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Post Office (Horizon System) Offences Bill

Volume 747: debated on Wednesday 20 March 2024

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Second Reading

[Relevant document: *Third Report of the Business and Trade Committee, Post office and Horizon redress: Instruction to deliver, HC477.*]

🕒 1.42pm

The Secretary of State for Business and Trade >

(Kemi Badenoch)

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I beg to move, That the Bill be now read a Second time.

I am pleased to present the Bill for its Second Reading. It will quash the convictions of those affected by the Post Office **Horizon scandal** in England and Wales—one of the greatest miscarriages of justice in our nation's history. The legislation will clear the names of sub-postmasters whose lives were ruined because of the **Horizon scandal**: those wrongly convicted of or cautioned for offences of false accounting, theft and fraud, all because of a faulty IT system that the Post Office had implemented.

Instead of listening to whistleblowers such as Alan Bates when they raised concerns, the Post Office viciously pursued them for the shortfalls. Some were suspended or dismissed; hundreds were prosecuted, convicted and imprisoned; others were harried as thieves by their local communities. Several were driven to suicide. The Government cannot turn back the clock or undo the damage that has been done, but we will seek to right the wrongs of the past as best we can by restoring people's good names and ensuring that those who have been subject to this tragic miscarriage of justice receive fair and full redress. The Bill represents a crucial step in delivering that.

Ian Paisley >

(North Antrim) (DUP)

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to the cross-party representations made from both sides in this House and all sides in Northern Ireland, including by the First Minister, the Deputy First Minister and the Justice Minister for Northern Ireland, who have appealed for the fewer than 30 people in Northern Ireland who have been affected by the **scandal** to be included in the Bill.

Kemi Badenoch >

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We are working closely with the Northern Ireland Executive. We have carefully considered the territorial extent of each piece of legislation, and we are rigorous in our commitment to devolution. The hon. Gentleman should be assured of the amount of work that is taking place to ensure that we get the Bill done properly in a way that will not have unintended consequences. I thank him for that point.

This new legislation will quash all convictions that meet the clear and objective conditions laid out in it. We recognise that postmasters have suffered too much for far too long, which is why convictions will be quashed automatically when the Bill receives Royal Assent, removing the need for people to apply to have their conviction overturned.

Sir Jeremy Wright >

(Kenilworth and Southam) (Con)

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I am extremely grateful to my right hon. Friend for giving way. I understand entirely why the Bill is necessary. She will agree that it is important that we do not, through the Bill, set any precedent for the interference of this House in individual convictions, unless there are exceptional circumstances such as these. That means that the Bill must be tightly drafted. At the moment, condition E—the last of the conditions that she has mentioned—is that

“at the time of the alleged offence, the **Horizon** system was being used for the purposes of the post office business.”

Why is that not phrased differently to say that **Horizon**-based evidence was presented in the case against the person convicted? There is a material difference between those two things. I just seek to understand why she has chosen that formulation rather than the alternative.

Kemi Badenoch >

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My right hon. and learned Friend makes a good point about the final condition in the Bill. That is something that we considered, but it would likely have required a case-by-case, file-by-file assessment of each prosecution. That would have added significant time and complexity, which is what our solution avoids. One thing that I have been keen to emphasise is that speed and pace are critical. This has taken far longer than I would have wanted, and I would not have gone for a solution that would have impeded this and created complications.

Liam Byrne >

(Birmingham, Hodge Hill) (Lab)

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I put on the record my thanks to and commendations for the Under-Secretary of State for Business and Trade, the hon. Member for Thirsk and Malton (Kevin Hollinrake), for the way in which he has approached the groundwork for the Bill.

Among those excluded from the scope of the Bill are those who went to the Court of Appeal and lost their case, or were not given leave to appeal to the Court. What we now know would have been quite useful in many of those cases. Should we enlarge the scope of the Bill to include those who lost their case at the Court of Appeal or were not given leave to appeal in the first place, as many of them may well be truly innocent?

Kemi Badenoch >

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I thank the right hon. Gentleman for that point. That is also something that we considered carefully. It is part of the trade-off that we had to make in doing something unprecedented: Parliament overturning convictions. We respect the judgment of the Court of Appeal—it has gone to an appellate judge. We are willing to consider some of those cases individually just to ensure that nothing has been missed, but the Bill has been drafted in consultation with the Crown Prosecution Service and the judiciary. We want to ensure that we are bringing everyone with us. Concerns such as his have been raised, but this is more or less the consensus that we think will get the Bill done, and allow redress, as quickly as possible.

Sir David Davis >

(Haltemprice and Howden) (Con)

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I will elaborate on this point further when I speak—hopefully, if I catch Mr Deputy Speaker's eye—but there is already data about the cases that the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) referred to, those that are outside the **Horizon** case itself but were attempting to get themselves exonerated on the basis of other data. As far as I can see, they failed precisely because they were not part of the **Horizon** case, so I ask the Secretary of State to return to this issue before Report and look at whether we can solve that problem.

Kemi Badenoch >

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I thank my right hon. Friend for that intervention. That is something we can look at again at further stages of the Bill. We understand the issue that hon. Members are trying to resolve, and agree with them that we need to make sure that everybody who deserves justice gets justice, but we also have to be careful to make sure that we are not exonerating people who we know for a fact have committed crimes.

Mary Robinson >

(Cheadle) (Con)

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I am grateful to my right hon. Friend for giving way, and I commend her work and that of my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), not only in recognising the plight of these people and putting in place compensation for their suffering, but in ensuring that these criminal convictions are expunged from their record. It is really important for these people that they regain their standing within their communities.

As my right hon. Friend has rightly said, so many of these whistleblowers were failed by the current law: the Public Interest Disclosure Act 1998. It is really vital that we not only put that right, but have a good look at the law again. I know that a framework review is going on, and have spoken to my right hon. Friend and my hon. Friend about what more can be done. I have tabled a whistleblowing Bill that will sort this problem out. It lands within the Department for Business and Trade—it is something that is within my right hon. Friend's gift. Will she support my private Member's Bill on Friday?

Kemi Badenoch >

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I thank my hon. Friend for all the work she does in chairing the all-party parliamentary group for whistleblowing. She is right that this issue needs consideration, and we are going to look again at the whistleblowing framework—it is something that comes up time and time again in many respects. I will not comment yet on her private Member's Bill, because I have not seen it, but I thank her for all her work on this issue.

Mr Kevan Jones >

(North Durham) (Lab)

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to look at themselves and how they have dealt with some of these cases.

On the point that my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) raised, a small number of cases are not within the scope of the Bill. I perfectly understand why, but we have to get those cases looked at again, because evidence has come out in the Sir Wyn Williams inquiry that was not available at the time. Will the Secretary of State commit to at least sit down with the judiciary to look at these cases and emphasise the fact that there is new information, and that responsibility for some of this injustice has got to lie with the justice system?

Kemi Badenoch >

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I thank the right hon. Gentleman for his intervention. The courts dealt very swiftly with the cases before them—perhaps a bit too swiftly. That is why the sub-postmasters suffered so many miscarriages of justice, and it is right that we make their exoneration as simple and quick as possible, so while my priority is passing this Bill for the bulk of the people who have suffered, that does not mean we will not be able to look at other scenarios later and see if we can find solutions where we genuinely believe that there has been a miscarriage of justice. That is not for me to do at the Dispatch Box—it will not be up to Ministers. There will be caseworkers who will carry out that work, but we have to be careful to make sure that we are exonerating the right cohort.

Mr Jones >

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I hear what the Secretary of State says, but I would just say to her that this is a small number of people and they have to be looked at. Can I ask that she shows the same zeal that her hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) has shown in his approach to this process? We need a commitment, not to get these cases sorted today—I accept that the Secretary of State cannot do that—but that the Department will look at them. I think that will send quite a strong message out to people.

Kemi Badenoch >

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The Department can always do that. This is something that we believe is so critical in order to make sure everybody gets the justice they deserve, and we need to make sure that we carry out the process in such a way that everyone has confidence in it. We can continue to look at cases and see if there are other solutions, but as the right hon. Gentleman has rightly said, that will be outside the scope of this Bill.

Sir Robert Neill >

(Bromley and Chislehurst) (Con)

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I am very grateful to the Secretary of State for giving way, and I also pay tribute to the exceptional work of my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) and the way in which he has engaged in what is a sensitive issue, not least constitutionally. Does my right hon. Friend accept that it is not ideal under any circumstance for this House to trespass upon the legitimate preserves of the independent courts? It should only do so under the most exceptional circumstances. There is a case that this is one of those instances, but while we can legitimately criticise failings in the criminal justice system—such as in disclosure, which is part of the system—it is important that we do not get into the territory of impugning the individual decisions of judges made in good faith on the evidence properly before them.

One thing we could do to emphasise the exceptional nature of the Bill would be to introduce a sunset clause, so that at an appropriate time when the Bill has served its purpose—perhaps some way in the future, once those who need to be found and contacted have been able to come forward and have their convictions quashed— it would no longer be the constitutional anomaly that it might otherwise be if it stayed on the statute book indefinitely.

Kemi Badenoch >

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I am very happy to consider a sunset clause. My hon. and learned Friend makes a very good point, and I really appreciate the fact that he can see the tightrope that we are walking: getting justice for postmasters while not interfering with judicial independence.

Sir Robert Buckland >

(South Swindon) (Con)

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I think it is important that we emphasise the wholly exceptional nature of this legislation, but we are dealing with wholly exceptional circumstances—we hope. The point about disclosure is one that I cannot make strongly enough, and we have to look again at our presumptions about machines and what they produce when it comes to criminal litigation.

Can I press my right hon. Friend to reiterate the wholly exceptional nature of this legislation? I think we need to be careful when it comes to a sunset clause, because we do not want to end up frustrating the purpose of the Bill, which is to deal with the hundreds of people who have lost faith in the system and might be difficult to track down and identify. I am not particularly in favour of a sunset clause, but we do need to emphasise the exceptional nature of this legislation.

Kemi Badenoch >

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I am grateful to my right hon. and learned Friend for his intervention. I am very happy to emphasise that, and will do so again later in my speech. I do enjoy it when we have two lawyers who disagree on a particular point; I will be taking this as their application to join the Bill Committee.

The Bill includes a duty on the Government to take all reasonable steps to identify convictions that have been quashed. It also creates a duty to notify the original convicting court, so that records can be updated and people's good names can be restored. Other records, such as police records, will be amended in response. The Bill makes provision for records of cautions for relevant offences relating to this **scandal** to be deleted. While the financial redress scheme will be open to applicants throughout the UK, the Bill's measures to overturn convictions will apply to England and Wales only.

Mark Pawsey >

(Rugby) (Con)

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We on the Business and Trade Select Committee heard absolutely harrowing accounts from postmasters of what they had gone through as a consequence of the Post Office's actions, but many of those cases took place many years ago. Can the Secretary of State be confident that the audit process in an organisation such as the Post Office will in future identify what has happened at an earlier stage, and does she agree that legislation such as this should never come before this House again—that this should not happen?

Kemi Badenoch >

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I believe that the inquiry being led by Sir Wyn Williams is currently looking at that issue. It is important that audit processes work at the highest level, and that people are able to rely on and have confidence in them, so I thank my hon. Friend for raising that point.

On the question of territorial coverage, as I said earlier to the hon. Member for North Antrim (Ian Paisley), my Department will continue working closely with the Northern Ireland Executive and the Scottish Government to support their approaches to addressing this **scandal**, ensuring that every postmaster who has been affected receives the justice they deserve, irrespective of where in the United Kingdom they are. Indeed, my colleague and hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), the Minister for postal affairs, has already met Justice Ministers in the Scottish Government and the Northern Ireland Executive to offer our support.

Stephen Farry >

(North Down) (Alliance)

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I accept that the Department is very keen to respect the devolved settlements in both Northern Ireland and Scotland, but can I stress to the Secretary of State that there is political consensus in Northern Ireland, and Ministers in the newly restored Executive would welcome Parliament acting in this particular area?

Due to the nature of devolution in Northern Ireland, we have to have a public consultation, so in the best-case scenario we are looking at well towards the end of this year before we can replicate legislation here in Westminster. As this was a national scandal, it does require a national solution to avoid a situation of inequity in which some postmasters in parts of the UK are exonerated while others are still waiting.

Kemi Badenoch >

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I take the point the hon. Member makes very seriously. We do understand, but we want to make sure that we do not create any possible unintended consequences by legislating on devolved issues, so we are working hand in glove with the Northern Ireland Executive to make sure this goes through as quickly as possible. We know that the numbers there are much smaller, and that the postmasters there have been identified. He is right to raise the point, but I want to reassure him that we have every confidence that we will be able to get this done at the same pace.

Liam Byrne >

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Could I put that question in a slightly different way? The Minister for postal affairs has set out an ambitious timetable for the passage of this law, the overturning of convictions and the dispensation of compensation, with it all possibly being done and dusted—with hope, and a following wind—by the end of July. Could the Secretary of State commit to a similar timetable when it comes to the cases that have been raised in Northern Ireland?

Kemi Badenoch >

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That is certainly something we can encourage the Executive to work to, but I cannot personally make that commitment because it would not solely be up to me. However, I just want to reassure the House that this is something we care about. We are not prioritising England and Wales because it is England and Wales; we are doing what we can as quickly as we possibly can to make sure that we do not create problems later by rushing and not doing things properly. I think that that is a good and ambitious target, but it would not be up to me to make such a commitment.

I am aware that the approach we are taking in this Bill is a novel one. With it, Parliament is taking a function usually reserved for the independent judiciary, as my right hon. and learned Friends the Members for Kenilworth and Southam (Sir Jeremy Wright) and for South Swindon (Sir Robert Buckland) and my hon. and learned Friend the Member for Bromley and Chislehurst (Sir Robert Neill) have said. However, I am equally aware that the postmasters' long and punishing fight for justice must now be swiftly drawn to a close. The circumstances surrounding the scandal are wholly exceptional, and they demand an exceptional response from Government, so I would like to take this opportunity to reassure the House that the introduction of the Bill is in no way a reflection on the courts and the judiciary, which have dealt swiftly with the cases before them.

Katherine Fletcher >
(South Ribble) (Con)

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I would like to commend both the Secretary of State and her team for bringing forward this Bill. The sub-postmasters have faced a miscarriage of justice that has taken many people's breath away. I am aware that this is specific and focused legislation, but two South Ribble constituents came to see me who had been Royal Mail customers, and they described scenarios of prosecutorial practice very similar to what sub-postmasters were subject to. Would the Secretary of State consider expanding the scope of the legislation in future to other people who may have been subject to poor treatment?

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I thank my hon. Friend for her intervention. I can look specifically at the cases she raises, but I think they may actually be covered by this Bill. I would be wary of expanding the scope too broadly. The consensus we have with the CPS, the judiciary and so on has been achieved by the legislation being very tightly scoped, but we do want to make sure that people who have been at the end of an injustice can have those wrongs righted. I am very happy to look at the specific cases of her constituents.

Andy Carter >

(Warrington South) (Con)

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I am very clear that this Bill is about correcting convictions that were made in error. However, there are of course a number of employees—direct employees—of the Post Office who were never convicted, but had their good name ruined and their careers destroyed, and have found it very difficult to gain employment because they were unable to get references from their previous employer. Indeed, probably the worst thing that happened to them is that they were identified in their community as people who were perhaps stealing from pensioners or treating members of their community unfairly. This Bill will do nothing for them. Could the Secretary of State outline what the Post Office is doing to contact those individuals who were disciplined by the Post Office and dismissed, so that they too can have justice?

Kemi Badenoch >[Share](#)

I thank my hon. Friend for that question. He is right that many people had their reputations traduced because of what happened with the **Horizon scandal**. Where shortfalls were falsely made by the Post Office and they had to pay, we have compensation schemes to address those sorts of wrongs. Because this Bill is specifically about overturning convictions, it cannot apply to them, but where they have suffered other damage, we have compensation schemes that we hope will apply in those circumstances.

We have not taken the decision to legislate in this way lightly. Given the factually exceptional circumstances of the **Horizon scandal**, the number of postmasters involved and the passage of time since the original convictions, it is right that the state now acts as quickly as possible. Any further delay would be adding further insult to injury for postmasters who have already endured what I believe is an arduous wait. Indeed, some have lost trust in the system, and want no further engagement. In many cases, the evidence they would need to clear their names no longer exists.

