



Date

30 July 2024

Post Office
100 Wood Street
London EC2V 9ER

Your Ref:

Classification:
Public

Dear [REDACTED],

Freedom of Information Request – FOI2024/00274

We are writing in response to your email received by Post Office Limited (“**Post Office**”) on 6 February, which has been dealt with under the terms of the Freedom of Information Act 2000 (“**FOIA**”). We sincerely apologise for the delay in responding.

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

“I would like to request the following under FOI:

How many investigations into theft or false accounting did the post office conduct in Scotland between 2000 and 2015.

How many of these cases were referred to the procurator fiscal?

How many of these cases resulted in a prosecution?

How many did not result in prosecution but the branch/shop was closed down?

In how many cases did the post office investigators use the proceeds of crime act to recover any or all of the value of the amount they believed was missing?

In the cases where POCA was used, please detail what items were taken and in relation to which cases.

In any cases where the proceeds of crime act (POCA) was used by the post office investigators, what did the post office do with these items? I.e.sell them, return them, store them etc.”

We can confirm that Post Office does hold some information in scope of your request.

Overall, given the historical nature of the data concerned, with some dating back 24 years, we cannot be certain about the accuracy or completeness of the information we have provided below. Please note that Post Office continues to receive material from third parties regarding historical cases. Consequently, the information provided in response to this request might change and is correct only as of 24 July 2024, and based on current information known to Post Office.

The number of cases provided in response to parts 1 to 3 below have been counted based on the date that the case was commenced, although the case might have been determined in a later year. This is the simplest and most accurate way to identify cases per year since information as to the date of charge or eventual outcome is not always known. Consequently, the figures include cases that were commenced between 2000 and 2015, some of which might have ended post-2015.

1. How many investigations into theft or false accounting did the post office conduct in Scotland between 2000 and 2015.

As of 24 July 2024, Post Office is aware of 291 cases that Post Office appears to have investigated in Scotland between 2000 and 2015 for all offence types, including theft and false accounting. Please note that it has not been possible in the time available to distinguish between cases investigated for theft and false accounting and other types of offences. Therefore, some of these cases may have not related in any way to the Horizon system or accounting shortfall discrepancies.

This number includes 19 cases in relation to which the prosecuting authority in Scotland, the Crown Office and Procurator Fiscal Service (“COPFS”), notified Post Office that Post Office may have had some involvement, but about which Post Office previously held no record. These cases are included out of an abundance of caution, given that Post Office has not been able to determine the date on which those cases were commenced, nor whether Post Office, or another investigating agency, investigated those cases.

2. How many of these cases were referred to the procurator fiscal?

137 cases were referred to COPFS, including the 19 cases already mentioned in our response to part 1 of your request above.

3. How many of these cases resulted in a prosecution?

104 cases resulted in a prosecution.

4. How many did not result in prosecution but the branch/shop was closed down?

Post Office does not hold this information.

- 5. In how many cases did the post office investigators use the proceeds of crime act to recover any or all of the value of the amount they believed was missing?**
- 6. In the cases where POCA was used, please detail what items were taken and in relation to which cases.**
- 7. In any cases where the proceeds of crime act (POCA) was used by the post office investigators, what did the post office do with these items? I.e.sell them, return them, store them etc.**

Regarding parts 5 to 7 of your request, as proceeds of crime proceedings can only be raised in Scotland by COPFS, Post Office investigators did not use the Proceeds of Crime Act 2002 (“**POCA**”) in Scotland to recover any or all of the value of the amount believed to be missing in cases that resulted in a conviction.

COPFS may have brought proceedings under POCA in relation to Post Office related cases, and in line with our duty to advise and assist under section 16 of the FOIA, you may wish to contact COPFS on FOI@copfs.gov.uk to see if they hold the information relating to parts 6 and 7 of your request.

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/>

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