



**JUSTICE UNIONS AND FAMILY COURTS
PARLIAMENTARY GROUP**

PARLIAMENTARY DIGEST

**A Summary of the work of the Justice Unions
and Family Court Parliamentary Group**

September 2016 – January 2017

**A report researched and compiled by
Union Services Parliamentary Consultancy**

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INTRODUCTION

& PARLIAMENTARY OVERVIEW

This report provides an overview of the work of the Justice Unions and Family Courts Parliamentary Group (JUFCPG) during the period September 2016 – January 2017. This period within Parliament includes Conference Recess (September 15 – October 10th), half-term (November 9th-14th) and Christmas Recess (December 21st – January 9th) so amounts to about 14 weeks of Parliamentary activity.

For much of period of this report MPs been have focused on the implications of the result of the referendum, the worsening situation in Syria, and the ongoing turmoil within the two main political parties. The political upheaval following the Brexit vote on June 23rd has continued to dominate the political landscape and with Theresa May currently appearing to adopt a hard line on Brexit, Labour has been left in a very difficult position. In reality much of May's 'hard line' is probably rhetoric designed to buy off support for UKIP and is an exact copy of the typical Thatcher approach ("talk hard but act soft") which at the end of negotiations will be abandoned in an unsatisfactory compromise deal.

However despite the difficulties May faces following the initial court ruling on the triggering of Article 50, and with the problems within her own party, Scotland and N. Ireland notwithstanding, the Tories are likely to pick up significant popular support. Indeed Labour could find themselves heavily embarrassed at the forthcoming by-elections in Stoke and Copeland, which have been triggered by the resignations of anti-Corbyn right wing MPs, and Corbyn's leadership could be further destabilised. Rumours had been circling in late 2016 that a snap General Election would be called in May of this year however this is now looking less likely.

As was mentioned in the previous report, Jeremy Corbyn faced another leadership battle in the summer of 2016 with Owen Smith standing against him in an unnecessary and embarrassing election for the Labour Party. During a special conference in September it was announced that Jeremy Corbyn had once again won the leadership election, increasing his mandate in the process. This result has cemented a split in the party with many backbench Labour MP's 'working to rule' and no longer following the advice or requests of the Shadow Cabinet or Whips. Although this is disappointing to many party members and trade unionists, Jeremy and his team continue to focus on social justice, the NHS, renationalisation of rail as well as holding the Government to account for the long term implications for workers and human rights in the Brexit negotiations.

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Reshuffles have taken place in both the Justice and Shadow Justice teams and most surprising, as was mentioned in the previous report, Liz Truss was appointed Secretary of State for Justice and Lord Chancellor without any former legal expertise. Also within her department; Sir Oliver Heald (Minister of State), Sam Gymiah (Parliamentary Under-Secretary), Dr Philip Lee (Parliamentary Under-Secretary), Lord Keen of Elie QC (Lords Justice Spokesperson). The Shadow Justice Team is currently lead by Richard Burgon MP who is supported by Christina Rees (HMCTS and Family Justice), Yasmin Qureshi (Prisons and Probation), Baroness Chakrabarti (Shadow Attorney General).

Richard Burgon has ensured a close working relationship with all member unions and organisations within the JUFCPG and has confirmed that someone from the Shadow Justice Team will always attend a JUFCPG meeting. Kate Green and Keith Vaz are new members of the Justice Select Committee although following newspaper reports regarding his private life and his resignation as Chair of the Home Affairs Select Committee, the appointment of Keith Vaz has been met with some scepticism and anger within Parliament.

Justice Select Committee Membership	Party
Robert Neill MP (Chair)	Conservative
Marie Rimmer MP	Labour
Kate Green MP	Labour
David Hanson MP	Labour
Keith Vaz MP	Labour
Richard Arkless MP	SNP
Alex Chalk MP	Conservative
Alberto Costa MP	Conservative
Philip Davies MP	Conservative
John Howell MP	Conservative
Victoria Prentis MP	Conservative

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PARLIAMENTARY GROUP

The Justice Unions and Family Courts Parliamentary Group currently comprises of over 50 cross party MPs and Peers and is co-chaired by Liz Saville-Roberts MP (PC) and Lord Fred Ponsonby (Lab), supported in the role of Vice Chair by Lord Ramsbotham (Crossbench). The Group meets regularly within Parliament with leading officials of the sponsoring organisations to discuss issues of concern within the criminal and family justice sectors. A programme of work is then carried out by Union Services (see Annex 4) in daily liaison with the union/organisation Head Offices to secure as much Parliamentary support as possible. The Group campaigns within Parliament on cross sectoral issues of concern including prison safety, legal aid, transforming justice, probation review and police officer safety and Union Services continues to seek Ministerial and Shadow meetings on behalf of the Group.

During the period covered by this report and in addition to strategy and Shadow Ministerial meetings, the Group has met twice formally; September and November. The Group will meet again on Wednesday 25th January. The agendas from both previous meetings are below:

2pm Wednesday 7th September, 2016, Room T, Portcullis House AGENDA

1. Introductions and apologies
2. Privatisation of Civil Enforcement Officers (PCS)
3. Access to Justice (Simpson Millar)
4. Strategic Issues Facing the Probation Service (Napo)
5. AOB
 - Court closures (PCS)
 - Structure of future group meetings

2pm Wednesday 16th November, 2016, Room N, Portcullis House AGENDA

1. Introductions and apologies
2. Transforming Justice (PCS)
3. Coercive Control (Simpson Millar)
4. Prison crisis and Government White Paper (POA) (Napo)
5. NPS and CRCs (update) (Napo)
6. AOB

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Following the next meeting of the Parliamentary Group, Union Services will be pressing for Ministerial meetings to discuss issues such as Legal Aid, prison safety and family justice. Meetings will continue to be held with members of the Shadow Justice team and it is hoped meetings can be secured with new and supportive members of the Justice Select Committee including Kate Green and Marie Rimmer.

QUESTIONS

The group has tabled over 40 written and oral Parliamentary questions over the course of this report. Questions have been entered onto the Parliamentary record on a wide variety of topics including:

- Community Support Officers
- Disclosure and Barring Service
- Prison Safety
- Access to Justice
- Police Officer safety
- Court Closures
- Domestic Abuse
- Prison Officer recruitment
- Reform Prisons
- Police Forces
- Offender Employment
- Litigants in Person
- Cross Examination of Vulnerable Witnesses

Full details of questions and answers are available on request.

MP's tabling Parliamentary Questions on behalf of the Group include:

- Richard Burgon
- Christina Rees
- Andy Slaughter
- Liz Saville-Roberts
- Lord Ramsbotham
- Roberta Blackman-Woods
- Richard Drax
- Gordon Henderson
- Yasmin Qureshi
- Lord Beecham

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BRIEFINGS

Detailed briefings and press statements have been circulated around MPs and Peers during the course of this report relating to the following topics:

- Coercive Control
- Transforming HMCTS
- NCES
- Prison Violence
- Domestic Abuse
- HMP Pentonville
- Grandparents Rights
- Prison Overcrowding
- Bach Commission
- Court Closures
- Probation Service
- Alternative Justice
- Prison Officer Numbers

EARLY DAY MOTIONS

Although they are never debated or voted on, EDMs are a useful focus for campaigns and a means of building support amongst backbench MPs. Front Benchers and Select Committee members traditionally do not sign EDMs. All EDMs fall during prorogation which is the end of the parliamentary session before the new session begins with the Queen's Speech. This year this is expected to be in May. Below is a table of all EDMs of relevance to JUFCPG members which have been tabled over the course of this report. (Full text and signatures for all EDMs can be found in Annex 1.)

EDM No.	Title	Tabling MP
310**	<i>Civil Service Compensation Scheme</i>	<i>Chris Stephens</i>
454	Violence, Drug Use and Safety in Prisons	Liz Saville-Roberts
531	Through the Gate Resettlement Services Joint Report	Liz Saville-Roberts
616	Smoking in Prisons	Liz Saville-Roberts
690	Performance of the Disclosure and Barring Service	Caroline Lucas

please note EDM 310 was tabled in July however it is a motion which has gained significant signatures over the course of this report. It is currently the 4th most signed EDM with 110 signatures.

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CAMPAIGNS

MINISTRY OF JUSTICE

- **Court Closures**

Before summer recess several debates on the issue of court closures and access to justice took place in Parliament. As was mentioned in the previous digest, these debates were secured as a result of the Government's announcement in February 2016 that 86 courts and tribunals were to close; this was despite overwhelming opposition to the proposals and a deeply flawed consultation document. One of the main issues facing court users following the announcement was likely to be travel to and from their nearest court/tribunal building. The closures affect rural communities but also those in cities who now have to travel at peak times to a court building on the outskirts.

With much protest within Parliament from all parties regarding the closures it was therefore surprising in September to learn that an additional consultation would be held regarding the proposed closure of Hammersmith and Camberwell courts in London. This document was published before the Commons rose for conference recess on September 15th and local MP and former Shadow Justice Minister Andy Slaughter raised this as a Point of Order with the Speaker:

A consultation document has been published in the last 10 minutes (...) on the closure of the major court in my constituency along with Camberwell magistrates court, also in London. There has been no written ministerial statement and no other notice. Such things are often published late in the day on the day that the House rises. The court serves 600,000 people in London and was told only in June that extra capacity was needed. There should be an opportunity to raise such important local issues. By the time the House sits again, more than half of the consultation period will be over. Should not Ministers deal with Members on a more courteous basis?

With no Ministerial announcement, statement written or oral and no significant press from the MoJ, the Speaker was noticeably frustrated with the actions of the Minister:

It is not clever when Ministers behave in this way. If it is done without malice or forethought, it is simply thoughtless. If it is done on the basis of knowing that it will disadvantage or inconvenience a Member, it is rank, inconsiderate and disrespectful not merely to the Member but, at least as importantly, to his or her constituents.

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On behalf of PCS, Union Services secured a meeting with Andy Slaughter during conference recess in his constituency to discuss the implications of the closures as well as possible Parliamentary actions. Andy Slaughter secured a meeting with Justice Minister Sir Oliver Heald in October however he was less than enthusiastic with his response to PCS and constituent concerns. Andy confirmed that the Tories 'bottom line' thinking was financial and the implications on service users were something of an afterthought. The Government are yet to respond to the consultation so draft written questions have been sent to Andy Slaughter MP for him to table within the coming days.

- **Access to Justice**

Since the introduction of the LASPO Act access to justice has been a constant issue for member organisations within the JUFCPG. Cuts continue to have a detrimental impact on the most vulnerable in both the criminal and family court systems with litigants in person continuing to rise and more reports of victims of abuse being cross-examined by their alleged perpetrator. In September 2016 a Backbench Debate was secured - Domestic Abuse Victims in the Family Courts. This debate highlighted the Women's Aid report '19 Child Homicides' as well as the worsening conditions for domestic abuse victims in the family justice system. Briefing material was provided by some of the JUFCPG member organisations and this was circulated to opposition MPs, members of the Justice Select Committee as well as JUFCPG members.

The Group has campaigned in recent months against the strict bureaucratic processes and requirements which have been put in place for those hoping to secure Legal Aid in the family courts particularly when children are involved and if there has been an accusation of domestic abuse. Many working across the justice sector have noted that since the implementation of LASPO, all pressure seems to be on the victim particularly in regards to securing evidence and the financial requirements which go with this. Much has also been made in recent months of the ability of an alleged perpetrator to cross examine witnesses, something many MPs mentioned during the debate. Peter Kyle MP said:

One constituent I am in regular contact with has been cross-examined by her former partner on three separate occasions. The man who beat her, broke her bones, battered her unconscious and hospitalised her, and who was convicted for his crimes, still has the right to summon his victim to court for a spurious custody hearing. He will never win the case, but that is not the point—he is victorious the second he steps into the courtroom, because in that instant he gets exactly what he wants, which is to continue to inflict violence and abuse on a woman who has already suffered more than most of us could ever imagine.

