House of Commons

# Business and Trade Committee

## Oral evidence: Post Office and Horizon – Compensation: follow-up, HC 477

Tuesday 27 February 2024

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Watch the meeting

Members present: Liam Byrne (Chair); Douglas Chapman; Jonathan Gullis; Antony Higginbotham; Ian Lavery; Julie Marson; Andy McDonald; Charlotte Nichols; Mark Pawsey.

Questions 373-424

### Witnesses

II: Alan Bates, former sub-postmaster and founder, Justice for Sub-postmasters Alliance; Tim Brentnall, former sub-postmaster; Tony Downey, former sub-postmaster.

HOUSE OF COMMONS

# Examination of witnesses

Witnesses: Alan Bates, Tim Brentnall and Tony Downey.

Q373 **Chair:** Welcome to the second panel of the Business and Trade Committee inquiry into how we deliver faster and fairer redress for the sub- postmasters who suffered one of the biggest miscarriages of justice in British history. I am delighted that you have been able to join us. Mr Bates, to come to you first, will you tell us whether, since you gave evidence to this Committee before, the redress has been getting faster and fairer?

***Alan Bates:*** Speaking personally about my claim, I can say no.

**Chair:** No? After everything you have been through.

***Alan Bates:*** Yes, nothing. As far as I know, it is still sat there. We have refused it and that is it. That is where the process is in my case.

**Chair:** Mr Downey?

***Tony Downey:*** Yes, the exact same. My claim started 16 months ago. I got an offer after eight months—nowhere near.

**Chair:** Eight months? It took eight months to get an offer?

***Tony Downey:*** It took eight months and was nowhere near what it should have been. My issue now is trying to get the Post Office to understand that taking £36,000 from me did have an impact on my business and did cause my bankruptcy, which they say it did not.

**Chair:** Tim?

***Tim Brentnall:*** My claim has not been submitted yet, because I have an overturned conviction, which was quashed in 2021. It has taken me the past three years of working on my claim just to build it, because of the amount of detail and information that the Post Office insists that we put into it.

Q374 **Chair:** Based on what you have heard this morning, Mr Bates, are you any more comfortable or reassured that the Government has now got a grip of this process for providing redress?

***Alan Bates:*** No, I'm afraid not. It's very disappointing. This has been going for years, as you well know, and I can't see any end to it.

Q375 **Jonathan Gullis:** Mr Bates, obviously the Government set the target in November 2023 of making 90% of offers within 40 working days. I am led to believe that yours came in on 31 January, which is actually 111 days after your claim was originally submitted—as you say, you have since rejected it. In the House yesterday, there was a lot of talk around this £75,000 up-front offer. Obviously, the Minister was making it clear that the idea is that, for those who have lesser claims, that just speeds up the process. But in terms of the mood in the House, the right hon. Member for

Witham said that she and others across the House felt that the £75,000 was derisory and does not take into account the loss of a livelihood, as well as the loss of earnings and the wider impact on mental health, physical health and family wellbeing. Out of interest, do you know how many of the GLO group have taken up that up-front offer of £75,000 to date?

***Alan Bates:*** I don't. That might be better put to the solicitors.

Q376 **Jonathan Gullis:** Can you take us through the process—everyone on the panel can answer, but I will start with you, Mr Bates,—and tell us where you think the main obstacles and bottlenecks are, based on your experience?

***Alan Bates:*** The initial one, obviously, was disclosure by Post Office and the failure of them to disclose documentation, because that has held up the whole thing. What is frustrating about that is that when the Minister first announced—I think it was in March 2022—this scheme being launched, Post Office already had the names of every single individual that they had to do disclosure on, but they did not do anything, to the best of my knowledge. So we could have been a year ahead, before they really got to grips with disclosure.

