over the age of 21 to purchase  
 11 age-restricted products from us, such as crossbows."  
 12 Is it 21 or 18?  
 13 **A.** At the time it was 21. That was just our own personal  
 14 view, but it is 18.  
 15 **Q.** Now is it 18?  
 16 **A.** Now it's 18, yes.  
 17 **Q.** Just out of interest, what was it that made you decide  
 18 to lower your age restriction?  
 19 **A.** Just because we have -- we upgraded our security system,  
 20 basically, so now we feel more comfortable sending it  
 21 out to younger -- like under 21, obviously between 18  
 22 and 21, just because of the age verification methods we  
 23 use now. We feel like they're pretty solid.  
 24 **Q.** All right. You say at 16 that you ensured all customers  
 25 were age verified before orders were processed and you

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1 **Q.** What kind of emails would you expect him to be looking  
 2 out for and flagging?  
 3 **A.** Well, just any sort of -- any suggestion towards crime,  
 4 basically, or if they're asking questions about the  
 5 products that aren't to do with the actual sport of  
 6 target shooting. If they're just -- anything related to  
 7 crime, basically, that you could potentially suggest and  
 8 that would be it.  
 9 **Q.** Now would it also include repeated questioning about  
 10 discreet packaging for example?  
 11 **A.** Yes, that's correct, yes.  
 12 **Q.** But on this particular occasion, dealing with AR,  
 13 Mr Chance didn't escalate any concerns about the  
 14 enquiries made, did he?  
 15 **A.** No.  
 16 **Q.** I now want to look at your age verification processes  
 17 that you had in place at that time, so in May 2022. It  
 18 is right, isn't it, that, looking first at bows and  
 19 arrows, at that time you didn't have any  
 20 age-verification measures and you didn't use any  
 21 age-verified delivery?  
 22 **A.** For just bows and arrows?  
 23 **Q.** Just regular bows and arrows.  
 24 **A.** Not for just bows and arrows.  
 25 **Q.** In fairness to you, there's no requirement in the

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1 did this by using a Government-approved age-verification  
 2 solution called AgeChecked?  
 3 **A.** Yes, that's correct.  
 4 **Q.** That, as I understand it, checks details that you  
 5 provide from the customer against various databases?  
 6 **A.** Yes, so --  
 7 **Q.** It will give you either a pass or fail?  
 8 **A.** Yes, that's correct. So it would check the details that  
 9 the customer provides, so we wouldn't provide them  
 10 necessarily. It was like a bridge -- like a bridging  
 11 app that the customer would go through basically, and  
 12 then AgeChecked would provide us with a pass or a fail.  
 13 **Q.** In terms of the data that's used to do that check, is it  
 14 the name and address that's on the order?  
 15 **A.** Yes, that's correct.  
 16 **Q.** Do you ask them to provide -- could they provide one  
 17 name and address for the order and then separately input  
 18 a name and address for the purposes of age proof or do  
 19 you always use the name and the address --  
 20 **A.** The name on the shipping address, yes.  
 21 **Q.** If they pass that check, is it right that you wouldn't  
 22 ask them to provide ID in addition?  
 23 **A.** Not at the time, no.  
 24 **Q.** Is there any kind of crosscheck with the email address  
 25 used or the name on the payment method, or would it just

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1 be name and address on the order?  
 2 **A.** So it would be name and address that went through the  
 3 AgeChecked app but the software that we use does give  
 4 us, like, a fraud analysis, so if a different name is  
 5 being used, if the -- so if the name doesn't match the  
 6 name on the credit card or payment method, things like  
 7 that, and then if that gives us any warnings then we do  
 8 look at it more closely.  
 9 **Q.** To be clear, was that fraud checking additional  
 10 safeguard in place in 2022 or just now?  
 11 **A.** Yes, that's correct.  
 12 **Q.** You had that at the time?  
 13 **A.** Yes, that's correct.  
 14 **Q.** So there would be an additional check after -- so you  
 15 get your pass and fail, but would you then run a pass  
 16 through the fraud checking software or would you only  
 17 run a fail through?  
 18 **A.** We would check them all, yes.  
 19 **Q.** What happens if you get the AgeChecked result back and  
 20 it gives a fail for somebody?  
 21 **A.** So if it comes back failed then we would ask them to  
 22 provide a form of photo ID, such as driver's licence,  
 23 passport or anything with a PASS logo on it.  
 24 **Q.** Did it have to be a photo ID or could they have given  
 25 you a birth certificate?

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1 **A.** Then we would refund the customer and cancel the order.  
 2 **Q.** At the start, I took you through the relevant parts of  
 3 the Crossbows Act and you will recall that there was  
 4 a special defence, essentially, if you could show that  
 5 the order was placed using a driving licence, passport  
 6 or EU photocard; do you recall that?  
 7 **A.** Yes, that's correct.  
 8 **Q.** Or, under Section 1 you wouldn't commit the offence in  
 9 the first place if you could show you had a reasonable  
 10 ground for believing they were over the age of 18; is  
 11 that right?  
 12 **A.** Yes, that's correct.  
 13 **Q.** So based on the systems you had in May 2022, you  
 14 wouldn't have been able to rely on the specific defence  
 15 in section 1A, would you, because you didn't ask  
 16 routinely for a driver's licence, passport, et cetera?  
 17 It would only be those cases where you went on to do the  
 18 second check to ask for photo ID.  
 19 **A.** Yes, I guess that would be correct, yes.  
 20 **Q.** So looking back now, you were relying solely on proving  
 21 under Section 1, if this ever came about, that you had  
 22 a reasonable ground for believing they were over 18?  
 23 **A.** Yes. I believe just the fact that the app we were using  
 24 was Government approved gave us that bit of confidence,  
 25 to be honest, yes.

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1 **A.** It has to be a photo ID, yes.  
 2 **Q.** Who would check that ID?  
 3 **A.** Me and my other director.  
 4 **Q.** So it's checked by a person?  
 5 **A.** Yes, manually, yes.  
 6 **Q.** What would you check it against?  
 7 **A.** So we would make sure that it matched -- the details on  
 8 the ID matches the details on the shipping address.  
 9 **Q.** Okay, so it would have to be the same name?  
 10 **A.** Same name, address, things like that, yes.  
 11 **Q.** And address. Did you have any training on how to look  
 12 for fake or counterfeit ID?  
 13 **A.** Me personally?  
 14 **Q.** The people doing the checks.  
 15 **A.** Well, yes, it would just be me and my other director  
 16 doing the checks. We didn't have any training how to  
 17 spot fake IDs but we do know what IDs look like, so if  
 18 anything did look off then we would realise.  
 19 **Q.** Is there anything in particular you would look out for  
 20 that would alert you to the fact it might be a fake ID?  
 21 **A.** Yes, just spelling mistakes, if they differ, the ID  
 22 didn't have any, like, foil stickers on, anything like  
 23 that. That's what we would be looking out for.  
 24 **Q.** If someone can't pass that check of age verification,  
 25 what would happen to their order?

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1 **Q.** Just looking back now and reflecting, do you think it  
 2 would have been sensible to ask everyone for a passport  
 3 or driving licence, so that you would have brought  
 4 yourself within that defence, had a situation arisen?  
 5 **A.** Yes.  
 6 **Q.** Looking then at packaging in 2022, did your packaging at  
 7 that time have any stickers on it to say that it was  
 8 a 18-plus delivery?  
 9 **A.** No.  
 10 **Q.** No, and did you use any age-verified delivery? Again,  
 11 in fairness, I say that wasn't a requirement at that  
 12 time.  
 13 **A.** No, not at that time.  
 14 **Q.** I just want to compare now the differences between your  
 15 processes then and the processes that you are using  
 16 today.  
 17 **A.** Yes.  
 18 **Q.** If we could bring on screen the statement TAC000002,  
 19 page 4, and we're just going to look at the whole of  
 20 paragraph 17. You say now that customers have to be  
 21 18 years or older to use the website and purchase from  
 22 you; is that right?  
 23 **A.** Yes, that's correct.  
 24 **Q.** Do you have a way of enforcing that?  
 25 **A.** Do you mean like preventing people from ordering in the

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1 first place?

2 **Q.** Well, from using the website. Is there any way that

3 that's policed?

4 **A.** No. You can just go straight onto it, unless you --

5 sorry, unless your, for example, phone provider or

6 internet provider does block adult websites, then you

7 wouldn't be able to access it.

8 **Q.** All right. Do you do any kind of age verifying for

9 purchases of just regular bows and arrows?

10 **A.** We do now. We have probably done that for about six

11 months now, I think.

12 **Q.** Is it the same system as you have for crossbows?

13 **A.** Exactly the same, yes.

14 **Q.** You explain at paragraph 17 that what happens now is

15 that a person is emailed for age verification after they

16 make the purchase?

17 **A.** Yes, so after they place their order, they will be

18 emailed with instructions on how to set up their account

19 and then upload their ID in their account.

20 **Q.** You ask them to upload a valid form of photographic ID,

21 which is a driver's licence or passport; is that right?

22 **A.** Yes, that's correct, or anything with a PASS logo on.

23 **Q.** Or anything else which --

24 **A.** Just with a PASS logo.

25 **Q.** Okay. Just so we understand, what's a PASS logo?

21

1 software.

2 **A.** Yes.

3 **Q.** Could you just explain how that works?

4 **A.** So that's built into the e-commerce software that we use

5 and it's the same software as we spoke about earlier, so

6 it will tell us, like, their IP address, if they're

7 using a proxy to place the order, how far away the card

8 is registered from the shipping address, all sorts of

9 details that provide us information about their payment

10 method.

11 **Q.** You explain in your statement that you also conduct your

12 own background checks. Could you explain what checks

13 you do in that regard?

14 **A.** Yes, so with the background checks, we will check if

15 they have tried contacting us before, if they have had

16 any orders refunded before, so if they have just had any

17 previous contact with us, basically, just to make sure

18 that they are not trying to get around it.

19 **Q.** You go on to explain at paragraph 25 on page 6 that if

20 all of those -- so if all of those steps are passed you

21 then go on to send out the order using an age-tracked

22 service?

23 **A.** Yes, that's correct. So the customer will have to send

24 us a photo of their ID, go through all of our checks and

25 then, once all of those checks have passed, we will send

23

1 **A.** So I believe any ID with a PASS logo is a valid form of

2 age identification.

3 **Q.** Then you say that ID is then manually checked by three

4 people in the company, so is that by all three of you

5 that work there?

6 **A.** Yes, so me and my other director are the ones who sign

7 off on it, but all three of us will check and discuss to

8 see whether it's good to go or not.

9 **Q.** What exactly are you checking when you look at the ID?

10 **A.** So we're checking to make sure that the name and the

11 details on the ID match the name and the details on the

12 shipping address provided and also the billing, as well.

13 If there is another name on the billing address, for

14 example if somebody wanted to order it for a friend or

15 because they're at work, then we would also get the

16 person on the billing address to send in their ID, so we

17 would get, basically, all the IDs for all of the

18 addresses provided.

19 **Q.** In terms of checking whether it's a counterfeit or fake

20 ID, you explained earlier the kind of things you look

21 out for. Is it the same things now that you look out

22 for?

23 **A.** Yes, that's correct.

24 **Q.** We touched on it earlier, but you go on to explain in

25 your statement that you run a check against fraud

22

1 it using an age-tracked courier service which means

2 that, at the point of delivery, they will also have to

3 show their ID to the delivery driver and, if they can't

4 provide that, then it will be returned to us.

5 **Q.** When they show their ID to the delivery driver, does

6 that have to match the order details or are they just

7 proving they're a person over 18?

8 **A.** I believe with the age-tracked service they just have to

9 prove it's over 18 but there is another service where

10 you can -- it's strictly addressee only, where it would

11 have to go to the name on the order. But we tend to

12 send it age checked because that prevents anyone under

13 18 receiving the products.

14 **Q.** Okay, so you tend to use the first of those two, so they

15 just have to prove they're over 18, not necessarily that

16 they match the name --

17 **A.** Yes. It's almost like a fail-safe because if they did

18 send us a fake ID and somehow got through our systems,

19 then the age-tracked service would prevent that from

20 being delivered.

21 **Q.** Looking at paragraph 25, you say you send every order

22 using an age-tracked service. Just to be clear, is that

23 just crossbows or is that all orders that you dispatch

24 from your site?

25 **A.** Sorry, yes, that is just sort of all crossbows, part of

24

1 crossbows and bows. So if it's like a bag or  
 2 a backpack, then we wouldn't send that age tracked.  
 3 **SIR ADRIAN FULFORD:** But are you including bows as well?  
 4 **A.** Just in the last six months, yes.  
 5 **MS WAKEMAN:** So it would be crossbows, regular archery bows.  
 6 What about arrows?  
 7 **A.** Not arrows, no.  
 8 **Q.** What happens if the person can't show a valid ID to the  
 9 delivery driver, do you know?  
 10 **A.** Then the product would be returned to us and then we  
 11 would refund them and cancel their order.  
 12 **Q.** Then just turning to the packaging that you use now, you  
 13 explain at paragraph 17 of your statement, which will be  
 14 on the previous page, just at the top of that page is  
 15 perfect, that you use plain grey mailing bags and boxes  
 16 to ship:  
 17 "A shipping label is stuck onto the package  
 18 informing the delivery driver that they must check the  
 19 ... ID of the recipient."  
 20 Is that right?  
 21 **A.** Yes, that's correct.  
 22 **Q.** Then you say you stick another label on the packaging  
 23 with a large 18-plus logo and the warning text "MUST  
 24 ONLY BE DELIVERED TO AN ADULT"?  
 25 **A.** Yes, that's correct.

25

1 you're selling --  
 2 **A.** Yes.  
 3 **Q.** -- or use for violence. What do you say about that?  
 4 **A.** Yes, I totally understand how it looks from the outside  
 5 but just the fact of the name is when I first started  
 6 the company -- I've got a tech background and  
 7 I literally just Googled the most searched key phrases,  
 8 just so it would rank higher on Google. That's where  
 9 the name came from.  
 10 **Q.** But reflecting now, do you think that's an appropriate  
 11 name to continue to use for the company?  
 12 **A.** No, I can definitely see the sort of connotations it may  
 13 have but we are actually working towards changing that.  
 14 **Q.** You're working towards changing the name?  
 15 **A.** Yes, definitely, and sort of -- you know, changing to  
 16 something more sort of sport, outdoors related.  
 17 **Q.** Is that change coming about because of concerns about  
 18 potential connotations?  
 19 **A.** I would say so, yes, but this isn't just a recent thing.  
 20 We have been thinking about this for over a year now,  
 21 where we just want to change it to be more of a sort of  
 22 sporting goods store.  
 23 **Q.** You say in your statement that you believe that the  
 24 current systems for age verifying that you are using and  
 25 deliveries are effective enough in preventing underage

27

1 **Q.** If we could have a look at TACA000009. Is that a photo  
 2 of the additional warning label that you mention in your  
 3 statement that you stick on orders?  
 4 **A.** Yes, that's correct.  
 5 **Q.** Just to be clear, which orders would have this stuck on?  
 6 Would it be just crossbows or also bows and arrows?  
 7 **A.** All of the age-checked products, so if a product  
 8 requires ID, then that would be stuck onto the box or  
 9 the package.  
 10 **Q.** So would that be regular bows and arrows as well as  
 11 crossbows?  
 12 **A.** Now it will be, yes.  
 13 **Q.** Now.  
 14 **A.** Yes.  
 15 **SIR ADRIAN FULFORD:** Bows and arrows or just bows?  
 16 **A.** Sorry, just bows, yes. Just bows.  
 17 **MS WAKEMAN:** Thank you. We can take that down, thank you.  
 18 I now just want to go on to ask you a bit about how you  
 19 might have reflected since these events and also about  
 20 improvements.  
 21 The name of your company, if we start with that, is  
 22 Tactical Archery.  
 23 **A.** Yes.  
 24 **Q.** To an outsider, that might imply, using the word  
 25 "Tactical", some kind of military use of the items that

26

1 children from purchasing age-restricted products. Does  
 2 that still remain your view today?  
 3 **A.** I do believe that's true, yes. If retailers do follow  
 4 the processes, I think it is a pretty effective system.  
 5 I believe the system we have now is very effective.  
 6 **Q.** You also say in your statement that, with the benefit of  
 7 hindsight and a wider understanding of these events, you  
 8 are looking at introducing additional safety and  
 9 security measures to help identify potentially dangerous  
 10 customers, such as asking for details before proceeding  
 11 with the conversation. Would you mind just explaining  
 12 what you mean by that and what changes you're thinking  
 13 about it?  
 14 **A.** Yes, so what I meant by that was so like when AR  
 15 messaged us with no name, or anything like that, maybe  
 16 just from now on, going forward, we ask them to sort of  
 17 maybe fill in a form before they -- before they send the  
 18 message, just so that we have more details on who this  
 19 person is that is messaging us.  
 20 **Q.** So rather than having an email address which anyone can  
 21 email, you might have a form --  
 22 **A.** Yes.  
 23 **Q.** -- which asks for, for example, full name?  
 24 **A.** Yes, and -- yes, that's correct.  
 25 **Q.** Is it right you haven't introduced those measures yet --

28

1 A. Not yet, yes.  
 2 Q. -- but you're hoping to in the near future?  
 3 A. We will be introducing them in the future, yes.  
 4 Q. Okay. You may be aware that there are some changes --  
 5 potential changes going through Parliament at the moment  
 6 about online sales of crossbows. Are you aware of that?  
 7 A. Which part, do you know, or ...  
 8 Q. So there's a proposal for online sellers of crossbows to  
 9 check photo ID --  
 10 A. Yes, sorry, yes, I'm aware of that.  
 11 Q. -- either a passport or a UK driving licence, as well as  
 12 providing a current photo to prove that it is their ID.  
 13 A. Yes.  
 14 Q. There's also a proposed change to require the person  
 15 delivering the order to check that the photo ID of the  
 16 person receiving the package is over 18 and that they  
 17 match the details of the buyer of the item. So the idea  
 18 is that it would prevent a crossbow from being delivered  
 19 to a neighbour or left on a doorstep, for example.  
 20 A. Yes, yes.  
 21 Q. Have you made any preparations towards bringing in that  
 22 system? Obviously, that's some slightly additional  
 23 safeguards to those that you currently have?  
 24 A. Yes, I think we pretty much already do that because we  
 25 go above and beyond the law, to be honest, because we

29

1 I would rather have it age checked where it goes to  
 2 someone over 18.  
 3 Q. It may be that we know the answer to this question,  
 4 based on the fact that you have introduced some  
 5 additional measures yourself for non-crossbow archery  
 6 supplies, so essentially normal bows, but do you think  
 7 that that is an area where there needs to be greater  
 8 safeguards?  
 9 A. Yes, definitely, because, yes, those bows are just as  
 10 powerful as crossbows with modern technology, so yes,  
 11 I do think that should also be looked at.  
 12 Q. Are there any other improvements that I have not  
 13 mentioned then that you think would be useful in terms  
 14 of online retailers of crossbows and archery supplies?  
 15 A. I think, apart from getting the customer to send a video  
 16 with their ID, maybe some sort of -- some sort of  
 17 database that we can use, basically, to check customers'  
 18 information. That might be quite helpful.  
 19 Q. What sort of information would it be useful to have on  
 20 a database like that?  
 21 A. Well, definitely their age, their details, address,  
 22 maybe even sort of criminal convictions and things like  
 23 that, that could be good.  
 24 Q. We have covered quite a lot of ground there in quite  
 25 a short amount of time. Is there anything else that you

31

1 look at the law ourselves and, if we decide that it's  
 2 not good enough or secure enough, then we introduce our  
 3 own measures. We have been checking people's IDs for  
 4 quite a few years now, couple of years.  
 5 Q. The additional measures they are considering would be  
 6 asking for a photo as well as the photo ID?  
 7 A. Do you mean sort of like a selfie?  
 8 Q. Like a selfie, exactly.  
 9 A. Yes, yes, yes. I do think that would be a good thing.  
 10 I think even a video would probably be better because,  
 11 I mean, you can just send a photo of a ID and it could  
 12 not necessarily be theirs but I think a video would be  
 13 good.  
 14 Q. In terms of the deliveries, again, these proposed  
 15 changes go slightly further, I think, than what you  
 16 explained you were doing in the sense that it is not  
 17 just a check that the person receiving it is over 18,  
 18 it's that they're the same person that matches the order  
 19 details.  
 20 A. Yes. The only problem we have with that is our courier  
 21 only offers us age checked where it goes to someone over  
 22 18, or addressee only, where it goes directly -- where  
 23 it has to go to that person with the name, but like  
 24 I mentioned earlier, if that person did send us a fake  
 25 ID, I wouldn't want it to be strictly addressee only,

30

1 wanted to add, other than the questions I have asked you  
 2 about?  
 3 A. I believe that's everything.  
 4 **MS WAKEMAN:** I don't have any further questions, sir. If  
 5 I may just check -- Mr Weatherby doesn't have any  
 6 questions.  
 7 Sir, do you have any questions?  
 8 Questioned by THE CHAIR  
 9 **SIR ADRIAN FULFORD:** Just one. Over time, the what I'm  
 10 going to describe as the hoops that you have to jump  
 11 through have become increasingly extensive. In fact,  
 12 the way that you have described it, the processes, once  
 13 they are embedded, sound as though they are relatively  
 14 straightforward; is that a fair summary?  
 15 A. Yes, I believe that's correct.  
 16 **SIR ADRIAN FULFORD:** So, in your view, have the steps that  
 17 you have implemented -- have they, as far as you are  
 18 concerned, had an adverse or a beneficial effect on the  
 19 operation of your company?  
 20 A. In terms of -- in terms of sales, it hasn't affected our  
 21 sales but what we actually do hear from our customers --  
 22 because, at first, we did think, "Oh, our customers,  
 23 they don't want to provide all this information", but we  
 24 actually get comments from our customers saying, "I'm  
 25 glad you do check", and things like that. So I think

32



1 it's actually a good thing and us, as retailers, we  
 2 don't want to be selling these products to under 18s and  
 3 kids, do you know what I mean? We want to feel like  
 4 we're doing it responsibly and safely as well, so  
 5 I welcome any change that going to make our lives easier  
 6 and make everything safer for everyone, really.

7 **SIR ADRIAN FULFORD:** If I can just hone in then on one  
 8 aspect of that. You have considered whether this has  
 9 brought about a downturn in your sales and there has  
 10 been none that you have detected?

11 **A.** No, not really.

12 **SIR ADRIAN FULFORD:** That has been extremely helpful. Thank  
 13 you very much indeed --

14 **A.** Yes, no problem.

15 **SIR ADRIAN FULFORD:** -- for giving evidence and for  
 16 attending today.

17 Do you want me to rise?

18 **MS WAKEMAN:** Sir, if you're happy to carry on sitting, we  
 19 have our next witness ready and we can move straight on.

20 **SIR ADRIAN FULFORD:** Then we will do that. Thank you very  
 21 much.

22 **A.** No problem, thank you very much.

23 *(The witness withdrew)*  
 24 *(Pause)*  
 25 BENJAMIN JONES (affirmed)

33

1 **Q.** It's a privately-owned family business that employs  
 2 approximately 42 people, operates five retail shops and  
 3 also sells through its website, correct?

4 **A.** Yes.

5 **Q.** Who does Merlin sell to?

6 **A.** They sell to the general public, schools, holiday camps.  
 7 We pretty much encompass all aspects of archery.

8 **Q.** What sort of items do you sell?

9 **A.** Bows and arrows, accessories, bags, cases, the complete  
 10 range of archery equipment.

11 **Q.** Does that include crossbows?

12 **A.** Yes.

13 **Q.** There's also a reference in your statement to bladed  
 14 articles. What bladed articles do you sell?

15 **A.** They are the broadheads, they are the pointed arrows.

16 **Q.** You have a retail team in your shops --

17 **A.** Yes.

18 **Q.** -- and you also have an online team. Are they operated  
 19 by separate staff?

20 **A.** Yes.

21 **Q.** How is the website team staffed?

22 **A.** Well, we have a customer service department that does  
 23 share their resources between the physical shops and the  
 24 online shop, but we do have a dispatch team, which is  
 25 independent to the retail teams.

35

1 Questioned by MR BOYLE

2 **SIR ADRIAN FULFORD:** Thank you very much. Do have a seat.

3 **MR BOYLE:** Mr Jones, could you give your full name to the  
 4 Inquiry, please?

5 **A.** Benjamin Jones.

6 **Q.** Thank you. Could we have up on screen, please,  
 7 MERA000006. Thank you. Do you recognise that as your  
 8 witness statement, Mr Jones?

9 **A.** Yes.

10 **Q.** Thank you very much. Could we go to the -- actually  
 11 I think we can see in the top right-hand corner it is  
 12 dated 25 July 2025, and is that statement true to the  
 13 best of your knowledge and belief?

14 **A.** Yes.

15 **Q.** Thank you. I want to start, please, by just asking  
 16 about your background and your company. Is this right,  
 17 you are managing director of Merlin Archery Limited?

18 **A.** Yes.

19 **Q.** You have held that role since the company's  
 20 incorporation in 2009?

21 **A.** As a director, I wasn't the sole director at that time,  
 22 but yes.

23 **Q.** Merlin is a retailer and manufacturer of archery  
 24 equipment?

25 **A.** Yes.

34

1 **Q.** The customer service team, how are they trained in terms  
 2 of their knowledge of archery and the equipment that you  
 3 stock?

4 **A.** All new members of the team generally come from  
 5 a background of being experienced archers to begin with.  
 6 We often have a three-month enrolment process, where we  
 7 train in the unique aspects of where their weaknesses  
 8 may be. They may be stronger in one element of archery  
 9 and weaker in another.

10 **Q.** We will come on to age verification and enquiries and  
 11 things like that, but is the training to team members in  
 12 relation to those things?

13 **A.** Yes.

14 **Q.** I think you were kindly at the back of the hearing room  
 15 for Mr Sutherland's evidence, so I won't take you  
 16 through the legislation again. Before you attended  
 17 today, were you familiar with the Crossbows Act and the  
 18 provisions that were cited?

19 **A.** The Crossbows Act, yes.

20 **Q.** Yes. To be clear, you didn't sell a crossbow to AR, but  
 21 we saw that there is legislation prohibiting sale of  
 22 a certain draw weight of crossbow to under-18s; is that  
 23 right?

24 **A.** Yes.

25 **Q.** We also heard that there's no legislation specifically

36

1 applying to the sale of a bow; is that correct?

2 **A.** Yes.

3 **Q.** Are you able to help the Inquiry on why that is, to your

4 knowledge?

5 **A.** Yes, because archery equipment -- I'm unaware of any

6 issues with selling archery equipment in general.

7 I don't believe it's used in crime, that I'm aware of.

8 It's most definitely a sporting activity and it is

9 a common sport from all ages and abilities of people.

10 It's taught in some schools, scout groups -- it's a very

11 traditional form of sporting activity. I don't feel

12 that it's necessary to have the same protections against

13 crossbows -- sorry, against archery equipment, as there

14 would be against crossbows.

15 **Q.** You say in your statement that the vast majority of

16 inappropriate questions you receive as a company relate

17 to crossbow sales.

18 **A.** Yes.

19 **Q.** Are you able to just expand on that at all?

20 **A.** I would say virtually all inappropriate questions are to

21 do with crossbows. Some are probably legitimate

22 inappropriate questions, meaning it has come from

23 a background of ignorance, but it's no defence that

24 there are significantly more inappropriate questions.

25 Do you want me to elaborate on the type of questions?

37

1 Regarding the hunting enquiries, it is -- it's

2 probably only a handful but it is more likely that we

3 will get an enquiry about hunting than harm.

4 **Q.** Just moving from crossbows back to bow and arrows,

5 I think you said that you don't get the same level of

6 concern with bow and arrows and you gave a number of

7 examples of the way in which bows and arrows are used as

8 a sporting activity, correct?

9 **A.** Yes, no concerns whatsoever.

10 **Q.** But would you agree that a bow and arrow could be very

11 dangerous to someone with the appropriate level of

12 ability?

13 **A.** Yes.

14 **Q.** In 2022 and now, there are no measures in place to

15 address the sale of those bows to under-18s; is that

16 right?

17 **A.** That's correct, yes.

18 **Q.** Is that a cause for concern for you at all?

19 **A.** Not for regular archery equipment, no, it's not

20 a concern.

21 **Q.** We will perhaps come on to the current status later.

22 I just want to ask, please, about your age restriction

23 processes in 2022 and then we will come on to the

24 enquiries that AR made of you.

25 Could we have up, please, MERA000005. Thank you and

39

1 **Q.** What I just want to clarify is when you say

2 "inappropriate", do you mean "concerning", in other

3 words people that are wanting to use crossbows for

4 malicious reasons?

5 **A.** For what reasons, sorry?

6 **Q.** Malicious reasons.

7 **A.** Some for sure, yes.

8 **Q.** Yes, I think it would help to just have a bit more

9 understanding of that.

10 **A.** Okay. Often the misunderstanding is that there may be

11 questions related about wanting to use a crossbow for

12 hunting, which is not allowed in the UK, and -- to put

13 it into context, they are quite rare as well. It's not

14 like we're getting questions constantly and we're

15 fielding off these enquiries, but we have had a few

16 enquiries about -- I have to give you an example. One

17 example was, "What power would be required to kill

18 somebody?". We had a recent one about penetration of

19 eyes. There are a very few enquiries like that but they

20 are concerning enquiries when you get them, yes.

