



Department for
Business & Trade

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Rt Hon Liam Byrne MP
Chair, Business and Trade Committee
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15 March 2024

Dear Mr Byrne,

Post Office and Horizon: Ensuring full and fair redress

Thank you for your letter of 13 March.

I attach the information which you have requested about

- the average time taken between claim submission and first offer in the Group Litigation Order scheme; and
- a breakdown of expenditure.

You also requested a spreadsheet showing claims, offers and settlements. Given the very difficult experiences to which postmasters have been subjected, we place great priority on protecting their privacy. Although you have requested anonymised information, there is material in the public domain which we believe would allow some individuals in our data set to be identified, allowing conclusions to be drawn about their claims, offers and settlements. This means that we must treat the data as personal information for GDPR purposes. I understand that this is the case notwithstanding the fact that the information once received by the Committee will attract Parliamentary privilege.

However, section 8 of the Data Protection Act 2018 permits processing under official authority or in the public interest. That includes processing which is necessary, amongst other items, for the exercise of a function of either House of Parliament. We would be happy to disclose the information under that provision in conjunction with Article 6(1)(e) of the GDPR, so long as other legal requirements are satisfied.

Those legal requirements include data minimisation provisions, which effectively require that we should only disclose the minimum amount of material necessary to meet the particular purpose.

Neither of your letters of 28 February and 13 March specify a purpose for this information, but I infer from the sequence of questions asked by Mr Lavery and yourself during the 27 February hearing (Q353-356) that your purpose is to understand the likely reaction of individual claimants to the offers which they have received and the settlements they have reached. Please let me know if this is not correct.

I am grateful for the assurances in the second paragraph of your latest letter that information would be handled securely. However, to satisfy our obligations under data protection legislation we shall need further details on this in line with the requirements for a Data Sharing Agreement, covering questions such as:

- who within Parliament can access the data;
- technical and organisational measures to ensure data security;
- common retention periods; and
- processes to ensure secure deletion takes place.

ICO guidance on such agreements is [here](#). We would be happy to discuss this urgently with your Clerk or the Parliamentary data protection team so that we can arrange early disclosure of the information which you have requested and document the legal basis for that disclosure.

Please let me know if we can assist your Committee further.

Yours sincerely,

A handwritten signature in blue ink that reads "C. Creswell". The signature is written in a cursive, slightly informal style.

Carl Creswell
Director, Business Resilience

Annex: Data Requested

- 1. The average time taken between claim submission and first offer for all claimants who have sought full assessment on the GLO Scheme. This average should not include those who have accepted the up-front £75,000 offer.**

Based on c.60 fully assessed claims (including claims that were originally assessed and issued a first offer, before later being offered the £75,000 sum), the current average time from full claim to offer is 34 working days.

- 2. A breakdown of how much has been spent on (a) interim payments and (b) final settlements across all schemes (GLO, overturned convictions and HSS).**

For Overturned Convictions and HSS, Post Office Ltd publish this data on their website, found here:

- [compensation for those with overturned convictions](#)
- [the Horizon Shortfall Scheme](#)

As of 29th February the figures were as follows:

Scheme	Interim payments	Final settlements
Overturned Convictions	£16.5m*	£21.6m
HSS	£28.5m	£73.6m

* Note that the figure for interim payments on OC includes partial settlements of either a pecuniary or non-pecuniary claim.

On the GLO Scheme, as of 1st March, £34m in total had been paid including £19m in initial interim payments.