

Monthly Monitoring Meeting Readout 01 February 2024

Attendees

- Carl Creswell (CC) – Director, Business Resilience, DBT
- Simon Recaldin (SR) – Director, Remediation Unit, POL

Post Office

- Andrew Mortimer (AM)
- Catherine Connolly (CCo)
- David Firth (DF)
- Evelyn Hocking (EH)
- Jamie Tebbutt (JT)
- Ken Kyriacou (KK)
- Madeleine Dematteis (MD)
- Matthew Hilton (MH)
- Neil Daveyl (ND)
- Neil McDaid (NM)
- Nicola Munden (NMu)
- Paul Murray (PM)
- Richard Paddington (RP)
- Sarah Lambert (SL)
- Steve Barlow (SB)
- Susan Samachan (SS)
- Olha Ellis (OE)
- Victor Turner (VT)

DBT

- Beth White (BW)
- Eleri Wones (EW)
- Emily Snow (ES)
- Harry Fallowfield (HF)
- Foysul Hoque (FH)
- Paul Harding (PH)
- Richard Howard (RH)

OC

1. Parliamentary Bill

Beth White (BW) updated the group on bringing forward a Bill to overturn convictions. The team is working closely with Ministry of Justice (MoJ) and Devolved Administrations (DA) on the scope of the legislation to ensure the right cohort is captured. This will be followed by consultation with the judiciary and parliamentarians. The main challenge is addressing the unprecedented legislation which presents challenges for the judiciary. Following policy development, the Bill will be brought forward and progressed through both Houses as quickly as possible. A clear timeline of when the Bill is expected to be introduced is currently being determined.

2. MoJ data request

Nicola Munden (NMu) said POL have shared a draft data sharing agreement with MoJ and DBT who are expected to provide comments by 1st February. POL have fairly rich data that can be shared with MoJ and DBT. Some of the data is not as comprehensive as the cases go too far back or relate to other jurisdictions and prosecutors. The accuracy of the data will

also come with caveats but POL feel the information will be sufficient to give DBT an idea of the cohort to consider within the legislation.

3. Independent Assessor (IA) progress

Simon Recaldin (SR) said Sir Gary is keen to get on with the role. Neil McDaid (NM) said Sir Gary is engaging with the Advisory Board (AB) separately. Sir Gary's position and decisions may provide more assurance to claimant representatives as a properly independent party who can help to support the presentation of offers. POL is hopeful that this will allow claims to be settled more swiftly. POL has shared a summary of current case statuses with Sir Gary and a more detailed summary of where the active pecuniary claims currently stand with the claimant representatives. Once the claimant representatives have had an opportunity to feed back on the detailed version, it will also be shared with Sir Gary. Offering an interim or top-up payment to the total value of £450k at the point when the pecuniary claim is submitted will help remove another barrier and speed up settlements. NM stressed the importance of resolving the legal fees issue which may cause delays if not addressed quickly.

4. Progress on claims

NM said POL are making offers for determination or will refer them to Sir Gary to resolve any disputes. Since 30th November 2023 the net sum that has gone out in cash is £11.1m; this is primarily due to the Upfront Offer. More funds are going to claimants due to hardship payments and further interim payment top-ups. Hudgells said more pecuniary claims will be submitted.

Carl Creswell (CC) thanked POL for all their hard work with the Upfront Offer and general progress on getting more money out to the claimants.

NM expressed concerns over possible future resource pressures due to the uncertainty over where the compensation delivery will sit. NM also expressed that the many of the POL OC compensation delivery team are new to POL and joined to correct the wrongs of the past. CC sympathised with the delivery team's feelings. CC said we are expecting more claims to come through and continuing to settle them as quickly as possible is part of addressing these wrongs. CC added that following the Bill, regardless of who is delivering the new project for compensating those postmasters whose convictions are overturned, DBT will require continued support from POL (e.g. on disclosure) to enable offers to be made to that cohort. CC encouraged POL to continue focussing on progressing the in-flight claims from the current court overturns.

5. Restorative Justice

NM said one of the public interest claimants has asked for a restorative justice meeting with SR. POL wanted DBT to be aware of the approach of the meeting. SR said they made the offer for the meeting and plan to go ahead with it.

HSS

6. HSS and Late Applications Update

CCo ran through the latest dashboard which shows that as of 31/01/24 a total of 763 late applications have been received with a handful coming in that morning. Of the 763, 376 are eligible, 59 ineligible and 326 are yet to be assessed.

346 late applications have been received since 1/1/24, of which 24 are eligible, 5 are ineligible and 317 are yet to be assessed.

CCo explained that more resource has been put in to keep on top and clear the back log and it was noted that POL is looking into whether there has been a % change in those ineligible and will update DBT.

POL will soon send out a mailing to all former SPMs which is expected to result in a further increase in claims. Looking ahead POL are anticipating cumulative total of 1,000 late applications by end of March and 1,500 by end of September. HMC are aware of this and are updating forecasts accordingly.

When asked about average wait between application and offer CCo explained that has fallen from 81 weeks to 30 weeks now that late applications are being processed. POL have identified that there is a short-term risk that this will slip, should late applications continue at their current level.

The MMM discussed whether a £75k offer should be made to HSS claimants and what it would mean for the DRP. HMG is assessing this option. POL currently looking at the analytics, but SR said that given the deliberate alignment between the GLO and HSS schemes, the initiative inevitably needed to be included in HSS and confirmed that HMG would need to fund it. POL are taking a paper to RC imminently on ways to speed up compensation.

The £75k offer could impact 184 of the 348 claims currently in dispute.

7. Appeals

CCo explained that there have been 70 requests to reopen HSS cases, these will be assessed however it was noted that there is limited availability of the panel.

The MMM were told that DBT has started to receive correspondence regarding potential appeals too. DBT's position is to explain that cases are settled. This aligns with what POL are informing potential appellants.

POL stated that DBT need to be aware that not everyone had full guidelines (inc legal) when originally claiming. There are currently no timescales with regards to appeals.

CC advised that DBT were minded to see how the £75k initiative washed through, how many cases this resolved before further consideration of an appeals process.

SR responded by reminding CC that this went directly against POL's and the AB's recommendation currently with the Minister who had mentioned his consideration in the House of Commons. It also did not consider that an appeals process would address a number of other issues which had been and will be raised at the Inquiry.

CC recognised SR's points and pointed out additional concern about the potential costs of establishing such an appeals process.

8. Tax Top Ups

POL informed the MMM that all compensation tax tops up settlements relating to 2022/23 tax year were sent out in advance of 31/01/24. Payments follow a few weeks later and all payments should be issued by mid-March.