



**JUSTICE UNIONS AND FAMILY COURTS  
PARLIAMENTARY GROUP**

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# PARLIAMENTARY DIGEST

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**A Summary of the work of the Justice Unions  
and Family Court Parliamentary Group**  
(researched and compiled by Union Services Parliamentary Consultancy)

**September 2017- December 2017**

# JUSTICE UNIONS AND FAMILY COURTS PARLIAMENTARY GROUP

## INTRODUCTION

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### & PARLIAMENTARY OVERVIEW

This report provides an overview of the work of the Justice Unions and Family Courts Parliamentary Group (JUFCPG) during the period September - December 2017. This period within Parliament includes conference recess and the mid-November recess. This report amounts to about 12 weeks of Parliamentary activity.

Brexit continues to dominate the Parliamentary timetable, with the EU (Withdrawal) Bill currently making its way through the Commons. The Tories are currently under growing pressure to give details of how each Government department will function in the lead-up to and after Brexit, which is currently estimated to take place at the end of March 2019. Select Committees including Home Affairs are conducting inquiries regarding departments' current capabilities to deal with Brexit, and so far all evidence suggests that Ministers are keeping senior civil servants and staff in the dark about how Brexit will impact on their daily workings. Labour continues to call for increased staffing in Government departments to ensure as smooth a transition as possible.

Since the snap General Election, many public-sector unions have joined forces to increase pressure on the Government to end the public-sector pay cap. Labour have committed to ending the cap should they take power; however the Tories have tried to separate sections of the public sector, offering minimal pay increases to prison officers and police officers. These "pay rises" however amount to pennies each month and do not go far enough to tackle the growing daily struggles of front-line prison and police officers. With inflation currently at 3% and interest rates rising for the first time in several years, the squeeze on pay and living conditions continues to worsen. Unions including JUFCPG member union PCS have called for a 5% increase for public-sector workers, but the Government has completely ignored these demands.

The Chancellor announced his Autumn Statement in late November, and as was expected the content was less than impressive. Continued departmental cuts are expected, with the MoJ facing another three years of reduced staffing and Treasury funding. Although the Government has confirmed an additional £1 billion to assist in alleviating the worsening prisons crisis, the reality is likely to be less given the reliance on the sale of old Victorian prisons, some of which have yet to be closed due to a surge in prisoner numbers in recent months. The budget also failed to deal with the possible crisis in police funding, which could see front-line officer numbers dwindle further due to no additional Government funding for a proposed pay rise for officers and staff. Forces across England and Wales have been told to find this money within existing budgets.

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Union Services has continued to highlight campaigning issues within Parliament using all parliamentary mechanisms to ensure issues are raised as widely as possible. Debates have been secured on numerous issues, and Union Services has ensured briefing materials have been distributed to supportive MPs. As well as this, we continue to write to Ministers seeking meetings on issues such as privatisation, staffing in prisons and the HMCTS reform programme, but we are yet to secure a Ministerial meeting on any of these issues. Union Services are working closely with the Shadow Justice Team in advance of the publication of the Courts Bill, and it is hoped amendments will be drafted and tabled supporting the position of JUFPCG member organisations.

- **Report Overview**

This report will cover several campaigning issues that have been ongoing during the period covered by this report. The crisis within the prison systems has continued to worsen in recent months and numerous questions have been raised within Parliament regarding the Government's lack of urgency. Union Services has continued to work closely with the Shadow Justice Team arranging several meetings over the course of this report, including regular meetings before key Oral Question sessions and debates. The report mentions the work of Group and non-Group members in raising concerns regarding the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) and the recently announced Government review into the reforms, which is likely to begin taking evidence before the end of the year. Debates have been secured on this issues and numerous questions continue to be tabled.

The report details the Group's campaign to stop the privatisation of Civilian Enforcement Offices (CEOs), which was proposed once more during the Summer Recess. Union Services has ensured MPs are fully briefed on the issue and a meeting has been held with Yasmin Qureshi following the decision to tender in August. Union Services are also trying to secure a meeting with Andy Slaughter MP, former Justice Minister, to try to secure a Westminster Hall debate on this issue. Union Services has continued to monitor issues surrounding police funding as is detailed in this report. Although floated as a positive for police staff, the possible pay increase must come from existing budgets and MPs have continued to seek clarity from Government as to the impact this will have on jobs. Union Services is working closely with the Shadow Justice Team to continue to highlight the woeful situation for those working within Community Rehabilitation Companies and their overall performance since privatisation, all of which is highlighted within this report. The ongoing prisons crisis is a huge campaigning issue and Union Services are working with PCS and the POA to ensure MPs are fully briefed and issues are being raised on the floor of both Houses.

The Shadow Justice team has remained unchanged since the last digest:

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- Richard Burgon – Shadow Secretary of State and Shadow Lord Chancellor
- Yasmin Quereshi – Shadow Minister of State
- Gloria De Piero – Shadow Justice Minister
- Imran Hussain – Shadow Justice Minister
- Lord Beecham – Shadow Spokesperson Justice

The Ministry of Justice team has remained unchanged since the last digest:

- Rt Hon David Lidlington – Lord Chancellor and Secretary of State for Justice
- Dominic Raab – Minister of State
- Sam Gymiah – Parliamentary Under Secretary of State for Prisons and Probation
- Dr Phillip Lee – Parliamentary Under Secretary of State for Youth Justice, Victims, Female Offenders and Offender Health
- Lord Keen of Elie QC – HM Advocate General for Scotland and MoJ spokesperson for the Lords

The Justice Select Committee new membership was confirmed after summer recess, and the new membership is as follows:

Justice Select Committee Membership	Party
Robert Neill MP ( <b>Chair</b> )	Conservative
Ruth Cadbury MP	Labour
Bambos Charalambous MP	Labour
David Hanson MP	Labour
Laura Pidcock MP	Labour
Ellie Reeves MP	Labour
Kemi Badenoch MP	Conservative
Alex Chalk MP	Conservative
John Howell MP	Conservative
Victoria Prentis MP	Conservative
Gavin Newlands	SNP

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### PARLIAMENTARY GROUP

The Justice Unions and Family Courts Parliamentary Group currently comprises of over 50 cross-party MPs and Peers. 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 3) in daily liaison with the union/organisation Head Offices to secure as much Parliamentary support as possible. The Group continues to campaign within Parliament on numerous cross-sectoral issues of concern, including prison staffing and safety, legal aid review, CEO privatisation, probation review and police front-line officer numbers. Union Services continues to seek Ministerial and Shadow Ministerial meetings on behalf of the Group. The Group continues to be chaired by both Liz Saville Roberts MP (PC) and Lord Ponsonby (Lab) and is supported in the role of Vice Chair by Lord Ramsbotham (Crossbench) and Lisa Cameron MP (SNP).

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 next Group meeting is due to take place on 24 January 2018.

**3pm Wednesday 6 September, IPA Room, Westminster Hall**

#### AGENDA

1. Introductions and apologies
2. Prison Crisis - update (POA)
3. Civilian Enforcement Privatisation (PCS)
4. Probation Services (Napo)
5. No Fault Divorce (Simpson Millar)
6. Courts Bill (PCS)
7. AOB

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**3pm Wednesday 29 November, Room S, Portcullis House**

#### AGENDA

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1. Introductions and apologies
2. PCS Alternative Vision for Prisons
3. Impact of Transforming Rehabilitation (Napo)
4. HMCTS Enforcement Restructuring (PCS)
5. Civil Service Compensation Scheme – oral update (POA)
6. Virtual Courts (PCS)
7. AOB
  - POA Rally/Lobby – Tuesday 5 December, 2pm, Committee Rm 11

Following the next meeting of the Parliamentary Group, Union Services will continue to seek Ministerial meetings to discuss issues such as Legal Aid, prison safety and HMCTS reform. Meetings will continue to be held with members of the Shadow Justice Team before Justice Oral deadlines and in advance of legislative sessions.

### 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:

- Prison officer retention
- Probation staff - pensions
- Family justice reform
- Courts Bill
- Police budget cuts
- Civilian enforcement privatisation
- Employment Tribunals rebates
- Cafcass workloads
- Probation workloads
- Prisoner self-harm
- No fault divorce
- CRC contracts
- Prison violence

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- LASPO review
- Prison Governors

Full details of questions and answers are available on request.

MPs tabling Parliamentary Questions on behalf of the Group include:

- Richard Burgon
- Yasmin Qureshi
- Liz Saville-Roberts
- Lord Ramsbotham
- Lord Beechams
- Daniel Zeichner
- Ian Austin
- Kate Green
- Tanmanjeet Singh Dhesi
- Gloria De Piero
- Mohammad Yasin
- David Hanson
- Laura Pidcock
- John Cryer
- Joanna Cherry
- Lord Brown of Eaton-under-Heywood
- Mary Glendon
- Paula Sheriff

### BRIEFINGS

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

- Civilian Enforcement Privatisation
- Family Court Reform
- Prison reform
- No Fault Divorce
- Probation Workloads
- Prison Violence
- Courts Bill
- Gloucester probation
- Prison staffing

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### EARLY DAY MOTIONS

Although they are never debate or voted upon, EDMs are a useful focus for campaigns and a means of building support amongst backbench MPs. Frontbenchers and Select Committee members traditionally do not sign EDMs. All EDMs fall during prorogation before the Queen's Speech, which typically occurs in May. It is expected that this Parliament will continue for two years until 2019.

Below is a table of all EDMs of relevance to JUFCPG members which have been tabled over the course of this report. Full text of the EDM can be found in Annex 1.

EDM No.	Title	Tabling MP
176	Civilian Enforcement Privatisation	Liz Saville Roberts
242	Police Widows Pensions	Stephen Lloyd
338	Port Talbot Prison	Liz Saville Roberts
341	Police Officer Staffing Number	Liz Saville Roberts
369	Cuts to Legal Aid since 2013	Caroline Lucas
450	Pay Rise for Public Sector Workers	Roger Godsiff
475	Safety in Custody statistics October 2017	Liz Saville Roberts
601	HMP Northumberland	Ian Mearns

### DEBATES (c.f. Annex 2 for Hansard excerpts)

- House of Lords Debate – 7<sup>th</sup> September 2017  
 Prison Overcrowding – Lord Brown of Eaton-under-Heywood
- Westminster Hall Debate – 12<sup>th</sup> September 2017  
 Port Talbot Prison – Liz Saville Roberts MP

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- Urgent Question – 14<sup>th</sup> September 2017  
Police Pay& Funding – Louise Haigh MP
- Urgent Question – 12<sup>th</sup> October 2017  
Prison Policy/HMP Long Lartin – Richard Burgon MP
- Westminster Hall Debate – 18<sup>th</sup> October 2017  
Women released from Prison – Chris Elmore MP
- Ten Minute Rule Bill – 20<sup>th</sup> October 2017  
Assaults on Emergency Workers – Chris Bryant MP
- Westminster Hall Debate – 25<sup>th</sup> October 2017  
Police Funding: London – Catherine West MP
- Statement – 30<sup>th</sup> October 2017
- Oral Question Lords – 31<sup>st</sup> October 2017  
Probation Contracts – Lord Ramsbotham  
Independent Review: Deaths in police custody – Nick Hurd MP
- Statement – 2<sup>nd</sup> November 2017  
Sentencing – David Lidlington MP
- Westminster Hall Debate – 7<sup>th</sup> November 2017  
Community Policing – Ed Davey MP
- End of Day Adjournment Debate – 13<sup>th</sup> November 2017  
Police Funding: Bedfordshire – Andrew Selous MP
- Westminster Hall Debate – 15<sup>th</sup> November 2017  
Family Justice Reform – Suella Fernandes MP
- Westminster Hall Debate – 29<sup>th</sup> November 2017  
Provision of Legal Aid – Paul Sweeney MP
- Westminster Hall Debate – 4<sup>th</sup> December  
Public Sector Pay – Helen Jones MP
- Backbench Debate – 7<sup>th</sup> December 2017  
Prison reform and safety – Justice Select Committee (Bob Neill and David Hanson)

## CAMPAIGNS

### MINISTRY OF JUSTICE

- **Cuts**

The Institute of Fiscal Studies released analysis on Budget Day in November that painted a concerning picture for UK public services, regardless of what Philip Hammond would announce in his statement to the Commons. The analysis confirmed that Government departments such as the MoJ and DWP would be facing cuts of up to 40% over the decade to 2020 and that the Chancellor's budget would not represent an end to the age of austerity that began in 2010. The analysis detailed that existing Government plans will lead to a further

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£12 billion cut in public spending, with prisons facing a real-term cut of 22% followed by a tight settlement for the next two years.

Shadow Justice Secretary Richard Burgon commented on the analysis before the budget stating:

*The Ministry of Justice faces cuts of 40% by 2020. If that's not addressed in the budget it will make a mockery of the Government's claims to be fixing the big problems our justice system faces. Cuts on this scale would mean justice going from repeated crisis to a full blown emergency.*

Unfortunately, there was nothing within the Chancellor's Statement regarding public spending on justice, so cuts within the Department will continue, leaving civil servants facing an uncertain future and the prison system facing possible collapse between now and 2020.

- **Civilian Enforcement Officers privatisation**

The Government published its invitation to tender the work of Civilian Enforcement Officers (CEOs) on August 1, a significant announcement made during summer recess and without a ministerial statement. As has been mentioned in previous reports, HMCTS-employed CEOs consistently continue to outperform the private sector and the JUFCPG has supported the PCS campaign for several years calling on the MoJ to give HMCTS staff the necessary resources to do their job rather than embarking on another costly privatisation.

JUFCPG Co-Chair Liz Saville Roberts and Union Services met with the private bailiff firm Marstens just before Parliament rose for Summer Recess. This meeting, although friendly, was eye-opening, with Marstens revealing a worrying level of staff regulation and processes to investigate the actions of individual bailiffs. The firm also had a controversial system in place to determine whether an individual who owes money has any mental-health issues. It appeared that regulation, training and the well-being of vulnerable people did not seem to be a high priority for the company. Marstens did commit to meet with PCS reps to discuss union recognition and the retention of T&Cs, though this meeting has yet to take place. Following the announcement, Liz Saville Roberts tabled EDM 176 (see Annex 1) which has received cross-party support and continues to be promoted by Union Services on a regular basis.

The Shadow Justice Team circulated several questions regarding the proposed privatisation that had been drafted by PCS and Union Services, and it was Daniel Zeichner MP who secured an oral question during the first Justice session following summer recess. He asked the Minister:

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*Given the problems the Department has had when it has privatised many of its services, it seems extraordinary that there are now plans to privatise the collection of court fines and outsource the work of civil enforcement officers. When will the Government appreciate that the public expect these sensitive public services to be delivered by the public, not a bunch of cowboys?*

As expected the Ministers response was poor and failed to address any of the concerns raised:

*What the public expect is for those fines to be collected in the most efficient and effective way possible.*

Following this oral question session, numerous written questions were tabled regarding the proposed privatisation, including several by Shadow Courts Minister Yasmin Qureshi. All written questions are available on request. Below is one of the questions that was answered in early October.

