



Department for
Business & Trade

Horizon Compensation Advisory Board

Report of seventeenth meeting held on 18 September 2024

Members present: Prof. Christopher Hodges (Chair); Lord Arbuthnot; Prof. Richard Moorhead

Apologies: Lord Beamish (formerly Kevan Jones MP)

Also present: Minister Thomas, Carl Creswell, Rob Brightwell, Beth White, Charlotte Heyes (all Department for Business and Trade – “DBT”), Helen Evans (Ministry of Justice - “MoJ”)

Meeting the Minister

1. The Minister thanked the Board for all the work they have done on Post Office redress and looked forward to further advice in future. He went on to outline the biggest current redress challenges for the Department: getting more redress to more people more quickly; coverage of groups not yet eligible for redress; implementation of the independent process for appeals against HSS awards which he had recently announced; and making sure that HCRS was working well. The Board agreed with the Minister that these were the key challenges and that they were keen to work with him on addressing them.
2. The Board expressed their concern at the backlog of HSS cases as well as Post Office’s role in administering the scheme. The Minister acknowledged the challenge and asked the Board for views on how they felt the scheme could be sped up.
3. The Board noted that the Inquiry’s interim report on compensation had recommended that the Department and Post Office should set an end date for the HSS scheme. They were not convinced that this was feasible as suggested: it would be difficult to exclude anybody on the grounds that their application had taken a long time to prepare for instance. More work could be done on timetabling, case management and monitoring, including the separation of fixed offer claims from others when looking at whether and how targets were being met and cases progressed. The Board would be meeting with claimant firms and would discuss, along with other matters, the speed of the scheme with them.

Overtaken convictions

4. Officials from the Ministry of Justice attended to give the Board an update on the issuing of letters to individuals in England and Wales confirming that their

convictions had been overturned by the recent Act of Parliament and inviting them to apply to DBT for redress. They are considering prosecutions identified both by the Post Office and by individuals. It was important to consider any opportunity to continue to encourage individuals to come forward if they thought they might have an eligible case.

5. To date, few cases have been identified as probably not meeting the requirements of the Act – these include prosecutions for matters unrelated to Horizon, such as drugs offences.
6. MoJ explained the extensive records which they cross reference before a letter can be sent out as meeting the criteria under the Act.
7. It was important that no one should be denied exoneration due to lack of information. MoJ outlined the process of gathering further information from postmasters where there were gaps in knowledge.
8. From 4th October 2024 MoJ will begin publishing statistics on the number of letters they are sending.
9. Officials' understanding was that the Scottish and Northern Irish Governments would begin issuing letters in the coming weeks.
10. The Board reiterated their concern regarding cases prosecuted by DWP or rejected by the Court of Appeal not having been included in the 2024 Act. They would continue to press the CCRC to give priority to such cases. DBT agreed to ask DWP for information about the case for further review of their prosecutions.

Redress

11. DBT gave an update on their initial thinking on the HSS appeals process which the Minister had announced on 9 September. They outlined how they are learning from the schemes already in place to ensure the process is as speedy and appropriate as possible. DBT are currently talking to the Post Office to ensure the right data sharing protocols are in place.
12. DBT said they were keen to consult the Board, former postmasters and other experts at scheme design stage.
13. The Board asked about HCRS claimants who choose not to seek legal representation. DBT stated that so far this has only happened with people who wish to accept the £600k fixed sum. DBT assured the Board that claimants are strongly encouraged to appoint legal counsel and provided with information on how to do so. The Board remained concerned that this posed risks to some claimants, but understood the reasons why some claimants did not wish to be represented.
14. The Board asked whether the department was having trouble getting law firms to sign up to the HCRS tariff. DBT said 11 firms had already agreed to use the tariff, and to make no other charges to postmasters.

Capture

15. The Board asked for an update on losses to postmasters arising from the Capture system. DBT confirmed that Kroll had now finished their report, and it will be published shortly.