



NEWS RELEASE

30 SEPTEMBER 2020

Post Office/Horizon Cases

The Scottish Criminal Cases Review Commission has today written to 73 individuals with criminal convictions potentially affected by the issues arising from the Post Office's Horizon computer system. The Commission is encouraging all those who may have suffered a miscarriage of justice to make contact with it. The Commission's approach is based upon information provided to the Commission by the Post Office itself.

Gerard Sinclair, the Chief Executive of the SCCRC, said today:- *"We are taking the unusual step of contacting a large number of individuals because we want to work out the scale of the problem in Scotland and do whatever we can to address it. Many of those affected by Horizon will have had no prior experience of the criminal justice system. We want anyone who has been wrongly convicted to know that a remedy is available."*

We believe that there may be others affected by Horizon who aren't on our contact list. The contact details that we have for some people may also be out of date. If you don't receive a letter, but think that you were wrongly convicted as a result of information from Horizon, I would urge you to make contact with us."

A copy of the information sheet that the Commission is sending to the 73 recipients is appended below.

Notes for Editors

The Scottish Criminal Cases Review Commission was established as an independent body on 1 April 1999 to review alleged miscarriages of justice in Scottish convictions and/or sentences. Under section 194 A to L of the Criminal

Procedure (Scotland) Act 1995 the Commission can refer a case to the High Court if it believes that a miscarriage of justice may have occurred and that it is in the interests of justice that a reference should be made. Once a case is referred to the High Court by the Commission, it will proceed as a normal appeal.

The Commission operates with a Board of 8 Members, one of whom is the Chairperson, a Chief Executive, a Director of Corporate Services, a Head of Casework, 2 Senior Legal Officers, 3 Legal Officers and administrative support staff.

For any further general information about the Commission please contact Mr Chris Reddick, Director of Corporate Services, SCCRC, 4th Floor, Portland House, 17 Renfield Street, Glasgow, Tel: 0141 270 7030, e-mail: creddick@sccrc.org.uk or visit the Commission's website at www.sccrc.org.uk



Information for Potential Applicants:
**Post Office/Horizon
Cases**

Who are you?

We're a public body. Under Scots law, we're responsible for reviewing possible miscarriages of justice. We're independent of all other actors in the criminal justice system. We provide a free service to anyone convicted in Scotland who thinks that they may have been the victim of a miscarriage of justice.

If we believe that there may have been a miscarriage of justice and that it is in the interests of justice to do so, we can refer criminal cases to court for an appeal.

There is a lot more information about us on our website, at www.sccrc.org.uk

Where did you get my details, and why are you contacting me?

We are currently investigating possible miscarriages of justice relating to problems with the Post Office's *Horizon* computer system. We think that it is possible that your case is one of those. If it is, we would like to make sure that you have the chance to apply to us.

The Post Office identified your case as a Scottish prosecution during the relevant period (from 1999) in which they may have been involved. We asked Crown Office (the procurator fiscal service) to use the Post Office information to find your contact details. They helped us with that.

What do you mean by problems with the *Horizon* computer system?

The *Horizon* system was first rolled out in some post offices around 1999. Subpostmasters used it for a wide variety of tasks, including accounting and stocktaking. Until quite recently, it appears that there were significant bugs in the system. These could cause the system to misreport figures. Sometimes, these errors could be substantial. It was difficult for subpostmasters to challenge errors because they did not have access to the information required to do so.

A number of subpostmasters raised a group legal action in the English High Court (England's top civil court). At the end of 2019, the Post Office agreed to pay damages

to members of this group. The High Court had made a number of findings that were critical of the Horizon system and the Post Office's handling of the problems.

Earlier this year, our counterparts, the Criminal Cases Review Commission, who serve England, Wales and Northern Ireland, concluded that a large number of Post Office convictions may be unsafe. They referred those cases to the Court of Appeal for England and Wales.

I think that my case may have been affected by Horizon. What should I do?

We would suggest that you give us a call on 0141 270 7030. Dan Fenn, one of our senior legal officers, is dealing with this case at the moment. Dan would be pleased to discuss the matter with you. If he isn't available, our administrators will be able to schedule a call back for you. Dan can have an application pack sent out to you if you need one.

If you prefer to communicate by email, please contact us on info@sccrc.org.uk. We can arrange a secure means of email communication.

Who are you working for? Will you be my lawyer?

No, we won't be your legal representatives. We conduct the review of the case. Although all our investigative staff are legally qualified, they work only for the Board of the Commission. If you want a lawyer, you'll need to choose one yourself.

Do I need a solicitor to apply?

No, you don't. Our process is available to those with and those without a solicitor. You don't need to be able to tell us anything at all about the law. All we'll ask you to do is tell us about what happened in your case.

I pled guilty. Is that a problem?

If you pled guilty in the knowledge that you were not, in fact, guilty, we'd like you to contact us. It is possible to argue that there was a miscarriage of justice even where the accused has pled guilty.

I haven't appealed my conviction. Is that a problem?

No, that's unlikely to be a problem in these cases.

I know someone else who may have been affected by Horizon, but you haven't sent them a letter. Is that right?

We believe strongly that the information that we have about potential miscarriage of justice victims is not complete. The contact details we have may also be out of date. If

you know someone else who may have been affected, please pass this information on to them or ask them to contact us. If the person was convicted in England, Wales or Northern Ireland, they need to speak to the Criminal Cases Review Commission in Birmingham on 0121 233 1473. The appropriate person to contact there is Miles Trent, Case Review Manager.

I've received your letter, but it's addressed to a relative who has passed away.

We're sorry for your loss. It is possible for those with a close personal relationship with the accused to challenge a conviction after death. If that's something that you think you might like to do, you're welcome to discuss it with us. If not, there's no need to take any action.

I don't think that my case had anything to do with Horizon. What should I do?

That may very well be correct. Information about criminal cases from as long ago as 1999 is often incomplete or non-existent. We've contacted everyone whose details we have who we think may possibly be part of the group affected by Horizon. We know that there will be some cases not affected by Horizon at all. If that's you, we're sorry to have bothered you. You don't need to do anything at all.

If you're not sure whether or not your case was affected by Horizon though, please don't assume that it wasn't. If you were wrongly accused of theft or fraud or similar offences in relation to work you did at a post office, we'd like to hear from you.

This is all in the past. I don't want anything to do with it.

That's entirely your decision. We won't look at your case unless you want us to do so. If you decide not to respond to this letter, you won't hear from us again.

Bear in mind that we don't charge anything at any stage in our process. It's completely free for all applicants.