**Yasmin Qureshi:** *To ask the Secretary of State for Justice, what assessment the Government has made of the ability of debt enforcement companies to fulfil the new warrants of arrest function that is being outsourced.*

**Dominic Raab:** *Existing HMCTS contracts with Approved Enforcement Agencies (AEA) already make provision for AEA's to execute certain categories of arrest warrants. A procurement process is currently underway which will result in the establishment of new AEA contracts. That procurement process is also exploring the potential to further extend the volume of arrest warrants executed by AEA's. HMCTS will fully evaluate all proposals submitted by potential AEA's as part of the bidding process before making a final decision on this.*

PCS and the Group argue that the roles fulfilled by AEA's should also be brought back in-house, but this seems unlikely given the Government's determination to privatise the role of the CEOs once and for all. Union Services facilitated a meeting with the Shadow Courts Minister in October and she confirmed her support for PCS staff working as CEOs. Yasmin offered to circulate suggested oral questions to her Labour colleagues in advance of the 31 October Justice Oral session on the issue. Due to an oversubscription of questions regarding Brexit, the Shadow Team were unable to get a question in on this issue, though Labour MP Ian Austin secured a topical question on behalf of PCS:

**Ian Austin:** *Why are the Government planning to give security companies and bailiffs the power of arrest, because that will be the result of privatising the collection of court fees? A petition opposing those plans has been signed by 16,000 people because they do not believe that either 150 jobs, or the safety and finances of vulnerable people, should be put at risk.*

**David Lidlington:** *These are not in fact new powers; they have been in use across the country for many years. They apply to arrests relating to debt and community penalty breaches, and*

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*they must follow the issue of a warrant of arrest from the criminal courts. Any use of these powers is overseen by Her Majesty's Courts and Tribunals Service.*

In his response, the Minister claimed that use of the powers are overseen by HMCTS, but it is feared that the additional privatisation of the role of CEO will have little or no supervision by HMCTS, with private firms hiring rogue bailiffs, putting the public at greater risk. It is still unclear what regulations will be in place to ensure public safety, and Group members will be asked to table more written and oral questions on this specific issue of public safety.

Going forward it is hoped that a debate in Westminster Hall will be secured, and Union Services has already contacted former Shadow Justice Minister Andy Slaughter to ask for a meeting to discuss the possibility of him leading on this issue. The Group has also recently written to Justice Minister Dominic Raab regarding the HMCTS decision to centralise NCES offices from 50 to three. This decision will have a hugely detrimental impact on the ability of officers to collect fines and will possibly lead to the loss of many experienced staff who cannot relocate. JUFCPG Co-Chair Lord Ponsonby has confirmed he will table written questions on this issue in the New Year.

- **Courts Bill**

The Government has yet to publish the Courts Bill due to the ongoing prioritisation of Brexit. Rumours are circulating that the draft legislation will be published in March 2018, but with Brexit continuing to dominate the parliamentary calendar it is likely this rumoured date will change. JUFCPG Co-Chair Liz Saville Roberts tabled a written question on behalf of the group to try and ascertain when the Bill would be brought to Parliament:

**Liz Saville-Roberts:** *To ask the Secretary of State for Justice, when his Department plans to introduce the Courts Bill.*

**Dominic Raab:** *The Government is committed to introducing legislation to modernise the courts system as soon as parliamentary time allows.*

Union Services arranged a meeting with Shadow Justice Minister Yasmin Qureshi in October to discuss possible implications of the legislation, including “virtual courts” and the move to online sentencing. Labour has once again indicated its desire to work with PCS, Simpson Millar and other JUFCPG member organisations to draft and table amendments to the Bill once it is published.

### ACCESS TO JUSTICE

- **LASPO – review and reform**

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The post-legislative review of part one of the LASPO Act was announced on 30 October by the Lord Chancellor via a written statement to Parliament. In his statement he outlined the key areas of review, including:

- *the changes made to the scope of legal aid for family, civil and criminal cases, and the introduction of the Exceptional Case Funding scheme*
- *The changes made to fees for various types of legal aid work*
- *Changes to the application of merits test*
- *The procedural changes the Act made, including the introduction of the mandatory telephone gateway and the introduction of evidence requirements for victims of domestic violence and child abuse*

The Lord Chancellor confirmed that the MoJ would be taking submissions and hearing evidence from a wide range of organisations via consultative panels and official written submissions. Union Services will monitor the publication of details regarding submissions and will ensure all member organisations are fully informed.

Justice Oral Questions followed the Lord Chancellor's written statement and several MPs secured questions on the review. Most raised their concerns regarding the duration of the review, which is over nine months. However Gloria De Piero, Shadow Legal Aid Minister, made specific reference to victims of domestic violence:

*Twenty months ago, the Court of Appeal ruled that the Government's restrictions on legal aid for victims of domestic violence were unlawful. Nine months ago, Ministers told the House that they would make changes by secondary legislation that would*

*"make it easier for victims of domestic violence to access legal aid."—[Official Report, 25 April 2017; Vol. 624, c. 983.]*

*Nothing has happened. Victims cannot wait another nine months, so when will the secondary legislation be brought forward?*

Campaigners have argued that the evidential requirements expected of victims of domestic abuse as well as the ability of perpetrators to cross-examine witnesses in court have denied thousands of victims the right to access justice. Although Ministers have "committed" to making the process easier, victims are still struggling through the justice system with minimal support. The Minister Dominic Raab said in his response:

*The hon. Lady is right that it is vital to ensure that legal aid is available to victims in circumstances of domestic violence. Of course, it was granted in more than 12,000 cases last year. We have reviewed the evidence requirements again and are committed to making it easier for victims to access legal aid. I will announce the details shortly.*

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On 29 November Labour MP Paul Sweeney secured a Westminster Hall debate on Provision of Legal Aid. The debate was well attended and many speakers highlighted the gross inadequacies in the Government's LASPO act, which has in turn led to tens of thousands of vulnerable people losing access to justice. In his opening remarks Paul Sweeney highlighted the immense reduction in legal aid spending by the Tory Government as well as the reduction in civil legal aid cases:

*LASPO removed whole areas of law from the scope of legal aid and drastically reduced the percentage of the population eligible for the legal advice service and representation that still exists. Spending has fallen from £2.2 billion to £1.62 billion per year. As a result, the number of civil legal aid cases, which was 573,744 in the year to April 2013, has now fallen to a shocking 146,618 in the year to April 2017. In some regions the fall was even greater.*

Union Services circulated briefing material on behalf of PCS in advance of this debate, and during her contribution the Shadow Legal Aid Minister Gloria De Piero referred to PCS and their concerns regarding LiPs:

*A study released by the Law Society found that the removal of access to early legal advice means many more cases are ending up in lengthy court hearings rather than being resolved beforehand. Last month—I make no apologies for repeating this point—the new President of the Supreme Court, Lady Justice Hale, said LASPO cuts are likely to prove “a false economy” because removal of access to early legal advice means people cannot resolve legal problems out of court, which places more pressure on courts. According to the PCS union the rise in litigants in person and failure to access early legal advice are leading to lengthy court delays.*

This debate was followed by an announcement on 4 December in which Dominic Raab confirmed that the Government would be removing all restrictions for victims of domestic violence who are seeking legal aid. At present victims of DV are expected to provide evidence of abuse within the past five years, but obtaining such evidence can be costly and most victims don't actually take these cases to the police where documentation would be gathered. This announcement comes after years of campaigning by victims groups, lawyers and unions including those within the JUFCPG, all of whom indicated the unfair and unnecessary burden placed upon victims due to LASPO. In his statement to the press Dominic Raab confirmed:

*'We have listened to victims' groups and carefully reviewed the criteria for legal aid for victims of domestic abuse in family cases. These changes make sure that vulnerable women and children get legal support so their voice is properly heard in court.'*

The restrictions are expected to be removed in January 2018. Lord Bach, who commissioned a report into Access to Justice following the implementation of LASPO, will hold a short debate in the Lords before Christmas Recess detailing the ongoing work of the commission and the forthcoming review into parts of the LASPO Act. Briefing material has been circulated to

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supportive Lords in advance of this debate and an invitation has been sent to Lord Bach to attend the next JUFCPG meeting in January 2018.

### PRISONS

- **Overcrowding**

Following a surge in the prison population during the summer, a debate was held in the House of Lords regarding prison overcrowding. Crossbencher Lord Brown of Eaton-under-Heywood led the debate, which took place in September, and contributions to the debate was so in demand the Leader of the Lords limited contributions to three minutes. Most Peers who spoke in the debate highlighted the continued failings of the Government in dealing with the worsening crisis, including several Tory Peers – one of whom, Lord Cormack, indicated his distain regarding privatisation and its impact across the prison system:

*We should be collectively ashamed that we have failed it. We should constantly remind ourselves that punishment is sending somebody to prison, and the purpose of prison is rehabilitation. That has been neglected and forgotten for so long. One of the reasons, I fear, is the commercialisation of prisons. I really feel that incarcerating people is the role of the state and I do not believe that private prisons should have any part of it.*

The Labour Justice spokesman in the Lords, Lord Beecham, used his speech to indicate some of the consequences of overcrowding:

*For a quarter of a century, under successive Governments, the number of prisoners grew inexorably, until we now have, as we have heard, the highest incarceration rate in western Europe, higher than some of the less advanced countries in eastern Europe. Also, of course, the number of prison officers has fallen substantially, by more than 25%.*

*The consequences include the highest number of deaths among prisoners on record in the year to March 2017. The chief inspector's report states that a third of the 344 deaths were self-inflicted, while serious assaults more than doubled in the last three years, and, tellingly, assaults on staff rose by 88% in the last two years.*

The Government has continued to deny in its own terms that such a crisis is ongoing across the prison estate, claiming that recruitment continues to rise and that the programme of old-for-new prisons remains unchanged. However following the “unexpected” rise in the prison population over the summer it was confirmed that some Victorian prisons which had been earmarked for closure were to remain open for the foreseeable future. Head of HMPPS Michael Spurr seemed to confirm that no closures would take place in the next five years due an “incredibly difficult” summer and an unexpected surge in prisoner numbers. He indicated that no more prisons would close during this Parliament, and this was supported by the

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decision to keep Wigan and Rochester prisons open as well as Hindley young offenders institution. Shadow Prisons Minister Imran Hussain questioned the Minister during October Justice Questions. He asked:

*Imran Hussain (Bradford East) (Lab)*

*The chief executive of the Prison Service has stated that, because of overcrowding, the Government will not be able to proceed with planned closures, throwing the financing of their prison building plan into disarray. In the light of concerns that the Ministry of Justice will not be able to build new prisons without selling off the old—the model on which its building plan was based—will the Minister today guarantee that no new prison places will be built from private funds?*

*Mr Gyimah*

*The hon. Gentleman seems to have forgotten that we have a duty to house those who are sentenced by the courts. The prison population in England and Wales is 86,000; we have a duty to provide accommodation for them to serve their sentence in. We still have a commitment to investing £1.3 billion in the prison estate to create 10,000 additional prison places during this Parliament.*

As can be seen in the Minister's response, the Government's blasé attitude regarding the ongoing crisis is somewhat disturbing. Implying that it is merely duty that has led to the crisis and not the ongoing failings across the system is another indication that the Government is failing to view the situation as urgent.

The Justice Select Committee launched their inquiry into the prison population in October this year and evidence is currently being submitted by numerous organisations and prison branches. The inquiry aims to investigate how the MoJ will deal with the expected changes in the prison population over the next five years, with a focus on who is in prison and why, as well as the credibility of the current approach of the MoJ towards overcrowding. During his visit to the Select Committee in October to discuss the work of the MoJ, the Secretary of State briefly mentioned the prison population, and when questioned about possible ways in which to tackle it seemed to place some blame with the Courts:

*In terms of numbers, I am keen to ensure that we really do have a system of community sentences that commands the confidence of the courts and the general public. The law in England and Wales—Scotland is different—requires the judge, when sentencing, to consider whether there is no alternative to custody, before sending somebody to prison. One of the questions in my mind—I have not really worked out the answer yet and I have work being carried out on it—is why the courts make very little use of the power that they have to set conditions to community orders of some kind.*

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Although the idea of additional community sentences for lower-risk offenders and offences may be appealing, the reality of such changes in sentencing would require additional investment in this area, something that the Government is reluctant to do. The Group continues to argue for a review into mental health in prisons as it is believed there is a huge proportion of inmates within prisons who realistically need medical and psychiatric assistance rather than incarceration. The Group believes such a review would in turn lead to thousands of inmates leaving jails in order to be properly supervised by the NHS and appropriate mental health organisations. Again, the Government seems unlikely to fund such a review, but the Public Accounts Committee has an open inquiry regarding the issue of mental health in prisons and it is hoped that the POA will be invited to give evidence in the near future.

- **Staffing and Safety**

The situation across the prison estate in England and Wales continues to deteriorate, with HMIP inspections and Government figures showing a continuing rise in assaults on staff and inmates, increased cases of self-harm and a worrying amount of deaths in custody. Lord Ramsbotham tabled a series of written questions regarding staffing, which indicated a worrying trend in staff leaving the role after less than five years and also a significant number of officers with over 10 years' experience also resigning. The Government response to his question regarding service is as follows:

	<b>Less than 5 years</b>	<b>5-9 years</b>	<b>10 years or more</b>	<b>Total</b>
Dismissals	41	54	288	383
Resignations	521	139	230	890
Retirements	~	~	268	274
Medical Retirement	~	~	115	118
Other Leavers	42	21	42	105
<b>Total</b>	<b>605</b>	<b>222</b>	<b>943</b>	<b>1,770</b>

Should the trends present in the above table continue, the Government will struggle to hit its ambitious target of hiring a 2,500 net gain of prison officers by the end of December 2018. The most recent Justice Oral Questions on 5 December included contributions from Labour MPs, who once again raised the issue of staffing – including a contribution from the Shadow Justice Secretary Richard Burgon:

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*Richard Burgon (Leeds East) (Lab)*

*One in four prisons have seen a reduction in the number of prison officers over the past year, including a quarter of prisons the Government label as being of concern, so given their so-called recruitment drive, will the Secretary of State guarantee today that no prison, apart from those planned for closure, will have fewer staff at the end of the year than they did at the beginning?*

*Mr Lidington*

*As I said in response to the last question, the new offender management model, which we are implementing throughout the system, will reduce the pressure on individual prison officers. Where a particular prison has greater than average difficulties in recruiting and retaining staff, we will continue to put in extra resource and support to help them.*

Although committing to additional resources to support and help staff the reality is that the MoJ are struggling to recruit and retain staff. Labour MP Liz Twist highlighted this in her contribution:

*Liz Twist*

*Given that the leave rate among key prison officers in bands 3 to 5 is still running at 10%, does the Secretary of State not think it time to offer prison officers more than the 1.7% they have been offered in order to retain experienced prison staff and keep our prisons safe?*

*Mr Lidington*

*For those prisons, mostly in London and south-east England, experiencing particular challenges over both recruitment and retention, we are offering additional support and resources. I would have hoped, however, that the hon. Lady would have welcomed the significant increase in prison officer numbers over the last year. The prison officer pay recommendations were implemented in full, and prison officers received a pay rise of 1.7%. In terms of the total bill, that is more than was awarded to other public sector workers.*

The recent “pay rise” for prison officers is in real terms a pay cut, with inflation currently at 3% and rising as well as a recent hike in interest rates. The additional 0.7% above the cap of 1% equates to less than £50 per month for hard-working front-line prison officers, and with a worrying rise in the cost of living this “award” has been deemed as a slap in the face by POA members and opposition parties. The issue of public-sector pay was debated in the Commons on Monday 4 December in a Westminster Hall debate. Led by Helen Jones MP, numerous Labour and SNP MPs contributed and, following the distribution of briefing material from the POA, several mentioned prison-officer pay.