Following this debate in September, the same MP secured an Urgent Question in the chamber on January 9th. His question – *To ask the Secretary of State to make a statement*

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on the emergency review to determine how to ban perpetrators of domestic violence from directly cross-examining victims within the family courts- followed on from commitments made during the backbench debate in September by Justice Minister Dr Philip Lee which indicated a desire by Government to review this issue in order to make the family courts safer for victims and their families. In his response to the Urgent Question, the Minister for Courts and Justice, Sir Oliver Heald, confirmed:

'This sort of cross-examination is illegal in the criminal courts, and I am determined to see it banned in family courts, too. We are considering the most effective and efficient way of making that happen. That will help family courts to concentrate on the key concerns for the family and always to put the children's interests first'

The Government hope to publish their findings and suggestions regarding cross examination in the coming months however Group members have rightly raised their concerns regarding how such a change will be funded. Within the criminal courts the judge will ensure that the defendant is represented one way or another when it comes to cross examination. However with ongoing austerity measures within the justice system, it seems unlikely that the MoJ will release further funding for such a practise to take place within the family courts. Without some sort of additional funding, it seems unlikely that such a change will happen within the family courts any time soon. Written questions have been drafted and it is hoped these will be tabled by a member of the Shadow Justice team in the coming days. The questions focus on funding, training and timelines for any such changes within the family justice system as well as possible trials of any changes proposed.

The cross examination of witnesses links to an ongoing group campaign regarding coercive control and how it is currently dealt with within the family justice system and the ability of victims to access justice. As was mentioned previously, questions tabled by Group members have focussed on the requirements of victims to produce evidence, paper work and supportive statements from doctors to back up their claims of domestic abuse. All pressure is on the victim both financial and emotional. Following a meeting between Group members Simpson Millar and Police Federation in January, it was decided that written and oral questions on this issue would be tabled to try and ascertain how much funding is given to police forces in order to train officers as well as asking more general questions regarding support for victims i.e. refuge centres, financial support and legal assistance.

JUFCPG member union PCS recently commissioned a report by Professor Roger Seifert in an alternative vision for the UK justice system. This report will be officially launched in February 2017 in Parliament and it is hoped it will help shape Labour's justice policy in the lead up to a 2020 General Election. Although the report focuses on numerous areas of justice, a key theme is that of access to justice, the impact of LASPO and formation of a two tier justice system. Richard Burgon MP has confirmed his support for the report and he will

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be addressing those attending the launch event. It is hoped that full support will be given by all Opposition Parties.

Union Services will continue to draft written and oral questions on behalf of JUFCPG members regarding access to justice as well as securing meetings with supportive MPs in the coming weeks to continue a parliamentary campaign for a fair and accessible justice system for all.

- **Asylum Tribunal Fees**

The Government announced in September 2016 that they intended to increase fees for asylum and immigration cases by 500% from £80 to £490 on average for a decision on papers and from £140 to £800 for an oral hearing. This decision was met with shock, anger and frustration by Group member organisations and Opposition MPs and Peers who believed that this discriminatory measure was yet another way in which the Tory Government could limit access to justice for the most vulnerable.

Union Services immediately contacted the Shadow Justice team on behalf of PCS to ask what the official Opposition response to this would be. The following day the Leader of the Labour Party supported by numerous front benchers tabled a Prayer against the Government Statutory Instrument relating to asylum tribunal fees:

That an humble Address be presented to Her Majesty, praying that the First-tier Tribunal (Immigration and Asylum Chamber) Fees (Amendment) Order 2016 (S.I., 2016, No. 928), dated 14 September 2016, a copy of which was laid before this House on 15 September, be annulled.

This motion was signed by over 30 cross party MPs and it was hoped that it would therefore secure a debate. Statutory Instruments are rarely debated and it is rarer for them to be overturned and defeated. However, following overwhelming opposition within the public consultation the Government made an abrupt U-turn in late November, dropping the increases in favour of further reviews. In a written statement to the House, Oliver Heald MP said:

However, we have listened to the representations that we received on the current fee levels and have decided to take stock and review the immigration and asylum fees, to balance the interests of all tribunal users and the taxpayer and to look at them again alongside other tribunal fees and in the wider context of funding for the system overall.

This victory was welcomed by group member organisations as well as those who had campaigned against this dreadful legislation change. Although the Government have

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suggested that they are continuing to review tribunal fees for those involved in asylum cases, this reprieve is a clear victory for campaigners and supports the Group's ongoing campaigns regarding access to justice.

PRISONS

- **Prison Crisis – safety**

The situation within prisons across England and Wales has reached a new breaking point in recent months. Following years of cuts, privatisation and a deteriorating estate, the prison system is now on its knees with riots breaking out at numerous sites over the course of this report, increased assaults on staff as well as murders and escapes by inmates. For years JUFPCG members have argued on behalf of staff working within the prison system, using numerous parliamentary mechanisms to highlight the dire situation across the estate and for too long the concerns of front line staff have been ignored by successive Ministers. Following a cabinet reshuffle, Liz Truss became the Secretary of State for Justice; the 3rd with no experience of the legal, criminal or civil justice systems.

During her first outing as Justice Secretary, Liz Truss gave evidence to the Justice Select Committee with the aim of outlining her plans for the prison system as well as the wider justice sector. Unfortunately, this session only seemed to highlight her inexperience. In her first weeks in the job, Liz Truss had committed to action against extremism within prisons with particular reference made to segregated areas for those deemed to be an extremist. What was concerning during her evidence session when questioned by David Hanson MP was that there seemed to be no clear strategy in place to achieve her objectives:

Elizabeth Truss: (...) An important part of the role is actually making sure that officers on the ground and governors have the authority and the skills to deal with extremism wherever they find it. We will make sure that all officers have training by the end of this year.

Mr Hanson: Is there a budget attached to the directorate, and what is it?

Elizabeth Truss: I do not have the figures for the budget attached to the directorate. I can try to get those for you. The fundamental point is that the directorate is about gathering intelligence and making sure it is relayed across the system. It is a hub and spoke model, but the point I really want to make to the Committee is that there are going to be officers in our prisons on the frontline dealing with people peddling extremist narratives, and they need the knowledge and training to be able to deal with that. The purpose of the directorate is to make sure that link is there.

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As is clear from her response, her plans are yet to be financially viable yet she is certain that officers will have the necessary training by the end of 2016. This is yet to be confirmed officially however officers on the ground have confirmed that no such training has been provided.

Following the Justice Secretary's evidence session, things within the prison system went from bad to worse with a series of events unfolding across the estate including the horrific murder of Jamal Mahmoud at HMP Pentonville. Following this incident, prison officers working at this establishment passed a vote of no confidence in their Governor and called for an immediate increase in staffing numbers on each landing. Although the MoJ confirmed that they were *'fully committed to addressing the significant increase in violence, self-harm and self-inflicted deaths in our prisons'*, it is yet to be seen what measures have been put in place to tackle the immediate issues.

In late October the MoJ released figures regarding deaths in prison custody up to September 2016. These figures also took note of assaults, self harm and self inflicted deaths. Some of the more sobering figures included:

- **Self-harm incidents – up 26%**
- **Assaults on staff – up 43%**
- **Self-inflicted deaths – up 13%**

In the latter part of 2016 it seemed that the worsening situation in prisons was forever in the headlines and these figures further fuelled the Opposition's calls for an immediate inquiry and urgent financial assistance for all prisons to ensure additional staffing, training and support were provided in order to tackle the growing crisis head on.

POA members walked out on November 15th in protest action which was sparked by the Government's inability to tackle urgent safety concerns raised by front line officers. Richard Burgon secured an urgent question in the Chamber and it was here that the Secretary of State unleashed a tirade against the actions of POA members. Calling their action 'shameful, irresponsibly and self indulgent', the Secretary of State received much criticism from across the House regarding her manner and tone. What was clear from the Secretary of States' responses was that she was unaware that by attacking the POA she was in fact attacking front line staff and making the situation worse. This was pointed out to her by several MPs including the Lib Dem Alastair Carmichael. Following this action talks resumed and the Government placed a new offer on the table which included a minimal wage rise and a possible reduction in the retirement age to 65. This offer was sent to POA members who voted in favour of rejecting the proposals.

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With incidents continuing to rise across the estate including riots over the Christmas period, the Shadow Justice Team has confirmed that they will continue to hold Government to account. At the time of writing it has just been announced that there will be another Opposition Day Debate on 25th January. Briefings will be distributed to MPs and regular meetings have been arranged with the Shadow Justice Team.

- **Prison Safety and Reform**

Following the announcement made during the Queens Speech in May 2016 regarding new legislation to reform the prison estate, the new Secretary of State for Justice published the 'Prison Safety and Reform' White Paper on November 3rd; several days after the concerning safety statistics were published. Addressing Parliament, Liz Truss stated:

'I will invest in 2500 more prison officers across the prison estate. This includes the recruitment of 400 additional prison officers, which is already underway in 10 of our most challenging prisons.'

In his response to the Secretary of State's proposals, the Shadow Justice team, led by Richard Burgon raised the issue of staffing and linked the current crisis to the Tory austerity agenda. He said:

We have a prison capacity of 76,000 and a prison population of 85,000, which has remained at about the same level since 2010. We had 24,000 prison officers to deal with 85,000 prisoners; now we have 18,000 to deal with the same number. Our hard-working prison staff are overstretched and overwhelmed

Following the publication of the white paper, Union Services, on behalf of the POA arranged an urgent meeting with the Shadow Justice team and it was agreed that their focus in justice oral sessions would be to ascertain further detailed information regarding the draft legislation and the Government's timetable to tackle the urgent crisis. As was noted on several occasions by the Shadow Justice team in recent months within both the Commons and Lords Chamber, the Government have been warned by the POA, PCS and the PGA for years that cuts to prison staffing would have detrimental and dangerous consequences.

Following the Secretary of States' commitment to additional funding for the ten most difficult prisons as well as a recruitment drive of 2500 additional officers by 2018, Prisons Minister Sam Gyimah and Permanent Secretary Michael Spurr, gave oral evidence to the Justice Select Committee. It was during this session that the impact of the Government's austerity agenda on prison numbers became completely clear. With retention in the service at its poorest level for many years, David Hanson MP, questioned the Minister and Michael Spurr regarding the net number of officers needed to ensure an additional 2500 were recruited

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considering the loss of thousands in recent years due to retirement, ill health and redundancy. Their responses were alarming:

***Sam Gyimah** (...)with our normal recruitment plus the 2,500—so the normal run rate plus the 2,500 that we are looking to recruit—that would take us to something like 8,000 staff—correct me if I am wrong, Michael—by 2018 that we need to recruit.*

***Michael Spurr** (...)If we are going to fill everything through recruitment, we need to recruit 4,000 next year and 4,000 the year after to be able to meet all our requirements. You talked about staff shortfalls. The reality is that certainly in some parts of the country it has been difficult*

Since the publication of the White Paper, written and oral questions have been tabled to try and ascertain as much information as possible, these are all available on request. David Hanson MP, member of the Justice Select Committee also secured a Westminster Hall debate on December 1st regarding prison safety, details of which can be found in Annex 2.

