



Department for
Business & Trade

Horizon Compensation Advisory Board

Report of sixteenth meeting held on 29 August 2024

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

Apologies: Lord Beamish (formerly Kevan Jones MP)

Also present: Carl Creswell, Rob Brightwell, Beth White, Eleri Wones, Charlotte Heyes (all Department for Business and Trade – “DBT”).

Meeting the Chair

1. Nigel Railton, the Post Office Chair, attended the Board for this item. He briefed the board on his emerging views on the future of the Post Office. The Board explained their work and their interactions with postmasters. The Chair confirmed that he had already had some engagement with postmasters and wanted to have more.
2. The Board discussed the arguments for and against moving the delivery of redress away from the Post Office.
3. The Board expressed strong concern that some Post Office staff who were thought to have been involved in the scandal continued to be employed on matters relating to Horizon redress. The Chair said that he fully understood the Board's concern: this was a matter on which the Post Office had made some progress and on which the Board continued to work actively. The Board were grateful for the Chair's update and hoped to hear further news in the near future.

Convictions

4. The Board expressed their concern regarding cases prosecuted by DWP or rejected by the Court of Appeal not having been included in the 2024 Act. They would continue to press the CCRC to give priority to such cases. DBT agreed to ask DWP for information about what further actions they are planning to ensure that cases have been handled fairly.
5. The Board asked what MoJ and the devolved administrations are doing to ensure rapid issue of letters to people informing them that they have been exonerated by the legislation. Issue of the letters was taking longer than expected but was not raising doubts that those covered by the Act would be identified. The Board was assured that letters are going out as soon as all necessary information has been

verified. The pace of issue by MoJ has increased since the HCRS launched and they expect this to continue. Their communications with postmasters were by means of open letters, the latest of which is published [here](#).

6. DBT confirmed their understanding that Scottish and Northern Irish letters will be issued from September. DBT agreed to look into how many claimants are likely to come forward in Scotland.
7. DBT will confirm with MoJ that there is no risk of impact to individuals from offences left to "lie on the file".

Redress

8. DBT confirmed that the first Horizon Convictions Redress Scheme (HCRS) payments would be made by the end of August.
9. The Board reiterated their concern that members of postmasters' families should receive full redress. DBT described their guidance to GLO claimants' lawyers, which says that:

"The aim across all Horizon compensation schemes is to compensate postmasters directly and attempt to put them back in the same financial position they would have been in but for POL and the issues with Horizon. The policy does not extend to direct compensation for family members, however we do compensate some pecuniary losses in situations where there is evidence of a partnership / joint loss where the loss claimed should be considered as a single economic unit and/or a party to the contract with POL by virtue of that partnership and/or foreseeability of pecuniary loss being caused to the partner or joint asset owner.

"In keeping with the general policy objective above, we do not compensate family members for any non-pecuniary damages. However, it is clear that witnessing family members in distress may have a distressing impact on the postmasters themselves. In those instances where it is claimed we consider it fair to consider this element under the claimants claim for Distress & Inconvenience."

10. DBT confirmed that it had been able to apply this guidance even in cases where family members were now estranged.
11. The Board's view was that the Department's guidance was not sufficiently broad and raised some contrasting examples of family members. They would discuss this issue with claimants' legal advisors.
12. The Board noted that a large number of HSS cases had been submitted in recent months, stimulated by the ITV drama *Mr Bates vs the Post Office*. They

expressed concern that the Post Office was making few offers in response. DBT noted that many of these cases may benefit from the £75k fixed sum offer. Payments on such cases should begin to issue shortly. In the Board's view, the two difficulties posed by HSS were the need for panel assessments before offers are made and the continued involvement of the Post Office and its lawyers in the process (beyond disclosure where it was unavoidable). DBT agreed to look further at the pace of the HSS and provide information to the Advisory Board on take-up of the £75k offer.

13. The Board also requested further data on the rate of redress payments over time.
14. A number of HCRS claimants had stated that they did not wish to appoint legal representation for their claims for fixed-offer redress, because they wanted to reduce the amount of public money spent on lawyers. The Board discussed whether there should be a process of 'sense checking' the cases of claimants who choose not to seek legal representation.

Capture

15. The Board asked for an update on losses to postmasters arising from the Capture system. DBT confirmed that it had appointed Kroll to investigate this issue. Their report was progressing and should be received by DBT in mid-September.