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Maeve: On the 18th of November 2021, Nick Wallis stood outside the Royal Courts in central London. He was there to see justice delivered... finally, but years too late. It had been a long road to get to this point.

Nick: When people say how do you sort of manage to do *Panoramas* and investigations and all that sort of thing I say, Well, it does help if perhaps the single biggest miscarriage of justice story of the last 20 years or more drops into your lap while you're presenting a breakfast show on the radio

Maeve: I'm Maeve McClenaghan, this is *The Tip Off*.

Maeve: Nick Wallis is a seasoned journalist. He's worked for years in any number of roles at the BBC.

Nick: *BBC Choice News*, which became *BBC Three*. And through that, I got a job as a reporter at *Radio One* on the *Newsbeat* service. After five years in a staff job at the BBC, I took voluntary redundancy and just went freelance.

Maeve: Then, Nick and his partner had children and moved out of London to Surrey in search of more space. Away from the capital, the options for a journalist were a bit more limited. But, Nick landed on his feet.

Nick: I approached the BBC local radio station to see if they might consider me as an odd-jobbing presenter. And it just so happened, their breakfast show was going so I piloted for that, and they gave me the job.

Maeve: Nick enjoyed the insights into local news, the banter with callers. And it was in November 2010 that a fairly innocuous exchange at the radio show would pull Nick into a story that he'd end up covering for the next decade of his career. He was scrolling through the radio station's social media channels when he saw a tweet that made him laugh.

Nick: There was a tweet from a firm called Surrey cars. And it said something along the lines of 'can we bid for the BBC Surrey taxi account?' which made me laugh because BBC Surrey's such a tiny station the idea that we'd have a cab account was mildly amusing. I replied saying something flippant like "Oh, well, will your drivers come on air and tell us some of their amazing stories?" And the gentleman behind this cab account tweeted back saying, "I've got a story to tell you alright, give me a call after the show."

Maeve: Once Nick had wrapped up the show, he pulled out his phone and rang the number the guy tweeting had sent over.

Nick: His name was Davinder Misra, and he told me his pregnant wife had been thrown in prison for a crime she didn't commit. And this had happened very recently; she was actually sent to prison on November the 10th 2010. I think we were speaking on the 13th, and he was in bits. I mean, absolute bits, crying, trying to tell me through the tears what had happened. He's got quite a strong Indian accent, and I was having to concentrate and listen really, really hard to his story. But he seemed very, very genuine.

Maeve: This man, Davinder Misra, told Nick that his wife Seema had worked at the post office. She had been a subpostmaster, the name given to those who run their own branch. And now she was in prison. All, according to Davinder, because of a problematic IT system. The computers at the post office kept showing different amounts to the cash Seema had in her tills at the end of the day. She couldn't work out why. But, post office officials had come to their own conclusion.

Nick: The courts had convicted Seema and said that she was guilty of stealing more than £70,000 from her own post office.

Maeve: Nick ended the call perplexed. How could a computer system lead to a woman being jailed?

Nick: So I thought, well, this is potentially huge. And I think I sort of put my head round the door of my boss's office and said, "Look, I've just heard this amazing story. I'm going to go and see the guy who told me it."

Maeve: A few days later, Nick drove over to West Byfleet, a town in Surrey that he knew well.

Nick: Where I spent two years living as a kid, so I knew exactly where the post office was and where to find him.

Maeve: Seema had loved working at the post office, her husband explained. She had been in charge of the West Byfleet branch for three years before officials accused her of stealing £74,000. She'd been pregnant with the couple's second child when she was convicted. It was a shocking tale, almost too shocking to believe. Many people think their loved ones are innocent, even when they aren't. Still, Nick's instincts told him that Davinder was telling the truth.

Nick: One of the things about being a journalist is that you very quickly develop a sense for when someone is spinning you a yarn; or there is something in the story that doesn't add up. In fact, Seema had a commendation from the police for her excellent work while she was working for the police up in Luton in Bedfordshire and everything about her career to that point had smacked of diligence and honesty, the same with Davinder. So why is it that for no reason, she would steal this huge amount of money, with no evidence that she put the money anywhere or spent it on anything.

Maeve: Nick took the story to his editor. He was really moved by Seema and Davinder's tale and wanted to publish it as soon as possible. But she wasn't so sure.