21 **Q.** Just to give some idea of the frequency, are we talking

22 monthly, annually?

23 **A.** In the last 12 months, we have found it necessary to

24 contact the police three times about the malicious-type

25 ones.

38

1 if we could zoom in, into the "Age Restricted Products"

2 and text below, please. So I think this is the guidance

3 on your website in 2022 about age-restricted products;

4 is that correct?

5 **A.** Yes.

6 **Q.** Thank you. Starting with the point that:

7 "Any age restricted product will be clearly

8 described as such on the product page for that item."

9 So the age-restricted products have warnings on the

10 pages, do they --

11 **A.** Yes.

12 **Q.** -- on their individual pages? You make the point that

13 it is an offence to buy an age-restricted product and

14 you say that you want to make sure:

15 "... all our age restricted products are sold only

16 to those of appropriate age. In addition to clearly

17 labelling all our age restricted products we also carry

18 out age verification checks and keep a database of

19 refusals."

20 The reference to labelling there, is that a label on

21 your website?

22 **A.** On the website, yes.

23 **Q.** Thank you. Then you go on to say:

24 "If we are unable to get a positive ID match via

25 public means, we will contact you for further

40

1 information.  
 2 "If you are unwilling or unable to provide suitable  
 3 proof of age documentation, your order will be  
 4 cancelled."  
 5 Can we just go through this in a step-wise process,  
 6 so you explain in your statement, at paragraph 21, that  
 7 the first check that you would carry out for a new  
 8 customer is on the electoral roll; is that correct?  
 9 A. At the time, yes.  
 10 Q. Thank you. We will just stick with at the time but  
 11 I will give you an opportunity to explain --  
 12 A. Of course, yes.  
 13 Q. -- any changes that have been made since.  
 14 If you were unable to verify a customer on the  
 15 electoral roll, you would email them asking for  
 16 a passport or driver's licence?  
 17 A. Yes.  
 18 Q. So for online orders, you were not checking  
 19 identifications by default, only if there was an issue  
 20 with the electoral roll?  
 21 A. Yes, at the -- yes, correct.  
 22 Q. Thank you. I don't know if you heard the questions to  
 23 Mr Sutherland about the legislation that was in place  
 24 under the Crossbows Act, but the offence under Section 1  
 25 is if you believe the customer to be 18 years of age or

41

1 Q. Might it be that you weren't aware that, if you checked  
 2 the identification, you had a statutory defence to  
 3 Section 1?  
 4 A. Yes, I'm aware.  
 5 Q. In hindsight, do you think you should have been aware of  
 6 that difference?  
 7 A. Yes.  
 8 Q. We will come on to changes made but do you think it  
 9 would have been sensible to check identifications when  
 10 Section 1A came in, which was in 2020?  
 11 A. 100 per cent, yes.  
 12 Q. In store, you tell us in your statement that you do ask  
 13 for proof of ID for everybody.  
 14 A. Yes.  
 15 Q. So is it right: were you setting a higher standard of  
 16 identification for in store purchases than you were for  
 17 online purchases at that time?  
 18 A. It does appear that way, yes.  
 19 Q. In terms of online selling, obviously you can't see or  
 20 speak to the customer, you can't check the  
 21 identification against the person in front of you and  
 22 there's a risk of interception of a parcel to a named  
 23 recipient. Would you agree that the risk is greater  
 24 when you are selling an age-verified item remotely --  
 25 A. Yes.

43

1 older and have reasonable grounds for that belief --  
 2 sorry, if the sale is made with that belief, then you  
 3 have not committed the offence.  
 4 A. Yes.  
 5 Q. Correct? But there is a statutory defence at  
 6 Section 1A, where, if you carried out the check of an  
 7 identification which is specified, you have that  
 8 statutory defence. Were you aware of that difference in  
 9 the legislation?  
 10 A. Between the ID versus the electoral roll?  
 11 Q. Were you aware that, although you only committed the  
 12 offence if you didn't have the reasonable belief of the  
 13 age --  
 14 A. Yes.  
 15 Q. -- if you checked the identification, you would have met  
 16 the statutory defence in Section 1A?  
 17 A. Yes.  
 18 Q. I recognise this is a legal nicety.  
 19 A. Yes.  
 20 Q. You were aware of that difference?  
 21 A. Of the defence?  
 22 Q. Yes.  
 23 A. Yes, I -- I would say yes. I can't recall it from what  
 24 we were doing at the time but I was fully aware that you  
 25 had to verify that the age of the person was over 18.

42

1 Q. -- than to someone in store? I think you say that in  
 2 only two of five of your stores did you actually stock  
 3 crossbows because the level of training that was needed  
 4 to sell them.  
 5 A. Yes, the level of experience to be able to adequately  
 6 advise in a face-to-face environment just -- it's quite  
 7 high for crossbows. The variety of products is vast and  
 8 I found it more appropriate that we only limited the  
 9 stocking of the crossbows to the two shops that have the  
 10 most senior and most experienced staff.  
 11 Q. When you say experienced, do you mean experience in the  
 12 technicalities of crossbows or experience in the kind of  
 13 age verification and checking ID requirements?  
 14 A. In the technicalities of crossbows and the use of  
 15 crossbows.  
 16 Q. Did staff monitoring online enquiries have similar  
 17 levels of knowledge and training to those in those two  
 18 stores?  
 19 A. Some of them did, yes.  
 20 Q. Would it be unfair to say that the checks on online were  
 21 a bit less onerous than the checks that were being done  
 22 in store?  
 23 A. Yes, that would be fair, on reflection, yes.  
 24 Q. Can I ask you now about the electoral roll check that  
 25 you did.

44

1 A. Yes.

2 Q. Which details were you running against the electoral  
3 roll when you received an order?

4 A. You can put the name and address of the purchaser into  
5 a database and it will return whether the -- whether  
6 they are matched at that address with that name.

7 Q. Just to be clear, when you say "the purchaser", do you  
8 mean the address on the payment card -- sorry, the name  
9 on the payment card, the name on the delivery address or  
10 the name of the account holder?

11 A. If the delivery address was different to the order  
12 address, we would check both.

13 Q. You would check both.

14 A. Perhaps with the exception if it was being delivered to  
15 a business.

16 Q. So if you are only checking one, there might be a risk  
17 that someone underage puts in false details to have the  
18 item delivered elsewhere with -- sorry, let me start  
19 again. Puts in false bank details -- sorry, I'm going  
20 to start right again. They might enter parent's bank  
21 details to have a crossbow delivered to themselves, if  
22 you were to only check one?

23 A. Correct, we would always check the delivery address.

24 Q. And vice versa as well?

25 A. Yes.

45

1 implemented and have had for a long time, where we log  
2 refusals for -- so that gives us the ability to  
3 crosscheck -- if the person was to attempt to place an  
4 order in the future, part of our process is to check  
5 against previous purchase history or any refusals in the  
6 past.

7 Q. How were staff trained to identify suspicious enquiries?

8 A. From -- a senior member of the team would give examples  
9 of what would be classed as a suspicious question.

10 Q. Were you satisfied that those issues were being picked  
11 up at the time?

12 A. Yes.

13 Q. Thank you. I want to move on now to the emails between  
14 AR and Merlin Archery. Could we have up MERA000002.  
15 Thank you. If we could just zoom into the top message.  
16 So we see the message here from -- just we're given the  
17 initials "AR" and it is signed from "A" on 3 May 2022 at  
18 10.30 am. The request is:

19 "Hi,  
20 "If I bought a 18+ product how would you verify my  
21 age, do you verify ID online or does the delivery person  
22 check my ID at my door?"

23 Just stopping there, is that an unusual query?

24 A. On reflection, it could be considered unusual, but it's  
25 not unusual in the fact that people may be asking what

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1 Q. Thank you. If you were unable to verify on the  
2 electoral roll, you would email customers requesting  
3 a copy of the passport or the driver's licence?

4 A. Yes.

5 Q. Did you have any mechanisms to detect the use of fake  
6 identification?

7 A. Not specifically and that is a vulnerability that's been  
8 highlighted.

9 Q. Thank you. Back in May 2022 and still now, there were  
10 no requirements to put warnings on packages of crossbows  
11 or do age-verified deliveries; is that right?

12 A. Yes.

13 Q. I don't think you were doing either of those things --

14 A. No.

15 Q. -- at the time. So the online check was the only  
16 measure in place to stop underage purchases?

17 A. Yes, correct.

18 Q. We have covered in outline enquiries in general terms  
19 about crossbows. Other than the check that we are  
20 talking about, did you have any other safeguards around  
21 purchases, for example if enquiries were made by someone  
22 when making a purchase?

23 A. Certainly if the enquiries were in any way suspicious,  
24 it would be highlighted. We had a -- and still do  
25 have -- a register, a crossbow register, that we

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1 the process is on how to purchase a product, so it  
2 didn't particularly flag as something that needed to be  
3 reported.

4 Q. So just on its own, that might be an adult wondering if  
5 they have the appropriate identification and when they  
6 will be required to provide it?

7 A. Yes, but I do acknowledge that that could be construed  
8 as someone under the age of 18 attempting to figure out  
9 the process of getting one.

10 Q. So it might start to raise concerns?

11 A. Yes.

12 Q. The next section is:

13 "Also, do I have to be 18 to receive the product  
14 when it is at my door?"

15 Is that a more concerning query?

16 A. Yes, I would acknowledge that that could be construed as  
17 someone under 18.

18 Q. The former might be about the practicalities of  
19 providing identification but the latter seems to be  
20 about the age of the person making the enquiry, doesn't  
21 it?

22 A. Yes.

23 Q. It is hard to see why an adult would ask that question,  
24 isn't it?

25 A. Yes, I would agree.

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1 Q. Can we go down, please, to the response. So we have the  
 2 response from Oliver of the Merlin Archery team, that's  
 3 someone from your online or your customer sales  
 4 division, is it?  
 5 A. Yes.  
 6 Q. Thank you. Oliver gives the reply that we see there,  
 7 so:  
 8 "[You] would need to verify your age before we can  
 9 dispatch an item."  
 10 Then giving the explanation of checking the  
 11 electoral roll. Then if that doesn't -- the electoral  
 12 register and, if necessary, then asking for a follow-up  
 13 photo of a passport or driving licence.  
 14 If a customer service person sees a suspicious  
 15 enquiry and recognises it as such, what would you expect  
 16 them to do?  
 17 A. If that would be considered suspicious, it would be --  
 18 it would have been raised to a senior person but I don't  
 19 think, on the face of it, it was suspicious enough to be  
 20 flagged as an excessively concerning exchange of  
 21 messages.  
 22 Q. Sorry, the first message you don't think was suspicious  
 23 enough to be flagged?  
 24 A. Sorry, could you repeat the question?  
 25 Q. Yes. We see the response that happened in fact.

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1 A. I expect we would still give the reply on the  
 2 requirements of what is needed to order an  
 3 age-restricted product.  
 4 Q. Looking back at the first set of queries and  
 5 particularly the request about, "Do I have to be 18 to  
 6 receive the product when it is at my door?", do you  
 7 think that Oliver should have deemed it suspicious?  
 8 A. It is difficult to answer because of where the level  
 9 would need to be put for us to report that. So if the  
 10 refusal of selling a product because we suspected  
 11 someone of being underage, is the expectation that we  
 12 should be reporting that to the authorities or just not  
 13 selling --  
 14 Q. I'm going to come on to reporting it.  
 15 A. Okay.  
 16 Q. But I think you have a system for suspicious deliveries  
 17 internally --  
 18 A. Yes.  
 19 Q. -- sorry, suspicious enquiries internally, which you  
 20 have explained, which is the entering on the register,  
 21 and I'm just asking should that course of action have  
 22 been taken based on this question?  
 23 A. On reflection, that should be considered suspicious,  
 24 yes.  
 25 Q. Could we move on, please, to the second page, thank you.

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1 A. Yes.  
 2 Q. If Oliver had identified the first message as  
 3 suspicious, what would you have expected him to do?  
 4 A. If he would have thought it as suspicious, he would have  
 5 added it on to our register for checking any future  
 6 orders because, whenever we get a new order in, we  
 7 always crosscheck the email that it comes from with any  
 8 previous correspondence and it would have been  
 9 highlighted on our crossbow register as a refusal.  
 10 Q. We see the reply that was received. Does that mean that  
 11 Oliver didn't deem that to be a suspicious request?  
 12 A. No, he didn't deem it to be suspicious.  
 13 Q. If he had deemed it suspicious, would he have replied  
 14 giving details of exactly what checks would be made?  
 15 A. Well, we always reply with details of the checks, if  
 16 they are asked for.  
 17 Q. Because if someone underage is trying to make an  
 18 enquiry, what they need to know is how to bypass that  
 19 system, don't they?  
 20 A. I see where you're going, yes, okay.  
 21 Q. So we see here that Oliver didn't deem it suspicious and  
 22 gave the full details.  
 23 A. Yes.  
 24 Q. If he had deemed it suspicious, he would have entered  
 25 that into a register, would he have given this reply?

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1 So we then had a response to Oliver from AR, and this  
 2 message is:  
 3 "I would like to purchase from Tactical Archery but  
 4 I would prefer discrete [*sic*] packaging, which doesn't  
 5 provide any information on what is inside the box.  
 6 Could I see a photo of what the external packaging of  
 7 your products look like?"  
 8 The request clearly is going to the wrong company;  
 9 is that a cause for concern?  
 10 A. We have had that before, unfortunately, and we have also  
 11 had people chasing orders, like "Where is my delivery?",  
 12 when they didn't order it from us, so it's -- obviously,  
 13 that same message could have been sent to multiple  
 14 people and he just forgot to change the name of the  
 15 company.  
 16 Q. Yes, I understand that as a general principle but, in  
 17 the context of questions about the age and the  
 18 packaging, isn't that a cause for concern?  
 19 A. Oh, the packaging. On reflection, yes.  
 20 Q. So --  
 21 A. But I would like to qualify that, that most people,  
 22 I would suggest, would not want the items that they have  
 23 ordered, no matter what they have ordered, identified on  
 24 the outside of packaging, so it's pretty standard for us  
 25 to send items out in brown paper or brown boxes. But,

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1 yes, there is some suspicion there that somebody is  
 2 wanting to hide the contents, rather than privacy  
 3 concerns.  
 4 **Q.** Is that right, that most people don't want to know  
 5 what's inside the packaging, why is that?  
 6 **A.** Why they wouldn't want it advertised on the outside of  
 7 the packaging what might be inside the packaging?  
 8 **Q.** Why is that?  
 9 **A.** I think just general privacy. So the postman doesn't  
 10 see what you're getting delivered or your neighbours  
 11 don't see what's in the parcels. I think that would be  
 12 a fair assessment.  
 13 **Q.** An outside observer might think that the reference to  
 14 Tactical Archery shows that AR is making requests of  
 15 a number of companies to try to understand which is most  
 16 likely to satisfy the delivery; do you see that?  
 17 **A.** Yes.  
 18 **Q.** We know that that is, in fact, exactly what AR was  
 19 doing. Shouldn't Oliver have picked that up as a cause  
 20 for concern?  
 21 **A.** Yes. On reflection, yes.  
 22 **Q.** Thank you. Again, in the context of the other requests,  
 23 in that context, is a request about discreet packaging  
 24 one that should cause concern?  
 25 **A.** In context with the other messages, yes, it should.

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1 **Q.** -- because it had already been replied to.  
 2 As I said, AR did not then go on to buy a crossbow  
 3 or any other items from Merlin Archery, as far as you  
 4 have been able to ascertain; is that right?  
 5 **A.** That is correct, yes.  
 6 **Q.** Thank you. Bows, arrows, crossbows have the potential  
 7 to cause serious harm, so do you agree that a careful  
 8 approach to online sales, particularly in the context of  
 9 crossbows, is needed?  
 10 **A.** Crossbows absolutely: categorically, yes. I don't see  
 11 the same -- I don't see the equivalence with archery  
 12 equipment to crossbows. They are distinctive --  
 13 distinctly different categories.  
 14 **Q.** I think you have accepted in the context of these  
 15 enquiries that it should have raised suspicion. Can  
 16 I ask why you think that it wasn't identified at the  
 17 time?  
 18 **A.** I can only say in comparison to other contacts that we  
 19 do get that are more clear cut of being suspicious, when  
 20 you're trying to understand about packaging and  
 21 process -- of course, on reflection, yes. I'm just  
 22 trying to put it in the context of what we sometimes do  
 23 get that we do get classed as suspicious, this wouldn't  
 24 really reach the bar of feeling that we ought to report  
 25 it.

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1 **Q.** Then if we can go on, please, thank you. So Oliver  
 2 gives the response:  
 3 "... so [they] are as discreet as they can be ..."  
 4 Again, I assume if Oliver had actually been  
 5 suspicious about these enquiries he wouldn't have  
 6 provided the full information about the systems in  
 7 place; is that right?  
 8 **A.** Yes, if he was suspicious, he wouldn't have provided it.  
 9 For example, if an enquiry comes in that's more  
 10 obviously suspicious, you don't continue to engage with  
 11 them on how to purchase the product.  
 12 **Q.** Could we have up, please, MERA000003. Then we have  
 13 a final request. It's very similar to the previous one  
 14 but, in the first, he was asking Tactical Archery for,  
 15 I think, a photograph of the packaging and this time he  
 16 is asking:  
 17 "Does the exterior packaging give any indication of  
 18 what is inside the box?"  
 19 So I think the same principles apply, but might that  
 20 persistence also have raised an alarm with Oliver?  
 21 **A.** Yes.  
 22 **Q.** I think that we see he responded to the same question on  
 23 another email and I think there was a decision not to  
 24 respond to this one --  
 25 **A.** Yes.

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1 **Q.** Do you think that it might be sensible to have greater  
 2 training for staff on what should raise a suspicion for  
 3 them and what should be escalated, as it were?  
 4 **A.** Yes, and that is something that we have implemented  
 5 a new system, with a different approach to managing  
 6 suspicious emails.  
 7 **Q.** Thank you. Are you satisfied with that approach now  
 8 that the staff have the training but also the time to  
 9 consider these sort of queries carefully?  
 10 **A.** Certainly they have the time. There is no urgency that  
 11 emails must be responded to within a timeframe. We  
 12 don't put that pressure on our employees and there is  
 13 more clarity on how we grade suspicious enquiries.  
 14 **Q.** Thank you. Could we have up, please, your paragraph 18  
 15 which is at page 3 of your statement, which is  
 16 MERA000006. So you said:  
 17 "In my opinion, while there could have been some  
 18 low-level suspicion that the enquiry could be from  
 19 someone underage seeking to buy a crossbow, it would not  
 20 be enough for us to contact the police."  
 21 I think in terms of the former, do you agree that it  
 22 is more than a low-level suspicion now?  
 23 **A.** Now, yes. It was clearly more than a low-level  
 24 suspicion.  
 25 **Q.** Can I now just move on to reporting things to the

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1 police.  
 2 A. Yes.  
 3 Q. You say:  
 4 "... no expectation for us to contact the police for  
 5 refusing to sell to an underage person."  
 6 I'm deliberately taking these out of order, and  
 7 a belief that Police would not be interested; is that  
 8 right?  
 9 A. Yes. That was my feeling at the time that I wrote that  
 10 and I do still feel that, if we were to contact the  
 11 police because we refused to sell to an underage person,  
 12 that no action would be taken.  
 13 Q. Would you expect to be told by police about the outcome  
 14 when you report a matter to them?  
 15 A. No, but what -- if I can clarify a bit, it may be the  
 16 expectation that they wouldn't be interested, meaning  
 17 they wouldn't come and take a statement because of other  
 18 examples that we have had to deal with.  
 19 Q. Where the police have not come and taken a statement?  
 20 A. Yes.  
 21 Q. Might it depend on the person making the request?  
 22 A. What, the person from Merlin making the request --  
 23 Q. Yes.  
 24 A. -- depend on that? I wouldn't have thought they would  
 25 have treated the request any differently, no matter who

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1 A. Yes.  
 2 Q. What were the circumstances around that?  
 3 A. It wasn't a refusal so much as that they were going to  
 4 come and see us and then they got redirected somewhere  
 5 else. So we did have a concerning incident relating to  
 6 some -- two gentlemen that were in the shop, made --  
 7 they were causing trouble and made some very concerning  
 8 statements, which is one I referred to earlier, and when  
 9 we refused to serve them, they refused to leave and  
 10 continued to be rude and insult the staff and making  
 11 other customers uncomfortable. The decision was made by  
 12 the store manager to call the police for assistance.  
 13 Unbeknown to him, one of the other members of staff was  
 14 already on the phone to police as well because it was  
 15 more than one person deciding to call the police, that  
 16 was how uncomfortable it was.  
 17 I wasn't there myself, just for clarity, this is  
 18 after my investigation. They said they would send  
 19 somebody out right away but nobody arrived -- I need to  
 20 just back pedal a little bit. Once we were on the phone  
 21 to the police and the customers were aware that we were  
 22 on the phone to the police, they did then leave and that  
 23 was noted to the police, that they had, in fact, left  
 24 while they were on the phone to the police, but they  
 25 said they are still going to send somebody and that was

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1 it came from.  
 2 Q. Well, in these circumstances, you actually didn't have  
 3 any details to give the police other than "AR" and "A",  
 4 correct?  
 5 A. Correct.  
 6 Q. But if you had had a name and that name was of someone  
 7 that the police were concerned about, they might take  
 8 that information more seriously; do you agree?  
 9 A. Yes.  
 10 Q. Have you considered requiring people to provide details,  
 11 for example their name, when they make an enquiry of  
 12 you?  
 13 A. When they contact us by email? No.  
 14 Q. Is that something that might assist in the future?  
 15 A. Well, my instinct would be, if somebody wanted to hide  
 16 their name, they wouldn't provide the name or they would  
 17 provide a different name, so I'm not sure what the  
 18 benefit would be.  
 19 Q. So Mr Sutherland talked about having an online form.  
 20 You would be concerned that people would put false  
 21 details into that form?  
 22 A. If their intention was to hide their name, yes.  
 23 Q. Can you just describe -- I think you give an example in  
 24 your statement of the Police refusing to assist you when  
 25 you had a concern in one of your stores, is that right?

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1 great, somebody was going to come.  
 2 I think an hour or so later they hadn't come and it  
 3 was past closing time. My store manager called the  
 4 police again to ask if there would be a follow-up and if  
 5 you are indeed coming, and they said, "Yes, they're  
 6 still coming but they may be late or not at all". So  
 7 they waited until 7.00 or 8.00 in the evening, in the  
 8 shop, nobody came, so they locked up and went home and  
 9 that was the end of the contact.  
 10 Q. Mr Jones, do you have any concern that the police don't  
 11 appreciate, or didn't appreciate, the dangers of the  
 12 items that you stock?  
 13 A. I'm sure they're aware of the items that we sell; they  
 14 must be. It was -- I don't know the exact transcript of  
 15 what was said on the phone but, even the title "Merlin  
 16 Archery" as a company suggests archery equipment, at the  
 17 very least, and I guess that reflects back to my other  
 18 comment about that they wouldn't be interested for  
 19 a more low-level situation. Of course, on reflection,  
 20 it wasn't low-level at all, but when they can't respond  
 21 to something that is in the moment happening where we  
 22 need assistance, it doesn't encourage us to continue to  
 23 report things of lesser nature.  
 24 Q. Yes. Which police force was this?  
 25 A. That was the Staffordshire police force.

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1 Q. At the time that you made your statement in July this  
 2 year, the age verification process was the same as it  
 3 had been in 2022, but you committed to reviewing that  
 4 process to see if there were any vulnerabilities.  
 5 A. Yes.  
 6 Q. Have you completed that review now?  
 7 A. Yes.  
 8 Q. What progress have you made with it?  
 9 A. We have implemented the verified age deliveries. That  
 10 was the number one concern.  
 11 Q. You suggest in your statement that it would be  
 12 beneficial to require compulsory identification to be  
 13 provided. If we could have up please page 5,  
 14 paragraph 32. Have you implemented that?  
 15 A. We have always had a crossbow sales register and we have  
 16 always asked for ID. One of the improvements we made in  
 17 that regard is that we now scan a copy of the ID.  
 18 Rather than making a note of the type of ID and the  
 19 details of the ID, and the name and the address of the  
 20 person, we now scan a copy of the ID for traceability.  
 21 Q. Just to be clear, for online sales do you require  
 22 identification to be provided?  
 23 A. Yes, my apologies. We no longer use the electoral roll  
 24 as a verification method. It's only physical ID.  
 25 Q. Thank you. Do you place any labels on your packaging?

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1 refuse a sale for an underage person but, certainly, we  
 2 have refused sales for over-18s. That feels like  
 3 a greater concern.  
 4 Q. Do you have any ideas about how those persons could be  
 5 identified?  
 6 A. Concerns on how they could be identified?  
 7 Q. So on malicious acts -- so, I mean, one suggestion might  
 8 be that you are provided details or you are able to  
 9 search the identification of someone and you are given  
 10 a return, for example, by the police as to whether they  
 11 are suitable to be sold to an age-verified item?  
 12 A. For crossbows, yes, and I am -- I would like to ask for  
 13 more government centralised help in how to -- like  
 14 a correct and industry standard type procedure for age  
 15 verification. The information on the Government website  
 16 can be interpreted as slightly vague because they tell  
 17 you that you must verify their age but they leave it to  
 18 the retailer's discretion on how to do that. I think  
 19 something as significant as that should be clear cut,  
 20 black and white: these are the processes you follow.  
 21 The same for the -- because of the potential  
 22 malicious intent for crossbows, if there was a way we  
 23 could verify identity through a Government portal, or  
 24 some other -- some way that takes the risk of us  
 25 misunderstanding the process or not doing it adequately,

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1 A. Now we do, yes.  
 2 Q. Are you aware of the changes that are to come in for the  
 3 Crime and Policing Bill, in relation to crossbow sales?  
 4 A. I have become aware of it in preparation for this, yes.  
 5 Q. Yes, thank you. Are you proposing to adopt those  
 6 changes in the near future?  
 7 A. The photographic ID and the --  
 8 Q. I think the extra requirements would be photographic ID  
 9 and the delivery would have to be to the person that  
 10 made the purchase.  
 11 A. If that's required, yes. It does make total sense to do  
 12 that. We would have no issue implementing it. I only  
 13 became aware of it yesterday, to be honest so I have not  
 14 had time to fully understand the consequences of how it  
 15 would be enacted, but anything to secure and further  
 16 improve the sale of crossbows -- prevent the sale of  
 17 crossbows to underage would be great.  
 18 But more so than that, I would -- I think we should  
 19 be trying to prevent the sales to people that have  
 20 malicious intent, as you said. You know, that is the --  
 21 if I can be frank, that seems to be, from my view, the  
 22 much greater concern from our interactions that we have  
 23 had with people and incidents that we have had, we  
 24 have -- I asked other people in our -- some of the  
 25 senior management and we don't recall ever needing to

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1 it would be a huge help for the industry.  
 2 Q. You talk about the crossbow sales register. What's the  
 3 benefit of that?  
 4 A. It gives us more comfort that we know where all the  
 5 crossbows have been sold and we can crosscheck it, like  
 6 when we have -- if we blacklist a customer and they --  
 7 another concern would be that -- if I may just add  
 8 a little bit, while it's on my mind.  
 9 If we blacklisted somebody because of the nature of  
 10 the questions and we deemed it necessary to notify the  
 11 police, there's nothing stopping them just going to the  
 12 next shop, having learned what the process would be,  
 13 like you alluded to earlier, which I didn't quite absorb  
 14 fully at the time, but they could learn from different  
 15 shops what processes are in place to allow themselves to  
 16 ask the right questions at a different retailer. One of  
 17 my concerns in the review I did was how to track  
 18 blacklisted customers.  
 19 Q. So there might be a system whereby police are able to  
 20 identify persons of concern but I think maybe you are  
 21 also suggesting an industry-wide system for doing that  
 22 as well?  
 23 A. I would like -- I could -- I would like to spend more  
 24 time fleshing it out but the questions we've got --  
 25 there has been two or three times we have needed to

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1 contact the police. There is an argument to say that  
 2 some of the other concerns about hunting may be  
 3 misunderstood but, when someone is asking specifically  
 4 about physically harming somebody or what power you need  
 5 to do something, that information really should be  
 6 populated. If it came on an email, that email address  
 7 should be somehow registered on a portal that we can all  
 8 have access to. I'm just thinking off the top of my  
 9 head a little bit, but that is a concern, how would we  
 10 track those people?

11 **Q.** Thank you, Mr Jones, and if you have any further  
 12 thoughts please do put them in writing to us.

13 Is there anything else that you wish to add?

14 **A.** I specifically wanted to mention the Government-backed  
 15 ID verification method. That was my number one thing  
 16 I wanted to get across. I don't think there should be  
 17 any interpretation open to that. It should be: you  
 18 follow these procedures, with this method and then you  
 19 will comply.

20 I would like a way of retailers maybe being able to  
 21 register somewhere where we can be given updates on  
 22 potential law changes that are coming in, like the crime  
 23 bill that you referred to earlier, and that photographic  
 24 ID and the video, I had no idea about that until --  
 25 obviously something like this suddenly wakes you up and

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1 crossbows because we're not in it for maximising sales  
 2 of crossbows. It's the sport and the target shooting is  
 3 the number one central driver for what we do, so the --  
 4 more restrictions on crossbows, no problem. But I would  
 5 be against more restrictions on archery equipment.

