



Northern Ireland  
Assembly

Committee for Justice

# OFFICIAL REPORT (Hansard)

Post Office (Horizon System) Offences Bill  
Legislative Consent Motion:  
Department of Justice

9 May 2024

# NORTHERN IRELAND ASSEMBLY

## Committee for Justice

Post Office (Horizon System) Offences Bill Legislative Consent Motion:  
Department of Justice

9 May 2024

**Members present for all or part of the proceedings:**

Ms Joanne Bunting (Chairperson)  
Mr Doug Beattie  
Mr Stewart Dickson  
Mrs Ciara Ferguson  
Mr Justin McNulty

**Witnesses:**

Ms Maura Campbell	Department of Justice
Ms Claire Robinson	Department of Justice
Mr Alan Weir	Department of Justice

**The Chairperson (Ms Bunting):** We have with us Maura Campbell, who is the head of criminal justice policy and legislation division; Claire Robinson, head of the legacy, litigation and projects unit; and Alan Weir, also from the legacy, litigation and projects unit. I thank you all for your forbearance. We had a hefty agenda today. I hand over to you guys, and then, no doubt, there will be questions for you all.

**Ms Maura Campbell (Department of Justice):** Good afternoon. It is clear that you have a busy agenda this afternoon, so we are grateful to you for giving us the opportunity to brief you on the Post Office (Horizon System) Offences Bill and the request that our Minister has received from the Minister of State for Enterprise, Markets and Small Business, Kevin Hollinrake MP, for a legislative consent motion (LCM).

The Bill will have the effect of quashing convictions for certain offences while the Horizon system was in use by the Post Office and provides for the deletion of cautions for such offences. The Bill was introduced on 13 March, but, at that time, its territorial extent was restricted to England and Wales. However, following further engagement at ministerial level, it was announced on 22 April that the UK Government had decided that the Bill's provisions should be extended to Northern Ireland.

The annex to the written briefing that we provided sets out the effect of each of the clauses, and it highlights where amendments had been tabled to allow for Northern Ireland's inclusion. Those amendments were made subsequently at Commons Committee Stage, which was on 29 April. The remaining Commons stages were also completed on that same day. The Bill was introduced in the House of Lords on the following day, and we expect Second Reading in the Lords to be on 13 May, just next Monday. We anticipate that the Committee Stage will be on 3 June and possibly 6 June, if a second day is required. That would leave Report Stage possibly happening around the week commencing 17 June. Minister Hollinrake has asked for an LCM by 31 May, which we consider to be

challenging, but we are seeking, subject to the agreement of the Assembly and Executive, to have it in place as early as possible in June and certainly no later than Report.

We have been keen to do everything in our power to make sure that sub-postmasters here are treated no less favourably than their counterparts elsewhere, and so we regard Northern Ireland's inclusion in the legislation as welcome and are grateful to our counterparts in the Department for Business and Trade, the Ministry of Justice, the Northern Ireland Office and the Executive Office for working at pace with us to achieve that. We have also been working with our operational partners here to plan for implementation.

While the legislation, once enacted, will automatically quash the convictions of all those who meet the specified conditions, we will then need to identify and notify individuals that their convictions have been quashed and then take steps to ensure that their records have been properly updated. Although the number of cases that have been identified here is relatively small, obviously the hurt and distress that the Horizon scandal has inflicted on the individuals concerned is no less significant. Two convictions have already been overturned on appeal here, leaving, we believe, around 26 cases that may be within scope. So far, we have only identified one caution.

Minister Hollinrake has already acknowledged that legislating to overturn convictions is an unusual step, but these are, as you know, unique and exceptional circumstances. The approach being adopted will ensure swift access to justice for affected individuals, who have, of course, already been waiting a long time to be cleared of wrongdoing.

We are happy to consider any questions that will assist the Committee in considering the LCM request.

**The Chairperson (Ms Bunting):** Thank you very much, Maura. I will kick off on this one. All of us welcome Northern Ireland's inclusion in the Bill. We sought it. There was the political will for it and political collaboration to secure it, so it is welcome. It will certainly be welcomed by the people who have been unfairly convicted.

I have two questions. The first is a query around appellants in the scope of the Bill, and I would like to tease out with you the implications and outworkings of that. The other issue relates to compensation, which is £600,000 per person. Will you clarify for me whether that is coming from HMG or is there an expectation that the Northern Ireland Executive will contribute to it?

**Ms Campbell:** It is coming from HMG. The Department for Business and Trade is managing the compensation schemes on a UK-wide basis. We have confirmed that with it.

As to your first question on appellants, that issue was discussed in the course of the legislation. The issue there is that the Bill makes provision that, if a case has already been to the Court of Appeal, it is excluded from the scope of the legislation. We do not consider that it will impact on any cases in Northern Ireland. There have been two cases through the Court of Appeal to date, and both were overturned on appeal. There was a third appeal, but that was stayed pending clarity on the impact of the legislation. We are not aware and the Public Prosecution Service (PPS) is not aware of any case where someone had previously been to the Court of Appeal and the appeal was unsuccessful. Although that has attracted some attention — it is something that the House of Commons Justice Select Committee paid particular heed to — we do not anticipate it will have an effect in Northern Ireland.

**The Chairperson (Ms Bunting):** If someone has had a successful appeal, presumably that does not preclude them from compensation.

**Ms Campbell:** They can already apply for compensation because their conviction has been overturned. The financial redress scheme is already available to them. Basically, the legislation will avoid others going through the court process, and they will be put on the same basis as those who have already been through the Court of Appeal.

**The Chairperson (Ms Bunting):** OK. Will their compensation be at a different level as ordered by the court?

**Ms Campbell:** No.

**The Chairperson (Ms Bunting):** OK. Thank you. Bear with me for a second.

The Clerk has brought to my attention that the Lady Chief Justice referenced a further appeal, and you may have considered that case. Is that the case that has been stayed until there is an outcome?

**Ms Campbell:** Yes. It has been stayed, so the court is awaiting the outcome of this process and the outworkings of the legislation.

**The Chairperson (Ms Bunting):** Thank you. Do any other members have questions? No.

Thank you very much.

**Ms Campbell:** Thank you.