

GLO*POL disclosure*

Rob Brightwell (RB) said:

- Freeths would leave the DSARs in place for the time being but would ask the Post Office to proceed with its GLO disclosures as planned – ie accounting information in respect of about 10 cases per day plus other information at the rate of about 15 cases per week. Freeths would treat these disclosures as being made in pursuance of the DSARs for the relevant cases.
- If, after a couple of weeks, the Post Office had produced disclosures at the rate described above, the DSARs for the cases concerned would be suspended. DSARs in further cases would be suspended as further disclosures came through. Freeths accepted that this approach would mean that the disclosures had to be subject to the full redaction which the Post Office normally applies to DSARs, rather than the light redaction agreed for the purposes of the scheme.
- Freeths would take a view about which cases should be prioritised for disclosure. These would include any cases where claimants had urgent needs, longest lead-time, notably those which would require expert accountancy advice. These priorities would be communicated to the Post Office via DBT.

Simon Recaldin (SR) said that this will leave and has left Post Office in a very difficult situation and will need to be escalated. Post Office is legally obliged to fulfil the DSAR within 4 weeks but can be extended to 3 months.

SR asked why Freeths are not conforming to the process that has been agreed. This has put Post Office in a difficult position which is not manageable. Freeths also haven't sent the dates for the shortfall. The Board will need high level comfort from DBT in terms of criticism as they are feeling very uneasy about this.

SR also raised concern about the Dan Neidle case.

OHC*Remediation principles*

Carl Creswell (CC) said it has been slightly quieter on the OHC front, some non-pecuniary has been going through – Thompson has been making progress. Main focus has been on resolving Hudgells fees and getting reactions from lawyers.

SR said that they have concluded on the draft principles and went into consultation with the legal representatives. Post Office had a comprehensive response from Hudgells with nothing contentious. Positive engagement with Howe & Co and are due to provide feedback by 8th of June. Mr Marshall has also said that he is considering engaging with the principles.

Neil McDaid (NMD) added that DBT/UKGI have the feedback from Hudgells and plan to go over it together. HSF and Post Office marked up their comments and DBT/UKGI are doing the same. There are some reasonable decisions on how accommodating we want to be regarding certain points. General ethos of Hudgells comments are that we should be considering it from a perspective of a sympathetic Judge.

SR highlighted that adopting a sympathetic Judge approach is becoming a common theme. The way to demonstrate this is through evidential standards. The challenge will be on the scrutiny and justification of sums, including small claims. SR added that there needs to be some flexibility for Post Office to make judgments on small fiscal amounts and should be reflected in the principles.

NMD added that the other representatives who represent one or two claimants are yet to respond and have been chased.

NMD set out the next three months:

- June: 1. Collation assessment of the principles. 2. Finalise the Independent Assessor process and share with firms.
- July: Agree the Independent Assessor (IA) proposal and any legal commercial requirements. Potential first step is for any points of dispute to be reviewed by the IA and develop final versions.
- August/September: Transition away from activities that currently sit with HSF and limit their role to exceptional cases and/or escalated cases to the IA.

CC said that it feels like a long timetable before you can use the principles in earnest. CC asked about the remaining cases and what can we do in parallel. And perhaps draw on the draft principles while continuing to refine them.

NMD said they believe that all the live cases (beyond Hamilton and Henderson) are either broadly or strictly in line with the principles. Hudgells has been drawing attention to cases when Post Office haven't done so. NMD added that a lot of the delays with live cases have been due to RFIs.

Emily Snow (ES) asked whether Hudgells provided feedback on IA and remediation process. NMD said that they plan to get it out next week. Hudgells hasn't seen that yet but is aware of the high-level process and that there will be an IA involved.

SR asked for clear visibility on family members process. SR said that they look to be in a position of paying for each heads of loss as they are agreed but can elongate the overall process.

PFA Triage

SR said that that Post Office has gone through the triage. There are 28 cases believed to be Horizon related.

- 23 have gone through governance and agreed to send out letters – targeting next week,
- 2 more to be confirmed,
- And 3 in progress

SR added that all 23 may not respond straight away and can take time so we need to manage expectations.

Beth White (BW) asked about how Post Office will proactively manage any noise regarding the 23. SR said that they are not looking to "launch" it as it could lead to criticism over those who they haven't contacted. A press release will be prepared if there are any queries about it. POL's Press Office to contact DBT's Press Office.

