



Information Rights Team
Post Office Limited
1st Floor, Old Street Wing
148 Old Street
London
EC1V 9HQ

GRO

Mr Tim Robinson

GRO

Our reference : FOI201410061556

03 November 2014

Dear Mr Robinson,

Ref: Freedom of Information Request - FOI201410061556

I am writing in response to your email received by Post Office Limited on 06 October 2014, which I am dealing with under the terms of the Freedom of Information Act 2000.

You have requested information about prosecutions with respect to subpostmasters. It may be helpful to explain that as you would expect from a responsible business dealing with billions of pounds every year, Post Office Limited treats all suspected cases of possible criminal conduct very seriously, and will consider each case on its facts. In deciding whether a case should proceed to criminal prosecution Post Office Limited must be satisfied that it meets both of the two stages of the test set out in The Code for Crown Prosecutors. The first is whether there is sufficient evidence to justify a prosecution and the second is whether the prosecution would be in the public interest. A criminal prosecution will only be pursued by Post Office Limited if both stages are satisfied.

It is also important to put the issue of any prosecutions and convictions of subpostmasters clearly into context. The number of Post Office branches run by subpostmasters has been, and continues to be, well over 11,000 in each of the years for which you have requested data. They and their teams conduct billions of transactions within a year.

In this context the number of specific cases that may warrant prosecution consideration in a particular year is very small and each individual case will relate to very specific individual circumstances relevant to that case. These are extremely rare occurrences in a network of over 11,500 branches which provide key services to local communities throughout the United Kingdom with trusted and hardworking subpostmasters and their staff providing unparalleled coverage and accessibility for our customers.

In your email, you have requested the information in seven parts:

A) In each year since 2005, how many subpostmasters/mistresses have been prosecuted?

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I can confirm that Post Office Limited holds some of the information you have requested, however we only hold information on cases for the last five financial years. The number of cases where prosecution processes were commenced against subpostmasters is provided in the table below (information is provided for full financial years covering April to March from 2009/10 to 2013/4).

Year	Number Prosecuted
2009/10	53
2010/11	29
2011/12	38
2012/13	34
2013/14	12

(Note – the above figures do not include 2 cases where the data does not identify whether the person prosecuted was a subpostmaster or another person such as an assistant – one in 2009/10 and one in 2012/13). The information given here relates to the year in which the prosecution commenced.

B) In each year, how many of those were convicted?

Of the above, the number of convictions following a full legal process through the Courts is provided in the table below. Again the information is based on full financial years covering April to March from 2009/10 to 2013/4.

Year	Number Convicted
2009/10	49
2010/11	27
2011/12	32
2012/13	27
2013/14	7

(Note – The information above does not include a total of 11 cases across the period where the data record does not indicate whether there was a verdict).

Within the information above a conviction is a case where in law, there has been a process through the Courts and a conviction made. Therefore if a case was withdrawn for any reason prior to the Court process it would not be included in the above conviction figures. Furthermore there may be a considerable time lag between the commencement of a prosecution and a subsequent conviction. Therefore a number of the prosecution cases that have commenced (as given in response to question A) will not have yet come to the point where there is a verdict because the case is still underway. Therefore these cases will not be reflected in the numbers given in response to question B above.

C) In each year, how many of those were not convicted?

We would refer you to the answers given above to questions A and B. For the small numbers of cases where a prosecution was commenced that has not ended yet in a verdict in the Courts, there will be a number of reasons – for example the case may have been withdrawn prior to Court proceedings commencing for a number of reasons and there are time lags where proceedings are still underway.

D) In each year, how many of those cases were sent to court by the Crown Prosecution Service (CPS)?

The cases given above are all cases investigated and prosecuted by Post Office Limited in accordance with the Code for Crown Prosecutors, which is the same Code used by the Crown Prosecution Service (CPS).

E) In each year, how many cases were sent to court by POL?

I can confirm that Post Office Limited do hold the information you have requested, please refer to the answer provided to question A) above.

F) In each year, how many of the cases sent to court by POL had previously been investigated by Police and not handed to the CPS?

I can confirm that Post Office Limited do not hold the information you have requested. Any case investigated solely by the Police would be prosecuted by the CPS.

G) In each year, how many of the cases sent to court by POL had been previously handed to the CPS by Police, but not sent to court?

I can confirm that Post Office Limited do not hold the information you have requested. If the CPS is handling a case it wouldn't be handed to POL.

I hope the information I have provided on this occasion is useful, however if you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address below stating your reasons for your internal review request.

Information Rights Manager
Post Office Limited
Information Rights Team
1st Floor
Old Street Wing
148 Old Street
London
EC1V 9HQ

foia: GRO

If, having requested an internal review by Post Office Limited, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: GRO
www.informationcommissioner.gov.uk

Yours sincerely

GRO

Anna Gos

Information Rights Team Support

Information Rights Team

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<http://www.postoffice.co.uk/our-publication-scheme>