6 **SIR ADRIAN FULFORD:** So that leads me to my, well,  
 7 penultimate question. One thing -- and I may be  
 8 splitting hairs -- but one word you have now used twice  
 9 is the word "regular", in relation to archery equipment.

10 **A.** Yes.

11 **SIR ADRIAN FULFORD:** Do I detect from that that, within the  
 12 arena of bows, there are different kinds and that you  
 13 may see a proper basis for applying restrictions in  
 14 relation to certain forms of archery?

15 **A.** Crossbows would be categorised as archery and you were  
 16 correct that, even though crossbows would be classed as  
 17 archery equipment, there is most definitely a divide  
 18 between what the average archer would consider archery  
 19 equipment and many archers may not consider crossbows as  
 20 their thing. But there are many different types of bows  
 21 within non-crossbow archery.

22 **SIR ADRIAN FULFORD:** That's really what I want to focus on.

23 **A.** Yes, okay.

24 **SIR ADRIAN FULFORD:** So this is absolutely not my field at  
 25 all, but the bows that were used at Agincourt have now

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1 you start researching everything, but I didn't know  
 2 about that. So some way of notifying retailers would be  
 3 reassuring for us as well, so we don't accidentally not  
 4 comply.

5 **MR BOYLE:** Thank you, Mr Jones. I will just see if there  
 6 are any other questions. No.

7 Thank you.

8 Questioned by THE CHAIR

9 **SIR ADRIAN FULFORD:** Just a couple of things from me,  
 10 Mr Jones.

11 **A.** Yes.

12 **SIR ADRIAN FULFORD:** Without going into the detail of it,  
 13 you, I think, were in the Inquiry room when  
 14 Mr Sutherland was describing the range of measures that  
 15 they have now implemented, which, if I have understood  
 16 this correctly, really apply across the board to  
 17 crossbows and bows. It might be said that that company  
 18 has gone above and beyond.

19 Was there any part of the description that he gave  
 20 of their measures which you think would be  
 21 inappropriate?

22 **A.** The age restriction on regular archery equipment I do  
 23 think would be inappropriate and unnecessary but I would  
 24 comply 100 per cent -- if I may add, you did ask about  
 25 the impact of sales. I'm willing to sacrifice sales on

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1 developed somewhat and there are some items which are  
 2 sold as bows which look altogether more sophisticated  
 3 items --

4 **A.** Yes.

5 **SIR ADRIAN FULFORD:** -- than a longbow.

6 **A.** Yes.

7 **SIR ADRIAN FULFORD:** Now, do you see, within that range, any  
 8 of those which you think ought in fact, because of their  
 9 degree of sophistication, to have additional controls  
 10 put on them?

11 **A.** I would say no again. One of my roles within the  
 12 business -- I design compound bows, which is the more  
 13 sophisticated one that you're thinking of, but they are  
 14 designed for target shooting. But the nature of the  
 15 power is -- can be product dependent. Like you  
 16 reference the Agincourt bow, the power of an Agincourt  
 17 bow was something to behold and it doesn't automatically  
 18 mean that a compound bow versus a longbow -- one will  
 19 always be more powerful than the other but, if you were  
 20 to push it to the extreme, the compound bow is the most  
 21 technologically advanced and does deliver the highest  
 22 energy output. But within target shooting and with  
 23 compound bows now being accepted into the Olympics,  
 24 there are limits on the power for target shooting and  
 25 the speed of the arrow, but the -- one of the measures

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1 of how powerful a bow is, is the speed of an arrow, but  
 2 even those numbers can be manipulated. It's very  
 3 complicated to say that particular bow gives certain  
 4 concerns over another, so I would not --

5 **SIR ADRIAN FULFORD:** I think your more fundamental point is  
 6 that from, as it were, where you are sitting, you have  
 7 detected a problem in relation to people inappropriately  
 8 buying crossbows, you have no experience of anyone  
 9 attempting to inappropriately buy ordinary bows.

10 **A.** No, none -- if I was to comment -- the recent one where  
 11 we contacted the police, those customers -- it was  
 12 a more general -- crossbows were in the conversation,  
 13 archery bows were in the conversation. It was just  
 14 a terrible situation. That one aside, I don't recall  
 15 ever, in years and years, like decades I'm saying, of  
 16 issues with regular -- I keep using that word "regular  
 17 archery equipment" because there is a divider between  
 18 crossbow and regular archery equipment.

19 **SIR ADRIAN FULFORD:** My last question is this: towards the  
 20 end of your evidence, you indicated that, if you were  
 21 given time to flesh matters out, you might be able to  
 22 describe, as it were, with greater detail and precision,  
 23 what you consider might be useful changes for the  
 24 future.

25 **A.** Yes.

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1 Questioned by MR MOSS

2 **SIR ADRIAN FULFORD:** Thank you very much. Please have  
 3 a seat.

4 Yes, Mr Moss.

5 **MR MOSS:** Thank you, sir. Just start by giving us your full  
 6 name, if you would, please.

7 **A.** Christopher Ashworth.

8 **Q.** Thank you. Can we have on the screen EVRI000002. Can  
 9 you just confirm, Mr Ashworth, that this is your  
 10 statement to the Inquiry, which I think you signed on  
 11 18 August of this year?

12 **A.** It is.

13 **Q.** Are the contents of that statement true to the best of  
 14 your knowledge and belief?

15 **A.** They are.

16 **Q.** You tell us in your statement that you are the Chief  
 17 Customer Officer at Evri Limited; is that correct?

18 **A.** I am.

19 **Q.** That was previously called Hermes Parcelnet Limited and  
 20 you are responsible for technology, strategy and  
 21 innovation at Evri, as well as the development of Evri's  
 22 customer-facing products; is that correct?

23 **A.** It is indeed.

24 **Q.** On a day-to-day basis, just give us a brief thumbnail  
 25 sketch, if you would, what are your responsibilities,

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1 **SIR ADRIAN FULFORD:** Would it be an undue burden to ask you  
 2 to do that?

3 **A.** Of course not. I would do anything required.

4 **SIR ADRIAN FULFORD:** Thank you very much indeed. If I was  
 5 to ask for that within the next fortnight, would that be  
 6 a reasonable expectation, Mr Jones?

7 **A.** I would probably like to consult with some other  
 8 retailers as well. It depends on the extent of the --  
 9 the detail of the proposal that I would want to give.

10 **SIR ADRIAN FULFORD:** All right. Shall we say until the end  
 11 of October?

12 **A.** Would you clarify what you actually want me to do?

13 **SIR ADRIAN FULFORD:** We will write to you with that in mind.

14 **A.** Yes, of course, thank you.

15 **SIR ADRIAN FULFORD:** That's been extremely helpful. Thank  
 16 you very much indeed.

17 **A.** Thank you.

18 **SIR ADRIAN FULFORD:** Time for a break?

19 **MR BOYLE:** Yes, sir. So the next witness is Mr Ashworth of  
 20 Evri.

21 **SIR ADRIAN FULFORD:** Right. I will sit again at 12.05.

22 (11.42 am)

23 (Short Break)

24 (12.06 pm)

25 CHRISTOPHER ASHWORTH (affirmed)

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1 what do you deal with in the company?

2 **A.** All technology, so we keep the company up and running  
 3 and processing parcels. I deal with development of  
 4 products and propositions for all sides of the  
 5 marketplace. I run our customer service teams, design  
 6 the customer experience and I'm also responsible for the  
 7 marketing teams and PR teams in the business.

8 **Q.** Thank you. Customer service, I think, part of -- when  
 9 you say customer experience, I think customer service  
 10 falls within your purview as well?

11 **A.** It does indeed, yes.

12 **Q.** You have been working for Evri for nine years. Were you  
 13 in the logistics and parcel business before that?

14 **A.** Yes, I have been in parcels for about 20 years. I have  
 15 worked for Yodel, ArrowXL and Hermes, latterly Evri.

16 **Q.** So it is obviously a big business, parcel logistics, and  
 17 you are pretty senior within Evri and have good  
 18 understanding of the industry generally; would that be  
 19 fair?

20 **A.** That would be correct.

21 **Q.** Turning to understand a little bit about Evri's  
 22 business, again we only need to deal with this at a high  
 23 level really, but you explain in your paragraph 3 that  
 24 Evri provides parcel logistics and final mile delivery  
 25 services. No doubt the clue is in the name, but just

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1 explain the "final mile delivery services"? What does  
 2 that mean in plain English?  
 3 **A.** In essence, we deliver to the doorstep for most of the  
 4 top 100 retailers in the UK, predominantly domestic  
 5 services but we do have some international. We deliver  
 6 about 1 billion parcels a year, just under 1 billion  
 7 parcels a year. What does that look like? On a typical  
 8 day, 2.5 million parcels a day. At Christmas that will  
 9 peak up to about 4.2 million this year. We generally  
 10 use 20,000 couriers a day, self-employed couriers, to  
 11 deliver that kind of volume. That will spike to about  
 12 30,000 couriers a day.

13 **Q.** In particular, when I come on probably towards the end  
 14 of my questioning but in a sense throughout, when I'm  
 15 asking you about the individual delivery to AR we will  
 16 keep that in mind that you are a business doing  
 17 2.5 million a day, but I also want, on behalf of the  
 18 Chair, to encourage you to use that experience to  
 19 explain in terms of automated systems where there may be  
 20 scope for improvement.

21 **A.** Okay.

22 **Q.** But you describe in paragraph 4 of your statement that  
 23 Evri deals with both business to consumer -- you have  
 24 explained the business to consumer part -- but also  
 25 consumer to consumer parcel delivery. That may not be

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1 it and we chose not to take any of that volume.  
 2 I think, practically, we have 30,000 couriers in the  
 3 final mile. When you're operating in our part of the  
 4 market, there's a lot about speed. Those couriers will  
 5 deliver sometimes two rounds a day, so somewhere between  
 6 200 to 300 parcels a day. Our network is not set up for  
 7 complicated interactions on the doorstep. There's a lot  
 8 of -- most people in this room will have received  
 9 a parcel. Some of us are always happy with the way  
 10 parcels are received and the safe places are used a lot  
 11 in our network. Sometimes a courier will choose a safe  
 12 place that has been designated by technology or agreed  
 13 with a customer, sometimes it is assumed. I couldn't be  
 14 100 per cent sure that a courier wouldn't rely on  
 15 a customer agreement to deliver something like a blade  
 16 and, as such, I didn't want any blades in our network.

17 **Q.** So there's an element of moral choice about that and  
 18 an element of not wanting to run the risk and the  
 19 reputational risk; would that be fair?

20 **A.** Correct, and the pure practicality of ensuring 100 per  
 21 cent compliance.

22 **Q.** You tell us that within the parcels market, the fact  
 23 that Evri don't offer an age-verified service is well  
 24 known, so online retailers -- presumably you mean the  
 25 big ones -- but also it is made clear in your

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1 so relevant for today but just explain what that is.

2 Does that mean that I, as a member of the public, can  
 3 book a parcel from you to go to a friend or a relative?

4 **A.** Absolutely, so we open up those services through  
 5 a website and/or an app and you can inject your parcel  
 6 into our network, either from collection by courier or  
 7 through about 15 -- well, 12,000 parcel shops or 2,000  
 8 lockers that are around the UK.

9 **Q.** Thank you. In paragraph 7 of your statement -- perhaps  
 10 we should have that one on screen so it is EVRI000002 at  
 11 page 2, please. You say there that Evri as a company  
 12 have:

13 "... always taken the view that Evri should not  
 14 offer [the product of age-verified delivery] because the  
 15 delivery of bladed items, or any other items or  
 16 substances covered by the Offensive Weapons Act is not  
 17 an area of the delivery market that Evri serves."

18 Is that correct?

19 **A.** Correct.

20 **Q.** Why is that? There is obviously business there to be  
 21 had; is there a particular reason why Evri doesn't go  
 22 into the area of age-verified deliveries at all?

23 **A.** I would say there's two reasons: firstly, morally, we  
 24 just didn't want to carry that kind of traffic, it just  
 25 didn't sit comfortably with us as a board. We discussed

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1 interactions with prospective and current clients?

2 **A.** Absolutely. It's in all of our contracts, it's on our  
 3 website, it's replicated on any partner's website and if  
 4 any customer or client asks us will we carry knives, the  
 5 answer is "no".

6 **Q.** Against that background, let me turn to Evri's  
 7 involvement with a delivery to AR and the Chair has  
 8 heard quite a lot of evidence about this already. In  
 9 terms of the delivery of the machete which ultimately  
 10 had come from Hunting & Knives, could we look at the  
 11 shipping confirmation, EVRI000006, please. So this is  
 12 one of your exhibits. Could we just enlarge the text  
 13 just a little bit. Who would have sent out this  
 14 shipping confirmation? Can you just help with the  
 15 ground reality of it.

16 **A.** This looks like the shipping confirmation came from Ageo  
 17 Wholesale and it references the shipping details, which  
 18 is shipped by Parcelhub, a reseller to Evri, and the  
 19 information we would have received would have been that  
 20 pure shipping line:

21 "Parcelhub -- Evri -- Whistl PacketPOD."

22 **Q.** Thank you. So just going through those, the "POD"  
 23 signifies what? You explain it in your statement but  
 24 just set it out for us.

25 **A.** Proof of delivery. In the context of this parcel, that

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1 would have been a photo with any facial pictures  
 2 excluded, so it would generally be a photo of an open  
 3 door with maybe some feet in and the parcel in, and  
 4 a geolocation of where that event took place.  
 5 **Q.** Thank you. So whereas for this Inquiry we would  
 6 positively want to establish exactly who took possession  
 7 of this delivery, your requirements in terms of not  
 8 storing personal data means -- many of us may have an  
 9 everyday familiarity with this -- the picture gets taken  
 10 and you are told to step back so you don't appear in the  
 11 photograph; is that fair?  
 12 **A.** Correct.  
 13 **Q.** It's got a tracking number as well and we see the  
 14 billing information and the shipping information, both  
 15 to Olakunle, sometimes referred to in our documents as  
 16 "Samuel", and AR's home address.  
 17 There's a payment method there indicating Visa. In  
 18 relation to that, would you have had any involvement  
 19 with the payment and whether the payment details matched  
 20 the name and the address?  
 21 **A.** No.  
 22 **Q.** The shipping method is "Regular Shipping -- Shipping  
 23 Cost", and so is it fair to say that on this shipping  
 24 confirmation it is clear that it is not a special type  
 25 of delivery, it's not an age-verified delivery?

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1 Ruach Music, who then have a contract with Whistl, who  
 2 then have a contract with you, and you do the ultimate  
 3 delivery. Is that unusual to have that, to outside  
 4 eyes, slightly complex supply chain?  
 5 **A.** Most of our volume is contracted directly with -- we  
 6 will call them a client, but a retailer, so we will  
 7 build a relationship with a retailer, we will work  
 8 within their supply chain, understand what they are  
 9 sending, agree with them how it is going to be packaged  
 10 and presented and work a customer journey that's going  
 11 to be working for that retailer's customers.  
 12 In this regard, that wasn't this relationship. This  
 13 is a small proportion of our volume -- I couldn't give  
 14 you the percentages but it will be somewhere around  
 15 10 per cent -- comes into our network from resellers.  
 16 At that point, our role is purely transactional. The  
 17 reseller does all of that pastoral care with their  
 18 client and merely injects that volume into a carrier's  
 19 network. So, in this case, the reseller Parcelhub with  
 20 the trading name of Whistl, they will probably have  
 21 an agreement with all the carriers based on price and  
 22 parcels, and they will choose where to send the volume.  
 23 **Q.** You explain in paragraph 14 of your statement -- let me  
 24 check that I have understood it correctly -- that, for  
 25 some of Whistl's big clients, you know of their identity

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1 **A.** No -- sorry. This is one of our cheapest delivery  
 2 services. So it's a packet, so a loosely wrapped item  
 3 that's possibly to be delivered through the letter box  
 4 and with a proof of delivery, which will be a photo of  
 5 it going through, or to be left with a customer, if it  
 6 didn't fit through a letter box.  
 7 **Q.** Thank you. I think that can come down from the screen,  
 8 please. We know that -- you set it out in your  
 9 statement -- that Evri, as a company, didn't have any  
 10 direct relationship with Ageo Wholesale or Hunting &  
 11 Knives; is that correct?  
 12 **A.** Absolutely correct.  
 13 **Q.** Other than that there's that single word "Ageo", you  
 14 wouldn't have known about huntingandknives.co.uk as  
 15 being --  
 16 **A.** We didn't --  
 17 **Q.** Just wait for the question.  
 18 **A.** Sorry.  
 19 **Q.** You wouldn't have known about huntingandknives.co.uk as  
 20 being the ultimate seller of this product?  
 21 **A.** That's correct, but we didn't even know of Ageo either.  
 22 **Q.** Thank you. How common is this type of arrangement  
 23 because we know that your contract is with Whistl, and  
 24 we'll look at that, but the chain goes from Ageo/Hunting  
 25 & Knives to SJ Henderson, who have a linked company,

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1 and they get a Child ID in your system; is that right?  
 2 **A.** That's correct.  
 3 **Q.** But here -- and I don't think there's any suggestion  
 4 that Ruach Music were a particularly big client of  
 5 Whistl -- there was no Child ID for you, in relation to  
 6 this particular parcel or these sets of parcels?  
 7 **A.** That's correct. There's usually a tipping point where  
 8 Whistl would want to track volume of a certain number,  
 9 so they will assign a Child ID, but they will be dealing  
 10 with thousands of retailers, so they would only do it  
 11 where it makes sense to do it.  
 12 **Q.** So the direct interface that you would have in, I think  
 13 you indicated, probably 90 per cent of your business  
 14 with the retailer --  
 15 **A.** Correct.  
 16 **Q.** -- you are relying here in the 10 per cent, the  
 17 Whistl-type case, on the reseller, here Whistl, doing  
 18 all of the interface with the seller of the goods?  
 19 **A.** Correct.  
 20 **Q.** You are -- I'm sure I'm doing a disservice to the  
 21 complexity -- but, basically, you are taking the parcel  
 22 from A to B and doing little more?  
 23 **A.** Correct. The parcel would be injected into our hub and  
 24 we will take responsibility of it to get it into the  
 25 customer's hands in the final mile.

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1 Q. Although there is helpful detail in your statement in  
 2 relation to this, does it come to this, that your  
 3 evidence to this Inquiry would be that Evri was wholly  
 4 unaware that this parcel originated from Hunting &  
 5 Knives --  
 6 A. Absolutely.  
 7 Q. -- and wholly unaware that it contained a bladed item?  
 8 A. Absolutely.  
 9 Q. You would say, no doubt, that at no stage did Whistl or,  
 10 for that matter, anyone else higher up in the supply  
 11 chain, inform you that it did or might contain a bladed  
 12 item?  
 13 A. Correct.  
 14 Q. I want to ask you one aspect about this. Could we have  
 15 on the screen, please, RUAM000003. You will see here,  
 16 and I think you have seen this, the statement of  
 17 Mr Henderson --  
 18 A. Correct.  
 19 Q. -- of Ruach Music and could we go, please, to page 5  
 20 within this and paragraph 18. I think it's towards the  
 21 bottom of the page. Mr Henderson is dealing here with  
 22 the very early orders, I think, from Mr Martínez of  
 23 Hunting & Knives/Ageo, and he says:  
 24 "Our records show that in March 2022 there were 22  
 25 separate orders (containing 23 products) shipped by Ageo

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1 Mr Martínez's evidence that the overwhelming majority if  
 2 not every single up with of those items, are knives. So  
 3 Mr Henderson's evidence is that that went to Whistl.

4 Knowing the systems as you do, would that  
 5 information also have gone to Evri or not?  
 6 A. Not. We have a pre-advised standard -- specific,  
 7 technical, pre-advised standard. That would not be  
 8 passed through, that standard.  
 9 Q. The pre-advised standard, if it doesn't contain  
 10 information like this that would have been available to  
 11 Whistl -- and obviously I will ask Mr Polglass about  
 12 it -- but what does the pre-advised information contain,  
 13 if it does not contain information like this?  
 14 A. Generally it's the parcel number, the address and the  
 15 service that that parcel has been contracted on.  
 16 Q. So in --  
 17 A. Sorry, it will also include some geographic round  
 18 sorting information for our hubs to know which round to  
 19 sort that parcel on, through the automation.  
 20 Q. So in terms of the filter down of information, this is  
 21 detail that gets filtered out between you and Whistl?  
 22 A. Correct.  
 23 Q. Is there any reason why that happens? Would it not be  
 24 useful for you to at least have this on your systems?  
 25 A. No. It's just not part of our customer journey. When

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1 to our facility as one consignment ... under this  
 2 integration, and I can see that the descriptions for  
 3 products included in this consignment did include  
 4 a reference to 'knives' and similar references."  
 5 He gives an exhibit, which I'm going to go to in  
 6 a moment, but I will just read on:  
 7 "This information was provided by Ageo for the  
 8 purposes of onward shipping."  
 9 So Mr Henderson's accepting that this information  
 10 has gone from Ageo to his company, and then he says  
 11 this:  
 12 "Whistl as the nominated courier would have also  
 13 received a record of this description on its system.  
 14 Because we have an online integration with all of our  
 15 couriers, realtime data is passed from our warehouse  
 16 management system to the courier at point of  
 17 dispatch/label creation."  
 18 Before I ask you anything about this, could we just  
 19 have the exhibit on the screen, which is RUAM000006  
 20 please. Could we have the text, please, at the top of  
 21 the page highlighted. Now, this is the constant  
 22 frustration of a spreadsheet printed out, that you will  
 23 see that the column is cut off, but if you look down the  
 24 product name there, even though sometimes the word  
 25 "knife" is cut off in the description, it's evident from

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1 we notify a customer it's all about when a parcel is  
 2 entering our network and when it's likely to be  
 3 delivered, the time slot it will be delivered and giving  
 4 the customer choice of controls if they're not going to  
 5 be in. There is no reason for us to need to know what's  
 6 in that parcel because we prohibit anything that's  
 7 dangerous.

8 Q. Yes, so far as that goes. But if this information had  
 9 been passed on, it would have been a clear warning to  
 10 you as a company that something had gone wrong because  
 11 the wrong type of materials were in this order?

12 A. Correct, correct, but pre-advice works in -- in our  
 13 industry, we're dealing with 4 million parcels a day.  
 14 We're one of the largest e-commerce economies in the  
 15 world, 7 billion in the year. Most people will be  
 16 ordering their deliveries late at night and expecting  
 17 that parcel to be delivered first thing in the morning.  
 18 So we will receive electronic information of the parcel  
 19 that's coming and it is purely about the speed of  
 20 service and where it is going and the contracted nature.

21 That parcel will live under our roof for  
 22 approximately two minutes. It will get knocked off --  
 23 sorted off the back of one trailer, go through the  
 24 automation and on to another. So we don't -- we  
 25 wouldn't do anything with that information within

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1 a parcel because of -- it's the contracted information  
2 we're interested in: where is it going and what speed of  
3 service.

4 **Q.** One could understand why that is the main focus and, in  
5 fairness to you as a company, you do have guidance, that  
6 we will come on to, that makes clear that you don't  
7 carry knives. But, again, I want to test and probe  
8 deliberately the systems to see whether there's scope  
9 for improvement.

10 **A.** Yes.

11 **Q.** Is there not the scope for a technological solution to  
12 this in terms of, for example, having these product  
13 names and having an AI system that checks for flagged  
14 language, of which, for you, knives would be one?

15 **A.** There is definitely a possibility for improvement, if we  
16 had that information. I don't think it would be  
17 a silver bullet. Our recommendation is, if you want to  
18 stop this, the place to stop it is at the point of sale  
19 and, if a retailer can't control the point of sale and  
20 ensure it's injected into a network that's capable of  
21 delivering knives, then we should ban the sale of knives  
22 online.

23 If we had this information, of course we could  
24 filter for that. AI is becoming more intelligent. It  
25 would have to be something that operated at scale. It

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1 a quarter.

2 When we opt through a reseller, those activities  
3 aren't carried by us. This is very much a cheaper  
4 transactional rate and the expectation is that that  
5 operation is performed by the reseller, it's part of  
6 their value add in that supply chain.

7 **SIR ADRIAN FULFORD:** What is an in-plant on the client's  
8 warehouse?

9 **A.** So we would have a client account manager dedicated to  
10 that client who would spend part of their time in the  
11 client's premises, in their warehouse, understanding the  
12 product type, understanding the packaging and the  
13 presentation of that and the loading of vehicles, so we  
14 ensure we have a quality experience for that client and  
15 the customers of that client.

16 **SIR ADRIAN FULFORD:** This is for the 90 per cent?

17 **A.** Yes.

18 **MR MOSS:** Yes. It is a technical area so, if you can use  
19 plain English wherever you can to explain the process --

20 **A.** Sure, sorry.

21 **Q.** -- it will help everyone.

22 Returning to this particular parcel you explain in  
23 paragraph 15 of your statement that, having received the  
24 Inquiry's request, you searched the barcode for this  
25 parcel delivery but there is no record now linked to it

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1 would be a significant investment but we could do that,  
2 yes.

3 The challenge, I think, would be for the retailers  
4 to set up their systems to pass that information through  
5 in a timely fashion.

6 **Q.** The system would only be as good as the information that  
7 got passed on?

8 **A.** Correct, and I imagine the larger the retailer, the more  
9 efficient they will be. The challenge you will have is  
10 when you go to smaller retailers and smaller  
11 manufacturers, et cetera. A lot of that would be  
12 manual. One man's "kitchen knife" could be another  
13 man's "kitchen utensil". So data input could be a risk.

14 **Q.** In terms of the system that was involved, were you ever  
15 aware of any sort of spot checking being done by higher  
16 up the supply chain of the type of delivery that you  
17 were doing? So if this should have been age verified,  
18 were you ever aware of Ageo, for example, checking with  
19 customers that it had been age verified on delivery?

20 **A.** We were unaware of Ageo being down that supply chain, so  
21 no. If you're asking me generally, if this is one of  
22 our clients, we would have an in-plant in that client's  
23 warehouse who would be on the floor once every 30 days,  
24 and a client of a larger size would have  
25 a board-to-board representative who would meet once

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1 held on your systems; is that correct?

2 **A.** That is correct.

3 **Q.** You set it out in your statement -- I don't think we  
4 need to bring it up -- that the reason for that --  
5 please correct me if I am wrong -- but the reason for  
6 that is simply because of the way that your data systems  
7 work, that you, after a time, delete data that you  
8 shouldn't hold for data protection reasons, and this has  
9 been caught by that deletion.

10 **A.** Absolutely.

11 **Q.** So you are not saying to this Inquiry that it wasn't  
12 delivered by Evri, you accept, I think, that it would  
13 have been, but you don't have any data now about the  
14 delivery itself?

15 **A.** That's correct.

16 **Q.** We have heard from data that is retained by Whistl, that  
17 their data suggests that the parcel was handed to Evri  
18 on 25 October and it was made, the delivery, at 9.51 on  
19 26 October 2023 at the first attempt and if that is what  
20 the Whistl data shows, I don't suppose that you would  
21 disagree with it?

22 **A.** Absolutely not.

23 **Q.** Insofar as it matters, do you know -- you say in your  
24 statement that the data retention for you is, I think,  
25 13 months. Is that an industry standard? It seems

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1 a relatively short period of time.

2 **A.** So we separate transactional data from personal data.

3 So the transactional data, the billing of it, is kept

4 for seven years or longer, for tax purposes. But

5 anything associated with the final mile delivery, we are

6 obliged to remove and we settled on 13 months because

7 it's a period where no claim -- or any issue that's

8 maybe raised by the recipient will be closed by that

9 time.

10 **Q.** Thank you. I want to turn now to some detail about your

11 contractual relationship with Whistl. You have had

12 business with them for about ten years?

13 **A.** Yes, I think it's longer actually but, yes, ten years,

14 for the purposes of this.

15 **Q.** If we can have on the screen, please, EVRI000003. If we

16 can just go on to the second page, please. We see at

17 the bottom of the page that an email was going from

18 a Matthew Swift -- sorry, could we just have it back as

19 it was. So it's going from Matthew Swift on

20 19 September to Evri effectively, it's Hermes at that

21 time.

22 **A.** Yes.

23 **Q.** But then saying -- thank you, if we can enlarge it:

24 "Hi Both,

25 "As the Offensive Weapons Act 2019 ... will come

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1 **A.** Correct.

2 **SIR ADRIAN FULFORD:** Which paragraph is that?

3 **MR MOSS:** Paragraph 11, sir.

4 **SIR ADRIAN FULFORD:** Thank you.

5 **MR MOSS:** Could we have on screen, please, EVRI000004. This

6 is that contract and we can see that it is not signed

7 and you deal with that in your statement, but the reason

8 for my bringing it up -- could we just look at page 14,

9 please. Page 14. At clause 4.9, if that could be

10 enlarged please;

11 "The client warrants ..."

12 The "client" here would be Whistl?

13 **A.** Correct.

14 **Q.** "The client warrants that the goods contained in any

15 Parcel shall not contain

16 "4.9.1 any product with a blade which is capable of

17 causing a serious injury to a person which involves the

18 cutting of that person's skin ..."

