Horizon Compensation Advisory Board

Report of twenty-first meeting held on 13 March 2025

Members present: Prof. Christopher Hodges (Chair); Lord Arbuthnot; Prof. Richard Moorhead. Also present: Carl Creswell, Rob Brightwell, Eleri Wones, Charlotte Heyes (all Department for Business and Trade – "DBT"), and Ruth Hudson (Ministry of Justice – "MoJ").

Apologies: Lord Beamish (formerly Kevan Jones MP).

Convictions

- The Board heard updates from MoJ on ongoing work to reach individuals in scope of the Post Office (Horizon System) Offences Act 2024 to have their convictions quashed. Members noted progress (reported in MoJ's <u>published</u> <u>data</u>) and explored further ways in which non-responding individuals might be contacted.
- 2. The Board discussed reports on the process around the identification of quashed convictions and the small number of identified people who had said they did not want to claim even when their convictions had been quashed.
- 3. Board members agreed that they would submit responses as a Board to:
 - the MoJ consultation entitled <u>"Consultation on the oversight and regulation</u> of private prosecutors in the criminal justice system" ahead of 8 May 2025, when the consultation will close;
 - the Law Commission's consultation on criminal appeals; and
 - MoJ's call for evidence on <u>use of evidence generated by software in</u> <u>criminal proceedings</u>.

Redress schemes

- 4. The Board examined the most <u>recent published statistics</u> on Horizon redress and noted progress on the Horizon Convictions Redress Scheme.
- 5. DBT presented recent progress on the Group Litigation Order (GLO) scheme, with 431 completed claims received as of 28 February. DBT also presented upcoming process improvements to help the Department respond promptly to

challenges and resolve cases as quickly as possible. The Board welcomed these measures and encouraged the Department to continue to pursue resolving cases swiftly.

- 6. The Board also discussed the issue of claimants seeking legal advice and, in some instances, paying for Counsel. The Board encourages claimants to follow advice and guidance from the Department in seeking legal representation, including using lawyers who have signed up to the tariffs where they are in place.
- 7. DBT presented the latest status on the implementation of Horizon Shortfall Scheme (HSS) appeals process, including discussion with claimants' lawyers on the drafting of principles. The impact of the HSS fixed sum offer was discussed. DBT also presented recent improvements to HSS processes including regular "roundtable" meetings with lawyers representing HSS claimants. The Board endorsed the update and welcomed recent progress.
- 8. The matter of redress for postmasters' employees affected by the Horizon scandal was discussed. Employees who had been prosecuted already had access to redress. Officials described work in hand to meet the Minister's request for advice on the treatment of others. The Board noted the limited information available about the number of likely claims and said that any redress would need a targeted approach, given the risks of fraud. They also noted that because the individuals were not employed by the Post Office it would be very difficult to get information to help with the consideration of individual claims. Board members made suggestions for ways in which this issue might be mitigated.

Capture

- 9. DBT presented recent policy developments on the matter of Capture redress, informed by a recent roundtable with former postmasters, and current objectives ahead of the scheme going live. The Board probed possible evidential requirements, noting the paucity of evidence due to passage of time, and encouraged DBT to consider a flexible approach in this regard. The Board also noted that a lot of thinking had gone into policy considerations so far.
- 10. The Board reiterated their belief that former postmasters who had been prosecuted or pursued as a result of using the Capture system were as entitled to having convictions overturned and losses compensated as those under the Horizon system. Further, given the passage of time, delivering justice here has particular urgency.

Other

- 11. The Board noted that since its last meeting, a <u>Ministerial announcement</u> had taken place providing an update on the HSS appeals process.
- 12. Board members also noted that DBT's response to the Business and Trade Committee's 1 January report on Horizon redress matters was expected to be published on the Committee's website in due course.
- 13. The Board noted the <u>recent joint statement</u> from the Business Secretary and Fujitsu Services Ltd on Horizon Redress. The Board expressed regret that Fujitsu had not yet committed to an interim payment towards the costs of the scandal and confirmed their intention to keep a close eye on developments in this area.
- 14. Board members were to meet the Financial Reporting Council to discuss the role of auditors in the Horizon scandal. Concern was expressed about the application of time limits for any possible litigation.