However, I must make two points clear to the House. First, the Government's position is that it will be Parliament, not the Government, that is overturning the convictions, so there will be no intrusion by the Executive into the proper role of the judiciary. Secondly, this legislation does not set any kind of precedent for the future. It recognises that an extraordinary response has been necessitated by an extraordinary miscarriage of justice.

On this Bill receiving Royal Assent, no further action is required by the victims of this **scandal** to have their convictions quashed. The Government will take all reasonable steps to notify the relevant individuals and direct them to the route for applying for compensation. Further details of this process will be set out in due course.

Liam Byrne >[Share](#)

The Secretary of State is being characteristically generous in giving way again. The evidence the Select Committee heard was that many people seeking compensation for the injustice they have suffered found it very complicated and very confusing to understand the range of case law required to put in particular kinds of claim—for example, for loss of reputation. When she triggers the notification provisions, would she reflect on something she could add, which is a tariff to help people put in claims for the right kind of compensation? What none of us would want to do, having overturned the convictions, is to let people get short-changed on the compensation. Providing a standardised tariff could cut through so much of the complexity and help people get what they are due.

Kemi Badenoch >

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I thank the right hon. Gentleman. I know that is a recommendation from his report, and it is something we are actively looking at and considering. As the Bill progresses through the House, there will be many suggestions that we will be able to look at to see whether it can be improved in any way. However, we must make sure that we do so in a way that does not jeopardise any of the objectives of the Bill—any of them at all.

As I was saying, further details will be set out in due course, and there will be a process for anyone to come forward where their convictions meet the criteria but we have been unable to identify them. The new primary legislation will be followed by a route to rapid financial redress on a basis similar to the overturned convictions scheme, which is currently administered by the Post Office, so we do not need provisions in the Bill to deliver that scheme. My Department, not the Post Office, will be responsible for the delivery of redress related to the quashing of these convictions. The Minister for postal affairs will return to the House at a later date to provide details on how we intend to deliver that redress.

Mr Kevan Jones >

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I welcome the changes that have been made in the compensation. Some of the proposals—for example, for fixed sums—are going to make a lot of cases easier to sort out. I do not feel comfortable having the Post Office anywhere near this, frankly, and neither do the sub-postmasters. Will the Secretary of State think about a system of compensation that in practice cuts out the Post Office? There is no trust there among the sub-postmasters. Do I personally have any faith in the Post Office? No, I do not.

Kemi Badenoch >

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I thank the right hon. Gentleman. That is one reason why my Department will be looking after the redress delivered by the scheme.

Sir David Davis >

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Let me reinforce the point made by the right hon. Member for North Durham (Mr Jones). There are people writing to me this week about the current handling of their cases by the Post Office and Post Office lawyers; frankly, it is barbaric. The Post Office needs to be taken out of it.

Kemi Badenoch >

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I reassure my right hon. Friend that this is something I am looking at in great detail. The Post Office has clearly been a dysfunctional organisation for a very long time, and that is one reason why I have been actively taking steps to look at the management and processes in place, which, as he rightly says, many of the sub-postmasters have lost faith in.

It goes without saying that work to offer prompt financial redress alongside the Bill continues. As of 1 March, 102 convictions have been overturned through the courts. Of those 102 cases, 45 people have claimed full and final redress, and of those 35 have reached settlement. The Post Office has paid out financial redress totalling £38 million to postmasters with overturned convictions. Under the **Horizon** shortfall scheme, as of 1 March, 2,864 eligible claims have been submitted, the vast majority of which have been settled by the Post Office, and £102 million has been paid out in financial redress, including full and final settlements and interim payments.

Finally, under the group litigation order scheme, working from the same date, 132 claims have been submitted, 110 have been settled by my Department, and £34 million has been paid out in financial redress, including full and final settlements and interim payments. Officials in my Department are working hard to get those cases settled quickly, and we have made offers within 40 working days in response to 87% of complete claims.

In summary, the Bill amounts to an exceptional response to a **scandal** that was wholly exceptional in nature, and has shaken the nation's faith in the core principles of fairness that underpin our legal system. We recognise the constitutional sensitivity and unprecedented nature of the Bill, but I believe it is essential for us to rise to the scale of the challenge. The hundreds of postmasters

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took from them, but I hope the Bill at least begins to offer the closure and justice that postmasters have so bravely campaigned for over many years, and that it affords them the ability to rebuild their lives. For that reason, I commend the Bill to the House.

🕒 2.12pm

Jonathan Reynolds >

(Stalybridge and Hyde) (Lab/Co-op)

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I am pleased to be at the Dispatch Box to welcome the Bill; in doing so, I candidly recognise the difficult legal and constitutional position it represents. I will outline why I believe it is required, and the exceptional nature and caveats that we should all realise on Second Reading.

The **Horizon scandal** is, quite simply, one of the most egregious miscarriages of justice in British history. It robbed people of their lives, their liberty and their livelihoods. As we now know, driven by a misguided belief that technology was infallible and workers dishonest, the Post Office prosecuted innocent people. Indeed, they were the very people in whom the Post Office should have had the most faith—those who delivered vital services in all our communities.

Those prosecutions caused unimaginable pain and suffering, which no amount of compensation can ever alleviate. To add insult to injury, the journey to justice for the sub-postmasters has been mired in a great many delays and barriers. Some of the people affected have, tragically, passed away before having had the chance to see justice.

The Bill will free hundreds of innocent people of their wrongful convictions, and it affords us the chance to make a huge stride in righting the wrongs of the past. That is why Labour will give it our support. However, this must be just one of several steps still to come if amends are ever to be made for this most insidious of injustices. The convictions must be overturned, compensation must be delivered at pace, and justice must be sought from the independent inquiry.

We must recognise today for what it is: a victory for the sub-postmasters. To have the strength of character to lose everything, and then to get back up and fight is truly humbling, and the recognition and admiration that those people have earned is absolutely right. Nevertheless, Members across the House will be acutely aware of the unprecedented nature of this legislative action. We all recognise that we should not have needed to get to this point, and it is important to explain why we are taking this step, why we believe this is an exceptional case, and why therefore this should never be repeated in future. I hope in this speech to do that.

I wish to recognise the work of the many people who have got us to this landmark occasion. First, no Member could deny that we would not be where we are today, pursuing this particular route, were it not for the recent ITV drama “Mr Bates vs the Post Office.” Although the **Horizon** Post Office failure is a **scandal** to which the House has been responding for some time, the drama brought the story to a wider audience and reinvigorated the campaign. It is a powerful reminder of the way that art and culture can be used to tackle injustice and raise public awareness. I thank everyone who was involved in that project, including my constituent Julie Hesmondhalgh.

Secondly, I pay tribute to my right hon. Friend the Member for North Durham (Mr Jones) and Lord Arbuthnot in the other place, and all those colleagues who championed constituency cases from the beginning. Their tireless campaigning has been instrumental in getting us here to today.

Thirdly, I want to recognise the attention that the Under-Secretary of State for Business and Trade, the hon. Member for Thirsk and Malton (Kevin Hollinrake), has given this matter and the progress he has achieved so far. I thank him for working cross-party on the design of this legislation, and for keeping me and my hon. Friend the Member for Birmingham, Ladywood (Shabana Mahmood) regularly updated. I also note that the hon. Member for Sutton and Cheam (Paul Scully), who is in his place, was the first to get to grips with this **scandal** in the way that was required. He will be leaving this place in the coming months, and I hope that will do so with a sense of pride in the work he did, and I thank him very much for it.

However, today must be a moment when, above all else, credit and recognition go to the sub-postmasters and their courageous search for justice. They have been unrelenting and undeterred, and we owe them a great deal. To be jailed or bankrupted because of faulty IT, and to have no one believe that their character mattered more than numbers on a spreadsheet, is why the **scandal** struck such a nerve with the public. Without the bravery of the sub-postmasters, we might never have known that this injustice took place—it is worth taking a moment to reflect on that.

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the course for justice for sub-postmasters, but we also recognise that doing so undermines a fundamental principle of our democracy: the separation of the judiciary and the legislature. Overruling the courts in this way could set an incredibly dangerous precedent, and one that I hope we will never use again. In an era of ever-creeping populism, there is a real threat that the well-intentioned actions we take today could be abused in future for completely unwarranted purposes.

Mr Kevan Jones >

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I concur with my hon. Friend's statement about the separation of powers. Does he agree that it is time for the courts and judicial system to reflect on their role in the **scandal**, and on why they did not raise red flags when they should have done? The hon. and learned Member for Bromley and Chislehurst (Sir Robert Neill) said that we should not criticise individual judges, but some of them acted in a way that, frankly—I say this knowing some of the cases as I do—did not reflect the best of our judiciary.

Jonathan Reynolds >

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My right hon. Friend makes a powerful contribution. Many things go beyond the Bill and the independent inquiry that we are currently looking at, regarding the role and experience of our constituents in the legal system, how Government and Executive agencies function, and the evidence given to Ministers and the accountability we seek from that. A great deal has to change as a result of this. I understand his point.

Shailesh Vara >

(North West Cambridgeshire) (Con)

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I thank the hon. Gentleman for giving way; he is being generous with his time. Does he also agree that we must look not only at how lawyers have handled this but, more importantly, at those who produced the evidence in the first place to persuade prosecutors? I hope he will agree that lessons must be learned by those who blindly said, "These people are probably guilty" and built up a case around that when, as we have found, that was not the case.

Jonathan Reynolds >

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I thank the right hon. Member for making those powerful points, which reflect on the nature of the evidence that was given. One of his hon. Friends has already made the point about the role of technological, computer-based evidence in the legal process. To be frank, there is also the Post Office's approach to the data as it saw it, which I assume it believed to be a way of unveiling wrongdoing, rather than questioning that data. Most of our constituents ask, "How could the number of convictions have gone from five or six a year to 50 or 60 without that being flagged in some way?" Clearly, the powers that be—at the time—thought the data was revealing wrongdoing, rather than necessarily revealing something going wrong.

We can see from the contributions we have already had that all Members participating in today's debate and who will participate in the Bill's future stages are mindful that what we are saying is not only important, but might be referenced in future considerations. In that vein, let me clearly state that this legislation, although far from ideal, is the only option on the table for us to resolve this horrible injustice. But let me further state that any incoming Labour Government would never use this kind of action again. There are exceptional circumstances to this case that make it unique, rather than it being a moment to set a precedent for handling any future injustices.

The Post Office **Horizon scandal** took place over decades, and there is at least a decade's worth of investigations that demonstrate the falsehoods behind many of the convictions made against sub-postmasters. That bank of evidence will only grow from the independent inquiry led by Sir Wyn Williams. The challenge to righting this wrong is not a lack of clear evidence, but a sheer volume of cases that is overwhelming the appropriate route to justice through the Court of Appeal. I lament that our justice system is under such strain, and it would be remiss of me not to point out that a better serviced Criminal Cases Review Commission could have avoided the extraordinary step that we must now take.

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another process in a criminal justice system that so badly failed them the first time around. For the purposes of the historical record, an important qualification for taking this step is the scale of cross-party support that the legislation is attracting. I have raised that point with the Minister before, and I believe it to be an essential safeguard.

The Parliamentary Under-Secretary of State for Business and Trade >

(Kevin Hollinrake)

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May I thank the shadow Secretary of State for his cross-party and collaborative approach, which has brought us a significant step forward? I recognise the points he makes on the scale of the problem, which is why we have to act in this way. It is probably the least worst option for how we deal with this.

May I push back gently on his point that we have only started to act significantly since the TV drama? We welcome the public outcry that came as a result of the drama, the new attention that has been focused on the issue and the 1,200 new claimants who have stepped forward, but I push back because it is important that the public know that we were acting prior to the drama. We implemented the shortfall scheme in 2020, the inquiry back in 2020 and the GLO compensation scheme in 2021. The **Horizon** Compensation Advisory Board was put in place early in 2023, and the fixed-sum awards of £600,000 were put in place in autumn last year. We also had the overturned convictions and the exploring of different ways to do that on a mass basis. All these things were in place by the time of the Post Office (**Horizon System**) Compensation Act 2024, which we considered in December last year, and which the shadow Secretary of State and I spoke to during its consideration. Much work has been undertaken. We very much welcome the new impetus we have all got from the attention that the drama has brought about.

Jonathan Reynolds >

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I am always keen to hear from the Minister. I thought I was fair in making the point he raises in my introductory remarks. I simply make the point that the constitutional significance of legislation like this requires a level of public consent. The statement that the Prime Minister made in January, just after Prime Minister's questions, would not have been possible without the sheer breakthrough in public consent and the demand for change and for justice that came from that. I will always be fair to the Government's Ministers, and I point out even to some of their critics that we were dealing with things. We had the legislation that colleagues had worked on. It is fair to say there was less interest in some of that in the Chamber before we had the television programme, but let us be frank that we had the impasse of people not wanting to go back to the process. The estimate we had at the time was 10 to 15 years. That is what brought us to that point, and we have to recognise that, as well as paying tribute to the role that arts and culture can play in bringing things to an audience, which we should welcome.

Finally, I think I speak for everyone in the Chamber when I say that in no way does anyone take lightly what we are proposing to do today. This action is unprecedented, and we should make every effort possible to ensure that such action never again has to be considered.

Sir David Davis >

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This legislation is not totally the first precedent. There have been cases relating to people who were shot in the first world war for cowardice and then exonerated after the event, and so on. Does the shadow Secretary of State agree with the notion that we should put a sunset clause on this provision, to ensure that it in no way becomes a precedent?

Jonathan Reynolds >

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When we look at the precedents, it is interesting to note that there is clearly a legal difference between quashing a conviction and a pardon after an event has taken place, which is the precedent we are more familiar with. I am receptive to what colleagues are saying about a sunset clause from a judicial or safeguarding point of view. Clearly we want to capture as many people as possible who deserve to have their convictions quashed. When we get to Committee, which I assume will be on the Floor of the House, I am sure there will be an attempt to do that.

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(Orkney and Shetland) (LD)

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Is not the point about a sunset clause that none of us knows what is around the corner or what the future holds? Once this legislation has expired, the law of sod dictates that somebody somewhere will come up with a case that requires to be dealt with. That is eminently possible. A sunset clause would serve no useful purpose, other than smoothing a few ruffled judicial legal feathers.

Jonathan Reynolds >[Share](#)

I hear what the right hon. Gentleman is saying, and we do not want to do Committee stage on Second Reading. We are hearing about the necessity of ensuring that, where cases fall beyond the specific circumstances—to be fair to the Government, I understand why the legislation has been drafted in this way to address this particular cohort, for simplicity and straightforwardness—they can still be identified. Some of that could be done on the numbers, but we will have time to explore this matter in Committee.

Ian Paisley >[Share](#)

On the issue of consent, the shadow Secretary of State is right to point out that all sides of the House have consented to this legislation, and that is what makes law change flow much easier. A lot of good will has been expressed about Northern Ireland and increasing the territorial extent of this legislation, but that good will butters no parsnips—as someone else in the House often says. The fact of the matter is that, ultimately, we must ensure that Northern Ireland is included in this legislation. If a motion came forward to instruct the House to extend the Bill to cover Northern Ireland, would the Opposition support it, so that those fine words and good will are turned into strong action?

Jonathan Reynolds >[Share](#)

I will say something specifically about the territorial extent of the Bill, but the straightforward answer is yes, there are circumstances here to which we should listen. I hope the hon. Member will not mind me saying this, but when all political parties in Northern Ireland are in agreement on something, it is usually worth listening and understanding why that might be the case. I will address specifically how we might deal with that matter later in my remarks.

Liam Byrne >[Share](#)

The shadow Secretary of State is making a brilliant speech. Does he agree that we might want to reflect on measures to de-risk the speed of paying compensation? It is important that we overturn convictions, but it is also right that we accelerate compensation. Just because the Department is running the scheme is not necessarily a guarantee that payments will flow quickly. This morning, the Business and Trade Committee crunched the data on the GLO scheme, and unfortunately it would appear that 14% of offers have taken more than 14 days, 4% have taken more than 80 days, and 2% have taken more than 100 days. We obviously need to get the measures right, and there are lots of issues at play, but de-risking the speed of compensation sounds like something we should reflect on.

