



Department for  
Business & Trade

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## Horizon Compensation Advisory Board

### Report of tenth meeting held on 10 January 2024

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

Also present: Minister Hollinrake, Carl Creswell; Rob Brightwell; Beth White; Eleri Wones (all DBT).

#### **Overturning Post Office convictions**

1. The Board strongly welcomed the announcement which the Minister had made earlier in the day about the Government's intention to overturn criminal convictions arising from the Horizon scandal and to compensate the people involved. It recognised that the action would lead to the acquittal of some guilty people: they believed that this was clearly the lesser of two evils.
2. The Board considered that this was strongly justified by the exceptional circumstances – the behaviour of the Post Office's investigation and prosecution functions, which the Minister had described as "malevolent and incompetent"; and the severe consequences for the mental health of many of the people affected. The Board had prepared papers on both subjects which are attached to this report.
3. The Minister had told Parliament that he would work with the Board to shape the way in which the Government implemented the measures. The Board welcomed this. They raised the following issues which would need further work:
  - The arrangements to mitigate the risk that people truly guilty of wrongdoing would benefit from the scheme. It was important to ensure that there should be no difficulty for those whom the Post Office had forced into innocent actions which technically constituted false accounting;
  - The treatment of people whose convictions had already been upheld by the Courts;
  - The impact of possible errors in other IT systems affecting postmasters;
  - Following through the Minister's undertaking that the approach to compensation would be the same whether people were affected by the Horizon system itself or its early pilot;
  - Consistency of justice across the UK nations.
4. In response to questions from the Board, the Minister confirmed that his announcement would lead to full compensation for those people whose convictions had been overturned in the Crown Courts because the Post Office had decided that it would not be in the public interest to hold a retrial.

#### **Up-front compensation offer to GLO members**

5. The Minister had also announced that compensation for members of the GLO scheme would be accelerated by making an up-front fixed offer to all claimants of £75,000. Claimants could choose between accepting this up-front offer or having their individual claim fully assessed. Those who had already received smaller offers would have them topped up to £75,000. The Board welcomed such efforts to accelerate the scheme and to reduce the effort required of some postmasters in bringing claims.

6. The Department explained that the up-front offer for the GLO group was significantly lower than that for those with overturned convictions because the compensation for the latter group was enhanced by their entitlement to compensation for malicious prosecution. As a result, the typical GLO claim was much smaller than the typical claim stemming from an overturned conviction, with some as low as about £10,000.

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7. The Board welcomed the appointment of Sir Gary Hickinbottom as Chair of the independent panel dealing with disputes about compensation of people with overturned convictions. Board members had already been in touch with him: he was keen to keep them informed about his work in the same way as Sir Ross Cranston, who was already in place as the Reviewer of the GLO scheme. The Board would value Sir Gary's expertise.
8. The Board expressed concern about the use of "without prejudice" letters in respect of offers by the Post Office. It was also concerned the charging practice of a minority of lawyers for members of the GLO group. It would continue to monitor these issues.