The Justice Select Committee secured a backbench debate that took place on Thursday 7 December regarding prison reform and safety. The opening motion for the debate was as follows:

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*That this House takes note of the Justice Committee's Twelfth and Fourteenth Reports of Session 2016-17, on Prison reform and the Government Responses to them; notes with concern the continuing crisis in prisons in England and Wales, with an historically high prison population and unacceptably high levels of violence, drug availability and use, disturbances and self-harm and self-inflicted deaths in the adult and youth custodial estate; further notes the critical reports by HM Chief Inspector of Prisons on individual establishments and thematic issues; welcomes the Government's intention to proceed with a programme of prison reform and to produce a prison safety and reform action plan as recommended by the Committee, and the publication of performance data on each prison from 26 October 2017; regrets the fact that the Government does not intend to bring forward legislation to establish a statutory purpose for prisons, enhance the powers of HM Chief Inspector of Prisons, and place the Prisons and Probation Ombudsman (PPO) and the UK's National Preventive Mechanism on a statutory basis; further regrets the Government's rejection of the Committee's recommendation that it should report at six-monthly intervals on the impact of governor empowerment on complaints made to the PPO and Independent Monitoring Boards; and calls on the Government to ensure that information on prison performance and safety is published regularly, and with sufficient detail and timeliness to enable the effective scrutiny of the management of prisons by the Ministry of Justice and HM Prison and Probation Service.*

With statistics continuing to document a sharp deterioration in the health and safety of prisoners and staff, it is alarming that the Government has yet to act urgently to tackle the situation. Union Services circulated briefing material from PCS and the POA in advance of the debate, with specific notes sent to both David Hanson MP and Bob Neill MP, who were leading on behalf of the Justice Select Committee. Richard Burgon MP responded on behalf of Labour and Prisons Minister Sam Gyimah was in place for the Ministry of Justice and Government.

In his opening speech, Chair of the Justice Select Committee Bob Neill summed up the reasons for the debate, conceding that the prison system was in fact facing a 'crisis':

*Let me explain why we tabled the motion and did so these terms. We cannot avoid the reality that our prison system has reached a stage at which we have to use the phrase "a crisis". I do not do so lightly. More than 30 years' experience of practising criminal law and visiting prisons to advise prisoners, and subsequently, since coming to the House, working with the criminal justice sector, have led me inevitably to the conclusion that the system is under unprecedented strain.*

Contributions during the debate came from numerous cross-party MPs, including Lib Dem Norman Lamb, Tory MP Victoria Prentis, Plaid Cymru MP Jonathan Edwards, DUP MP Jim Shannon and several supportive Labour MPs including Chris Leslie, Andy Slaughter and Laura Pidcock. It was during Laura's contribution that she raised vital issues such as the cost of detached duty as well as issues with staff retention. Laura drew on material which had

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been circulated by Union Services to highlight the worsening terms and conditions for front-line prison officers. She said:

*Thousands of prisoner officer jobs have been cut. I know there has been an effort to recruit more prison officers, and that is welcome, but they enter the service on very different terms and conditions from those with longer service. Even those with longer service have had their terms and conditions radically altered. They are now expected to work much longer. Recruitment drives aside, the ability to retain new recruits remains in question.*

*I agree with the POA that 68 is too late a retirement age for such a strenuous and stressful job, and I support its members in challenging that increased pension age. It would be hard to argue against the clear correlation between the difficulties in recruitment and retention of prison staff and the erosion in pay, terms and conditions, alongside the difficult circumstances I have described. I met a prison officer recently who said that their pay was only £13 more than seven years ago, and that was someone with more than 30 years of service. That cannot be right.*

Frustratingly, in his response the Minister once again indicated that there would be no quick fix to the problems within the prison system, stating that *'no one doubts the challenge that we face with prisons or expects the situation to be quick or easy to turn around'*. We heard this before from the Prisons Minister several months ago when, once again, the worsening situation was raised in the Commons. With yet another debate granted it is clear that the MoJ is still not accepting the urgency of the situation, and safety in custody figures are clear evidence of this. The Minister went on to say:

*Recruiting more staff, investing in intelligence and technology, rolling out a drugs strategy, introducing an urgent notification process, giving more power to the inspectorate—all these things will solve the issues in our prison [...] We are making significant investment in tackling the problems in our prisons. As I have always said, it will not happen overnight, but the actions I am outlining show our determination and will to overcome the problems and make sure that our prisons are places of safety and reform.*

Unfortunately for many POA and PCS members who work tirelessly on the front line within our prison system, the investment and actions of the Government are yet to fully take effect. As mentioned above, a net gain of officers by late 2018 still seems to be unlikely with such a high leave rate and a continued squeeze on pay. Until the Government negotiate terms and conditions, pay and pensions with front-line staff it seems inevitable that staff will continue to leave the service. A deterioration in safety across the estate has also made the profession incredibly unappealing and the Group will continue to argue that safety must be a priority for Government, with a focus on harsher punishment for those who assault front-line officers and staff. It is hoped that this particular issue will be dealt with within the Private Members Bill of Chris Bryant MP, Assaults on Emergency Workers, which is going through Parliament. Union Services will continue to circulate briefing material to MPs and will table written and oral questions in both Houses to ensure safety, staffing and conditions across the prison estate are high on the Parliamentary agenda.

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- **POA Rally and Lobby of Parliament – 5 December**

Over 60 POA members attended Parliament on Tuesday 5 December to lobby their MPs as well as attend a rally that was organised with the assistance of Union Services. The rally was addressed by JUFCPG Co-Chair Liz Saville Roberts, JUFCPG Vice-Chair Lord Ramsbotham and the Shadow Justice Secretary Richard Burgon, as well as POA General Secretary Steve Gillan. The rally was incredibly well attended by Parliamentarians from both the Commons and the Lords and from a wide variety of political parties.

Top table contributions were incredibly well received and were supportive of POA campaigning efforts regarding safety, pay and pensions. Several contributions from the floor caused slight controversy, however, and a good-natured debates followed. The most controversial statements came from Tory MP Richard Drax, who, although entirely supportive of the POA and its members' fight for better working conditions and an end to overcrowding, was completely dismissive of the POA demand for the restoration of trade union rights. POA members voiced their concerns regarding this opinion, but the discussions were constructive and Richard took the time to meet with several POA members after the rally. Union Services has since contacted his office and a meeting will be arranged to discuss possible membership of the JUFCPG before Christmas recess.

In attendance of the rally:

<u>MP</u>	<u>PARTY</u>
Teresa Pearce	Labour
Tonia Antoniazzi	Labour
David Hanson	Labour
Gordon Henderson	Tory
Roberta Blackman-Woods	Labour
Liz Saville-Roberts	Plaid Cymru
Imran Hussain	Labour
Dan Carden	Labour
David Drew	Labour
Lord Ramsbotham	Crossbench
Lord Attlee	Tory
Richard Drax	Tory
Mary Glendon	Labour
Mike Hill	Labour
Richard Burgon	Labour
Lord Hussain	Lib Dem

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David Morris	Tory
Ian Lavery	Labour
Paul Williams	Labour
Mary Creagh	Labour
Louise Ellman	Labour

### POLICE

- **Funding and staff numbers**

The pay award for England and Wales for 2017-18 was announced on 12<sup>th</sup> September following recommendations by the Independent Police Remuneration Review Body and the Senior Salaries Review Body. The Government announced a new pay award for those within the remit of the PRRB of 2% - 1% consolidated pay increase in addition to a 1% non-consolidated payment to officers, a pay award which the Minister Sarah Newton claimed was a “fair deal to the tax payer and to our hard-working police officers”. The PRRB recommended a 2% consolidated increase for federated and superintending ranks. Shadow Policing Minister Louise Haigh secured an Urgent Question (Annex 2) in the Chamber on 14 September, in which she raised numerous issues with the Government’s proposals, including their decision to not accept the recommendations in full as well as the inordinate cost to local police forces:

*The Government have repeatedly claimed that they have protected police funding since 2015. We know this is not the case because crime has risen in recent years, despite what the Minister says. This week’s announcement entails a further cut to forces’ budgets. The Government have been on warning for some time that the police are near breaking point. This move may finally break them.*

The announcement of the pay award was met with dismay from local forces in some areas as the Government confirmed that it would be unfunded and forces would instead have to use existing budgets. West Yorkshire and West Midlands police estimated that the pay award would cost them over 80 officers in the next year and the National Police Chiefs Council commented that “without better real terms funding protection from government, an award above 1 per cent will inevitably impact on our ability to deliver policing services and maintain staffing levels”. The Minister responded to criticisms from opposition parties by suggesting

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that they were doing a disservice to police officers by claiming that forces are at breaking point. However, staff on the front line, their representatives and the public argue that the police are stretched way beyond their means. The proposed pay offer comes at a time of increased inflation with the cost of living pushing working families to the brink, and this Government are essentially pursuing a real-terms pay cut for hard-working police staff.

With forces now facing uncertain budgetary futures, it is likely more police staff will be cut in order to honour the 1% pay rise. Labour MP Catherine West secured a Westminster Hall debate (Annex 2) in late October regarding police funding in London, and fears surrounding front-line police numbers were raised by numerous London-based MPs. During her opening remarks, Catherine West raised her constituency concerns regarding police cuts, referencing JUFCEG member the Police Federation:

*Police stations are closing and neighbourhood policing is under attack across the capital. Half of London's remaining 73 police station counters are set to close, including a number in Hornsey and Wood Green. There are fewer police officers on the street. The UK has 20,000 fewer police officers than at the peak in 2010, and 924 fewer than last year. The Police Federation has branded those startling statistics "deeply worrying and disappointing".*

*Our constituents are worried. In my surgeries, I regularly see people who are concerned and scared about the rise in reported gun, knife and moped crime.*

Although the debate focused on London, the concerns resonate across England and Wales, with forces reporting a rise in crime, a reduction in front line officers and a growth in safety concerns with both the public but also officers who are conducting their shifts as single crewed. In his response, the Policing Minister Nick Hurd gave MPs the "stubborn truth" that has been delivered time and again by the Tories:

*We live in very constrained times. That is the political reality of the situation. Within that, the Home Secretary and I will have made it clear that we will continue to ensure that the police have the resources they need to do the job, but we will continue to challenge them to modernise and be more efficient and effective, not least in embracing the power of technology to improve the interface that our constituents have with them, but also to help them be more effective in their work.*

This statement offers no comfort to police staff and front-line officers, who are facing an uncertain future due to funding constraints, or the public, who are reporting a less-visible police service. The Government claims it has not yet made a decision regarding the fair funding review, but the Minister Nick Hurd has confirmed that a new funding formula won't be introduced without a full public consultation. During Home Office oral questions in November, Shadow Policing Minister Louise Haigh challenged the Minister on this possible funding formula:

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**Louise Haigh:** *The Minister says that he wants evidence for police funding. How about the document that every chief constable and PCC in the country signed up to this month, which warned that without extra investment on Wednesday, up to 6,000 more police officers could be lost by 2020 and that usable resources are, in fact, a fraction of the figure that he keeps citing? If he thinks that the UK's most senior police leaders are wrong, will he commit today to making no further cuts to police officer numbers during this Parliament?*

**Nick Hurd:** *I can confirm that decisions about police funding have not been finalised, but that that will be done shortly. An announcement will be made to the House as part of the draft grant settlement for 2018-19 in the usual way. On the report that the hon. Lady cites, I hope she understands that we have worked with that report closely, because the Home Office and the police system wanted to do a proper job of updating our understanding of the pressures that the police are under, which are real.*

Union Services will continue to monitor the announcement and ensure MPs are briefed on the Police Federation concerns regarding funding, should they wish them to be raised.