Jonathan Reynolds >[Share](#)

I thank my right hon. Friend for those remarks and for all the work the Select Committee has done to assist this process. He is right to say that while it is one thing to pass the Bill, what everyone wants is for it to be a route to speedy compensation as soon as possible. I welcome some of the changes we have seen, such as the optional £600,000 up-front payment available to people to get through some of the complexity of the cases. When the Select Committee published its report, it looked at the recommendation to include in the Bill deadlines for the Government to pay compensation, but we have since received useful information about how binding limits

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behalf of the Government to reflect on that point, because everyone will want to be able to say, “We care, and we have pushed forward the need for compensation payments to flow smoothly.”

Mr Kevan Jones >

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I have to say to my good friend the shadow Minister that this is where I depart from the Select Committee. The advisory board has been very clear that we need to make the system simple. To be fair to the Government, they have listened on the lump-sum payments. What we need is to get those simple cases out of the system—I am not sure they are “simple”—and concentrate on the complex cases. Knowing the nature of some of those cases, they will be complex. It is not just the Government or the advisory board saying that. Talk to the lawyers who are putting cases in. There is a lot of work to be done on those cases; they are not straightforward and they will take time. Putting an arbitrary deadline on them might lead to their not being properly addressed, and some cases will be about more than £600,000. Although it is a good idea to try to speed up the system, some of the steps already taken by the Government will do so.

Jonathan Reynolds >

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I thank my right hon. Friend for that. The work of the advisory board on all this has been invaluable and is very much appreciated. We can all accept that a number of cases may seek compensation payments well in excess of £600,000 because of the scale of the loss and the complexity. No one would want or seek to do anything to prevent those cases from concluding in the way that is necessary. I simply ask the Minister to reflect on how the Government can give assurances on the best way to do that.

I come back to the issue raised by colleagues from Northern Ireland about the territorial extent of the Bill’s provisions and the desire to overturn the convictions of the small but significant number of affected sub-postmasters in Northern Ireland, who would otherwise fall beyond the scope of the legislation. I can tell colleagues that the Labour party supports the calls made. I understand that this would be a complex constitutional undertaking, but given that every party in Northern Ireland and, I believe, every Minister in the new Assembly are calling for inclusion in the Bill, we must recognise that.

Chris Stephens >

(Glasgow South West) (SNP)

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Because this is an unusual case, the Scottish Government have specifically asked that the Bill also take in Scotland. I understand that the Labour party supports that position too, but we have not really heard any rational reason why Scotland and Northern Ireland are excluded from the Bill.

Jonathan Reynolds >

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The hon. Gentleman will not mind my teasing him about a call for Unionism from the Scottish National party. *[Interruption.]* Just on this issue! As I understand it, the issue is that the Scottish judiciary does not support inclusion.

Marion Fellows >

(Motherwell and Wishaw) (SNP)

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That is ridiculous.

Jonathan Reynolds >

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The nature of the always distinct legal system in Scotland is a key part of this, whereas in Northern Ireland it is slightly more complicated.

Mr Carmichael >

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I fear that the issue is not so much with the Scottish judiciary as with the prosecuting authorities, given the remarks already on the record from the Lord Advocate. If I may, I will offer the hon. Member for Glasgow South West (Chris Stephens), through the shadow Minister, a rational reason: it is about political accountability. The lines of political accountability lie through the Scottish Parliament and the Crown Office. There are good and compelling reasons about delay for making an exception for Northern Ireland, particularly in relation to the requirement for a full public consultation. Those arguments do not apply in Scotland.

Jonathan Reynolds >

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I hear what the right hon. Member says. I can foresee it being seen as reasonable to extend the legislation to Northern Ireland in a way that will not apply to Scotland, given the position of a lot of colleagues in Scotland and without the Scottish Parliament and Scottish judiciary wanting to be part of that extension.

Carla Lockhart >

(Upper Bann) (DUP)

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The shadow Secretary of State is making a powerful speech, particularly about the impact on the lives of the sub-postmasters. The 28 or so in Northern Ireland have experienced the same turmoil as those in Great Britain. We thank the shadow Secretary of State for his endorsement of Northern Ireland's inclusion in the Bill. We would make a further call for that today.

Jonathan Reynolds >

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I am grateful to the hon. Member for those words. I know that colleagues from Northern Ireland are keen to bring forward an amendment on that. I ask Ministers to reflect on the scale of political support that we have seen and are seeing, and to take the issue away for further consideration before the Committee stage, so that justice can be brought to the 27 sub-postmasters—I think—in Northern Ireland.

To conclude, for many people who watched the ITV adaptation of the **Horizon scandal** in January, it will have been hard to believe that the ongoing tragedy was not a work of fiction, so egregious and pernicious have the impacts been on people's lives. However, it was not a TV show. It is very real and has had real-world impacts. Lessons must be learned and justice must be served. In the weeks after the drama, I believe attention sadly had to be turned away from the sub-postmasters and their needs, and the conversation became much more about the soap opera that has been seemingly ongoing with the management of the Post Office. Addressing that issue will demand serious attention, but the priority today should be providing sub-postmasters with justice. It is welcome that we have returned to that core issue today.

Labour will support the legislation. It is right that innocent people have their convictions overturned, not just so that they can begin to turn the page on the **scandal**, but so that it leads to the quick access to compensation that everybody rightly deserves. Not every story will finish with a happy ending. As we know, some people did not live to see this, and others have lost so much that their lives could never be put right. However, the actions we can take in this place can go at least some way to ensuring that the next chapter of the story of the sub-postmasters will be their own and will be based on the principles of justice and fair treatment that everyone wants to see.

🕒 2.38pm

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I hope the Secretary of State will not take this amiss and will understand that I mean no criticism of her or her Minister of State, or indeed his predecessor, my hon. Friend the Member for Sutton and Cheam (Paul Scully), when I say that the Bill represents the best of a bad job. Everybody has said it already; there is a difficult trade-off between natural justice and a fast, low-stress solution for the postmasters. That is what this Bill attempts to achieve.

That being said, it is not the way I would have done it. It is not what I would have proposed. The courts should and could have considered all the cases in which the convictions were based on **Horizon** evidence in one set of proceedings. I took senior legal advice on this; it would have been perfectly possible to take three or more former Supreme Court justices out of retirement, give them a courtroom and task them to deal with this in three months. They could have bracketed very similar cases together—there would have been hundreds in those categories—and then they could have focused on the ones that were really difficult. Regrettably, it is rumoured that the judiciary itself rebuffed that course of action, which I think was unwise and plain wrong. As the right hon. Member for North Durham (Mr Jones) pointed out, the judiciary has a responsibility, too. That is why we have gone this route, and I have every sympathy with what Ministers are trying to do.

Even so, the Bill still risks lumping the genuinely innocent majority with a very small potentially guilty minority. Each difficult case could have been dealt with on its individual merits rather than abandoning due process in the rush to bring this disgraceful episode to a close. We got into this situation by failing to follow proper processes, and I am wary that the Government, almost by default, are again failing to follow proper process to extricate themselves from this historic mess.

Despite my misgivings, I will not stand in the way of the Bill, because it will serve the vast majority of postmasters to secure justice for them. For that reason, I will support the Bill. However, that is not to say that the legislation will not continue to create problems of its own. I recommend that Members read some of the early reports before Report stage. The BAE Systems Detica report, which everyone should read, is a six-month review of the Post Office's fraud and non-compliance issues in 2013. It paints a picture of complete chaos in the Post Office's accounting systems—not just **Horizon** but all the accounting systems. Over a decade ago it was known that:

“Post Office systems are not fit for purpose in a modern retail and financial environment”.

Note that it refers to “systems”—plural—not just **Horizon**. The report goes on to say that ATM—cashpoint—accounting was clearly flawed and that

“removing the ATM reduces the risk of SPMR being suspended”.

By SPMP the report means sub-postmasters, and I am afraid that suspended means persecuted, as that was outcome. That was not **Horizon** related.

That matters because dozens have come forward to raise concerns over a second IT system used by the Post Office, called Capture. Again, documents show that Capture was known by the Post Office to have issues early on. The culture of denial in the Post Office over the decades is truly extraordinary. The Bill will exclude people who have already had their appeal cases heard and rejected. Those rejections may well have occurred because the evidence that the appeals were based on was not **Horizon** but some other failure of the accounting systems. We must be careful not to give up once we pass the Bill, but to see if we can also absolve people who are not guilty because of the wholesale chaos that existed.

Duncan Baker >**(North Norfolk) (Con)**[Share](#)

rose—

Sir David Davis >[Share](#)

I give way to probably the best-informed man in the House on this matter,.

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My right hon. Friend makes a good point: the Post Office main accounts would have had debtors saying that they were owed money

Mr Deputy Speaker >

(Mr Nigel Evans)

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Order. Will the hon. Member please face the Chamber, so that the whole House can hear him?

Duncan Baker >

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My apologies. The debtors would have said that those innocent sub-postmasters owed the Post Office corporate accounts what we now know to be tens of millions of pounds. But they were wrong—that was fictitious and they were not owed that money. Will we ever get to the bottom of that and restate the Post Office's accounts, which must have been materially wrong year after year throughout that period from 2010?

Sir David Davis >

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My hon. Friend has more experience of this issue than anyone, and he reinforces my point. Frankly, if I had a magic wand I would force the Post Office to re-audit every set of accounts for the last 20 years and give back the money, but that will not happen: it would drag on forever, and we know the stress that it is causing postmasters even today. My worry is that we may feel at the end of this process that we have solved the problem, but there will be some—perhaps only dozens or hundreds, not thousands—who will be left not absolved or exonerated, but who deserve to be. That is the risk of this approach.

Liam Byrne >

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Given the right hon. Gentleman's argument, will he reflect on whether we should include in the scope of the Bill those who went to the Court of Appeal initially but lost, or those who were not given leave to appeal, on the basis that we simply did not know then what we know now? Should we provide for that handful of cases—perhaps under 40—in the Bill rather than exclude them?

Sir David Davis >

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Those are precisely the cases I am focusing on; there may be others that we do not know about but they are the most obvious ones. I agree but, again, if I had a magic wand, I would use the mechanism that I mentioned of unretiring a few Supreme Court justices and saying, "These are more complicated and require a bit more insight. You can't deal with these en bloc. Will you please reconsider them?" On the one hand, I want to exonerate people who are truly innocent but, on the other, postmasters still call me up and say, "Whatever you do, don't exonerate the guilty." It seems to me that the best way is a judicial or quasi-judicial route over and above what we are doing here. No doubt we will debate that at some length on Report.

I will still support the Bill because, at the end of the day, it is the difficult compromise that the Government have found. They have got to where they are by talking to everyone, including the right hon. Member for North Durham, who is not in his place just now, and taking all the expert advice. The Bill is necessary.

I had a telephone call just yesterday from a victim of the **scandal**, which I mentioned in my earlier intervention. Her name is Janet Skinner, and she is not my constituent but she called me anyway. She told me that 15 years later, she is still going through misery and, despite having promised me that they would not, Post Office management are putting her through an inquisition, demanding

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documents, given the disruption of all that. The Post Office itself will have those documents somewhere, and if it does not, it ought to have them.

That barbaric mindset is still going on from, frankly, a sickeningly inadequate and self-absorbed Post Office management, as we saw when they gave evidence to the Committee of the right hon. Member for Birmingham, Hodge Hill (Liam Byrne). That is a problem, and we have to get the Bill under way as fast as possible. I pay enormous credit to both the junior Ministers who have dealt with this, my hon. Friends the Members for Thirsk and Malton (Kevin Hollinrake) and for Sutton and Cheam. They were both formidably good at their job at a time when the whole Whitehall and Post Office system was desperately trying to ignore the issue. They did a heroic job of dragging it back up the priority list. The Minister needs to force the Post Office to solve the problem, or, as the right hon. Member for North Durham said, force someone else in its place to put this right quickly, easily, gracefully and with minimum stress for the postmasters.

🕒 2.48pm

Marion Fellows >

(Motherwell and Wishaw) (SNP)

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I have been listening intently to everything that has been said today. I would like to reflect on the number of times I have stood here and talked about the **Horizon** business. I do not want to repeat my previous remarks, but I agree with everything that the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) said, which has been repeated in this Chamber many times.

We are coming close to a point where we may see movement towards justice for sub-postmasters. The exoneration Bill is vital to that. I am deeply disappointed that Scotland has been left out of the Bill. I have been working hard with the right hon. Member for East Antrim (Sammy Wilson), and I have had many meetings with Northern Ireland MPs from all parties. If Northern Ireland is to be included in the Bill, I can see no reason why Scotland cannot be.

Sir David Davis >

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I have every sympathy with the hon. Lady and in particular with Northern Irish Members on this matter. Northern Ireland is a very special case in so many ways, for reasons we all know. Is there a reason why the Scottish Parliament and the Scottish Government could not simply replicate the Bill and carry it through?

Marion Fellows >

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I thank the right hon. Gentleman for his intervention. There is absolutely no reason, and the Scottish Government are indeed prepared to do that. There is ongoing work on that, but it will mean that Scottish victims will have to wait longer for exoneration.

Mr Carmichael >

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The Scottish Parliament has provisions in its own Standing Orders for emergency procedures, just as we have. It would be open to it to do it in three days, if it chose to.

Marion Fellows >

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I thank the right hon. Gentleman for his intervention. I am surrounded by lawyerly people and I am not a lawyer. In fact, I sat in a room last night for a briefing where I was surrounded by lawyers and even the lawyers were agreeing that they could not agree on the right way forward. The right hon. Gentleman is absolutely correct, and the Scottish Government will do that, but they cannot do it until we see what happens with the Bill as it is brought towards enactment and until we can take into consideration all the

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they will, because I am not a Member of the Scottish Parliament or the Scottish Government—and it is possible for the Scottish Parliament to pass a Bill in three days, but it must be aligned with the exoneration Bill passed here. Otherwise, Scottish victims will not be treated equitably and fairly.

On 10 January, the Minister spoke in this place to, I believe, the hon. Member for Edinburgh West (Christine Jardine) and said he saw no reason at that point why there could not be UK legislation. At an Interministerial Standing Committee on 12 March, the Secretary of State for Levelling Up, Housing and Communities said that he saw no reason why that could not happen. Yet a few days after that the Bill arrived in Scotland with no mention of Scotland at all. It is the Scottish Government's belief that the Bill could be amended to take into consideration the differences in legal terms. For example, amendments would be needed to bring about alignment on embezzlement and to cover all the different crimes, if you like—well, not crimes, because the sub-postmasters did nothing wrong—so that the Bill would apply in Scotland. The Bill could clear the decks of all the things sub-postmasters were charged with and convicted for, so it is all possible. The issue is one of timing, with sub-postmasters in Scotland being told, "Okay, you've waited, but you'll have to wait longer."

In this place, and right across the work I have done over the past few years on the Post Office, there has always been cross-party agreement on getting things sorted out for the victims. As the hon. Member for Stalybridge and Hyde said, that is the point of the whole thing. It is about the victims. It is about what has happened since "Mr Bates vs the Post Office" was broadcast. I sat with my daughter-in-law, who is herself a lawyer—I don't hold that against her—and she kept saying, "Is this true, Marion? Is this true?" and I had to say that yes, it was.

Kevin Hollinrake >

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I thank the hon. Lady once again for the all the work she does. As I have said to her on a number of occasions, our officials are working together on a weekly basis and I have met my counterparts in Scotland on this issue. She will acknowledge that the UK Parliament is taking a political risk. This is unprecedented and unpopular in some quarters. Does she not accept that, as politicians, there are times when we have to stand up and accept the political responsibility and accountability for doing the right thing in our own jurisdictions, just in the way the right hon. Member for Orkney and Shetland (Mr Carmichael) said?

Marion Fellows >

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I agree with the Minister—of course I do—but let us think back to the victims. Scottish victims should not have to wait any longer than victims across the rest of the United Kingdom. If the Scottish Government were to expedite a Bill in the Scottish Parliament without knowing exactly where this Bill will end up—already today there has been talk of amendments to it to help Northern Ireland—then that would not be right either.

Jonathan Reynolds >

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Will the hon. Lady give way?

Marion Fellows >

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I want to move on, but I will.

Jonathan Reynolds >

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I am extremely grateful to the hon. Lady. I am absolutely willing to listen to the case she is making—that we could, in theory, amend the Bill to cover Scotland—but I do not, if I am being honest, follow the logic that it would take longer to pass a Bill affecting Scottish sub-postmasters in the Scottish Parliament than to amend the Bill before us. I do not agree that extending it to Northern Ireland

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The hon. Member has every right to disagree with me, but I come back to my main point. The Scottish legislation would have to mirror what is done here so we treat victims across the piece the same way, but there would have to be certain amendments made because of Scots law. That is my point: we cannot do it in Scotland until it is done here, so that it mirrors what has been done here.