Nick: She quite rightly said, "Whoa, well, you know, we can't put someone claiming that a jury of 12 people have unanimously convicted someone incorrectly. It needs investigating."

So she suggested that I email Jane French, who was the editor of *BBC Inside Out South*, and who had an excellent reputation as an investigative editor.

Maeve: Nick started searching news archives for anything he could find about this new computer system, which was called Horizon. Soon, he found a useful report in a specialist magazine, *Computer Weekly*, published in 2009, which had raised some questions about the software. And, there was a Welsh language programme, made by

the BBC, about some of the subpostmasters in Wales who'd been jailed. And then he remembered a campaign group that Davinder had mentioned.

Nick: There was an organisation called The Justice For Subpostmasters Alliance, which had been campaigning about this dodgy computer system.

Maeve: He found the details online. The group was run by a guy called Alan Bates. He had worked in computers before becoming a subpostmaster. He had bought a post office and spent £100,000 of his own money, refurbishing it and getting it up to scratch. Then the Horizon computer system had been brought in, and things started to fall apart. He was just the person Nick needed to talk to. But, Alan was a little brusque, not exactly jumping for joy, when Nick first called.

Nick: There was no jubilation, there was no, "Oh great, a journalist is calling me." I mean, Alan has a healthy suspicion of journalists, and probably rightly so, even when they're trying to help. But he, I think, recognised that I was genuinely interested in what was going on.

Maeve: Alan laid out everything that happened to him, and told Nick that there were many, many more people who had issues, too.

Nick: He was a reasonable man who was happy to explain the story, was happy to point me in the direction of other people who'd suffered in the same way and was keen as mustard to get his point across.

The other side of the coin was—which at the time wasn't actually that important, because we were looking for people inside the southern region, and he lives in North Wales—he didn't want to be interviewed. He doesn't like pushing himself forward into the limelight, which is a double-edged sword. Because if you're the head of a campaigning group, I think that's kind of a prerequisite for the job.

But by the same token, he could not have been more helpful in terms of contextual information, documentary information, contacts with MPs, contacts with other sufferers.

Maeve: And Alan was something of an expert. Because he had previously worked installing computer systems, he understood all about how software rollouts should happen, and how glitches can occur.

Nick: So he fell out with the post office saying, *Look, there's something wrong with this computer system. You need to give me the tools to properly interrogate my own accounts. So I can find out where these discrepancies are coming from.* And the post office just flat refused, and when he said, "Well, in that case, I'm not signing off these accounts." They said, "Well, in that case, we're taking away your post office and sacking you."

Maeve: With that information pulled together, Nick was ready to pitch the story. He wrote out what he had so far, and what he suspected he might get and sent it off to Jane French, the editor of *BBC Inside Out South*.

Nick: And, bear in mind, I'd never really done anything much investigative before and I only have limited experience as a TV reporter. I was very surprised when the same day I got an email back saying, "Well, this *does* sound interesting. I'm going to put my two best producers on it, and if it checks out, you can front the results of an investigation."

Maeve: Nick was elated; it was game on.

For the next three months, Nick was playing a juggling act.

Nick: As I was both presenting the Breakfast Show and spending the rest of my mornings and early afternoons, before my brain shut down completely, corresponding with the producers at *Inside Out South*. And basically trying to curate the people that we would get on the radio version of the TV investigation and road test the story, bulletproof it, talk to as many people as possible and fit in the filming that was necessary as a result.

Maeve: Alan Bates was able to put him in touch with more people who had faced legal issues, apparently because of this Horizon system. People like Jo Hamilton, who had taken over her village community store, which housed a tiny post office counter. She had been given some basic, if half-hearted, training on the Horizon system; and then

was left to it. Soon, there were discrepancies in her accounts, 1,000s of pounds seemingly disappearing from the till. Jo was perplexed.

She started paying her own salary back into the till to try and make up some of the shortfall. She borrowed money from friends and family and neighbours to try and fix the ever-growing deficit. She made more than 200 calls to the post office's helpline.

Jo told Nick, I used to feel sick, literally physically sick every time I went into the post office. I thought one day they're going to come in and audit me and I'm going to be carted off, and I don't know what to do. I remember being absolutely terrified of them coming, she said.