19 Then 4.9.2 deals with corrosive substances under the

20 Offensive Weapons Act.

21 So the significance, if any, of this contract is

22 that, if it was governing your relationship with Whistl,

23 there was a formal warranty from Whistl to you that

24 parcels would not contain bladed items --

25 **A.** Correct.

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1 into force shortly

2 "In response to this new legislation, and to help

3 our customers who want to send parcels contain certain

4 bladed items (for example, knives, blades or axes), can

5 you confirm if you have a different set of services to

6 manage this and are there additional charges involved?"

7 Then asking for you to give some detail about that,

8 about how it would be run in terms of challenging age,

9 and so on.

10 If we go to the top of the page, it looks like there

11 may have been a bit of a chaser:

12 "Can I please get confirmation of your stance ...

13 "I am assuming it's a straight no but need this

14 confirming please."

15 Then if we go to the first page, there was what

16 might be thought to be a pretty unequivocal response

17 from your Senior Business Development Manager:

18 "Unfortunately we are not able to handle this work."

19 **A.** That's correct. That gentleman is the in-plant, he is

20 the gentleman that manages the relationship with Whistl

21 on our behalf.

22 **Q.** Thank you. You say -- that can be taken from the

23 screen -- in paragraph 11 of your statement that Evri

24 provides services to Whistl under a contract which

25 started on 1 February 2023; is that right?

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1 **Q.** -- or at least bladed items falling within the

2 description of 4.9.1; is that right?

3 **A.** That's right.

4 **Q.** That can be taken off the screen, thank you.

5 You say in paragraph 11 that the contract wasn't

6 signed but was sent to Whistl's Director of Commercial

7 Operations on 7 February 2023.

8 Sir, for your note, that's EVRI000005 but I don't

9 suggest we bring it up.

10 **SIR ADRIAN FULFORD:** Thank you very much.

11 **MR MOSS:** And was subject to commercial negotiation and

12 agreement; is that right?

13 **A.** That is correct, yes.

14 **Q.** You may be aware that Mr Polglass of Whistl takes

15 a different view of this and he says --

16 Sir, for your note, we will come to it with him

17 obviously, but it is WHI000009 at paragraph 12.

18 He says that:

19 "The document had been provided to Whistl in

20 February 2023 for review, but it was still under

21 negotiation, its specific terms had not been agreed by

22 October 2023 (and in fact, this document was not agreed

23 afterwards ...). The unsigned 2023 contract contains

24 a clause relating to bladed products which was a new

25 clause from Evri and had not been in previous contracts

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1 which had been provided to us."  
 2 What do you say about that?  
 3 **A.** Well, that is not my understanding. The commercial  
 4 terms were certainly applied at that time and were  
 5 gratefully received. Our website is absolutely clear on  
 6 prohibited items and that is reflected also on Whistl's  
 7 website and, of course, we have the note where we are  
 8 rejecting bladed items. We do not carry bladed items.  
 9 We have never carried bladed items. The whole industry  
 10 knows we don't carry bladed items, hence the approach  
 11 from Whistl in 2019 asking would we consider, to which  
 12 we said no.  
 13 **Q.** I don't want to elevate this difference of view between  
 14 you and Mr Polglass, and between Evri and Whistl, too  
 15 much because it's plain from Whistl's evidence, which we  
 16 will come to after yours, that they were aware that Evri  
 17 didn't have age verified and didn't allow knives.  
 18 I think the difference is whether this is a contractual  
 19 warranty to this effect.  
 20 **A.** Exactly.  
 21 **Q.** But could I just ask you this: you have spoken about the  
 22 2.5 million parcels, but you and Whistl are two of the  
 23 big players in this area in the UK; would you agree?  
 24 **A.** Yes, yes.  
 25 **Q.** It might be thought somewhat surprising and perhaps

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1 have it up I think, but that slightly more complex  
 2 language about "capable of piercing the skin" I think  
 3 has been simplified and your current contractual terms  
 4 just say:  
 5 "The client warrants and undertakes that the goods  
 6 contained in any parcel shall not contain any product  
 7 with a blade".  
 8 Is that right?  
 9 **A.** Correct, yes.  
 10 **Q.** Do you understand that to be the clear current  
 11 contractual position with Whistl, as opposed to what was  
 12 in place in 2023?  
 13 **A.** I would have to check that with my legal counsel but  
 14 I expect so.  
 15 **Q.** Can you just -- again, thumbnail sketch please, but can  
 16 you just -- coming away from the legalities and the  
 17 legal detail, how does it work in practice? What would  
 18 the expectations be of how Whistl and any supplier  
 19 higher up the supply chain -- what would your  
 20 expectations have been about how in practice they should  
 21 ensure that prohibited items didn't get put in parcels  
 22 for you to deliver, because you don't have sight of  
 23 what's inside the parcel and you don't necessarily even  
 24 have a description?  
 25 **A.** No, and we can't open a parcel either -- to check

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1 somewhat concerning that there's a dispute between you  
 2 as to the contractual position in relation to bladed  
 3 items. On a safety and precautionary first basis,  
 4 that's something which should be extremely plain on the  
 5 face of agreements, shouldn't it?  
 6 **A.** It's not typical. Over 90 per cent of our contracts are  
 7 contracted, you know, with written, signed contracts,  
 8 but this is also something that does happen and it  
 9 typically happens where resellers are involved. I think  
 10 they find they have more contractual fluidity around  
 11 rates and volumes when they don't sign a contract. But,  
 12 you know, the warranty is an issue between us and them.  
 13 What is black and white is we do not carry weapons, we  
 14 do not carry bladed weapons and Whistl were well aware  
 15 that we did not carry a bladed weapon.  
 16 **Q.** Yes, but it's not a good situation that two of the big  
 17 players cannot agree to what the actual contractual  
 18 terms were around bladed items. So what's the answer to  
 19 my question? That is something that you would expect to  
 20 be clear in the contractual terms between you and  
 21 Whistl; would you not agree?  
 22 **A.** Ideally, we would want all of our contracts to be  
 23 contracted and signed, yes.  
 24 **Q.** Your current standard client terms you deal with in  
 25 paragraph 13 of your statement. Again, we don't need to

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1 either, under the Postal Services Act.  
 2 All I can say is how we would manage a client. So  
 3 we would work with that client and understand what they  
 4 are carrying. We would look at their product in their  
 5 warehouses as well, to see how it is processed and how  
 6 it is packaged and how it is presented. We would even  
 7 look at how it is stacked within their vehicles, the  
 8 time at which their vehicles arrive at our hubs, so that  
 9 we can unpack their product and process them through our  
 10 hubs safely. There are certain types of products that  
 11 we wouldn't put on our automation, for example. So we  
 12 agree standard type of products but, anything beyond the  
 13 norm, you would have to look at and work it out and  
 14 would receive a different price as well, depending on  
 15 how it had to be handled throughout the operation.  
 16 But for a normal thing, we would be working closely  
 17 with the client, we would understand what they were  
 18 carrying, we would be in their warehouse, seeing what  
 19 they were carrying, how they were packaging it and how  
 20 they were presenting it to us at our hub. From that  
 21 point on, we're then responsible for delivery.  
 22 **Q.** Thank you. But in this type of delivery, where you're  
 23 acting for a reseller, you are completely removed from  
 24 that, you are just taking it from A to B?  
 25 **A.** Correct, so the reseller is operating in that area and

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1 should -- the reseller is doing that job.

2 **Q.** You covered some of it but turning to the checks on the  
3 parcels that may be conducted, you mentioned a moment  
4 ago that, in terms of carrying out any spot checks, did  
5 I understand correctly, you simply would not be  
6 permitted in law to open up a parcel and do a check?

7 **A.** Unless it was suspicious, correct.

8 **Q.** Even though age-verified products shouldn't be sent  
9 through Evri, what happens and is there a process for  
10 a situation where a package, in fact, might be marked  
11 "Aged 18 plus" or "Bladed items"?

12 **A.** Yes, there is. We have a process where that parcel  
13 would be segregated and the client account manager for  
14 whoever shipped that parcel would be contacted. On  
15 finding -- on being contacted by this Inquiry and being  
16 told that we had, in fact, delivered a blade, we  
17 revisited those processes and we have now put an extra  
18 process in place where, if a bladed item is found, we  
19 will put that client on stop until we understand how  
20 that item got through into our network and to be assured  
21 that there were no others. If we couldn't reach  
22 satisfactory assurances, we'd terminate the client.

23 **Q.** All right, so that's a post-Inquiry request  
24 improvement --

25 **A.** Absolutely.

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1 is a red flag because it shouldn't be with you?

2 **A.** They are briefed to a standard but one of the learnings  
3 we have taken from this as well is to polish up those  
4 trainings and push out a formal training piece to all  
5 couriers with a reminder. So with a client, we will  
6 send out a biannual reminder that we don't carry  
7 weapons, so not only are we into a client's supply chain  
8 but we also write to them twice a year, effectively,  
9 just challenging what they carry.

10 With couriers, they will be trained -- when they are  
11 onboarded currently but probably not again -- so we've  
12 revisited our processes and we're in the process of  
13 rolling out through our digital platform a reminder on  
14 knives that will be there and constantly there for  
15 a courier to see.

16 **Q.** Thank you. Again, you have explained in the depot that  
17 that is where -- is it for the first time -- that you've  
18 got some manual handling of the parcels?

19 **A.** Predominantly. So there's some -- we will empty  
20 a parcel from the back of a vehicle onto an automated  
21 kind of like -- some automation. That is moved at pace.  
22 So someone does handle it getting it out of the back of  
23 a vehicle but, in reality, that is a really fast  
24 process.

25 When it gets to the depot, they are manually handled

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1 **Q.** -- and thank you for that.

2 Sticking with what would have been in place at the  
3 time in 2023, the autumn of 2023, you say it would be  
4 segregated. Would it be caught in your delivery centres  
5 or warehouse or would that be reliant on the driver  
6 spotting it? How would it be spotted and segregated?

7 **A.** It would likely be spotted in the depot. So we operate  
8 a hub and spoke kind of model, so parcels come into our  
9 hub, our hub will process a million parcels a day, we  
10 have three of these and we burst up to four at Christmas  
11 periods. They then sort to depots, which are more  
12 regional, so we've got 30 regional depots. The  
13 processes in the depots are handled manually. At that  
14 point, if it was obvious from the packaging or the feel  
15 of an item that it was suspicious, it would get  
16 separated there. That would be the likely time it would  
17 be separated and the next time would be when it hits the  
18 delivery unit where our couriers come in to collect  
19 parcels.

20 **Q.** All right. Now, I don't want to go down this line too  
21 much because the context, I think, is likely to suggest  
22 that there wasn't any such marking on this label, but  
23 would your depot staff and would your driver couriers  
24 who are actually doing the delivery -- are they all  
25 trained that anything for Evri that says "Age verified"

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1 and sorted to rounds.

2 **Q.** Thank you. For the other two machetes which were  
3 delivered age verified, the labelling varied, but there  
4 was, on both of them, clear wording of "18 plus".

5 Again, just looking at what may be practical, is there  
6 any technological solution here that your systems might  
7 look out for on scanning -- because a lot of this is  
8 going to be scanning and it may be barcode based, but  
9 scanning for "18 plus" would be a red flag going through  
10 what I'm afraid, in my layperson's terms, I'm thinking  
11 of as a conveyor belt?

12 **A.** We're starting to see some technology utilising AI that  
13 can capture things on images but, at that kind of speed,  
14 I do not think that would be a fail-safe, no. We use AI  
15 in the field to recognise faces, for example, in a photo  
16 and I would say it's pretty accurate, 98 per cent, but  
17 it does take time. It probably takes about 10 seconds  
18 to do.

19 Now, in that point in a hub, the parcel will have  
20 passed the scanner. So for you to have that kind of  
21 technology in a hub, if it improved, it would take  
22 a little bit of time. It would probably mean that  
23 a parcel would have to go round a hub twice. You would  
24 halve the capacity of every installation in the country  
25 if that was implemented but, at the moment, I don't

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1 think that technology exists to do it adequately.  
 2 You could put it in the label. The label we read  
 3 really quickly. If it was in the label specification,  
 4 we would identify it and we would dump that product into  
 5 a dump chute and handle it accordingly.

6 **Q.** So when you say you could put it in the label, the label  
 7 would read quickly?

8 **A.** Correct but it would be a change, yes.

9 **Q.** It could have a specification saying that the label must  
 10 indicate something like "Not age verified" and you could  
 11 check that it's got that?

12 **A.** Yes, we could put that in and, obviously, because we  
 13 don't handle it, we would basically dump all that  
 14 product and take it out of our network at that point.  
 15 That would be a change, quite a simple change  
 16 technologically in our network, but it would be  
 17 a significant change, I suspect, for retail.

18 **Q.** We're going to come back to that perhaps in a slightly  
 19 different context.

20 So coming to the reflections -- could we just have  
 21 on the screen EVRI000002 -- that you have given at the  
 22 end of your statement. We appreciate, Mr Ashworth, that  
 23 the Inquiry -- page 6, please.

24 We appreciate that there was quite a quick  
 25 turnaround time for your statement. Looking at the

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1 delivery of bladed items they sell online in a way that  
 2 ensures that they are not sold to a person under the age  
 3 of 18, are not handed to a person under 18 when  
 4 delivered. The delivery that is the subject of my  
 5 witness statement shows that there are practical  
 6 difficulties with this approach, and I would suggest  
 7 that these difficulties are such that it may be right  
 8 for the law to prevent the sale of these items online or  
 9 in any other way at distance."

10 Does that remain your primary reflection --

11 **A.** Absolutely.

12 **Q.** -- that you would, at least, raise the question of  
 13 whether knives should be available for sale online at  
 14 all?

15 **A.** Absolutely, and if we're looking for practical measures  
 16 that we can implement, that would be quick to implement  
 17 and easy to police.

18 **Q.** Thank you. Whether that, in fact, would be the case is  
 19 something we may wish to explore with policy witnesses  
 20 later with the Inquiry.

21 Can I ask you about one of the things that has been  
 22 raised by Mr Polglass, our next witness.

23 **A.** Of course.

24 **Q.** Short of a ban, he raises the possibility that something  
 25 called the Product Harmonisation Code, or the Product

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1 reflections, what you appear to be saying is:

2 "Neither myself or anyone else at Evri knew, or  
 3 could have known, that Evri had delivered anything that  
 4 could have been connected to [the] awful actions ..."

5 You go on to say, at paragraph 18:

6 "From my knowledge of Evri's business and its  
 7 operations generally and specifically in respect of  
 8 Whistl ... I am certain that neither Evri or any of its  
 9 people could have known that it delivered [the item] for  
 10 Ageo ... and what the item was that was being  
 11 delivered."

12 Then in terms of recommendations for the future, you  
 13 said in paragraph 19:

14 "The Request asks whether I have any recommendations  
 15 for improvements that could be made that would be  
 16 practicable and make a difference to prevent delivery  
 17 companies delivering knives to children. I do not feel  
 18 I am able to make any recommendation because Evri is not  
 19 part of the supply chain for bladed items."

20 Just pausing there, that's your "We don't actually  
 21 operate in that part of the market"?

22 **A.** Correct.

23 **Q.** But you go on to say:

24 "Nevertheless, I would say that the law rightly puts  
 25 the onus on retailers to make arrangements for the

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1 Harmonised Code, could be expanded. Now, for those of  
 2 us who are lay people in this world, is that effectively  
 3 a standardised code that is used for cross-border  
 4 deliveries because it tells customs and those delivering  
 5 across borders the type of goods that's contained in the  
 6 package?

7 **A.** Yes, it is.

8 **Q.** That is a requirement for parcels coming in and out of  
 9 the country, again in simplistic terms; is that right?

10 **A.** That is correct, yes.

11 **Q.** Do you know what the position is in relation to knives  
 12 on that? Do knives have a specific harmonisation code?

13 **A.** Yes, there's -- pretty -- I'm pretty *au fait* with it.

14 There are about seven or eight classification for  
 15 knives, from table knives, folding knives, mechanical  
 16 knives, and they all have a classification code that is  
 17 submitted with the digital remittance --

18 **Q.** So it's quite granular, actually. It's not just one for  
 19 knives. Different types of knives, there are table  
 20 knives which may be lower concern but a tactical knife,  
 21 or something like that, would come under a different  
 22 category?

23 **A.** Correct. There may be thousands of descriptors from  
 24 all sorts of goods, but there are about seven or eight  
 25 for knives.

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1 Q. So Mr Polglass' suggestion that the PHC might be thought  
2 about being expanded to domestic parcel deliveries, so  
3 that that's a code that's required to be shown, to  
4 a layperson might have a degree of attraction because it  
5 would have allowed, simply by scanning, Evri, for  
6 example, to know that the package contained knives,  
7 which would be a red flag, "There's a problem because we  
8 shouldn't be taking knives at all"?

9 A. Correct. If that data was accurate and existed, that  
10 would have worked, correct.

11 Q. Now, it would depend upon the accuracy of the person  
12 whose responsibility it is to make the declaration of  
13 the nature of their goods, yes?

14 A. Correct.

15 Q. So if -- as to which we might hear some evidence --  
16 Mr Martínez had actually said, "This is cutlery", that  
17 may not have helped. But if had been that "This is  
18 a hunting knife", or "a machete", or something of that  
19 kind, and that's scannable on a barcode system, that  
20 potentially would be useful for a company like Evri as  
21 a safeguard.

22 A. It would be and it's something that we could make  
23 a change to read that kind of information and it  
24 wouldn't be a significant change for us to do that but  
25 the supply chain changes would be huge.

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1 would need changes to accommodate such a change.

2 So you would be looking at a long time -- last time  
3 I changed a label, just a label in this industry -- and  
4 we had to do that just because of the sheer volume of  
5 parcels, we had to introduce one extra digit -- it took  
6 four years to wash through retail, just for the label,  
7 because all retailers have their own challenges, their  
8 own financial challenges, their own IT challenges, and  
9 it takes a long time to pass these things through.  
10 So -- and then, ultimately, you are still reliant on the  
11 data input being correct, and the last time I looked at  
12 HS codes -- and it's a little bit fuzzy -- but major  
13 manufacturers associate a HS code with an item. Minor  
14 manufacturers don't and so it would then be the burden  
15 of the retailer to associate the HS code.

16 Major retailers would do this with efficiency and  
17 compliance but minor retailers would be -- it would be  
18 down to the warehouse operative to apply the right code  
19 and there are thousands of these codes, and one man's  
20 "kitchen knife" could be another man's "kitchen  
21 utensil", and I would worry about -- I think it would  
22 improve but it would not be a silver bullet, in my  
23 opinion.

24 Q. It may be that what one is looking at here is additional  
25 precautions. I'm not raising it with you to suggest

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1 Q. So help us with that, what would that change entail,  
2 first of all, for Evri, to your understanding? This is  
3 why we wanted to come into your knowledge of the  
4 industry.

5 A. Technically, we have a file that is embedded within the  
6 label, we will call it pre-advice, so the label will say  
7 it on its own, so it's a stand-alone piece of pre-advice  
8 that can be digitally scanned, and it will be received  
9 in the pre-advice file, which is a file that is received  
10 from the retailer before we see the label -- the parcel  
11 itself, so that's what we do. We would have to put  
12 an extra field in that label and we could probably do  
13 that within a few months' worth of work.

14 The challenge is that every single label in the UK  
15 would have to be changed. So every retailer that's got  
16 that label setup in their systems would have to do  
17 a system change. They would also have to do a system  
18 change for the digital remittance. They would also have  
19 to be a system change for the point of sale and for the  
20 digital entry and make all those things done. It's  
21 quite a complex chain and, when you're talking about,  
22 you know, historic retail, retailers that have been  
23 around for many, many years, they don't have a simple IT  
24 ecosystem. It will be an ecosystem of tens or sometimes  
25 hundreds of IT systems that are tightly coupled, that

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1 that it would be fail-safe but is your evidence that, as  
2 an additional precaution, potentially that is viable  
3 but, if I have understood correctly, the lead-in time  
4 for you would be limited but you would warn in terms of  
5 practicability that, at the retail end, there might need  
6 to be a very long lead-in time because that would be  
7 a complex change to effect?

8 A. Correct, and cost to those retailers as well, yes.

9 Q. Once the complexity and the cost change of making the  
10 change had been done, would it then though be relatively  
11 straightforward? It's just one further piece of  
12 information?

13 A. It would be picked up on the automation and put down  
14 a dump chute. The scanning would drive the action on  
15 that item, yes.

16 MR MOSS: Thank you. I'm just going to look to my left to  
17 see if there are any questions that I haven't covered.  
18 I see shakes of heads.

19 Mr Ashworth, those are my questions. Sir, do you  
20 have any questions for this witness?

21 SIR ADRIAN FULFORD: I don't.

22 Thank you, Mr Ashworth. You have responded to  
23 a request from this Inquiry within a very short period  
24 of time and I'm very grateful to you for that, along  
25 with your attendance and the evidence you have given

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1 today, which has been very helpful. Thank you very  
 2 much.  
 3 I will rise and we will sit again at 2.00.  
 4 **(1.02 pm)**  
 5 **(The lunch break)**  
 6 **(2.02 pm)**  
 7 NIGEL POLGLASS (affirmed)  
 8 Questioned by MR MOSS  
 9 **SIR ADRIAN FULFORD:** Thank you very much. Please have  
 10 a seat.  
 11 **A.** Thank you.  
 12 **SIR ADRIAN FULFORD:** Yes, Mr Moss.  
 13 **MR MOSS:** Thank you, sir. Just start by giving us your full  
 14 name, if you would, please?  
 15 **A.** Nigel Graham Polglass.  
 16 **Q.** Thank you. Can we have on the screen, please,  
 17 WHI000009. Mr Polglass, do we see here on screen the  
 18 statement that you have provided to the Inquiry, dated  
 19 15 September this year?  
 20 **A.** Correct.  
 21 **Q.** Are the contents of that statement true to the best of  
 22 your knowledge and belief?  
 23 **A.** They are.  
 24 **Q.** Just keep your voice up just a little, if you would.  
 25 You tell us in paragraph 1 of your statement that you  
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1 explain that Whistl contracts with customers to provide  
 2 them with access to a delivery service and the  
 3 information they need to use it, but you don't yourself  
 4 sell goods nor do you actually dispatch the goods in the  
 5 parcels; is that right?  
 6 **A.** Correct.  
 7 **Q.** You don't carry out the final mile delivery either, by  
 8 which we have understood the delivery of the parcels  
 9 going to the door?  
 10 **A.** Correct.  
 11 **Q.** So although most of us in the room will be familiar with  
 12 seeing Whistl's name on parcels, is it an unfair summary  
 13 to say that, in a sense, you are a form of middleman in  
 14 parcels being delivered?  
 15 **A.** Yes, we are.  
 16 **Q.** Thank you. You contract, I think, with very well-known  
 17 names, Evri -- obviously we have been hearing about --  
 18 but also Yodel and Royal Mail, to do the actual delivery  
 19 to the door?  
 20 **A.** Yes, and others.  
 21 **Q.** Again, we don't need to go into the detail of this but  
 22 the outsider thinking, "Well, why is there a business  
 23 like this? Why doesn't the seller just contract with  
 24 Royal Mail, Evri, Yodel?", presumably you can extract  
 25 good prices because of the volume?  
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1 are the Chief Operating Officer for the Whistl Group; is  
 2 that correct?  
 3 **A.** Correct, correct.  
 4 **Q.** You are also a statutory director of the Whistl Group of  
 5 companies?  
 6 **A.** Yes.  
 7 **Q.** You have worked for the company, I understand, for over  
 8 17 years.  
 9 **A.** Yes.  
 10 **Q.** What did you do before that?  
 11 **A.** I worked for an American business called Ceridian, where  
 12 I was the UK Managing Director. Prior to that, I worked  
 13 for Hays Plc and, prior to that, I worked at Royal Mail.  
 14 **Q.** Were those also jobs involved in the logistics and  
 15 parcel type areas?  
 16 **A.** Royal Mail was and Hays Plc was partially.  
 17 **Q.** Thank you. So like our previous witness, would it be  
 18 right that you hold a really quite senior position in  
 19 one of the big players in parcel management in the UK --  
 20 **A.** I think that's fair, yes.  
 21 **Q.** -- with a good knowledge of the industry.  
 22 **A.** I believe so.  
 23 **Q.** Thank you. You explain a little about Whistl's business  
 24 in your statement: parcel delivery management. But  
 25 there are some differences, I think, to Evri. You  
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1 **A.** Yes. Larger enterprise businesses will contract direct  
 2 with a carrier like Evri. Small to medium size  
 3 businesses tend to contract through someone like us  
 4 because we can get a good wholesale price for the volume  
 5 of parcels we handle.  
 6 **Q.** Thank you. You can also assist through IT with the  
 7 interface of providing the requisite information to the  
 8 delivery companies and have the IT to help that being  
 9 done in bulk?  
 10 **A.** Yes.  
 11 **Q.** Thank you.  
 12 How then, just in general terms, by way of  
 13 introduction, does it work in terms of the requirements  
 14 about how the goods should be packaged and any  
 15 restrictions that should be imposed on what is sold or  
 16 sent?  
 17 **A.** When we sell a new parcel contract to a client our  
 18 salesperson will have visited with that client, they  
 19 will understand what it is that they are shipping, or  
 20 wish to ship. They will understand the sizes, the  
 21 weights, the dimensions of those parcels and, as  
 22 a result, will recommend to that prospective client the  
 23 range of carriers that they may wish to use. They don't  
 24 have to pick one, they can pick multiple carriers, if  
 25 they wish.  
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1 Q. Thank you. Presumably, within that, some carriers will  
 2 be quicker but more expensive?  
 3 A. Yes, that's true. There are those that provide  
 4 a 24-hour service, those that provide anything down to  
 5 a 48-hour service, some that provide age verification or  
 6 proof of delivery, et cetera, so there's a range of  
 7 services.  
 8 Q. If the system was working properly, therefore, would  
 9 Whistl get to understand, at an early stage in the  
 10 relationship with a new customer, if that customer was  
 11 intending to dispatch bladed items?  
 12 A. Yes.  
 13 Q. You would expect to be told that?  
 14 A. Yes.  
 15 Q. I think you have -- you explain in your paragraph 7, we  
 16 may come on to this in detail later, but you have  
 17 information set out, I think, in a customer guide, but  
 18 also a carrier guide -- the references for which are  
 19 WHI000002 and WHI000003 respectively -- information  
 20 about restricted and prohibited items?  
 21 A. Correct.  
 22 Q. Thank you. You go on to explain in your statement, in  
 23 paragraph 8, that for some customers you offer the first  
 24 mile delivery. Does that mean, in effect, that you will  
 25 arrange for the parcel to be picked up from the person

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1 items and it links the order management system to the  
 2 carrier management system, such that they can track the  
 3 parcels through the network. Our carrier management  
 4 system will link with our carriers, whether it is Evri  
 5 or others, and therefore a tracking of that parcel to  
 6 its delivery point can be managed.  
 7 Q. All right. Let's use Ruach Music as an example. Do  
 8 Ruach Music, who we will come on to, when they have  
 9 a system, they have some orders that have been made  
 10 online and they have some data in relation to that, are  
 11 they providing that data direct to Evri, or are you the  
 12 interface, that you suck up that data and you provide it  
 13 to Evri, or is it something else altogether?  
 14 A. No, no, it's being fed in to us to produce a label for  
 15 the parcel for it to get to its destination. We feed  
 16 that information then through to Evri or AN Other.  
 17 Q. Thank you. So your IT, your software, is taking the  
 18 requirements of your client, who may be the seller, and  
 19 is translating it to Evri to create the labels and your  
 20 software then gets that back to the seller; is that how  
 21 it works?  
 22 A. Yes.  
 23 Q. We will come on to how it would work in an order like  
 24 AR's in due course but, presumably, that is a highly  
 25 automated system?

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1 who wants to dispatch it?  
 2 A. Yes, first mile collection, yes. We will collect  
 3 directly from a premises. A company could bring the  
 4 items in to us or they may have sufficient volume for  
 5 the carrier to collect directly from the premises.  
 6 Q. Might Whistl-badged lorries do that, or would that be  
 7 Evri doing that first mile collection?  
 8 A. Typically it's Whistl, but it could be any of the  
 9 carriers that we contract with, if the volume was  
 10 suitable and the terms were right for them to do the  
 11 collection.  
 12 Q. All right. Now, I'm sure that there are potentially  
 13 several days of lectures that could sit behind this but  
 14 I want to keep it reasonably simple and understandable,  
 15 but -- it's paragraph 9 of your statement, can we have  
 16 it on screen, WHI000009, page 3 -- can you just help us  
 17 to understand the basics of the information technology?  
 18 So you start by saying:  
 19 "As part of the setup of any new customer, a link  
 20 will be created between the customer's order management  
 21 system and Whistl's carrier management system ..."  
 22 What does that mean in real terms?  
 23 A. It means that when a seller of items has sold an item on  
 24 its order management system, it is at the same time  
 25 choosing the carrier that it wishes to use to send the

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1 A. Yes.  
 2 Q. But one in which, if you wanted to have visibility of  
 3 that data and do a human eyes-on check, or run AI tools  
 4 on what the content was, you could do so?  
 5 A. I'm not a technical expert but I would have thought that  
 6 was correct, yes.  
 7 Q. Thank you. So should we understand that it is the  
 8 customer, your customer, in this case Ruach, who then  
 9 physically has the label produced, that the IT will then  
 10 give them a label that they can physically print out and  
 11 apply to the packages?  
 12 A. Yes. There are variances to this, but yes.  
 13 Q. Thank you. In relation to that, I think you say in your  
 14 paragraph 9, is this right, that:  
 15 "For domestic shipments, the data for delivery is  
 16 just the name, address and contact details of the  
 17 recipient."  
 18 Is that right?  
 19 A. Yes.  
 20 Q. But I think in relation to -- as we will come on to --  
 21 international packages, there also needs to be the  
 22 requisite customs information which is in the form of  
 23 a Product Harmonised Code.  
 24 A. Yes.  
 25 Q. But our previous witness, I don't know if you were

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1 listening, was able to indicate that that's quite  
2 granular, so it would have a code for several types of  
3 knife?