The other point I want to make is that this has nothing to do with the Scottish Parliament or the Northern Ireland Assembly. The whole business of **Horizon** arose here under Post Office Ltd, which is wholly owned by the UK Government as the single shareholder. There is therefore a logic in saying that the mess was made here, so it should be cleared up here. No matter whether there ends up being a separate Bill in Scotland with this Bill relating only to England and Wales, everyone across parties agrees that this must be sorted. The Bill is not really what we would all want to do—it is unprecedented, there are risks and so on—but at the end of the day it has to be done. The Scottish Government understand and support that, but want it done here to cover everyone.

Shailesh Vara >[Share](#)

I am most grateful to the hon. Lady, who has been very generous in giving way. She says that the Scottish Government want to see what happens here. We have heard that a Bill can be passed in three days. Once the Bill goes through this place, then in a matter of days, not weeks, it can be replicated in Scotland and passed in 72 hours. Given that the matter has been going on for years and years and years, I fail to see what the big issue is with having a few days more so that a Bill can get through in Scotland.

Marion Fellows >[Share](#)

There is absolutely no guarantee that it would just be a few days more. There are the different timings of Scottish Parliament sittings and a lot of other considerations that the right hon. Gentleman will not know about and does not normally need to know about. I will be seeking to amend the Bill—I will take advice and then attempt to do what is going to be done for Northern Ireland. I am well aware that that may seem a futile exercise to some, but this is democracy and this is what has to be done from a Scottish perspective, and I am more than happy to take that on.

I would like to close with some messages that have already come out from Members across the Chamber. As a constituency MP, I first had a meeting with sub-postmasters in 2015, two months after I was elected. I had no notion of what **Horizon** was, or of the damage that it was doing to my sub-postmasters. Over the last almost nine years—and more recently, since “Mr Bates vs the Post Office”—I have had to listen to grown men, and also women, trying not to cry because of what the Post Office had done to them. None of them, not one, was actually charged or prosecuted. They just went on putting their own hard-earned cash into their tills so that they could open their post offices the next morning. I have pleaded with all those people, and I plead again with people across the UK who have been affected, to come forward, but the problem is the lack of trust. Those who were prosecuted are suffering, but so are those who were not. They are suffering from post-traumatic stress disorder. They are traumatised by what has happened to them.

I also want to raise, very briefly, the case of those who worked for partners of the post office: people who worked for the Union of Shop, Distributive and Allied Workers, Scotmid or CJ Lang who were sacked by their employers and could not get an equivalent job, and who were depressed and ill for years as a result. We really must take those people into consideration. I understand that a Bill cannot be a magic wand and make everything go away, but I think it imperative for the House to keep at it. I agree with my right hon. Friend—and I call him that gladly—the Member for North Durham (Mr Jones) that we cannot impose a time limit, because it might mean that people did not receive justice or redress.

I should be happy to speak to the Minister later and catch up with all the to-ings and fro-ings between Scotland and this place, but I still stand here saying, “This is what the Scottish Government have looked at, and this is what they want, because they think it is best for the victims in Scotland.”

🕒 3.02pm

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It has been a privilege to sit here listening to the amazing contributions from the Secretary of State, the shadow Secretary of State—I thank the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) for his kind words—and all the other Members whom we have heard from and will hear from after my own short contribution.

As we have just been reminded by the hon. Member for Motherwell and Wishaw (Marion Fellows), we have been coming here time and again for years and years, often repeating ourselves—but we have to repeat ourselves: that is the point. The shadow Secretary of State talked about that powerful ITV drama, “Mr Bates vs the Post Office”, and how it prompted a public outcry. I became a Minister in February 2020, shortly after the group litigation order case that was featured towards the end of that drama, and I am pretty sure that the email Alan Bates was typing to send to the postal affairs Minister was sent to me. He was sending quite a large invoice, which I politely declined to pay at the time.

I had pages and pages of Mr Justice Fraser’s judgment to look at and reflect on. I was in a different position from my predecessors, who maybe should or maybe should not have sat there and read the runes and seen what was going on—why there were so many people involved, and why the number of prosecutions was going up and up over 20 years. What I did have were those pages of damning judgment from Mr Justice Fraser.

I think that the public outcry that arose from the ITV programme has given power to the current postal affairs Minister, my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), who has been working tirelessly. He has read out a timetable showing the incredible amount of work that he has been doing since I left that role. I know that he is a man who understands what justice and fairness look like following his experience of financial scandals such as the miscarriage of justice at HBOS Reading. He was a constant “come to me” in that role. If anyone was going to delve into this work, it was always going to be my hon. Friend. I think that the documentary helped him to pull some of the levers that junior Ministers sometimes need to pull in order to be heard, and to enable us to swim through the treacle in other Departments in order to get things done, so more power to his elbow.

That brings me to why we are doing this in the first place. The central issue is often seen as a software failure. Even in the documentary it was a deliberate dramatic plot device to show a computer sitting in the corner of the post office, blinking away like a slightly alien life force that was draining the money away. But it was not a software failure; it was a human failure. We all know that software goes wrong—we remember the millennium bug—but the problem here was group-think and people doubling down for reputational management, which was pushing back and making sure that the postmasters believed that they were the only ones experiencing these issues. We know now, and we quickly came to know, that hundreds of people were in the same position.

The fact that this was a human failure means that we need a human solution. We have to be humans first and politicians second. The hon. Member for Motherwell and Wishaw spoke of watching grown men trying not to cry. I am not the best at doing that myself, although I am not directly involved. I recently attended the presentation of the GG2 Asian awards round the corner from here, and to my surprise I saw Hasmukh Shingadia, Vijay Parekh, Vipin Patel and Seema Misra. Members may remember Seema’s story in particular; she was **GRO** at the time when she was charged in West Byfleet. Those people were receiving awards and recognition, and it was lovely to see the outpouring of support for them in the room.

Shailesh Vara >[Share](#)

Those are the people who received the awards, but does my hon. Friend agree that an award is due for every single sub-postmaster?

Paul Scully >[Share](#)

For sure. We cannot do enough for these people. They have been cast out as pariahs in their communities. They have been charged, they have been put in prison, they have lost houses, families and health, because of a body that is ultimately owned by the state. We, as a collective body, have destroyed these people’s lives. There is not enough that we can do for them.

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this mass exoneration in the first place not just that the wheels of justice turn slowly, but because these people are so triggered, whether by PTSD or simply by total mistrust of the system, that they do not want to go through another process with someone in authority saying kind words, warm words, and then letting them down for the second time—or worse. It is actions, not words, on which we will be judged. When I stood up at that Dispatch Box, I knew that whatever I talked about, I could not expect the postmasters to trust me. I knew that they would trust me on the basis of my actions, and I know that my hon. Friend the current Minister feels the same way.

I welcome the Bill. It is important for us not to let perfection be the enemy of the good. Let us get this done, because we cannot come on to the second Bill and these people's compensation until they have been exonerated—not pardoned, for they have done nothing wrong. Let us make sure that we accentuate that as well. That is why I am keen for us to rush this legislation through. Yes, we need to scrutinise it, but it is a short Bill, so we can do that quickly, and then we can get on to that life-changing money that I—that we—keep talking about, and try to restore some semblance of their lives to those whose lives have been destroyed.

This is Second Reading, and we will get into the specifics in Committee and on Report, but let me offer a few possible solutions. The solution that my right hon. Friend the Member for Haltemprice and Howden (Sir David Davis) talked about earlier—bringing back judges—would at least add capacity to the system. My hon. and learned Friend the Member for Bromley and Chislehurst (Sir Robert Neill), who is no longer in his place, previously said something similar when he said that we do not necessarily need this kind of law, which is, frankly, trampling quite a lot on the independence of the judiciary. That is why the Government had to move really carefully, which is one reason for some of the concerns raised by the Business and Trade Committee about the people who have not been able to go to appeal, or who will not be included because they have been refused leave to appeal or have failed in their appeal.

There is still more that we can do for victims of this **scandal**. They will be able to appeal at another time, but maybe there is something we can do, in the way that my right hon. Friend the Member for Haltemprice and Howden and my hon. and learned Friend the Member for Bromley and Chislehurst suggested in their contributions, to accelerate their cases and not just let them have to go through the same situation that they would otherwise have done. May I respectfully suggest that that may be the case for Scotland and, indeed, Northern Ireland? I am not an expert or a lawyer, and it is not for me to give advice, but it occurs to me that if the proposed amendment does not go through and the territorial extent stays as it is—that is for this place to judge in other stages of the Bill—perhaps there are other methods that we can use to make sure that postmasters in Scotland and Northern Ireland do not receive compensation more slowly.

We all want this to be done as quickly as possible. The postal affairs Minister, my hon. Friend the Member for Thirsk and Malton, has talked about getting the majority of the compensation delivered by August. Clearly, that is not going to happen, because we have only just got this Bill through, so we will have to exonerate the postmasters. However, if we can get the **Horizon** shortfall scheme and the rest of the GLO largely done by that time, and restore these people's lives to some sense of normality, then we can do the rest of it. We still have not finished, because we have to get Sir Wyn Williams's report back and get the investigation done.

Some previous contributors to the debate said that it might take weeks or months to deliver the compensation, and that there might be complications. I remember speaking to the solicitors who represented the 555 people involved the GLO. I said, "if we gave you lots and lots of money and you distributed it, how long would it take?" The answer was about 18 months. It is about how we apportion the money and work it through—the same kinds of things that the advisory committee has been wrestling with—and the solicitors would have to do that internally. It is not a matter of giving people life-changing sums of money in one block and then everybody is okay; it is about making sure that we can work through the system, which will inevitably take time.

When I made Sir Wyn Williams's investigation non-statutory, it was to get speed into the system to make sure that we did not have to "lawyer up", as it was described. I always wanted money to go to the victims, not to lawyers talking about the same things again. As I say, if we can get the compensation out, we have to get the answers. We keep on talking in this place about the **Horizon scandal**, the infected blood **scandal** and any number of scandals, and I keep hearing people say that it must never happen again. Do you know what? It usually does. Why? Because we talk and talk about it, but we do not learn the true lessons or get the answers.

Sir David Davis >

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One of the things we need to consider, both now and later, is how we stop this happening again. I reiterate the point I made in my speech: when the inquiry looked at it, there was systemic failure right across the board. My hon. Friend is right to say it was a human failure, a system failure and an organisational failure. The Post Office is an arm's length department. What we are finding with this

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Does he agree that we should think about that when we are doing this?

Paul Scully >

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As usual, my right hon. Friend is absolutely on point. In our Department, we had a number of arm's length organisations, which is true of other Government Departments as well. They are representatives of the Government, and we elected politicians or the Government will inevitably be held accountable; if there is no direct relationship, it is very difficult to speak from the Dispatch Box with enough authority and information to be able to take that accountability.

Shailesh Vara >

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I commend my hon. Friend for a very passionate and committed speech. The point about learning lessons is crucial. I fear, as do others in this Chamber, that in the old times we would say that the file is sitting on a shelf, collecting dust; nowadays, it would be archived and just stay there. Does my hon. Friend agree that serious attention needs to be paid to ensuring that we learn from this episode and the countless other occasions when things go wrong? There needs to be some sort of set-up to make sure that other bodies—voluntary organisations or those at arm's length—actually take on board what has been said.

Paul Scully >

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Absolutely; that is a really good case in point. I hope my right hon. Friend will be in the next Parliament to help drive this through. I have said I am stepping down, so I will not see Sir Wyn Williams's final report—not from these Benches, anyway. I hope the House takes it to heart and drives through the lessons learned.

I recommend a book by Matthew Syed, called “Black Box Thinking”. He compares accidents in the NHS with accidents and near accidents in the airline industry. With aircraft, even just a near miss gets learned from not only by the airline in question; it has to be passed on to every airline in the world. There is a collective sense of learning in the industry.

Chris Stephens >

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I have enjoyed the hon. Gentleman's considered speech so far. When he was a Minister, did he have a potential solution for what my hon. Friend the Member for Motherwell and Wishaw (Marion Fellows) mentioned: the Asda employees in Scotland who have been caught up in this scandal?

Paul Scully >

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I did not, but the issue is worth looking at. This is a human scandal, and it is not just about the postmasters who were directly affected. I am not sure how we start to unpick that as it gets wider and wider, but I hope and trust that the Government will reflect on it as we do the wider learning.

Kevin Hollinrake >

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I was tempted to intervene on two of the interventions I heard, but that is impossible here. It is certainly possible that the person who had the contractual relationship with the business concerned, such as a small post office, could submit a claim to the Horizon shortfall scheme, which could include amounts that should be paid to individuals who worked for them so that they can be compensated through that route.

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problem with governance. As my hon. Friend said, from the Back Benches I dealt with a number of scandals that involved private sector organisations, such as Lloyds and the Royal Bank of Scotland—we saw years of obfuscation around similar kinds of problems. We should not jump to conclusions. We should probably let the inquiry report first, and have a debate from there.

Paul Scully >

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My hon. Friend makes a really good point. To follow on from the intervention from my right hon. Friend the Member for Haltemprice and Howden, it is difficult for us as parliamentarians, and doubly difficult for Government Ministers, to speak with authority on behalf of a public organisation—rather than the private sector, which we do not speak on behalf of—without necessarily having all the facts, because there is only so much we can drill into.

Obviously, we want to right the wrongs of the past and make sure as best we can that the people's situations are restored so that they can have a future for themselves and their families. There is also the case of the Post Office itself. The Post Office still has more branches than the banks and building societies put together. I know that there have been closures in certain areas—that is a whole other debate, perhaps for Westminster Hall—but none the less, the Post Office has a massive impact on people's lives, especially in rural communities. We must not forget that when we are looking at the Post Office, its brand and its overall aim. This is not a reflection on the current management or anything like that. We have to give the Post Office a future.

Matt Rodda >

(Reading East) (Lab)

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I thank the hon. Gentleman for his work on this issue and other issues protecting local post offices and looking at the range of services they can offer to the community. Has he had any further reflections about the role of post offices in communities? I also want to thank him specifically for the work he did to support my constituency. Perhaps, now that he has left the Government, he can tell the House his own thoughts on post offices as part of the local community and the potential for new services to be based in them.

Paul Scully >

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I appreciate the hon. Gentleman's kind words regarding when we worked together on his constituency issue. We ask the Post Office to do a lot of work of social value and economic value, and those often conflict. It is difficult to get that right. We cannot ask the Post Office to turn a good profit as if it was just another bank, as well as to do the things we sometimes expect as parliamentarians, especially when we talk about our own constituencies and those in more rural areas. That is something we have to give careful consideration to. My original point is that while we are righting the wrongs of the past, we have to remember that this is an important organisation for our country and our constituents and we have to give it a future as well.

🕒 3.21pm

Mr Kevan Jones >

(North Durham) (Lab)

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Can I begin by declaring an interest as a member of the **Horizon** compensation advisory board? It is a pleasure to follow the hon. Member for Sutton and Cheam (Paul Scully). When he was a Minister he grasped this issue and drove it forward, and I am sad to see that he is standing down at the next election. One thing he can claim great credit for is being the only Minister I have dealt with, apart from his successor, who had compassion and wanted to sort this out. Okay, we had some quite heated disagreements on occasions, but at least he was prepared to listen. He brought a unique set of skills, and when he leaves the House he can have this great achievement for the individuals affected as a great credit to his parliamentary record.

I welcome the Bill. It was a solution put forward by the **Horizon** compensation advisory board, and I want to pay tribute to Professor Chris Hodges, Lord Arbutnot and Professor Richard Moorhead, who sit on the advisory board with us. When we came up with this plan, did we think that the Government would agree to it? No, we did not. Were we shocked when they did? We were. I will not say

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This was a difficult thing to do and it comes after years of heartache and a lot of campaigning by the sub-postmasters. Alan Bates has already been mentioned and I pay tribute to him and the 555. As the hon. Member for Sutton and Cheam said, if they had not taken that court case, the dam would not have broken—this is down to those individuals who had the tenacity to do that. Over the years, has it been easy for those individuals? No, it has not. As someone who has been involved for many years, I can tell the House that we did sometimes doubt ourselves and ask whether we were missing something. We were not missing something; it was a complete injustice. But when the system and the state are against a person, it takes great courage and tenacity to continue. I know that some had self-doubt along the way, but all credit to them—they stuck with it.