When the post office auditors did come to chastise her, one said, "No one else has ever had problems with Horizon." On the advice of her lawyers, Jo pleaded guilty to false accounting. She agreed to pay the post office £36,000 before she was sentenced. In return, the post office would drop the theft charge against her. She remortgaged her house, and her neighbours in the village banded together and raised 1,000s of pounds to help her. She avoided prison. But she was still a convicted criminal and had massive debts.

She was far from alone. More and more people had been jailed for theft, or had been threatened with such a fate, and pleaded guilty to false accounting instead.

They all maintained they were innocent, but there was no hard evidence to prove it. In each case, the computer said the money was missing.

Nick was getting closer and closer. Jane, his editor, was pleased with the progress. But, there were still avenues to explore. There was a union for subpostmasters called the National Federation of Subpostmasters. They were an obvious port of call to get a comment on all of these allegations.

Nick: One of the things that you do when you've got a potential problem within an industrial sector is call the union and see if they've got any more to tell you. And they gave us a statement, which was almost word for word the same as the post office's defence of the system which was, "There is nothing wrong with our system. There's nothing to see here. Move along."

Maeve: It wasn't a helpful response. It might have made some journalists wonder whether they were on the right track at all. Surely the union would be speaking out loud and clear if there really was an issue.

Nick: And it would have been very easy for Jane French to say, "Yeah, okay. And they all pleaded guilty? And now they're saying they're not guilty? Well, what are the union saying? The union's saying the system's fine. Hm, I'm not sure we've got a story here, lads."

Maeve: But Nick had spoken to so many people by now, heard so many shocking things. He was *sure* something was going on.

Nick: And I was always brought up to believe that it's better 10 guilty people go free than one innocent person goes to prison. And if we had one innocent person who'd gone to prison, that would be bad enough, but we were looking at potentially dozens by the time we dug down into this.

Maeve: The team pushed on, and soon they were almost ready to air their documentary. In February 2011, they put out the story on *BBC Inside Out South*.

TV anchor: First, as lawyers prepare for a civil action against the post office on behalf of village subpostmasters. We've been talking to people across the south accused of cooking the books, but they swear they've done nothing wrong...

Maeve: On the programme, Nick highlighted Seema's case. It included an interview with her husband Davinder.

Davinder Misra: I'm a good citizen. My wife, also a good citizen. We are good people, she's everything for me. To put her into prison, too — [...] my whole family into prison.

Maeve: The story was out. And at that point, many journalists might move on. But not Nick.

Nick: I felt this was such a strong story. And the fact there was so little out there anywhere else, I felt moved to put the transcript of the piece and the TV piece itself up on a sort of tiny little blog that I was running, more or less for my own amusement. And it started attracting comments, with people saying *Oh, the same thing happened to me*. And also the presenter of the *Inside Out South* broadcast started receiving emails

from other subpostmasters saying *they'd* been prosecuted, and he was forwarding them on to me. And I think we got about seven or eight people saying, in our region, *This is exactly the same thing that happened to me*. And I emailed him, I said, "Do you normally get a response like this to a broadcast?" and he went, "No, nothing like this. We might get a few viewer comments, but not from people who *actually* had the same thing happen to them." So I thought, this is really interesting.

Maeve: He tried getting editors of national publications interested, but no one was biting. And life was getting busy for Nick, too.

Nick: My wife at the time was pregnant with our third child. And with the *Breakfast Show* and childcare responsibilities, I kind of lost sight of the story for a bit.

Maeve: Maybe it was time to move on after all.

It's been five months since Nick broke the *Inside Out* story about the dodgy computer systems causing chaos in the southwest of England. And he's been busy reporting the news on the daily radio *Breakfast Show*. But just when he thought he'd moved on, he opened his email inbox and found a message from a man...

Nick: John Dixon, who sent an email saying, "Oh, I'm off to court, I'm going to plead guilty tomorrow. The same thing happened to me, blah blah blah. And I called him and his story was just exactly the same as all the others. And I thought, if this does not get out there, more people are going to find themselves with criminal convictions and there is no documentary evidence that they're not guilty—but there's a growing body of opinion that they are suffering at the hands of the punitive methods of the post office, which seems to be prosecute first and ask questions later.

Maeve: Reenergised, Nick realised that the investigation wasn't over—far from it. He wanted to tell the national picture, too. So he turned to one of his favourite publications, magazine *Private Eye*.

