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**From:** Ben Foat[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8070ECECB2CC4077A7ECE3486716D2B6-BEN FOAT]

**Sent:** Tue 09/01/2024 1:52:20 PM (UTC)

**To:** Nicola Munden; Diane Wills; Nick Read; Jack Foden; Owen Woodley; Chrysanthy Pispinis; Richard Taylor; Tim McInnes; Kathryn Sherratt; Chris Brocklesby; Karen McEwan

**Cc:** Patrick Bourke; Alice Cookson; Jamie Park; Simon Recalder; Henry Staunton; Benjamin Tidswell

**Subject:** RE: Post Office Compensation Bill | Debate Summary

All

In addition to my note on Saturday setting out a range of points on legal, governance, and comms, I do think it may be worthwhile that a one pager "fact checker" is drafted (some media organisations do this).

There are a number of facts that are actually erroneous in the media ie that all convictions are unsafe etc. If it such matters are overtaken by a political decision and legislation I believe it will be important to have an accurate position of why it was that the Government and POL were in this position. ie CACD not all 700 are unsafe convictions based on Hamilton; current legal rules mean that the convicted claimant must bring the Appeal – its not up to POL to just overturn all of them etc; POL does NOT have special private prosecution powers etc.

Such a fact checker can then be used in subsequent comms and at the Inquiry to explain the rationale.

Kind regards  
Ben



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*I work flexibly – so whilst it suits me to email outside normal working hours, I do not expect a response during that time.*

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**From:** Nicola Munden <[GRO]>  
**Sent:** 09 January 2024 11:46  
**To:** Diane Wills <[GRO]>; Nick Read <[GRO]>; Jack Foden <[GRO]>; Owen Woodley <[GRO]>; Chrysanthy Pispinis <[GRO]>; Richard Taylor <[GRO]>; Ben Foat <[GRO]>; Tim McInnes <[GRO]>; Kathryn Sherratt <[GRO]>; Chris Brocklesby <[GRO]>; Karen McEwan <[GRO]>  
**Cc:** Patrick Bourke <[GRO]>; Alice Cookson <[GRO]>; Jamie Park <[GRO]>; Simon Recaldin <[GRO]>; Henry Staunton <[GRO]>; Benjamin Tidswell <[GRO]>  
**Subject:** RE: Post Office Compensation Bill | Debate Summary

Thanks Diane. As discussed, I think mass exoneration remains an option (there was reference to ‘the First Minister of Scotland said he will look at mass exoneration for these convictions’ and Minister Hollinrake said ‘a mass exoneration scheme...is something we are looking at...we certainly think that that kind of blanket overturning convictions, together with a rapid compensation scheme, will mean that more people get access to justice more quickly’).

We have had some early engagement from DBT, who have asked that we/P&P liaise with MoJ to assist them with the detail.

Many thanks,

Nicola Munden  
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**From:** Diane Wills <[REDACTED]>  
**Sent:** 09 January 2024 07:37  
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**Cc:** Patrick Bourke <[REDACTED]>; Alice Cookson <[REDACTED]>; Jamie Park <[REDACTED]>; Simon Recaldin <[REDACTED]>; Henry Staunton <[REDACTED]>; Benjamin Tidswell <[REDACTED]>; Nicola Munden <[REDACTED]>  
**Subject:** RE: Post Office Compensation Bill | Debate Summary

Hi – I noted that despite the calls from some, the Minister stopped short of any reference to exonerating all – and indeed in his answer to David Davis, he noted expressly the constitutional convention of ‘separation of powers’ and in answer to Paul Scully, recognised the need to find a solution ‘that does not cause is any constitutional or legal problems across the system’. The focus was on pace and the Minister also referred to ensuring the PO ‘does not challenge unfairly any attempt to overturn those convictions’.

It would be good to try to understand now what DBT will/won’t be willing to share as proposals are developed but as things stand, it looks like they are aiming for a bespoke process for these appeals, which would operate to different time scales to the usual appeal process and which may operate independently of POL (other than us providing the disclosure). The Minister also referenced a process that does not require a convicted postmaster to come forward – instead looking for something that could be done across the board.

