

Post Office (Horizon System) Offences Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE
[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Clause 1

LORD FALCONER OF THOROTON
LORD SIKKA

1 Clause 1, page 1, line 9, after “Service” insert “or the Department for Work and Pensions”

LORD FALCONER OF THOROTON
LORD HOLMES OF RICHMOND
LORD ARBUTHNOT OF EDROM

2 Clause 1, page 1, line 10, leave out paragraph (c)

LORD FALCONER OF THOROTON

3 Clause 1, page 1, line 11, at end insert “on or after 1 January 2020”

LORD FALCONER OF THOROTON
LORD HOLMES OF RICHMOND

4 Clause 1, page 1, line 18, leave out paragraph (c)

LORD FALCONER OF THOROTON

5 Clause 1, page 1, line 19, at end insert “on or after 1 January 2020”

LORD FALCONER OF THOROTON
LORD ARBUTHNOT OF EDROM

- 6 Clause 1, page 2, line 1, leave out subsection (5)

Clause 2

LORD OFFORD OF GARVEL

- 7★ Clause 2, page 2, line 30, after “that,” insert “ –
(a)”

Member's explanatory statement

This amendment is consequential on my other amendment to this Clause.

LORD OFFORD OF GARVEL

- 8★ Clause 2, page 2, line 31, at end insert “, or
(b) where the offence was alleged to have been committed at any time during a period as mentioned in subsection (2)(b), the Horizon system was being used for the purposes of the post office business for the whole or part of that period.”

Member's explanatory statement

This amendment ensures that, where a person was charged with an offence allegedly committed over a period of time as mentioned in Clause 2(2)(b), it is not necessary for the Horizon system to have been used for the purposes of the post office business in question for the whole of that period: for example, where the period in question straddles the date of the replacement of the Horizon system.

Clause 3

LORD FALCONER OF THOROTON

- 9 Clause 3, page 3, line 27, at end insert “on or after 1 January 2020”

LORD FALCONER OF THOROTON

- 10 Clause 3, page 3, line 28, leave out subsections (3) and (4)

LORD FALCONER OF THOROTON

- 11 Clause 3, page 3, line 29, at end insert “on or after 1 January 2020”

LORD FALCONER OF THOROTON

- 12 Clause 3, page 3, line 32, after “conviction” insert “on or after 1 January 2020”

LORD FALCONER OF THOROTON
LORD ARBUTHNOT OF EDROM

The above-named Lords give notice of their intention to oppose the Question that Clause 3 stand part of the Bill.

Clause 4

LORD FALCONER OF THOROTON

- 13 Clause 4, page 4, line 10, at end insert “and any other appropriate bodies necessary to ensure that the quashing of the conviction is properly recorded”

After Clause 6

BARONESS BRINTON

- 14★ After Clause 6 insert the following new Clause –

“Statements on predecessor software programmes or systems

- (1) Where a formal investigation or inquiry concludes that a predecessor software programme used by the Post Office had flaws that may have led to convictions of sub postmasters, the Secretary of State must make a Statement before the House of Commons.
- (2) The Statement in subsection (1) must outline what action the Government will take to ensure those convictions will be subject to a similar process to that outlined in this Act.”

Member's explanatory statement

This is a probing amendment for the Minister to explain what actions will be taken should Capture (or any other predecessor computer programme to Horizon) be found, following a formal investigation, to have resulted in post office staff being wrongly convicted.

Clause 8

LORD FALCONER OF THOROTON

- 15 Clause 8, page 6, line 25, leave out subsection (2)

After Clause 9

LORD FALCONER OF THOROTON

16 After Clause 9, insert the following new Clause—

“Equivalent provisions in Scotland

Within three months of the day on which this Act is passed, the Secretary of State must lay before Parliament a review of the case for applying the provisions of this Act in Scotland.”

LORD HOLMES OF RICHMOND

17 After Clause 9, insert the following new Clause—

“Review of power to bring prosecutions

- (1) The Secretary of State must, within six months of the passing of this Act, lay before Parliament a report on the power to bring prosecutions under section 6 of the Prosecution of Offences Act 1985.
- (2) The report must, among other things, cover—
 - (a) the role of section 6 in the convictions which are quashed under this Act, and
 - (b) whether additional safeguards, such as reporting requirements on the use of such prosecutions, are needed.”

LORD HOLMES OF RICHMOND

18 After Clause 9, insert the following new Clause—

“Review of admissibility of computer evidence

- (1) The Secretary of State must, within six months of this passing of this Act, lay before Parliament a review of the role of computer evidence in the convictions quashed under this Act.
- (2) The review under subsection (1) may include recommendations to address any issues identified by the review in relation to standards of computer evidence used in court proceedings.”

LORD HOLMES OF RICHMOND

19 After Clause 9, insert the following new Clause—

“Review of role of Post Office governance model in the convictions quashed under this Act

- (1) The Secretary of State must, within one year of the passing of this Act, lay before Parliament a report following a review of the role of the Governance model of the Post Office in the convictions quashed under this Act.
- (2) The review must be conducted by a group of no less than 30 individuals with recent and relevant experience in the Post Office and 66% of the membership must be made up of post mistresses and post masters, including the Chair.”

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