In the numerous early meetings we had with BEIS—the Department in those days—and with Freeths to try to put a scheme together, both ourselves and Freeths, who were present at those meetings, emphasised the problems that we had had over the years with disclosure throughout all the court cases. Warning after warning was given but, unfortunately, I have the impression that the Department felt that it would be different in this case and that they would be able to control Post Office during disclosure. But that is one of the big hold-ups, right at the outset. Now, I know we are past that nowadays—

**Chair:** Well, we're not.

***Alan Bates:*** Well, we are in some ways—

**Chair:** We're not completely past it.

***Alan Bates:*** Exactly, yes. We are only halfway through, and my understanding is that a lot of this disclosure that is coming through is pretty rubbish as well. But you need to ask the lawyers involved in that. As to the merits of it after all that time, I just do not know.

Q377 **Jonathan Gullis:** Mr Downey, you said that it was eight months until you got a decision. What were the obstacles and bottlenecks in your opinion?

***Tony Downey:*** I am in the Horizon shortfall scheme, so we did not have any legal assistance; I just had to do the application myself. They asked the right questions to me, and I gave quite detailed responses, which I think they chose to ignore. They picked certain phrases out. As an example, it is fairly obvious why my bankruptcy happened. They told me that I chose to pay off a £100,000 mortgage rather than pay my £20,000 debts. Well, that is just not the case. I did not have a £100,000 mortgage;

I rented a home, and my debts were double that, at nearly £50,000. Where they got those figures from, I have no idea.

Q378 **Jonathan Gullis:** It is quite distressing, first, to have figures thrown at you that you certainly do not recognise and, secondly, to continue to be treated with suspicion and caution.

***Tony Downey:*** Absolutely. It is like they admit that they have wronged, but they do not want to pay the compensation.

Q379 **Jonathan Gullis:** Mr Brentnall, you have had your conviction overturned, as you said earlier, and you are now going through an extensive process. Again, are there any obstacles that you are facing?

***Tim Brentnall:*** Just the amount of detail and evidence that Post Office are insisting that we have to provide. If you compare it to, perhaps, what has been announced recently, where the Government will legislate to overturn the remaining convictions and those people can sign a letter and receive £600,000 within days, I have been building my claim and having to provide this level of evidence and details for three years. And it has taken us this long—

Q380 **Chair:** Three years?

***Tim Brentnall:*** Yes, since my conviction was quashed in 2021.

Q381 **Jonathan Gullis:** Can I ask what assistance or legal advice you were able to receive, or have you had to do all that yourself independently?

***Tim Brentnall:*** It has all been done through Hudgell's.

Q382 **Jonathan Gullis:** Obviously, three years, eight months is unacceptable, and there is everything you yourself, Mr Bates, have been through—you have obviously made yourself very high-profile, and rightly so, in taking this forward. The current Government statement about the forthcoming legislation does not propose any measures for members of the GLO group. Do you think that is a mistake?

***Alan Bates:*** I do not know what you can do, other than remove the whole scheme away from the Government itself or set up a new department and try and do it elsewhere. We keep coming back to this time after time after time: pay people. There are a lot of distractions, and lot of other things are thrown up all the time, but just get on and pay people. We have heard figures this morning and been given perfect examples of how long it is going to take. People refuse to give deadlines now, because they cannot meet them.

That suggestion that I put in earlier about paying people £1,000 a day or being charged £1,000—that is actually compensation, and it should go to the actual claimant involved. Everyone keeps referring to the scheme, understandably, as a compensation scheme, but it is not; it is financial redress. This is money that these people are actually owed, and they have been owed it for years. Compensation sounds like it is a benefit at the whim of Government and all the rest of it. Let's get it right and let's really push forward on that aspect of it.

Q383 **Jonathan Gullis:** All three of you have said that the evidence proves that, even though the Post Office have acknowledged that this is one of the greatest miscarriages of justice—certainly in my lifetime and, I think, well beyond that—and therefore admitted that they need to stump up and do better, they are still putting obstacles in the way and treating people with caution and suspicion. Ultimately, they are willing to say the right things to the media, but behind closed doors, when it comes to doing the paperwork, the experience is very different. Is that fair, Mr Bates?