4 **A.** Yes, I did listen to his testimony and, yes, he is  
5 correct, there are thousands of codes and they are used  
6 worldwide.

7 **Q.** Thank you. But what you are then passing on to Evri in  
8 this case would be just that quite limited data about  
9 the name, address and contact details for the delivery?

10 **A.** Yes.

11 **Q.** Do you have any fundamental disagreement with the way  
12 which Mr Ashworth characterised it --

13 **A.** No.

14 **Q.** -- that really, in terms of packaging information, what  
15 the package contained, matters of that kind, by the time  
16 it reaches Evri in this situation, they are doing little  
17 more than taking from A to B?

18 **A.** That's correct.

19 **Q.** But in terms of the interface that Whistl provide, it  
20 also allows for the tracking of the parcel by the  
21 customer?

22 **A.** Correct.

23 **Q.** Thank you. Against that background then, please, the  
24 delivery of the machete that was ordered by AR. We're  
25 reasonably familiar with this by now but the supply

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1 the items that they had shown us that they handled,  
2 which were items linked to guitars.

3 **Q.** Can I ask about that -- and obviously we will be asking  
4 Mr Henderson in due course -- but did that make  
5 a difference for you? You have talked about you would  
6 visit the customer or get to know the customer in terms  
7 of what the expectations were. We will ask Mr Henderson  
8 about what the exact arrangement was but, if he had two  
9 businesses in neighbouring or adjoining premises, one  
10 was a fulfilment business and one was a guitar business  
11 or a music business, and he has contracted with you for  
12 the music business, does that make a difference to you,  
13 are you concerned about that, that the parcel fulfilment  
14 side of the business was being channelled through the  
15 music business?

16 **A.** I'm not aware that, at the time, we knew that  
17 Mr Henderson had an alternative business within the  
18 premises. Our contractual relationship was with Ruach  
19 Music and it was our expectation that the items that we  
20 would be receiving would come from them, not from  
21 another part of the business.

22 **Q.** I follow. Can I put it this way: obviously, what has  
23 emerged is the delivery of a knife in an inappropriate  
24 way. If that had not emerged and you had just learned  
25 as Whistl that Mr Henderson was putting parcels from his

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1 chain, would you agree, appears to be that Hunting &  
2 Knives, trading as Ageo, entered into an agreement with  
3 SJ Henderson Fulfilment. You are now aware of that?

4 **A.** I'm aware of that, yes.

5 **Q.** That SJ Henderson Fulfilment shared a director with  
6 a linked company, Ruach Music, and Ruach Music had  
7 a contract with you, Whistl, yes?

8 **A.** Correct.

9 **Q.** It was that contract that was used and the carrier that  
10 was chosen was Evri?

11 **A.** Correct.

12 **Q.** As we have heard, in the eventuality, there doesn't  
13 appear to have been any warnings on the package that it  
14 was a bladed item?

15 **A.** No.

16 **Q.** No warning on the package that it was for 18-plus?

17 **A.** No.

18 **Q.** And no age-verified delivery?

19 **A.** No.

20 **Q.** Is it common practice to have a supply chain that's  
21 complex like that, or relatively complex, for a delivery  
22 of this type of parcel?

23 **A.** It can be complicated but, typically, and as we  
24 anticipated with this contract, our expectation was that  
25 we were contracted with Ruach Music and were handling

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1 fulfilment business through his music business and the  
2 contract with you, would that have been something that  
3 terminated your relationship, so far as Whistl was  
4 concerned?

5 **A.** It may not have terminated the relationship but we would  
6 want to understand what it was that was going to be sent  
7 from the other -- if it's another premises, I don't even  
8 know if it is, but we would want to know the type of  
9 goods that were coming from the fulfilment business that  
10 Mr Henderson owned.

11 **Q.** Because, what? If you are contracting with a bricks and  
12 mortar music business, or something which is an online  
13 music business, you know exactly what's likely to be in  
14 the parcels, whereas if there's a fulfilment business  
15 with lots of different clients, you're open to greater  
16 risk as to what might be in the parcels?

17 **A.** Yes, and we would like to understand the impact it has  
18 on the volumes, the sizes, the weights, the dimensions  
19 of the parcels.

20 **Q.** But would those be the principal concerns, as opposed to  
21 safety and risk of what might be being carried?

22 **A.** Well, we have restrictions and prohibitors on items that  
23 we will carry. If we identified that there were items  
24 prohibited by us, or restricted by us, we would want to  
25 arrange either suitable carrier for the delivery of

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1 those items or not take them at all.  
 2 **Q.** All right. Can I deal with that -- I was going to come  
 3 on to it later but let me deal with it now.  
 4 We have been told -- and I think you would accept --  
 5 that Evri have never and still do not do age-verified  
 6 delivery?  
 7 **A.** That's correct.  
 8 **Q.** From what you have said, presumably for lawful knives,  
 9 do you have couriers who you can use to take --  
 10 **A.** Yes.  
 11 **Q.** -- knives.  
 12 **A.** Yes. Excuse me, yes, we do. So we would use  
 13 alternatives like DPD or Royal Mail.  
 14 **Q.** Thank you. So if I could take the example of kitchen  
 15 knives, is that something that Whistl is prepared to  
 16 arrange the delivery of?  
 17 **A.** Indeed we do.  
 18 **Q.** Yes. What about hunting knives, survival knives, knives  
 19 of that kind?  
 20 **A.** Well, we prohibit anything that is a weapon. So maybe  
 21 that's judgemental but, if we thought that something was  
 22 going to be dangerous, we wouldn't want to carry it.  
 23 **Q.** So if it was a survival knife, that is lawful to sell in  
 24 the UK but which can only be sold to those over the age  
 25 of 18, where there are all the restrictions -- 18-plus  
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1 special instructions for delivery; is that right?  
 2 **A.** No, none have been added, no.  
 3 **Q.** There's nothing about what to do if nobody was at home  
 4 and no instructions about leaving the parcel or not  
 5 leaving the parcel?  
 6 **A.** I'm sorry, I didn't catch the first part of your  
 7 question.  
 8 **Q.** There's nothing here about special instructions if  
 9 somebody is not in --  
 10 **A.** No.  
 11 **Q.** -- so whether the parcel could be left?  
 12 **A.** No.  
 13 **Q.** Obviously, had Whistl known that it was a bladed item,  
 14 it would be inappropriate for it to be left in a safe  
 15 place where anybody could collect it?  
 16 **A.** Completely, yes.  
 17 **Q.** I think you deal in your 28(b) that this gives  
 18 information that's no doubt important to the system but  
 19 not for our purposes, but things like the product weight  
 20 of the parcel; is that right?  
 21 **A.** Correct.  
 22 **Q.** Thank you. The product information is just listed as  
 23 "DROPSHIP ORDER" -- my screen has just ... thank you.  
 24 "DROPSHIP ORDER"; do we see that there?  
 25 **A.** I can.  
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1 needs to be marked, bladed item needs to be marked, it  
 2 needs to be an age-verified delivery -- is that  
 3 something that Whistl will carry or not?  
 4 **A.** We would -- we would carry items that was using the  
 5 appropriate carrier that met all of the legal  
 6 requirements of that parcel being delivered. If it was,  
 7 as in the case here -- if we knew that there were  
 8 machetes, we wouldn't have even started a contract.  
 9 **Q.** I was going to ask about that. Machetes is a line you  
 10 won't cross, is it?  
 11 **A.** Well, I mean, I don't know what all the different knives  
 12 are, frankly.  
 13 **Q.** No, but you know what a machete is?  
 14 **A.** I know what a machete is. I do know we wouldn't carry  
 15 a machete.  
 16 **Q.** You wouldn't carry machetes, thank you.  
 17 **A.** No, not knowingly.  
 18 **Q.** Thank you. If we look at the data then that was  
 19 generated in respect of the parcel, WHI000007 -- thank  
 20 you -- can you confirm that this is the data that you  
 21 would have received about the parcel?  
 22 **A.** It looks like it, yes. Yes, I think this is one of our  
 23 exhibits.  
 24 **Q.** Thank you. We see the postcode is part of the  
 25 information but there's no request on here for any  
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1 **Q.** What does that signify?  
 2 **A.** Well, I know what it means but it's not relevant to our  
 3 processes.  
 4 **Q.** Just explain what the dropship process is though?  
 5 **A.** A dropship is where a fulfilment company, in this  
 6 circumstance, is acting for a seller of the product; the  
 7 item has been sold; it comes into the fulfilment  
 8 business pre-wrapped; all they're doing is putting  
 9 a label on and sending it out. So it doesn't stay in  
 10 your warehouse.  
 11 **Q.** So it's not being warehoused, it's in and out?  
 12 **A.** In and out.  
 13 **Q.** Hence the dropship?  
 14 **A.** Yes.  
 15 **Q.** There's also -- I think it's further along in column HA,  
 16 there also is the single word reference I think to  
 17 "Ageo" on this spreadsheet, which you deal with in your  
 18 statement.  
 19 **A.** Yes.  
 20 **Q.** But at the time would you have had any understanding  
 21 about what Ageo was?  
 22 **A.** No, none at all.  
 23 **Q.** Thank you. That can come down from the screen.  
 24 You tell us in paragraph 31 that your records show  
 25 just in excess of 30,000 items, I think, sent by Ruach  
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1 Music through Whistl; is that correct?

2 A. Yes.

3 Q. On your figures -- the figures for Mr Martínez and  
4 others vary slightly but I'm not going to go into  
5 that -- but on your figures, of those, 2,563 had that  
6 reference of Ageo?

7 A. Yes, that's what our records show, yes.

8 Q. You tell us in paragraph 31 that, for early shipments,  
9 the item was identified as for metal work, but then,  
10 similar to the one I have just shown you, thereafter it  
11 just said "dropship"?

12 A. Correct.

13 Q. Can I ask, please, about evidence from Mr Henderson who  
14 says in his statement -- I'm just going to read it, we  
15 don't need to bring it up on screen -- that:

16 "Our records show that in March 2022 there were 22  
17 separate orders containing 23 products which were  
18 shipped by Ageo to the SJ Henderson facility as one  
19 consignment."

20 Mr Henderson says that he accepts that the  
21 description -- he can now see that the description for  
22 those products included knives. So if we could have it  
23 on screen, it's RUAM000006. We saw this earlier this  
24 morning, but I should show it to you and, although it is  
25 cut off in the relevant column, we know from the nature

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1 as such.

2 A. I can't deny that, yes.

3 Q. But to be fair to you, I think what you are seeking to  
4 explain is that in the multi-million parcel delivery  
5 business in which you are involved, that would not be  
6 data that would be scrutinised, first of all, by any  
7 human being --

8 A. No.

9 Q. -- in the ordinary course of business?

10 A. And what, sorry?

11 Q. In the ordinary course of business.

12 A. No, it wouldn't, no.

13 Q. Because everything -- would this be fair, please tell me  
14 if it's not -- but because everything is highly  
15 automated, you don't in fact need to do anything with  
16 this information and you wouldn't have expected this,  
17 knowing how the operation works, to lead to anything?

18 A. Correct.

19 Q. So does it come to this, that if somebody for some  
20 reason had cause to look at this, it would have rung  
21 alarm bells, yes?

22 A. Correct.

23 Q. But what you are telling us is you think it's  
24 reasonable, in a highly automated system, that nobody  
25 did scrutinise this, notice it, or do anything about it?

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1 of Mr Martínez's business and the items that Ageo  
2 Hunting & Knives sold, that those look like they are  
3 all, or certainly the vast majority, are knives.

4 Now, what Mr Henderson has said in his statement  
5 about that is that, as well as that information coming  
6 to Henderson, this information was provided by Ageo for  
7 the purposes of onward shipping and Whistl as the  
8 nominated courier would have received a record of this  
9 description on its system; is he right about that?

10 A. Quite probably.

11 Q. It follows, if that's likely to be correct, that at  
12 least in the sense that this data was transferred to  
13 Whistl, in one sense you were on notice that at least  
14 this consignment contained knives.

15 A. This is a field within the information that on  
16 a domestic product we wouldn't refer to.

17 Q. Yes, but --

18 A. If this was going internationally, this would be  
19 required and referred to but, domestically, this is not  
20 a part of the information, or the data sent to us is not  
21 something that we would, for our purposes, have  
22 referenced.

23 Q. I understand that but my question was, in one sense, you  
24 were on notice that this consignment contained knives  
25 because, as a company, you received data that listed it

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1 A. Well, it's one of the suggestions which we may come to  
2 of how we might be able to improve things in part  
3 because we would not scrutinise this. We would produce  
4 a label. If we were told that the item needed age  
5 verification, or any other particular requirement, we  
6 would have to deal with that, but this information isn't  
7 asking us to do that, it's just a product description  
8 and it's not something we reference.

9 The label is produced by the other information and  
10 goes through the automated process.

11 Q. Thank you. So if it were to be suggested that there was  
12 a failure on Whistl's part because nobody did notice  
13 this or scrutinise it, what would you say?

14 A. Well, I can't deny the data was in our hands. So,  
15 plainly, I would like to think that we could have done  
16 something with it but, at the time and -- it's just not  
17 something that we would have even referenced, it  
18 wouldn't have been pulled out of the information at all.

19 Q. Thank you. You helpfully and proactively raised the  
20 thinking about the future in terms of the Product  
21 Harmonised Code being used more widely. I think that's  
22 what you were referring to a moment ago, yes?

23 A. Yes.

24 Q. We will come back to that, if we may, but is there the  
25 potential where you are receiving a product description,

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1 to have an IT -- whether it is AI or some other form of  
 2 software solution -- that actually runs a simple check  
 3 for red flag words against the type of delivery? So if  
 4 an item has a product description of "knife" but your  
 5 system is showing no age-verified delivery, couldn't  
 6 there be a tech solution to that, that that then flags  
 7 a warning?  
 8 **A.** I'm sure that's possible, yes.  
 9 **Q.** Is that something that you are prepared to look at?  
 10 **A.** Yes.  
 11 **Q.** Thank you. That can be taken from the screen.  
 12 I think it follows from your evidence, but I should  
 13 ask you to confirm, that Whistl didn't have any direct  
 14 liaison with Ageo or Hunting & Knives?  
 15 **A.** None at all.  
 16 **Q.** Or Marpasi SL?  
 17 **A.** None at all.  
 18 **Q.** As far as you are aware, did Ageo Wholesale, Hunting &  
 19 Knives or, for that matter, Hendersons, including Ruach  
 20 Music for these purposes, did they ever do any kind of  
 21 spot check actually testing whether the Ageo deliveries  
 22 were being age verified?  
 23 **A.** Not that I'm aware of, no.  
 24 **Q.** You tell us that, having received the Inquiry's request,  
 25 in paragraph 15, you have carried out a search --

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1 here, would you agree that that's deeply concerning,  
 2 that over 2,500 bladed items have been dispatched to UK  
 3 addresses, all of which should have been age verified  
 4 and probably none were?  
 5 **A.** Yes, I think it's very worrying, yes.  
 6 **Q.** In paragraph 32, looking at AR's individual parcel,  
 7 I think, due to your own data retention policies, the  
 8 photograph that would have been taken to prove the  
 9 delivery has not been retained.  
 10 **A.** That's correct.  
 11 **Q.** But the data which I put to our previous witness in  
 12 terms of when it was shipped and when it was  
 13 delivered -- the latter being more important, 9.51 on  
 14 26 October 2023 -- that data, I think, was retained by  
 15 Whistl?  
 16 **A.** Yes.  
 17 **MR MOSS:** Sir, that's paragraph 32.  
 18 **SIR ADRIAN FULFORD:** Thank you.  
 19 **MR MOSS:** But I think it must follow that -- it's not  
 20 a criticism of you, but I think it must follow that  
 21 neither you personally nor Whistl can help with the  
 22 question of to whom that parcel was actually handed?  
 23 You can't say what person received it?  
 24 **A.** No.  
 25 **Q.** Turning to your contractual relationship with Evri, you

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1 forgive me, let me -- I will leave that if I may,  
 2 forgive me.  
 3 Yes, I think it's paragraph 31. You have been able  
 4 to check that no further deliveries involving Ruach  
 5 Music or Ageo appear to have been made to the same  
 6 address for AR?  
 7 **A.** Yes. We can only look by postcode, which will be  
 8 something like 15 or 16 properties, and I guess three or  
 9 four people per property, so we can say that there was  
 10 no more to that postcode.  
 11 **Q.** Thank you. The scale of the problem though, in terms of  
 12 being able to confirm that 2,563 of these packages were  
 13 delivered through you, of which I think all but one was  
 14 through Evri -- I think one was through Yodel --  
 15 **A.** Correct.  
 16 **Q.** -- the scale of the problem is that all of those you now  
 17 know should have been age verified with product label  
 18 warnings.  
 19 **A.** I'm assuming that's the case, yes.  
 20 **Q.** Mr Martínez told us that over 99 per cent of these  
 21 packages would have had bladed items.  
 22 **A.** Right.  
 23 **Q.** You've got no reason to contradict that?  
 24 **A.** No.  
 25 **Q.** Overall, in terms of what happened in the supply chain

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1 tell us in paragraph 11 that that began in 2005; is that  
 2 right?  
 3 **A.** It is correct.  
 4 **Q.** We can leave aside the change of name, I think, for Evri  
 5 for these purposes. You will recall me raising with  
 6 Mr Ashworth the contract which Evri say was governing  
 7 the relationship between you and Evri from October 2023,  
 8 and in your paragraph 12, I put it to Mr Ashworth, you  
 9 say that that contract was unsigned, it hadn't been  
 10 agreed by October 2023, which is the date of the machete  
 11 delivery, and, in fact, it was never signed and, is this  
 12 right, so far as you are concerned, that was never  
 13 formalised into an agreed contract?  
 14 **A.** Correct.  
 15 **Q.** Do you consider that the relationship was therefore  
 16 being governed by some previous contract?  
 17 **A.** Yes.  
 18 **Q.** You don't dispute, it is clear, I think, from your  
 19 evidence already, you don't dispute that Evri have made  
 20 it completely clear that they didn't accept age-verified  
 21 delivery?  
 22 **A.** I have no doubt about that at all.  
 23 **Q.** So is the dispute between yourselves and Evri in  
 24 relation to this, whether there had been entered into  
 25 a contract which had a formal warranty that Whistl would

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1 not send parcels that contained bladed items?

2 **A.** The contract would have not been signed for numerous

3 reasons. It wouldn't have just been about this

4 particular item. We knew -- we knew for 20 years that

5 Evri didn't handle bladed items. We knew that they

6 didn't have an age verification. None of that had

7 changed at all and, through our guides and our links to

8 their websites, it made it very clear that that was the

9 case.

10 So the dispute on the contract wasn't about whether

11 we were now -- they were now handling or not handling

12 blades. We already knew the answer to that.

13 **Q.** Yes.

14 **A.** So there were other matters related to the contract,

15 typically more about liabilities and a warranty in this

16 case that we would know what was in it every parcel.

17 Self-evidently, we can't warrant that.

18 **Q.** Yes, and it is really that that I'm asking you about

19 because it may be that if there were trivial aspects in

20 this contract with which you disagreed, Mr Polglass,

21 that you wouldn't have been so clear and firm in your

22 statement that you dispute that this was the governing

23 contract.

24 **A.** Mm-hm.

25 **Q.** For the purposes of the issue with which the Inquiry is

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1 more this: Mr Ashworth says, "Well, we negotiated this,

2 although it is not signed, it ended up being agreed";

3 and you say "No, no, that's not right". My question to

4 you is: as big players in this market, with

5 responsibilities for the packages that you are sending,

6 both of you, it might be thought surprising and

7 concerning that you can't agree between the two of you

8 whether or not this was a contractual term.

9 **A.** I think that's a fair assessment.

10 **Q.** Thank you. I mentioned in an earlier context the

11 guidance that was given. Can we have on the screen,

12 please, WHI000003. This is the Whistl Carrier Guide.

13 Can we go within that, please, to page 12 and I think it

14 is paragraph 3.3 that we will need. So:

15 "It is the responsibility of the customer to ensure

16 these requirements [this is dealing with 'Prohibited

17 Items, Dangerous Goods and Restricted Items'] are

18 adhered to and to check whether or not an item is

19 prohibited, dangerous or restricted before dispatching

20 on an Evri ... service.

21 "If items are identified by Whistl or our carriers

22 please refer to our Domestic Fully Tracked Customer

23 Guide."

24 Then it says:

25 "For further detail please refer to the Carrier link

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1 interested, is a point of difference that you don't

2 accept that Whistl (*sic*) had a formal warranty from you

3 that you wouldn't send them packages with bladed items?

4 **A.** That's correct.

5 **Q.** Is two things arising out of that. Albeit you would no

6 doubt say it was done innocently and in ignorance, if

7 that was the contract governing your relationship, you

8 would have been, in these circumstances, in breach of

9 the contract in having a package that was given through

10 you to Evri that contained a machete?

11 **A.** That would be how I would understand it, yes.

12 **Q.** Secondly, as I put to Mr Ashworth, you are two of the

13 big players, big hitters in this market. It might be

14 suggested that it is somewhat surprising and perhaps

15 somewhat concerning, when one is dealing with knives,

16 that you can't agree between the two of you what your

17 contractual terms were.

18 **A.** Well, that contract was, in fact, never signed. We are

19 literally, as we speak, negotiating a new contract and

20 we hope to be able to find a suitable route through

21 that.

22 **Q.** Yes, but you understand that Mr Ashworth's evidence --

23 again, I don't suppose that the Inquiry will seek to get

24 to the bottom of this as a contractual dispute and I'm

25 not asking really who is right and who is wrong. It's

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1 ..."

2 Then it gives Evri's link to "What I can and cannot

3 send", and are you familiar with the fact that that

4 guidance, when you follow it through, the Evri, "What

5 I can and cannot send", lists knives in terms as an item

6 that can't be sent?

7 **A.** Yes.

8 **Q.** Again, just looking at practicalities, this is something

9 that would be available and provided to, in this case,

10 Ruach Music; is that right?

11 **A.** Correct.

12 **Q.** The purpose of having a link which they need to click on

13 and consult, rather than including the list in the

14 guidance, why is that? Is it because it allows them to

15 update their guidance?

16 **A.** Exactly.

17 **Q.** Do you consider then that the link is a sufficient means

18 of putting your customers on notice of the Evri

19 prohibited items list?

20 **A.** It is updated on a regular basis and it is, as I say,

21 the responsibility of the sender to be able to make sure

22 that they are using the appropriate carrier for whatever

23 goods it is they are dispatching.

24 Do I think that we could improve upon this? I think

25 we could remind our clients more frequently than we do

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1 today.

2 **Q.** Is that something that you are now looking to put right?

3 **A.** We have started it already.

4 **Q.** Thank you. Thank you, that can come down from the

5 screen.

6 As far as your contractual relationship with Ruach

7 Music is concerned, can I just ask you some questions

8 about that. You have dealt with the fact that you

9 didn't have any relationship with Ageo at all and that

10 it was Ruach Music who sent it, and I have asked you

11 some questions about that.

12 The contract -- can we look at WHI000004. Could

13 I just let you familiarise yourself again with this

14 document, Mr Polglass. Can you see that that appears on

15 its face to be the contract between Mr Henderson's music

16 company and, if we go down and look at the second half

17 of the page, we have redacted the signatures but it is

18 signed on behalf of Whistl, yes?

19 **A.** It is, yes.

20 **Q.** Thank you. So if we now go to page 9, and this should

21 be Schedule 3, and if we can look at paragraph 2, quite

22 literally the fine print, first of all. Let me read the

23 relevant parts:

24 "Whistl does not accept, and the Customer must not

25 require it to collect or deliver, any items which are

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1 Again, I have touched on this already, but were knives

2 and machetes clearly and expressly contained in a Whistl

3 prohibited items list?

4 **A.** Yes. I'm fairly certain that we have provided the

5 prohibited list and restrictions list for Whistl.

6 **Q.** What did you understand the terms to be in relation to

7 knives?

8 **A.** There is a -- it tries to, as clearly as possible,

9 identify the knives that can go through a process and

10 can be delivered within the UK, using the appropriate

11 carriers, and it highlights -- I think there's five or

12 six items on a prohibited list. I can't remember what

13 those five or six are, off the top of my head, I'm

14 afraid, but I'm certain it's within the evidence that we

15 have provided. It was one of the links.

16 **Q.** Well, if that can be supplemented in writing in due

17 course to clarify it, if it's our error for missing it,

18 then we will happily accept that, but you think that the

19 effect of it is that some knives could go through. You

20 have mentioned kitchen knives is something you're quite

21 happy to carry?

22 **A.** Well, there are bladed items. So we work with, for

23 example, a very well-known household goods company.

24 Within their items, they have food processors that have

25 blades, bladed items within the food processors. Those

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1 prohibited by any law, or any regulation or Code of

2 Practice ..."

3 Just pausing there. A machete in the UK would not

4 be, as such, prohibited by law. There were restrictions

5 but it's not a banned item; would you agree?

6 **A.** I would.

7 **Q.** "... or which are subject to dangerous goods

8 legislation, or which are prohibited on any prohibited

9 items list in Whistl's Customer Guide at [Whistl's

10 restrictions]", and so on.

11 Just dealing with that language, was that intended

12 to capture things like hunting knives and machetes?

13 **A.** Yes, I believe so.

14 **Q.** Would you accept that the generic description of

15 dangerous goods legislation is ambiguous because it is

16 not necessarily clear whether that is referring to

17 things like explosive substances, which may be

18 completely banned, or things like knives that just have

19 age restriction and labelling requirements?

20 **A.** Yes.

21 **Q.** One thing -- and I will be corrected if I'm wrong about

22 this but, although there are many helpful exhibits that

23 you have provided, at short notice, I think the specific

24 prohibited items list that's referenced here, that's

25 cross-referenced here, is not within the exhibits.

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1 go on a separate contract with DPD for age verification.

2 **Q.** I'm going to stop you there because we're not so

3 concerned -- it's a useful example but one understands

4 food processor, sharp blade. But kitchen knives

5 wouldn't be on your prohibited list --

6 **A.** No.

7 **Q.** -- because you have already indicated that you are

8 prepared to have those within the packages that you're

9 the middleman for?

10 **A.** Correct.

11 **Q.** So do you think that you had a prohibited items list

12 that somehow drew a line between kitchen knives and

13 hunting knives and machetes?

14 **A.** I believe so but, without looking at it, I can't

15 remember what's on the prohibited list. But it does

16 include -- it refers to weapons. Now, that may be

17 subjective.

18 **Q.** Yes. Well, can I ask you about that. One person's

19 weapon is another person's survival tool; would you

20 agree?

21 **A.** Yes. We do everything we can to abide by the rules and

22 legalities of what we do in every respect.

23 **Q.** Forgive me, I am not asking you, at this stage, about

24 unlawful items, all right? But would you agree that

25 it's very important for Whistl to be clear about what

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1 you will and will not carry and what is and is not  
 2 prohibited as a matter of your policy?  
 3 **A.** Well, I believe we do but we're not seeing it at the  
 4 moment.  
 5 **Q.** Thank you. The weapons, I think you accept, is open to  
 6 an element of interpretation?  
 7 **A.** Yes, although we do provide a list.  
 8 **Q.** Thank you. To a certain extent, though, you were  
 9 trusting Ruach Music to ensure that they abided by your  
 10 prohibited list and Evri's prohibited list.  
 11 **A.** Absolutely.  
 12 **Q.** Is there any obligation or responsibility, short of  
 13 a legal obligation, do you think, on Whistl to run any  
 14 checks on what is in the parcels? I don't mean by  
 15 opening them necessarily, but to interrogate that to  
 16 some extent --  
 17 **A.** Well, we --  
 18 **Q.** -- even by way of spot check.  
 19 **A.** We do that through the process of the sale. We also do  
 20 checks on the company. We do those through Companies  
 21 House and through HMRC. We will check on the parcels,  
 22 as best one can. I can't open parcels to check what's  
 23 inside them. There's no reason at all for us to have  
 24 believed at the time, or indeed now that Ruach Music  
 25 would be sending anything other than what they had told

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1 warehouse into the large parcel sorters. An item moves  
 2 around that and is back out -- maybe not in the two  
 3 minutes that Evri suggested, but certainly within an  
 4 hour or two, would be back out and going off to its  
 5 delivery point. For us that may be Evri, may be Yodel,  
 6 may be DPD or others.

7 Sorry, I have lost track of the question you asked  
 8 me, I'm sorry.

9 **Q.** It's whether there would be any way of picking up that  
 10 there was a mismatch between what was on the label and  
 11 the type of delivery that had been booked?

