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033 3665 3951

Our reference: FOI2022/00186

Gurpreet Kaur  
request-838671-12f09921@whatdotheyknow.com

30 May 2022

Dear Gurpreet Kaur,

**Request under the Freedom of Information Act  
FOI2022/00186**

I refer to your recent request for information under the Freedom of Information Act 2000 ("FOIA") as follows:

*" Could you please disclose:*

*How many postmasters were successfully prosecuted on the back of evidence from the Horizon system?*

*How many of this group were from black or minority ethnic backgrounds?*

*How many of those convicted received custodial sentences?*

*What proportion of them were from BAME backgrounds?*

*If you believe this exceeds the cost limit, please restrict the scope to look at cases from 2000-2005."*

I can confirm that Post Office Limited ("**Post Office**") holds some of the information responsive to your request.

However the information relating to ethnicity is limited because this information is not held for every case. It should also be noted that, where information is held, it is not clear in every case whether the postmaster's recorded ethnicity was self-identified at the time the record was made or attributed to them.

When giving BAME figures, we have calculated these by combining the figures for all ethnic groups other than white.

***How many postmasters were successfully prosecuted on the back of evidence from the Horizon system?***

According to Post Office's current records, the number of postmasters convicted potentially using evidence from the Horizon system (in some cases alongside other evidence) is 476. This number includes cases in which Post Office acted as prosecutor and also those in which prosecutions were brought by other agencies. The prosecutions took place between 1999, when the original Horizon system was introduced, and 2015 when Post Office prosecutions related to Horizon ceased, rather than being limited to the time period 2000-2005.

After reasonable and proportionate searches, Post Office was unable to determine whether 7 further individuals convicted potentially using evidence from the Horizon system were postmasters.

***How many of this group were from black or minority ethnic backgrounds?***

After reasonable and proportionate searches, Post Office was unable to find a record of the ethnicity of 160 postmasters.

For the remainder, according to Post Office's current records, the number of postmasters convicted potentially using evidence from the Horizon system (in some cases alongside other evidence) from black, Asian and minority ethnic ("**BAME**") backgrounds is 123.

***How many of those convicted received custodial sentences?***

According to Post Office's current records, 165 postmasters convicted potentially using evidence from the Horizon system received immediate custodial sentences, while 156 of those convicted received suspended custodial sentences. Taken together, 321 of those convicted received custodial sentences.

After reasonable and proportionate searches, Post Office was unable to determine whether 10 postmasters (8 of whom were prosecuted by bodies other than Post Office) convicted potentially using evidence from the Horizon system received custodial sentences.

***What proportion of them were from BAME backgrounds?***

It is not possible to provide accurate information because of the limitations of the data held, as outlined above.

**Further information**

As mentioned above, the figures provided relate to convictions in prosecutions brought by both Post Office (or prior to separation of the two entities in 2012, by Royal Mail Group) and other agencies. These figures are based on the information held by Post Office at present, and other agencies may hold more information in respect of cases in which they acted as prosecutor. . Sentencing is of course a matter for the Courts.

In general, the information provided in this letter in relation to Post Office prosecutions represents the number of postmasters convicted potentially using Horizon evidence. After full consideration of a case, it may transpire that it was not a case where the reliability of Horizon evidence was essential to the conviction in accordance with the reasoning set out by the Court of Appeal Criminal Division in *Hamilton & Others v Post Office* [2021] EWCA Crim 577.

In relation to prosecution cases brought by other bodies, not Post Office, as a matter of law, it is for each prosecutor to consider its own post-conviction disclosure duties to the individuals it prosecuted. Therefore, whilst Post Office is proactively sharing the limited data it holds on such cases with the relevant prosecuting bodies, it has not conducted an assessment as to whether the postmasters prosecuted by other agencies were prosecuted and possibly convicted using evidence from the Horizon system.

I hope the information I have provided on this occasion is useful, however if you are dissatisfied with the handling of this response, you do have a right to request an internal review. You can do this by writing to the address below stating your reasons for your internal review request.

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Yours sincerely



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