With a Justice Oral session due to take place on 24th January Union Services have distributed draft oral questions around Group members regarding prison safety, jobs and the progress of the draft legislation. A meeting was recently held with the POA and the Shadow Justice Secretary to establish a joined up approach in regards to publishing official responses to the White Paper. It is hoped the POA executive will have a final draft in mid February which will assist the Shadow Justice Team in their work to establish firm Opposition Policy to prison reform.

PROBATION

In April 2016 the National Audit Office (NAO) reported that the restructure of the probation landscape had avoided 'major disruptions' in the beginning but that more needed to be done to address National Probation Service (NPS) 'operation issues' as well as 'understanding the risks associated with reduced business for the Community Rehabilitation Companies (CRCs)'. The head of the NAO concluded by stating that to 'achieve value for money will require the resolution of these fundamental issues. In September the Public Accounts Committee (PAC) published their findings from their inquiry into the TR programme and they found that:

There is still no clear picture of how the new system is performing in important areas of the reforms. The failure to deal with ICT problems and serious uncertainty over the impact on providers of lower than expect business volumes have also undermined the pace of change. Both pose a threat to achieving the required performance levels and outcome by the end of 2017 as planned.

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The PAC made seven recommendations in their report which included:

- *We expect the Ministry to update the Committee on progress by the end of 2017 to provide confidence that performance data on rehabilitation services is reliable and complete and show whether the overarching aim of reducing reoffending is being met.*
- *The Ministry should review and adapt the payment mechanism to create stronger incentives for CRCs to provide innovative services that meet the needs of all groups and reduce reoffending.*
- *The National Probation Service should develop a coherent plan to better guide court staff on the rehabilitation services available from CRCs.*

Although the Government agreed with the Committees recommendations, progress has been slow. The fact that the MoJ is a non-financially protected department may cause delay in the implementation of the recommendations. Union Services will continue to monitor this and will continue to brief the PAC regarding the *Transforming Rehabilitation* programme and the situation on the front line.

Probation staff are still suffering the consequences of the Coalition Governments 'Rehabilitation Revolution' with jobs no longer secure within the CRC's and morale within the NPS at an all time low. Figures have been somewhat illusive since the transferral of 70% of the probation service to the private sector however this was expected given the lack of accountability for the private sector companies. Former Shadow Justice Minister Jenny Chapman questioned the Prisons and Probation Minister in November regarding the progress of the Governments reforms:

Jenny Chapman: *There is a well-established link between unemployment and reoffending, and we are now five years on from the Government's rehabilitation revolution. Will the Minister let us know whether the latest reoffending statistics show an increase or a decrease in reoffending rates?*

Sam Gyimah: *It is still the case, as it has been for decades in the UK, that roughly a third of people who leave our prison system reoffend. The hon. Lady mentions the Government's record. I do not recollect the last Labour Government ever talking about rehabilitation and reform in our prisons. My right hon. Friend the Secretary of State will introduce plans that will give governors real power on the front line so that they can act as the ringmasters working locally to deliver real reform.*

As was mentioned above, following this session the Secretary of State published the prisons White Paper and within the document the Secretary of State set out her vision which included reformed roles for probation officers within the justice system. When referring to resettlement services the Secretary of State said:

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It is vital that prisons and probation services work closely together (...) We know there is more to do here. To help achieve this, we want to make sure prisons and probation services are, where appropriate, being held to account against the same outcomes. Reducing reoffending is already a common goal.

Unfortunately the proposal to hold these vital services to account in regards to reoffending rates not only adds additional pressure to already stretched services but it impacts on morale, making staff feel like they are not doing a good enough job. First and foremost, these services need additional funding however there is no mention within the White Paper of probation funding. The current CRC contracts are laden with such controversy regarding performance and workload that it could be seen as irresponsible to apply more responsibility and pressure on an already struggling sector.

Calls for an enquiry into the privatisation system have echoed throughout parliament and the justice sector since the first CRC contracts were signed. It was in December that the Secretary of State indicated that a review was in the pipeline:

(...) the prisons and probation Minister is conducting a comprehensive review of the probation system that is focused on improving the quality of our probation services. As with our plans for prisons, we want a simpler, clearer system, with specific outcome measures such as getting offenders off drugs, improving educational standards, and getting offenders into apprenticeships and work. We also want closer working with the Prison Service. We will set out our more detailed plans after our review is completed in April.

Following this remark, Group Vice Chair Lord Ramsbotham tabled a written question:

*To ask Her Majesty's Government, further to the remarks by the Secretary of State for Justice on 6 December (HC Deb, col 110) concerning the comprehensive review of the **probation** system, why the review will not be completed until April 2017; whether they intend to provide an update on the interim findings; and whether the findings of the final review will be published.*

This question was tabled on the last sitting day before Christmas recess however it is yet to be answered. It is concerning that such an important review has yet to be completed let alone started. It is hoped that the MoJ will work closely with Napo and other justice unions to ensure a fully comprehensive insight into the probation service is gathered before any results or recommendations are published. The Group has campaigned for a fully independent review for over 2 years now however the Group welcomes these steps and hopes for a more positive outcome for the sector. Questions will continue to be tabled to try and ascertain as much detail as possible regarding the review and Union Services will continue to keep member organisations fully updated.

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POLICE

In October Labour MP Holly Lynch secured a debate in the Commons regarding Police Office Safety following numerous concerns raised by officers in her constituency and the growing reports of assaults on the ever depleting front line police staff and officers. In her debate, Ms Lynch detailed the ever increasing responsibilities and dangers facing front line police officers:

I had already discussed with the Police Federation and senior officers my concerns that, due to a combination of reduced numbers and the ever expanding responsibilities of the police, officers are now regularly being asked to respond to emergency calls on their own. Only days before my shift, a female police officer responded to a domestic call in my district. Disgracefully, she was head-butted by an offender, knocking out her teeth and leaving her with a broken eye socket.

She went on to detail the difficulties in creating an accurate picture of the problem in order for Ministers to see the detrimental impact the immense cuts have had on officer safety. She said:

In West Yorkshire alone, there were 991 recorded assaults on police officers last year, with an estimated 23,000 across the country. In addition, many attacks are going unreported or are being side-lined in the pursuit of other charges, making it extremely difficult to understand the true scale of the problem.

In his response the Minister was somewhat pressed for time but when asked again by Holly Lynch to address the fundamental issue of staffing, he done his best to not answer:

Holly Lynch: *Does the Minister recognise that with the number of 999 calls to a lot of our forces, sometimes it is a choice between sending a lone officer or nobody, because those forces are that stretched?*

Brandon Lewis: *As we are limited to a few seconds of time, I will have to say that, in another place and at another opportunity, I will go through how the changing police force means that the work they are doing is changing. Having more officers on the frontline with their time focused on working with communities is a good thing. There is also the work with the College of Policing. I know that chief constables will continue to do what they can to ensure that they keep their people safe and enable them to work confidently to tackle the challenges of modern crime. We will continue to support them in this.*

There is much more that I and probably other Members would like to say on this issue, but we are time-constrained

Following the publication of results which indicated that over 23,000 assaults on officers in England and Wales take place each year, the Labour front bench team secured an Opposition Day Debate on the issue of police office safety. In her opening speech, Diane

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Abbott called on the Government to 'collect proper statistics' in order to tackle the worrying increase in assaults. The debate focused on body worn cameras and the need for the Government to invest in the service to ensure safety of officers is fully funded. Former Police Minister David Hanson used his contribution to focus on the intrinsic link between staffing numbers and increased assaults:

David Hanson: *The Minister mentions 13 years of Labour government. When Labour left office, there were 143,734 officers. There are now 124,000 officers (...)The Minister should know, in his role, that policing is not just about crime. Policing is about public order. Policing is about flooding. Policing is about dealing with public issues on the streets with people who are alcohol-intoxicated but have not yet committed a crime. Policing is not just about solving criminal activity. If there are fewer police on our streets, that is more dangerous, particularly if shifts are not working double-manned because of the cut in numbers.*

In his response, the Minister indicated that a new crime classification and requirements to be put in place in 2017 'will help chief officers to understand what is happening in their forces and to protect their officers and staff'. What was not clear however was what the Government were planning to do in order to tackle the issue immediately? Responsibility seems to have been placed once more in the individual forces and their leadership. This is partly true however their funding, requests and man power are essentially given the go-ahead by Government. As with numerous areas of public service and the justice sector, the Government has once more shifted their responsibility. Group members continue to raise the issue of front line policing numbers, the increase in complex crime as well as the worrying increased workloads place on front line police officers. With crime statistics only showing some of the picture, it is clear that resourcing the police force must be a priority in 2017.

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ANNEX 1: EARLY DAY MOTIONS

Parliamentary session 2016-17

EDM 310 Civil Service Compensation Scheme – Chris Stephens MP 110 Signatures

Total number of signatures: 110

Ahmed-Sheikh, Tasmina	Arkless, Richard	Bardell, Hannah	Black, Mhairi
Blackford, Ian	Blackman, Kirsty	Blenkinsop, Tom	Brake, Tom
Brock, Deidre	Brown, Alan	Butler, Dawn	Cadbury, Ruth
Cameron, Lisa	Campbell, Ronnie	Carmichael, Alistair	Chapman, Douglas
Cherry, Joanna	Cooper, Rosie	Cowan, Ronnie	Coyle, Neil
Crawley, Angela	Cruddas, Jon	Cunningham, Jim	David, Wayne
Day, Martyn	Donaldson, Jeffrey	Donaldson, Stuart	Durkan, Mark
Edwards, Jonathan	Elliott, Tom	Ellman, Louise	Esterson, Bill
Fellows, Marion	Ferrier, Margaret	Field, Frank	Fletcher, Colleen
Flynn, Paul	Fovargue, Yvonne	Gapes, Mike	Gethins, Stephen
Gibson, Patricia	Glindon, Mary	Godsiff, Roger	Grady, Patrick
Grant, Peter	Green, Kate	Hamilton, Fabian	Hendry, Drew
Hepburn, Stephen	Hermon, Lady	Hopkins, Kelvin	Hosie, Stewart
Howarth, George	Hunt, Tristram	Jones, Graham	Kerevan, George
Kinahan, Danny	Kinnock, Stephen	Lammy, David	Law, Chris
Lewell-Buck, Emma	Lucas, Caroline	MacNeil, Angus	McCabe, Steve
McCaig, Callum	McDonald, Stewart	McDonald, Stuart	McDonnell, Alasdair
McGarry, Natalie	McGovern, Alison	McKinnell, Catherine	McLaughlin, Anne

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McNally, John	Meale, Alan	Mearns, Ian	Monaghan, Carol
Mulholland, Greg	Nandy, Lisa	Newlands, Gavin	Nicolson, John
O'Hara, Brendan	Owen, Albert	Paterson, Steven	Phillips, Jess
Ritchie, Margaret	Rotheram, Steve	Salmond, Alex	Saville Roberts, Liz
Shannon, Jim	Sharma, Virendra	Sheerman, Barry	Sheppard, Tommy
Smeeth, Ruth	Smith, Owen	Spellar, John	Stephens, Christopher
Streeting, Wes	Stringer, Graham	Thewliss, Alison	Thomas-Symonds, Nick
Thompson, Owen	Thomson, Michelle	Timms, Stephen	Umunna, Chuka
Vaz, Valerie	Weir, Mike	Whitford, Philippa	Williams, Mark
Wilson, Sammy	Winterton, Rosie		

That this House is concerned by the Government's proposed reforms of the Civil Service Compensation Scheme (CSCS); notes the proposal to drastically cut civil service compensation payments by between 25 and 60 per cent, affecting thousands of civil servants across the UK; is alarmed that these reforms are being brought forward at the same time as hundreds of government offices are closing and departments are facing immense pressure to downsize, putting thousands of civil service jobs at risk; is aware that the then Minister for the Cabinet Office introduced changes to the CSCS in 2010 which he described as fair and sustainable in the long term; further notes that an equality impact assessment on these proposed new reforms has not been carried out; is concerned that cuts to the CSCS may affect older workers, women, those with disabilities and BME civil servants; notes that civil servants across the UK are facing an uncertain future and that additional uncertainty regarding exit payments has had a negative impact on staff morale and health; and therefore calls on the Government to halt its plans to further cut the CSCS and instead invest in the civil service through staff training, decent pay rises and honouring the terms and conditions of all civil servants.

