



[Redacted]

Date
26 September 2024

[Redacted]
[Redacted]

Post Office
100 Wood Street
London EC2V 9ER

Your Ref:

Classification:
Public

Dear [Redacted],

Freedom of Information Request – FOI2024/00098

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 15 January, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”). We sincerely apologise for the delay in responding to your request.

In your email you have requested the information shown verbatim in bold below:

“I am writing to request details of every conviction made by the Post Office between 2005 and 2010.

As it is a matter of public record at open court I ask specifically for the following:

Name of defendants, case number, date of conviction, court it was held in, charges, location of court and Post Office.

It would be preferable to have in a spreadsheet if possible.”

Although you have requested “*details of every conviction made by Post Office*”, we advise that it is the court system (i.e., either the magistrates or the jury) that convicts individuals rather than Post Office. However, we have interpreted your request as asking us for information relating to individuals who were convicted with Post Office’s involvement.

Accordingly, we can confirm that Post Office does hold some of the information that you have requested, but we have decided that the information should be withheld under sections 40(2) and 40(3A) of the FOIA as the information constitutes personal data relating to other persons. These sections exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the UK General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data-protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the individuals affected would not reasonably expect their personal data (including their names and criminal offence data) to be disclosed in relation to this request for information.

However, under our duty to assist and advise under section 16 of the FOIA, the table below shows the yearly number of convictions based on all cases prosecuted by Royal Mail Group on behalf of Post Office, regardless of the role of the alleged offender, the alleged offence, and the nature of evidence the prosecution relied upon (Horizon or otherwise):

Year	Number of Convictions
2005	65
2006	51
2007	47
2008	76
2009	61
2010	37

The table excludes convictions that were based on cases prosecuted by other entities including the Department of Work & Pensions, the Crown Prosecution Service, and the Scottish and Northern Irish prosecution services.

Overall, given the historical nature of the data concerned, with some dating back 19 years, we cannot be certain about the accuracy or completeness of the information we have provided. Please note that Post Office continues to receive material from

third parties regarding cases. Consequently, the figure provided in response to this request may change in the future and is correct only as of 24 September 2024, based on current information known to Post Office.

The figures are based on the dates that individual cases were set up although the eventual prosecutions and convictions might have occurred in later years. This is the simplest and most accurate way to identify cases per year since information as to the date of charge, prosecution or conviction is not always known. Consequently, the table includes cases where the investigation started between 2005 and 2010, some of which might have resulted in a prosecution and conviction post-2010.

Finally, our responses to recent requests, including those relating to prosecution and conviction data, are freely available on our website:

<https://corporate.postoffice.co.uk/governance/access-to-information/foia-requests-and-responses/>

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 above within 40 working days of receipt of this response stating your reasons for your internal review request or alternatively, by emailing information.rights@postoffice.co.uk.

If, having requested an internal review by Post Office, you are still not satisfied with our response you also have a right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Telephone: 0303 123 1113
www.ico.org.uk/foicomplaints

Yours sincerely,

Information Rights Team
information.rights@postoffice.co.uk

<https://corporate.postoffice.co.uk/en/governance/access-to-information/access-to-information/>

Post Office Limited is committed to protecting your privacy, information about how we do this can be found on our website at www.postoffice.co.uk/privacy