Clive Efford >
(Eltham) (Lab)

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It is not just the Horizon case; it is also Hillsborough, Grenfell, Windrush and the contaminated blood scandal where people are still waiting for compensation. The state and the justice system, which are there to protect citizens, actually become the enemy of the citizen. Does my right hon. Friend agree that we need to find a way for people to get quicker redress and have their cases heard, rather than the state saying that it cannot be wrong in any circumstances and leaving these people to fight for such a long time to get justice?

Mr Jones >

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I agree totally with my hon. Friend and I pay tribute to him. In all these debates over the years, he has always been on my right hand side arguing for his constituents. I thank him for his work and his persistence.

My hon. Friend also raises a bigger point. When the state get things wrong—badly wrong in this case, but he mentions other cases as well—it goes into tortoise mode and says that it cannot be wrong. Well, it has been wrong. I am not making a party political point here, because it is not one. Across the House we need to come up with a system of dealing with these cases, in terms of the transparency of information that we need to get out of the system and of having a swift compensation system for putting things right. We need to work on that in the next Parliament on a cross-party basis. As the Minister said earlier, he was involved in a number of cases that involved not the state but the private sector, but they were very similar. This is something I would certainly like to work with colleagues on.

I also want to thank the Minister for his work. I would not describe him as a show pony in politics; he is the steady shire horse of this place. He is solid and determined and he pushes on, even when obstacles are put in his way. I also give credit to him for the cross-party work he has done. He has not seen it as point scoring. He has worked closely with my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds) and other Members across the House and I really appreciate that. I would just say to any new Ministers after the election: if you want two examples of how to do the job, the hon. Member for Sutton and Cheam and the Minister are it and they should take credit for that.

Today's Bill is historic. We are doing something very unusual and there is a delicate balancing act to be struck between this place and the judiciary. I understand that. I always respect the judiciary, but I also reflect on the fact that it has some questions to answer in this process. We had the trade union movement for the lawyers earlier on when the hon. and learned Member for Bromley and Chislehurst (Sir Robert Neill) and the right hon. and learned Member for South Swindon (Sir Robert Buckland) were on their feet—it would not be a debate without that lobby coming in—but the judiciary needs to ask the question: how did we get into this position? There was a pattern here, and robust questions were not asked. The hon. and learned Member for Bromley and Chislehurst said that we should not attack judges, but the conduct of certain judges in some of these cases was not very sympathetic to the victims, and we need to reflect on that. I do not think this place should interfere with the judiciary. The instant reaction that this is a fight between Parliament and the judiciary is wrong, but in this case the judiciary got it wrong.

The other area that desperately needs to be looked at is the use of computer evidence in court cases. At the moment, there is no reference to computer code in law. After the election, or sooner, we need an urgent review to reflect how computers are not static machines. They might be machines, but their software and code are ever changing. That is important.

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have been dealt with so far, so I will explain why I am committed to this approach. Last year I had a phone call from an individual from the north-east—I do not want to identify him—who said that his friend’s wife had been prosecuted and that he thought it might be a **Horizon** case. I said, “Get him to speak to me, or I can go to see them.” It took quite a few months for him to persuade his wife to meet me.

It was only when I went to see the victim in her small council flat in the north-east of England that I understood why such people never come forward. This woman had run a successful sub-post office, but she was prosecuted by the Post Office. She should have a comfortable retirement and a highly respected name in the local community in which she still lives, but she does not. She is traumatised by her experience, and she was very reluctant to see me. She was terrified and kept asking, “My name won’t be in the paper again, will it?” I said, “No, no one will know what you have told me.” She would never have come forward to go into a court process. I have subsequently spoken to the family to reassure them that, if the Bill is enacted, the victim will not go to court. This woman is terrified. Her good name will be cleared, and she will have access to the compensation that she rightly deserves.

That is just one example, and there are numerous others. People ask whether the Bill is a messy way of doing it, but I do not think it is, because people like that victim would never have justice without it. Some people might be uncertain about what we are doing, but I am not. These are unique circumstances, and I do not think they set a precedent. We can ensure that these people have their good name restored.

When the newspapers have said that a sub-postmaster stole money that they did not steal, it takes a lot for them to stay in their small community. This happened 20 years ago and the victim is still traumatised, which is why this Bill is the right approach.

I welcome last week’s announcement that fixed awards will be offered through the **Horizon** shortfall scheme. The advisory board was pressing for this, and the Minister championed it too. These awards are a good way of ensuring that we deal with cases speedily. I read the Select Committee’s report, and I disagree on the time limit. We need to settle the straightforward cases—they are not all straightforward, but some are.

The Minister, like me, does not want to pay lawyers. It will be better if we can avoid paying lawyers by ensuring that the compensation goes to the victims, and fixed awards are the way to do it. I consider this to be like a bucket, and we need to take out the simpler cases. We then need to consider the more complex cases, which will take time. It is easy to say that officials are deliberately slowing down the system, but I do not believe that at all. Even the lawyers representing these people need time to do it. As the Minister knows, some cases will be very expensive, more than the £600,000 compensation award. This is the right approach.

Matt Rodda >

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My right hon. Friend is making an excellent and powerful speech, and I particularly concur with his description of the enormous challenges that many victims face. Does he agree that the nature of any review or policy development is particularly important? If we can find a way to speed up the compensation by dealing with the slightly less difficult cases first, it could benefit everyone and may reduce the costs to the Government and the public.

Mr Jones >

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I think it is. In fairness, the Minister wants to get these cases done quickly, as does the advisory board. One controversial thing is that some people will get a little more money than they lost. I am comfortable with that, because I would sooner they get the money than it go to the lawyers or the process be dragged out. If we can get those cases dealt with speedily—some progress has been made on that—we can then get the effort and force put into sorting out the more complex ones.

Sir David Davis >

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The right hon. Gentleman rightly says that some people may get a little more money than perhaps come out of the arithmetic, but would most of us not pay anything to avoid what they have gone through?

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Exactly. If somebody gets more money out of this than they have in quantum lost, I am comfortable with that, as I believe is the Minister. It is better putting it into their pockets than into the pockets of lawyers, who will take their time, with this adding to the trauma that these people will have in dealing with these cases over many years.

Let me turn to the Bill's **Horizon** pilot scheme provisions, because we have to address not only the **Horizon** scheme but the pilots that came before it. Condition E for overturning a conviction in the Bill is that the "**Horizon** system" was being used at the time of the offence. Clause 8 makes provision in respect of

"any version of the computer system known as **Horizon** (and sometimes referred to as Legacy **Horizon**, **Horizon** Online or HNG-X) used by the Post Office".

We know that there is a difference between those pilot schemes and the actual **Horizon** scheme that took over—I know that, having been able to recite some of these things in my sleep.

People used a **Horizon** pilot scheme in the north-east as early as 1996—one went on to be convicted and others lost their livelihoods and were made bankrupt. I recognise that 1996 is the start date in the Bill, but I checked the Post Office's website again this morning and it says that the roll-out and pilots of the Legacy **Horizon** system, as referred to in the Bill as part of condition E, started in 1999. So what systems were people piloting in 1996? Were they piloting Legacy **Horizon**? If they were, that would be at odds with what is on the Post Office's website. I would like the Minister to refer to that and provide clarification in his wind-up, as a lot of those cases were in the north-east of England, in the area I represent.

Let me turn to another system, one that was pre-**Horizon**: the Capture system. As I understand it, it was software developed by the Post Office itself. I came across it through a case that had been referred to me. Given all the publicity about the **Horizon** scheme, it amazed me that the Post Office did not come clean and say, "Oh, by the way, we had **Horizon**, pre-**Horizon** and the Capture system beforehand." If we look at the cases, we see that this was very much because of the attitude of the Post Office towards the prosecutions. We had sub-postmasters who were accused of stealing money and their contracts were terminated. In some cases, they were prosecuted. There was a ridiculous situation in Coventry, where a woman was taken to court and prosecuted. The judge threw out the case on the first day, saying there was no case to answer, but lo and behold, what did the Post Office do? It took a private prosecution against her to recover the £30,000 it claimed she had stolen, which bankrupted her. That shows the mentality of those in the Post Office.

A lot of those cases mirror **Horizon** cases. I have referred 10 cases to the Minister, five of which relate to individuals who went to prison. As I have done before, I put on record the excellent reporting by Karl Flinders of *Computer Weekly* and Steve Robson of the *i* newspaper on those cases. It has been down to me, those two and others to do the detective work, so we need the Post Office to turn up the heat and ensure we get answers. Will the Minister tell the Post Office that it is not a good idea to threaten legal action against journalists? This week, after his latest story, Steve received a phone call threatening him with legal action. That is not very bright, especially as he had all the evidence to back up his story. If that is still the attitude of the Post Office, that shows why the current management need to go.

I understand why the Government cannot include Capture in this legislation, but we need a mechanism to deal with those cases because Capture is important. I have 10 cases, but there are clearly more out there. Clause 7 gives the Secretary of State powers to make "further consequential provision" by regulation. Will that provide a potential way to include Capture cases? The Minister has all the information and he is on top of the brief. I raise the issue today and I will propose an amendment in Committee to see whether we can flesh out the matter, but we need a way to deal with those cases. I have 10 cases, but there are certainly more out there.

Sir David Davis >

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I am delighted that the right hon. Gentleman has raised that point. I referred in my speech to the 2013 BAE study that highlighted Capture, ATM cash management and a variety of other issues associated with audit failure, and basically described a chaotic management system. Earlier postmasters may not have been exonerated by subsequent analysis because people were looking at **Horizon** and nothing else, but we owe it to them to get this right, even if that is after this Bill has moved through the House.

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People might think that because the system is not **Horizon**, the Bill does not apply to them, but the cases I am dealing with show that there was an injustice. I have spoken to individuals who went to prison. The computer systems were not same, but the Post Office showed the same attitude in the way it went at individuals. It did not believe the postmasters—they were going to be found guilty, come what may.

Paul Scully >[Share](#)

That approach to the investigation and the presumption of guilt was what my hon. Friend the Member for South Ribble (Katherine Fletcher) was referring to in relation to her constituents and Royal Mail, as it was before ownership had transferred. The case did not get as far as prosecution, but investigation officers, the same kind of people that we have seen at the public inquiry, made that presumption.

Mr Jones >[Share](#)

I have seen some of those individuals at first hand at the public inquiry. People have said that everyone who is going to make a case has come out of the woodwork already, but that is not true. People are still coming forward. I am hearing about cases on a weekly cases. I thank right hon. and hon. Members from across the House who are keeping me busy by referring cases to me. Please send them to me—I am quite happy to help deal with them. I noticed this morning that there are another three cases in my inbox. The hon. Gentleman makes the key point that we need to look at those individuals to ensure we get some type of justice for them. I have to say that I was surprised by this, but, following the television programme, nearly 1,000 new cases came forward on the **Horizon** shortfall scheme alone. We may wonder what these people were doing all this time. Well, in some cases, they were not aware of what was happening. In other cases—

Sir David Davis >[Share](#)

They were hiding.

Mr Jones >[Share](#)

They were hiding, yes, because of shame and things such as that. It is only now that we realise what a massive miscarriage of justice this was that people have had the confidence to come forward. This Bill will help with that.

I shall come off **Capture**, because I think the Minister has got my point, but I return to those cases that have already gone to appeal. I do not criticise the Government on this, but we must find a system for dealing with those few cases that have gone through. It is no good the Court of Appeal hiding behind the fact that they have gone through, because, as the hon. Member for Sutton and Cheam has said, new evidence has come out of the inquiry that was not available to the courts at the time. We cannot just leave those people hanging—I cannot remember off the top of my head how many individuals there are, but there are not that many.

Kevin Hollinrake >[Share](#)

Let me just clarify that point. A total of 1,200 people have come forward since the TV dramatisation. Seven people have taken their case to the Court of Appeal and been heard, and six have been refused leave to appeal, which makes a total of 13 in that cohort.

Mr Jones >

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What a fine research assistant the Minister is! He is right: the number is in single figures. Let us look at those cases. Let us see whether we can move forward on this. I am not criticising the Government for not including those individuals. I understand why they are not in the Bill, but we need to look at them. There are things that came out of the inquiry that would have changed the outcome in some, but perhaps not all, of those cases. If we do not look at them, those people will be left outside the remit of the Bill.

On the territorial extent of the Bill, I think the case was made earlier in relation to Northern Ireland. I see no reason why the Bill should not include Northern Ireland. We have cross-party support for it in Northern Ireland, and, as I understand it, the Executive are on board as well. We need to recognise that in Committee. I have to say to the hon. Member for Motherwell and Wishaw (Marion Fellows) that I have less sympathy with the idea of including Scotland in the Bill. Not because those individuals should not get justice—they should—but because the issue is different in Scotland. There are, in fact, two issues. First, there is the legal position: the way things are prosecuted in Scotland is very different from how it is done in the UK. Furthermore, there is a mechanism to do it, so the Scottish Government just have to get on and do it. I accept what she is saying about waiting to see what we do, but they would need cross-party support in the Scottish Parliament if that were to go forward. I do hope, however, that some amendment on Northern Ireland is brought forward in Committee, and I would certainly support it.

Finally, let me talk about the notification of individuals. Reference was made earlier to record keeping, which was not brilliant at the Post Office. We have to try to find “reasonable steps”, as the Bill says, to notify individuals. We need to look at that, because, again, some of these cases will be legacy cases. Sadly, some people will have passed away before they were able to get justice. Perhaps we need to say how we get to those cases that are possibly more difficult to get to than others.

To conclude, the Bill is long overdue, which makes this a historic day. I think of the woman I sat in front of in her council flat in the north-east of England, whose life has been ruined for the past 20 years, and who has had daily trauma because of the injustice and financial heartache that she and her family have faced. With the Bill, she will finally get justice; if that is the one thing I do in my time in this House, it will make me very happy.

🕒 3.49pm

Duncan Baker >
(North Norfolk) (Con)

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It is a great honour to follow the right hon. Member for North Durham (Mr Jones) and that poignant ending, with which we all empathise. He has done an enormous amount get us to this point, and I thank him for it. There is no doubt that today is a very good day. It has been brought about by the Secretary of State, Ministers past and present—they are not show ponies at all—the Prime Minister, particularly through his actions at the beginning of this year, and the chair of the APPG, the hon. Member for Motherwell and Wishaw (Marion Fellows). I have worked with her many times, and I thank her for all her work.

All those people must take credit for where we are, but it has taken an awful long time. The Minister was right that an awful lot of work has gone on behind the scenes to get to this moment. Equally, I have total empathy with the comments I receive from members of the public that it should not have taken the turbocharging of an ITV drama to put right this **scandal** when people across the United Kingdom knew that the situation was utterly wrong. I sometimes wish that there was as much palpable anger in our communities about other scandals as there is about what has happened to sub-postmasters, so that we could fix some of those problems.

Let us not be too critical, however. We should applaud today’s lifting of the barriers, by quashing convictions, to speed up the compensation that is due to people. As has rightly been said across the House, the judiciary will raise concerns. That is only to be expected, but I conceptualise this as an unprecedented situation that requires an unprecedented solution. The odd conviction that was warranted may slip through the net, but this has been going on for more than 15 years. As has also been said, we must not let perfection be the enemy of the good; that sums up the whole predicament and issue fairly well.

Being a new MP in this place—albeit not such a new MP any more—and being able, by quite some accident, to talk about the matter with a degree of personal feeling has been a great privilege. I never expected that in 2014 I would become a sub-postmaster for a company that had purchased a supermarket with a post office in the back of it, or that in 2015 Budgens of Aylsham, which was the post office that I was the sub-postmaster for, would become the best post office in the entire country. I am very proud of that, and it has meant that my speaking about this issue has picked up quite a lot of attention. It has been a real privilege to bring my voice to the campaigning. I suspect that I will probably be the only serving MP who has been a sub-postmaster for the foreseeable future.

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supermarket a couple of years beforehand, I could have been suffering the consequences faced by so many of the men and women we are representing this afternoon. I still remember my stepfather wandering into my office and saying, “Well, you’re the finance director, Duncan. You will be the nominated legal sub-postmaster.” We thought very little of it, other than when I was given a postman’s hat at the staff Christmas party. I remember going on the Post Office training courses. Without a shadow of a doubt, the people I met were always good, decent, law-abiding citizens—the sort of people we saw in the drama documentary and about whom we have spoken so often. Every single one of us in the Chamber this afternoon will have constituents who have been caught up in this matter.

