

## ToR



### **Ministerial Commitments**

- Working Party will consider all 47 cases brought forward by JFSA and MPs
- Independent figure will chair a review
- Independence of process
- Second Sight and JFSA Working Party
- Further work on cases must be independent
- Working Party must be independent
- Scheme open from 27th August – 18th November 2013
- Working Group is independent of Government and responsible for meeting interim report recommendations



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### **Detail of the scheme as published**

- There will be a Working Group
- Second Sight and JFSA will be members
- There will be an independent Chair
- Second Sight will recommend whether a case should be mediated
- Second Sight will investigate and provide a case review
- Applicants will receive a copy of the case review
- Mediation process will be independently administered
- Post Office will pay for a professional advisor to articulate the applicants's case and attend mediation.
- Scheme will take in Criminal cases
- Scheme will take in old cases



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### **Working Group ToR (not published)**

- WG will oversee Scheme
- Membership may change by agreement of WG currently PO, JFSA, SS and Chair
- SS will be investigator and advisor
- Scheme objectives to achieve mutual and final resolution of applicants concerns about Horizon and associated issues.
- Investigate proportionately and efficiently an applicant's claims
- Scheme must ensure value for money
- WG may modify operations and practices
- WG should ensure cases are completed in a timely manner
- Ensure all cases treated consistently
- Proceedings will be confidential
- SS are non voting, JFSA and POL are voting members, Chair has casting vote
- Only confidentiality is legally binding

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### **Journey to the WG and Scheme**

- Ministerial commitments following SS Report set out broad way ahead.
- PO/JFSA/SS designed the Scheme and published details
- WG established and agreed its ToRs (not published)
- What changes could be made within existing ToRs?
- Ministerial commitments relatively broad - some scope for change
- Published Scheme but can be varied BY WG
- Under TORs for WG PO would need agreement of WG to change - experience to date shows reluctance to do so

### **Therefore:**

- if PO asks for change what happens if WG refuses?
- where does that leave us?
- would we be prepared to force the issue and break the WG?

