

From: Whitehead Mike (ShEx)[/O=DTI/OU=DTIHQ/CN=RECIPIENTS/CN=MJWHITEH]
Sent: Mon 08/07/2013 11:32:47 AM (UTC)
To: Swinson MPST [GRO]
Cc: Gibson Will [GRO] Batten Peter
 (ShEx) [GRO] Balakrishnan Angela
 [GRO]; Cable
 MPST [GRO] SPAD Cable MPST [GRO]
Subject: Horizon: James Arbuthnot MP

Claire

Following Jo's earlier telephone call with James Arbuthnot, suggested briefing for the Whips' Office:

Briefing for the Whips on James Arbuthnot tabling an Urgent Question to obtain a Ministerial statement in response to Independent review by forensic accountants (Second Sight) of Post Office Ltd's Horizon computer system which records all transactions conducted across the entire post office network.

The issues covered by the review relate to a very small number of ex-subpostmasters whose contracts were terminated and were subsequently convicted by the Courts for false accounting or, in some more serious cases, theft and fraud.

The report confirms that no systemic problems with the Horizon system were found but also found scope for Post Office Ltd (POL) to improve aspects of its support and training for subpostmasters.

POL has welcomed the report and committed to put in place additional measures to address historic issues, improve future processes and to work with subpostmaster representatives to examine potential changes in support measures for subpostmasters.

Though Post Office Ltd is wholly owned by the Government, it operates on an arm's length basis in determining its commercial and operational strategies and policies.

The issues raised by the Report are wholly operational matters for POL and do not relate in any way to Government policy decisions or actions. A government statement could only reiterate that there was no Government role in the issues and it was not appropriate for Government to become involved.

A second aspect on which James Arbuthnot (JA) has indicated a wish to see Government comment or action is in respect of identifying a means of redress for ex-subpostmasters who were advised to by their legal advisors to plead guilty to false accounting to avoid charges of theft and fraud (which potentially carry risk of imprisonment if found guilty).

JA is seeking to imply that the Report suggests that new evidence might be found on the basis of which some false accounting verdicts could be challenged/appealed. He has a constituent who was convicted of false accounting but who has blamed her circumstances on the Horizon system and lack of POL support in investigating the financial discrepancies which occurred in her subpost office.

He also appears to take the view that a Government statement could open the review and or appeal against these convictions.

In summary we would suggest that there is a strong case against tabling an Urgent Question on the basis that a Government statement could not achieve the objectives JA seeks because:

- the issues are not related to any Government action or policy decision but are wholly operational matters for Post Office Ltd in which Government has no role.
- no systemic problems with the Horizon system have been identified by the review.
- the number of subpostmasters who have experienced problems are a minute proportion of the tens of thousands of people successfully using the system across the network of over 11,500 branches on a daily basis
- Post Office Ltd has proposed measures to address some of the points about subpostmaster support and training raised in the Report
- Government cannot intervene in the legal process to review or appeal past convictions.

Mike

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GRO