***Alan Bates:*** Yes. Take them out of the system. Send someone in to do the job for them. Get rid of Post Office out of any of these schemes. That is the best thing you could do.

**Jonathan Gullis:** Mr Downey?

***Tony Downey:*** Yes, I second that. Absolutely.

**Jonathan Gullis:** And Mr Brentnall?

***Tim Brentnall:*** Yes.

Q384 **Charlotte Nichols:** Tony, you referenced earlier the particulars of your experience. Could you describe for the Committee the impact that the Horizon system has had on you and your family, and the process that you have had to go through to claim compensation?

***Tony Downey:*** We started our business in 2001. There were shortfalls from day one. I was suspended, but allowed to have my job back if we went to the bank and got £3,000 to pay into the system. Then I had the threat that if I had any more shortfalls, it was my fault and my business would be closed, so then I kept them hidden from Post Office and from everybody else until we ran out of money. We used our credit cards. We were forced to sell the business and declared bankrupt. I had a nervous breakdown. We left the village; we ran away without saying goodbye to our friends. We put our daughter in school in another country. We have not been back to the UK for 15 years, apart from these last few weeks.

Q385 **Charlotte Nichols:** I am really sorry to hear about your experience. In terms of the process for claiming compensation for what is an absolutely hideous experience that I do not think any of us would wish even on our worst enemies, how has the information requested from you, the design of the form and the waiting stage at different stages in the process had an impact?

***Tony Downey:*** The initial application is difficult to do on your own. The questions ask for quite a bit of information—obviously, it is 20 years ago, so it is hard to get. There was a problem that I found with a lot of mine; an example is the deterioration of my health. That was documented in my medical records, fortunately, so I sent those to them. Again, they totally ignored them. They said those had nothing to do with my health, because I had family issues. *[Interruption.]*—I know. This is the thing: it is almost like most of us are not believed; it is as though we are making this up. This happened to us; they did this. They admit it on paper, but when it comes to it, they are not bothered.

Q386 **Charlotte Nichols:** In terms of that culture of disbelief from the Post Office and their attempts to frustrate your ability to get justice for your experiences, Sir Ross Cranston, the independent reviewer of the GLO scheme, told the Horizon compensation advisory board last November that the Horizon shortfall scheme "was tainted by the involvement of the Post Office". Do you agree with Sir Ross's assessment?

***Tony Downey:*** I do, but there is a difficulty that I have heard from my legal team, which is that, if we stop this, the time is going to then expand—it is going to get longer and longer. Do we stop it or do we continue with the process? But there is definitely some culture there that is making them do this to us.

Q387 **Andy McDonald:** First of all, to all of you, we are so sorry to hear about the losses and the damage that all this has caused you. Tony, you say that you went bankrupt shortly after you sold your shop and your post office.

***Tony Downey:*** Yes.

Q388 **Andy McDonald:** But the Post Office has denied causing you bankruptcy. I heard what you said; I am just trying to get my head around this. They are saying that you actually chose to pay off a mortgage, and therefore this was your choice and your fault.

***Tony Downey:*** Yes.

Q389 **Andy McDonald:** Are you saying that you did not have that mortgage?

***Tony Downey:*** We had a business loan of £60,000, which was paid off normally by our solicitors. But they said that I had chosen to pay a personal mortgage of £100,000.

Q390 **Andy McDonald:** Facts are facts, although we hear of alternative facts in this day and age. How is it that the Post Office will not accept your timeline and your presentation of information about your own finances? Why is that not accepted? Have you been given an explanation?

***Tony Downey:*** No, we are still on with it at the moment. Hopefully, Neil—he is on later—will be able to put a bit more detail into that, but we have no understanding why.

Q391 **Andy McDonald:** What is the direct impact on your compensation process and the resolution of that? How does that impact on you?