And then:

- something possibly baked in legislation to state that POL cannot bring prosecutions itself
- some guidance generally about private prosecutions
- possibly an increase in penalty for offences relevant to actions by officials
- a right to comp flowing automatically on the overturning of the conviction
- taking comp out of POL’s hands (see his answer to Clive Efford) – *ideally in terms of overturning convictions and access to compensation, we would deliver something completely outside the Post Office’s jurisdiction*

Diane

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**From:** Nick Read <[REDACTED]>  
**Sent:** 09 January 2024 06:43  
**To:** Jack Foden <[REDACTED]>; Owen Woodley <[REDACTED]>; Chrysanthy Pispinis <[REDACTED]>; Richard Taylor <[REDACTED]>; Ben Foat <[REDACTED]>; Tim McInnes <[REDACTED]>; Kathryn Sherratt <[REDACTED]>; Chris Brocklesby <[REDACTED]>; Karen McEwan <[REDACTED]>  
**Cc:** Patrick Bourke <[REDACTED]>; Alice Cookson <[REDACTED]>

<[REDACTED]> Jamie Park <[REDACTED]> Simon Recaldin  
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**Subject:** RE: Post Office Compensation Bill | Debate Summary

Good summary Jack.

I also sat through the entire debate...there was definitely a different energy about it and clearly more attendees than at other Horizon Scandal debates that I have witnessed. The Minister did well, knew his numbers and detail and I think we can safely assume there is a real willingness to accelerate the Appeals/overturning convictions process...two former Lord Chancellors have also expressed a desire to see this. The momentum is there and I would not be surprised if this materialises later in the week, albeit maybe not at PMQ's tomorrow which I know was what Officials were hoping to achieve.

Nick

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**From:** Jack Foden <[REDACTED]>  
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Brocklesby <[REDACTED]>; Karen McEwan <[REDACTED]>  
**Cc:** Patrick Bourke <[REDACTED]>; Alice Cookson  
<[REDACTED]>; Jamie Park <[REDACTED]> Simon Recaldin  
<[REDACTED]>; Diane Wills <[REDACTED]>  
**Subject:** RE: Post Office Compensation Bill | Debate Summary

Evening all,

As you will know, the Minister provided a statement in the House of Commons this evening on 'Horizon Compensation and Conviction Update', following media coverage of ITV's *Mr Bates* drama and mounting pressure on Government over the weekend.

By way of summary:

- Despite the House being fairly quiet during the preceding debate, it quite quickly filled once the Minister was due to provide his statement – and nearly 3h of contributions followed. In comparison to the previous debate on Post Office Compensation shortly before the Christmas Recess, the House was much fuller – though steadily emptied during the course of debate – reflecting the renewed interest in the topic.
- Although the Minister did not have a substantive update on compensation, he did note that he had met with the Lord Chancellor Alex Chalk today and together they have ‘devised options’ to work through outstanding convictions ‘with much more pace’, but noted the Lord Chancellor would need to speak to senior members of the judiciary for advice first, before being able to progress these. However, he said he hoped to put these to the House ‘very shortly’ and repeated this in the debate that followed – he did not go into detail on the options, but later nodded to potentially introducing legislation on the floor of the house to quash all convictions.
- There was a fair amount of overlap across the contributions, with MPs making similar points but also providing examples of those impacted among their constituents and often asking for the Minister’s support in addressing individual examples. In terms of a summary, I thought I’d draw out the key themes raised by MPs:
  - The overarching theme was the need to **deliver a blanket exoneration to all those impacted**, both to speed up the compensation process and restore the reputations of those impacted. Although the Minister highlighted progress with compensation to date, several MPs emphasised the number of convictions that have not yet been overturned. In one of his few contributions on Post Office to date, Shadow Business Secretary Jonny Reynolds called on all affected Postmasters to be exonerated and said Labour would support any necessary legislation to ensure this.
  - There were repeated calls for Government to encourage more people to come forward, given the number of convictions yet to be overturned, **to simplify the overall process for all involved** and also to look into new areas impacting Postmasters that might not yet be well understood or might fall outside of existing schemes e.g. a pilot version of Horizon.
  - Similar to the Compensation Debate before Christmas, there was a good deal of focus on **individual and corporate accountability** – with calls for Post Office employees to be held to account on a number of occasions. There was also a common call for Post Office to be **stripped of its ability to pursue private prosecutions**. While most of the focus was on Post Office’s historic role, there was some attention on bonuses at points.
  - **Paula Vennells’ CBE** was mentioned by several MPs, with calls to strip her of it. The Minister noted that he believed it should be voluntarily handed back, but did not call on it to be removed yet (echoing his comments on *Good Morning Britain* last week) – and said the Inquiry should complete its work before the Forfeiture Committee reviewed the case.
  - Relatedly, **the role of Fujitsu** was also noted several times by MPs – with calls to pause existing contracts and cease future contracts with the IT company across Government. The Minister repeated that Sir Wyn’s Inquiry must be allowed to finish its work, but that Government would consider the evidence provided in due course.
  - Towards the end of the discussion, there was increasingly focus on **how the brand impact might impact prospective Postmasters** – with concerns that this scandal would damage the network in years to come. The end of the contributions also saw calls on Government to reset its governance and oversight of Post Office, but also other



