



Christopher Hodges  
Chair  
Horizon Compensation Advisory Board  
Department for Business and Trade  
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Date  
14 May 2026  
  
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**Classification:**  
Confidential

Sent via email: [christopher.hodges@csls.ox.ac.uk](mailto:christopher.hodges@csls.ox.ac.uk)

Dear Chris,

### **Capture convictions**

Thank you for your letter of 1<sup>st</sup> May 2026. I understand the Advisory Board's concerns, and I would welcome the opportunity to explain Post Office's position to you in person.

Where any such conviction is unsafe, it should not stand, and Post Office is doing all it properly can to support that outcome. Post Office must nevertheless act in accordance with the rules and requirements of the independent judicial system and our legal duties as the original prosecutor – which, given past mistakes, Post Office takes very seriously. At present, the safety of individual convictions can only be determined through the established legal routes of appeal. Outside the usual legal routes of appeal, the only path to quashing all qualifying Capture-related convictions would require the Government to decide to introduce legislation to overturn qualifying Capture convictions as was done with Horizon. This is a matter for Government and Parliament.

I understand why this is of concern for the Advisory Board, for those impacted and for the public at large, but I would like to assure you that Post Office's decisions in these and all other cases before the Court of Appeal (Criminal Division) (CACD) are taken with a great deal of thought and consideration, and in accordance with the established law and evidence. Post Office scrutinises all appeals to the CACD carefully. We obtain advice from external independent legal advisers and two King's Counsel before any decisions on cases are taken at delegated Board level – by the Remediation Committee – with the appropriate governance process.

As the former prosecutor, Post Office also has a duty to assist both the Court and appellant. Where directed by the Court of Appeal under the Criminal Procedure Rules, Post Office must file a Respondent's Notice addressing the legal and factual issues that may be relevant to the Court's consideration of the appeal. That document necessarily addresses the grounds of appeal and the Criminal Cases Review Commission (CCRC) Statement of Reasons with regard to the law and established legal principles.

No case involving the Capture software has been heard by the CACD yet and so there has been no judicial scrutiny of the Capture software and/or the Post Office's use of Capture data in prosecutions carried out by Post Office. Post Office will of course continue to review its position and adapt its approach to appeals once the CACD has given judgment.



I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read "N Railton", with a long horizontal flourish extending to the right.

Nigel Railton  
Chair