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EDM 454 Violence, Drugs Use and Safety in Prisons – Liz Saville-Roberts

6 Signatures

Blenkinsop, Tom Bottomley, Peter Crausby, David Day, Martyn

Saville Roberts, Liz Williams, Mark

That this House is concerned by the ongoing crisis in the prison system in England and Wales; notes remarks by the new Chief Inspector of Prisons, Peter Clark, who said that prisons have become increasingly violent and dangerous places; further notes that the latest Safety in custody statistics confirm that prison staff are required to work in conditions where the levels of violence are continuing to increase; notes that since 2010 assaults in prisons have increased by 48.8 per cent with staff assaults increasing by 39.5 per cent in the last 12 months; is alarmed that recent figures show that the number of prison officers has fallen by 425 in the last 12 months, yet over 60 per cent of prison establishments are currently overcrowded with almost 10,000 additional inmates compared to what the estate is designed to hold; is further concerned that the safety of inmates and staff is under increasing threat; welcomes the latest report by HM Chief Inspector of Prisons and his calls for an urgent national strategy to deal with violence, drug use and safety in prison; and calls on the Government to begin an immediate programme of prison officer recruitment and training to ensure the safety of all within the prison system.

EDM 531 Through the Gate Resettlement Services Joint Report – Liz Saville-Roberts MP

8 Signatures

Bottomley, Peter Flynn, Paul Henderson, Gordon Hopkins, Kelvin

Lucas, Caroline McGarry, Natalie Rimmer, Marie Saville Roberts, Liz

That this House notes with concern the recently published inspection report, Through the Gate Resettlement Services for Short-Term Prisoners by HM Inspectorate of Probation and HM Inspectorate of Prisons; further notes that Through the Gate is a flagship rehabilitation policy of Government which aims to reduce reoffending rates of those serving under 12 months; is aware that Community Rehabilitation Companies (CRCs) are responsible for this provision yet due to lack of incentive from Government contract arrangements, are failing to give priority to this work; is concerned that the report highlights that of the 86 cases inspected, not one client was helped into

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work, a third were released with nowhere to live and limited provision was given to those in debt; notes that in 61 per cent of cases inspected, the CRC had taken insufficient account of public protection, most notably in cases of domestic violence; is aware that, since the introduction of the Transforming Rehabilitation programme, probation services across the UK have seen a reduction in service quality and low morale within both CRCs and the NPS; and urgently calls on the Government to rescind the CRC contracts immediately and launch a review into the Transforming Rehabilitation Agenda and its impact on offenders, victims, the public and staff.

EDM 616 Smoking in Prisons – Liz Saville-Roberts MP

13 Signatures

Barron, Kevin	Blackman, Bob	Bottomley, Peter	Edwards, Jonathan
Gapes, Mike	Hayes, Helen	Henderson, Gordon	Hopkins, Kelvin
Meale, Alan	Rimmer, Marie	Saville Roberts, Liz	Shannon, Jim
Williams, Hywel			

That this House is concerned by the findings of Professor John Britton in his independent medical report regarding the harmful effect of second hand smoke within prisons; notes that this report was commissioned by National Offender Management Service in 2014, published in March 2015 but was withheld until October 2016; is further concerned by the response to question 1, (1.5) in which it is concluded that exposure to the smallest amount of second-hand smoke carries a reasonable probability of injury; further notes the World Health Organisation report of 2010, cited in Professor Britton's report, which stressed that there is no evidence for a safe exposure level of second hand smoke; notes the calls of the Prison Officer Association for the Government urgently to introduce smoke-free prisons across England and Wales to ensure the health and wellbeing of staff and inmates is maintained; and therefore calls on the Government to accept the findings of John Britton's report and to work with staff and inmates to ensure a safe and quick transition to a smoke free estate.

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EDM 690 Performance of the Disclosure and Barring Service – Caroline Lucas MP

15 Signatures

Betts, Clive	Cooper, Rosie	Cunningham, Jim	Dowd, Jim
Edwards, Jonathan	Fovargue, Yvonne	Godsiff, Roger	Harman, Harriet
Hayes, Helen	Lucas, Caroline	Meale, Alan	Rimmer, Marie
Saville Roberts, Liz	Stephens, Christopher	Williams, Mark	

That this House recognises the vital role played by the Disclosure and Barring Service (DBS) in safeguarding children and vulnerable adults and preventing crime; notes with very great concern the often inordinate delays in the processing of some enhanced DBS checks by police forces; further notes that these delays result in some people missing out on job offers and others losing their existing employment and income; considers such delays in the processing of DBS applications to be a direct result of substantial cuts to police services, in particular to civilian support staff, since 2010; and calls on the Government to take urgent action to ensure that all police forces and in particular the Metropolitan Police Service, have the resources they need to provide a timely and accurate service.

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ANNEX 2: DEBATES

Full access to all debates can be found on the Parliament home pages (www.parliament.uk). Below are excerpts from Hansard of some key debates during the parliamentary term from September 2016 until January 2017.

Backbench Debate – 15th September 2016

Domestic Abuse Victims in the Family Courts – Angela Smith MP

<https://hansard.parliament.uk/commons/2016-09-15/debates/34FB8AA3-6931-4A38-B1E2-2D5AE13B1F84/DomesticAbuseVictimsInFamilyLawCourts>

This debate focused on the Women's Aid report – 19 Child Homicides – which highlighted the worrying trend within the family courts to assume that a possible perpetrator of domestic violence could still be viewed as a 'good father'. Although the Group did not contribute to the report, many aspects of it were supported by JUFCPG member organisations and therefore briefing material detailing the difficulties facing staff within the court system and legal profession were circulated to MPs in advance of the session. An excerpt from the debate can be found below:

[Angela Smith \(Penistone and Stocksbridge\) \(Lab\)](#)

I beg to move,

That this House notes the Women's Aid report entitled Nineteen Child Homicides, published in January 2016; and calls on the Government to review the treatment and experiences of victims of domestic abuse in family law courts.

Let me make it clear at the beginning that I will take only two interventions at most, because this debate is heavily subscribed and I want people to have time to speak. The debate today is not really about courts, laws and statutory agencies; it is about children—or, rather, it is about children whose mothers have been subject to domestic abuse and who themselves have become victims of violent and coercive fathers. This debate, in particular, is about the 19 children who have died at the hands of their fathers over the past 10 years, all of whom had access to their children through formal or informal child contact arrangements. So with the good will of the House, I want to dedicate the first part of my speech to telling the story of Claire Throssell, my constituent:

"It took just 15 minutes on the 22nd October, 2014, for my life and heart to be broken completely beyond repair. I had warned those involved with my case that my happy, funny boys would be killed by their own father; I was right.

My boys were both with their father on that October day, and at around 6.30pm he enticed Paul, nine, and Jack, 12, up to the attic, with the promise of trains and track to build a model

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railway. When the boys were in the attic, he lit 16 separate fires around the house, which he had barricaded, so my sons could not get out and the firemen could not get in. Only 15 minutes later...the doorbell rang at my mum's. (We were staying there temporarily after the separation.)

'It's the boys, they must be early,' my mum said—but I knew that wasn't right. The boys would have run into the house and straight into my arms; they always did after a visit to their dad. They were frightened of him—he was a perpetrator of domestic abuse. The statutory agencies involved in our case knew this.

I opened the door. Blue lights were flashing.

'There's been an incident at your former home; the boys have been involved in a fire... Running into the hospital, the first thing I saw was Paul receiving CPR. A doctor, drenched in sweat and exhausted, told me they were withdrawing treatment. I held Paul in my arms. I begged him to try, to stay, to not leave me. He looked at me, smiled, and the life left his beautiful blue eyes. His hair was wet with my tears as I kissed his nose. Then Paul, my boy, was taken out of my arms and into another room. There was no further chance of touching him; his little body was now part of a serious crime enquiry.

Detectives arrived and informed me that my former husband was responsible for the fire, and that he'd also died. All this time I wasn't allowed to see Jack, as they were still fighting to save him. Thankfully, he never knew that Paul had died. He'd tried to save his little brother. The police later disclosed that Jack was still conscious when carried out of the fire and told them: 'My dad did this and he did it on purpose.' This was taken as his dying testimony. Jack clung to life for five days but his battle was too big for him to fight. His body had suffered 56% burns. On the 27th October, he too died in my arms after suffering a cardiac arrest due to his horrific injuries."

That is Claire's story—it is tragic and heartbreaking, utterly heartbreaking. But I wanted that story on the parliamentary record—and now, thank God, it is—because it is the testimony of these stories, heard here in this Chamber, that will in the end engineer the changes we need to see to make sure that Claire's story does not become another mother's story. Before I move on to highlight what changes are required, I want to pay tribute to Claire. In my 12 years as an MP, I have never been asked to intervene in a case like this. No other case I have been presented with has touched me like this. No other constituent has impressed me so much with her bravery and her determination to secure something positive out of something so dreadful.

I want to pay tribute, too, to the people of Penistone, who responded magnificently to Claire's tragedy. Claire's husband cancelled the insurance on the property before he set it on fire. He also did other things, which I will not go into, that effectively left her penniless and without a home. The people of Penistone, led by our wonderful vicar at St John's church, rallied round, raising money to buy somewhere for Claire to live and pulling together, in DIY SOS style, to

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make her new house into a home. In black, dreadful times such things matter, and I am incredibly proud of the people I represent in this close-knit, warm-hearted community. Let me move on to the changes that are critical if we are to ensure that this never happens again, and to what we need to do to secure Claire’s legacy and the legacy of her children, Paul and Jack. The Women’s Aid report “Nineteen child homicides” was published earlier this year in response to the failure of the family courts to embed in their practice a culture of putting children first.

[Mr Jim Cunningham \(Coventry South\) \(Lab\)](#)

On that point, there should be an urgent review of family courts, because, very often, people who are giving evidence are not protected; they are actually facing their abuser. More importantly in relation to family courts, my constituent, a victim of domestic abuse, was in hospital. The abuser got custody of her children, as she was not represented in the courts. That is one reason why I say that we need an urgent review of family court practices.

[Angela Smith](#)

I completely agree with my hon. Friend. All of that is despite the fact that, in 2004, a legal framework and the accompanying guidance was produced to ensure that there was protection. That legal framework itself was a response to an earlier report by Women’s Aid “Twenty-nine child homicides”. At its heart was a recognition that the courts needed to develop a new culture of putting children first. The accompanying Practice Direction 12 requires courts to ensure that, where domestic abuse has occurred, any child arrangements ordered protect the safety and well-being of the child and the parent with care, and are in the best interests of the child.

In addition, in 2015, a new criminal offence of controlling or coercive behaviour in an intimate or family relationship was introduced and Practice 12 was amended to reflect this wider definition of domestic abuse—two developments that are potentially big steps forward.