12 **A.** It would have to be a very attentive person within the  
 13 warehouse, I think.

14 **Q.** Thank you. So Ms Wakeman, with her usual efficiency,  
 15 thinks that not a Whistl exhibit but one from  
 16 Mr Henderson -- could we look at RUAM000009, please.  
 17 Can we look at page 13. Is it "Sharp Objects and Bladed  
 18 Products", is that the relevant ...

19 *(Pause)*

20 So:

21 "In accordance with the Offensive Weapons Act ..."

22 Then "part 3", it gives the law then:

23 "Prohibited: sharp objects like knives, kitchen  
 24 utensils and gardening tools may only be posted if they  
 25 are packaged appropriately so that they are no risk to

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1 us they were going to send.

2 **Q.** Thank you. I just want to ask a little bit on checks on  
 3 the parcels themselves and the packaging. Again, should  
 4 we understand it to be your evidence that, in terms of  
 5 the age-verified delivery requirement and the packaging  
 6 requirements on that, which is your 18-plus and your  
 7 bladed item, that the responsibility of that would be  
 8 for the seller to declare that that is the type of item  
 9 that they are sending and to ensure, therefore, that the  
 10 right type of label was applied for?

11 **A.** Absolutely.

12 **Q.** Because the evidence suggests in this case that the  
 13 label that would be applied would be a standard Evri  
 14 one, without any of that, you would accept that the  
 15 labelling for this item was not compliant with the legal  
 16 requirements?

17 **A.** I would.

18 **Q.** In some ways, it's a hypothetical question because the  
 19 evidence tends to suggest that there was no 18-plus  
 20 warning on this package but, if an age-verified, or  
 21 18-plus label was applied but what has been booked  
 22 through you is a standard delivery, do you have any  
 23 processes that picks that up?

24 **A.** Most of our process is automated, so parcels come in in  
 25 bulk, they get moved across the shop floor or the

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1 employees, other packages or recipients. Any bladed  
 2 article which (a) is or has a blade; and (b) is capable  
 3 of causing a serious injury to a person which involves  
 4 cutting that person's skin."

5 Can we just expand that, so we can see the whole  
 6 page again. So those are all services. So what's the  
 7 effect of that?

8 **A.** I'm sorry, I don't understand your question. What's the  
 9 question?

10 **Q.** You said you thought it was clear from the Whistl  
 11 restricted items list or prohibited items list and it's  
 12 been exhibited, in fact, by Mr Henderson, so the  
 13 prohibited item is "sharp objects and bladed products".  
 14 Services it says "All". Description is what's in the  
 15 middle column and then "Exceptions and Restrictions",  
 16 and it says:

17 "Prohibited: Sharp objects like knives, kitchen  
 18 utensils and gardening tools may only be posted if they  
 19 are packaged appropriately so that they are no risk to  
 20 employees, other packages or recipients."

21 So that seems to be saying, "Package them safely".  
 22 Then it says:

23 "Any bladed article which (a) is or has a blade; and  
 24 (b) is capable of causing a serious injury to a person  
 25 which involves cutting that person's skin."

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1 That says "Exceptions and Restrictions". So is  
 2 that -- I'm just not understanding at the moment what  
 3 the ultimate effect of that is in terms of what can and  
 4 can't be sent, in terms of bladed items?

5 A. Well, we're trying in, I suppose, a few words to provide  
 6 guidance on what can and cannot be sent via us. We also  
 7 have -- if there is any doubt still in the sender's  
 8 mind, we have a customer service team which we highlight  
 9 clearly in all of the implementation that we have with  
 10 a client that if they have any doubts at all, they  
 11 should contact them.

12 Q. Just give me a moment.

13 (Pause)

14 Would you accept, on the basis of what's on the  
 15 screen -- in the real world one understands you have to  
 16 do it in a short space of -- that's understandable. But  
 17 would you accept that that guidance is not particularly  
 18 clear, in terms of where you draw the line, in terms of  
 19 knives, of what can and can't be sent?

20 A. I accept that it could be clearer, yes.

21 Q. Has that been changed since?

22 A. We have reviewed all of our training, all of our  
 23 contractual terms and all of the exhibits that we've  
 24 shared with you to improve them wherever we can. Some  
 25 of those things have already happened, like the

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1 Q. Thank you. Can we turn to your helpful section on  
 2 reflections, which I promised that I would come back to.  
 3 So you flag up here, at paragraph 34(b) -- it's your  
 4 page 10, WHI000009 -- having made the point that for  
 5 those lower down in the supply chain you are only as  
 6 good as the information that's supplied higher up, you  
 7 say that:

8 "At present [this is paragraph (b)] it is only  
 9 mandatory to include a PHC description in a shipment if  
 10 it is to be sent outside the UK. An improvement to the  
 11 process would be for the PHC to be provided for all  
 12 parcels and for that data to be included in the data  
 13 that goes into a shipping label barcode. That would  
 14 enable the machines that sort parcels to be set to  
 15 reject certain PHC descriptions. Those rejected parcels  
 16 could then be handled manually to make sure that they  
 17 are handled according to the requirements for that  
 18 particular product."

19 Yes?

20 A. Yes.

21 Q. I think you will have heard Mr Ashworth's evidence about  
 22 this, that, for Evri, that would be a significant change  
 23 requiring a few months, but he thought that, for sellers  
 24 across the country, that would be a major change that  
 25 would have a long lead-in time. Do you agree with that

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1 training, for example, and others will happen within  
 2 days or so.

3 Q. Right, so has this prohibited items list been changed or  
 4 not?

5 A. Not yet.

6 Q. Right. You said you wouldn't allow machetes but, if you  
 7 were the sort of person who thought that a machete was  
 8 a gardening tool, you might think that was okay.

9 A. Well, even if you did, you would still have to package  
 10 it correctly and then you would have to use  
 11 an appropriate service and carrier to deliver it and  
 12 have it age verified.

13 Q. Yes, of course, I'm not disputing that for a moment but,  
 14 as a company that presumably wants clarity on its policy  
 15 as to what you just can't send, even a machete, it might  
 16 be difficult to understand whether it comes within the  
 17 first half, where it is a gardening tool and that it is  
 18 packaged carefully and I will send it age verified, or  
 19 whether it comes under the second part where you see any  
 20 bladed article which is capable of causing a serious  
 21 injury.

22 The average reader might just not understand whether  
 23 that is something that you permit or not?

24 A. I have already accepted there is some ambiguity in it.  
 25 I still accept that point.

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1 or would you have a different analysis?

2 A. He is a technical expert, let's accept; I'm not. Do  
 3 I think it might take a lengthy period of time for  
 4 everyone to be able to change the requirements within  
 5 their systems? Experience tells me it would. Whether  
 6 it's one year or four years, I literally couldn't  
 7 answer.

8 We could make this change relatively quickly.  
 9 I think Mr Ashworth also highlighted that Evri could  
 10 make that change relatively quickly but it is dependent  
 11 on the sender to have changed their system, so that it  
 12 is included within the label.

13 If it's included in the label we, Evri and others,  
 14 can all have our automation look for the description,  
 15 the PHC, and it can then be diverted into a manual  
 16 sortation process. So whilst I can't say at all how  
 17 long it would take to get to it, it is something that's  
 18 possible. We all do it currently for international  
 19 goods, so it is evidently possible. There may be some  
 20 cost, there may be some time drag, but it is definitely  
 21 possible to do.

22 It does absolutely require senders to use the  
 23 correct codes and not put in some sort of miscellaneous  
 24 product code but, if you assume that many people would  
 25 want to be honest about what they're sending, it would

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1 highlight it and it could be diverted in our system and  
 2 in our carriers' systems.  
 3 **Q.** Thank you. I'm not going to go through them. You set  
 4 out helpfully, and again in quick time, a number of the  
 5 changes that have already been made in your statement.  
 6 Your statement will be published so they will become  
 7 public.

8 You have indicated during the course of your  
 9 evidence that there are some things still in train and  
 10 some things which I have raised with you which you will  
 11 think about.

12 **A.** Mm-hm.

13 **Q.** Would you be prepared to give the learned Chair an  
 14 update in writing by the end of October --

15 **A.** Absolutely.

16 **Q.** -- in relation to those further changes, improvements  
 17 and thinking?

18 **A.** Yes, absolutely.

19 **MR MOSS:** I'm just looking to my left to see if there are  
 20 any questions. Yes.

21 *(Pause)*

22 Questioned by MR ILLINGWORTH

23 **MR ILLINGWORTH:** Good afternoon, Mr Polglass. I ask  
 24 questions on behalf of the families of the other child  
 25 victims.

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1 your evidence today, that following the Rule 9 Request  
 2 from the Inquiry, Whistl has identified 2,562 items  
 3 which were delivered by Evri apparently sent by Ageo and  
 4 arranged by your company. What steps has Whistl taken  
 5 to establish how many of those deliveries contained  
 6 bladed items?

7 **A.** We can't find out what was sent in those boxes without  
 8 asking the sender of the items. I have not contacted  
 9 Mr Henderson to ask him that question.

10 **Q.** In light of the information that you now have about  
 11 those 2,562 items, does Whistl intend to take any other  
 12 steps?

13 **A.** Absolutely. We have provided a list of some of the  
 14 things that we have already changed or are in the  
 15 process of changing. We have arranged and already had  
 16 meetings between ourselves and Evri to see whether there  
 17 are things within our supply chain that we can alter.  
 18 We intend on doing that with all of our carrier partners  
 19 over as quick a period as we possibly can, and I would  
 20 expect from that that there will be a series of  
 21 recommendations that we can make to ourselves and start  
 22 to carry out, or indeed make back to the Chair of this  
 23 Inquiry.

24 **MR ILLINGWORTH:** Thank you very much, Mr Polglass.

25 Thank you, sir.

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1 You say in your statement, paragraph 34(b), that  
 2 a failure by a party higher up the supply chain to  
 3 provide the data that's required has a domino effect.  
 4 What did you mean by "domino effect"?

5 **A.** If the information at the first touch point, let's say  
 6 the seller, does not tell us or the carrier supply chain  
 7 that an item requires certain or special treatment, none  
 8 of us will know. That's what I mean by domino, so if  
 9 it's not done there, everyone falls over.

10 **Q.** In that context, you said earlier it's the sender's  
 11 responsibility to ensure that they are using the  
 12 appropriate carrier for the goods that they are  
 13 dispatching. In this case, did that responsibility sit  
 14 with SJ Henderson, with Ageo, or with a combination of  
 15 the two?

16 **A.** From my perspective, it sat with Ruach Music.

17 **Q.** Overall, is it fair to say that you have to take it on  
 18 trust that the sender is not attempting to send bladed  
 19 articles via a means which isn't subject to age  
 20 verification?

21 **A.** Yes.

22 **Q.** Is it fair to say that that's a system that relies  
 23 heavily on honesty on the part of the sender?

24 **A.** Absolutely.

25 **Q.** Your statement makes clear, and you have explained in  
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1 **SIR ADRIAN FULFORD:** Thank you, Mr Illingworth.

2 You have dealt with this very quickly, Mr Polglass,  
 3 in terms of responding to the Inquiry's request. You  
 4 have given very helpful evidence this afternoon and I am  
 5 very grateful to you.

6 **A.** Thank you.

7 **SIR ADRIAN FULFORD:** You are now free to go. Thank you very  
 8 much.

9 **A.** Thank you.

10 **MR MOSS:** Sir, could we take just a short break, maybe just  
 11 ten minutes.

12 **SIR ADRIAN FULFORD:** Ten minutes.

13 **(3.11 pm)**

14 **(Short Break)**

15 **(3.22 pm)**

16 **STEPHEN HENDERSON (sworn)**

17 **Questioned by MR MOSS**

18 **SIR ADRIAN FULFORD:** Please have a seat.

19 **A.** Thank you.

20 **MR MOSS:** Just start, if you would, please by giving us your  
 21 full name.

22 **A.** Stephen Henderson.

23 **Q.** Could we have on the screen, please, RUAM000003.  
 24 I think you can confirm, Mr Henderson, that this is your  
 25 statement to this Inquiry, dated 27 September this year,  
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1 so very recent statement; is that right?

2 **A.** Correct.

3 **Q.** Are the contents of that statement true to the best of

4 your knowledge and belief?

5 **A.** Yes.

6 **Q.** I should perhaps explain this, Mr Henderson, that the

7 Inquiry's knowledge of the involvement of Ruach Music

8 and SJ Henderson Fulfilment only arose through

9 a statement fairly recently received from Whistl and

10 that the Inquiry legal team contacted you only really

11 quite recently. In response to that, it is right that

12 I should place on record that you have responded with

13 a detailed witness statement, which we see on screen,

14 but also with numerous exhibits and you have flown over,

15 at exceptionally short notice, from Northern Ireland and

16 cooperated in that way, and we're grateful to you for

17 it.

18 **A.** Thank you.

19 **SIR ADRIAN FULFORD:** Mr Moss, before you carry on, could

20 I ask Ms Wakeman to email me the witness statement

21 because this isn't in the bundle that I have in court.

22 **MR MOSS:** Yes, of course.

23 **SIR ADRIAN FULFORD:** Thank you very much.

24 **MR MOSS:** You tell us in paragraph 1 that you are the

25 director and CEO of Ruach Music. Am I pronouncing it

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1 with this, I was tasked by a local university in

2 Northern Ireland who advise their business students on

3 how to successfully raise a crowd funding scheme because

4 I was successful in that and, from that, one of the

5 actual business students asked me to fulfil their orders

6 as well because I was doing it already for myself, and

7 so the opportunity arose, and I decided then to form

8 SJ Henderson Fulfilment in 2019, after three years of

9 testing that business model first.

10 **Q.** You tell us that the fulfilment business has about 70

11 clients now?

12 **A.** Correct.

13 **Q.** You say in paragraph 7 you've got a team of 27 staff.

14 Is that across your businesses or just in the

15 fulfilment?

16 **A.** That's just in SJ Henderson Fulfilment.

17 **Q.** And 34,000 square foot across your sites?

18 **A.** Correct.

19 **Q.** You fulfilled 185,000 orders for 1.7 million items.

20 **A.** In the past 12 months, yes.

21 **Q.** Thank you. I don't need to go through an overview

22 because I know that you have been able to read the

23 statements of others and you know that we are dealing

24 with the provision of a machete to AR through the supply

25 chain that I have been asking previous witnesses about,

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1 wrongly?

2 **A.** Yes -- no, correctly.

3 **Q.** Also of SJ Henderson Fulfilment; is that right?

4 **A.** That's correct.

5 **Q.** Those are both UK companies. They are subsidiaries of

6 the Genesis Group Enterprises Limited of which, if

7 I have understood correctly, you are also Director and

8 CEO. Very briefly, why the three companies?

9 **A.** Yes, I started Ruach Music in 2014 as a limited company.

10 It was the first business I founded and, in 2019,

11 I founded SJ Henderson Fulfilment Limited and, as such,

12 I then formed a holding company to then own those two

13 companies, to simplify the structure and, if there's any

14 further businesses in the future, they're going to form

15 part of that group.

16 **Q.** Thank you. Your music business, the musical instrument

17 and accessory manufacturer, is that right, and supplier?

18 **A.** Yes.

19 **Q.** For the fulfilment company, did that grow out of your

20 music business in some way? Were you doing a lot of

21 logistics to send out the music instruments and

22 accessories and you thought "Well, I can make a further

23 business out of this", or how did it develop?

24 **A.** That's exactly how it developed. I was doing my own

25 fulfilment, I was shipping my instruments globally. So,

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1 that was, in the end, delivered to him without age

2 verification.

3 Did you have an understanding at the time, in

4 October 2023, about the legal framework for the supply

5 of knives in terms of the illegality, first of all, of

6 selling them to those under 18?

7 **A.** In regards to the selling, we don't perform part of the

8 selling, so I was not aware of that.

9 **Q.** You weren't aware of that?

10 **A.** No.

11 **Q.** Appreciating that you are not the seller, was it not

12 important for you, in terms of your fulfilment business,

13 to have an understanding of what the legal requirements

14 were?

15 **A.** We have quite a vast range of products within our

16 fulfilment centres, over 75,000 SKUs, so to understand

17 the law for every one of those SKUs would be quite

18 a task. I myself verse myself weekly on the movement of

19 goods, whether that be customs movement of goods,

20 et cetera, and that's where I advise our clients on

21 a weekly basis of updates to, for example GPSR, movement

22 of goods due to Brexit. In terms of the specific laws

23 on the seller's responsibility, I don't verse myself on

24 that.

25 **Q.** SKUs?

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1 A. SKUs are product variations, so a pen that is black and  
 2 a pen that is red would be two different SKUs, for  
 3 example.  
 4 Q. But given that the law prohibits the sale of knives to  
 5 those under 18 but goes on to provide a qualified  
 6 defence, albeit for sellers, but that that defence has  
 7 certain conditions and those conditions involve -- can  
 8 I put it in this way -- aspects of the parcel business  
 9 because there are provisions about what needs to be on  
 10 the label --  
 11 A. Mm-hm.  
 12 Q. -- and there are provisions about the delivery having to  
 13 be age verified. If you were going to be involved in  
 14 the distribution of bladed items, it would be important  
 15 for you to be aware of those legal requirements, even  
 16 though you were not the seller?  
 17 A. Yes, so we have a very strict and tight services  
 18 agreement with every single one of our 70 clients. They  
 19 all sign on to it. I don't take anybody on unless they  
 20 have signed our terms of conditions and they don't  
 21 deviate for anybody. Within that, and you will see in  
 22 the evidence as well, clause 3.1.6 details that it is  
 23 the client's responsibility to ensure that they are  
 24 lawfully packaged and readily available for manufacture  
 25 and seal.

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1 I'm not asking about whether it was your duty to do  
 2 those things because the legal duty was on the seller.  
 3 But I'm asking you, as somebody who is involved in the  
 4 fulfilment of the delivery, whether you were aware in  
 5 2023 that for knives they had to be packaged saying  
 6 "18-plus" and they had to be packaged saying  
 7 "Age-verified delivery", if they were being sold by an  
 8 online retailer?  
 9 A. No.  
 10 Q. In general terms, did you permit or prohibit altogether  
 11 knives coming through your fulfilment company?  
 12 A. As part of my statement, the only time we were notified  
 13 on our system that there were knives processed in our  
 14 facility was on 9 March 2022. From there, there was  
 15 absolutely no indication that there was anything --  
 16 Q. That wasn't my question again. I want to understand, as  
 17 a company, did you do what Evri did, which is just say,  
 18 "We don't do age-verified delivery, we won't touch  
 19 knives, we don't want to be involved in that at all",  
 20 or, "We are prepared to do that, you tell us that it's  
 21 a knife, you ensure that it is age verified, you follow  
 22 the law, but we will be prepared to fulfil the onward  
 23 transmission of knives". Where did you stand as  
 24 a company?  
 25 A. Yes, I stand by our terms and conditions, which would be

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1 Q. Yes, and I will come on to that but if you focus on my  
 2 question, while you put the responsibility on the  
 3 seller, and they warrant that they will follow the  
 4 requirements of the law, you would want, as  
 5 a responsible parcel management company, to have at  
 6 least an understanding of the legal requirements, so  
 7 that you could spot if things were wrong; would you  
 8 agree?  
 9 A. I would agree if I saw something that was wrong or  
 10 something to draw my attention to the fact that there  
 11 was something moving through my facility that would  
 12 warrant different treatment.  
 13 Q. Yes.  
 14 A. However, with this client, there was nothing to detail  
 15 that to me or my team.  
 16 Q. So, for example, the requirement for the labelling to  
 17 specify 18-plus and to specify on the label that it  
 18 required an age-verified delivery, were you aware of  
 19 those requirements?  
 20 A. We weren't obliged to actually fulfil that for the  
 21 client. We were never tasked with that.  
 22 Q. No, no, that is not -- forgive me, you must listen to  
 23 the question --  
 24 A. Okay.  
 25 Q. -- and you must seek to answer the question that I ask.

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1 in line with our couriers, which is the term "prohibited  
 2 items". So if the goods are prohibited that term stands  
 3 on its own two feet and I would say that has to be in  
 4 sync with our couriers.  
 5 Q. I follow. So having prohibited the items, as you  
 6 understood it, you didn't know about the legal  
 7 requirements on sellers as to how they were packaged?  
 8 A. No.  
 9 Q. Did you know that they required age-verified delivery?  
 10 A. No.  
 11 Q. You weren't aware that sales of knives had to come with  
 12 an age-verified delivery process?  
 13 A. No.  
 14 Q. In your statement, you explain in paragraph 8 that the  
 15 overwhelming majority, more than 99 per cent, of the  
 16 service you provide included, in layperson's terms,  
 17 an element of you warehousing the goods for a period of  
 18 time, yes?  
 19 A. Yes.  
 20 Q. You go on to explain that, in paragraph 9, a small  
 21 minority, 0.19 per cent, was dropship products; is that  
 22 right?  
 23 A. As a company as a whole, yes.  
 24 Q. Yes. What that involved, effectively, was this, that  
 25 clients would get to you the items already packaged,

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1 yes?

2 **A.** Yes.

3 **Q.** Ready to be sent on?

4 **A.** Yes.

5 **Q.** And the "dropship" indicates that all that you are then

6 involved in is effectively not warehousing them, not

7 storing them, you get an appropriate label applied to it

8 and you onward ship it very quickly?

9 **A.** The shipping label applied, yes.

10 **Q.** Yes. With Ageo, they were one of those in that

11 minority, in that they were providing dropship type of

12 delivery?

13 **A.** Correct. The entirety of their operations was that

14 model.

15 **Q.** Thank you. Where it is dropship, as I have understood

16 your statement, they will have a label on it, is this

17 right, which will marry up with the data that they have

18 provided? So they will have something on -- and we have

19 seen a photograph which we may come to, but they will

20 have the name and delivery address and certain data that

21 will match up with what's been sent electronically to

22 you?

23 **A.** Yes, they would detail the name of the recipient and

24 their full address on the pre-packed parcel that comes

25 into our premises. They would have already uploaded the

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1 would automatically print and the operatives would be

2 detailed on the screen as to how to act with those.

3 In none of the 2,810 orders that we shipped for

4 Ageo, that did not occur.

5 **Q.** So no special instructions about delivery requirements

6 or anything of that kind at all?

7 **A.** None.

8 **Q.** Thank you. Looking at matters now with the knowledge

9 that you have, with the benefit of hindsight about what

10 happened here, do you think that that's a bit of

11 a weakness in the vulnerability of the system, that the

12 seller, your customer, can dropship items where the only

13 product description of what they are sending is

14 "dropship"?

15 **A.** I believe there is a better way to do things now in

16 hindsight, now -- being part of this investigation for

17 the past seven days. I understand how we cannot simply

18 trust our services agreement and trust our clients to

19 comply. It's evident that that is not enough and we

20 have to take extra measures to make sure absolute truth

21 is detailed on our systems.

22 **Q.** Thank you. Have you now -- I appreciate you have not

23 had much time and no one could criticise you if you

24 haven't yet changed it, but are you going to change

25 things so that customers have to give more detail?

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1 order to our system, detailing the contents of the

2 parcel, where it was to be shipped, who, to match that,

3 and then we would simply click the button "Create

4 shipment", it would spit out then the shipping label to

5 go on to that pre-packed parcel.

6 **Q.** All right, and can I just check, in the case of Ageo --

7 and you provided a helpful example of it -- would you

8 then remove their label and you just have the shipping

9 label, or would their label remain on it?

10 **A.** We would put our label over the top of their supplied

11 label.

12 **Q.** (Unclear) Thank you.

13 In relation to the dropship business that you ran,

14 is this right, that the company who is acting as the

15 seller who was your customer, they could provide

16 detailed product information, or a description of the

17 documents, but that wasn't required, they could just say

18 "dropship"?

19 **A.** Correct. They also have the ability within the manual

20 upload process to detail conditions, requirements,

21 instructions to our operatives and to our team, which

22 would pop up on the screen under "Packing notes" and

23 "Delivery notes". They also had the opportunity to

24 upload documents or labels, for example to the portal,

25 so as when that order was to be shipped, those documents

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1 **A.** I already have, as of Monday of this week. An email

2 went out to all of our clients detailing the new

3 process, which will follow suit with the 99.81 per cent

4 of our business, which is all SKUs' product details have

5 to be fully disclosed and detailed so as we can break

6 open the contents upon arrival and check the contents,

7 warehouse the items for later seal, and then we pick,

8 pack and dispatch and that will ensure that movement

9 cannot take place ever again.

10 **SIR ADRIAN FULFORD:** Would you share that email with the

11 Inquiry?

12 **A.** No problem.

13 **SIR ADRIAN FULFORD:** Thank you very much.

14 **MR MOSS:** As far as your contract with Ageo is concerned,

15 you explain in paragraph 12 of your statement that you

16 entered into an agreement with Ageo, who we think of

17 sometimes as Hunting & Knives, on 18 February 2022. If

18 we look at HKAW000034, please. So this is the services

19 agreement and we see SJ Henderson Fulfilment at the top.

20 If we can go to page 3, please, and if we could look at

21 point 2.12:

22 "SJ Henderson does not accept any of the following

23 goods for storage, fulfilment or dispatch and no

24 liability shall arise in respect of them ...

25 "Goods which are, or may become, dangerous,

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1 hazardous, noxious, explosive, radioactive or  
 2 damaging ..."  
 3 Firearms is next:  
 4 "Goods prohibited by law or regulation of any  
 5 government or public authority of any jurisdiction where  
 6 the goods are carried;  
 7 "Goods which SJ Henderson deems unsafe or not in  
 8 a suitable condition ..."  
 9 I don't think any of the others are relevant. You  
 10 mentioned earlier on that you had contractual terms.  
 11 Would it be fair to say that these do not, on their  
 12 face, necessarily appear to completely prohibit knives,  
 13 including machetes?  
 14 **A.** It does not detail those items explicitly. I would say  
 15 at a macro level it would cover it in relation to the  
 16 law on the movement of goods, should it be unlawful to  
 17 move those items.  
 18 **Q.** The difficulty there I suggest, Mr Henderson, is that it  
 19 is not as such unlawful to move those items. Whether or  
 20 not it is unlawful to move the items, depends upon the  
 21 packaging and the verification process?  
 22 **A.** Yes.  
 23 **Q.** So the outside reader of your contractual terms might  
 24 think, "Well, I don't think a machete is dangerous, as  
 25 such, and it's not unlawful, it's not prohibited by law,

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1 "... comply with all laws and regulations affecting  
 2 manufacture, sale, packaging and labelling of its  
 3 goods."  
 4 So there you have the point that you were raising,  
 5 that your customer, under the contract, has the duties  
 6 for how they are sold, how they are packaged and how  
 7 they are labelled; would you agree?  
 8 **A.** Yes.  
 9 **Q.** So, unequivocally, that was Ageo or Hunting & Knives'  
 10 responsibility under your contract, to ensure that the  
 11 correct labelling and sales type was used?  
 12 **A.** Yes.  
 13 **Q.** Yes? But as to whether they were permitted to send  
 14 knives and machetes at all, I think you agree your terms  
 15 are ambiguous?  
 16 **A.** I would agree with that.  
 17 **Q.** Again, is that something that you will look at in terms  
 18 of clarity in your terms and conditions, as to whether  
 19 you permit knives and machetes to be carried at all?  
 20 **A.** Going forward, yes.  
 21 **Q.** Thank you. Now, the evidence of Mr Martínez yesterday,  
 22 in broad terms, was to the effect that he relied on you,  
 23 or your company, to ensure that UK law was followed and  
 24 when I put to him aspects that he had a legal duty about  
 25 packaging 18-plus and labelling 18-plus and bladed

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1 there are just rules about how they can be sent". Would  
 2 you accept that this clause, if you intended it to be  
 3 a prohibition on knives and machetes, is not  
 4 sufficiently clear?  
 5 **A.** I would say the rest of the terms and conditions would  
 6 go into more detail as to that in terms of clause 3  
 7 explicitly details the client's obligations.  
 8 **Q.** Yes, but that's not the point about which I'm asking  
 9 you.  
 10 **A.** Okay.  
 11 **Q.** Clause 3, which I will come on to, deals with the  
 12 client's obligation to follow the legal requirements.  
 13 **A.** Yes.  
 14 **Q.** But this comes back to the question that I was asking  
 15 you earlier about whether or not you are a company who  
 16 is prepared to carry knives through the packages that  
 17 you are involved in and, if the answer to that and  
 18 knives and machetes is no, paragraph 2.12 does not make  
 19 that clear, does it?  
 20 **A.** It doesn't make it clear explicitly, no.  
 21 **Q.** You asked about section 3. I was going to go on to  
 22 that. If we could look please at the bottom of page 3  
 23 we see "Client obligations", and if we go over the page  
 24 to the top of page 4, we should see 3.1.6, that the  
 25 client will:

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1 items, and to ensure age-verified delivery, the general  
 2 tenor of his evidence was he was looking to you to do  
 3 all the necessary because you were the experts in UK  
 4 shipping, and he also suggested that, at a video  
 5 conference, although he couldn't point to this being in  
 6 writing anywhere, at a video conference, he thought that  
 7 that was made clear, that you would take care of the  
 8 labelling and any requirements on the type of delivery  
 9 service. What do you say about that?  
 10 **A.** I say that's incorrect. As evidenced in one of my  
 11 exhibits, we were clearly told to only apply a shipping  
 12 label.  
 13 **Q.** Thank you. In fairness to you, although we had it on  
 14 screen yesterday, can we just remind ourselves, please,  
 15 of RUAM000005, bottom of the page, email from them on  
 16 17 February:  
 17 "Regarding the shipments, we would like all of them  
 18 to be sent with a traceable tracking number in order the  
 19 final clients can track the process."  
 20 So there was nothing there, was there, about age  
 21 verification being required?  
 22 **A.** No.  
 23 **Q.** Would you agree?  
 24 **A.** I would agree.  
 25 **Q.** At page 3, top of the page, please, third paragraph

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1 down, towards the end of the third paragraph:  
 2 "(... these packages could be sent already packed  
 3 and labelled so that you only have to include the label  
 4 of the transport agency) and from your warehouse they  
 5 would be sent to the final clients."