Arm's-Length Bodies (ALBs) more widely to ensure this cannot be repeated.

I've attached more details notes for those interested, though they're fairly lengthy given the number of contributions. Do let me know if you have any questions – we'll continue to monitor parliamentary contributions over the course of the week, including any more statements from the Minister.

Thanks,

Jack

**Jack Foden**

Head of Public Affairs & Policy

Corporate Affairs & Communications

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**From:** Jack Foden

**Sent:** 20 December 2023 10:31

**To:** Nick Read <GRO>; Owen Woodley <GRO>;  
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Brocklesby <GRO>; Karen McEwan <GRO>  
**Cc:** Patrick Bourke <GRO>; Alice Cookson  
<GRO>; Jamie Park <GRO>; Simon Recaldin  
<GRO>; Diane Wills <GRO>  
**Subject:** Post Office Compensation Bill | Debate Summary

Morning all,

I wanted to draw your attention to the Post Office Compensation Bill that went through its various phases last night in the House of Commons and was passed successfully. By way of summary:

- As you may know, the Post Office Compensation Bill is a short, fairly technical piece of legislation that essentially looks to give powers to the Secretary of State to make compensation payments. Previously HMG spend for compensation had been incurred through powers under the Appropriations Act, but this had a two-year horizon that is due to expire in August 2024 – i.e. two years after the first (interim) payment under the GLO scheme was made – and so the Bill looks provide more specific, long-lasting powers, as was recommended in Sir Wyn's interim report.

- The Bill progressed through all its stages yesterday (Second Reading, Committee Phase and Third Reading), meaning the debate was 2h+ in the Commons, though there were relatively few attendees in practice (largely those particularly interested in Post Office e.g. Minister Hollinrake, Kevan Jones, Marion Fellows, Paul Scully). It's worth noting that the Shadow Minister for Small Business, Rushanara Ali, led on Labour's side – which was her first sizeable contribution on POL-matters since taking up the role in September 2023.
- The discussion around the Bill was generally not about the Bill itself given its fairly anodyne, technical nature – and more generally about the Horizon Scandal, with MPs taking the opportunity to make wider points about historic failures, speed of compensation, disclosure in the Inquiry etc.. Contributions from MPs were of a vein one would expect – largely emphasising the scale of the scandal and the human impact on both the impacted Postmasters and their families and a sizeable portion of the debate was spent on reprising examples of this, paying tribute to those who campaigned on the matter and those in Commons/Lords who supported them.
- However, there were a few core themes emerging from the debate, including:
  - i. the need to deliver compensation as quickly as possible (with multiple MPs insisting that the extra time afforded by the Bill should not be used as an excuse to delay delivering compensation), with several calls for a clear timeline to be shared against which compensation payments would be made;
  - ii. the need to ensure both 'corporate and personal' accountability for mistakes made, with an expectation that individuals would be held accountable once Sir Wyn's public Inquiry concluded, with Paula Vennells named a number of times;
  - iii. the need to also ensure Fujitsu is also held accountable for whatever role they played – and also that they shoulder their fair share of the financial implications of the scandal;
  - iv. the need to ensure that both Government and Post Office fully learn from their mistakes to ensure nothing of this kind can occur again in the future.
- It's worth also noting that Kevan Jones MP proposed a few amendments, including to pay compensation to all those with convictions that have not been overturned yet. However, he ultimately did not press this to a vote and withdrew the amendment, after the Minister addressed his concerns by highlighting work underway to review convictions and pointing out the practical challenges/implications of the amendment.

I've attached more detailed notes for those interested. The House is now in recess until January 8<sup>th</sup>. Do let me know if you have any questions.

Thanks,

Jack

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Head of Public Affairs & Policy

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