[Seema Malhotra \(Feltham and Heston\) \(Lab/Co-op\)](#)

My hon. Friend is making an incredibly powerful speech. I have been struck by a number of constituents and by other people whom I have met through my work in the House who have said that, as victims, when they have gone into the courts, including family courts, they have felt that they have not been believed and that those involved in the judiciary do not fully understand the patterns of domestic abuse and what to believe and who to believe in the courts. Does she agree that an important part of this is the training of the judiciary and the updating of the training to reflect changes in the law?

[Angela Smith](#)

I completely agree with my hon. Friend.

I wish now to ask a few questions. What exactly are the failures of the family courts, given the legislative tools at their disposal? Why is it proving so difficult for the family courts to tackle this issue? Why is it so hard to put children first? I suggest that there are two major reasons. First, there is the ongoing assumption that men who are abusive towards women can

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nevertheless still be good fathers. That belief—that myth—is unbelievably enduring and flies in the face of the available evidence. Research indicates that there are many serious, negative impacts on children arising from domestic abuse, including children becoming aggressive or, conversely, over compliant. They can become withdrawn, anxious and fearful. One study also found that more than 34% of under-18s who had lived with domestic violence had also been abused or neglected by a parent or guardian. I do not see why that should surprise anybody. Surely, this outdated, discredited way of thinking has no place in our family courts. Surely, given the ongoing incidence of violence against children and the frequent link with domestic abuse, we need effectively to eradicate this cultural legacy from our family courts.

Secondly, there is an ongoing failure on the part of the statutory agencies and the family court judiciary to understand that domestic abuse frequently involves coercive control; abuse is about power and control. That is why it is not surprising that fathers who beat up women can also abuse children.

Physical injury is not the only manifestation of abuse and it is in that context that the courts themselves can become a tool in the armoury of a controlling abuser. In other words, when separation occurs and a woman removes herself and her children from an intolerable situation, the abusive parent frequently uses family court proceedings as a means of continuing his attempt to control and coerce.

This brings me back to Claire's story. Her abuser exercised the ultimate control over her. Not only did he drag her to the family court for unsupervised access to his children, he went on to murder her children. In doing that, he has, with one awful, heartbreaking criminal act, exercised control over Claire for the rest of her life. That should give us pause for thought. Never again will Claire's life be the same, as her two boys have gone. We all feel her pain, and we have a duty to act.

That is why I have worked with Women's Aid and other MPs to secure this debate today. I pay tribute to Women's Aid and the all-party group on domestic violence, which have produced reports that reflect on what needs to be done. I do not have time to go through their recommendations in detail. Suffice it to say that they relate to measures designed to put children first, to implement properly the legal framework and Practice 12, including the professional training of court staff and the judiciary as my hon. Friend the Member for Feltham and Heston (Seema Malhotra) mentioned, and to put in place independent national oversight of the implementation of Practice 12. They also include practical measures, such as dedicated, safe waiting rooms for vulnerable witnesses and separate entrance and exit times. Of course we all want to see reform of the Government's legal aid changes to ensure that representation in the family courts is adequate and sufficient to avoid the current situation, which sees abused women cross-examined by their abusers. I know that the Minister, who has written to me separately, has indicated that the president of the family division has asked Mr Justice Cobb to review Practice Direction 12 to see whether amendments are needed, but we need more than that. The public needs more than that, as is indicated by the 38 Degrees petition, which has now been signed by more than 33,000 people. We need to see: the

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Ministry of Justice take action to ensure that the legal framework is properly implemented; practical changes to the ways the courts work; resources dedicated to ensuring the professional training of court staff and the judiciary; and the Government indicating that they will do all that is necessary to improve the relationships and the information sharing between statutory agencies and between those agencies and the family courts. There was a huge delay in the cases of Claire, Jack and Paul.

Above all else, for Claire's sake and for the sake of all vulnerable women, we need the Government to send out a very clear message. By agreeing to act on today's motion, the Government would be sending out a clear message that domestic abuse will be tackled, that it will be dealt with in all its forms, and that we will not allow our children to be harmed by it. Jack and Paul must never be forgotten. Claire wanted their names to be used in the serious case review, but the authorities refused, preferring to refer to them as P2. Jack and Paul were not P2; they were two dearly loved boys whose lives were snatched away from them by a violent father. Let us make sure today that Jack and Paul will never be forgotten. Let us support the motion on the Order Paper.

Adjournment Debate – 11th October 2016 Police Officer Safety – Holly Lynch MP

<https://hansard.parliament.uk/commons/2016-10-11/debates/D9F44453-5EBD-440B-AC7B-89FACCD413CA/PoliceOfficerSafety>

Having volunteered with her local police force and witnessing firsthand the pressure and danger facing front line police officers, Holly Lynch secured this end of day Adjournment Debate to allow for some Parliamentary time to be devoted to the safety of these valued public servants. The debate was incredibly well attended by members from across the House.

Holly Lynch (Halifax) (Lab)

May I say how pleased I am to have the opportunity to raise in the Chamber the issue of police officer safety? I thank all those colleagues who have stayed for the debate. That is appreciated not just by me, but by the hard-working and dedicated police officers who we represent up and down the country. I also take this opportunity to thank all MPs who showed their support for the campaign at the drop-in session earlier today.

On Friday 5 August during the summer recess, I joined West Yorkshire police for a 2 pm till 10 pm shift to get the front-line experience, and to see just how the demands on local policing are changing. I spent the afternoon with neighbourhood policing officer PC Kim McCloskey, visiting community projects and seeing some of the great work going on at the grassroots Ovenden Phoenix football club, before spending the evening with response officers reacting

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to 999 calls. West Yorkshire Police Federation chair, Chief Inspector Nick Smart, had only recently been to see me to raise concerns about an increase in assaults on police officers, and to outline how depleted numbers are impacting on front-line capabilities.

[Nick Thomas-Symonds \(Torfaen\) \(Lab\)](#)

My hon. Friend rightly talks about an increase in those incidents, but does she agree that one of the most important things we need to do is collect more accurate data so that we can see precisely what is going on in that respect?

[Holly Lynch](#)

I could not agree more with my hon. Friend, and will come to that in more detail later. With those concerns in mind, I was keen to see for myself just how well police officers on the front line are coping with cuts of £160 million over five years, resulting in the loss of 1,200 police officers—a reduction of 20% of the force. As an MP, I already work closely with local neighbourhood policing teams. Headed up by Inspector Colin Skeath, there is some outstanding work going on to address the underlying causes of crime, to tackle antisocial behaviour, and really to build trust and engagement across communities. I am always amazed that neighbourhood police officers seem to know the name of every kid in their patch. I pay tribute to the invaluable work they do. Long may it continue.

It was into the evening, when I moved over to response policing, that I joined PC Craig Gallant reacting to 999 calls. That was where I could really see the strain on the service. I had already discussed with the Police Federation and senior officers my concerns that, due to a combination of reduced numbers and the ever expanding responsibilities of the police, officers are now regularly being asked to respond to emergency calls on their own. Only days before my shift, a female police officer responded to a domestic call in my district. Disgracefully, she was head-butted by an offender, knocking out her teeth and leaving her with a broken eye socket.

It was not long into my time with PC Gallant that we attempted to stop a vehicle to speak to the driver. Having turned on the blue lights, the car initially sped away. However, after a short chase the driver eventually thought better of it and pulled over. PC Gallant asked the driver to get out of the vehicle, but he refused. As he continued to instruct the driver to get out the car, a crowd began to gather, with some onlookers becoming increasingly hostile; passing vehicles also began to take an interest. A second vehicle then pulled up at speed. As the passenger from the first car got out to get into the second, the situation very quickly escalated. PC Gallant found himself surrounded, dealing with an aggressive crowd from all directions. When he was forced to draw his baton while instructing the crowd to move back, I was so concerned for his safety that I rang 999 myself, believing it was the fastest way to make contact with the control room and stress just how urgently he needed back-up. Thankfully, other officers arrived at the scene shortly afterwards to help to manage the situation. Amazingly, no injuries were sustained on that occasion, but I saw for myself just how quickly situations can escalate and how vulnerable officers are when they are out on their own.

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[Jim Shannon \(Strangford\) \(DUP\)](#)

I thank the hon. Lady for giving way and for bringing this very important issue to the Chamber for consideration. The hon. Lady will be aware that in Northern Ireland police officers carry personal weapons both on duty and at home because of the threat to them. I spoke to her about this issue today and she may have a different opinion, but does she feel that it is important that we protect police officers at home and at work, and that one way of doing that is to give them a personal weapon that they can access at any time? That provides safety for them and their families.

[Holly Lynch](#)

I am grateful to the hon. Gentleman for that intervention. The circumstances in Northern Ireland are very serious and really quite different to some of the circumstances in the rest of the country. I am asking the Minister today to consider all available options to provide the safety and resources that police officers need on the streets. That is certainly one option that could be considered, with the specifics of Northern Ireland policing.

Returning to the incident on the streets of Halifax, it gives me great pleasure to welcome PC Gallant to Westminster to join us for this debate. I think it is fair to say that he remained much calmer than I did throughout the incident.

An assault on a police officer is an assault on society. It is totally unacceptable that public servants, working in their communities to protect people and help the vulnerable, are subject to assaults as they go about their jobs. Make no mistake, these are tough jobs, and while most officers will tell you that they understand there are risks, being a punching bag should never be part and parcel of the job. In West Yorkshire alone, there were 991 recorded assaults on police officers last year, with an estimated 23,000 across the country. In addition, many attacks are going unreported or are being side-lined in the pursuit of other charges, making it extremely difficult to understand the true scale of the problem.

[Tom Blenkinsop \(Middlesbrough South and East Cleveland\) \(Lab\)](#)

In Cleveland, a police officer has had their jaw broken twice in the past 12 months. That follows on from the fact that in the past six years, Cleveland has seen a 25% cut in the number of front-line police officers. Does my hon. Friend think that that is a factor? The amount of single staffing patrols has now increased to such a level that officers are exposed to increased danger.

[Holly Lynch](#)

There are no two ways about it. I will come on to that in more detail in my speech. That is a very serious incident. Sending officers out on their own just is not working.

When I asked the House of Commons Library for statistics, by police force, of assaults on officers, it responded by saying that there is a lack of official statistics in this area. A recent Home Office report cites that assaults on officers and police community support officers are

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not collected as national statistics. Instead, the figures are estimates based on two limited data sources. To be fair to the Home Office, I very much welcome the recent efforts it has made to improve the system for recording assaults on officers, but there is still a long way to go. Last year the Home Office asked forces to provide data on assaults on a voluntary basis. However, it recognised that there were flaws to that approach, concluding that “the figures...are not directly comparable at police force area level”, and that

*“the estimates are relatively crude, and should be interpreted with caution.”
As the data are not collected, we simply cannot answer some of the bigger questions. Is the number of assaults going up? Are some forces failing to protect their officers? Have cuts to police budgets made policing more dangerous?*

Westminster Hall Debate – 26th October 2016 Disclosure and Barring Service – Helen Hayes MP

<https://hansard.parliament.uk/commons/2016-10-26/debates/A1FC50D9-6914-4083-86F8-4B23FCC0ED83/DisclosureAndBarringService>

Union Services, on behalf of PCS, fully briefed Helen Hayes in advance of this debate to ensure the PCS perspective was taken into account when discussing the performance of DBS. Although the Group has not actively campaigned on the issues facing DBS in several months, the Group fully welcomed the debate.

[Helen Hayes \(Dulwich and West Norwood\) \(Lab\)](#)

I beg to move,

That this House has considered the performance of the Disclosure and Barring Service.

