

Call with Sir Alan Bates, Justice for Subpostmasters Alliance, Date TBC, 00:00

Context

Sir Alan is a former subpostmaster and founder of the Justice for Subpostmasters Alliance. He worked closely with the Department on the development of the Group Litigation Order (GLO) Scheme. He received a knighthood in June this year for his work campaigning for justice for members of the GLO group. His work is focused exclusively on that group: he does not generally intervene on matters affecting other groups of postmasters. Note that he (and other postmasters) strongly prefer the word “redress” to “compensation”.

Points to make

We recommend that you should confirm to Sir Alan that the new administration **remains committed to providing prompt and fair redress for postmasters**. You can encourage him to share the news of this commitment with his extensive network.

Encourage him to resume regular meetings with DBT officials (from which he has withdrawn in frustration at the rate of progress of the scheme).

Issues he may raise

1. Speed and Fairness of Redress

Background/DBT Position:

The Department has received good feedback from claimants' legal representatives on the overall fairness and speed of offers under the GLO scheme. Of the 203 offers made under the scheme, 177 have been accepted, of which 147 have been for the **GRO** fixed payment. Additionally, 92% of claimants received their first offer within the Department's target of 40 working days. Although Sir Alan has said publicly (including to the Business and Trade Select Committee) that the Department has not yet tackled the most complex cases, this is no longer the case and our offers on those cases are being well-received.

Line to take: I am determined that financial redress should be made quickly and fairly to all those who have suffered under this scandal. I appreciate your feedback and will be looking at these issues closely with officials as a priority.

2. Sir Alan's own claim

Background/DBT position: Sir Alan has made a substantial claim under the GLO scheme. He has based the aspect related to his campaigning efforts on the substantial salary earned by former Post Office CEO Paula Vennells. DBT's offer was based on standard legal principles for redress, producing a result which was significantly lower than Sir Alan's claim. He has publicly criticised his offer which he described as “derisory” because it represented only about a sixth of his claim. We are confident that he and his lawyers will have expected this, and that in submitting the claim his intention was to use the divergence between claim and offer as a campaigning point. We have since revised our offer in the light of further evidence and proposals from his legal advisors. His case will be assessed by an independent panel later this month.



Decisions on individual awards are made by officials by applying the legal principles to the evidence given in each claim. **We strongly advise that Ministers do not get involved in individual cases** as to do so creates a risk of judicial review (because a different process would have been applied to the claims concerned).

Line to take: I know that your case is about to be considered by the independent panel and I'm not going to comment on the substance of it.

3. Family Members

Background/DBT Position: Sir Alan, among some other prominent subpostmasters, have pressed for all the redress schemes to cover the losses of family members.

The redress schemes are only open to those directly impacted by the scandal. However, the Department takes into account the suffering of family members when making an offer to a claimant. For example, financial losses are compensated where they are directly linked to the claimant, e.g. loss of a family home. Non-financial losses, e.g. mental health impacts on family members, are often included in a claimants' 'distress and inconvenience' offers.

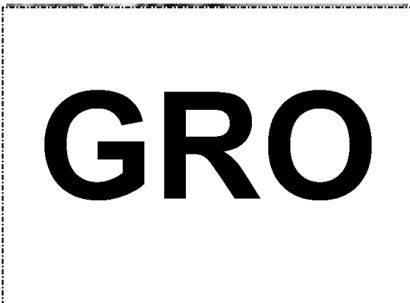
The Horizon Compensation Advisory Board have also pressed on this issue and – assuming you are happy to reappoint them - have committed to speak to claimants' legal representatives in the autumn. Officials will provide you detailed advice on options in this area in due course, should you wish to go further than the current position, where previous Ministers took the view that expanding the scope of the schemes to include family members would set difficult precedents and be beyond legal precedents. Any change would need to be agreed with the Treasury.

Line to take: These are important issues we should look at closely. The Advisory Board will be speaking to claimants' legal representatives to consider further, and I look forward to hearing the outcome of those discussions.



OFFICIAL SENSITIVE

Biography



Sir Alan Bates is a former subpostmaster who, in 2003, had his contract terminated when he refused to comply with Post Office policy in respect of false shortfalls which were appearing in his branch's accounts. He subsequently formed the JFSA campaign group in 2009, with the aim of exposing the failures of the Post Office and its computer system, Horizon. In 2018, 555 subpostmasters, led by Sir Alan, took the Post Office to court in a Group Litigation Action and won, paving the way for other subpostmasters

to claim redress and have their Horizon-related convictions quashed.

SCS sign off: Carl Creswell

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