



Horizon Compensation Advisory Board

Report of fourteenth meeting held on 7 May 2024

Members present: Prof. Christopher Hodges (Chair); Lord Arbuthnot; Prof. Richard Moorhead, Kevan Jones MP

Also present: Carl Creswell, Rob Brightwell, Charlotte Heyes (all Department for Business and Trade – “DBT”).

First agenda item only: Ben Archibald (Ministry of Justice - “MoJ”)

1. The Advisory Board met with Minister Hollinrake and Sir Gary Hickinbottom on 22 April. They had discussed implementing greater scrutiny on case management, reviewing evidential requirements, and other ways to increase the speed of redress. They also raised concerns about Post Office staff with prior involvement in Scandal events being involved in compensation and appeals work.
2. The Advisory Board had also met representatives from the Law Commission prior to the Board meeting on 7 May to discuss the Commission’s ongoing review of the appeals system. They discussed ways in which systemic miscarriages of justice could be addressed in the UK, and access to compensation for victims affected.

Implementation of the Post Office (Horizon System) Offences Bill

3. MoJ gave an update on the practical steps they are taking to ensure postmasters whose convictions are quashed by the Bill are returned to the same situation as they would have been had their conviction been quashed by the Courts. This included working with various organisations to ensure records are corrected. The Board emphasised the need to ensure no person was left behind and the need to ensure the cascade of quashing to all relevant records, such as credit reports, as far as possible. MoJ confirmed they are working to identify relevant cases which may be unknown and will also ensure clear communications are issued for anyone who believes they may have a relevant conviction. They were keen to minimize burdens on postmasters. Board members offered to sense-check any draft communications.
4. MoJ agreed for their outline process map to be shared with the group, on the understanding that it was subject to further refinement and therefore should not be shared more widely.

5. The Board asked for an update on convictions which may have relied on evidence from Capture, the pre-Horizon system. DBT confirmed they will shortly appoint an independent investigator to look at these cases, and that they would await the outcome of that review.

Case Manager Reports

6. The Board considered the first drafts of the case manager reports for each scheme. They identified a number of issues regarding pace on which they sought clarification, in addition to making suggestions for greater standardisation of reports ahead of publication. DBT confirmed they would pass along the Board's feedback for the second round of reports, before publishing. Board members noted the positive difference that case management could play and commented that they would like to see it operate in a consistent way across the schemes. The Board also noted the increased number of applications to the Horizon Shortfall Scheme and commented on the importance of addressing any delays in agreeing offers with individuals.

Other Issues

7. The Board discussed adopting a legal tariff for the Horizon Convictions Redress Scheme (HCRS) and strongly agreed that DBT should implement one, as it has for the GLO Scheme. They noted a concern about whether legal representatives would sufficiently expand their capacity in advance of the implementation of HCRS given the number of claimants likely to come forward.
8. DBT noted the pilot for encouraging claimants' representatives on the GLO Scheme to take a proportionate approach to evidence was at an early stage but proving so far successful, though more cases were to be tested before formally implementing more widely and developing the arrangement further. Officials emphasised that unless claimants trusted the scheme they would be reluctant to sign off lighter-touch claims. Such trust could only be built gradually.
9. The Board sought clarification on the approach to family member claims. DBT agreed to update them of the position via correspondence.
10. The Board sought clarification on whether there was a time limit for the upfront 'fixed sum' offer of £600k for individuals who have had their conviction overturned by the courts. DBT confirmed that there is no time limit for a claimant to accept this offer. However, if an individual chooses the fixed sum offer, there would not be an option to pursue a full assessment of their claim. Similarly, an individual choosing to pursue the full assessment route would be eligible for £450k once they have submitted their full claim, but not then be able to take the option of the 'fixed sum'. DBT confirmed they had written to all claimant representatives outlining this.

11. The Board asked for reassurance from DBT that those who were working on redress in the Post Office had not played a role in the Horizon scandal. DBT confirmed they had asked the Post Office this question when setting up the GLO scheme and they had received reassurance on this point. The Board agreed that the Chair should write to the Post Office CEO to seek assurances that other people who had played a role in the scandal were not still involved in redress or appeals in any way.