Nick: So I sent another email in and I followed it up with a phone call saying, "Look, could you make sure this gets to the right person?" And within a week, I got an email from a journalist called Richard Brooks, who's the staff journalist there. And he said, "Well, this looks interesting. Send me some more details," and so I had a chat with him, gave him everything I could. And the first *Private Eye* piece appeared in

September 2011 and talking to Richard after the event he said, "Yeah, we got a huge response." So we did another piece the following fortnight, and they stayed on the story ever since.

Maeve: Nick and Richard wrote piece after piece for the magazine.

Nick: And yeah, it just snowballed. It was the world's slowest snowball. It grew steadily from there. As I wrote more blog posts about it and got into contact with more subpostmasters, I started to win their trust and build my connections.

Maeve: He was gathering dozens and dozens of stories: extraordinary tales, complex timelines. There was a lot to keep up with. But Nick had a method.

Nick: I have a file system on my laptop which allows me to order and compartmentalise everything.

But if there's any journalist listening that wants a hint on how best to organise things: the single most useful tip that I picked up years and years ago was a date filing system, which is very, very simple, but I try and apply it to almost every document and every folder that I've got. Which is just to run the date backwards. So that's year, then month, then day. If you order everything—and you have to put the full year in, otherwise you'll find it causes problems—but if you date every single file that you've got in that way, and then use whatever you want to say about it afterwards, and you can see at a glance, the ages of documents and what came in where, and the computer orders them accordingly. It's been a lifesaver because I can now pretty much go to any period of this story, which has obviously been running for more than 20 years, and dig out documents from various parts of the chronology of the story.

Maeve: It's just as well that Nick had a good cataloguing system, because the stories just kept coming in. He would be contacted all the time.

Nick: I have become known as the person who knows a bit about this scandal. And so people approach me.

I also run a newsletter, which we call the Secret Email. And people join the Secret Email because of course they're fascinated by the story. And they may be sitting on information, which is dynamite. They won't volunteer that information for weeks,

months, or even years. They'll just sit there reading my tweets, and reading the regular newsletter until such time as they become comfortable enough to make contact. And I've always tried to be as contactable as possible. So, that's another great tip for journalists, by the way: Keep your DMs open, because you never know who will just suddenly send you a message.

Maeve: It was a day much like any other when Nick opened up his Twitter messages and found an intriguing message.

Nick: One person who sent me a tweet from what looked like an anonymous account. And of course, you are followed by anonymous accounts all the time. Anonymous accounts say random and interesting things, which turn out to be nonsense, or can be deliberately misleading.

But there was just something about this tweet that suggested the author knew something that I didn't.

Maeve: Interest piqued, Nick fired off a message back. And this guy who went by the fake name, "Clint," replied in turn. The messages pinged back and to, until...

Nick: I suggested a phone call.

Maeve: Now Clint was different to many of the other people who had contacted Nick in the past. He wasn't complaining about how the Horizon system had screwed *him* over. Quite the opposite.

Clint had been on the inside.

Nick: This guy turned out to be claiming to have been a dev manager on the Horizon system before it was rolled out. He was absolutely adamant he knew why it didn't work and where all these discrepancies were coming from. And so I arranged to go and visit him. Because I needed to be as comfortable as possible that this chap was telling the truth. And there's nothing like a face to face meeting to at least probe someone's body language more than anything else as much as what they're saying.

Maeve: Clint told Nick that Fujitsu, who made the Horizon software, knew it was full of coding errors, flaws that would affect how it ran. He explained, "Everybody in the building, by the time I got there, knew it was a bag of shit. Everybody. Because it had gone through the test labs, God knows how many times, and the testers were raising bugs by the 1,000." He said he had raised concerns with his bosses time and time again. Told them that *whole* segments of the software needed to be scrapped and completely rebuilt. But no one seemed to pay any attention.

Nick: And it's very, very clear that it should never have been rolled out into the post office in the state that it was, because it didn't work.

Maeve: It was powerful stuff. But Nick needed to make sure Clint was who he said he was.

Nick: So we had to run some checks on him, and he was very cagey, very careful. I mean, you know, we never ended up using his real name because he still didn't want it in the public domain.

But we confirmed his job role, and we felt that we had enough from speaking to him.