***Tony Downey:*** In effect, if they will not accept the causation, that could be the end of my claim.

**Andy McDonald:** Really?

***Tony Downey:*** I don't know a way forward. They are not admitting causation. They will not even admit my health issues. They are saying it is my problem—my fault.

Q392 **Andy McDonald:** But you have been accused, and it has been of great personal cost to you, in terms of reputation and relationships. Yet, there is also a denial that it has caused you, in any way, any psychological disorder as well. Is that being denied to you as well?

***Tony Downey:*** Yes. My records are perfect: from the day I was suspended, my health got worse and worse and worse, up to a nervous breakdown. The doctors had put in that the stress of the Post Office and the stress of the bankruptcy had caused my illness. The Post Office chose to ignore all of that, and they said that I had family problems. And they referred to a letter of 12 years later to say that I had bipolar tendencies.

Q393 **Andy McDonald:** Well, people do have pre-existing conditions, and they have families.

***Tony Downey:*** I had no pre-existing conditions.

**Andy McDonald:** You did not have any pre-existing conditions.

***Tony Downey:*** None at all.

**Andy McDonald:** This is just becoming utterly, utterly farcical.

***Tony Downey:*** They referred to a letter of 12 years later, so yes.

Q394 **Andy McDonald:** I am with you. Just to press the point, Sir Ross mentioned the issue of trying to circumvent some of these problems by reference to medical records. Your medical records are there, and they are being ignored. Have you, in addition, produced any medical evidence by way of a medical legal report that sets out the—

***Tony Downey:*** I have just had one, just last month.

**Andy McDonald:** Okay, so is it your hope that that is actually going to be the platform for getting it all—

***Tony Downey:*** I am hoping, but the thing is that it should not be this way. They have admitted that I put this money into the system. They have admitted they were wrong in their contractual obligations. They have admitted that I would not have resigned were it not for the Horizon shortfalls. That is there in black and white. But they will not admit anything else.

Q395 **Andy McDonald:** Finally, Government statements about the forthcoming legislation do not propose any new measures for members of the Horizon shortfall scheme. In your view, is that a mistake?

***Tony Downey:*** It is a hard one. I am trying to go from personal experience, but I cannot answer that one, really.

**Andy McDonald:** Okay, that is fine. Thank you.

Q396 **Ian Lavery:** Tim, you have mentioned already that you had your conviction overturned three years ago, in 2021. Can you give the Committee an idea of when the problems with the Post Office's Horizon system began in your case?

***Tim Brentnall:*** I took over my post office in Roch in 2005, and I was straight into monthly balancing. The post office never balanced to zero at any point. Initially it was small discrepancies, where you might be £30 under one month or a couple of pounds over another month. Like many postmasters, I had a little pot in a cupboard. If you were over, you would take some money out of the post office and keep it aside, because the chances are that next month the system would be asking for that money back. It was a few years later when bigger discrepancies appeared, totalling at one point £22,500, which I mistakenly initially tried to pay back myself, until I was audited. The discrepancy at that point was £16,500, which the Post Office demanded that I pay back immediately or I would be charged with theft. By selling my car and borrowing money from my parents and the business, I paid that money back to avoid the theft charge, but they then charged me with false accounting.

Q397 **Ian Lavery:** What progress have you made with regard to your claim? I think you mentioned that it is not progressing as quickly as it might. We have heard what both Tony and Alan have said about the challenges, but what challenges are you facing with your claim? In fact, I should not say "claim"; Alan was absolutely right before to say it is more like financial redress. That is something we should all learn—that it is not compensation, and it should be renamed "financial redress".