### PROBATION

- **CRCs and workloads**

The criticism of the Government's Transforming Rehabilitation Programme has continued during the period covered by this report, with Parliamentarians and the press questioning the performance and financial viability of CRCs as well as the working capability of the NPS with a reduced workforce but ever-increasing casework. Before summer recess the Prison and Probation Minister Sam Gyimah published a written statement that admitted that the CRC contracts were not going to plan and that Government would essentially be bailing the private companies out. He said:

*Since the contracts were negotiated the number of offenders sentenced to community orders has fallen, and there has been an increase in the proportion of offenders assessed as posing a higher risk of harm. The result is fewer offenders are being referred to CRCs, leading to falls in CRC income to significantly below the levels expected at the time of the competition. This has made it extremely challenging for CRCs to deliver the services outlined in their contracts.*

The Minister stated that reforms of such a "complex public service" would take time to "bed down", but frustratingly these hiccups were forewarned by unions, professionals and opposition parliamentarians. Several years into the Transforming Rehabilitation programme it appears that Chris Grayling's flagship programme is at breaking point, with a huge financial bail-out being provided by Government to keep CRCs companies afloat. The statement went on to confirm this:

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*We have recently taken urgent action to adjust the payment mechanism within the CRC contracts so it better reflects the fixed nature of most of the costs that providers incur when delivering services to offenders. This additional investment, which will see projected payments to CRCs still being no higher than originally budgeted for at the time of the reforms, will make CRC income less sensitive to changes in demand and therefore more reflective of their actual cost structures. This increased certainty about future income will enable CRCs to focus on delivering critical operational services*

The “additional investment”, as it is called by the Minister, has amounted to almost £280 million, a huge sum for what is essentially the failings of Government and the private companies to fulfil their contractual obligations. Although the Government had promised to complete its review of probation contracts by April 2017, the findings are yet to be published. JUFCPG Vice-Chair Lord Ramsbotham tabled an oral question on behalf of the JUFCPG in the Lords that specifically asked when the review findings would be published, and Lord Keen of Elie replied on behalf of the Government. In his initial response Lord Keen reiterated much of what Sam Gyimah had laid out within the written statement, but within his response to Lord Ramsbotham’s supplementary question he admitted the Government and CRCs had miscalculated referrals to the CRCs:

*I would point out that contracts were entered into with 21 CRCs, and that those contracts encountered some financial difficulty for one particular reason—namely, it was originally anticipated that some 80% of those undertaking probation would be referred to the 21 community rehabilitation companies. In the event, only about 60% of those subject to probation supervision were referred to the companies, and that impacted directly upon their financial model as determined under the original contracts*

There are evidently major issues with the CRC contracts and the Justice Select Committee has confirmed the relaunch of their inquiry into the Transforming Rehabilitation programme, which had stopped due to the General Election. The work of the CRCs was also called into question in October when BBC Panorama aired a documentary focusing on CRCs within London and their failings. The programme was hard hitting and highlighted the ongoing failings since privatisation that have resulted in murders, serious assaults and rapes – all committed by offenders who were poorly supervised or not supervised at all upon release. During Justice Questions in October the Shadow Justice Secretary highlighted the many missed appointments in London alone and asked the MoJ to conduct an urgent review:

*Richard Burgon (Leeds East) (Lab)*

*I think the whole House will agree that community sentences function only when magistrates have trust in the people supervising them. Last year, thousands of community sentences were served in London alone. Will the Secretary of State therefore commit today to an urgent independent review of the performance of the London company responsible for supervising many of these community sentences in London, following the revelations in last week’s*

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*“Panorama” investigation that the London CRC—community rehabilitation company—had failed to act on 15,000 missed appointments over 16 months?*

*Mr Lidington*

*Of course, as the hon. Gentleman knows, the company responsible has denied some of the claims that were made in the “Panorama” programme. None the less, it is quite clear that missed appointments are a serious matter. We expect the London CRC, like other CRCs, to take appropriate action. I believe that in the independent inspectorate of probation we have precisely the kind of independent body that he has called for. It is currently looking again at London and we look forward to its next report.*

It is clear from numerous Inspectorate reports as well as the reports of front-line staff that the CRCs are struggling to cope, as is the NPS. During Justice Questions in December the Shadow Secretary of State Richard Burgon raised the issue of staffing within the CRCs, something which the Group has continuously highlighted since the privatisation was implemented:

*Richard Burgon (Leeds East) (Lab)*

*I have repeatedly asked the Secretary of State how many staff have been axed since probation was privatised, and I have repeatedly been refused an answer. It is now being reported in the press that there was a 20% cut in the number of probation staff in the privatised community rehabilitation companies between 2015 and 2016. Can he confirm that CRC staff have been cut by a fifth?*

*Mr Lidington*

*It is for individual community rehabilitation companies to take decisions about the staffing and what kind of staff they need to deliver on their contractual obligations to the Government. The Government’s responsibility is for staff in the national probation service, and we are recruiting additional staff to it.*

As with the prison service, retention and recruitment within the NPS is at crisis point, although the Government claims that a major recruitment campaign is on target to hire 1,000 probation service officers between now and 2018. The Group has tabled written questions regarding current staffing levels across the NPS and the leaving rate. We are currently awaiting a response. However, as is stated above, the privatised section of probation has seen a cut of over 20% between 2015-16 and numbers continue to drop due to redundancies in CRCs across the country.

One CRC that has acquired much attention due to cuts and poor performance is Gloucester, which is currently run by Working Links. A HMIPP report in August 2017 highlighted numerous issues including:

- Working Links unable to implement their operating model as outlined in their original bid

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- Service users regularly transferred between responsible officers due to staffing reductions
- Staff had unreasonable workloads due to high levels of sickness and staff vacancies
- Low performance a direct result of over-burdened staff
- Public at greater risk

Labour MP Kate Green tabled several written questions on behalf of the JUFCPG, and one dealt with the dismal Gloucester Report:

**Kate Green:** *To ask the Secretary of State for Justice, what steps his Department plans to take to address the problems identified in HM Inspectorate of Probation's report on Gloucestershire with service delivery carried out by working links.*

**Sam Gymiah:** *There is a contractual mechanism for dealing with recommendations made in HM Inspectorate of Probation reports and, as a result, Community Rehabilitation Companies (CRCs) are required to prepare action plans to address the issues raised. Contract Management Teams give high priority to ensuring that those plans are followed through, and ensure that those actions are successful in addressing the points raised.*

*Public protection is our top priority and we will take all necessary action to make sure the probation system is reducing reoffending and preventing future victims.*

With such poor performance recorded at Gloucester CRC, the Group backed calls to bring the CRC back into public ownership, but the Government has relented and Working Links continue to control this CRC. The Group continues to table written questions via the Shadow Front Bench team and briefings continue to be supplied to all supportive MPs and Peers. Union Services will continue to monitor the progress of the Justice Select Committee inquiry and will ensure briefing material is circulated to members of the committee in advance of oral evidence sessions.

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### ANNEX 1: EARLY DAY MOTIONS

Parliamentary session 2017

#### EDM 176 Civilian Enforcement Privatisation – Liz Saville Roberts MP

#### 21 Signatures

Cable, Vincent	Charalambous, Bambos	Cunningham, Jim	Day, Martyn
Edwards, Jonathan	Farron, Tim	Godsiff, Roger	Hill, Mike
Hopkins, Kelvin	Lake, Ben	Linden, David	Lloyd, Stephen
Martin, Sandy	O'Mara, Jared	Owen, Albert	Reeves, Ellie
Saville Roberts, Liz	Shannon, Jim	Stephens, Christopher	Walker, Thelma

Williams, Hywel

That this House believes that work currently undertaken by civilian enforcement officers employed by HM Courts and Tribunals Service should remain in the public sector where they consistently outperform bailiffs employed by authorised enforcement agents in the private sector; notes that the majority of financial penalties enforced by such staff relate to motoring issues, failure to obtain a television licence and other similar matters often involving defaulters who are among the most vulnerable in society; is concerned that the report Taking control: the need for fundamental bailiff reform, published in March 2017, concluded that in the absence of an independent bailiff regulator, the Government's reforms have had a negligible impact on protecting the public from overzealous and aggressive bailiffs; is aware that civilian enforcement officers are invested with the authority to enter

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and search premises, to arrest and search often vulnerable defaulters and place them in custody before the court; is further concerned by Government plans to give such powers to poorly-regulated private bailiffs who are not subject to the Civil Service Code; deeply regrets that a previous attempt to privatise the enforcement of financial penalties was abandoned at an extraordinary cost to the public purse; and therefore urges the Government to retain the effective, safe and fair enforcement of criminal fines within the public sector rather than risk the safety and finances of the public through privatisation.

### EDM 242 Police Widows Pensions – Stephen Lloyd MP

#### 23 Signatures

Blackman, Bob	Cowan, Ronnie	Cunningham, Jim	Donaldson, Jeffrey
Gaffney, Hugh	George, Ruth	Glendon, Mary	Hermon, Lady
Hill, Mike	Hopkins, Kelvin	Lake, Ben	Lloyd, Stephen
Martin, Sandy	Peacock, Stephanie	Robinson, Gavin	Russell-Moyle, Lloyd
Saville Roberts, Liz	Shannon, Jim	Simpson, David	Swinson, Jo
Twist, Liz	Vaz, Keith	Walker, Thelma	

That this House recognises the service of any person who makes the ultimate sacrifice on behalf of their country, and leaves behind family members and loved ones; is deeply concerned that the Police Pension Regulations 1987 do not allow police widows or widowers the opportunity to marry or cohabit, without losing their right to a police widows' or widowers' pension for life; agrees with the Police Federation of England and Wales that it is morally deplorable to make widows and widowers, and by extension their dependents, effectively choose between future financial security and the possibility of future personal happiness; welcomes the fact that the Police Pension Regulations 2006 allow new entrants or serving officers to transfer to a new scheme which permits their survivors to access benefits which are payable for life regardless of whether they remarry; regrets that nevertheless many police widows and widowers still remain disadvantaged by the Police Pensions Regulations 1987; and calls on the Government to review the situation, in order to ensure parity and fairness with police widows and widowers in all parts of the UK, as a matter of urgency.

### EDM 338 Port Talbot Prison – Liz Saville Roberts MP

#### 4 Signatures

Edwards, Jonathan   Lake, Ben   Saville Roberts, Liz   Williams, Hywel

That this House condemns plans to open a super prison in Port Talbot; understands that there is no evidence to show that super prisons effectively rehabilitate offenders; notes that the opening of another super prison in Wales could lead to the surplus of over 2,400 Welsh prison places in Wales; further notes that opening the prison will only create 200 long-term jobs within the prison once it is operational; is concerned that if HM Prisons Cardiff and Swansea close and inmates are moved to

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Port Talbot, there could be net loss of 600 jobs; is further concerned that the Baglan site proposed for the prison is an enterprise zone that could otherwise be used to better stimulate the local economy; is concerned that the proposed site is also a floodplain, which could lead to flood damage to local properties and endanger inmates and prison staff; recognises the strong local opposition to the building of the prison, particularly because it is within a mile radius of 11 schools; believes it is imperative for the Government to devolve powers of justice and prisons to Wales, as it already has to Scotland and Northern Ireland; and calls on the Government to end its plans to build a new super prison in Wales.

### EDM 341 Police Officer & staffing numbers – Liz Saville Roberts MP

#### 14 Signatures

Campbell, Ronnie	Crausby, David	Cunningham, Jim	Day, Martyn
Farrelly, Paul	George, Ruth	Hopkins, Kelvin	Howarth, George
Lake, Ben	Rimmer, Marie	Saville Roberts, Liz	Shannon, Jim
Walker, Thelma	Williams, Hywel		

That this House is concerned by the recently released Home Office figures regarding police officer and staff figures across England and Wales; notes that since 2010 there has been a reduction in the total workforce of 45,830 from 240,243 in 2010 to 194,418 in March 2017; further notes that since 2010 there has been a reduction in front line police officers of 20,592 from 143,734 in 2010 to 123,142 in March 2017; is further concerned that these drastic reductions in staff and front line officers will have a detrimental effect on the reporting of crime as well as the safety of citizens across the country; is aware that the Police Federation of England and Wales conducted a survey of staff in 2016 which showed that 78 per cent of officers reported insufficient officers in their team, 57 per cent reported being frequently single crewed and were therefore more likely to be verbally insulted, abused or physically attacked and 84 per cent of officers reported working one or more hours of unpaid overtime in a typical four day week; is concerned that of those officers who responded to the survey 39 per cent report high job stressfulness and that these officers were 11 times more like to report poor mental wellbeing and five times more likely to have experienced mental health issues; and therefore calls on the Government to support police officers and staff by providing adequate support as well as ensuring front line police staff numbers are returned to pre-2010 figures.

### EDM 369 Cuts to Legal Aid since 2013 – Caroline Lucas MP

#### 14 Signatures

Ali, Rushanara	Amesbury, Mike	Antoniazzi, Tonia	Benn, Hilary
Berger, Luciana	Bottomley, Peter	Brake, Tom	Buck, Karen
Campbell, Ronnie	Carmichael, Alistair	Charalambous, Bambos	Clwyd, Ann

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Coaker, Vernon	Coyle, Neil	Cruddas, Jon	Cunningham, Jim
Davey, Edward	Dent Coad, Emma	Doughty, Stephen	Duffield, Rosie
Edwards, Jonathan	Ellman, Louise	Farrelly, Paul	Farron, Tim
Field, Frank	Flynn, Paul	Frith, James	Gaffney, Hugh
Gapes, Mike	George, Ruth	Godsiff, Roger	Green, Kate
Grogan, John	Harman, Harriet	Hayes, Helen	Hepburn, Stephen
Hermon, Lady	Hobhouse, Wera	Hopkins, Kelvin	Huq, Rupa
Jardine, Christine	Kinnock, Stephen	Lake, Ben	Lamb, Norman
Lammy, David	Lewis, Clive	Linden, David	Lloyd, Stephen
Lucas, Caroline	Malhotra, Seema	Martin, Sandy	McGinn, Conor
McKinnell, Catherine	Moran, Layla	Nandy, Lisa	O'Mara, Jared
Pearce, Teresa	Phillips, Jess	Pidcock, Laura	Powell, Lucy
Reeves, Ellie	Rimmer, Marie	Saville Roberts, Liz	Shannon, Jim
Sharma, Virendra	Sheerman, Barry	Siddiq, Tulip	Skinner, Dennis
Slaughter, Andy	Sobel, Alex	Stephens, Christopher	Stevens, Jo
Stone, Jamie	Swinson, Jo	Thewliss, Alison	Twigg, Stephen
Umunna, Chuka	Vaz, Keith	Walker, Thelma	West, Catherine
Williams, Hywel	Yasin, Mohammad	Zeichner, Daniel	

That this House is deeply concerned by growing evidence, including reports by Amnesty International and the Law Society, that cuts to legal aid since April 2013, under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), have left thousands of the most disadvantaged in society, including children and people with learning disabilities, without the legal advice and support essential to access justice and equality before the law; notes that, in the first year after LASPO came into force, the number of cases in which legal aid was granted fell by 46 per cent from 925,000 to 497,000; further notes that the number of legal aid providers has fallen by 20 per cent from 2,991 to 2,393, leading to the emergence of advice deserts across England and Wales where the provision of free legal advice is disappearing, especially in housing law; shares the view of the Law Society, as expressed in its June 2017 report, *Access denied? LASPO four years on*, that LASPO has severely undermined access to justice and that this is resulting in the escalation of legal problems and knock-on costs elsewhere in the public sector; welcomes the Government's commitment to undertake a wholesale review of the impact of LASPO by April 2018; and calls on the Government both to ensure

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that the review assesses the wider impact of LASPO on public services and to commence and conclude the review as a matter of urgency.

### **EDM 450 Pay rise for public sector workers – Roger Godsiff MP**

#### **20 Signatures**

Campbell, Ronnie	Crausby, David	Cunningham, Jim	Gaffney, Hugh
Glindon, Mary	Godsiff, Roger	Hermon, Lady	Hill, Mike
Hopkins, Kelvin	Linden, David	Lucas, Caroline	McNally, John
Mearns, Ian	Newlands, Gavin	Rimmer, Marie	Russell-Moyle, Lloyd
Saville Roberts, Liz	Skinner, Dennis	Stephens, Christopher	Stevens, Jo

That this House notes with concern that public sector employees, whose jobs are essential to the wellbeing of citizens and the economy of the UK and who are often on low wages, have had a real terms pay cut since 2010 and are now up to £3,000 per year worse off; further notes with concern the effect that this is having on the recruitment and retention of workers in essential sectors, along with the living standards of these workers; notes that this has also drained funds from circulation in the real economy; calls on the Government to urgently remove the one per cent cap from public sector pay and permit a pay rise which takes both inflation and the previous seven years of real-terms pay cuts into account; further calls on the Government to ensure that this pay rise is fully funded, rather than being expected to come out of already extremely tight departmental or local authority budgets; believes that the Government must listen to the voices of workers themselves and their union representatives when deciding on the rules within which pay review bodies must operate; calls on the Government to ensure that the hard work of public sector workers is recognised; and asks the Government to use the Autumn Statement 2017 to end the public sector pay cap.