It is a pleasure to serve under your chairmanship, Sir David.

I sought this debate because, since being elected last year, I have been approached by a significant number of my constituents who have experienced serious personal consequences as a result of delays in the processing of enhanced Disclosure and Barring Service checks.

When I asked written parliamentary questions on the subject earlier this year, two things happened. First, the answers to my questions did not provide any comfort or confidence that the problems were in hand. Secondly, many more individuals, voluntary sector organisations, care providers, public sector employers and others got in touch with me to say that they had had problems, confirming my view that there is a significant problem with far-reaching impacts. Today I will discuss the nature of the problems with the DBS, the impact on individuals, the reasons behind the poor performance, the Government’s response, and the key issue of the current non-portability of DBS checks.

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The DBS is a vital part of the safeguarding process. The process began under the Criminal Records Bureau established by the Labour Government, and I support it wholeheartedly. It is absolutely right that the checks take place and that anyone who, because of a previous conviction, is not a safe person to work with children or vulnerable adults can be prevented from doing so. However, the service must be run in an efficient and effective way, and it is clear that there are major problems in many parts of the country. Performance levels depend on the DBS itself and on the relationship between the DBS and the police forces across the country that are charged with delivering 25% of checks that come through the police character inquiry centres. The DBS and the police must work hand in hand to deliver a good service.

I will discuss that in further detail shortly, but I want to be clear about the impacts that the current delays in processing enhanced DBS checks are having. In November 2015, I was contacted by a constituent who was a student nurse and who needed a DBS check to be completed so that she could take up her student placement. She made the original application in August 2015. She did not receive her DBS clearance until December 2015, as a consequence of which she missed the first term of her nursing placement.

In March 2016, I was contacted by another constituent, who was seeking to complete six months of clinical experience in hospital and voluntary sector settings before enrolling on a programme of doctoral study in clinical psychology. He had submitted three applications for the three settings in which he was undertaking placements. That is an issue in its own right, to which I will return. The first application was made in October 2015, with two subsequent applications shortly thereafter. In anticipation of beginning his placements six months ahead of the commencement of the doctoral programme, my constituent resigned from his job only to wait several months for his DBS checks to be finished. That happened only in July 2016, far too late for the placements to be completed in time for the start of the course in September. My constituent has been forced to claim jobseeker's allowance and to delay the commencement of his studies by a whole year as a consequence of the delays.

I have also been contacted by a healthcare worker who was unable to take up a job offer for five months; a parent-run nursery that is in breach of Ofsted regulations because it cannot appoint the required number of trustees until they have all been DBS cleared; a care agency that is unable to recruit a sufficient number of careworkers quickly enough to meet demand; and schools and hospitals experiencing frustrating delays in being able to fill vacant posts.

There are harder cases, including my constituent who is an ex-offender and has found it very difficult to find work. In May 2016, he was offered a job that he was keen to take up. He contacted me about the delay in processing his enhanced DBS check. Despite my office contacting the DBS a number of times and receiving assurances on three occasions that the case had been escalated, my constituent is still waiting for his DBS check more than five months later and the rare offer of employment has been withdrawn. When people are doing their very best to do the right thing and to turn a corner in their lives and move on, it cannot be right that the Government are placing an unnecessary barrier in their way.

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The Criminal Justice Alliance—a coalition of 110 charities working across the criminal justice pathway—contacted me to say that, in recent months, the performance of the DBS, particularly in London, has been having a severe impact on its capacity to deliver services, delaying rehabilitation work for many prisoners. The Local Government Association is concerned about the national impact of DBS delays on the social care sector.

My right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), who is unable to attend the debate, contacted me with examples from her constituency of people who have been forced to claim benefits and use food banks, and who have even been issued with eviction notices, because they have been unable to take up employment as a consequence of DBS delays. In Sheffield, as elsewhere in the country, taxi drivers must undergo annual DBS checks. That is particularly important given the links that there have been between the taxi trade and child sexual exploitation in some parts of the country. However, the DBS is so slow in Sheffield that taxi drivers are sometimes unable to work for a third of every year as they await their certificate.

My point is that the consequences of the poor performance of the service is far-reaching, can be devastating, and can result in additional costs to the public sector and important posts in our public services and elsewhere remaining unfilled. I have sought to illustrate the impact on individuals, but what do we know about the bigger picture? The Government have not published any official data on the performance of the DBS since July, and have published no data at all on the most severely delayed cases, meaning those delayed beyond 60 days.

In July, of 51 police forces, only 32 had achieved the target of processing 85% of applications within 14 days. At the Metropolitan police, only 14% had been processed within that time. In North Yorkshire, the figure was only 12%, and in Nottinghamshire, it was just 7%. There is enormous variation in performance. Also in July 2016, the average time taken by the Metropolitan police to process an application was 128 days, while the average time taken in Norfolk was 1.8 days. The Government website acknowledges that there are delays and states that action is being taken to address them but, in my view, the lack of comprehensive performance data, including the absence of any data at all on the most severe delays, combined with the lack of any substantive or detailed information about the plan for recovery, is not acceptable. The Government owe it to the many people suffering the severe adverse consequences of DBS delays to be much more transparent about the scale of the problem and the action being taken to address it.

I have spoken with the Public and Commercial Services Union, which represents 12,000 members based in the Home Office, including those working in the DBS, and more than 6,000 members in the Metropolitan Police Service. The PCS told me that, in February this year, the Metropolitan police character inquiries centre had a backlog of 70,000 applications waiting to be processed, with an average weekly intake of 6,000 new applications. That amounts to a 12-week backlog. The problem got so bad that DBS customer services staff were provided with guidance on what to do when they received calls from customers who were suicidal, which were becoming a more frequent occurrence. The PCS acknowledges that some management action has been taken, including changes of leadership in the Metropolitan police team responsible for the character inquiries sector; increases in staffing; an increase in the number of permanent employees over agency staff; and streamlining of

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the process. That action led to some reduction in the backlog but it is clear that some of the problems are structural. Those include long-term understaffing and the short-term nature of the funding provided by the DBS to the police, which results in high levels of temporary staff and job insecurity, and means that experienced staff often find more secure work elsewhere. There are also problems with computer software.

Although I am strongly supportive of the role of the DBS, it is important that progress is made towards delivering a fully portable certificate. In my constituency, as across the rest of the UK, people move jobs, often work for more than one employer, or use valuable skills from their day job as a volunteer in the evenings or at weekends. All those circumstances lead to multiple applications that add to the workload of the DBS. I place on the record my support for the many employers and voluntary sector bodies calling for the development of a fully portable certificate.

Finally, I have personally been very disappointed by the responses I have received from the Government and the police when I have raised the issue of the poor performance of the DBS. Although they acknowledge that there is a problem, their responses across the board have failed to reflect the serious impact that the poor service is having on my constituents and on residents across the country. They have failed to convey any sense of responsibility for the failures. It simply cannot be the case that a system designed to protect our most vulnerable residents has the effect of punishing many entirely innocent citizens. That situation must be addressed.

In closing, I ask the Minister to answer the following questions. Will the Government publish full performance data for the DBS, arranged by individual police force, including data on the most severely delayed applications? Will they publish the recovery plan for the DBS, including the performance targets it is working towards? Will they consider bringing the DBS back within the Home Office? Will they review the funding arrangements for the police, with a view to providing a more stable funding environment to enable the police to resource DBS checks properly?

Will the Government commit to compensation for those who have lost earnings as a consequence of DBS delays? Will they publish plans to progress fully portable DBS checks? Finally, will they commit that, in situations where someone's offer of employment is in jeopardy as a consequence of a DBS delay, their application will be escalated and dealt with within a fixed timescale of no more than three working days to prevent further hardship and cost to the public sector through the benefits system?

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Opposition Day Debate – 2nd November 2016
Police Officer Safety – Diane Abbott MP

<https://hansard.parliament.uk/commons/2016-11-02/debates/D1A2C966-A2FD-47F1-9098-C267C813B5F6/PoliceOfficerSafety>

As was mentioned earlier in the digest, following newly released figures which detailed the worrying number of assaults on police officers in recent months, the Shadow Home Office team dedicated one of their Opposition Day debates to police officer safety. This busy and sometimes fractious debate highlighted the growing complexity of crime across the UK and the added pressures that now come with the role of a police officer. The motion was voted upon and lost; 207 to 288. Below is an excerpt of the Government's closing statement:

[The Parliamentary Under-Secretary of State for the Home Department \(Sarah Newton\)](#)

This has been a lively debate on an important subject of great concern to us all. I have listened with great care to the thoughtful speeches made by Members on both sides of the House. Sadly, there is so little time for me to speak that I will not be able to address all the questions, but I will write to Members with answers.

I am sure that you will agree, Mr Deputy Speaker, that there has been one absolutely stand-out speech this afternoon, and that was the maiden speech of the hon. Member for Batley and Spen (Tracy Brabin). We will never forget the contribution that Jo made; she was, indeed, a small woman with a big kick. I am sure that the people of Batley and Spen will be extremely well represented by the hon. Lady, as we have seen from her speech today. I join her in paying great respect to West Yorkshire police for how they have dealt with an incredibly difficult time for her community and the broader community of West Yorkshire.

I pay tribute to the hon. Member for Halifax (Holly Lynch) for persuading her colleagues to secure this important debate and for enabling us all to highlight this important issue. Like the hon. Lady and many Members we have heard this afternoon, I have spent time on the beat with officers in my constituency. My sister was a police officer, and my nephew—I am proud of him—is now serving our community as a special. I know first hand of the dedication of police officers, keeping us safe, day in, day out, all around our country.

I also pay tribute to my hon. Friend the Member for Monmouth (David T. C. Davies) for his long and distinguished service as a special, and to my hon. Friend the Member for Gower (Byron Davies) for his more than 30 years of service as a police officer. I congratulate him on his recent election to the Home Affairs Committee, where I am sure that he will do an excellent job.

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This afternoon, there have been calls for more and stronger sentencing. We agree that sentences must be tough. Although sentences are a matter for the courts, I want to assure all Members that sentencing guidelines already provide for assault on a police officer to be treated more severely. Assaults on police officers resulting in injuries will often result in a charge of actual bodily harm or an even more serious offence. In these cases, the fact that the victim is a police officer delivering this vital service is taken into account.

An assault can be treated more severely if the court so chooses, and there are offences relating specifically to police officers even where there is no physical harm. Right at the other end of the spectrum, in the most serious cases where an individual is convicted of the murder of a police officer in the course of his duty, a whole-life order will now be the sentencing starting point, thanks to the provisions introduced by the Government in the Criminal Justice and Courts Act 2015.

As the Minister for Policing and the Fire Service stated, the Government will continue to provide the Sentencing Council with data and evidence on assaults on police officers as it reviews its guidelines. We must make sure that any assault on a police officer is treated with the gravity it deserves. As he said, we will continue to work with ministerial colleagues across the Government, such as the Solicitor General, to ensure that individuals are appropriately prosecuted to the full extent of the law.

Philip Davies

It has been agreed right across the House that sentencing for assaults on police officers is not sufficient. Would it not be a good idea for the Minister to send a transcript of this debate to Lord Justice Treacy, the chairman of the Sentencing Council, to ask him, on the back of this debate, to look once again at these guidelines to make sure that they are more appropriate?

Sarah Newton

I thank my hon. Friend for that intervention. I will make sure that members of the Sentencing Council read the record of this debate and fully understand the strong feelings in this House about having really tough sentences for these absolutely appalling and totally unacceptable offences.

