

# Post Office (Horizon System) Offences (Scotland) Bill

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## Groupings of Amendments for Stage 3

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the day of Stage 3 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

### Groupings of amendments

#### **Group 1: Meaning of “relevant offence”: scope of affected persons**

4, 5, 6, 7

#### **Group 2: Meaning of “relevant offence”: Horizon system in use**

1, 2

#### **Group 3: Report on operation of the Act**

3

#### **Group 4: Reviews in relation to miscarriages of justice**

8, 9, 10, 11

**THIS IS NOT THE MARSHALLED LIST**

**Amendments in debating order**

**Group 1: Meaning of “relevant offence”: scope of affected persons**

**Pauline McNeill**

- 4 In section 2, page 1, line 14, leave out <E> and insert <D>

**Pauline McNeill**

- 5 In section 2, page 2, line 1, leave out subsections (4) and (5)

**Pauline McNeill**

- 6 In section 2, page 2, line 6, at end insert—

- <( ) Condition C is that the offence was alleged to have been committed in connection with—
- (a) the carrying on of a post office business, or
  - (b) a person working in a post office (whether under a contract of employment or otherwise) for the purposes of a post office business.>

**Pauline McNeill**

- 7 In section 2, page 2, line 7, leave out <E> and insert <D>

**Group 2: Meaning of “relevant offence”: Horizon system in use**

**Angela Constance**

- 1 In section 2, page 2, line 7, after <that> insert <—  
( )>

**Angela Constance**

- 2 In section 2, page 2, line 8, at end insert <, or  
( ) 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.>

**Group 3: Report on operation of the Act**

**Angela Constance**

**Supported by: Russell Findlay**

- 3 After section 6, insert—

## THIS IS NOT THE MARSHALLED LIST

### *<Reporting*

#### **Report on the operation of the Act**

- (1) The Scottish Ministers must, as soon as reasonably practicable after the end of the period of one year beginning with the day after Royal Assent—
  - (a) prepare and publish a report on the operation of this Act,
  - (b) lay a copy of the report before the Scottish Parliament.
- (2) A report under subsection (1) must include information on—
  - (a) the number of convictions in respect of which the Scottish Ministers have—
    - (i) given notification to a convicting court under section 4(2),
    - (ii) given notification to a person under section 4(4),
  - (b) the steps taken by the Scottish Ministers to—
    - (i) identify the convictions quashed by section 1(1),
    - (ii) give notifications under section 4(4).>

#### **Group 4: Reviews in relation to miscarriages of justice**

##### **Maggie Chapman**

- 8 After section 6, insert—

### *<Review of options for legal action*

#### **Review of options for legal action**

- (1) The Scottish Ministers must carry out a review of the options available under Scottish law for agencies or individuals to pursue legal action against those responsible for the miscarriages of justice relating to persons alleged to have committed a relevant offence.
- (2) The Scottish Ministers must, no later than one year after Royal Assent—
  - (a) publish a report on the review under subsection (1),
  - (b) lay the report before the Scottish Parliament.>

##### **Maggie Chapman**

- 9 After section 6, insert—

### *<Review of support*

#### **Review of support**

- (1) The Scottish Ministers must carry out a review of the support available to enable persons alleged to have committed a relevant offence to pursue legal action against those responsible for the miscarriages of justice.
- (2) A review under subsection (1) must include consideration of whether any additional support is required.
- (3) The Scottish Ministers must, no later than one year after Royal Assent—
  - (a) publish a report on the review under subsection (1),

**THIS IS NOT THE MARSHALLED LIST**

- (b) lay the report before the Scottish Parliament.>

**Maggie Chapman**

- 10** After section 6, insert—

*<Review of relevant law*

**Review of relevant law**

- (1) The Scottish Ministers must, within one year of Royal Assent—
  - (a) carry out a review of the legal processes by which persons were convicted of a relevant offence, and
  - (b) consider, in discussion with the Scottish Law Commission, where any changes to the law are required.
- (2) The Scottish Ministers must—
  - (a) publish a report of the review under subsection (1), and
  - (b) lay a copy of the report before the Scottish Parliament.>

**Maggie Chapman**

- 11** After section 6, insert—

*<Review of relevant law*

**Review of relevant law**

- (1) The Scottish Ministers must, within one year of Royal Assent—
  - (a) carry out a review of the options available to allow for the prosecution of those responsible for the miscarriages of justice relating to persons alleged to have committed a relevant offence, and
  - (b) consider, in discussion with the Scottish Law Commission, where any changes to the law are required.
- (2) The Scottish Ministers must—
  - (a) publish a report of the review under subsection (1), and
  - (b) lay a copy of the report before the Scottish Parliament.>

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