



Department for
Business & Trade

Horizon Compensation Advisory Board

Report of fifteenth meeting held on 17 June 2024

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

Also present: Carl Creswell, Rob Brightwell, Eleanor Brooks, Eleri Wones (all Department for Business and Trade – “DBT”).

Apologies: Kevan Jones

Convictions

1. DBT confirmed that Scottish legislation to exonerate wrongly convicted sub-postmasters had passed and come into force on 13 June. They confirmed that MoJ would send letters to affected postmasters in England, Wales, Northern Ireland and Scotland in July, following the election.
2. The Board noted that some members had met with representatives from the Met Police earlier that day to discuss the process for recording the quashing of convictions.
3. The Board had also arranged a follow-up meeting with the CCRC the following day to receive an update on cases not exonerated by legislation and offer their continued support for their ongoing work.
4. The Board expressed their concern regarding rejected Court of Appeal cases not being included in legislation. This was a matter they would continue to press with the CCRC.
5. The Board also expressed concern around DWP convictions, although they recognised that evidence other than Horizon had been used in at least some cases, and that Post Office had not conducted the investigations themselves. To ensure no wrongful conviction is missed, DBT agreed to consider further with DWP.
6. The Board asked for an update on Capture. DBT confirmed Kroll had been appointed to investigate and were in the process of contacting postmasters who may have been affected. The Board suggested some further stakeholders who may have information; DBT confirmed that they would pass their names to Kroll.
7. The Board raised the need to look closely at the wider question of how computer evidence is used in court proceedings going forward, as had been discussed in Parliament.

Redress

8. The Board noted the good progress outlined in the latest redress data¹.
9. The Board noted that an extension of the time limit for accepting £600,000 for those who have had convictions overturned by the Court has been implemented, following views from claimant legal representatives and a recommendation from Sir Gary Hickinbottom. DBT confirmed that, for any claimant who had submitted a claim on or before 14 June 2024, the £600k fixed sum offer would remain open unless and until that claimant makes any further claim. This would allow claimants proper time to consider the offer.
10. The Board asked how pace was being increased on each scheme. DBT confirmed that Sir Gary was considering various options for the overturned convictions scheme. A case management function would also be procured for the new Horizon Convictions Redress Scheme, similar to that already in place on the GLO scheme. Board members reported positive feedback from some postmasters' lawyers on offers being made under the GLO scheme.
11. The Board considered whether there would be disparities in settlement sums arising from a lack of legal representation for some claimants. DBT confirmed that there is extensive case comparison across the schemes to ensure fairness as far as possible between cases with similar fact patterns. Post Office would also shortly be writing to claimants with regard to the £75k fixed sum offer for those who have not yet settled or have already settled below that amount in the Historical Shortfall Scheme. DBT would continue to consider the Board's previous recommendation of an independent HSS appeals process with Ministers, following the election.
12. The Board noted they would continue to look at the treatment of family members and how these claims are dealt with. In particular there was a risk that families where splits had occurred could receive different treatment than those families which remained amicable. The Board agreed they would consider this further with claimants' legal representatives.

Other issues

13. The Board confirmed that they had received a response from Post Office regarding staff who had previous involvement in the scandal and were seeking further reassurances and clarifications.
14. The Board noted the publication of their paper regarding a model for the future of redress. DBT had also circulated the paper more widely within Government.

¹ Post Office Horizon compensation data as of 31 May 2024 - GOV.UK (www.gov.uk)

15. The Board confirmed that they would like to meet the newly appointed Post Office Chair and reconvene a meeting with claimants' legal representatives for the autumn.

Report of Advisory Board members' meeting with the Met Police on 17 June 2024

Present:

Advisory Board: Prof. Christopher Hodges (Chair); Prof. Richard Moorhead

Met Police: Deputy Chief Constable Naveed Malik; Chief Inspector David Drizen;

Superintendent Jon Grainge

DBT: Rob Brightwell

1. The Met outlined their ongoing work to record the quashing of convictions in England and Wales, working with Police Service Northern Ireland and Police Scotland. They explained their proposed process and confirmed that they had been working closely with various organisations to ensure coordination across various systems. This includes ensuring that quashed convictions, including biometrics, is deleted from databases used for front line policing.
2. The Met were cognisant of the need to ensure no further detriment to victims affected by the scandal.
3. Board members thanked the Met for their work. They stressed the importance of having clear governance structures in place and to carefully consider communications to victims.
4. The Met agreed to arrange a meeting with claimants' legal representatives to outline the process and seek further feedback.

Report of Advisory Board members' meeting with the CCRC on 18 June 2024

Advisory Board: Prof. Christopher Hodges (Chair); Lord Arbuthnot; Prof. Richard Moorhead

CCRC: Miles Trent, John Curtis

Representative from DBT

1. The Board offered their continued support for the work of the CCRC. They stressed the importance of continuing to review convictions which were not quashed by legislation, namely court of appeal cases, Capture cases and DWP cases.
2. The CCRC confirmed they are working with MoJ to confirm which of the CCRC's current cases have had their convictions overturned by legislation and which convictions remain. Work will continue on those remaining cases. In any remaining CCRC reviews where the Court of Appeal has previously dismissed

appeals, the CCRC will examine what new evidence or argument has emerged since the cases were considered by the Court.

3. It was agreed that the CCRC would consider engaging with legal representatives on whether to invite new applications to the CCRC by some or all of those with extant convictions.