***Tim Brentnall:*** That is very true. It is so complex, because the business I had was a village shop with a post office and a small fish and chip shop. I bought it with help from my parents. It was supposed to be inheritance for me and a career for perhaps the next 40 or 50 years. We have had to evidence every kind of loss that we are claiming for since I was prosecuted and removed from that post office. I did not just lose the post office salary at that point; I was running the retail business as well, but the rumours, and the people I had to deal with locally who were accusing me of being a thief and a fraud, meant that I could not face people, so I stood back from the retail business as well. Also, in this small community many people stopped using the shop because they saw us as fraudsters or thieves. So the business—not just the post office but the retail business and the food side of it—suffered greatly.

We do not have all the documents and information from 15 years ago. We have had to have forensic accountants go through my accounts, the business accounts and my parents' accounts. I have had to have medical assessments, records and things done. I did not have any kind of evidence with my GP, and although I have since learned that I have suffered greatly—I suffer with anxiety, depression and things because of this—that has only been discovered by having a medical report done recently. I kind of kept it to myself and hid myself away from people. I did not go to the GP to seek help.

We have had to build all this. The claim is almost ready to go in now. Whether it will be responded to quickly or not, I do not know. It has taken me the three years to get to this point. We have always been told that we have to go into this amount of detail because, rightly, it is public money that is paying it. But then it was announced a few months ago that I could just sign up and take £600,000 with absolutely no evidence at all, and anyone going forward now that has their conviction quashed can just sign a piece of paper to say they are innocent and walk away with that money.

I have had a small interim payment, and as recently as last week the Post Office actually returned the money that they demanded that I pay to avoid the theft charge. Well, it has taken three years for them to decide to do that. It feels like I get to pick crumbs from the table, as it were. It always seems that before there is a large event, whether it is the inquiry restarting or a Committee like this, an announcement is made from the Government or Post Office to try to placate us or offer us something, which seems to continue that cycle of waiting.

Q398 **Ian Lavery:** Since 2023, those with overturned convictions have been offered £600,000. That is to settle, full and final. Do you think that will speed up the process? What might actually speed up the process?

***Tim Brentnall:*** For some people—if people were very close to retirement or perhaps had small losses or not a huge impact on them—if your claim was judged around that or below it, then that would speed that up. However, for many people, like myself or others who have suffered perhaps worse—people did prison sentences or people lost loved ones because of this—£600,000 does not come anywhere near to compensating or redressing them. They still have to go through this extended way of doing it and have their claim fully assessed.

Q399 **Ian Lavery:** I think this question has been asked at hearings we have had. Can I ask you a personal question? What was your salary when you last worked for the Post Office?

***Tim Brentnall:*** Mine was just under £20,000 a year because it was a small, one-counter retail business.

**Ian Lavery:** Tony?

***Tony Downey:*** Mine was around about £26,000.

**Ian Lavery:** Alan?

***Alan Bates:*** The office remuneration was about £43,000.

**Ian Lavery:** Basically, it is a pittance that you were working for. In many ways, it could be described as under the living wage. Absolutely horrendous.

Q400 **Andy McDonald:** In fairness to the Minister, Tim, I did hear that you could avail yourself of an interim settlement of up to £450,000 in circumstances such as yours, where it may be that the sum ultimately due to you is significantly more than £600,000. Has that been explored in your circumstances or are you aware of people taking up that offer of an interim of £450,000?

***Tim Brentnall:*** That offer is very recent and that interim payment should come when the claim is submitted. Hopefully, mine will be submitted very soon. Of course, that £450,000 is minus any interim or payments that you have already had, which is welcome. The £600,000 is an awful lot of money to most people, as is the £450,000. That would help me greatly in my situation while the full claim is assessed. I have a baby due with my partner in June this year. I do not want interims or steps; I want to be able to not worry about the Post Office and not think about it nearly every day. I want to put it behind me and move on with my life.

Q401 **Antony Higginbotham:** I would appreciate all your thoughts on this. You are not with the Post Office now. I assume you have friends and former colleagues who still work with the Post Office, and you still have a relationship with the Post Office as you go through this process. In your view, has the culture of the Post Office changed since you were there?