The right hon. Member for North Durham talked about people being traumatised; that is absolutely true. In the past three or four weeks, I have sat with a lady who ran a post office in my constituency. She said, “Duncan, I have seen you on the television. Will you come round and talk to me? I was running a village post office. I haven’t been able to sleep for years because I lost money, and I want to know whether I could be recompensed.” The Minister was incredibly helpful. He immediately gave me all the links for where I could help that lady. She and I sat down and went through her books and records for the best part of an hour, totting up a few of her columns. At the end of that process, I said, “I want you to sleep better tonight. I do not think you have lost any money; I think that you are one of the lucky ones. You may have had some losses in one year but gains the next because the system just did not work.”

Mr Jones >

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We need to get that message out. I have quite a few cases in which people were not prosecuted, but they put money—a lot, in some cases—back in. The hon. Gentleman just spoke about ensuring that people come forward to get redress, and that is important. Some feel that they are not victims because they were not prosecuted or did not lose their livelihoods, but I have one case in which someone put in £80,000 over a period, and those people need redress.

Duncan Baker >

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The right hon. Member is absolutely right. The people watching this debate, or reading a report about it, must always remember that they can come forward, seek redress, and get help and support. If all else fails, contact your local MP. Most of us just want to help the communities and the people we are so privileged to represent. I entirely take his point.

I was very lucky in the case of the woman I was dealing with. I could say, “You can sleep easy tonight, because you are one of the lucky ones. The system did not work properly.” That closure—being told that—lifted a weight off her shoulders. We in this place often have the ability to open doors that people cannot open themselves. I was so pleased to be able to help.

That lady represents what we keep talking about. Sub-postmasters and mistresses were pillars of their community. Everybody in their village or town knows that those people were criminalised and simply not believed. That is where the whole of this sorry period started. In the business that I ran, I remember being incredibly worried, when the tills went down, that we had lost money. I knew one thing for sure: the staff were not taking money. I trusted them entirely.

The problem was the culture at the Post Office, which had become a corporate beast. It was losing its soul in the early 2010s, when there was an enormous push to be a stand-alone organisation, to not be reliant on the Government, and to sell, sell, sell financial products. I remember going to a 2016 Post Office conference and meeting Paula Vennells. The irony is that the conference was called “Together”, but while it was going on, hundreds of men and women up and down the country were being convicted for crimes that they had not committed. That is not very collegiate.

The legislation may not be perfect. There are Department for Work and Pensions convictions that I have taken up with the Minister that are not included in the Bill, and I know the reasons why—or his explanations. That does not mean that I do not support what we are doing today, but I certainly want to say this: we are not there yet. I think this whole situation is going to run and run for many years to come.

I do not say that light-heartedly, because I think that real closure for people up and down the country does not just mean compensation and convictions being quashed; it means criminal prosecutions of those within the Post Office who knew what had happened, but did not take the actions that they should have taken. I suspect we will see those prosecutions come forward in the years to come. I have probably said seven or so times in this place that Fujitsu needs to face some real questions. Of course, it will—it has already accepted that it will contribute compensation—but how on earth could a piece of software written by a multibillion-

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absolutely frightening. As I mentioned before, it prompts questions about the accounts of the Post Office and its auditors. So many problems will never be fixed.

As I have also said many times, I want a figure for how much money was stolen from all of those innocent sub-postmasters. Nobody has ever been able to tell me what that figure is.

Mr Jones >

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Or where it went.

Duncan Baker >

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Or even where it went. We could add up the figures that were taken off innocent men and women in the ITV drama alone, but across the country, I suspect it was tens of millions of pounds—possibly even more than £100 million. That figure needs to be identified, so that we understand the full scale of what happened here. Of course, the inquiry will conclude later this year, which will finally give us some real evidence of what went wrong.

Although I have summed up by saying there are still many questions to answer, we must remember that today is a very positive day for many, many people who are watching who were caught up in this situation. I say again, and place it on the record, that it is nice when the House comes together. There are a great number of people in the Chamber this afternoon who have done an enormous amount of good, and can hold their heads very high that we have got to this place today.

🕒 4.02pm

Sammy Wilson >
(East Antrim) (DUP)

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First, I welcome this piece of legislation and thank the current Minister, the hon. Member for Thirsk and Malton (Kevin Hollinrake); the former Minister, the hon. Member for Sutton and Cheam (Paul Scully); and the right hon. Member for North Durham (Mr Jones), who guided me through some of the issues when I first became involved in this matter. It has been a long battle, but the job of this House when it identifies an injustice is to ensure that that injustice is addressed, and this was an injustice.

I am still baffled by how we ever reached this stage—how Post Office officials, Ministers and judges did not question how people who had so much to lose suddenly turned into thieves in their tens and hundreds. This did not happen over a long period of time. It was identified over a short period of time, yet those people were prosecuted unquestioningly. Indeed, some who knew the facts felt that because they had started going down this route, they had to continue to justify it, even if that meant withholding information and pretending that it was only one or two people so that others were not alerted to what was happening. It was an injustice.

I have heard arguments today that we have to tread very carefully with this legislation—that it is very delicate, that it could annoy the judges, and everything else. As the right hon. Member for North Durham has pointed out, the judges were also responsible, because they heard evidence. Did they question it as rigorously as they ought to have done? I do not know—I do not know many of the individual cases—but it is quite clear that many similar cases were coming before the courts, and somebody should have asked, especially given that the people who were being brought before those courts had so much to lose. Their reputation was destroyed, and up until this point, they had not engaged in that kind of behaviour.

I am not all that sensitive about stepping on some judicial toes with this legislation. This House has on many occasions been quite happy to overlook some of the legal issues in the context of Northern Ireland—exonerating, or giving letters of comfort to, people who had been guilty of murder, and so on—so I do not really have a great deal of sympathy with the argument that we have to be very concerned to tread carefully in relation to this piece of legislation.

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have had their leave to appeal rejected. Given that, in most cases, the evidence that was presented and the judgments that were made would have been made on the basis, or at least partly on the basis, of trust in technology—the very thing we are saying was wrong in the cases of those we are now seeking to exonerate—means that we should be looking at those cases. Whether or not they are dealt with on a one-to-one basis, they should not be ignored, because the same kind of evidence used in those appeal cases was used in the court cases. Again, it would be an injustice not look at those particular issues. Regardless of how that is dealt with, and whether we should include the appeal cases totally or they should be looked at individually, I think we cannot ignore that one.

Of course, the issue I really want to address is clause 9 on the territorial extent of this Bill. I have had conversations with the Minister, and I know he is sympathetic and understands the issues in relation to Northern Ireland. However, when I listen to the arguments, I really do not think there is a case for excluding Northern Ireland from the scope of the Bill. Yes, justice is a devolved issue, and the Minister has said on other occasions when I have raised this with him that we have to be very careful of the political sensitivities. However, I have to say that there was not much concern in this House about political sensitivities when we put through a list of Bills the length of my arm that were controversial. People in Northern Ireland did not want those Bills taken in this House, and the parties were divided on them.

In this particular case, there is no division and there will be no kickback from any party in the devolved Administration. In fact, the First Minister, the Deputy First Minister and the Justice Minister—the three Ministers who will be responsible for this—have all written to the Minister indicating that they would be fully supportive. They would be fully supportive because they believe that it would not be possible to keep in step with the timing of the legislation that will go through here, and the reason for that is quite clear. It is the way in which the Northern Ireland Assembly is obliged by law to consult on legislation.

I do not even know whether the legislation would first have to be included in the programme for government, which would be one step, and after it had been included in the programme for government, consulted on. However, even if it we only have it as stand-alone legislation outside the programme for government, there is a 12-week consultation period. As the Deputy First Minister and the First Minister have pointed out, that means legislation could not even be considered in the Northern Ireland Assembly this side of the summer recess, so we would be talking about the autumn. There is a compelling case not only because there is no opposition, but because, if it were to go down the route of the Northern Ireland Assembly, it would be delayed.

Mr Kevan Jones >

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Does the right hon. Gentleman agree with me that the number of cases is small—I have heard different figures, but we are talking about no more than 30 cases—but that cannot justify the delay, which he is eloquently describing, in keeping these people from their recourse to justice?

Sammy Wilson >

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I think that is right. Some people may, of course, turn that argument around and say, “It’s only a small number of cases, so why should we be concerned?” But although the number may be small, since this issue has become so public there is public outrage on behalf of those who have been unfairly treated. Many people who have spoken to me about this have not been affected personally by the **Horizon scandal**, but there is a sense of injustice that some people were affected in such a way—they lost their reputation, their money, their business, in some cases their families, and their peace of mind—and there is a need not to delay any longer if at all possible. One way of ensuring that there is no such delay is to include Northern Ireland in the Bill.

When the Secretary of State was asked about this issue she said that she wanted to avoid unintentional consequences. Those unintentional consequences were unspecified because we did not get any examples, but I do not see how there could be unintentional consequences from including Northern Ireland in the Bill. It is a tight piece of legislation. It specifies who is covered by it, what offences are covered, and the way that the exoneration would be implemented by having records removed and so on. I cannot see where the unintended consequences would be, and I find that argument fairly weak.

Chris Stephens >

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and Northern Ireland, all that would be required are legislative consent motions from the Northern Ireland Assembly and the Scottish Parliament, which would be a cleaner and more efficient way of dealing with this issue for people in Northern Ireland and Scotland?

Sammy Wilson >

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I am not even sure that in Northern Ireland a legislative consent motion would be required, simply because the Executive has already indicated that they would be happy for Northern Ireland to be included. I do not see how this would tramp on any political sensitivities, and it cannot have unintended consequences.

Another argument has been, "But look, you're going to upset the judiciary." In my view it doesn't matter whether the judiciary are upset by a decision made in this House or in the Assembly. If they are going to be upset, they are going to be upset. I suspect they will not be, however, because I am sure that many of the judges recognise that in the light of evidence that has now become available, the decisions made have to be looked at again anyway. I do not think there is an argument there.

Another argument that was made, I think by an Opposition Member, is that politicians in devolved Administrations should take the risk and take responsibility for the job they are required to do. I do not mind politicians taking responsibility for things they have been responsible for, but this was not an issue that politicians in Northern Ireland, or indeed Scotland, were responsible for. The Post Office was not a devolved issue; it was reserved. The prosecutions were initiated by actions taken by the Post Office. To say, "You've got to man up and take responsibility"—I am not so sure that that argument stands when this is a national issue. The Post Office is organised on a national basis, and the compensation will be organised on a national basis. Therefore, to me there is no responsibility there for the devolved Administrations.

Mr Carmichael >

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As a matter of fact, the situation is different in Scotland, where prosecutions are taken in the name of the Procurator Fiscal Service or the Lord Advocate, depending on the forum, and they receive only the report from the Post Office. The prosecution decision is made by the prosecuting authorities. I understand that in other parts of the United Kingdom the Post Office can prosecute in its own right, but that is not the situation in Scotland and that is why it is different.

Sammy Wilson >

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I am not going to enter into a debate about Scotland, because I do not have enough knowledge of the situation, but surely the way around this issue relates to the individuals responsible for having taken the prosecutions and for advising the Scottish Government. That is perhaps where we should be looking. If they are all satisfied that the decision should be taken here in Westminster, why not include that in the Bill? I am sure the Scottish nationalists can argue their case very well.

The one thing I would say as a Unionist is that I am pleased that the SNP recognises that there is a role for Westminster. If the Scottish Government want to give some of their powers to Westminster on this particular issue, I will take that as a Unionist win.

Marion Fellows >

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The fact is that the Scottish Government want the Bill to go through for all four nations of the UK, and they would give a legislative consent motion for that to happen. That surely indicates that in this case, as the right hon. Member has already said, this issue arose here and should be sorted out here. In Scotland and in England, there were prosecutions by the CPS; the prosecutions that this place will exonerate through the Bill are not only Post Office prosecutions.

Sammy Wilson >

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Northern Ireland, but I also believe there is a parallel. I know that there will be differences, and we have heard the arguments back and forward today as to why Scotland might be treated differently and everything else, but there is a sour taste in people's mouths because of the injustice over the **Horizon scandal**. Let us not let that persist.

If there is a way of sweetening the issue and dealing with it respectfully, impacting on everybody and ensuring that those who have had this cloud hanging over them—those who have lost out financially and in many other ways—can be exonerated and sorted out, let us do it quickly and fairly and ensure that we put this injustice behind us as quickly as we can.

🕒 4.17pm

Mr Alistair Carmichael >
(Orkney and Shetland) (LD)

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It is a pleasure to follow the right hon. Member for East Antrim (Sammy Wilson). He says that he is proud as a Unionist to see this decision being taken here, but I say to him gently: be wary of Scottish nationalists bearing gifts of UK accountability, because essentially that is where we have come to today. I will pick up the point about territorial jurisdiction later, but I first want to say a word or two of more general application.

A lot of people in this debate have spoken about this legislation being unprecedented and about the concerns of some in the legal profession and the judiciary and the discomfort they feel. Those feelings of discomfort are entirely appropriate and legitimate, and I would be more concerned if they were not there. However, it is because of the wholly exceptional nature of the situation facing those prosecuted as a consequence of the deception of the Post Office and Fujitsu and the misuse of the **Horizon** software that we should have a Bill of this sort. I, along with my colleagues on the Liberal Democrat Benches, have no difficulty in supporting the Bill.

I should declare an interest as a recovering solicitor: it is 22-and-a-half years since I surrendered my practising certificate, no doubt to the relief of many. To my former colleagues I would say that it is worth asking why we have courts in the first place. Essentially, we have courts because it is important that there are bodies able to give the general public confidence that the various vehicles of the state work properly and that people can get justice. Do they get it right all the time? No, of course they do not. When I was a solicitor, we often used to say, "Justice has to be seen to be done, and it often has to be seen to be believed."

Let us not forget that the judiciary are like the rest of us; if they are cut, they bleed. They are vulnerable to the same human foibles as us. They ultimately have to be accountable for people at moments like this. Those who have said that the judiciary need to take a look at themselves are right to say that. I take mild exception to the suggestion that somehow or another the doctrine of the separation of powers builds an impenetrable wall between the different legs of the constitution. It does not.

This House created the very institution of the Supreme Court barely 20 years ago. We interfere all the time in the running of the courts by setting their budgets and telling them what rules of procedure and evidence they can follow, and nobody takes exception to that. What we are dealing with here is an interference of a different order altogether, but it is one that conforms to the principle that there are occasions when this House, as a sovereign Parliament, has to act and intervene. I think the nature and scale of the injustices that have been visited on people here absolutely justify that.

The question about territorial jurisdiction is an important one. I listened very carefully to the hon. Member for Motherwell and Wishaw (Marion Fellows), who, incidentally, I rate very highly—at the risk of killing her political career stone dead by praise. I have enormous respect for how she has managed the all-party parliamentary group on post offices and the very measured and effective way she has prosecuted the case for postmasters, sub-postmasters and Post Office employees. That applies not just in relation to the **Horizon scandal**, but in the day-to-day operation of the Post Office itself.

It pains me to find myself in a different place from the hon. Lady. I said to her last night that I am still open to be persuaded, but my starting point has to be that we judge the issue by the outcomes for the postmasters themselves. Essentially, can we get those affected in Scotland to the same place by allowing the Scottish Parliament to do its job, constitutionally as it is charged to do, or, in order to get everybody in the same place at the same time, do we have to do it here?

Chris Stephens >

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for Motherwell and Wishaw (Marion Fellows). As he said, this debate is about how we can best get justice to the victims. Can I offer as a solution something that is happening now? The Criminal Justice Bill, which has not reached all stages of the parliamentary process, already has a legislative consent motion from the Scottish Parliament for the areas of the Bill that impact Scotland. Perhaps that is a way of getting around the territorial debate. If Scotland and Northern Ireland were put there, it would allow legislative consent both in Northern Ireland and Scotland to happen concurrently, at the same time as the legislation is passing here.

Mr Carmichael >

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That is one way in which the procedure could be done. However, I say to the hon. Gentleman and the hon. Member for Motherwell and Wishaw that the question of quashing convictions is just one element of justice. The other important element is that those who were responsible for initiating the prosecutions must be accountable. That accountability would be missing if the provisions for Scotland were put in this Bill or the Criminal Justice Bill. That accountability is important for the quality of justice, if it is achievable within the timescale; we are balancing competing demands.