You're making judgement calls all the way, and sometimes you have to take a risk. But of course, it's your reputation at stake. So you minimise everything that could potentially damage your reputation to the extent that if the source that you're talking to turns out to be either a bad actor—a malicious person trying to trip you up—you have got a case to say, "Look, we did everything that could be reasonably expected of us to get this story into the public domain."

Maeve: So at this point, Nick is writing stories for *Private Eye*, and he's made another programme for *BBC Inside Out South*. But he wants to go further. So he pitches the story to one of the flagship programmes in the UK, BBC's *Panorama*. It was a high bar. Nick needed to pull together everything he had.

Nick: Probably the hardest work that I did because I had to go to them with documentary evidence and convince them that this was a big enough story. The BBC commissioning process, when you get to that level, is rightly rigorous.

Maeve: It was commissioned, and the *Panorama* team got to work. But this was a legally contentious story and Nick and his team needed to make sure they put all their allegations to the post office.

Nick: This was in the face of desperate rearguard action by the post office to try and quash this story with all sorts of legal threats flying around. That meant that we had to completely bulletproof what we were saying.

Maeve: In response to the BBC's questions, the post office said it, "Complies with all legal requirements and has a duty to protect public money." It said it only prosecutes when there is, "A realistic prospect of conviction, and never for making innocent mistakes. Its exhaustive investigations have provided overwhelming evidence that Horizon was not responsible for missing money," it said.

In August 2015, the BBC *Panorama* aired

Panorama:

Voice 1—Tonight, trouble at one of our best loved institutions.

Voice 2—This is a national scandal.

Voice 1—How the post office accused postmasters of stealing.

Voice 3—That there says there's no evidence of theft, and yet they charged me with it.

Maeve: Now, during the reporting process, Nick had managed to speak to another insider whistleblower, a man who worked for Horizon's parent company, Fujitsu. A man called Richard Roll.

Nick: He had been sitting at home watching my initial broadcasts back in February 2011. And realised that there were people who'd really suffered as a result of what had been going on with the Horizon IT system. And that was the point at which he went "Well, I'm going to do something about this, because I've been on the other side of the fence."

Maeve: Here's *Panorama* reporter John Sweeney, interviewing Richard Roll.

Richard Roll: There was a large team employed there. We were all full time. And we were all pretty busy. So there were a lot of errors, a lot of glitches coming through.

John Sweeney: There were errors in the system?

Richard Roll: There were errors with the system.

John Sweeney: Some people have been ruined financially, people have gone to prison. Is it possible that suffering could have been caused, because there are problems in the Horizon system?

Richard Roll: Yes, it is possible.

Maeve: They also managed to get an on-camera interview with Seema Misra, who was back home with her family after serving her prison sentence.

John Sweeney: What was prison like?

Seema Misra: Terrible, terrible. It was like a nightmare. One point I was thinking I'm not going to get out of here alive, I'll be dead.

Nick: After the Panorama, I thought well, now where do I take this story. And that's when I started writing the book.

Maeve: Nick had years worth of material, fascinating details into how the scandal had come to pass and just who had been affected. He kept on reporting, publishing his articles with *Private Eye* and others whenever he could.

Computer Weekly had got back on the story, too, and other outlets had also got interested and started following proceedings.

And yet, for a while, it felt like something of an anti-climax. Nick had helped to lay out all of this evidence, but nothing much had really changed for all the subpostmasters that had fallen foul of the Horizon system. But then, in 2019, 557 subpostmasters took the post office to court.

The case was taken to the High Court. Horizon was put on trial. And the judge ruled that bugs in the system had indeed led to money seemingly disappearing.

[Broadcaster audio announcing the Judge's verdict]: The judge has found that on numerous occasions over the years, bugs, errors, and defects in the Horizon system caused discrepancies in postmasters' branch accounts.

Maeve: The judge proclaimed that the post office's continued insistence that it was subpostmasters at fault—not the system—quote, "Amounted to bare assertions and denials that ignore what has actually occurred. It amounts to the 21st-century equivalent of maintaining that the world is flat," the judge said.

Nick: You know, and it was only in 2019 when a High Court judge definitively ruled that there was something not just horribly wrong with the post office IT system, but the way that it had contractually treated its subpostmasters. That meant the JFSA and other people who'd been supporting them could finally say, "Yes, we were right."

