



Ministry of Justice
102 Petty France
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26 July 2024

Dear Lord Timpson

I'd like to send congratulations on behalf of the National Federation of SubPostmasters (NFSP) membership, on your recent appointment to the House of Lords as Minister of State for Prisons, Parole and Probation.

The NFSP had the privilege of hosting Darren Burns of the Timpson Group at our Annual Conference in May of this year. Very graciously, Darren presented an insight into how culture in a business, when it is correctly focused, can have significant benefits. Indeed, the 200 Postmaster present were extremely interested in the Cut the Crap and Culture Committees. Colleagues felt that both are very necessary to the Post Office.

We have posted Darren's excellent speech on the NFSP's YouTube channel - <https://www.youtube.com/watch?v=66AZ7QXgV0I>. The feedback we received from colleagues to Darren's speech and the content was very positive.

With this in mind, the NFSP is inviting colleagues from around the network to join our own Culture Committee with the aim of improving the culture across the network and also within Post Office.

I am sure you will have read or watched the events around the Horizon Inquiry and the alarming injustice that faced Postmasters, their assistants and also Crown office employees of Post Office Ltd. Lord Arbutnot stated in his witness statement

said "the issues with which I am involved relate to more than an IT system - they relate to the behaviour of people in the Post Office, the Government and the legal system, with the Horizon IT system being a backdrop of that behaviour." In other words, the culture within Post Office Ltd was the underlying issue.

What is not always known to the general public is that Postmasters are investors in the PO network, in that we provide the premises and associated costs of staff, rent/mortgage, rates and heat/light etc. Our income is based on a commission we receive per transaction. As such, we are classed as self-employed and therefore have limited statutory protection in the security of that investment. However, that investment carries no weight in terms of the development any strategic plan that PO undertake. Government as the sole shareholder, via the Shareholder Relationship Framework and also via the Postal Services Act 2001, is able to feed into any developing strategic plan and also how funds of the PO are allocated. However, Postmasters do not have such a privilege. Instead, decisions are made in terms of the network that have a direct impact on the value of our investment without our knowledge nor our ability to negotiate or consider alternatives. It is currently a very unbalanced partnership.

In the past when a discrepancy was alleged to be present, PO wrongly prosecuted Postmasters, their assistants and Crown office employees through the courts, with hundreds being convicted, and some being sent to jail. Whilst today, PO do not prosecute, Horizon discrepancies remain. We requested the previous administration carry out an external review into the robustness of Horizon, so that all those who operate Horizon today, along with Government as the shareholder and the general public, can have confidence in its accuracy. However, this still has not been undertaken.

Today, the NFSP challenges PO to prove that an alleged discrepancy is not a result of Horizon, instead that an actual loss (mistake) has taken place. However, PO are still acting as judge, jury and executioner in relation to any alleged loss, and the NFSP believes this should not be the case. Our belief is that Government should introduce an Arbitration process to enable PO to present its case as to how and why the alleged discrepancy is present, but importantly, for the Postmaster aided by their representatives to be able to put across their view prior to an independent decision being reached by the Arbitrator.

This process would ensure that cases are dealt with in a timely manner (some have been sitting unresolved for a number of years), and would reduce the stress on the Postmaster and their families. It would also ensure that PO are following proper processes in terms of investigating alleged discrepancies and providing full access to evidence to the Postmaster and their representatives. Something not done in the past, including with the courts.

Overall, from a justice perspective, ensuring PO investigate alleged discrepancies and maintain the auditing and accuracy of the Horizon IT system has to be a priority

for the new Government going forward, to ensure that all those involved have learned from lessons of the past.

Another aspect of concern to the NFSP is the role of the criminal justice system in this scandal. Evidence provided via the Post Office Horizon Inquiry makes it very clear that the role of lawyers, both internal and external to the Post Office may have failed in their duties.

Firstly, it is clear these victims were treated as guilty until they could prove their innocence but secondly, due to PO's lack of disclosure were denied the right of a fair trial. Added to this was the evidence presented in relation to the Crown and Procurator Fiscal Service in Scotland (COPFS) who accepted evidence as robust because it was Post Office who were presenting it. Whilst the Inquiry has looked extensively at the prosecution side of the criminal justice system, could it be that defence solicitors looked at the PO and accepted the evidence in exactly the same way as the COPFS and therefore, the victims did not receive the strength of defence they required? Therefore, the NFSP is interested in what ways the Ministry of Justice can make improvements within the legal industry to ensure such a miscarriage does not happen within the Post Office but importantly does not happen elsewhere.

Any help you can provide in the Ministry of Justice will be appreciated. I would also be available to meet with you to discuss these proposals in more detail.

Yours sincerely,

Calum Greenhow
CEO, NFSP