***Tony Downey:*** No.

***Alan Bates:*** No.

***Tim Brentnall:*** No, it feels like they either think we have somehow got away with something or they do not believe our version of the story.

Q402 **Antony Higginbotham:** Could you say anything positive about the change?

***Tim Brentnall:*** No.

***Alan Bates:*** No.

***Tony Downey:*** No.

Q403 **Mark Pawsey:** My question follows on a little bit from Mr Higginbotham's. I want to ask you about the leadership of the Post Office. You have been involved for 20 to 25 years, in which case there have been various changes in leadership. Has, at any time, the arrival of a new chairman or a chief executive led you to think, "Ah, there might be someone new in charge and that may change things"? Mr Bates, what is your experience in the matter?

***Alan Bates:*** Over the years that I have been dealing with Post Office, the culture has always been Post Office. It has not changed; it has been the same for donkey's years. It will not change and you cannot change it. My personal view about Post Office is that it is a dead duck; it has been for years and it is going to be a money pit for the taxpayer for years to come. You should sell it to someone like Amazon for £1, get really good contracts for all the serving sub-postmasters and within a few years you will have one of the best networks around.

Q404 **Mark Pawsey:** That is a very radical proposal and not one I am sure many of our constituents would be very comfortable with, but it is interesting that it comes from you.

I want to ask you about some of the more recent leadership. Did Mr Read's leadership at any time give you any comfort to think, "Here's a new guy; he's got a retail background; he's going to get stuck in to sorting out these problems for us"?

***Alan Bates:*** From my perspective and that of those I have been involved with, it is not about words, it is about deeds, and we have seen no deeds that have changed anything. All we hear are these words all the time about, "Yes, this has changed"; "Yes, we are doing this"; "Yes, we are doing that." But nothing has changed.

Q405 **Mark Pawsey:** On the matter of words, the previous chairman made a claim, which I think has been pretty substantially refuted, that the Government had told him to delay payments. Do you think that might have happened?

***Alan Bates:*** It would not surprise me. I don't know factually one way or the other. It does seem to be the way things are going.

Q406 **Mark Pawsey:** We will have Mr Staunton in front of us later, and we will have the opportunity to challenge him on that then. Mr Brentnall and Mr Downey, what did you think when you heard the former chairman's remarks?

***Tony Downey:*** It makes sense. Things are slow; they seem to be held up; they go into the machine and sit there for months and months—it does seem that way.

**Mark Pawsey:** Okay. Mr Brentnall?

***Tim Brentnall:*** Again, I don't know one way or another. One thing that seems to cause delay, definitely for people in my position, is the layers of people we have to deal with. I know from talking to my legal team that perhaps they agree something in principle with the Post Office, which we are dealing with directly, and has overturned the convictions. They then have to go and get it agreed with the Department, and then once that is agreed it has to go to the Treasury. So we are dealing with many layers of Government to get simple processes across the line.

Q407 **Mark Pawsey:** Do you think that is because there is a mistrust of postmasters within the Post Office, and possibly extending into the Department?

***Tim Brentnall:*** I feel there is definitely a mistrust of what we say—our version of it—even though legally we have been proved right.

Q408 **Mark Pawsey:** Mr Bates, we have the Minister in the room with us today, who has stood at the Dispatch Box on two or three occasions now and said that he really wants to get the money out to the postmasters. Do you believe him, and do you think he is making a difference?

***Alan Bates:*** What will make a difference is seeing the money coming out. Then I will be able to believe him. This is unfair on too many people, and it has been going on for far too long. I don't know what can be done to speed it up. You have got to get rid of the bureaucracy, you have got to slim down the processes, and people are going to have to take other people's words.

An interesting observation from the earlier witnesses was how much time was spent on someone finally signing off an offer. One of the big problems I have found with that, or am starting to find, is that those who are making the decisions about the actual claims—what claims are going to be made—do not meet the victims face to face and discuss it with them. It is all done from an ivory tower, from somewhere else—they tick a box and that is it, their job is done and out of the way.

