

LEGALLY PRIVILEGED AND CONFIDENTIAL

*Bond Dickinson***Terms of Reference for the Appointment of Brian Altman QC****Background**

Since 1 April 2012 the Post Office Ltd (**POL**) has become responsible for the investigation and prosecution of potential criminal offences committed by subpostmasters. In the light of criticisms of past prosecutions, POL has commissioned Brian Altman QC to review the past practice and make recommendations as to the future approach to the conduct of prosecutions.

Instructions & Output**A Written Reports**

- 1 To prepare by 5 August 2013 an interim review of Cartwright King's current review process (as reflected principally in CK's document entitled "Draft Paragraphs for Insertion into Reply by CCRC" and to a lesser extent in Simon Clarke's Advice of 15 July 2013) (to be a non-publishable report as legally privileged and confidential).
- 2 To review, and advise POL in writing on or by a date to be agreed (but currently intended to be no later than 15 October 2013) – (also to be a non-publishable report as legally privileged and confidential) on:
 - (a) Its strategy and process for reviewing past and current criminal prosecutions in light of Second Sight's Interim Report of 8 July 2013 and/or on the role of Dr Gareth Jenkins and his impact on any possible appeals;
 - (b) Its response to the CCRC, and any subsequent action required by it in dealing with, or responding to, any actual or potential appeals and/or in reaching the appropriate resolution of any CCRC investigation, and to advise POL about any further steps that may be required as regards any actual or potential appeals against conviction; and
 - (c) The identification of any flaws in the process of, or from the evidence arising from, the review of a statistically significant number of past prosecutions in which Horizon has been an issue in the proceedings.

B Meeting/Reporting to the Post Office Audit Committee / Board

- 1 At the first available opportunity to:
 - (i) Explain the background to the criminal appeal process including appeals, and how you intend to fulfil your remit, and
 - (ii) On the efficacy of the process set out in A(1) above.

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- 2 On or by a date to be agreed (but currently intended to be no later than 15 October 2013) to report on the efficacy of past prosecutions including the preparation and conduct of past prosecutions set out in A(2) above.

Process

- 1 To meet with Post Office's criminal law team to gather further background and contextual information.
- 2 Refine the scope of and finalise these Terms of Reference.
- 3 To fully understand the Horizon system – reviewing training and materials.
- 4 To meet and interview as a fact finding exercise anyone else you or POL consider relevant to the process of the investigation and commencement of prosecutions.
- 5 To review a statistically significant number of past prosecutions in which Horizon was an issue.