### **EDM 475 Safety in custody statistics October 2017 – Liz Saville Roberts MP**

#### **12 Signatures**

Bottomley, Peter	Carden, Dan	Cunningham, Jim	Edwards, Jonathan
George, Ruth	Henderson, Gordon	Hopkins, Kelvin	Lucas, Caroline
Morris, Grahame M	Saville Roberts, Liz	Shannon, Jim	Stephens, Christopher

That this House is concerned by the recently published Safety in Custody statistics which indicate a continuing rise in incidents of self-harm, assaults and violence across the prison estate in England and Wales; notes that self-harm incidents reached a record high in June 2017 with 41,103 recorded, up 12 per cent from the previous year and a 10 per cent rise in the latest quarter; further notes that assaults and serious assaults have continued to rise reaching record levels with 27,193 incidents recorded up 14 per cent from the previous year; is further concerned that assaults on staff have increased by 25 per cent from the previous year with 7,437 incidents recorded and serious assaults

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on staff up 14 per cent on the previous year; is also concerned that prisoner on prisoner assaults have risen by 10 per cent over the past year with 19,678 incidents recorded and serious assaults up 18 per cent since 2016; understands that death in custody figures have dropped slightly yet remain too high with 300 recorded in the past 12 months; further notes the increase in the prison population to over 86,000 in recent months leading to a further strain on the service; and calls on the Government to act urgently to address the continuing deterioration of safety across the prison estate and to meet with front-line staff and inmates to coordinate a safe and stable workplace and living situation for all.

### EDM 601 HMP Northumberland – Ian Mearns MP

#### 19 Signatures

Cadbury, Ruth	Campbell, Ronnie	Carden, Dan	Cunningham, Jim
Flynn, Paul	Gill, Preet	Glindon, Mary	Green, Kate
Henderson, Gordon	Hill, Mike	Lammy, David	Martin, Sandy
Mearns, Ian	Morris, Grahame M	Rimmer, Marie	Saville Roberts, Liz
Shannon, Jim	Stephens, Christopher	Stevens, Jo	

That this House is concerned by the recently published HM Inspectorate of Prisons report regarding HM Prison (HMP) Northumberland; notes that HMP Northumberland currently houses over 1,300 male inmates and is run by the private firm Sodexo; is deeply concerned by the report's findings regarding violence and drug use which detail a staggering increase in both since the last unannounced inspection in 2014; further notes that since the last inspection violence has more than doubled with 58 per cent of prisoners feeling unsafe since arriving at HMP Northumberland and 28 per cent of prisoners feeling unsafe at the time of the inspection; notes that since the last inspection there have been six self-inflicted deaths at the prison, yet few of the issues previously identified by the Prisons and Probation Ombudsman have been addressed; is also concerned by the findings of the survey regarding drug use and availability of drugs within the prison with 61 per cent of men saying it was easy or very easy to obtain illicit drugs, and 21 per cent saying they had acquired a drug habit since entering the prison; is aware that the report found that prisoners' time out of cell is not good enough for a prison of this category and that attendance at educational and training classes have declined since the last report; and calls on the Government to urgently address the worsening situation across the prison estate and ensure inmates are housed safely in prisons which have sufficient staff numbers and proper access to education and drug treatment programmes.

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### ANNEX 2: DEBATES

Full access to all debates can be found on the Parliament home pages ([www.parliament.uk](http://www.parliament.uk)). Below are examples from some key debates during the parliamentary term from September to December.

**Debate, House of Lords – 7<sup>th</sup> September 2017**  
**Prison Overcrowding – Lord Brown of Eaton-under-Heywood**

<http://hansard.parliament.uk/lords/2017-09-07/debates/B1B642FA-F4EC-465C-881F-DB469CBF93C4/PrisonsOvercrowding>

*Lord Brown of Eaton-under-Heywood (CB)*

*My Lords, when opening the debate here on prison reform early last year, the noble Lord, Lord Fowler, now our esteemed Lord Speaker, recalled that when in the 1970s the prison population first exceeded 40,000, the Times published a series of articles under the heading “The Prisons Crisis”. Today, there are over 85,000 prisoners and, on present trends, this number is projected to rise in a very few years to over 90,000. Can anyone doubt that today our prisons truly are in crisis—seriously overcrowded, understaffed and volatile—and that the solution cannot be simply to build more, but lies rather in adopting fresh approaches to reducing their population and restoring what is now almost entirely lost: the real prospect of prison sentences actually being used to reform and rehabilitate inmates?*

*I need spend little time establishing that there are too many people in prison. Numerous statistics bear it out. The percentage of our population serving prison sentences is almost twice that in Germany, let alone Scandinavia, and very substantially higher than in most of the*

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*developed world. Our standard sentences are routinely substantially longer than elsewhere. The statistics are yet more striking when it comes to indeterminate sentences: astonishingly, in England and Wales, more people are sentenced to an indeterminate term than in all the other 46 countries of the Council of Europe combined.*

*Nor, surely, do I need to linger long on the many and acute problems which result from prison overcrowding. Inevitably I must generalise, so let me acknowledge at once the many caring and conscientious prison staff and governors who do their very best to overcome these problems. Their efforts notwithstanding, the consequences of overcrowding are all too evident. Almost one-fifth of prisoners are doubled up in single cells or tripled in cells for two, often sharing an open, unscreened toilet. Many spend up to 23 hours a day in these squalid conditions. Often prisons are without functioning classrooms, workshops, teachers or any of the other services or supports needed to help inmates to deal with problems and prepare them for release and resettlement. In short, warehousing has largely replaced rehabilitation. Small wonder that prison riots and disturbances are no longer a rarity; prisons are dangerous places. Who can forget the finding by the Chief Inspector of Prisons in July that in not a single YOI is it safe to house a child? Small wonder, too, that in the last year there were more than 26,000 assaults in prison, including more than 7,000 on prison staff, that many prison officers suffer stress-related illnesses, and that there were more than 40,000 incidents of self-harm among inmates and 97 self-inflicted deaths. It is hardly surprising that, as the BMA has briefed, incarceration often leads to deterioration in physical and mental health, with the prisoner's fragile state of mind all too often having played a part in his original offending.*

*It is unsurprising, too, that the illegal use of drugs and mobile phones and the corruption, addiction, debt and violence that generally go with them represent widespread and persistent problems, such problems unlikely to be eradicated by 300 sniffer dogs and the hand-held mobile detectors promised by the Lord Chancellor in his Evening Standard article last month. Perhaps least surprising of all is the high rate of recidivism following a prison sentence. In that same newspaper article, the Lord Chancellor expressly recognised that about half of those sent to jail will end up back behind bars. Some years ago, a Home Secretary famously suggested that "prison works", above all in keeping prolific professional burglars out of our houses. Whether or not that was ever so, it manifestly is not today. Rather, it militates against any chance of effective rehabilitation, and once again we see the crime figures steadily on the rise. So the £1.3 billion now promised to the MoJ should be devoted not to catering for an ever-larger prison population but rather to improving the prison estate and facilities to prepare existing and future inmates for release.*

*The present continuing upward spiral must end, so let me briefly suggest four basic imperatives as to how—although, alas, with no sufficient time to develop them. First, send fewer people to prison and for shorter terms. Secondly, indefinite sentences, which are now commonplace, should become a rarity. Thirdly, facilitate prison release. Fourthly, drastically cut the number of recalls.*

*First and foremost, of course, we must end prison sentence inflation—its upward spiral. All too often, we hear of some dreadful fresh offence and, in common doubtless with many*

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*others—not just Daily Mail readers—whether it be a case of child cruelty, the torture of some elderly person to extract his savings or the recent spate of moped riders hurling acid into people’s faces, my first reaction is to lock the perpetrators up and throw away the key: avenge the victims or, at the very least, mark society’s outrage by raising the statutory maximum for the offence.*

*Indeed, that has often been Parliament’s reaction over recent years, but unfortunately—although perhaps occasionally justifiable in the case, say, of terrorist offences—its inevitable consequence has been to ratchet up sentences across the board. Even now, there is under consideration—subject to consultation and apparently gaining widespread public support—a proposal to increase from 14 years to life the maximum sentence for causing death by dangerous driving. Earlier this year, Parliament doubled the maximum sentences available for stalking and harassment offences, variously from five years to 10 and, in aggravated cases, from seven to 14 years. Before that, in 2014, the maximum sentence under the Dangerous Dogs Act was increased from two years to 14 years. In 2015, contrary to the judges’ advice, minimum custodial terms were introduced for carrying knives, both for second possession offences and for first offences where accompanied by threats.*

*And, of course, by Schedule 21 to the Criminal Justice Act 2003, the Act which first introduced the ill-starred IPP sentence scheme, the minimum terms to be served by mandatory life prisoners were fixed at substantially higher levels than ever before—through later amendments they have twice since been raised higher still—so they have risen steadily from an average of 12 and a half years in 2003 to, I think, over 21 years now.*

*The Sentencing Council—a largely judicial body created by statute in 2009—is loyally responsive to these demonstrations of Parliament’s will. As a result, guideline sentences have become progressively longer to maintain some sort of coherence across the entire spectrum of criminal offending. Reducing the length of prison sentences requires, above all, political will, not judicial policy-making. I urge Parliament to amend the council’s statutory remit to include among its aims the overall reduction of the prison population.*

*If one pauses for a moment and asks in the abstract how long a sentence should be—whether, say, a dangerous driver, a burglar or a historic sex offender should serve 10 or five years, or whatever—what logic dictates that answer? Assuming he does not need to be confined long term for reasons of public safety, but that some immediate custodial disposal is called for, how many weeks, months or years does due punishment—just retribution—require that he be locked up in a squalid cell away from his family and friends, and deprived of most else that makes life worth living? In terms of deterrence, while plainly it is important to catch, prosecute and convict offenders, there is no evidence to suggest that, whatever is fixed as the standard sentence, it is of any consequence in deterring criminal behaviour—least of all crimes of sex and violence. The first imperative, therefore, is fewer and shorter sentences, suspended wherever possible.*

*Secondly, we should impose infinitely fewer indefinite sentences, of which there are many different kinds, and to which currently over 11,000 prisoners are subject. Inevitably, they suffer uncertainty and hopelessness, unsettling for all those around them, not least their*

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*families. As is increasingly widely recognised, the IPP regime is a clear case in point. Despite its abolition in 2012, some 3,300 IPP prisoners are yet to be released, the majority having served for many years—some over 10 years—beyond their tariff terms. Truly, this is preventive detention—in effect, internment. It is a stain on our criminal justice system and it must end.*

*The third imperative is to facilitate the release of those who have served their minimum terms—indeed, ideally, to release them earlier still. Additional resources should be provided for training, education and suitable courses. Never should release be delayed because the Parole Board is insufficiently resourced to process it speedily. The burden of proving safety for release, which is almost impossible for the prisoner to discharge, should—as the chairman of the Parole Board himself recently suggested—shift on to those seeking his continued detention. Neither should release have to be delayed because of insufficient accommodation in probation hostels for long-sentence prisoners to live in under supervision in the community, the subject of a Times article last month.*

*The temporary release scheme, whereby prisoners are prepared for release by allowing them out during the day to undertake paid or voluntary work, has been greatly restricted over recent years, most regrettably, despite its previous record of almost 100% success. It should be fully restored. Indeed, I would go further and urge the scheme's extension to encompass also, whenever possible, those actually serving sentences so that family relationships can be preserved, employment prospects improved and institutionalisation kept at bay.*

*The fourth and final imperative is that, once a prisoner has finally secured his release, he should not thereafter readily be recalled. The number of those in prison for breach of their licence conditions has grown from 150 in 1995 to over 6,000 today, including over 700 IPP prisoners, whose rate of recall almost matches their rate of release, an issue on which the Howard League is currently engaged. Recall should be used only exceptionally. As it is, the majority are largely for technical reasons: failing to attend a probation officer appointment, spending a night away from a notified address and so forth. The actual numbers of recalls have grown immeasurably. In 2000-01, there were just over 3,000 recalls to custody. In the year ending this March, over 21,000 were recalled, including 8,000 who had served under eight months. Indeed, since the Offender Rehabilitation Act, nearly 15,000 of those serving under a year have been recalled, generally for just 14 or 28 days. In short, the part-privatisation of the probation service and the eligibility for recall of those sentenced to under 12 months are proving just as problematic as many here predicted when these measures were introduced.*

*I am conscious that I have had time only to sketch in some of the problems and suggest some of the required solutions. I must end. I have not even touched on many of the problems affecting the Prison Service today—for example, those arising from an ever-ageing prison population, including many serving long sentences for historic sex abuse, cases nowadays representing over half the Crown Courts' workload. Truly, prisons are in crisis. Indeed, the very fact that over 30 noble Lords, most with deep knowledge and experience in this field, are down to speak is some indication of the enormous public concern about the situation in our*

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*prisons today. I greatly look forward to their contributions, all too brief, though, alas, they must be.*

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**Westminster Hall Debate – 12<sup>th</sup> September 2017**  
**Port Talbot Prison – Liz Saville Roberts MP**

<http://hansard.parliament.uk/commons/2017-09-12/debates/17091242000002/ProposedPrisonPortTalbot>

*[Liz Saville Roberts \(Dwyfor Meirionnydd\) \(PC\)](#)*

*I beg to move,*

*That this House has considered the proposed new prison in Port Talbot.*

*Diolch yn fawr, Mr Brady. It is a pleasure to serve under your chairmanship.*

*Wales will become one of the only countries in the world to be a mass importer of prisoners if the Westminster Government get their way and impose a super-prison on Port Talbot. It is not needed or wanted, nor is it the answer to the chaos in the English prison estate. I will focus on three key reasons why the Government must halt the imposition of that unwanted prison on the community of Baglan in Port Talbot. First, I will outline the big picture: Wales does not need more prison spaces. Secondly, I will look at the tangible effects it will have on a community already teetering on the brink of economic disaster. Finally, I will make the case that the prison fails to meet basic planning criteria, putting local residents and future inmates at huge and unnecessary risk.*

*As I am sure the Minister is aware, earlier this year the Ministry of Justice opened Europe's biggest prison in north Wales—HMP Berwyn in Wrexham. Once fully operational, it will have the capacity to hold in excess of 2,100 male prisoners. That will already mean that there are 800 more spaces than inmates in the Welsh prison estate. Nevertheless, the UK Government are charging on with plans to develop a second mega-prison, which Wales does not need or want—this time in the south. The new prison planned in Port Talbot will hold up to 1,600 prisoners. It is not necessary to have won a Fields medal to work out that that would mean 2,400 places more than are required for Wales in Wales*

