



Department for  
Business & Trade

Guidance

# **Horizon Convictions Redress Scheme (HCRS): legal cost framework**

Updated 29 August 2024

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The government will pay the reasonable legal costs of individuals applying for financial redress under the Horizon Convictions Redress Scheme (HCRS).

This framework sets out the costs we will pay depending on the type of application.

We have calculated these costs based on existing redress schemes and after discussions with a range of legal firms who have represented postmasters applying to those schemes. All costs in this framework exclude VAT.

If you are an HCRS applicant, we strongly advise that you check that a solicitor is happy to operate within the terms of the costs framework before instructing them. If you hire a solicitor who does not commit to work within our costs framework, you may receive less financial redress due to legal costs.

The firms listed in Annex A have already agreed to work within the terms of this costs framework. This means they have also committed not to make any deductions from the financial redress settlement you will receive. Other firms wishing to make this commitment and have their names added may do so by sending their details to [horizonconvictionsredress@GRO](mailto:horizonconvictionsredress@GRO)

## Costs framework

Cost Bands	Band criteria	Claimable legal costs	Additional costs that can be claimed
1	Where the applicant for redress applies for the £600,000 fixed sum	£30,000	Costs in relation to Annulment of bankruptcy: £4,000.
2	Where an agreed financial redress settlement on a detailed assessment application is more than £600,000 and less than £1,000,000	£60,000	Expert reports (accountancy): up to £14,000. Expert reports (other, for example, medical): up to £4,284. Costs in relation to Annulment of bankruptcy: £4,000.
3	Where an agreed financial redress settlement on a detailed assessment application is more	£75,000	Expert reports (accountancy): up to £14,000. Expert reports (other, for example, medical): up to £4,284.

<b>Cost Bands</b>	<b>Band criteria</b>	<b>Claimable legal costs</b>	<b>Additional costs that can be claimed</b>
	than £1,000,000 and less than £1,750,000		Costs in relation to Annulment of bankruptcy: £4,000.
4	Where an agreed financial redress settlement on a detailed assessment application is more than £1,750,000 and less than £2,500,000	£100,000	Expert reports (accountancy): up to £14,000. Expert reports (other, for example, medical): up to £4,284. Costs in relation to Annulment of bankruptcy £4,000.
5	Where an agreed financial redress settlement on a detailed assessment application is above £2,500,000	£100,000 plus the ability to submit a case for costs above £100,000	Expert reports (accountancy): up to £14,000. Expert reports (other, for example, medical): up to £4,284. Costs in relation to Annulment of bankruptcy: £4,000. Costs of consulting Counsel.

If an applicant decides to request a detailed assessment and the final settlement is less than £600,000 (less than if they had been advised to take the fixed sum settlement), the claimable legal costs of the appointed solicitor will be:

- a maximum of £30,000
- plus costs for any expert reports commissioned or costs related to the annulment of bankruptcy within the maximums set out in the framework above under bands 2 and 4

If the solicitor applies for reimbursement of costs over £100,000, we are committed to reviewing and settling these additional costs as quickly as possible. In the event of dispute between DBT and the relevant solicitor, the dispute will be referred to the independent panel set up as part of DBT's Alternative Dispute Resolution process under the HCRS.

## **Commissioning experts**

If the costs of expert reports are not higher than maximum amount stated in the framework, the solicitor can commission the first medical report and forensic accountancy report without needing prior approval from us.

If you or your solicitor would like to commission further expert advice, your solicitor must seek prior approval from us before incurring these additional costs. See annex B for the process for support of costs for expert evidence.

## Fees for consulting counsel

We are still discussing whether the solicitor will be able to claim for fees for consulting counsel in bands 3 and 4. We'll update this page when we've reached a decision.

## Timing of payment

For Band 1, the applicable legal costs will be paid to your solicitor within 14 days of you receiving your financial redress.

For Bands 2 to 5, the costs will be paid to the solicitor in 4 instalments, each triggered by the following:

Trigger event	Instalment payments per case
Eligibility confirmed and at same time as applicant paid preliminary payment	£10,000
DBT receives confirmation of decision that applicant is taking the fully assessed route	£10,000
Receipt by DBT of complete claim form	£10,000
Receipt by DBT of applicant's agreement to award	Top up to agreed band level in line with framework above

At the end of each month, each solicitor should submit a schedule setting out:

- the additional claimable costs for that month
- all relevant invoices for that month

We will aim to pay solicitors these costs within 28 days of receiving the schedules.

For an expert or counsel, we will pay the disbursement fee or fee note within 28 days of receiving the invoice. This payment will include any applicable VAT.

## Annex A: firms who have agreed our costs framework

Firm	Email	Contact
Simons Muirhead Burton	<u>Stephen.Shotnes</u> <b>GRO</b>	Stephen Shotnes
Livingstone Brown	<u>pct</u> <b>GRO</b>	Elizabeth McAlpine
Howe + Co Solicitors	<u>help</u> <b>GRO</b>	David Enright
Freeths LLP	<u>OverTurnedConvictionTeam</u> <b>GRO</b>	James Hartley and Jade Flint
Hodge Jones and Allen Solicitors	<u>postofficeclaims</u> <b>GRO</b>	Cormac McDonough, Susie Labinjoh and Sasha Barton
Digby Brown LLP	<u>gordon.dalyell</u> <b>GRO</b>	Gordon Dalyell
Hudgell Solicitors	<u>nmh</u> <b>GRO</b>	Neil Hudgell
Middleton Law Ltd	<u>Neil.Fearn</u> <b>GRO</b>	Neil Fearn
Schofield Sweeney	<u>stephenlewis</u> <b>GRO</b>	Stephen Lewis

Firm	Email	Contact
Lewis Rodgers	<a href="mailto:stephen.gro@horizonconvictionsredress.gro">stephen.gro@horizonconvictionsredress.gro</a>	Stephen Rodgers

## Annex B: process for support of costs for expert evidence

If the solicitor wishes to use expert evidence above the threshold of one medical report and one forensic accountancy report, they should send an email to [horizonconvictionsredress.gro](mailto:horizonconvictionsredress.gro) setting out the following:

- case name and reference number
- a brief explanation of reasons as to why expert evidence is reasonably required
- a costs estimate for the proposed expert evidence and whether it is proportionate and justified by reference to the value of a relevant head of loss
- the field in which expert evidence is required
- issues which expert evidence will address
- where practicable, the name of the proposed expert and details of their qualifications

We will respond to these proposals within 15 working days.