I will touch briefly on the issue of equipment to support police officers because that was raised by a number of Members. I want to underline the fact that the Home Office supports chief constables in their operational decisions. This includes the funding of research on and guidance about equipment that might be helpful, including body cameras and spit hoods. I am sure we all agree, however, that the police must maintain their operational independence. It is not for the Home Office to run the police from Marsham Street. Chief constables and police and crime commissioners are accountable to the local communities they serve.

Andy Burnham

Will the Minister give way?

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[Sarah Newton](#)

I am afraid that I cannot because of the time.

I want to assure the whole House of the absolute seriousness with which the Government regard assaults on police officers, as demonstrated by the better data that are going to be made available, including the new reporting announced today, through the leadership of the College of Policing. I know that chief constables will continue to do whatever they can to keep their people safe. We will enable them to work confidently to tackle the challenges of modern crime, and we will absolutely continue to support them in doing so.

It is really important to go back to what my right hon. Friend the Minister said right at the beginning of the debate: assaulting a police officer is completely unacceptable. It is indeed an assault on us all and all our society. Police officers should be able to carry out their duties without fear of assault, and anyone found guilty of such an offence can expect to face the full force of the law.

Adjournment Debate – 16th November 2016 Prison Officer Safety – Richard Drax MP

<https://hansard.parliament.uk/commons/2016-11-02/debates/D1A2C966-A2FD-47F1-9098-C267C813B5F6/PoliceOfficerSafety>

Following ongoing news reports and media coverage of the worsening state of prisons in England and Wales, Tory MP Richard Drax secured an end of day Adjournment debate and in it he highlighted several campaigning areas covered by the Group. He linked the high pension ages to officer safety as well the immense complexities regarding the mental well being of inmates and the difficulties officers can face when dealing with this. This debate followed the Government's publication of their White Paper.

[Richard Drax \(South Dorset\) \(Con\)](#)

What a pleasure it is to be here under your command, Madam Deputy Speaker. This debate on prison officer safety is rather well timed given what has been on our TV screens and in our newspapers. Before I start, I want to thank all those who work in the Prison Service—prison officers, managers, governors—and the numerous organisations, both charitable and voluntary, that support the service to ensure that prisoners have a chance to rehabilitate and that we are kept safe. We owe them a huge debt. I also praise the prison officers who serve at The Verne immigration centre, which was a prison until quite recently and is now under the auspices of the Home Office.

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I welcome the Secretary of State's recent announcement about the recruitment of 2,500 more prison officers by the end of 2018 and her aim for every offender to have a dedicated prison officer providing regular one-to-one support. More officers will certainly help to deter attacks on them, which have risen worryingly over recent years. In the 12 months to June 2016, there were nearly 6,000 assaults on staff—up 43% on the previous year. Of those, 700 assaults—an increase of 20% on the previous year—are regarded as serious and required hospital treatment. A recruitment drive is most welcome, as I have said, but the problem of retaining staff remains. In 2015, of the 2,250 officers who were recruited, only 440 were retained. We must remember that there are 7,000 fewer officers now than in 2010, when the prison population was about 2,500 lower.

The recent action by prison officers, which I do not support, was driven by a genuine concern for their safety—I am certain of that. We must take note of that. If we do not, not only we will fail to recruit sufficient new officers, but the exercise will be a complete waste of money as they all leave. Understaffing is the root cause of their discontent. Savings have understandably been made in the public sector, and I have voted for such savings on many occasions, so I do not condemn the Government for making the savings necessary for us to learn to live within our means. However, if we make savings, we must note the consequences and act if they are unintentional and serious. My next point refers to the prison estate in general, not to the young offender institution in my constituency, which is excellently led by James Lucas, a former soldier with whom I do a lot of business. The increased workload, lower morale, poor leadership in some cases, a higher retirement age—more on that in a minute—and an increased risk of being assaulted have all contributed to the problems we see today. Frankly, who can blame the officers?

I touched on the pension age and the necessity for prison officers to work until 68, which does affect their safety. Let me explain. I witnessed a demonstration laid on by prison officers of how to remove a troublesome prisoner—on this occasion, actually a prison officer—from his cell. The officers were equipped with all the necessary protective gear and they went in to remove this troublesome fellow. He did not react violently. He simply stood in his cell, not co-operating and using his weight and strength not to move. Those three beefy officers eventually got the man out, but it took them an awfully long time. I am 58 and in reasonably good nick, but I am not so sure that I would be able to drag someone out of a prison cell in 10 years' time, particularly if they were behaving violently or were under the influence of drugs, as they often are. I ask the Minister to respond to this particular point about the physical demands on a prison officer when they get to the age of 60 and above.

I have also seen pictures of riots, which were taken on the body cameras that the Government are introducing—again, I entirely commend what they are trying to do—to ensure that evidence can be gathered. In addition, the cameras are a deterrent, because the prisoners who might offend know that they are being filmed and therefore that they will be found guilty if caught. I have faced crowds in Northern Ireland, but I was always surrounded by guardsmen armed to the teeth. In one particular riot, I think one prison officer had a shield, but the rest were caught out at quite short notice. Two of them were female prison officers,

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and they were facing a baying crowd of thugs, who were really geared up and were looking for that moment of weakness. Had those prison officers shown that weakness, I am convinced that 10 to 15 of the prisoners would have pounced, and those prison officers would have been seriously hurt.

Westminster Hall Debate – 30th November 2016 Criminal Justice System: Equality of Access – Gerald Jones MP

<https://hansard.parliament.uk/commons/2016-11-30/debates/9B4D2446-7BB2-47A2-A9CC-F426A742540E/CriminalJusticeSystemEqualityOfAccess>

Briefing material was circulated to Group members in advance of this debate highlighting the immense cuts to Legal Aid and the subsequent impact this has had on access to justice in both criminal and civil courts.

[Gerald Jones \(Merthyr Tydfil and Rhymney\) \(Lab\)](#)

I beg to move,

That this House has considered equality of access to justice in the criminal justice system. It is a pleasure to serve under your chairmanship, Mr Gapes. I am pleased to have the opportunity to discuss this important topic. In the past six years, many lawyers have spoken of their fears about access to justice. When they do, they are often accused of special pleading, as if only lawyers care about people being able to use the protection our laws afford us.

There is a problem in this country with the debate about access to the courts and the provision of legal aid. The Government say that our legal aid budget is generous. The Government speak about court users, who must contribute to the running of the courts, as if most people have nothing better to do than spend their lives in court or as if people relish rushing off to court as often as they can. The truth of people's attitude is, of course, quite different. I can do no better than quote a giant of the Labour movement and labour law, Lord Bill Wedderburn. In his seminal 1965 book "The Worker and the Law", he wrote that "most people want nothing more from the law than that it should leave them alone".

The truth is that most people would hope never to have to use the courts—the employee who is being underpaid or unfairly treated, the businessperson owed money by a customer who will not pay or the mother who is injured in a car accident on the school run. For those who commit criminal offences, the situation is very different, but no doubt many of them wish the law would leave them alone.

There have been cuts to legal funding in many areas of law since 2010. It would be wrong to suggest that cuts have been visited only on criminal legal aid, and it is important to put things in context. First came the Legal Aid, Sentencing and Punishment of Offenders Act 2012. At

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that time, the right hon. and learned Member for Rushcliffe (Mr Clarke) was the Justice Secretary and Lord Chancellor. The Act removed eligibility for publicly funded legal assistance from a raft of areas of social welfare law. For those seeking legal help with debt advice, there is no support—no support for housing advice, unless someone faces being made homeless, and no support for welfare benefits advice; the latter is particularly troubling. Past figures show that many appeals against the Department for Work and Pensions are successful. Between December 2014 and June 2015, 53% of those who appealed against fit-for-work decisions had that decision reversed. People would have to go to court far less if the decisions of Government Departments were better.

The cuts have given rise to a geographical concept I have never heard of before: a legal aid advice desert. The Law Society has a campaign devoted to the eradication of the cuts. There are areas of the England and Wales jurisdiction where legal aid advice for housing cases is disappearing. My constituency of Merthyr Tydfil and Rhymney shares with the neighbouring area of Rhondda Cynon Taf just a single provider of legal aid housing advice.

The figures show that civil legal aid cases have decreased dramatically since LASPO became law. In July this year, Young Legal Aid Lawyers, along with the Legal Action Group and the Legal Aid Practitioners Group, wrote to the Prime Minister. They explained that in 2012-13, before LASPO, there were 724,243 civil law cases funded by legal aid. By 2015-16, that figure had plummeted to just 258,460. As they told the Prime Minister, that is a picture of justice denied. The Act removed most private family law matters from the scope of legal aid. Divorce proceedings, child contact arrangements and financial and property disputes are no longer eligible, save where there is evidence of domestic violence.

At the time of LASPO coming into force, the Government made a commitment to review the effects of the Act within three to five years. We are squarely in that timescale now. The calls for that review to start have reached a crescendo. In recent months, the Trades Union Congress and Amnesty International have produced reports highlighting the scale of the problem. I pay tribute to both organisations for their work. It is surely time that the Justice Secretary set that review in motion. Perhaps her reason for not acting is that she is in possession of another review—a review of the effect of employment tribunal fees—that the Ministry of Justice appear to be sitting on, which we strongly suspect is because that review is critical of the fees.

In 2013, the then Justice Secretary, the right hon. Member for Epsom and Ewell (Chris Grayling), introduced more reforms. He sought to impose restrictions on the availability of judicial review; to restrict the ability of foreign nationals to receive publicly funded legal assistance; to remove publicly funded legal assistance for nearly every area of prison law; and to make further cuts to immigration law and to family law. A proposal for competitive tendering for criminal legal aid fees was also floated, but later abandoned.

The right hon. Member for Epsom and Ewell asserted, without providing evidence, that the legal aid bill was spiralling. He also asserted, without providing evidence, that the public had

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lost confidence in the legal aid system and that campaigners were using judicial review as a tool to block his Government's unimpeachable legislative programme. We can debate whether the economic argument was ever really made out. However, those reforms were a further restriction on access to justice. Worse still are the restrictions on judicial review, which can only be characterised as a flagrant set of measures to reduce Government's accountability to the people.

During the past six years, we have witnessed a curious sight little seen before. Outside the Old Bailey here in London and outside courts across the country, we have seen the strange sight of gowned and bewigged lawyers protesting against cuts to legal aid. That, in turn, gave rise to more curious sights still: a huge and grotesque papier mâché likeness of the right hon. Member for Epsom and Ewell being carried aloft around Parliament Square, and the barrister and former Tory MP Sir Ivan Lawrence taking to a platform erected in Old Palace Yard to call on the legal profession to strike. If 2016 has been the year that saw old certainties undermined, perhaps we should have seen it coming from that moment alone.

The question is, what brought criminal lawyers to that point? The profession has not seen a rise in fees for more than 20 years. While it is abundantly clear that many QCs have done and continue to do well from legal aid, the position is very different for the majority of junior barristers. Some reported at the time not being paid for their work or paying more in travel to get to court than they would receive for the court appearance itself. Solicitors firms throughout that time have had to do much more with much less.

The profession told of a real and present fear that it simply could not take more cuts. Diminishing fees would mean greater case loads and pressure to accumulate more clients and devote less time to those cases, all in order to stay afloat. For some professionals, that would mean compromises in quality and integrity that were a bridge too far, and they feared that firms willing to stack 'em high and sell 'em cheap would prevail.

It was rumoured that long-established and trusted law firms would disappear and that those that been a presence on the local high street and had served their local communities for decades would be replaced by warehouses of inexperienced and exploited paralegals. It was also rumoured that removing those firms from the high street would leave no physical presence, which would be replaced with a faceless website and call centre run by G4S, Tesco or even Eddie Stobart.