*There is a distinct possibility that HMP Port Talbot is being built in anticipation of the Government's closing Cardiff's Victorian-built prison, but even taking into account the possible closure of HMP Cardiff, a surplus of some 1,600 prison places remains. Does the Minister believe that Wales is on the verge of a mass crime wave, or is he planning to import hundreds, perhaps thousands, of prisoners into Wales?*

*The new build is part of a UK Government-led drive to reform the crisis-hit prison system in England, which currently holds thousands of people more than it was designed for. Why is Wales to be adorned with another one of these monstrous prisons? The answer is obvious:*

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*Scotland has control over its own prison estate and justice system, and so does Northern Ireland. Wales does not, so at the whim of Westminster it is subject to becoming a penal colony for English prisoners.*

*I oppose the whole concept of these so-called super-prisons, in which hundreds of inmates are housed. The left-leaning Howard League and the Centre for Social Justice, founded by the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), agree that such prisons do not succeed in rehabilitation. I am afraid it all comes down to penny-pinching. HMP Berwyn will be the cheapest prison to run in England and Wales, according to the Government's own forecasts. Wales is an affordable penal colony.*

*The second, and undoubtedly more important, issue I want to press upon the Minister is the potentially devastating effects the imposition of the prison could have on the community. I welcome the work of Councillor Nigel Thomas Hunt and Bethan Jenkins AM, who have been very diligent in this matter. Both are passionate, locally grounded activists who spent months gathering evidence, much of which I am using today, to refute the Government's case for imposing the prison on their communities.*

*As I am sure we are all aware, Port Talbot has been through some tough times of late, but the answer is unequivocally not to turn Wales' industrial powerhouse into a penal colony on an industrial scale. The primary argument invoked by both the Government here and the Labour Administration in Cardiff is that of jobs, but a little scrutiny shows that case to be very flimsy. The Minister may have more up-to-date estimates, but at the time of the prison's announcement, we were told that HMP Port Talbot would create about 200 jobs. However, if Swansea and/or Cardiff prisons were to close, in keeping with the UK Government's policy of closing old prisons and their justification for building new super-prisons, Port Talbot prison would not even replace the jobs lost in other prisons.*

*In total, HMP Swansea and HMP Cardiff employ almost 600 staff. If they were both to close and be subsumed by a prison in Port Talbot, there would be a net loss of 400 jobs, according to the Government's own estimates. To put it another way, the Government's main justification for building this super-prison—the need to modernise the prison estate—will result in the closure of other Welsh prisons and a net loss of jobs, undermining HMP Port Talbot's purported main benefit for the community. I warn the Minister that if he even countenances the notion that any jobs created by the super-prison will make up for the Government's pathetic response to the steel crisis, he is unlikely to be met warmly on the streets of Port Talbot.*

*That is before we get to the issues surrounding the prison's location. There are 11 schools within a one-mile radius of the site. Not only does that pose an exceptional safety risk, but it means that thousands of children will grow up in the shadow of that totem of failure. The Minister has already confirmed that inmates may be considered for "temporary release" into the community. It is clear that many prisoners moved from across the UK are expected to end up staying in the local area after their custodial sentences are served. Indeed, their families may well move to follow them while they are serving their sentences. Those who are imposing*

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*this prison on Wales must acknowledge and understand the additional cost to Wales in terms of healthcare and policing, as well as the additional burden on the community of Baglan when families move to the area following inmates and inmates stay in the community after their release. Will the Minister outline whether the Government expect to offer any kind of compensation to the local emergency, health and other public services, which will face a higher burden if the prison is built?*

*Of course, we must not forget the role that the Labour Welsh Government have played. The Baglan site is in fact owned by the economically inept Welsh Government in Cardiff. In reality, the Labour Government in Cardiff could stop this now, and I implore the hon. Member for Aberavon (Stephen Kinnock), who is here today, to lobby his party colleagues in Cardiff to do so.*

*Finally, I would like to inform the Minister of a technical but crucial stumbling block for the proposed prison. Council officials have confirmed that the proposed site is on a C1 floodplain, putting it in the highest bracket of flood risk areas. Under the Welsh Government's planning regulations, as laid out in technical advice note 15, the proposed Baglan Moors site is wholly unsuitable and may contravene devolved Welsh planning law. The prison increases the chances of flooding for more than 1,000 homes in the area. Questions must surely be asked about the safety of building a prison in an area so susceptible to flooding. Think of the huge implications a flood would have for those caring and maintaining order within the facility. Equally, it has the potential to create huge obstacles for emergency services—those who would be responding to incidents in the area—which would in turn endanger staff and inmates.*

*I appreciate that that is a piece of technical Welsh planning legislation, which the Minister might not be familiar with, but I hope he will take the chance to review the issue and recognise that the Baglan Moors site is fundamentally not suitable for a super-prison. Given the clear lack of need, the impact on the local community and the serious planning issues the prison faces, the Minister must surely recognise that Baglan Moors is not a suitable site for a super-prison.*

*Port Talbot is a proud place with a proud history and resilient people, but Westminster will not be forgiven if it turns Wales' largest industrial centre into an industrial-sized penal colony. Diolch yn fawr iawn.*

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**Urgent Question – 14<sup>th</sup> September 2017**  
**Police Pay & Funding – Louise Haigh MP**

<http://hansard.parliament.uk/commons/2017-09-14/debates/AAD4428B-500F-422F-BE95-4B325E110815/PolicePayAndFunding>

*[Louise Haigh \(Sheffield, Heeley\) \(Lab\)](#)*

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*(Urgent Question): To ask the Home Secretary if she will make a statement on the 2017-18 police pay settlement and police funding.*

*The Parliamentary Under-Secretary of State for the Home Department (Sarah Newton)*  
*I am pleased to have the opportunity to answer the question today.*

*The pay award for England and Wales for 2017-18 was announced this Tuesday after the Government carefully considered the recommendations of the independent Police Remuneration Review Body and the Senior Salaries Review Body. The Government accepted in full the recommendations of the Senior Salaries Review Body. The decision to award officers in the PRRB remit group a pay award worth a total of 2% to each officer in 2017-18, consisting of a 1% consolidated pay increase in addition to a one-off 1% non-consolidated payment to officers, represents a fair deal to the taxpayer and to our hard-working police officers.*

*Our public sector workers, including police officers, are some of the most extraordinarily talented and hard-working people in our society. I recognise the extraordinary contribution made by police officers in response to some of the most challenging situations that our country has faced for a very long time. I also fully respect the independent conclusions of the pay review bodies.*

*At the same time, we have committed to taking the difficult decisions to balance the books that have enabled us to repair the damage to the economy while keeping employment up and taxes down. This will help us to strike the right balance between being fair to police officers and to taxpayers. We believe that the award is affordable within the current police funding settlement, noting that the PRRB has highlighted in its report the potential for further efficiencies.*

*Police reform is working. Crime, as traditionally measured by the independent crime survey for England and Wales, is down by a third since 2010. However, we know that the nature of crime is changing, and we are engaging with the police to better understand the changing demands on the police and how these can best be managed. That includes looking at what more can be done to improve productivity and efficiency, and to make prudent use of financial reserves.*

*Louise Haigh*

*Mr Speaker, I am grateful to you for granting this urgent question.*

*As the Minister said, the review body this week recommended a 2% consolidated pay rise for federate and superintending ranks. The Prime Minister stated during Prime Minister's questions yesterday that the Government had accepted that body's recommendations in full. But, as the Minister just confirmed, they have not. The Government's response to the recommendations was to offer a 1% pay rise and a 1% one-off non-consolidated payment that is non-pensionable. Will the Minister tell us why those recommendations were not accepted in full?*

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*The Prime Minister then went on to suggest that police officers had received a real terms increase of 32%, which, of course, the Police Federation called a “downright lie”. I would suggest that it was a cynical attempt to create a false impression, divorced from the reality for officers on the ground. Does the Minister think that the Police Federation was lying or that the Prime Minister got it wrong?*

*The Prime Minister confirmed that the pay settlement would be unfunded. The Metropolitan police estimate that this will cost them £17.7 million this year. West Yorkshire police and West Midlands police both estimate that it will cost them around 80 frontline officers this year. Does the Minister accept what chief constables are telling her—that this will cost us more frontline officers? If she does not, how will she advise forces to pay for this unbudgeted increase?*

*The Government announcement mentioned police reserves, which they claim to have increased to £1.6 billion in 2016. Will the Minister confirm, however, that the vast majority of these reserves are earmarked for projected spending and that only £363 million remain in general reserves? As she knows, police and crime commissioners are under a legal duty to hold adequate reserves. The Audit Commission suggests that this level would be between 3% and 5%, yet some police forces have reserves at levels beneath 1%. Will the Minister therefore confirm whether the Government are actually requiring police forces to run down their general reserves to fund staffing costs? Does she consider that fiscally responsible? From my private sector experience, I gently advise her that it is not.*

*The Government have repeatedly claimed that they have protected police funding since 2015. We know this is not the case because crime has risen in recent years, despite what the Minister says. This week’s announcement entails a further cut to forces’ budgets. The Government have been on warning for some time that the police are near breaking point. This move may finally break them.*

[Sarah Newton](#)

*I am grateful for the opportunity actually to set out some facts before the House, which is hardly what we have heard from the hon. Lady. Before I address the substantive points she raised, I want to say that it really does our hard-working police officers the most horrendous disservice to portray them constantly at breaking point, as if they cannot serve communities. Confidence in the police has been rising and is much higher now than it was in 2010. Those hard-working police officers are doing an extremely good job—day in, day out—for the communities they serve.*

*We have accepted the independent recommendations. Police officers will receive a 2% pay increase. The hon. Lady’s key point was about affordability. Let me address this head-on. On the latest audited figures, every single police force in this country has reserves of at least 6% of its general budget. The costs of delivering on the extra 1% are a very small fraction of all the police funding this year—less than 0.5%. This is absolutely affordable for forces. They were planning on a 1% increase; the extra 1% they are going to be finding—let me be*

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*absolutely clear—is less than 0.5% of the budget. Their reserves are increasing; they are running up to £1.8 billion.*

*If we look at the latest inspections by Her Majesty's inspectorate of constabulary, we see that Sir Tom Winsor has made it absolutely clear that there is room for more efficiencies in police services. The Government are supporting police officers on the frontline, as well as their leaders, to make those changes and to invest in technology, so that we can have the most efficient police force, which we can all be proud of.*

*To summarise, I believe that this proposal is affordable and that the money is there for the chief constables and the police and crime commissioners to fund it, and the Home Office is working with the leadership of the police to make sure that they can continue their really good progress on innovation, while keeping the nation safe.*

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### Urgent Question – 12<sup>th</sup> October 2017 Prison Policy/HMP Long Lartin – Richard Burgon MP

<http://hansard.parliament.uk/commons/2017-10-12/debates/C8BD7704-A92D-49E3-B3DB-6EE15F90022F/PrisonsPolicyHMPLongLartin>

*Richard Burgon (Leeds East) (Lab)*

*(Urgent Question): To ask the Secretary of State for Justice if he will make a statement on prisons policy and the recent disturbance in Her Majesty's Prison Long Lartin.*

*The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah)*

*I can confirm that there was an incident at HMP Long Lartin last night, and that it has now been resolved without injury to staff or prisoners. The incident is of course of concern, and we will need to investigate properly what drove the actions of a relatively small number of individuals. It will take a number of weeks to ensure that all the intelligence is properly examined, and that we learn lessons and apply them to prevent any reoccurrence.*

*We cannot speculate on the cause of this incident, but we know that the prison was running a full regime and that this was not linked to any shortfalls in prison officer staffing levels. Its last inspection report found the prison to be “calm and controlled”, and that although there were improvements to be made, it was “both competent and effective.”*

*The incident remained contained on a single wing of the prison, and it involved 81 prisoners. I want to commend the actions of the staff, who acted swiftly in response to the incident. They locked down the wing, ensured the rest of prison remained settled and prevented any public protection issues or escalation. Our specialist staff were deployed to the prison from across the country. They swiftly resolved the incident in just over an hour, securing all prisoners without injury. Once again, they demonstrated their bravery and professionalism, for which we should all be very grateful.*

*We do not tolerate violence in our prisons, and we are clear that those responsible will be referred to the police and could spend longer behind bars.*

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*Richard Burgon*

*I thank the Minister for his remarks. It is unfortunate that the Secretary of State has more pressing problems than prison disturbances and the axing of Conservative manifesto prisons policy, which I shall come on to shortly.*

*Last night's disturbance at HMP Long Lartin marks another low point in the prisons policy of this Government. The House will no doubt recall the frightening scenes on our televisions from HMP Birmingham last year. That was no one-off, with many other disturbances in recent months, but when it involves a high-security prison housing some of our most dangerous prisoners, it is especially concerning. Does the Minister believe that forcing through hundreds of millions of pounds of budget cuts to our prisons in recent years has left our prisons more safe or less safe?*

*Seven in 10 of our prisons are now overcrowded, and the situation is getting worse. The former director general of the Prison Service has warned that the recent surge in numbers is adding to the pressures on a prison system that he says is "already woefully short of space".*

*Does the Minister believe that prisoners spending more and more time locked in their cells is making our prisons more safe or less safe?*

*Government cuts have seen over 6,000 frontline prison officers cut. Despite recent Government boasting about new recruits, one in three of our prisons has lost frontline staff this year alone. Does the Minister believe that fewer and fewer staff dealing with more and more dangerous prisoners leaves prisons more safe or less safe?*

*Yesterday, the head of the Prison Service ruled out shutting down and selling off dilapidated Victorian jails across England and Wales. This amounts to shelving a 2017 Conservative general election manifesto promise. Does the Minister believe that housing more and more people in Victorian conditions will leave our prisons more safe or less safe? Finally, will the Government apologise to the country for yet another broken manifesto promise?*

*Mr Gyimah*

*Let us be clear about what happened yesterday and remind ourselves that we are dealing with category A prisoners in Long Lartin, which contains some of the most challenging and difficult prisoners within the estate. Prison staff work incredibly hard to deal with these prisoners—many of them are extremely difficult individuals—and to manage them successfully on a day-to-day basis.*

*Last night's disturbance was an incredibly rare occurrence, as the hon. Gentleman mentioned. Inevitably, the nature of our business is such that the situation can become volatile. This situation was isolated—isolated to one wing—and, as I have said, the prison was running a full regime. When situations become volatile, staff in prisons sometimes need extra support, and in this situation our specialist trained prison staff were needed to support*

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*the staff in the prison to resolve the incident. They did that very quickly, without harm to staff or prisoners.*

*In response to the questions about staffing, the shadow spokesperson will be aware that we are investing in our staff in prisons. We are investing £100 million to add 2,500 prison officers by the end of next year. We are on track to deliver that commitment. This year alone we have added a net 868 new prison officers.*