The position of Northern Ireland is qualitatively different because there is a statutory requirement for a 12-week consultation. The Scottish Parliament does not have that requirement, so it would be able to proceed.

Angus Brendan MacNeil >

(Na h-Eileanan an Iar) (Ind)

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I apologise for not being here at the beginning, as I was chairing the Energy Security and Net Zero Committee. The other leg of justice that must be served is compensation, which I am sure the right hon. Gentleman was coming to anyway. Compensation is not just for those who were convicted, as a lot of people out there dipped into their own pockets and paid money to the Post Office to keep the heavies away and prevent prosecution. Those people also need to see justice. One of the big things is moving the legislation forward so that all that happens and the money gets to the people.

Mr Carmichael >

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The hon. Gentleman is right. If he has been listening, he will have heard me speak on a number of occasions about my work to support constituents who are pursuing claims as part of the historic shortfall scheme. That would be the route to compensation for the people to whom the hon. Gentleman refers.

We have taken a particular approach quite deliberately and for good reason. Because the Post Office function is reserved legislatively to the United Kingdom Parliament, as a United Kingdom operation, the compensation should be paid on a UK-wide basis. However, the decisions to prosecute were taken in Scotland, by law officers accountable to the Scottish Parliament. For that reason, it makes sense for the Scottish Parliament to deal with the consequences of those prosecutions.

Angus Brendan MacNeil >

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I do not necessarily have the answer, but the problem is that if the Scottish Parliament quashes the prosecutions, there could be a hiatus while we wait for Westminster to do something and the money arrives. It is a chicken and egg situation. I would much prefer the Scottish Parliament to sort it and to have the resources to compensate, but unfortunately in the UK that is not the world we live in.

Mr Carmichael >

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day. The compensation can and will be paid on a UK-wide basis. Given the timescale that the Government have outlined so far, we would expect the convictions to be quashed on the basis of this Bill by the middle of July. That gives the Scottish Parliament time to meet the same timescales, so that victims in Scotland have their cases quashed by that time.

Kevin Hollinrake >

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The right hon. Gentleman is making some important points about the way the prosecution systems work in different parts of the UK, which we must take into account. On the point by the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil) on paying redress, the key thing is overturning the conviction. Once that conviction is overturned, wherever in the UK, that individual will have immediate access to the redress scheme wherever they are in the UK. There is no hiatus, as he described it.

Mr Carmichael >

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I am grateful to the Minister for that. Those who are not convicted will have access to compensation through the historic shortfall scheme—a process available to them at the moment.

Kevin Hollinrake >

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The Bill relates only to overturning convictions. There is a discussion about territorial extent, which I understand and am happy to continue to discuss. The three compensation schemes—the **Horizon** shortfall scheme, the group litigation order scheme and the overturned conviction scheme—are all UK-wide, so that whatever detriment is experienced, wherever they are in the UK, there is no delay to compensation. There is no difference, in terms of compensation, between one part of the UK and another. We are keen to expedite it wherever it is in the UK and we have work to do.

Mr Carmichael >

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I do not really need to answer that, so I will take the hon. Lady's intervention.

Marion Fellows >

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I thank the right hon. Gentleman. One of the issues about timing, and it is about timing, is that I think everyone would agree that it is best that every victim is exonerated at the same time. As we do not yet have the programme for the timing of the Committee and Third Reading stages, it is possible that the Scottish Parliament could be in recess. It will be in recess as early as 29 June, a full month before this place.

Mr Carmichael >

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That is a political decision for the Scottish Government, who control the Scottish Parliament's business, to take.

Marion Fellows >

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May I gently correct the right hon. Gentleman? The recess dates are not set by the Scottish Government; they are set by the parliamentary board.

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They are set by the Parliamentary Bureau, of which the majority of members come from the SNP and the Greens. I have kept this fairly broad in its terms. Can I just say gently to the hon. Lady that if the Scottish Government, instead of trying to evade political accountability, would take their responsibilities seriously and get on with it, they would get on with the drafting of the necessary legislation? If they want to wait and see how it all works here, to see if there are further amendments, then of course they can do so. They should be mindful of the fact that, apart from this one point, on the substantive provisions in the Bill there is complete unanimity across all parties in the House. So I would not see this as a Bill that is likely to attract amendment on the substance.

If the hon. Lady wishes to introduce her amendments relating to jurisdiction at a later stage, then that is another matter altogether. If we consider the consequences for the substance of the Bill, we would effectively be writing a whole new part of it. For example, if we have regard to the offences for which compensation is to be paid, very few are terms of art in Scots law, so we would be writing a new Bill to be inserted here.

Why are the Scottish Government so resistant to getting on and doing what they are constitutionally charged to do, when they could do it if they started now, in a timescale that brings everybody to the same place? The hon. Lady herself said that compensation had to be done equitably and fairly. I put it to her and to her colleagues that the consequence of their route being followed would be Scottish victims having justice of a lesser quality, because the decisions about prosecution are accountable to this House in England, and there would be no such accountability for decisions on prosecution if they were to be taken in the Scottish Parliament.

Chris Stephens >

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Not true.

Mr Carmichael >

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Can the hon. Gentleman sitting to my left explain to me why he thinks that is not true?

Chris Stephens >

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I will—and I am always to his left, as he knows. If the Parliament discusses legislative consent, that is where the accountability takes place. I say to the right hon. Gentleman again—he does not need to answer it today, because the Bill will go through other stages and the Minister said he is considering it—that I hope he will consider the Criminal Justice Bill example and legislative consent as a solution to the issue.

Mr Carmichael >

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It is a solution to the issue inasmuch as it is another means of doing the same thing that the hon. Gentleman's party wants to do in respect of the Bill, but it is not a solution inasmuch as it allows that level of accountability, and it is the accountability that matters.

The current Lord Advocate, Dorothy Bain, has already said, on the record, that

“not every case involving **Horizon** evidence will be a miscarriage of justice and each case must be considered carefully and with regard to the law. It is also important to recognise”

—as others have said here—

“the important...constitutional role of our Appeal Court in Scotland and that due process must be followed.”

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where she has to explain herself; and she also has to explain the decisions that were taken by her predecessors. It is 30 years ago now, but I did start my legal career, meagre and modest though it may have been, at the Crown Office in Edinburgh. Elish Angiolini, whom we were fêting here a week or two ago for her report on the workings of the Metropolitan police, was my first boss when I was a trainee solicitor there. My second boss was Frank Mulholland—now Lord Mulholland—the second Lord Advocate who would have had responsibility for some of these cases. All of them will have to be accountable in their own way.

The current Lord Advocate will of course be accountable, and it is obvious from the statement she gave to the Scottish Parliament that her work is already fairly well advanced. She has confirmed that the Scottish Criminal Cases Review Commission wrote to 73 potential victims of the **Horizon scandal** in 2020. She has also confirmed that the Crown Office has identified another 54 cases that are being reviewed by prosecutors, and that many of those cases have been contacted by the SCCRC as well. As of March 2024, 19 people have come forward to have their cases reviewed. Eight of them have been referred to court, with six having their cases cleared. The remaining two cases are still pending an outcome.

Given the amount of work that has been done and given the nature of what the Lord Advocate has said on the record, it makes, to my mind, absolutely no sense for the Scottish elements of this one narrow part—on the decisions to prosecute—to be taken differently. It comes down to accountability, and if we have learned nothing else throughout this whole sorry episode of the **Horizon** system and Post Office Ltd, surely we have learned that, at the end of the day, accountability makes a difference.

🕒 4.37pm

Stephen Farry >
(North Down) (Alliance)

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It is a pleasure to follow the right hon. Member for Orkney and Shetland (Mr Carmichael). I will return the conversation to the subject of Northern Ireland, but only briefly, because the issues have been aired reasonably well already today.

Let me first put on the record my own and my party's welcome for the Bill, and thank the Minister for the work that he has done so far. We certainly recognise that this is a highly exceptional situation that justifies the approach that has been taken. We cannot be certain that we will never face a similar situation at some time in the years or decades ahead, but this situation does warrant that approach, because it is about exoneration, and concepts such as pardons do not quite fit the bill. It should be clearly on the record that there should never have been prosecutions, and that any convictions should be entirely void. The words "amnesty" and "pardon" suggest that something wrong had been done prior to those developments.

I thank the Minister for his ongoing engagement, specifically in respect of the conversations I have had with him about Northern Ireland. I also thank the Opposition Front Benchers for making it clear that they are open to the inclusion of Northern Ireland in the Bill.

I want to explain briefly why we believe that action is warranted in Westminster in that regard. This is, essentially, a UK-wide **scandal** that requires a UK-wide solution. The Post Office is a reserved matter, so we need a UK-wide response. The issues that have come about were not in the gift or control of the devolved Administrations, who could not have sought to prevent them, even if they had had the foresight to identify the problems that were emerging.

The difficulty now is that if Northern Ireland is left to act separately, we will see further injustice emerge. The Executive have just been restored, and they have other priorities at present, such as getting up and running. However, even if the Assembly had been functioning for some time, the process would require a public consultation on how business is done in Northern Ireland. Not carrying out such a consultation would pose the ongoing risk of a judicial review, which would further complicate matters and probably elongate the process. That would be counterproductive, so the public consultation has to be priced in.

A Bill will take time to draft, and the Department of Justice can look at what has happened in England and Wales, but there would still need to be a minimum of eight weeks—in practice, probably 12 weeks—for the public consultation. That would then have to be evaluated, and any legislation introduced in the Assembly would go through its own process. Even with the best will in the world, I do not see how the process could be concluded until well into the autumn of this year, and it could take longer. That would create a situation in which some of the victims of the **scandal** who have received false convictions will be waiting longer for justice than their

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the sense that they would be doubly delayed—in receiving exoneration and in accessing compensation—so natural justice leans heavily towards the Administration in London taking action on behalf of Northern Ireland.

In response to the right hon. Member for East Antrim (Sammy Wilson), I want to stress the scale of the political consensus on this issue in Northern Ireland. That is rare, but it is precious whenever it does emerge. There is a sense that we want this to be done as quickly as possible, and we want to be pragmatic. I utterly dismiss the notion that Parliament is treading on devolved toes by acting in place of the Executive and the Assembly. Right across the political spectrum, the parties want this to happen, so there will be no political blowback on action being taken. Obviously, it has to be done on a case-by-case basis, but given the extraordinary circumstances of this situation, there is an overwhelming argument for Northern Ireland to be included in the Bill.

I look forward to hearing the Minister's summation shortly. I hope that he can give an indication of whether he is willing to accept amendments in Committee, subject to the proper motions being put in place to facilitate changes to the legislation as currently drafted.

🕒 4.43pm

Rushanara Ali >

(Bethnal Green and Bow) (Lab)

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We are now over two decades into this **scandal**, with the victims still suffering the ongoing consequences of this injustice: unjust prison sentences, bankruptcy, ostracisation from communities, family breakdown and homelessness. Tragically, as we have heard, this **scandal** has led to some people taking their lives. According to the Post Office **Horizon** IT inquiry, at least 60 sub-postmasters had died without seeing justice or receiving compensation as of 10 August 2023, and at least four had taken their own lives. All our thoughts continue to be with their families.

This **scandal** has been a seismic tragedy at every stage. The mental toll and stress that victims have faced is beyond what many of us can begin to comprehend. This **scandal** has been defined at every turn by an abuse of power, disregard for sub-postmasters' lives, the passing of blame and perpetual delay.

This Bill is an important step forward in addressing the greatest miscarriages of justice in our country. It will mean that hundreds of innocent victims will have their rightful innocence returned to them. However, this is just one of a number of actions that need to be taken to make amends and to correct this terrible injustice. We need to see convictions quashed, compensation delivered urgently and justice sought from the independent inquiry.

Along with other colleagues, I pay tribute to Alan Bates and the many sub-postmasters who have campaigned and worked tirelessly to see justice. This Bill marks an important victory for sub-postmasters, and I pay tribute to their bravery and perseverance in the face of so much suffering and adversity. They have had so much taken from them, and yet they have kept fighting. This is truly remarkable, and it is wonderful to hear the tributes that have been paid by so many across the House and also across our country.

I pay tribute to my right hon. Friend the Member for North Durham (Mr Jones) for all his work fighting on behalf of sub-postmasters, and to Lord Arbuthnot for his years of work on tackling this injustice. I also thank the Minister for postal affairs, the Under-Secretary of State for Business and Trade, the hon. Member for Thirsk and Malton (Kevin Hollinrake), for all his work, from the Back Benches as well as from the Front Bench. There have been many Members across the two Houses who have highlighted the injustice suffered by sub-postmasters, and I extend the Opposition's appreciation for the work they have done and for the cross-party nature of the campaigning that has gone on thus far.

I think we can all agree that the influence of the ITV drama "Mr Bates vs the Post Office" has been very significant in this campaign. The Minister has done a huge amount of work, but there is no denying that that programme has brought to the attention of the wider public the **scandal** that has affected so many sub-postmasters. However, it should not have taken the release of that drama to get to where we are today. This is in no way a criticism; it is a recognition of the fact that certain scandals have needed that wider attention from the media, from programmes and documentaries, before attention is received. But we are where we are, and it is encouraging to see the steps that have been taken.

This Bill will quash the convictions of the sub-postmasters and others who worked in the Post Office branches who suffered as a result of the **Horizon scandal**. As has already been said, and I further stress, the quashing of these convictions must not set a precedent. The Bill undermines a key part of our democracy, the separation of the legislature and judiciary. As has been said earlier, it is a

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this Bill is a wholly exceptional and isolated case, where these necessary actions will be taken to match a miscarriage of justice unprecedented in both scale and impact. As the shadow Business Secretary, my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds), has made clear, an incoming Labour Government would never use this kind of action again.

I echo the comments on the territorial scope of today's Bill and restate that the Labour party supports the calls to extend the provisions of the Bill to the cases in Northern Ireland. Every party in Northern Ireland and every Minister in the new Assembly is calling for their inclusion in the Bill. Their exclusion will sadly only delay the exoneration of victims in Northern Ireland all the more, so I hope the Minister will seriously consider this decision and what can be done further, and take on board the points that have been made by hon. Members including my hon. Friend the shadow Business Secretary.

We have heard many powerful contributions in today's debate, and there is broad agreement on the Bill's necessity. The right hon. Member for Haltemprice and Howden (Sir David Davis) highlighted his misgivings, and he described the Bill as representing "the best of a bad job."

Of course, he extended his support and highlighted the Bill's unprecedented nature.

My right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) made the case for speed in granting compensation. My right hon. Friend the Member for North Durham (Mr Jones) raised important concerns about the potential limitations of setting deadlines for paying compensation. While ensuring the proper handling of complex cases, I hope the Government will take those points into consideration.

My right hon. Friend also raised important points about the need for the judiciary and the Government to learn broader lessons from this **scandal** so that they can be applied to other scandals, a number of which have been mentioned in the debate, including the contaminated blood **scandal** and the Windrush **scandal**. It is encouraging to see such eagerness to reflect and learn so that things do not have to go this far before being addressed.

The hon. Member for Motherwell and Wishaw (Marion Fellows) has been a tireless advocate and campaigner for justice for sub-postmasters, and she rightly highlighted the need to continue our laser-sharp focus on supporting victims. She and others in her party relayed, once again, the concern that Scotland has been left out of the Bill.

The hon. Member for Sutton and Cheam (Paul Scully) spoke powerfully about his time as postal affairs Minister. As he is standing down, I commend him for his work in the Department and for his wider cross-party work on a number of issues, including Myanmar with me and many other colleagues. We wish him well in his future endeavours. Like others, he raised the need to learn lessons and to ensure that, when we say that scandals of this scale must never happen again, we truly ensure that they never happen again.

The hon. Member for North Norfolk (Duncan Baker) spoke powerfully about his career as a sub-postmaster. He brings insight to this debate and the campaign, and he reflected on how he has supported his constituent who has faced trauma, and how he has drawn those lessons into the Minister's work. I was struck by the way in which he reflected on the wider issues.

The hon. Gentleman said that work is needed on the Post Office's culture in tackling wider systemic issues, and he said that the Post Office is "losing its soul". As we look to the future, I hope the Government will consider how we make the necessary reforms so that the Post Office is fit for purpose. He rightly said that Fujitsu needs to be held accountable, and that it should pay compensation. Although that is outside the scope of this Bill, the Minister and others need to ensure that Fujitsu pays for what was caused by its technological failures.