6 So there was nothing there about an expectation on  
 7 you that you would put some special labelling on to  
 8 comply with bladed items' legal requirements; would you  
 9 agree?

10 A. I would agree.

11 Q. Thank you. I want to ask you next about a potentially  
 12 important topic, which is your knowledge though of what  
 13 the items were. Prior to you receiving the request from  
 14 the Inquiry, did you know, in truth, Mr Henderson, that  
 15 Ageo were sending knives and machetes through you?

16 A. Not until this year.

17 Q. You say not until this year, is that because of the  
 18 Irish Customs find in March?

19 A. Correct.

20 Q. I should have said before this year. So you had some  
 21 knowledge of that from the customs find in March of this  
 22 year but, before that, you say, do you, that you did not  
 23 know that knives and machetes were being sent?

24 A. No.

25 Q. Could we look at four aspects of this, please. The

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1 eyes in detail.

2 Q. Because I'm going to use the phrase, even if it's well  
 3 worn, "missed opportunity", but that was a very clear  
 4 missed opportunity for you to appreciate that the  
 5 reality of this was that Ageo were a knife seller?

6 A. It was a missed opportunity to understand, yes, there  
 7 was going to be knife movements, potentially in those  
 8 parcels, for sure. The highlight for me was the fact  
 9 that they said "outdoor supplies", comma, and "outdoor  
 10 supplies" would suggest it was the primary focus.

11 Q. Well, you say that but let's not forget what's after the  
 12 comma. What was after the comma?

13 A. I understand, yes.

14 Q. What was after the comma?

15 A. Well, "we are specialised in knives".

16 Q. Yes and what was the website?

17 A. Hunting & Knives.

18 Q. Did you look at the website?

19 A. I don't have a recollection of checking that website.

20 Q. Do you understand now that it is awash with pretty  
 21 ferocious-looking knives?

22 A. In the past week I have visited that website and I can  
 23 confirm that, yes.

24 Q. We have heard from Evri and from Whistl that what they  
 25 seek to do with their customers is early on understand

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1 first is that you sent Ageo a questionnaire asking about  
 2 what kinds of products they sold, and could we look at  
 3 that please, HKAW000035. We should note, in fairness to  
 4 you, that this is a document that you volunteered.

5 Could we have the main text highlighted, please. So we  
 6 can see in relation to the questionnaire -- I want to  
 7 focus on question 6 and the answer. So question 6 was:

8 "What are the commodities/products?"

9 As you have volunteered in your statement, the  
 10 answer that they gave to that was "Outdoor supplies ..."

11 Then these words:

12 "... we are specialised in knives."

13 Yes?

14 A. Yes.

15 Q. Also question 7:

16 "What e-commerce platforms do you sell on/where will  
 17 orders be processed?"

18 The answer was:

19 "www.huntingandknives.co.uk."

20 Did you not -- or did you or somebody in your  
 21 company not acknowledge the significance of that at the  
 22 time?

23 A. The significance wasn't acknowledged and, as part of my  
 24 investigation for this Inquiry, when I read that email,  
 25 I now was shocked to find that it was right before my

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1 from them what they are likely to be selling:  
 2 dimensions, what the nature of it is. If you had got to  
 3 know, in a curious way, what the business of Ageo was,  
 4 set out quite openly in outline terms in this email, you  
 5 would instantly have known that they really were largely  
 6 about knives, machetes, swords.

7 A. That would be unknown unless the question was asked to  
 8 Ageo because the contents were not disclosed to me.

9 Q. No, but why didn't you ask?

10 A. Because of the model whereby they were moving and there  
 11 was nothing to say on the exterior of the carton that  
 12 come into us in bulk, that there was bladed articles  
 13 inside. There was not an age-verification service  
 14 requested for me to receive those goods.

15 Q. Had you had any experience of those selling knives and  
 16 bladed implements previous to Ageo?

17 A. Sorry, can you repeat that question?

18 Q. Yes, had you had any experience, other customers of  
 19 yours -- you've got 70 customers. Were any of your  
 20 previous customers, before Ageo, knife or bladed  
 21 implement sellers?

22 A. No.

23 Q. You didn't know, you have told us, what the legal  
 24 requirements were around this, even though they would be  
 25 the ones who had to meet the legal requirements. So

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1 against all of that background, when they are saying "We  
2 are specialised in knives and our website is Hunting &  
3 Knives", again can I put it to you that that wasn't just  
4 a missed opportunity, that was a moment in time where  
5 you should have asked questions?  
6 **A.** I should have asked more questions as to the scale, the  
7 actual knives in question here. On the same website,  
8 you can buy gloves, different other miscellaneous goods  
9 and, at that moment, now looking back on my  
10 investigation of the past week, the law at that time did  
11 not ask for courier ID verification service, it did not  
12 ask for labelling of those items either.  
13 **Q.** Forgive me, they didn't ask for those services and  
14 that's why I, to Mr Martinez yesterday, put a number of  
15 challenging questions to him about how they fell far  
16 short of their duties.  
17 **A.** Yes.  
18 **Q.** But you should have asked far more questions?  
19 **A.** In hindsight, yes, our due diligence has to go further.  
20 Our due diligence back around that time would have more  
21 been around the company, the liquidity of the company,  
22 the directorship, making sure everything was up to  
23 scratch on Companies House, more around the finances and  
24 the structure of the company. You can see in other  
25 correspondence, because they mentioned Grupo Marpasi and

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1 **Q.** So one of those may not be.  
2 **A.** One of them is not.  
3 **Q.** Fine.  
4 **A.** Number 3, as confirmed in my witness statement.  
5 **Q.** Yes, fine. The others all were?  
6 **A.** Pardon?  
7 **Q.** The others were all knives?  
8 **A.** I can see that, yes.  
9 **Q.** Did you read this?  
10 **A.** This was a download from the system during my  
11 investigation in the past week. The nature of the  
12 movement of goods -- the data is available in the system  
13 but it's not data you work with due to the goods coming  
14 already pre-packed and ready for a shipping label to be  
15 affixed. Hence I have removed that model now within the  
16 business.  
17 **Q.** So, at the time, is your evidence that you didn't read  
18 this?  
19 **A.** Is your evidence that I didn't read it?  
20 **Q.** Yes.  
21 **A.** Well, I didn't read it, as my statement -- I'm not sure  
22 of the evidence I could provide.  
23 **Q.** No, no, don't worry too much about where the questioning  
24 is going. Just listen to the question and answer it.  
25 **A.** Okay.

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1 Spain, I asked "Who am I entering a contract with?"  
2 because if Grupo actually hold the goods, I must  
3 actually hold a service agreement with both. So my due  
4 diligence went along the line of services agreements on  
5 the liquidity of the companies I was dealing with but  
6 I now understand further due diligence should have taken  
7 place.  
8 **Q.** A much more simple question would be: "Goodness me, I'm  
9 not quite sure what the law around shipping knives is  
10 because I've never done it before, I'd better find out",  
11 yes?  
12 **A.** In hindsight, yes.  
13 **Q.** Secondly, in March 2022, I think in one of the very  
14 early consignments, if not the first consignment --  
15 could we have on screen, please, RUAM000006. Again, if  
16 the top could just be highlighted. I have read out your  
17 statement paragraph 18 in relation to this a number of  
18 times. But I think you accept that on the first  
19 consignment, but not subsequently, these product  
20 descriptions were given?  
21 **A.** On the first consignment on 9 March 2022, yes.  
22 **Q.** Yes. Although we're looking at a print-out of  
23 a spreadsheet so the column is cut off, it's plain from  
24 the most cursory reading of that that these were knives?  
25 **A.** All bar one.

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1 **Q.** I think your evidence must be that you didn't actually  
2 read this at the time?  
3 **A.** No, I did not.  
4 **Q.** Would you say that, even though perhaps you are  
5 a medium-sized provider, rather than a very large one,  
6 would you say that there was no particular need for you  
7 to read it because this is part, effectively, of an  
8 automated system?  
9 **A.** The fact that I could go in and download this material  
10 shows that it was on the system. Can you rephrase that  
11 question for me?  
12 **Q.** You didn't at the time have a need to go into the  
13 system? In 2023, you didn't need to go into the system  
14 and read this and manually input it from one system to  
15 the other or anything like that?  
16 **A.** No.  
17 **Q.** So you're not looking at yourself now and thinking,  
18 "Damn, if I had done my job properly I would have read  
19 that list and known they were knives"?  
20 **A.** Yes, we did not have to work with this information.  
21 **Q.** At the same time, this was something which meant that  
22 the data available to your company would have shown, if  
23 it was interrogated, that they were knives.  
24 **A.** Yes.  
25 **Q.** If, from the first missed opportunity, you had thought,

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1 "Well, I had better keep an eye on what they're actually  
2 shipping to check that it is outdoor supplies not  
3 knives", the first consignment list would have rung  
4 alarm bells?

5 **A.** Yes.

6 **Q.** So that's the second opportunity. The third  
7 opportunity -- could we have on screen, please,  
8 HKAW000038. I think married to this first consignment,  
9 HKAW000038, Mr Martínez says that, along with the  
10 product description, there was also this type of  
11 information. Can we just try to highlight perhaps just  
12 the bottom left two-thirds so that we've got the imagery  
13 of the items and through to the column that -- that will  
14 just about do, I think.

15 Can we see that, although one may appear to be a set  
16 of scissors, you can just about work out that there were  
17 images showing that they were knives, yes?

18 **A.** On our portal, yes.

19 **Q.** So if we go to the top, to the top of the page, please,  
20 can we just highlight the text in the top left-hand  
21 side, that's SJ Henderson Fulfilment Limited and that's  
22 your portal?

23 **A.** Correct.

24 **Q.** Yes. Again, does that mean that that data would have  
25 sat somewhere on your system?

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1 twitched by that questionnaire at the start and you had  
2 wanted to check the early consignment, it looks as  
3 though, would you agree, as well as a list of the items,  
4 product information with images was also sent and was on  
5 your portal?

6 **A.** I would say that definitely for the CSV spreadsheet for  
7 sure and I would say that would give me enough  
8 information to warrant a search.

9 **Q.** Thank you. Then could we have on the screen next,  
10 please, RUAM000008. Could that be rotated, please,  
11 anticlockwise. Could we enlarge the bottom parcel.  
12 Again, this is -- I should make absolutely clear,  
13 Mr Henderson, an exhibit which you have volunteered and  
14 it is helpful to the Inquiry, especially given the  
15 pressures of time that you were under. This appears to  
16 show how the packages would arrive into your unit; would  
17 that be right?

18 **A.** Yes, this was sent by one of the employees of Grupo  
19 Marpasi before it left Spain, the very first original  
20 consignment.

21 **Q.** I follow, so this is taken in Spain showing how it would  
22 look and we can see, consistent with your evidence,  
23 minimal data on there: name, country, postal code, city,  
24 address, phone number. It has got an Ageo Wholesale  
25 Limited address in the UK. But it has also got "HK",

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1 **A.** It sits amongst those 75,000 SKUs, yes. On that page  
2 there are ten.

3 **Q.** So again, Whistl, in particular, have explained this to  
4 us, that they would have a large volume of these and no  
5 need to read them individually. But as a third  
6 opportunity, this company was providing, on the first  
7 set of sales, imagery showing that it was knives that  
8 they were selling.

9 **A.** I wouldn't be able to say yes to that or no to that  
10 because I'm unsure when these images were supplied.  
11 They don't have to have an image -- certainly they would  
12 have submitted the information to the system detailing  
13 these contents, absolutely as confirmed in that CSV  
14 upload. The images I'm unsure if it they were present  
15 at the time or not.

16 **Q.** I don't think it is suggested that these were sent every  
17 time. I think the suggestion from Mr Martínez in his  
18 witness statement is that these were for the first  
19 consignment so --

20 **A.** Yes, it absolutely was not for any movement following  
21 9 March, for sure. Everything was detailed simply  
22 "dropship" from there on in. For the first movement,  
23 again, I can't confirm if there were images detailed or  
24 not because products can be edited.

25 **Q.** But again, if you had been alert, if your antenna had

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1 the logo for Hunting & Knives and the full name,  
2 "Hunting & Knives", yes?

3 **A.** I can see that logo at the top left, the "HK" and  
4 "Hunting & Knives" written underneath that in small  
5 letters, yes.

6 **Q.** I think you would agree that, in excess of 2,500 parcels  
7 of this kind came through your facility, all probably  
8 labelled in this sort of way with "Hunting & Knives"?

9 **A.** Yes.

10 **Q.** That was also, would you agree, a repeated missed  
11 opportunity for you to realise the likelihood that what  
12 Ageo were doing was using you to convey knives?

13 **A.** It would be from the photographic evidence that  
14 I received, again within that email thread. There's  
15 nothing to indicate following that first movement if  
16 that logo continued to be represented, given that there  
17 was such a change in how they were submitting orders to  
18 us from 9 March 2022. I'm unsure why they done that  
19 change. There's no -- upon my investigation, I cannot  
20 see correspondence to suggest why they made that move to  
21 manual input, detailing "dropship only", no further  
22 comments.

23 **Q.** You can't, as you sit there now, say one way or the  
24 other whether the label remained the same for all of  
25 them?

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1 A. No.

2 Q. But whether it was on this first occasion, when they had

3 answered the question "Specialise in knives" -- or

4 "Outdoor equipment, we specialise in knives and our

5 website is Hunting & Knives", if this was the image they

6 sent you, "This is how we are going to send things

7 through to you", again it's plain, on its face, isn't

8 it, that there was a really significant issue here,

9 putting you on notice that the likelihood is that these

10 packages were going to contain knives?

11 A. Again, this was an image sent to me over email here and

12 this is zoomed in substantially, so the "Hunting &

13 Knives" is barely readable. I understand there's a logo

14 there and I do understand as part of that same email

15 chain, which I already commented on, that I should have

16 done more on terms of actually further due diligence

17 checks, now in hindsight. But given the nature of this

18 image being sent to me in this format, it's the detail

19 of how the packages are to come into our facility.

20 Q. Do you regret now not doing more and not being more

21 curious and not asking more questions?

22 A. Yes.

23 Q. Are you sure that it is not the case that you knew all

24 along that these were knives?

25 A. I'm sure it's -- I did not know they were all knives.

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1 the checks we facilitate of those 1.77 million items.

2 They all were booked in in that format, the

3 99.8 per cent of that, and the rest were dropships.

4 Because the dropships are pre-packaged, for people who

5 have already ordered these, the client has already sold

6 the goods, they have packaged them, I deemed it not

7 appropriate to break open these to do any checks.

8 Q. Thank you. In terms of the couriers that were then

9 used, we know that Whistl was the one that was usually

10 used and I think with just one exception for the Ageo

11 parcels. Were you aware that Evri didn't have an

12 age-verified delivery service?

13 A. I wasn't aware of that. I also wasn't aware of the need

14 for a business to have an age verification service

15 because I wasn't aware of the contents of the goods, nor

16 was I ever asked to use that service. Should we have

17 been asked to provide that service, I absolutely would

18 have asked all of my courier networks, "Do you offer

19 this?", and would have provided that service.

20 Q. Thank you. Can I ask you about the arrangement that was

21 made because your contract with Whistl, which I think is

22 how you carried out the fulfilment of what Ageo wanted,

23 your contract was with Ruach Music, your music business,

24 who had a contract with Whistl, so you were channelling

25 your SJ Henderson Fulfilment's packages through Ruach

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1 Q. Thank you. In terms of your understanding, as far as

2 the packaging is concerned, I think that we have dealt

3 with most of that but, can I ask you this: was there any

4 sense in which, at any time, you asked questions about

5 the appropriate labelling, above and beyond the standard

6 shipping label? You didn't go back to Mr Martínez and

7 ask the question whether they required any special

8 labels?

9 A. No.

10 Q. Presumably, as with previous witnesses, the fact that

11 over 2,500 of these parcels, all of which should have

12 been age verified and all of which should have had

13 labelling, and none of them did, presumably you now find

14 that both a very serious matter and very worrying?

15 A. Absolutely, and it's why I'm here today.

16 Q. Thank you. Was there any process that you had for

17 running any kind of spot checks on what your customers

18 were sending? Did you dip sample from time to time?

19 A. As we both referred to earlier on, 99.8 per cent of the

20 movements are all booked in and checked in. You're

21 going by the description on the outer case. As I'm sure

22 you can appreciate, we can't unbreak the seal of boxes

23 and check contents. Therefore, certain products cannot

24 then be sold but what we do is check the description,

25 scan them in and book them in. So that forms part of

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1 Music; would you agree?

2 A. For the Whistl movements, yes.

3 Q. Why were you doing that?

4 A. In November 2020, Whistl approached myself, they called

5 me and there's evidence to detail that, to offer their

6 services to my fulfilment business. In January,

7 following that, in 2021, they then made a proposition to

8 Ruach Music Limited and that was because Ruach Music was

9 in business for longer. So they said we could secure

10 better credit terms and fulfil orders through that

11 business. So, therefore, we could invoice across the

12 sister companies for that purpose. So from the very

13 beginning, Whistl were aware that they were dealing with

14 a fulfilment company for third parties.

15 Q. So you say that was cards on the table, they knew all

16 about it?

17 A. Absolutely.

18 Q. Again, I may be corrected if I'm wrong but I don't think

19 that we have seen the emails around that. Are those

20 things that you could provide to the Inquiry?

21 A. They are part of the exhibits. I hope they did come

22 through because I submitted those.

23 Q. All right, well, we will look at that.

24 A. Yes.

25 Q. But in any event, what you say is that there was nothing

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1 hidden, no subterfuge about that, you were plain with  
 2 Whistl, in fact they had suggested to you that you could  
 3 add your fulfilment business on the music company  
 4 account, effectively?  
 5 **A.** Yes, and the timeline matches that.  
 6 **Q.** Thank you. Is it right that Whistl have now terminated  
 7 the agreement with you?  
 8 **A.** I terminated the agreement with Whistl about six months  
 9 ago and they never responded. So I have heard -- I have  
 10 read as part of their statement that they have stopped  
 11 supplying services to us. But I had already terminated  
 12 the contract six months ago.  
 13 **Q.** Why had you terminated the contract?  
 14 **A.** Simply because none of our clients were using their  
 15 services anymore. They didn't find any services that  
 16 they wanted to use and had moved to other competitor  
 17 companies, mostly down to the financials. They weren't  
 18 competitive anymore.  
 19 **Q.** Thank you. Do you agree that, as far as Whistl are  
 20 concerned, in their contract with you, they did have  
 21 terms in their contract and in their guidance, which  
 22 referred to prohibited items, so that if you followed  
 23 the link to Evri in particular there was a very clear  
 24 prohibition saying, "Evri don't take knives", full stop;  
 25 would you agree with that?

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1 contract we held with them, which I understand now to  
 2 be -- we were very reliant on that contract and reliant  
 3 on the goods coming into our premises appropriately  
 4 labelled and with instructions, should we have to take  
 5 extra precautions. So there was nothing to alert me to  
 6 that.  
 7 **Q.** But in terms of your contractual obligations with Whistl  
 8 and what they were saying in their terms, they were  
 9 indicating it's the customer's responsibility to choose  
 10 a carrier which will carry the goods, follow any  
 11 particular requirements and to notify the carrier of any  
 12 special instructions for handling and or delivery.  
 13 You would say you were onward dependent upon Ageo,  
 14 but would you agree in terms in which here Evri didn't  
 15 permit knives at all, that that was another reason why  
 16 if you were, in any doubt at all, you should have  
 17 checked with Ageo what these packages contained because  
 18 it was only your assumption that it was outdoor  
 19 equipment?  
 20 **A.** Our clients indicate the courier services they want us  
 21 to use. They actually select it themselves and, in this  
 22 case, it was a manual upload to our system explicitly  
 23 detailing the service to use. Now, upon this  
 24 investigation, there's more work to be done to actually  
 25 forward information and actually find information online

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1 **A.** Following the link to Evri, yes, I would agree with  
 2 that. In terms of Whistl's terms and conditions I don't  
 3 believe they are in sync with Evri's because they don't  
 4 strictly prohibit the movement of knives or bladed  
 5 articles. I refer to my evidence from the Wayback  
 6 Machine that I utilised --  
 7 **Q.** Just pause there. If we just have on the screen  
 8 paragraph 20 of your statement at RUAM000003 at page 6.  
 9 I think this is the bit of your evidence you are  
 10 referring to:  
 11 "My understanding is that it was (and is) Whistl's  
 12 policy that knives or bladed items are not strictly  
 13 prohibited. Rather, they are permitted provided that  
 14 the sending party complies with any additional  
 15 requirements relating to them as set out in their  
 16 'prohibited items' section ..."  
 17 Is that right?  
 18 **A.** Correct, and you can see what I have inserted from  
 19 26 October 2020, which would have been a month before  
 20 they first reached out to me, what their website  
 21 detailed in relation to those objects.  
 22 **Q.** What did you understand that Ageo were actually sending  
 23 in the parcels? What was your understanding about that?  
 24 **A.** My honest understanding was outdoor supplies and that  
 25 there was nothing to be cautious about, due to the

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1 for our clients, so they understand the various  
 2 restrictions across all companies in the UK that they  
 3 have access to -- to utilise, so as they understand the  
 4 restrictions and the requirements.  
 5 **Q.** Thank you. But certainly, so far as Whistl is  
 6 concerned, you were the customer and they were putting  
 7 the responsibility under the contract on you to ensure  
 8 that the requirements about avoiding prohibited items  
 9 were met, so it's not a complete answer to that, is it,  
 10 to say, "Well, Ageo should have told me", because that  
 11 creates, would you agree, an obligation and  
 12 a responsibility on you to ensure that what is being  
 13 sent doesn't breach the prohibited items list?  
 14 **A.** This is why we have a services agreement with each of  
 15 our clients because it does put the onus on the client  
 16 to ensure they oblige because it is their business, they  
 17 are the one who are selling the goods.  
 18 **Q.** So what Mr Henderson was your responsibility? What was  
 19 on your shoulders, if anything?  
 20 **A.** My responsibility was to ensure they upheld the services  
 21 agreement.  
 22 **Q.** Did you ensure that?  
 23 **A.** I believe extra measures can now be put in place to  
 24 ensure it.  
 25 **Q.** Yes. What's the answer to my question? At the time,

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1 did you satisfactorily ensure that your client upheld  
 2 the service agreement or did you fall somewhat short?  
 3 **A.** I believe that model of the dropship that we were  
 4 discussing here today allows for the client to not  
 5 disclose sufficient information for me to do my job on  
 6 that front, given the fact there's 1.77 million items,  
 7 doing searches --  
 8 **Q.** So the system allowed Ageo not to disclose things. But  
 9 I'm focusing on you, Mr Henderson, and your  
 10 responsibilities because you are part of the chain and  
 11 you had contractual obligations to Whistl, who also put  
 12 you on notice about Evri's requirements and your  
 13 responsibility to ensure that the prohibited items list  
 14 was not breached. So can I ask the question again: did  
 15 you do all that you should have done to ensure that your  
 16 client upheld the service agreement or did you fall  
 17 somewhat short?  
 18 **A.** Looking back, I would say I fell somewhat short.  
 19 **Q.** Thank you. In terms of the termination of the contract  
 20 with Ageo, I should cover that but I'm going to do so  
 21 relatively briefly. Could we just look at your  
 22 paragraph 24, please, on page 7 of your statement, so  
 23 that's RUAM000003. Thank you. It's page 8. Sorry, you  
 24 were right first time, forgive me. Yes, page 7.  
 25 You got a notification from the Irish Tax and  
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1 a historic replica. Does that make any difference to  
 2 you?  
 3 **A.** It doesn't make a difference to me.  
 4 **Q.** Is it your evidence that this was the first time that  
 5 you were actually aware that the packages contained  
 6 quite -- on the serious end of knives?  
 7 **A.** Yes.  
 8 **Q.** Did you, at that time, go back, as you told the Inquiry  
 9 you did when you received the Inquiry's notification, to  
 10 look at what you had been told by this company  
 11 previously?  
 12 **A.** In terms of doing an investigation?  
 13 **Q.** Yes, in terms of going back to the email where, when  
 14 first asked about what items they would be selling, they  
 15 said, "We're outdoor specialists, we specialise in  
 16 knives and our website is Hunting & Knives"?  
 17 **A.** I didn't go back to that email on that day. I put the  
 18 onus on actually ensuring it was terminated. I went out  
 19 to the warehouse immediately and spoke with managers to  
 20 ask was there anything dropped that day or the day  
 21 before for Ageo. There was. I ensured that was set  
 22 aside immediately and seized and I contacted Ageo to  
 23 say, "This will be returned to sender", as in the  
 24 supplier in Spain, so the onus was on ensuring swift  
 25 action.

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1 Customs about the seizure of one of the Ageo packages;  
 2 is that right?  
 3 **A.** Yes.  
 4 **Q.** Can we have on the screen, please, RUAM000010. We just  
 5 note the Republic of Ireland crest at the top left and  
 6 it is from the Republic of Ireland Revenue but if we can  
 7 look at the main paragraph of text, please, just  
 8 enlarged:  
 9 "Notice is hereby given that certain goods, to wit;  
 10 1 x JOKER Lock Knife, 1 x Chickan machete, 1 x Bowie  
 11 Type Knife, 1 x Muela Dagger, 1 x Bayonet Type Knife,  
 12 1 x Butterfly Knife, 1 x 6 Barrel Pepper-box  
 13 Revolver ... 3 x Throwing Knives, 1 x Ceremonial Dagger,  
 14 1 x Miquel Nieta Hunting Knife ..."  
 15 Were seized by the Irish customs, yes?  
 16 **A.** Yes.  
 17 **Q.** What was your reaction when you got that notification?  
 18 **A.** My reaction was entire shock that these were the goods  
 19 that Ageo were trying to send through my facility. They  
 20 were an obvious breach of our services agreement.  
 21 **Q.** Because?  
 22 **A.** Because of the variety of clauses which I quoted in our  
 23 email to Ageo, clause 2, clause 3. You can see here  
 24 explicitly a firearm detailed.  
 25 **Q.** Yes. What Mr Martínez said about that was that it was  
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1 **Q.** If we look at it at RUAM000012, could we go to the next  
 2 page, please, and to the bottom of that page -- maybe  
 3 page 3 then, please, just at the very bottom. Can we go  
 4 to the bottom of page 2 -- yes, that's it:  
 5 "Hello Stephen,  
 6 "We would like to have a video call with you if  
 7 possible ..."  
 8 No, forgive me, it's further down, please. Can we  
 9 go to the whole of that page, right, so this is an email  
 10 from you:  
 11 "Dear Alberto,  
 12 "I am writing to formally notify you that, in  
 13 accordance with our Master Services Agreement, we are  
 14 terminating our contract with immediate effect. This  
 15 decision follows the seizure of your goods by Customs  
 16 due to their classification as dangerous goods, which  
 17 are strictly prohibited under section 2.12 of our  
 18 Agreement.  
 19 "As per the Agreement, we do not accept hazardous or  
 20 dangerous goods for storage or fulfilment ...  
 21 "Additionally, under clause 5.2 ... early  
 22 termination charges apply ...  
 23 "Following payment of the outstanding invoices,  
 24 please arrange for the removal of any remaining  
 25 goods ...