Maeve: That court case allowed Nick to access internal documents from the post office, which showed issues with Horizon had been brought up time and time again.

The post office agreed to pay out millions of pounds in compensation. Top leaders of the organisation left and were replaced. Two years later, in 2021, Seema Misra's conviction was quashed, along with 38 others, at the Court of Appeal.

More people continue to have their convictions overturned all the time.

Nick has continued to attend these hearings whenever he can.

Here are some moments he recorded for *The Tip Off*, outside the High Court late last year.

[Audio clips of Nick speaking to people outside the High Court]:

Nick: I mean, give us an idea of what it's like to be just pushed towards a place where you find yourself pleading guilty to a crime you didn't commit?

[Interviewee A]: Devastating, yeah.

[Interviewee B]: Ruined the whole family.

[Interviewee A]: They stopped talking to us. We've not spoke to your dad since then really.

[Interviewee B]: Ten years ago.

Nick: What have the last 10 years been like for you?

[Interviewee C]: Quite bad, really, because it's stopped me getting a good job. I was always a postmistress, so I couldn't get a good job because of my conviction. Didn't work for a few years. All the village stopped talking to us, we lost the house, lost the car. We're just getting sort of back to normal.

Nick: I mean, when you reflect on what's happened to your life, how many years is it and what has it done to you?

[Interviewee D]: It's been a big scar on my personality, my reputation, my family, and my extended family. You know, they've had to live with this for the last 16, 17 years and it's just a massive relief that it's over.

Maeve: The post office has since conceded that it, "Should have done more to investigate the risk and provide more help to postmasters. That is something we deeply regret." But it's only been recently that Nick has revealed the real scale of the scandal.

Nick: I spotted a clause in a post office press release, which stated that they were looking at other cases involved in this scandal.

And I sent an email back saying *Well, exactly how many other cases?* Because we knew that by 2019, there were 74 prosecutions. The civil litigation itself gave us a wider understanding of just how many people had been affected by this scandal, because there were 555 litigants. To me it was it was it was the single biggest revelation of the entire scandal, the idea that there could be potentially 500 miscarriages of justice.

And I took this to Tom Witherow at the *Daily Mail*, who I've worked with for the last two years. He's a brilliant journalist. And he was astounded by it. He took it to his news editor who said pretty much on any other day, this would be a front-page splash. But because we were in the absolute height of the pandemic, it made page 27 on the Saturday edition of the *Daily Mail*, that there were 500 potentially erroneous

prosecutions that had been carried out by the post office. And that number eventually solidified at 738 prosecutions over a 15-year period, where Horizon evidence may have been essential to that prosecution.

Maeve: Nick's back catalogue is an incredible body of work that took huge amounts of digging and investigative skills. But more than anything, it's his perseverance that impressed me, especially as he did the bulk of this as a freelancer.

Nick: It is difficult but what I would say to any journalist is that if you want to have longevity, and if you want to stand out from other journalists, then develop a specialism. And it doesn't matter how obscure or arcane your specialism is, if there is an interest in that specialism, you will be the go-to person for it. But there were very, very lean years. So yeah, it's a tricky thing to ride those horses, but the value of a specialism is that if you are the leading authority on a particular subject, people are always going to pick up the phone and call you.

Maeve: And as those affected continue to fight for justice, there are big things still to come. A public inquiry is currently underway, and more and more shocking details keep emerging every day.

Nick: Something has gone horribly wrong in corporate governance that goes right to the highest levels within government.

Maeve: It's already been revealed that former post office lawyers are being investigated by their industry watchdog over their conduct during the scandal. Nick is now consulting on an ITV drama about everything that happened. And his book, *The Great Post Office Scandal* is now out in paperback. It's a great read and it lays out all the twists and the turns of this investigation.

Nick has followed this sorry saga for over a decade. No doubt, he'll continue to pay close attention and keep us all up to date, as the story continues.

That's all for this episode of *The Tip Off*. I'll put a link to Nick's fantastic book *The Great Post Office Scandal* in the show notes.

Please do review, subscribe and pass on word to your friends, and visit our new website — thetipoffpodcast.com — to explore show notes, past seasons, transcripts and more.

This show is a co-production of Studiotobe. Our co-executive producers are Joaquin Alvarado and Ken Ikeda.

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As always, stay tuned for more stories behind the headlines.