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# EDITORIAL

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The momentous attempt by the group of ex-sub-postmasters and sub-postmistresses that formed The Justice For Subpostmasters Alliance to achieve justice against Post Office Limited in prosecuting numerous sub-postmasters and sub-postmistresses for offences alleged to have been committed when using the Horizon IT system, reached a climax in 2019 with the second trial, that of *Bates v The Post Office Ltd (No 6: Horizon Issues) Rev 1* [2019] EWHC 3408 (QB). Fraser J determined that the Horizon software system was faulty, and the software errors were such that it was possible that the errors in the software led to the false assumption by the Post Office that many sub-postmasters and sub-postmistresses were guilty of criminal offences of theft and fraud. A third trial was to take place to consider a number of specific cases to establish whether the allegations made by the Post Office were true or caused by software failures. Before the judgment was released, the Post Office finally decided to negotiate a settlement with the sub-postmasters and sub-postmistresses. An out of court settlement was subsequently agreed. The matter is now before the Court of Appeal, where the convictions of a number of sub-postmasters and sub-postmistresses will be considered, including that of Seema Misra (the journal published the transcript of her trial in 2015). Interestingly, this appears to be the only transcript available – purchased by the editor with the permission of the trial judge, and published with the agreement of Seema Misra. We look forward to the decisions of the Court of Appeal, and will report more fully on this in due course.

The lessons of this debacle are obvious. It is no longer appropriate for judges and lawyers to be ignorant of the topic of electronic evidence. This journal has called for the education of the profession in 2010 (editorial), and commissioned two articles by independent people to consider whether it was imperative that the topic should be compulsory:

Denise H. Wong, 'Educating for the future: teaching evidence in the technological age', *10 Digital*

*Evidence and Electronic Signature Law Review* (2013) 16 – 24

Deveral Capps, 'Fitting a quart into a pint pot: the legal curriculum and meeting the requirements of practice', *10 Digital Evidence and Electronic Signature Law Review* (2013) 23 – 28

Lawyers that qualify in 2020 will not be taught electronic evidence, yet as soon as they are certified as being fit to practice, the vast majority of the evidence they deal with will be evidence in electronic form.

Is it appropriate for would-be lawyers and currently practising lawyers and judges not to be taught this topic? Can it be said that a lawyer is qualified to practice without being taught this topic?

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Finally, we thank Dr Jean-Baptiste Maillart, George L. Paul, P. C. and Dr Giuseppe Vacigato for taking part in the editorial board over the years.

### Submissions

The Review seeks and encourages original submissions from judges, lawyers, academics, scientists and technicians; students in relation to postgraduate degree work and versions of dissertations, where the student has passed the relevant course and the dissertation has been marked. The IT industry, certification authorities, registration authorities and suppliers of software and hardware are also encouraged to engage in the debate by submitting articles and items of news.

The length of an article can vary. There is no fixed length. The aim is to publish articles of good quality that adds to the debate and knowledge of readers, discuss recent developments and offer practical advice. All articles will be in English, and contributors are requested to write using shorter, rather than longer sentences, because the audience is international.

Submissions should be sent as an attachment to an e-mail addressed to [stephenmason@stephenmason.co.uk](mailto:stephenmason@stephenmason.co.uk) or through the online submission options on the journal's homepage at: <http://journals.sas.ac.uk/deeslr/>.

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