The Government abandoned their restructuring of criminal legal aid and opted for more cuts. Mr Grayling imposed a reduction of 17.5% on solicitors' fees, a huge reduction in resources that would have serious implications for any business. The cut was to be introduced in two stages: an initial 8.75% reduction last year with a planned further cut of 8.75% cut in April this year. The second cut was postponed for one year by Mr Grayling's successor, Mr Gove.

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Westminster Hall Debate – 1st December 2016
Prison Safety and Security – David Hanson MP

<https://hansard.parliament.uk/commons/2016-12-01/debates/0607CF21-90CE-4FA5-BD75-A864E68100D8/PrisonSafetyAndSecurity>

Prominent member of the Justice Select Committee David Hanson MP was allotted this debate at very late notice however it was a welcome allocation following the publication of the White Paper. The Justice Select Committee has an ongoing inquiry regarding prison reform so David Hanson was well placed to question the Minister following written and oral evidence, from across the prison sector, which has been discussed over several months in Committee. This debate took place after the POA Parliamentary Reception and David, as well as other supportive MPs, were able to discuss the situation with POA Executive members as well as front line officers.

[Mr David Hanson \(Delyn\) \(Lab\)](#)

I beg to move,

That this House has considered prison safety and security.

It is a pleasure to serve under your chairmanship, Mr Nuttall. This is a very last minute debate; it was only on Monday that we knew it was going to take place. I am grateful to the Deputy Speaker for finding time for the debate and to the Minister for making time for it. In the introduction to the White Paper on prison safety and reform, the Lord Chancellor and Secretary of State for Justice made a very important statement:

“We will never be able to address the issue of re-offending if we do not address the current level of violence and safety issues in our prisons.”

Today’s debate aims to focus on some issues around that and to try to tease out what the Government’s objectives are on prison safety and prison violence. The Minister has been round the House quite a bit on this matter, not least at the Justice Committee on Tuesday. I know that he will want to do his best to respond to the issues. I know also that those who work in the service, from Michael Spurr through to the prison officers on the wings, will also want to do their best to ensure that we improve prison safety and security. However, I start from the premise that something is not quite right.

All the indicators on key issues of prison safety and security that the Government look at have been going in the wrong direction over the past few years. Let us look at some of the issues in our prisons at the moment.

In 2015-16, nine men absconded from category B prisons, four women and 80 men absconded from open prisons and eight prisoners absconded from male open youth

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offenders institutions. In the last few weeks—I know these individuals have been recaptured, for which I am grateful—two men, in the early hours of the morning, hid dummies in their beds, sawed through bars with metal drills brought in illegally, avoided CCTV, climbed over a wall and escaped from Pentonville prison; as the Minister confirmed to the Select Committee this week, that was not discovered until 12 noon the following day. These are serious issues. As of 29 July 2016, just over 60%, or 76, of our prison establishments were officially listed as overcrowded. In total, overcrowded prisons held 9,700 more prisoners than they were originally designed to hold. Cells meant for one person have been accommodating two people, while those meant for two people have been accommodating three, and that has added to the stress in prisons.

I know, accept and understand where the Government are coming from; they have announced large amounts of increased prison capacity and are looking at closing older prisons and opening newer prisons, such as HMP Berwyn, which is shortly to open in north Wales near my constituency. The removal of old capacity is, however, well ahead of the replacement in terms of the building of new capacity. The chief operating officer of the National Offender Management Service, Michael Spurr, said to the Justice Committee this week that it will be a considerable time before the overcrowding is dealt with.

More seriously, and more challenging for the prison system as a whole, there were 324 deaths in prison in the 12 months to September 2016, which is a rate of 3.8 deaths per 1,000 prisoners: an increase of 57, or 21%, on the previous year. Many of those deaths were due to natural causes—that is to be expected because of the growing population of elderly prisoners—but 107 were self-inflicted deaths, an increase of 13% from the previous year's total of 95. There were five apparent homicides, including one in Pentonville recently. Some 33 deaths are currently awaiting further information before being classified.

I am grateful to the House of Commons Library for these figures. On the issue of self-harm in prison, in the 12 months to June 2016, 36,440 reported incidents of self-harm occurred, an increase of 7,509 or 26% on the previous year—a rate of 426 self-harm incidents per 1,000 prisoners, compared with 338 incidents per 1,000 prisoners the previous year. Some 10,544 prisoners self-harmed last year, up 1,943, or 23%, on the previous year.

The indicators on hospital attendance show that there were 2,500 hospital attendances, an increase of 35% on the previous year. The proportion of self-harm incidents requiring hospital attendance has thankfully remained consistent, but the indicators are showing that there are more deaths in custody, more self-harm incidents and, sadly, a significant number of homicides in prison at the moment.

The indicators on assaults show that in the 12 months to June 2016, there were 23,775 assaults in prison, an increase of 6,078, or 34%, on the same period in the previous year, and a rate of 278 assaults per 1,000 prisoners, up from 207 assaults per 1,000 in the previous year. There were 3,134 serious assaults, an increase of 26% on the previous year. There were 17,782 prisoner-on-prisoner assaults, up 32% on the previous year; 2,462 serious

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prisoner-on-prisoner assaults, up 28% on the previous year; and 5,954 assaults on staff, up 43% on the previous year, from 4,177. That is a ratio of 70 incidents of assault on staff per 1,000 prisoners, up from 49 per 1,000 in the previous year. Of those assaults, 697 were classified as serious assaults on staff, up 20% on the previous year.

Those indicators are not going in the right direction. All those indicators have seen a significant increase—not one of 1% or 2%—in a 12-month period. I will be fair to the Minister; I know that in the recently published document, recognition of that fact is paramount. I will return shortly to further figures.

What is lost in the figures on assaults are the significant increases in certain types of assault. Let me point the House to three particular issues. The use of dangerous liquids as an assault mechanism on prisoners and staff has gone from zero incidents in 2010 to 193 in 2015. The use of blunt instruments in assaults on prisoners and staff has gone from 246 incidents in 2010 to 666 in 2015: a 170% increase. The number of spitting incidents—an issue, given some of the conditions that many people will have in prison—has risen from 12 recorded in 2010 to 394 in 2015: an increase of 3,000%. Knife and blade incidents—prisons are not supposed to be places where knives and blades are available in the first place—have risen from 212 to 491 last year over a five-year period: an increase of 131%. I am grateful to the Prison Officers Association for some of those figures. Again, those are serious issues, and the trend is in the wrong direction.

There is an argument that some of those issues are related to drug abuse and new psychoactive substances. In 2010, there were 16 recorded incidents involving new psychoactive substances in prisons, but in 2014, the last year for which I have figures—the Minister may have more up-to-date ones—the figure was 436: a 2,625% increase. Spice has gone from 15 to 430 cases; mephedrone has gone from zero to two cases; and ketamine—kat—has gone from one to four cases. Again, that is the wrong direction of travel. I held the Minister's job for two years and one month some time ago, so I know how difficult it can be and about the challenges, but the level of disturbance in prisons has increased in the past few months and is causing noticeable pressure. It is greater than it was in the past. There have always been prison disturbances, and there probably always will be, but in the past couple of months alone there has been, for example, the incident in Lewes prison. The chairman of the Prison Officers Association said that at the time of the incident there

“were only four staff on that wing and all four had to retreat to safety”

because they were concerned about their safety.

In November, 200 inmates in Bedford prison went on what was described in the press as a rampage or a riot—we will determine what it really was when the investigation is completed. It took six hours to bring the disturbance under control. That happened only days after the Justice Secretary said that she was going to introduce a range of measures to tackle violence in our prisons. The question for the House is: what can we do about those issues?

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The Justice Committee, of which I am pleased to be a member—my hon. Friend the Member for Stretford and Urmston (Kate Green) and the hon. Member for Dumfries and Galloway (Richard Arkless) are also members—has looked at this issue in detail. In their White Paper, the Government accepted this premise: in the past six years, they have presided over a reduction in prison officers of some 7,000 at a time when attacks on the workforce have increased by 41%. The prison workforce in March 2010 was 49,230, but as of March 2016 it was 43,530.

The Prison Officers Association and the assessments we heard in the Justice Committee suggest that the benchmarking figure is now 800 officers below its required level, and that the service is losing 1,600 officers every year. The level of prison officer resignations increased by 128% over that six-year period, and officer retention remains challenging, as we discussed with the Minister in the Justice Committee on Tuesday.

On Tuesday, the chief operating officer of NOMS, Michael Spurr, told the Committee that, although the Government are going to increase the number of prison officers by 3,500—although I am a Labour MP, I acknowledge that that is thanks to welcome investment for the Ministry of Justice in the autumn statement—he is going to have to recruit, with the Minister's support, 8,000 people to get a net figure of about 3,500.

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ANNEX 3: UNION SERVICES PARLIAMENTARY CONSULTANCY

Who we are

Union Services is a parliamentary consultancy engaged by the Justice Forum on behalf of the Justice Unions and Family Courts Parliamentary Group and is registered on the Parliamentary Register for Lobbyists. We advise and assist unions and campaigning organisations with their parliamentary work, and operate on a completely non-party basis of **“securing for trade unions an effective voice in Parliament.”**

Union Services is a non-profit making organisation, only seeking to cover costs, and is the ‘trading name’ of its Director and Founder Simeon Andrews who has developed the consultancy over the past 15 years: “As a life-long socialist I am proud to deliver a service that gives trade unions a voice. Trade Unions are the bedrock of our democracy and internationalism.”

The Union Services team, who work under Simeon’s personal direction, comprises:

Lori Malone, whose current responsibilities include PCS, Prison Officers Association and the Justice Sector, and the TUCG.

Richard Hanford, whose current responsibilities include the FBU, PCS, and the Drugs and Alcohol treatment sector.

Michael Calderbank, whose current responsibilities include RMT, NUJ, BFAWU, and the TUCG web-site and bulletin.

What we do

- Provide detailed information on forthcoming parliamentary business and the legislative timetable
- Advise on the detail of parliamentary procedures and mechanisms for possible intervention
- Assist on all parliamentary campaigns, including the development of a base of active support in Parliament and where appropriate the coordination and administration of a Parliamentary Group, such as:

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- Bakers Union Parliamentary Group
- Fire Brigades Union Parliamentary Group
- **Justice Unions and Family Courts Parliamentary Group**
- National Union of Journalists Parliamentary Group
- PCS Parliamentary Group
- RMT Parliamentary Group

We also organise:

- the Trade Union Coordinating Group, of which NAPO, PCS and the POA are founder members. The TUCG is not a parliamentary group but brings together 10 like-minded unions at General Secretary level to further coordinate their campaigning work.
- the Drugs, Alcohol and Justice Cross-Party Parliamentary Group which looks at the policy for Drugs and Alcohol treatment within the context of the Justice system. The Group is sponsored by a number of key service providers, is attended by a wide array of stakeholders, including the POA and NAPO, and is the interface between parliamentarians and the professionals working in the field.

How we fit in

Although independent, Union Services seeks to work as an integrated part of each union's parliamentary operation. Directly answerable to the General Secretary, we work in daily liaison with the Political or Campaigns office at the Union HQ.

Union Services provides the interface between the union and MPs and we are present in Parliament on a daily basis, meeting with MPs and organising briefings, lobbies and interventions, and speaking to MPs on the union's behalf. We ensure that the union has an on-the-spot presence in Westminster and that our campaigns are consistently progressed.

Bringing the Unions into Parliament & Parliament to the Unions