Q409 **Mark Pawsey:** Does that lead to a lack of understanding of the position that you and your colleagues face?

***Alan Bates:*** Yes, it does. I can explain that in a way that you will hopefully understand. When we were campaigning for all of this over the years and people were saying, "I've tried to take the problems I'm having up with my MP", and all the rest of it, I would say to them, "Look, don't just write them a letter. Don't just phone them. Make an appointment—go and see them. Tell them face to face what's gone on." I have heard from many people that what was meant to be a 15 or 20-minute surgery session turned into a couple of hours because they were so concerned about what they heard face to face. I think that makes a big difference.

Q410 **Mark Pawsey:** I am pretty sure that my colleagues sitting around this horseshoe would agree with that. If we hear somebody's account on a one-to-one basis, we have a much better understanding of that than of something we receive in an email.

You suggested taking the Post Office out of the process, but don't we need information from the Post Office? On disclosure, we had some evidence in the previous session that the Post Office is perhaps not providing that information as fast as it might. How would the situation be without them providing information?

***Alan Bates:*** They have to be in there, but I would take the control of it out of Post Office. I would put somebody, or a team, in there to manage them and drive them forward to do it.

Q411 **Mark Pawsey:** To actually go into the Post Office premises?

***Alan Bates:*** Yes—literally to do that.

Q412 **Mark Pawsey:** Investigators of some sort?

***Alan Bates:*** Of some sort. Give them some real power.

**Mark Pawsey:** Okay. Thank you.

Q413 **Ian Lavery:** What you are saying is really interesting. In my constituency, nobody came forward until after the ITV dramatisation—not one. A number have come forward since then, but I also know people who I did not realise had been part of the scandal. They have kept it very quiet because they are very ashamed about what they were accused of. They paid money back, and I have asked them to come and see us so that we can assist them in putting claims forward, and they are very reluctant. I have met them three times, and there have been cancellations. I just feel as if, on some occasions, people are not going to come forward under any circumstances, regardless of what happened to them, whether it is the same as what happened to Tim, Tony or yourself. They want to draw a line under it, put it behind them and not resurrect it again, regardless of how badly they were treated. I think that is a fair assessment, isn't it?

***Alan Bates:*** It is fair, and it has happened with many cases. It has been a real struggle to try to get people to come out, in a way. All we can do is keep sending the message out and saying, "Come and speak to some of the friendly legal teams that are involved in this. They will look after you and take you through the process. Do come forward, because this is the right time to come forward for anyone."

Q414 **Chair:** I just want to check a couple of common problems that have been flagged with us. Lots of victims have said to us that, when they are asked to apply for redress, it is almost like they have a blindfold on. They do not have the information—often the Post Office does—but they are having to submit a claim form without it. Is that a common problem?

***Alan Bates:*** Doubt was always meant to be in favour of the claimant. I am not sure that that is happening.

Q415 **Chair:** The second issue that has come up a lot is that, when an offer is given, it is a bit of a black box as to how it has been worked out. There are no standard tariffs, for example, calculating reputational damage. It is really difficult therefore to assess whether what has been tabled is in any way fair, because there is no explanation for how the offer has been put together. Is that a problem?

***Alan Bates:*** The lawyers are better to speak to you about this. It is the pecuniary and the non-pecuniary, isn't it? The items where they paid back money or it is lost to the house. It is the other side that causes the problems, normally. It is the stress and the psychological problems that it has caused for people—all that side. It is a lot harder for them to take those issues forward.

Q416 **Chair:** We then have this David and Goliath struggle whereby claimants are given maybe £1,200 of legal advice, but you are up against one of the biggest law firms in the country contesting your claims. There is an inequality of arms there, when it comes to getting the final claim sorted.

***Alan Bates:*** Yes, I think you are referring to the HSS there in particular. I really have not had a lot to do with that. I am just concentrated on the GLO 500.

