



7 December 2022

To legal representatives known to have an interest in Horizon compensation issues

GLO COMPENSATION SCHEME

The Secretary of State has today made a statement to Parliament about the GLO Compensation Scheme. We have written to GLO postmasters and published further details which can be found on gov.uk.

Initial claim preparation

We are now asking postmasters to start working with you to prepare their claims. I can confirm BEIS has set an initial cost allowance of £900 to enable you to start this work. This initial cost allowance has been determined by a cost draftsman.

Further cost allowances for the remaining phases up to and including the submission of claims will be published in the next few weeks.

Claim form

We have now published a draft claim form for the scheme. We would welcome any feedback on the claim form by Wednesday 11th January to the following email address: glocompensation@beis.gov.uk. We will consider all feedback before we publish the final version in January.

As noted in the process paper, the first date for submission of claims to BEIS will be constrained by the availability of the claims facilitators. This is expected to be in early Spring 2023.

Expert Evidence

BEIS will now be considering requests to commission expert evidence, in cases where it can be shown that expert evidence is reasonably required to resolve a claim.

In cases, where you wish to commission expert evidence, they should send an email to glocompensation@beis.gov.uk setting out the following:

- Case name and reference number (for the sake of consistency, reference numbers used by Freeths LLP in High Court litigation *Alan Bates and Others v Post Office Limited* should be adopted)
- Based on practice in civil proceedings (CPR Part 35):
 - A brief explanation of reasons as to why expert evidence is reasonably required

- o 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
- o The field, in which expert evidence is required
- o Issues, which expert evidence will address
- o Where practicable, the name of the proposed expert and details of their qualifications

BEIS will consider such requests and respond to them within 15 working days. When the independent panel is established, all decisions related to commissioning expert evidence will be made by that panel.

HMRC Disclosure

Your client may wish to request information from HMRC about their tax records to support their claim. This should be sought by means of a bespoke Subject Access Request. I attach the form to be used to this email. Please initially send requests in respect of cases to HMRC which you assess to be high priority. We are discussing the likely turnaround time for such requests with HMRC, and will discuss this with you at a further roundtable meeting.

The process is as follows:

1. The claimants or their legal representative will need to send the attached form directly to informationrightsunit@hmrc.gov.uk.
2. The completed form will need to include:
 - a. The claimant's signature and be dated. A digital signature is acceptable.
 - b. As much detail as possible to enable HMRC to provide the required records. It is essential that the claimant's date of birth and NI number is provided. You will note that the form already provides for details from the Claimant's NIC records and any Self-Assessment tax returns to be requested. We suggest that in each case, the claimant also requests all available HMRC Tax Calculations (Form SA302) and/or any other income records. Further information may also need to be requested e.g. if the retail business was operated through a company - the company name, registered company number and any VAT registration number should also be provided.
 - c. The date from which records should be requested. This will be either the start of that claimant's period in post as a sub-postmaster or branch assistant (the relevant year) or 1999, whichever is the later (we understand that HMRC records may only be available from 1999 onwards).
3. Assuming the claimant would prefer that the data is sent to you as their legal representative, they will need to fill out the third-party details space on the form to authorise HMRC to send their data to a third party. You should include the name and address of the legal firm representing the claimant.

Prior to submitting the request to HMRC, please can you double-check all details, and specifically check that the NI number, date of birth and address are correct. Also, can you ensure that full details of any additional data you require are clearly set out in the last box. HMRC will need to conduct the relevant security checks and misinformation can lead to unnecessary delays.

POL Disclosure

BEIS is working with Post Office Ltd to ensure appropriate disclosure can be made of the information they hold for each claimant. Analysis of some information provided may be required to assist claimants with their claims.

The scope of any analysis, and the timetable for Post Office disclosures is being discussed with Post Office, and we will discuss this with you at a further roundtable meeting.

Thank you for your feedback on the scheme to date. We look forward to continuing to work with you on this important matter. Please don't hesitate to contact us with any queries. We will set the next round-table date shortly.

Kind regards,

Rob Brightwell
Deputy Director, BEIS Response to Post Office Horizon Inquiry