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1 "Should you require any further clarification please  
 2 do not hesitate to contact me."  
 3 So, in fairness to you, a pretty robust, immediate  
 4 termination; would you agree?  
 5 **A.** Yes.  
 6 **Q.** If we go to the preceding page, please, there's  
 7 a request from someone at Grupo Marpasi asking for  
 8 a video call to discuss this:  
 9 "We would like to have a video call ... if possible  
 10 tomorrow morning so we can speak about this.  
 11 "We have a long good work relation and we are sure  
 12 we can find the way to solve this without ending our  
 13 contract."  
 14 Top of the page, please -- let's go to the preceding  
 15 page, right at the bottom -- previous page right at the  
 16 bottom. So the page before that, please, right at the  
 17 bottom, so the email starts "Hi Tania", then the top of  
 18 page 3, please:  
 19 "Unfortunately, you have left us liable for  
 20 prosecution."  
 21 Is that because you were concerned about the firearm  
 22 in particular?  
 23 **A.** The gun led me to -- yes.  
 24 **Q.** "The goods being shipped to us, go against our terms.  
 25 "We cannot proceed further trading with the noted  
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1 "Dear Juan,  
 2 "Thank you for your email. I understand your  
 3 concerns and want to clarify the situation.  
 4 "... you are always welcome to book a call with me  
 5 using the link [et cetera].  
 6 "To address your concerns, I can confirm that the  
 7 seized goods were not cutlery. Customs flagged and  
 8 detained the shipment due to its contents, which  
 9 included:  
 10 "Lock Knives  
 11 "Bayonet Knives  
 12 "Butterfly Knives  
 13 "Pepper-box Revolver  
 14 "Throwing Knives  
 15 "Daggers  
 16 "Hunting Knives."  
 17 Then you refer to those clauses.  
 18 What did you make of Mr Martínez's suggestion that  
 19 what he had been sending was "cutlery"?  
 20 **A.** I couldn't believe it. It was very obvious to me that  
 21 he was evidently still trying deliberately not to  
 22 disclose the contents of what he was sending inside his  
 23 packages and it infuriated me.  
 24 **Q.** In a sense, it may be that you have answered my next  
 25 question. Obviously, it will be a matter for the Chair  
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1 goods. Please furnish your account with full payment,  
 2 and remove all stock from our premises."  
 3 Then if we go to the previous page, can we have the  
 4 whole text of that email, please:  
 5 "... I am surprised that you do not ..."  
 6 This is from Mr Martínez:  
 7 "... I am surprised that you do not even want to  
 8 talk to us about what happened and you do not inform us  
 9 which article you have been told is dangerous, nor have  
 10 you sent us any kind of documentation. As you well  
 11 know, we send cutlery and this is not classified as  
 12 a dangerous article for transport."  
 13 Then he purports to give the UK's guidance on  
 14 shipping dangerous goods:  
 15 "On the other hand, I was very upset when you sent  
 16 us an invoice for the termination of the contract that  
 17 you have unilaterally rescinded without giving any  
 18 explanation.  
 19 "The merchandise that you have in your warehouse ...  
 20 is valued at around £10,000. Not to mention the damage  
 21 that you are causing us with respect to our clients."  
 22 Then he threatens legal action against you. Your  
 23 reaction to being told "we send cutlery", I think if we  
 24 go to the next email, so that will be on the previous  
 25 page, is evident from the response that you sent:  
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1 in due course but, as somebody who was in business with  
 2 Martinez, at least to this extent, what was your  
 3 assessment? Did you assess that he was somebody who  
 4 wasn't on top of the law and wasn't on top of what he  
 5 was shipping and was making errors or did you think that  
 6 this was deliberate concealment?  
 7 **A.** It was hard -- hard to draw parallels, based on the  
 8 limited email correspondence that I have had with that  
 9 individual. As you know, I have dealt with Alberto  
 10 mostly, not Juan. I'm not sure which side he sits.  
 11 **Q.** Did you report the company to the authorities in any  
 12 way, at that time?  
 13 **A.** I left -- I responded to the Customs authorities and  
 14 they said they were going to respond to me with further  
 15 detail on the action. Nothing further was reported.  
 16 **Q.** What was the nature of what you said to the Irish  
 17 Customs authorities?  
 18 **A.** It should be detailed here in the evidence to --  
 19 **Q.** Just give us the outline of it. Just give us the  
 20 outline of what you said.  
 21 **A.** I told them I was terminating the contract with  
 22 immediate effect. I supplied them with the same copy of  
 23 the terms of agreement, that you have, that I had with  
 24 Ageo Wholesale. I confirmed that we didn't own the  
 25 goods and the legal liabilities of the client.  
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1 Q. So you effectively said that it was their  
2 responsibility, you were terminating it, they weren't  
3 your goods and did you say you didn't know that these  
4 were the items that they were shipping?

5 A. Correct, and I asked them to dispose of the goods.

6 Q. Thank you. In terms then of looking to the future,  
7 reflections and lessons learned, your statement to the  
8 Inquiry had a section in relation to that. Can we bring  
9 it up, please? It starts at paragraph 39 on page 13.  
10 I'm not going to read out all of this. As with previous  
11 witnesses, you will understand that your statement will  
12 be published, so the totality of what you say.

13 But, in effect, you start in paragraph 39 saying you  
14 have 70 active clients; receive, warehouse and fulfil  
15 orders for them. Over the page, you have strict service  
16 agreements "in line with the couriers we subcontract",  
17 in this case Ruach Music.

18 In paragraph 40, it is the responsibility of the  
19 account holder with Whistl that any items it was asking  
20 Whistl or Evri to deliver were not prohibited.

21 Paragraph 41:

22 "During the preparation of the referenced shipment,  
23 visual inspections of the packaging were conducted, as  
24 standard, to confirm alignment ..."

25 Paragraph 42:

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1 understanding and complying with their legal  
2 obligations."

3 You go on to give the detail in relation to that and  
4 then you say this, about five lines from the bottom of  
5 paragraph 47:

6 "Accordingly, I believe there was nothing different  
7 we reasonably could have done. With hindsight however,  
8 and now with a clearer understanding of how the client  
9 undermined our contract, misrepresented the contents,  
10 and used our fulfilment centre to process this order,  
11 I am implementing changes to reduce the potential for  
12 such deceit in the future. As a direct result of this  
13 case, we are strengthening our internal processes."

14 All right? Mr Henderson, that wording "Accordingly,  
15 I believe there was nothing different we reasonably  
16 could have done", do you wish to change that evidence  
17 and that sentiment in light of the areas that I have  
18 explored with you?

19 A. Well, this speaks to the individual parcel to AR. It  
20 was a response to a question that was submitted to  
21 myself. It details that on the paragraphs previous to  
22 that. That was what these paragraphs are in relation  
23 to. So based on that, that parcel coming in, in that  
24 format, not correctly labelled, without the client  
25 actually asking us to send it via courier ID

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1 "Whistl place responsibility on the customer ... to  
2 ensure parcels comply with their policies. This is the  
3 same approach taken by other couriers we use ... at  
4 SJ Henderson, we have strict service agreements with our  
5 clients requiring them to send only goods which comply  
6 with Clause 2 ..."

7 Then it comes to this in paragraph 43:

8 "In this case, we were not informed by the client,  
9 Ageo, that the goods fell outside of our services  
10 agreement, nor were the parcels labelled confirming the  
11 contents included bladed items, therefore we had no way  
12 of knowing that the parcel contained a machete other  
13 than unpacking every sealed parcel and checking the  
14 contents, which is not part of the service we provide.  
15 Accordingly, the client failed to comply with our  
16 contract, which resulted in Whistl's terms and  
17 conditions being breached without our knowledge."

18 So throughout those paragraphs, it might be thought  
19 that you were saying, in terms, that this failure was  
20 solely the fault of Ageo and Mr Martínez.

21 A. Yes.

22 Q. At paragraph 47, you say:

23 "To our knowledge, at the time, SJ Henderson  
24 fulfilled an order for a client who, as per the terms of  
25 our signed agreement, bore full responsibility for

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1 verification service, not detailing anything underneath  
2 the packing instructions, there's nothing further we  
3 could have reasonably done at that time.

4 Q. All right, but it's just this, you see, repeating the  
5 thanks for the speed with which you have dealt with  
6 matters and acknowledging that you haven't had long to  
7 reflect on these matters, nowhere in the reflections on  
8 events, in response to a request for you to give your  
9 candid reflections, do you say, "We had some missed  
10 opportunities to recognise that these were knives and we  
11 could have done better".

12 A. At a macro level, I would agree with that.

13 MR MOSS: Thank you. I'm just looking to my left, to see if  
14 there are any questions.

15 Mr Henderson, thank you. Those are my questions.

16 Sir, do you have any more questions for this  
17 witness?

18 Questioned by THE CHAIR

19 SIR ADRIAN FULFORD: Just one, Mr Henderson. You will  
20 remember a little while ago Mr Moss was asking you about  
21 communications with Mr Martínez and the position is that  
22 the Inquiry heard from Mr Martínez that he claims he had  
23 a video conference with you and that, during the course  
24 of that video conference, you said that you were the  
25 expert in relation to matters such as age verification

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1 and the delivery of parcels that required that kind of  
 2 condition attached to them.  
 3 Firstly, early on in your relationship, were there  
 4 any video conferences between you and Mr Martínez?  
 5 **A.** Yes.  
 6 **SIR ADRIAN FULFORD:** There were. Secondly, during the  
 7 course of those video conferences, was there any  
 8 exchange of the kind that I have just outlined?  
 9 **A.** No, and to speak to that, it was in a conference I do  
 10 know I had one of, the emails that we have looked here  
 11 today, that specifically told us to simply apply  
 12 a shipping label, was emails that followed that Zoom  
 13 call. In that same thread, I say, "Thank you for your  
 14 time on Zoom".  
 15 **SIR ADRIAN FULFORD:** Right. Was it just one Zoom call early  
 16 on then?  
 17 **A.** From my investigations, yes.  
 18 **SIR ADRIAN FULFORD:** You don't have a memory of there being  
 19 more than one?  
 20 **A.** I don't recall any more than one.  
 21 **SIR ADRIAN FULFORD:** No. As Mr Moss has already said,  
 22 Mr Henderson, you have responded to the request from  
 23 this Inquiry with truly impressive speed, I think you  
 24 have only known about this for about seven days, and the  
 25 fact that you are here today and you have provided all

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1 the documentation that you have is something for which  
 2 I am very grateful.  
 3 **A.** Thank you.  
 4 **SIR ADRIAN FULFORD:** So thank you for your evidence and  
 5 thank you for attending and thank you for your help.  
 6 **A.** Thank you very much.  
 7 **SIR ADRIAN FULFORD:** Does that draw a close to this  
 8 afternoon's --  
 9 **MR MOSS:** That is our evidence for today.  
 10 We don't have time to start Mr Ali sensibly. So,  
 11 with your permission, sir, we will sit at 10.00 tomorrow  
 12 to hear the evidence of three witnesses: Hamza Ali, the  
 13 Amazon delivery driver in relation to the knife;  
 14 Mr Boumphrey of Amazon; and PC McNamee.  
 15 **(4.36 pm)**  
 16 (The Inquiry adjourned until 10.00 am the following day)  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

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<p><b>MR BOYLE:</b> [3] 34/3 66/5 70/19</p> <p><b>MR ILLINGWORTH:</b> [2] 149/23 151/24</p> <p><b>MR MOSS:</b> [17] 71/5 87/18 91/3 91/5 92/11 108/16 109/13 131/17 131/19 149/19 152/10 152/20 153/22 153/24 164/14 200/13 202/9</p> <p><b>MS WAKEMAN:</b> [5] 1/7 25/5 26/17 32/4 33/18</p> <p><b>SIR ADRIAN FULFORD:</b> [52] 1/5 25/3 26/15 32/9 32/16 33/7 33/12 33/15 33/20 34/2 66/9 66/12 67/6 67/11 67/22 67/24 68/5 68/7 69/5 69/19 70/1 70/4 70/10 70/13 70/15 70/18 70/21 71/2 87/7 87/16 91/2 91/4 92/10 108/21 109/9 109/12 131/18 152/1 152/7 152/12 152/18 153/19 153/23 164/10 164/13 200/19 201/6 201/15 201/18 201/21 202/4 202/7</p> <p>'</p> <p><b>'knives'</b> [1] 82/4</p> <p><b>'Prohibited'</b> [2] 135/16 186/16</p> <p><b>'Tactical'</b> [2] 9/20 10/1</p> <p>.</p> <p>... [6] 40/15 54/3 57/4 167/1 194/5 194/7</p> <p>... <b>all</b> [1] 40/15</p> <p>... <b>comply</b> [1] 167/1</p> <p>... <b>I am</b> [2] 194/5 194/7</p> <p>... <b>no</b> [1] 57/4</p> <p>... <b>so</b> [1] 54/3</p> <p><b>0</b></p> <p><b>0.19 per cent</b> [1] 160/21</p> <p><b>1</b></p> <p><b>1 billion</b> [2] 73/6 73/6</p> <p><b>1 February</b> [1] 90/25</p> <p><b>1 October</b> [1] 1/1</p> <p><b>1 x</b> [1] 190/12</p> <p><b>1.02 pm</b> [1] 109/4</p> <p><b>1.35 pm</b> [2] 7/25 8/4</p> <p><b>1.4</b> [2] 4/22 4/24</p> <p><b>1.4 kilograms</b> [1]</p>	<p>4/16</p> <p><b>1.7 million</b> [1] 155/19</p> <p><b>1.77 million</b> [2] 183/1 189/6</p> <p><b>10</b> [2] 100/17 147/4</p> <p><b>10 per cent</b> [2] 79/15 80/16</p> <p><b>10,000</b> [1] 194/20</p> <p><b>10.00</b> [3] 1/2 202/11 202/16</p> <p><b>10.30 am</b> [1] 47/18</p> <p><b>100</b> [1] 73/4</p> <p><b>100 per</b> [1] 75/20</p> <p><b>100 per cent</b> [4] 3/24 43/11 66/24 75/14</p> <p><b>11</b> [4] 90/23 91/3 92/5 132/1</p> <p><b>11.42</b> [1] 70/22</p> <p><b>12</b> [4] 92/17 132/8 135/13 164/15</p> <p><b>12 months</b> [2] 38/23 155/20</p> <p><b>12,000</b> [1] 74/7</p> <p><b>12.05</b> [1] 70/21</p> <p><b>12.06 pm</b> [1] 70/24</p> <p><b>13</b> [5] 88/25 89/6 94/25 143/17 197/9</p> <p><b>13.35 pm</b> [1] 8/20</p> <p><b>14</b> [3] 79/23 91/8 91/9</p> <p><b>15</b> [4] 74/7 87/23 129/25 130/8</p> <p><b>15 September</b> [1] 109/19</p> <p><b>16</b> [4] 15/7 15/8 15/24 130/8</p> <p><b>17</b> [3] 20/20 21/14 25/13</p> <p><b>17 February</b> [1] 168/16</p> <p><b>17 years</b> [1] 110/8</p> <p><b>18</b> [37] 5/2 5/11 5/14 6/18 15/12 15/14 15/15 15/16 15/21 19/10 19/22 24/7 24/9 24/13 24/15 29/16 30/17 30/22 31/2 42/25 47/20 48/8 48/13 48/17 51/5 56/14 81/20 97/11 100/4 100/9 102/5 103/3 103/3 121/25 156/6 157/5 174/17</p> <p><b>18 August</b> [1] 71/11</p> <p><b>18 February</b> [1] 164/17</p> <p><b>18 years</b> [3] 5/3 20/21 41/25</p> <p><b>18-plus</b> [10] 25/23 118/16 121/25 142/6 142/19 142/21 158/17 159/6 167/25 167/25</p> <p><b>185,000</b> [1] 155/19</p>	<p><b>18s</b> [5] 3/16 33/2 36/22 39/15 63/2</p> <p><b>19</b> [1] 102/13</p> <p><b>19 September</b> [1] 89/20</p> <p><b>1987</b> [2] 4/8 4/14</p> <p><b>1A</b> [5] 5/8 19/15 42/6 42/16 43/10</p> <p><b>2</b></p> <p><b>2,000</b> [1] 74/7</p> <p><b>2,500</b> [3] 131/2 180/6 182/11</p> <p><b>2,562</b> [2] 151/2 151/11</p> <p><b>2,563</b> [2] 125/5 130/12</p> <p><b>2,810</b> [1] 163/3</p> <p><b>2.00</b> [1] 109/3</p> <p><b>2.02 pm</b> [1] 109/6</p> <p><b>2.12</b> [3] 164/21 166/18 192/17</p> <p><b>2.5 million</b> [3] 73/8 73/17 93/22</p> <p><b>20</b> [1] 186/8</p> <p><b>20 years</b> [2] 72/14 133/4</p> <p><b>20,000</b> [1] 73/10</p> <p><b>200</b> [1] 75/6</p> <p><b>2005</b> [1] 132/1</p> <p><b>2009</b> [1] 34/20</p> <p><b>2014</b> [1] 154/9</p> <p><b>2019</b> [4] 89/25 93/11 154/10 155/8</p> <p><b>2020</b> [3] 43/10 184/4 186/19</p> <p><b>2021</b> [1] 184/7</p> <p><b>2022</b> [24] 2/1 3/6 6/22 6/25 13/13 14/17 15/3 15/9 17/10 19/13 20/6 39/14 39/23 40/3 46/9 47/17 61/3 81/24 125/16 159/14 164/17 174/13 174/21 180/18</p> <p><b>2023</b> [15] 88/19 90/25 92/7 92/20 92/22 92/23 95/12 98/3 98/3 131/14 132/7 132/10 156/4 159/5 176/13</p> <p><b>2025</b> [2] 1/1 34/12</p> <p><b>21</b> [6] 15/10 15/12 15/13 15/21 15/22 41/6</p> <p><b>22</b> [2] 81/24 125/16</p> <p><b>229</b> [1] 4/5</p> <p><b>23</b> [2] 81/25 125/17</p> <p><b>24</b> [1] 189/22</p> <p><b>25</b> [2] 23/19 24/21</p> <p><b>25 July</b> [1] 34/12</p> <p><b>25 October</b> [1] 88/18</p> <p><b>26 October</b> [3] 88/19 131/14 186/19</p>	<p><b>27</b> [1] 155/13</p> <p><b>27 September</b> [1] 152/25</p> <p><b>28</b> [1] 123/17</p> <p><b>3</b></p> <p><b>3 May</b> [1] 6/25</p> <p><b>3.1.6</b> [2] 157/22 166/24</p> <p><b>3.11 pm</b> [1] 152/13</p> <p><b>3.22 pm</b> [1] 152/15</p> <p><b>3.3</b> [1] 135/14</p> <p><b>30</b> [1] 98/12</p> <p><b>30 days</b> [1] 86/23</p> <p><b>30,000</b> [3] 73/12 75/2 124/25</p> <p><b>300</b> [1] 75/6</p> <p><b>31</b> [3] 124/24 125/8 130/3</p> <p><b>32</b> [3] 61/14 131/6 131/17</p> <p><b>34</b> [2] 147/3 150/1</p> <p><b>34,000 square</b> [1] 155/17</p> <p><b>39</b> [2] 197/9 197/13</p> <p><b>4</b></p> <p><b>4 May</b> [1] 3/6</p> <p><b>4 million</b> [1] 84/13</p> <p><b>4.2 million</b> [1] 73/9</p> <p><b>4.36 pm</b> [1] 202/15</p> <p><b>4.9</b> [1] 91/9</p> <p><b>4.9.1</b> [2] 91/16 92/2</p> <p><b>4.9.2</b> [1] 91/19</p> <p><b>40</b> [1] 197/18</p> <p><b>41</b> [1] 197/21</p> <p><b>42</b> [2] 35/2 197/25</p> <p><b>43</b> [1] 198/7</p> <p><b>47</b> [2] 198/22 199/5</p> <p><b>5</b></p> <p><b>5.2</b> [1] 192/21</p> <p><b>6</b></p> <p><b>66</b> [1] 4/4</p> <p><b>7</b></p> <p><b>7 billion</b> [1] 84/15</p> <p><b>7 February</b> [1] 92/7</p> <p><b>7.00</b> [1] 60/7</p> <p><b>70</b> [4] 155/10 157/18 172/19 197/14</p> <p><b>75,000</b> [2] 156/16 178/1</p> <p><b>8</b></p> <p><b>8.00</b> [1] 60/7</p> <p><b>9</b></p> <p><b>9 March</b> [4] 159/14 174/21 178/21 180/18</p> <p><b>9.35</b> [3] 6/25 7/22 8/23</p>	<p><b>9.35 am</b> [2] 8/7 8/21</p> <p><b>9.51</b> [2] 88/18 131/13</p> <p><b>90 per cent</b> [3] 80/13 87/16 94/6</p> <p><b>98 per cent</b> [1] 100/16</p> <p><b>99 per cent</b> [2] 130/20 160/15</p> <p><b>99.8 per cent</b> [2] 182/19 183/3</p> <p><b>99.81 per cent</b> [1] 164/3</p> <p><b>A</b></p> <p><b>a.megalanian</b> [1] 11/15</p> <p><b>a.megalanian</b>7 [1] 7/12</p> <p><b>abide</b> [1] 140/21</p> <p><b>abided</b> [1] 141/9</p> <p><b>abilities</b> [1] 37/9</p> <p><b>ability</b> [3] 39/12 47/2 162/19</p> <p><b>able</b> [22] 9/16 19/14 21/7 37/3 37/19 44/5 55/4 63/8 64/19 65/20 69/21 90/18 102/18 117/1 128/2 130/3 130/12 134/20 136/21 148/4 155/22 178/9</p> <p><b>about</b> [171] 3/6 4/7 6/21 7/24 9/4 12/7 12/13 12/15 13/10 13/21 14/4 14/9 14/13 19/21 21/10 23/5 23/9 25/6 26/18 26/19 27/3 27/17 27/17 27/20 28/13 29/6 32/2 33/9 34/16 38/11 38/16 38/18 38/24 39/3 39/22 40/3 41/23 44/24 46/19 46/20 48/18 48/20 51/5 52/17 53/23 54/5 54/6 55/20 57/13 58/7 58/19 60/18 63/4 64/2 65/2 65/4 65/24 66/2 66/24 72/14 72/21 73/6 73/9 73/11 73/15 74/7 75/4 75/17 76/8 78/14 78/19 81/14 82/18 83/11 84/1 84/19 88/13 89/10 89/12 90/7 90/8 93/2 93/21 95/2 95/20 100/17 103/21 104/14 104/24 105/2 106/21 107/21 110/23 111/17 112/14 113/20 117/8 119/3 119/5 119/8 119/13 121/18 122/9 122/21 123/3 123/4 123/8 124/21 125/13</p>
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<b>A</b>	21/19 45/10 87/9 97/13 185/4 194/1 197/19 <b>accounts [1]</b> 11/9 <b>accuracy [1]</b> 105/11 <b>accurate [2]</b> 100/16 105/9 <b>acknowledge [3]</b> 48/7 48/16 170/21 <b>acknowledged [1]</b> 170/23 <b>acknowledging [1]</b> 200/6 <b>across [9]</b> 65/16 66/16 104/5 142/25 147/24 155/14 155/17 184/11 188/2 <b>act [14]</b> 4/8 4/14 4/21 4/25 19/3 36/17 36/19 41/24 74/16 89/25 91/20 96/1 143/21 163/2 <b>acting [3]</b> 96/23 124/6 162/14 <b>action [6]</b> 51/21 57/12 108/14 191/25 194/22 196/15 <b>actions [1]</b> 102/4 <b>active [1]</b> 197/14 <b>activities [1]</b> 87/2 <b>activity [3]</b> 37/8 37/11 39/8 <b>acts [1]</b> 63/7 <b>actual [6]</b> 10/5 14/5 94/17 111/18 155/5 173/7 <b>actually [35]</b> 3/9 7/23 8/8 8/22 27/13 32/21 32/24 33/1 34/10 44/2 54/4 58/2 70/12 89/13 98/24 102/20 104/18 105/16 111/4 129/2 129/21 131/22 158/20 174/2 174/3 176/1 177/1 181/16 186/22 187/21 187/24 187/25 191/5 191/18 199/25 <b>add [6]</b> 32/1 64/7 65/13 66/24 87/6 185/3 <b>added [2]</b> 50/5 123/2 <b>addition [2]</b> 16/22 40/16 <b>additional [12]</b> 17/9 17/14 26/2 28/8 29/22 30/5 31/5 68/9 90/6 107/24 108/2 186/14 <b>Additionally [1]</b> 192/21 <b>address [41]</b> 7/12 11/14 16/14 16/17 16/18 16/19 16/20 16/24 17/1 17/2 18/8	18/10 18/11 22/12 22/13 22/16 23/6 23/8 28/20 31/21 39/15 45/4 45/6 45/8 45/9 45/11 45/12 45/23 61/19 65/6 77/16 77/20 83/14 116/16 117/9 130/6 161/20 161/24 179/24 179/25 195/6 <b>addressee [3]</b> 24/10 30/22 30/25 <b>addresses [3]</b> 13/6 22/18 131/3 <b>adequately [3]</b> 44/5 63/25 101/1 <b>adhered [1]</b> 135/18 <b>adjoining [1]</b> 119/9 <b>adjourned [1]</b> 202/16 <b>admin [1]</b> 2/8 <b>adopt [1]</b> 62/5 <b>adult [4]</b> 21/6 25/24 48/4 48/23 <b>advance [2]</b> 7/8 10/3 <b>advanced [1]</b> 68/21 <b>adverse [1]</b> 32/18 <b>advertised [1]</b> 53/6 <b>advice [4]</b> 84/12 106/6 106/7 106/9 <b>advise [3]</b> 44/6 155/2 156/20 <b>advised [4]</b> 83/6 83/7 83/9 83/12 <b>affected [1]</b> 32/20 <b>affecting [1]</b> 167/1 <b>affirmed [6]</b> 33/25 70/25 109/7 203/6 203/9 203/11 <b>affixed [1]</b> 175/15 <b>afraid [2]</b> 100/10 139/14 <b>after [10]</b> 17/14 21/15 21/17 59/18 88/7 93/16 155/8 171/11 171/12 171/14 <b>afternoon [2]</b> 149/23 152/4 <b>afternoon's [1]</b> 202/8 <b>afterwards [1]</b> 92/23 <b>again [42]</b> 20/10 30/14 36/16 45/19 45/20 53/22 54/4 60/4 68/11 70/21 72/22 85/7 94/25 95/15 99/11 99/16 100/5 104/9 109/3 111/21 134/23 136/8 137/13 139/1 142/3 144/6 149/4 159/16 164/9 167/17 173/3 174/15 177/24 178/3 178/23 178/25 179/12 180/14 181/7 181/11 184/18	189/14 <b>against [16]</b> 16/5 18/6 22/25 37/12 37/13 37/14 43/21 45/2 47/5 67/5 76/6 117/23 129/3 173/1 193/24 194/22 <b>age [114]</b> 2/10 3/20 5/3 5/12 5/18 6/8 13/16 13/19 14/16 14/20 14/21 15/10 15/11 15/18 15/22 15/25 16/1 16/18 18/24 19/10 20/10 21/8 21/15 22/2 23/21 24/1 24/8 24/12 24/19 24/22 25/2 26/7 27/24 28/1 30/21 31/1 31/21 36/10 39/22 40/1 40/3 40/7 40/9 40/13 40/15 40/16 40/17 40/18 41/3 41/25 42/13 42/25 43/24 44/13 46/11 47/21 48/8 48/20 49/8 51/3 52/17 61/2 61/9 63/11 63/14 63/17 66/22 74/14 74/22 75/23 77/25 86/17 86/19 90/8 93/17 97/8 98/25 100/3 101/10 103/2 113/5 118/18 121/5 121/24 122/2 128/4 129/5 129/22 130/17 131/3 132/20 133/6 138/19 140/1 142/5 142/20 146/12 146/18 150/19 156/1 157/13 158/18 159/7 159/18 159/21 160/9 160/12 168/1 168/20 172/13 182/12 183/12 183/14 200/25 <b>age-checked [1]</b> 26/7 <b>age-restricted [6]</b> 15/11 28/1 40/3 40/9 40/13 51/3 <b>age-tracked [5]</b> 23/21 24/1 24/8 24/19 24/22 <b>age-verification [2]</b> 14/20 16/1 <b>age-verified [24]</b> 14/21 20/10 43/24 46/11 63/11 74/14 74/22 75/23 77/25 97/8 118/18 121/5 122/2 129/5 132/20 142/5 142/20 158/18 159/7 159/18 160/9 160/12 168/1 183/12 <b>AgeChecked [4]</b> 16/2 16/12 17/3 17/19	<b>Aged [1]</b> 97/11 <b>agency [1]</b> 169/4 <b>Ageo [57]</b> 76/16 78/10 78/13 78/21 78/24 81/23 81/25 82/7 82/10 86/18 86/20 102/10 118/2 124/17 124/21 125/6 125/18 126/1 126/6 129/14 129/18 129/21 130/5 137/9 150/14 151/3 161/10 162/6 163/4 164/14 164/16 167/9 169/15 170/1 171/5 172/3 172/8 172/16 172/20 179/24 180/12 183/10 183/22 186/22 187/13 187/17 188/10 189/8 189/20 190/1 190/19 190/23 191/21 191/22 196/24 198/9 198/20 <b>Ageo/Hunting [1]</b> 78/24 <b>ages [1]</b> 37/9 <b>Agincourt [3]</b> 67/25 68/16 68/16 <b>ago [5]</b> 97/4 128/22 185/9 185/12 200/20 <b>agree [39]</b> 39/10 43/23 48/25 55/7 56/21 58/8 79/9 93/23 94/17 94/21 96/12 118/1 131/1 134/16 135/7 138/5 140/20 140/24 147/25 158/8 158/9 167/7 167/14 167/16 168/23 168/24 169/9 169/10 179/3 180/6 180/10 184/1 185/19 185/25 186/1 187/14 188/11 193/4 200/12 <b>agreed [6]</b> 75/12 92/21 92/22 132/10 132/13 135/2 <b>agreement [22]</b> 75/15 79/21 92/12 118/2 157/18 163/18 164/16 164/19 174/3 185/7 185/8 188/14 188/21 189/2 189/16 190/20 192/13 192/18 192/19 196/23 198/10 198/25 <b>agreements [4]</b> 94/5 174/4 197/16 198/4 <b>AI [6]</b> 85/13 85/24 100/12 100/14 116/3 129/1 <b>alarm [3]</b> 54/20 127/21 177/4 <b>albeit [2]</b> 134/5 157/6
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