Q417 **Chair:** Is that an issue for the GLO scheme as well, though?

***Alan Bates:*** It is different because there is a different legal fee structure in there, as it goes forward. In fairness, I think that the lawyers are dealing with most of the issues along the way.

Q418 **Chair:** Tony or Tim, do you have anything else to comment on those common problems that have come up?

***Tony Downey:*** No. I have to say that my legal team has done way more than £1,200 worth of work, and it is spot on. I did put the application in on my own, and I got no legal assistance until I got an offer. Since then, it has all been fine.

***Tim Brentnall:*** I cannot really comment because my claim has not gone in yet, and I do not know what the reaction to it is going to be.

Q419 **Jonathan Gullis:** Mr Brentnall, you essentially fought the fight of your life when it came to getting your conviction overturned. The Government are obviously talking about having others exonerated. I can understand that there may be some emotion where you have had to fight the fight while others will be able to sign a piece of paper. Do you think that is probably the right way forward, in order to enable a line to be drawn in the sand and for this to be moved on from?

***Tim Brentnall:*** Yes, totally. From the end of the 555, it took us two years to start to get the convictions quashed. We are only at around 100 people so far. If there were hundreds and hundreds more, it would take years to go through the courts. To legislate it is entirely the right thing to do. My point was the fact that, for building my claim, I have had to spend three years, whereas people who are perhaps not at that £600,000 level can simply sign, accept it and walk away within days.

Q420 **Jonathan Gullis:** Finally from me, appendix 7 in our pack is Mr Read's letter to the Lord Chancellor and Secretary of State for Justice. We have heard a lot about the culture of the Post Office not changing. I find this letter quite extraordinary. Mr Read has written to the Lord Chancellor, effectively saying—I have this read it this way, but I am happy to be proven wrong—that the Post Office is slightly nervous about the idea of quashing all convictions, because it fears there are those it still thinks should be found guilty of their crimes. For Mr Read to say that there is "very significant public and Parliamentary pressure for some form of acceleration or by-passing of the normal appeals process" sadly shows that even under new leadership, victims are still being treated with caution and suspicion, which could lead to others not coming forward when they should be entitled to.

***Tim Brentnall:*** The old ratio in our law is that it is surely better that 10 guilty people go free, then one innocent person suffers.

**Jonathan Gullis:** I totally agree.

Q421 **Chair:** A final question from me. If I were to give you unfettered power to write the laws of the land, Mr Bates, what would you put in that legislation? We have a Bill coming towards us quite soon, and I am quite interested to know how you would like us to amend it.

***Alan Bates:*** It is funny you should mention that. One of the ways I had thought of trying to resolve this issue if it carries on much longer is for all those in the GLO scheme to stand as MPs. Then after the next election, we will sort it out once and for all. In answer to your question, I don't know. So many facts are out there now.

Q422 **Chair:** Let me give you an example. We could change the law so that the Post Office is taken out of the redress scheme. That might be a good idea.

***Alan Bates:*** Well, yes, but I want to clear up the disclosure issue first. That is the key to all this.

Q423 **Chair:** We could change the law so that the Post Office has a legally binding deadline for making the disclosures.

***Alan Bates:*** That would be a good thing to do.

Q424 **Chair:** In your letter, you also suggested some legally binding timetables. Would that be a good idea?

***Alan Bates:*** Oh, yes. I think there should be penalties involved where they are not met, and then those penalties should go to the victims, as I mentioned earlier—not to any other person. That would then be compensation for having to wait and delay.

**Chair:** I think you have given us three very good Mr Bates tests for what this new legislation needs to do. That concludes this panel. We are, I am afraid, shocked and saddened to hear that none of you have seen any acceleration in the speed of delivering your redress. I think we are deeply, deeply disappointed about the evidence you have given us suggesting that the redress offered to you is inadequate and unfair. Thank you for coming and giving us evidence today.