*The hon. Gentleman is very aware, from his conversations with the chief inspector of prisons and a number of prison governors, that the long-standing challenges facing our prisons are not just about staffing, but new psychoactive substances that the prison ombudsman himself has described as a game-changer for the security and stability of our prisons. We know that staffing would make a huge difference, which is why we are making huge efforts to increase not just the number of staff but the ratio of staff to prison officers, so that one prison officer has a caseload of six prisoners to help with rehabilitation.*

*The hon. Gentleman asked about our commitment to close old Victorian prisons and add new prison places within the course of this Parliament. Our first priority is to ensure public protection and provide accommodation for all those sentenced by the courts, but that commitment very much remains.*

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### Westminster Hall Debate – 18<sup>th</sup> October 2017 Women released from custody – Chris Elmore MP

<http://hansard.parliament.uk/commons/2017-10-18/debates/6822CADB-F8BE-4B06-9BDF-DC9ECD7C6E1A/WomenReleasedFromPrison>

*Chris Elmore (Ogmore) (Lab)*

*I beg to move,*

*That this House has considered women released from prison.*

*It is a pleasure to serve under your chairmanship, Mr Howarth, as I am sure I have said many times. In the UK today, almost 4,000 women are in prison. Although many are serving long, extended sentences worthy of the horrendous crimes they have committed, more than 80% of convictions for women are for non-violent crimes, half of sentences being less than six months. The crimes most commonly committed by women are theft and handling of stolen goods. For many, those are a last resort—a desperate measure to feed a family or fund an addiction. When we consider the consequences of prison for such women, we should ask whether incarceration is the correct response.*

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*After their sentences are served, women leaving prison face inordinate difficulties in readjusting to life. Homelessness is at the core of the problem; on release, six in 10 women do not have a home to go to. Without an address—permanent or temporary—safe and secure employment is near impossible. As a result, fewer than one in 10 women released from a prison sentence of less than 12 months manage to secure a positive employment outcome within a year. For those who struggle to find work, and often for those who find it, social security can be difficult to come by. Without a home, income or a family, the path to reconviction is clear; 45% of women are reconvicted within one year of leaving prison. Many women reoffend to fund a life outside prison, although many will do so aware that life can be easier inside prison.*

*Such problems for women should force the House to reconsider the use of custodial sentences for low-level crimes. Women—especially those with a history of social and financial difficulties—will often leave prison in a far worse situation than when they entered. Separated from their families, relationships may have broken down, and the resulting pressures can further an issue that was present before the sentence began. These women need help with the initial problem, and support from the state and society to identify and tackle it.*

*A prison sentence will not in itself reform a woman who only stole in the initial instance to feed her children, nor will it reform a woman with an addiction, be it to alcohol, drugs or gambling. Addiction is an illness, and the crimes committed to fund addictions are a symptom of that illness. Someone suffering from a physical medical condition will be offered treatment to ease their symptoms, but someone suffering from addiction is given a punishment.*

### *Kate Green (Stretford and Urmston) (Lab)*

*I congratulate my hon. Friend on securing this welcome and important debate. Does he also agree that working with people suffering serious addiction issues is unlikely to be effective in the typically short sentences that women experience? A long period of time is needed to work with someone who has deep-seated problems.*

### *Chris Elmore*

*My hon. Friend is absolutely right. This is part of the wider issue of whether a six-month custodial sentence is acceptable. I am not advocating that we should extend custodial sentences; it is about rehabilitation being part of that work, rather than a custodial sentence. In fact, she brings me on to my next point very well: a short prison sentence will not fix the problem. It is far more likely to be a catalyst for a downward spiral that will see these women yo-yo between addiction, committing crimes and short prison sentences for the rest of their life.*

*Ministers say these issues are not exclusive to women. However, decisions made in recent years have created a system that creates difficulties specific to women. The lack of women-only prisons primarily creates issues as it results in women facing sentences far from home. There are only 12 women's prisons across England and Scotland, and none at all in either Wales or Northern Ireland; for Welsh women, the closest facility is in Gloucestershire. Staggeringly, some women in Scotland are placed in female units within male prisons—a*

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*trend that looks likely to be adopted across the whole of the UK in future—while women in Northern Ireland are detained in a male youth offenders centre.*

*At present, more than 17,000 children are separated from their mothers due to imprisonment, fewer than 10% of whom are being cared for by their fathers. Distance makes visiting difficult at best and impossible at worst, which has a harmful effect on the children's welfare. Upon release, women may face further difficulties when a lack of local provision means they are again located 100 miles or more from their families. For some women and men, living in an approved property is a condition of their release on licence. These approved properties are single-sex establishments, and while there are 94 locations across England and Wales for men, including several in London, there are only six for women. They are in Bedford, Birmingham, Leeds, Liverpool, Preston and Reading; none of them are in London and, once again, none are in Wales.*

*Again women are forced to be away from everything familiar to them. They may be out of the physical prison building, but they are still prisoners of circumstance, separated from their families and communities and expected to reintegrate into a society that is unfamiliar to them. The Government should provide suitable facilities and sufficient support care for those vulnerable women on their release from prison. In my opinion, the Government are at present failing to do so.*

*In May 2017, a woman from London brought a case against the Secretary of State for Justice after she was forced to relocate to Bedford on her release from prison. She appealed on the grounds that the distribution of approved properties was unlawful sex discrimination against women. In a landmark ruling, the Supreme Court upheld her appeal and found that the Government were indeed discriminating against women on their release from prison. That was five months ago. Disappointingly, there was no response from the Government and no action was taken. It is my understanding that that is still the case today; perhaps the Minister will look at that specific point.*

*Women leaving prison will always face some difficulty in readjusting, but the complexities they face under this Government are not necessary. It is neither right nor inevitable that women, on their release from prison, should be left homeless and destitute. It is not right that they should be deprived of safe and secure employment, access to social security and support, and it is not right that, by virtue of the Government's neglect of facilities, they are forced into communities hundreds of miles from their families. I hope that the Government will consider the difficulties faced by women leaving prison, and that they will act to ensure an easier transition from custody to society, free from homelessness, poverty and reconviction.*

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[http://hansard.parliament.uk/commons/2017-10-20/debates/EEEACF0D-7006-4FC1-9344-0D10E80F04F5/AssaultsOnEmergencyWorkers\(Offences\)Bill](http://hansard.parliament.uk/commons/2017-10-20/debates/EEEACF0D-7006-4FC1-9344-0D10E80F04F5/AssaultsOnEmergencyWorkers(Offences)Bill)

*Chris Bryant (Rhondda) (Lab)*

*I beg to move, That the Bill be now read a Second time.*

*I start from a simple premise. An assault on anyone is wrong, but an attack on any emergency worker—whether that is a police constable, a paramedic, an ambulance driver, an accident and emergency doctor or nurse, a fire officer, a prison officer, someone working in search and rescue, or someone working on a lifeboat—is an attack on us all. And when we are all attacked, we all stand firm together.*

*It is not just that many of these people show daily acts of bravery; they put their lives on the line. We know that here in Parliament, where PC Keith Palmer was murdered earlier this year. We owe him a phenomenal debt of gratitude. London knows it. A brave British Transport police officer was stabbed when he faced the London Bridge attackers with nothing but a baton earlier this year. That same day, a Met officer was also stabbed when he came to defend the public, despite being off duty. The whole country knows it, too, as we have seen horrific instances, week after week, of emergency staff who have been stabbed, strangled, bitten, repeatedly punched, kicked when down on the ground, and threatened with knives and acid. It is incomprehensible that people should attack our national heroes like this. It is amazing that those staff still go the extra mile on behalf of the British public. It is time that we did everything in our power to protect them.*

*Ellie Reeves (Lewisham West and Penge) (Lab)*

*I was taken to hospital by ambulance last month, having fallen ill. It was a horrible experience, which was made much better by the ambulance staff, who showed such kindness and professionalism to me and my two-year-old son. I got talking to them in the ambulance and they told me that they faced abuse on a daily basis. I told them about this Bill, and they wanted to pass on their thanks to my hon. Friend. This legislation is long overdue.*

*Chris Bryant*

*I thank my hon. Friend for those comments. She makes her point extremely well. It is worth saying that the Bill is supported not only by the Royal College of Nursing and all the trade unions that represent staff in these different lines of work, but by the Metropolitan police, the Police Federation and nearly every part of civil society. I hope we do not end up with a vote later today, but the lack of a vote will not show a lack of assent by this House. Indeed, I think it will show the unanimous assent of the House to change the law in this regard.*

*It is a depressing fact that the number of assaults on emergency workers has dramatically increased in recent years. The Home Office's own figures—these are frightening—suggest that there were 24,000 assaults on police officers in England and Wales in 2016-17. The Police Federation reckons that there is an unarmed assault on a police officer every four minutes, and that is even without including police community support officers. The Ministry of*

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*Justice says that there were 7,159 assaults on prison officers last year—up a third on the previous year.*

*David Hanson (Delyn) (Lab)*

*As my hon. Friend will know, not only have attacks on police officers risen by about 7% in the past seven years, but those attacks are on fewer police officers. We have lost 20,000 police officers, so there is now more chance of a police officer being attacked than there was seven years ago.*

*Chris Bryant*

*My right hon. Friend is absolutely right. That is why I pay enormous tribute to my hon. Friend the Member for Halifax (Holly Lynch), who, with the Police Federation, has led the charge on this issue and brought it to the House. I feel as if I am merely carrying the baton that she elegantly shaped.*

*Figures from NHS Protect are equally disturbing. There were 59,794 attacks on NHS staff in 2011-12. That is bad enough, but the figure increased to 70,555 by 2015-16. Yet the number of criminal sanctions for those assaults has actually fallen in that time, from 1,380 to 1,250. That is a lot of people who are not seeing justice.*

*Bambos Charalambous (Enfield, Southgate) (Lab)*

*Does my hon. Friend acknowledge that the cost to the NHS of these attacks is estimated to be £69 million a year?*

*Chris Bryant*

*My hon. Friend is able to read my mind, because that was my next sentence.*

*Liz McInnes (Heywood and Middleton) (Lab)*

*Does my hon. Friend agree that the figure for assaults on NHS staff is probably much higher? I know from my experience of working in the NHS that a lot of staff did not report assaults, because they were not confident anything would be done.*

*Chris Bryant*

*That is part of the problem that we—and, for that matter, the whole criminal justice system—need to address: all too often, people simply do not feel at the end of the process that they have got justice. When people see those working alongside them not getting justice, with paltry sentences handed down, they of course decide, “I don’t want to have to go through all the grief and the hassle of pressing charges.”*

*I give way to my right hon. Friend.*

*Stephen Crabb*

*I am grateful to my hon. Friend—he is my hon. Friend too. Does he agree that there is a real sense of anger and frustration not just among police officers but among other emergency workers when they see people walking out of court with, effectively, a slap on the wrist?*

*Chris Bryant*

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*If it were even a slap on the wrist, that would be nice, but sometimes the punishment is absolutely minimal. It is intrinsic to justice that it has to be seen to be done, and I will come on later to why I think my Bill will make a difference. I know there are people at the criminal Bar who—perhaps out of an excessive loyalty to other lawyers—dislike it whenever we introduce a new offence, but I hope the Bill will make a difference.*

*Incidentally, it is worth bearing in mind the fact that this year the Welsh ambulance service has listed 114 properties as housing potentially violent people, while another 320 were listed as potentially dangerous. That is this year; in January 2016, only 50 properties were flagged up. In other words, there has been a dramatic increase in the number of places where paramedics feel they are unable to go without police support. That is truly worrying for our society.*

*Liz Saville Roberts (Dwyfor Meirionnydd) (PC)*

*It is important to emphasise, as the hon. Gentleman just did, that assaults on emergency workers are not solely an urban problem. Given the chronic reduction in police numbers, in particular, I hope this legislation will offer greater protection for officers in rural areas, who often respond to calls with insufficient back-up and bad communications.*

*Chris Bryant*

*The hon. Lady is absolutely right, and I can only praise her for being here today, when she could have been at the Plaid Cymru party conference. That is a phenomenal act of dedication.*

*Jessica Morden (Newport East) (Lab)*

*While my hon. Friend is on the subject of Wales and the frequency of attacks, may I mention a real story that was recently relayed to me by a woman married to a police officer? She told me:*

*“According to my children their father is the clumsiest dad ever, as we have had to tell them he ‘fell over a bin chasing someone’, ‘he walked into a Police cupboard door’, ‘he caught himself on a police car door’. I am tired of having to tell my children about how he sustained his injuries to stop them worrying.”*

*Does my hon. Friend agree that that is the reality of working life for many emergency workers?*

*Chris Bryant*

*It is the reality, but it should not be—that is the point we all want to make. Of course, this affects not only the individual concerned but other members of the family. In terms of the recruitment of police officers and emergency workers in the future, people often follow their parents into a profession, and if they feel that their parents have been badly treated, it is unlikely they will come forward for these jobs in the future.*

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<http://hansard.parliament.uk/commons/2017-10-25/debates/AA23B19D-111F-4388-9F52-452D737E5D11/PoliceFundingLondon>

*Catherine West (Hornsey and Wood Green) (Lab)*

*I beg to move,*

*That this House has considered police funding in London.*

*I pay tribute to the police officers who work hard every day to keep us safe, but the Metropolitan police continue to struggle with crippling cost pressures. The Met has had to find £600 million in savings since 2010 and is expected to find another £400 million by 2021. The chair of the National Police Chiefs Council, Chief Constable Sara Thornton, confirmed last month that police funding for counter-terrorism is set to fall by 7% in the next three years.*

*Jack Dromey (Birmingham, Erdington) (Lab)*

*My hon. Friend is right to mention what Sara Thornton said. Does she agree with Mark Rowley, the head of national counter-terrorism policing, who told the Select Committee on Home Affairs yesterday that the hollowing out of neighbourhood policing is deeply damaging and dangerous, both to our intelligence-gathering capacity and to our surge capacity in the event of a terrorist attack? The first duty of any Government is the safety and security of their citizens. The Government are putting the British people at risk.*

*Catherine West*

*There is no doubt that neighbourhood policing was the biggest police reform in London back in about 2000; it was rolled out in every ward. It made an incredible difference, particularly in our cities, but in rural areas as well. Its diminution over the years is a huge shame.*

*Police stations are closing and neighbourhood policing is under attack across the capital. Half of London's remaining 73 police station counters are set to close, including a number in Hornsey and Wood Green. There are fewer police officers on the street. The UK has 20,000 fewer police officers than at the peak in 2010, and 924 fewer than last year. The Police Federation has branded those startling statistics "deeply worrying and disappointing". Our constituents are worried. In my surgeries, I regularly see people who are concerned and scared about the rise in reported gun, knife and moped crime.*