The right hon. Member for East Antrim (Sammy Wilson) made a powerful case for those whose appeals have been rejected, and he argued that their cases need to be reconsidered. I know that the Minister has responded and will look at those issues closely. The right hon. Member also made the point about territorial scope, reinforcing the point about the need for Northern Ireland to be included in the Bill. The point about the 12-week consultation has been made consistently, as it means that the 27 or 30 Northern Irish cases will face huge delays. That means further suffering, so it is important for the Government to consider including Northern Ireland, as we have called for.

The right hon. Member for Orkney and Shetland (Mr Carmichael) made the case for the Scottish Government to introduce legislation in parallel in Scotland. Much work has been done in Scotland and the case for needing to work in parallel, in lockstep, to ensure that there are provisions in Scotland has been made. The hon. Member for North Down (Stephen Farry) spoke about prosecutions that should never have taken place. Once again, he made the case for Northern Ireland's inclusion and for avoiding delay.

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Downey, who set up the group Lost Chances for the Children of Sub-postmasters to support the children of some of the victims of the **scandal**, said that when her father was made bankrupt by the **scandal** she was 11 years old and her family had to flee to France. She stopped speaking for two years as a result of the trauma; her childhood was shaped by this injustice. We must not forget the wide-reaching impact of this **scandal** on family members. There are children, spouses, parents, close friends and neighbours who have not only journeyed with the victims, but suffered themselves and lived out the consequences of this injustice.

Seema Misra was jailed on her **GRO**, while she **GRO** after being pronounced guilty of stealing £74,000 from the post office she ran—she had been wrongly accused. Ms Misra and her husband had been **GRO** and what should have been one of the happiest moments of their lives became a nightmare. She was put under suicide watch in prison and describes how she reached “rock bottom”. Those are only two stories of the horrors that have defined the lives of victims.

Today, I thank colleagues from across the House for powerfully sharing the examples of the cases they have dealt with, be they those of constituents or cases they have come across through their campaigning work. I also thank colleagues for the tireless work they have done in advocating for those people, telling their stories, talking to Ministers and persisting. These people’s stories and voices must be central in shaping our next steps in the pursuit of their compensation, of justice and of their exoneration. We welcome this crucial piece of legislation, but it is by no means anywhere close to an end point. It is merely a further step in the right direction in securing justice for the sub-postmasters.

We support the work of the independent inquiry in uncovering the full and precise truth of all that has unfolded in the Post Office. Truth and justice has been denied to sub-postmasters at every turn, and I hope that the inquiry will finally provide the transparency that is desperately needed. There is much still to be done in the pursuit of justice for sub-postmasters, and we must all continue to support them and do all we can to right the many wrongs they have suffered.

Madam Deputy Speaker >

(Dame Rosie Winterton)

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Order. Before I call the Minister, may I remind those who have contributed to the debate that it is very important to get back for the wind-ups, including for the beginning of the one by the shadow Minister? I call Kevin Hollinrake.

🕒 4.49pm

The Parliamentary Under-Secretary of State for Business and Trade >

(Kevin Hollinrake)

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For Members of the House, the wider public and, most of all, the victims of this horrendous **scandal**, today’s Bill cannot come soon enough. The day that the convictions are finally quashed, redress is finally paid and those victims can get on with their lives cannot come soon enough. The Bill will quash relevant convictions of individuals who worked, including on a voluntary basis, in post office branches and who suffered as a consequence of the Post Office **Horizon IT scandal**. It will quash, on a blanket basis, convictions for various theft, fraud and related offences during the period of the **Horizon scandal** in England and Wales.

The Bill is an exceptional response that recognises the constitutional sensitivity and unprecedented nature of the situation. The Government are clear that given the factually exceptional nature of the case, the legislation does not set a precedent for the future relationship between the Executive, Parliament and the judiciary. The scale and circumstances of the prosecutorial and investigatory misconduct means that a rapid approach is needed to deliver long overdue justice, while respecting the separation of powers and delicate constitutional balance.

I first spoke on the matter from the Back Benches some years ago, in the context of other scandals involving the Royal Bank of Scotland and Lloyds Bank, after a gentleman called Paul Marshall, a barrister involved in the cases, wrote to me drawing parallels between the Post Office **Horizon** case and the banking **scandal**. It was back in March 2020 that I first spoke about the issue and Lee Castleton’s tragic case. Because of the scale of the injustice, the depth of the damage and the despair, and the unacceptable delays in delivering justice, we must act in this exceptional manner.

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and Hyde (Jonathan Reynolds), and the shadow Minister, the hon. Member for Bethnal Green and Bow (Rushanara Ali), for their collaborative approach. I join them in thanking one of my predecessors, my hon. Friend the Member for Sutton and Cheam (Paul Scully), on the tremendous job he did. We all wish him well in whatever he chooses to do in his new life, but I remind him that he still has work to do in this place because we have much work to do.

I gently push back on some of the points made by the shadow Minister, who said that the TV drama had stimulated the work that has gone on in recent weeks and today. We are public servants and we should respond to public outcry, so I welcome the new attention focused on the issue by the general public, the media and the House. However, I remind hon. Members and, most importantly, the victims that we put many measures in place to try to deal with the matter, not always as successfully or as quickly as we would have liked: the **Horizon** shortfall scheme and the inquiry, which started in 2020; the group litigation order compensation scheme; the **Horizon** compensation advisory board, on which the right hon. Member for North Durham (Mr Jones) sits so effectively; and the £600,000 fixed-sum awards for those whose convictions had been overturned, which was put in place last autumn. The exploration into how we might overturn convictions more quickly began some months before the TV dramatisation came to our screens. Indeed, the Post Office (**Horizon** System) Compensation Act 2024 assigned a deadline date that proved difficult for some of the victims.

The shadow Secretary of State pointed to possible service level agreements, in response to issues raised by the Business and Trade Committee about timings for compensation. As he and the shadow Minister know, there are service level agreements in the current compensation and the group litigation order compensation schemes that say there will be a response to 90% of final claims submitted within 40 days. We are hitting 87% against that metric, so we are making progress. We are considering such agreements in elements of the new scheme and other schemes, so I will come back to the House about that.

The hon. Member for Stalybridge and Hyde raised the point about Northern Ireland, as many other Members have, and we are taking that very seriously. We are sympathetic to the issue, particularly as the Assembly is newly formed. The requirement for public consultations in that jurisdiction may delay things, and we will bear that in mind in our deliberations.

The shadow Minister quite rightly raised the point about the impact of this not just on the victims, but on the victims' families, their children and their spouses. Indeed, terrible things have happened to many of those families, including break-ups and suicides. We have all witnessed on our TV screens the extent of this problem. We will certainly consider mental health support for the affected individuals.

My hon. and learned Friend the Member for Bromley and Chislehurst (Sir Robert Neill) talked about a sunset clause. Interestingly, following his intervention on a sunset clause, three other legal opinions on a similar matter did not all agree with his point. The key thing is that all convictions are quashed the day this legislation comes into effect, which should be in July. Irrespective of the fact that we may not have identified somebody in the list of people whom we will write to following the passing of this Bill, their conviction will have been quashed. If they come forward to self-certify and we look at their case, that conviction will have already been quashed; we just need to mark the record.

The right hon. Member for Orkney and Shetland (Mr Carmichael) spoke about political accountability, which I shall come back to a bit later, because he raises some very important points. My right hon. Friend the Member for Haltemprice and Howden (Mr David Davis) said that this matter should have been dealt with in the courtroom. I think that we would all have preferred to see that. I have described this process in the past as the lesser of two evils. We must acknowledge that the first of the 983 convictions were overturned in 2021. Thus far, only 102 convictions have been overturned. That pace of progress cannot be countenanced, which is why we have taken this particular approach. I thank him, though, for his kind words on my work, but I reiterate that the Secretary of State has been hugely supportive of everything that I have been asked to do and that I wanted to do in this space. The same applies to the Prime Minister and the Chancellor of the Exchequer and many other Ministers right across Government.

Let me turn now to the hon. Member for Motherwell and Wishaw (Marion Fellows), for whom I have a great deal of time and with whom I have spent a great deal of time working on this issue. Her work on the all-party group on post offices is also invaluable. I fully understand her points about Scotland. She wants to ensure that her legislation works simultaneously with this legislation. We believe that that can happen in Scotland. There are no barriers as such with Scotland in the way that there are potentially with Northern Ireland. We also must bear in mind that the Lord Advocate tends to have a different opinion as to whether this is the right way to go about things. In taking this route, we have had to make some difficult political choices. One is to exclude cases that have been heard by the Court of Appeal. That is the decision that we had to take here—as I say, these were very difficult choices. The point about political accountability is important, which is why we decided to use this objective criteria route. The hon. Lady's objective criteria would have to be different. For instance, Scotland has a different prosecutorial system, so the legislation cannot be identical. There are differences whichever way we look at this, so I am sure that this debate will continue.

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I thank the Minister for giving way. He knows that we have huge admiration for the way that he has tried to wrestle his way through these issues. At the end of these proceedings, I intend to lay an instruction to the House motion. Is that necessary? Can the Minister tell us now that he will take this on and include Northern Ireland in the Bill?

Kevin Hollinrake >[Share](#)

I understand the hon. Member's point. I can tell him from this Dispatch Box that it is something on which we will continue to have dialogue. I have talked to his colleagues today and yesterday. In fact, I met the First Minister, the Deputy First Minister and the Justice Minister yesterday to discuss these matters. They raised some interesting points that we need to take into account. I am very happy to keep those conversations ongoing, so I will happily have a further conversation with him after this debate.

Chris Stephens >[Share](#)

The Minister is showing his customary politeness and kindness. He has outlined the discussions with Northern Ireland. The main issue is how we get a solution that satisfies everyone across these islands, so will he also have those discussions with the Scottish Government, particularly around the territorial issue, and will he say something about Asda employees in Scotland who are also caught up in this?

Kevin Hollinrake >[Share](#)

I absolutely give the hon. Gentleman that assurance. We want everything to happen simultaneously. Our ambition is to get the legislation passed by July. If people choose the fixed sum award route, we can pay compensation rapidly. They have two choices of route to take. The £600,000 can be delivered very quickly—literally within weeks of passing the legislation. We want to pass the legislation by July; we could be paying compensation as quickly as by August. Exactly the same thing can happen in Scotland if the Scottish Government effect the legislation at the same pace. My officials are working with officials of the SNP-led Government in Scotland on a weekly basis to try to ensure that that is the case. I have met with my counterpart in the Scottish Government to talk about this issue.

I did not quite get the hon. Gentleman's point about employees. He might want to intervene on me again, so I can address it properly.

Chris Stephens >[Share](#)

A number of Members have mentioned, as I have, the particular issue of Asda employees in Scotland. Has the Minister thought about that?

Kevin Hollinrake >[Share](#)

Employees generally are an issue, because they do not have a contractual relationship with the Post Office, which is required to enter the compensation scheme, but if the company itself did have one it could make a compensation claim that could then be passed on to that individual. I am very happy to discuss individual cases with the hon. Gentleman, or with other Members.

I pay tribute again to all the work of my hon. Friend the Member for Sutton and Cheam. I agree that this was a case of human failure as well as technological failure, and that the wheels of justice are moving too slowly. That is why we have stepped in in this way. I am always grateful for the work of the right hon. Member for North Durham, not least on the **Horizon** compensation advisory board. He

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called me more shire horse than show pony, which I take as a compliment. I would describe him in a four-legged way as well: he is a cross between a terrier and a rottweiler, and he is highly effective in the way he approaches this issue.

The right hon. Gentleman asked about convictions relating to pilot versions of **Horizon**. That is why we have set the date at 23 December 1996. That is the first point of the roll-out of an application called Pathway, which was a predecessor **Horizon** application. We think that the legislation, and therefore the redress schemes, capture—if I can use that word—cases that relate to the pilot schemes in clause 8.

As the right hon. Gentleman knows, we look at the Capture system slightly differently. Capture is a stand-alone spreadsheet rather than a network computer system. There is no remote access, for example. The key thing is that what we are doing here is exceptional and unprecedented. We have the body of evidence because it has been before a court. Part of the reason the court made its decision in 2019 was based on the **Horizon** issues, as it put it. We do not have that body of evidence with Capture. We are keen to talk to him to ensure that we look at the evidence. That conversation will continue.

The right hon. Gentleman talked about the power to make consequential provision. We do not see that as giving us the ability to include another group of people; there are different reasons why that power is in the Bill. It is for matters that are a consequence of the Bill, which we do not think is the right vehicle to include people, for example, who have been affected by the Capture system. As I say, we will continue to discuss that.

As I said earlier, we understand the arguments about Northern Ireland, and we will continue to engage, as we will with other Members of this House. In terms of reasonable steps, the process is in development. It is about marking the records and writing to individuals. When we have passed the legislation, we will write literally that day, or the next day, to those individuals to say, “You’re conviction has been quashed,” and we will give them details about how to claim compensation.

Mr Kevan Jones >

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I know that the Minister is committed to ensuring that everyone is contacted. What about the legacy cases—when people have passed away? Will someone try to contact their estates, for example?

Kevin Hollinrake >

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Those are challenging issues. The key thing—I hope the right hon. Gentleman takes this in the right way—is that what we are doing here to quash convictions does not require people to come forward. When the conviction has been quashed, we will contact the most relevant person in that context. Those people can take forward a claim in exactly the same way, and it will be considered in exactly the same way, as any other claim. The estate, the families, can claim compensation.

Mr Jones >

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I agree with the Minister, but I think this needs to be given some thought. Perhaps the advisory board might look at legacy cases in which people have passed away, because those entitled to compensation might not come forward. We might have further discussion about that.

Kevin Hollinrake >

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I am very happy for us to look at that, and to work with the right hon. Gentleman and the advisory board. I take this opportunity to pay tribute to him, Lord Arbuthnot, Sir Chris Hodges, and Professor Richard Moorhead for their work in this area. We will continue to work closely alongside the right hon. Gentleman.

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the Secretary of State, the Prime Minister and the Chancellor. I recognise that he is the only serving postmaster in this place, so we always listen carefully to what he says. Like him, we encourage people to come forward to claim compensation.

The people not included in the legislation—those who have been convicted as a result of prosecution by the DWP—can still appeal in the normal way, and I encourage them to do so if they feel that there are grounds for that. My hon. Friend asked about Fujitsu and the quantum it is due to pay. Our view has always been that we should let the inquiry conclude and determine responsibility. We will then know the extent of the compensation bill, and that will be the right time to have a conversation about contributions, for which Fujitsu has already accept a moral responsibility; we welcome that. Although the Post Office has had a chequered past in this regard, I believe that it has a very bright future, and we are keen to ensure that it does. We should always keep that in mind.

I understand what the right hon. Member for East Antrim (Sammy Wilson) said about the territorial extent of the Bill. As I said, I met the First Minister, Deputy First Minister and the Minister of Justice for Northern Ireland yesterday, and I will continue to do so. We are determined to ensure that measures are brought forward as quickly as possible in all areas of the United Kingdom. The right hon. Member makes a compelling case about the need for public consultations in his jurisdiction. We are aware of that. There are 26 cases in Northern Ireland, and we are keen to ensure that they are overturned as quickly as possible. We will continue work to ensure that that happens.

The right hon. Member for Orkney and Shetland talked clearly about ensuring that prosecutors are accountable for their role. Decisions were taken in Scotland. He was right to say clearly that a legislative consent motion does not offer the same level of parliamentary accountability, and I think we should all reflect on that. His final words were “accountability makes a difference.”

The hon. Member for North Down (Stephen Farry) talked about his preference for the measures to be UK-wide. We understand that; we have had several conversations and will have many more, I am sure. I understand his point about the risks of judicial review and of delays to public consultation. He feels that he makes an overwhelming argument. We will keep those conversations going.

I concur with the shadow Minister, the hon. Member for Bethnal Green and Bow, and echo her tribute to Alan Bates, Jo Hamilton, Lee Castleton, journalist Nick Wallis, campaigner Dan Neidle, another journalist Tom Witherow, Lord Arbuthnot, Karl Flinders and many others, including many Members of this House. We pay tribute to them for their work. We recognise the profound impacts that the **Horizon scandal** has had on those who were falsely accused. It has taken too long to get to this point, and our ambition is to get this legislation through both Houses by July and compensation paid to the victims by August. Through this Bill, we will exonerate those who were so unjustly convicted of crimes that they did not commit and provide fair redress as swiftly as possible. I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time.

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