SR also said that Nick Vamos from P&P presented to HRC and are receiving a paper regarding the remaining population who not related to Horizon, the ambiguous cases and not enough information to indicate either way. SR added that cases which are not Horizon related, Post Office is deliberating on whether to write to individuals stating that they do not believe is Horizon related but can come

forward if they wish to contest. Rob Mackie (RB) said that this is something to discuss with POHC and revert back to Post Office.

HSS

DBT reflections

CC highlighted that he had enjoyed the Advisory Group meeting attended by the HSS Panel and commented that he felt that they were very engaging. SR agreed, noting that their presentation was professionally organised and impactful.

Offers

CC requested that SR run through the risks associated with the 16 original cohort claims yet to receive an offer. SR highlighted that all of the remaining cases were complex, with progress dependent on third parties. SR provided the example of two cases where medical appointments relevant to the outcome of the claim had been made for later than had been anticipated (one of which might end up being post-July). SR and Catherine Connolly (CCo) highlighted that POL was doing everything it could to see if such appointments could be brought forward where possible and had some success in doing so in the past. SR assured attendees that POL were having regular meetings with HSF to ensure as much was being done as possible to progress cases.

SZ queried whether POL could look to make interim payments to individuals without them having to ask, to ensure money continues to go out the door. SR confirmed that POL were looking into this and were somewhat supportive although consideration would need to be given to the types of heads of loss than an interim payment can be made for.

HF confirmed that DBT's hope is that HMT would be flexible on original cohort funding, as DBT had made it very clear the issues that were faced by POL in regard to the final cases. HF noted that there were several issues with HMT for consideration now – including targets and the approach to resolving the HSS tax issue.

DRP deep dive session

SZ explained that there had been a DRP deep-dive session between the POL dispute team, DBT and UKGI this week, with some actions that POL had taken away including:

- Considering the effectiveness of the GFM
- Considering settlement options of suspended cases
- Regular updates being provided on the oldest quartile of cases.

SR explained that POL itself had taken a close look at the DRP and a paper went to board yesterday. SR praised the engagement on this between DBT/UKGI and POL. Purpose of the paper was to look to see if POL could do anything better, or faster. Reconsidering the need for a GFM in some cases was a good example of this, as Hudgells had highlighted that they did not find the GFM's particularly useful for their clients.

SR noted that another issue had been that interim payments up to 80% (which were not widely issued to claimants in the DRP) often resulted in a drop in engagement from claimants. SR suggested an option could be paying the rest of the agreed initial offer amount (the last 20%) to keep cashflow going. CC flagged that this appeared sensible but queried whether it may be wise to await until POL

was ready to issue the proposed tax top-up payments (if approved by HMT) and issue both payments at once. SR noted.

SZ highlighted the HMT conditions related to cases in the DRP (in that they would need to be resolved by March 2024). SR noted that HMC could look to periodically do a deep dive investigation into the oldest cases to see where they could be progressed at pace.

POL papers

SR explained he had a HRC mandate to look into scheme vulnerabilities and was of the view that if POL needed to do anything, it should do so before Phase 5 of the inquiry.

SR explained that POL was looking at the timeline of the scheme and what highlighted issues such as the delay in publishing consequential loss guidance really meant, when looking at data. POL would be able to then take a view on whether or not to do anything. The legal representation issue was another key one POL would be looking into. SR felt that consideration of all of these issues would be bundled up, and a good time to announce whether anything should be done would then be with communicating when the Scheme is to close.

CC relayed that he felt this was sensible, and POL should also look to keep tabs on what the Advisory Board suggest.

CAP development

SR explained that HSF were busy drawing up CAPS for wrongful death. This is due to go through governance immediately after with a plan to get 2 cases through by the end of July.

Settlement provision

Victor Turner (VT) explained that the current provision estimate was £184m with proposed tax top-up payments, and £160m without (including late applications). VT commented that latter cases are often receiving a higher settlement compared to the rest of the original cohort.

SZ and VT agreed to discuss this further offline.

DBT Update on Tax

CC confirmed that the funding request for this was with HMT for consideration and DBT was expecting a decision on the w/c 05 June.

AOB

CC, BW and SR discussed a potential HMT request to extend the late application funding window in line with POL assessment of outstanding liability (until December 2025). CC and BW explained POL and DBT should continue to sense check a potential request, especially given that HMT have reluctance to agree to funding over SR periods, particularly ahead of a General Election.

CC thanked SR for high quality papers and for the progress made over the previous quarter.