*John Cryer (Leyton and Wanstead) (Lab)*

*In my constituency, there is now not a single operating police station. Diminishing the police presence in the streets and removing the preventive force across the capital is making people more vulnerable, or at least more fearful.*

*Catherine West*

*The argument is often trotted out that a police station is just a building, but we all know that it has an authoritative image. Closing all police stations says something about the diminution of the state's role in our communities.*

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*Zac Goldsmith (Richmond Park) (Con)*

*Some stations and counters have very low levels of usage, so the case can be made for closing them. However, does the hon. Lady agree that if that process continues, which it almost certainly will, we will need to do something about the shocking levels of underservice by the 101 system? I have constituents who no longer bother to report crime because they do not get an answer when they call 101.*

*Catherine West*

*The hon. Gentleman makes an important point. The debate is similar to the one about hospital closures: we want community-based services, but once hospitals are closed, it is easy to close those services without people noticing. The same rule applies to the 101 service.*

*Many people feel less safe in London. Figures from the Met suggest a 5% rise in crime overall between 2015-16 and 2016-17.*

*Dr Rupa Huq (Ealing Central and Acton) (Lab)*

*Has my hon. Friend, as I have, seen an upsurge in the number of people who have witnessed or experienced moped crime? Does she agree that the police need greater powers? Funding for response vehicles has been slashed to ribbons, as it has for everything else. My caseworker Milad, who is ex-Met, tells me that the police feel powerless to deal with moped crime, because criminals can exploit legal and procedural loopholes. The police need greater pursuit powers and legal protections. These cuts have consequences.*

*Catherine West*

*Indeed. Sadly, moped crime is increasingly prevalent in all our constituencies. We can debate whether to change the law, but first and foremost let us get bobbies back on the beat. If criminals see people they are a bit afraid of, they may be disinclined to jump on the back of a motorbike and steal from old ladies.*

*I habitually receive emails, letters and phone calls from constituents who want to feel safe and secure in their community and in our capital. Our ability to respond to terror attacks is being weakened; the number of armed officers has fallen by 10% since 2010. Meanwhile, the Mayor's Office for Policing and Crime fears that officer numbers in London are at risk of falling below 30,000 for the first time since 2003, despite the growing threat of terror and our rapidly growing population. The number of officers per capita has fallen 20% over the past five years. We face ever more austerity, ever more cuts, and the ever more inevitable closure of public services. There is a deep sense that the Government's decisions are bypassing us completely and are failing to take into account the views of those affected.*

*The Government argue that the police can do more with less, but crime is being increasingly reported and is increasingly violent, including gun, knife and moped crime. Our emergency services put themselves in harm's way every single day to protect us. Our police keep us safe. They are dedicated and professional, despite cuts to their resources. As Steve White, chair of the Police Federation, recently said:*

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*“Whenever a crisis happens there is talk of ‘extra’ officers being put on patrol but these aren’t ‘extra’ officers. They are the same officers working longer shifts, or who have had days off cancelled and are being run ragged. This has a negative impact on their health and wellbeing, which has an impact on sickness levels, which has a further impact on their colleagues.”*

*The Government’s record is damning. They are led by a former Home Secretary who oversaw and enforced deep cost pressures that have left some in the police force demoralised—there were a record number of resignations from the Metropolitan police last year. In the forthcoming Budget, the Government have an opportunity to amend that record and put us back on the right track. They must increase overall real-terms funding for the police in November. The police must be given the resources they need, not 20,000 cuts.*

*The Mayor has warned that our city faces losing up to 4,000 police officers at a time of “unprecedented” challenges and that the £400 million gap may endanger the safety of residents. Just this month, Deputy Assistant Commissioner Mark Simmons told us that the Metropolitan police will stop investigating “lower level” crimes, including assaults and burglary, as a result of these cuts. The Met has sold off almost £1 billion-worth of London property over the past five years to fill its funding gap.*

*A recent cross-party report by the London Assembly’s budget and performance committee, chaired by Conservative Assembly member Gareth Bacon, found that even if these cost savings go to plan,*

*“the Met still faces a financial black-hole of £185 million over the next four years... Home Office Ministers appear to have ignored the advice of their own scrutiny panel and are underfunding the Met for the cost of policing an international capital city. Furthermore, their guidelines effectively prevent the Met from claiming any financial help for dealing with extraordinary events such as the London Bridge attack or the Grenfell fire.”*

*That is unjustified, unreasonable and unfair.*

*Police officers deserve their overdue pay rise, but it has fallen on the Met to find the money in its existing budget, which is already under attack. That is an additional pressure of £10.7 million—money that should come from central Government. The Mayor already increased the council tax police precept last year to fill some of the gap, but it is not enough. The Home Office still has not released the criteria that it will use to calculate the police general grant, but the Met expects further reductions of up to £700 million if the funding formula review goes ahead.*

*Uncertainty, with no official decision yet from the Home Office on general Government grant, prevents the Met from making considered and long-term financial decisions. The size of the budget for policing across the UK is too small, and it needs to be increased across the board and in our city. While the Government drag their feet, they do so in secret, unwilling to share calculations for how budgets are settled.*

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*Some 70% of the Met's funding comes from the Home Office, which must wake up and realise that, without urgent action, the headcount will fall further. We cannot protect our communities on the cheap. It has been a difficult year in keeping London and Londoners safe, with rising crime and escalating terror incidents. Throughout these events, our Metropolitan police have risen to the challenges. Let our Government now do the same.*

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**Statement – 30<sup>th</sup> October 2017**

**Independent Review: Deaths in Police Custody – Nick Hurd MP**

<http://hansard.parliament.uk/commons/2017-10-30/debates/B6E4A720-CEC6-411B-A83F-995D9615FAA6/IndependentReviewDeathsInPoliceCustody>

*The Minister for Policing and the Fire Service (Mr Nick Hurd)*

*With permission, Mr Speaker, I will make a statement to the House on the publication of Dame Elish Angiolini's independent review of deaths and serious incidents in police custody and this Government's substantive response to the report and its recommendations.*

*In 2015, my right hon. Friend the Prime Minister, then the Home Secretary, met the relatives of Olaseni Lewis and Sean Rigg, who had died tragically in police custody. The families' experiences left her in no doubt that there was significant work to do not only to prevent deaths in police custody but, where they do occur, to ensure that the families are treated with dignity and compassion and have meaningful involvement and support in their difficult journey to find answers about what happened to their loved ones. I know that everyone in the House will want to join me in expressing our sorrow and sympathy for all those families who have lost loved ones who died in police custody.*

*It is essential that deaths and serious incidents in police custody are reduced as far as possible and, when they do occur, that they are investigated thoroughly, agencies are held to account, lessons are learned and bereaved families are provided with the support they need. The House will want to join me in acknowledging the incredible efforts of our country's police forces and officers, the vast majority of whom do their jobs well to give substance to the Peelian principle of policing by consent. However, when things go wrong, policing by consent can have meaning only when swift action is taken to find the truth, to expose institutional failings and to tackle any conduct issues where they are found.*

*It is for those reasons that the Government commissioned in 2015 the independent review of deaths and serious incidents in police custody and appointed Dame Elish as its independent chair. Dame Elish concluded her review earlier this year and, having carefully considered the review and its recommendations, the Government are today publishing both her report and the Government's response. The report is considerable in scope and makes 110 recommendations for improvement, covering every aspect of the procedures and processes surrounding deaths and serious incidents in police custody. It is particularly valuable in*

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*affording a central role to the perspective of bereaved families and demonstrating beyond doubt that their experiences offer a rich source of learning for the police, investigatory bodies, coroners and many others with a role to play when these tragic incidents occur. As for the Government's response, I stress to the House that the issues identified in Dame Elish's report point to the need for reform in several areas where we have begun or set in motion work today, but her report also highlights complex issues to which there are no easy answers at this time. The Government response that I outline today is to be seen as the start of a journey—a journey which will see a focused programme of work to address the problems identified.*

*As the House will understand, I do not intend to go into the detail of the Government response in respect of all the report's recommendations. Instead, I will highlight key areas of concern and our approach. The first relates to inquests, which are intended to be inquisitorial, to find out the facts of a death, and should not be adversarial. Despite that, Dame Elish finds that inquests currently involve legal representation for interested persons, particularly those connected to the police force, and little or no help for bereaved families. The Government recognise that legal advice and representation may in some circumstances be necessary in the inquest process, which is why we have protected legal aid for advice in the lead up to and during inquest hearings. However, it is also clear that the system needs simplifying so that legal representation is not necessary in all cases, and the Government will investigate how we can meet this ambition and take it forward over the coming months.*

*As an initial step towards addressing those concerns and ensuring that the bereaved can have confidence in the arrangements, the Lord Chancellor will review the existing guidance so that it is clear that the starting presumption is that legal aid should be awarded for representation of the bereaved at an inquest following the non-natural death or suicide of a person detained by police or in prison, subject to the overarching discretion of the director of legal aid casework. In exercising the discretion to disregard the means test, it will also be made clear that consideration should be given to the distress and anxiety caused to families of the bereaved in having to fill out complex forms to establish financial means following the death of a loved one. That work will be completed by the end of the year.*

*As a next step, the Lord Chancellor will also consider the issue of publicly funded legal advice and representation at inquests, particularly the application of the means test in such cases. That will form part of the upcoming post-implementation review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, due to be published next year. Although there are cases where legal support is required, we believe we can go further towards building a non-adversarial inquest system, which I hope the House will agree is better for all involved. The Lord Chancellor will also consider, to the same timescale as the legal aid review, reducing the number of lawyers who attend inquests—without compromising fairness—and making inquests more sympathetic to the needs of the bereaved.*

*This country is proud to have world-leading police forces. The police put themselves in harm's way to protect the public with honesty and integrity, upholding the values set out in the policing code of ethics. Police integrity and accountability is central to public confidence in*

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*policing, and a system that holds police officers to account helps to guarantee that. The Government must ensure that the public have confidence in the police to serve our communities and keep us safe.*

*When things go wrong, swift action is needed to expose and tackle any misconduct. Action must be open, fair and robust. The Government will therefore implement legislation later this year to extend the disciplinary system to former officers so that, where serious wrongdoing is alleged, an investigation and subsequent disciplinary proceedings can continue until their conclusion, even where an officer has left the force. We will also make publicly available a statutory police barred list of officers, special constables and staff who have been dismissed from the force and barred from policing.*

*The Independent Police Complaints Commission has an important role to play, and it has undergone a multi-year major change programme that has seen a fivefold increase in the number of independent investigations it opens each year compared with 2013-14. On Friday 20 October, we reached another major milestone in reforming the organisation, with the announcement of the first director general of the new Independent Office for Police Conduct. The new director general will start in January 2018, when the reforms to the IPCC's governance are implemented and it is officially renamed the IOPC.*

*The Government are strengthening safeguards in the custody environment. It is clear that police custody is no place for children. Provisions in the Policing and Crime Act 2017, shortly to be brought into force, will make it unlawful to use a police station as a place of safety for anyone under 18 years of age in any circumstance and will further restrict the use of police stations as a place of safety for people aged 18 and over.*

*The work of the College of Policing and the National Police Chiefs Council to improve training and guidance for police officers and staff in this area is to be commended. Also drawing on learning from the IPCC's independent investigations, their work has contributed to a significant reduction in the number of deaths in custody in recent years.*

*Making improvements in other areas, however, requires us to tackle entrenched and long-standing problems that cut across multiple agencies' responsibilities. The Government will not shy away from the long-term collaborative work that that requires, which is why we commissioned the Ministerial Council on Deaths in Custody to play a leading role in considering the most complex of Dame Elish's recommendations—those on healthcare in police custody, on inquests and on support for families.*

*The ministerial council is uniquely placed to drive progress in those areas and has been reformed to ensure an increased focus on effectively tackling the issues that matter most. It brings together not only Ministers from the Home Office, the Department of Health and the Ministry of Justice but leading practitioners from the fields of policing, health, justice and the third sector. In addition, the ministerial council's work is informed by an independent advisory panel that brings together eminent experts in the fields of law, human rights, medicine and*

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mental health. This will introduce necessary oversight and external challenge to ensure that lessons are learned.

*In my role as co-chair of the ministerial board, I am personally committed to helping drive through the ministerial council's new Work programme, and I will do so in a way that is transparent to the families. Every death in police custody is a tragedy, and we must do all we can to prevent them. The independent review of deaths and serious incidents in police custody is a major step forward in our efforts better to understand this issue and to bring about meaningful and lasting change.*

*I thank Dame Elish Angiolini for her remarkable contribution on this important issue, as well as Deborah Coles for her continuing commitment to preventing deaths in police custody. But I particularly thank the bereaved families who contributed to Dame Elish's review. They have laid their experiences bare in order for us to learn from them and to spare other families the suffering they have endured, and I cannot commend them highly enough.*

*In addition to publication on gov.uk, I will place in the Library copies of the report of the independent review of deaths and serious incidents in police custody, its accompanying research documents, the Government's response to the review and the concordat on children in custody.*

*I commend this statement to the House.*

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### Statement – 2<sup>nd</sup> November 2017 Sentencing – David Lidlington MP

<http://hansard.parliament.uk/commons/2017-11-02/debates/9E75E904-9B25-475F-87C4-DD8F3C4836C4/Sentencing>

*The Lord Chancellor and Secretary of State for Justice (Mr David Lidlington)*

*With permission, Mr Deputy Speaker, I should like to make a statement on sentencing and the Government's response to the Hirst judgment.*

*For many years, it has been a feature of United Kingdom law that when someone commits a crime that is sufficiently serious to receive a prison sentence they are deemed to have broken their contract with society to such an extent that they should not have the right to vote until they are ready to be back in the community. This prohibition is currently set out in the Representation of the People Act 1983, as amended, and the principle behind it has been reaffirmed by this House, most recently in 2011.*

*It is in this context that successive Governments have considered the implications of the Hirst judgment in 2005. Labour, coalition and Conservative Governments have all taken the view that UK laws are a matter for elected lawmakers in the United Kingdom and have not enacted*

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*any change to legislation. The Conservative Government continue to believe that convicted offenders who are detained in prison should not vote. We do not share the position taken by the Leader of the Opposition that all prisoners should be enfranchised regardless of the length of sentence or the gravity of the crime. The United Kingdom has a proud constitutional tradition and it is clearly right that we uphold our obligations, but the British public expect us to do so in our own way, consistent with British values of rights and responsibilities.*

*In December 2016, the Government gave a formal and public commitment to the Committee of Ministers of the Council of Europe, the body representing the national Governments of its members, that we would, in time for its meeting next month, provide proposals to address the Hirst judgment. Since then, the Government have considered the issue carefully. We have decided to propose administrative changes to address the points raised in the 2005 judgment, while maintaining the bar on convicted prisoners in custody from voting. First, we will work with the judiciary to make it clear to criminals when they are sentenced that while they are in prison they will lose the right to vote. That directly addresses a specific concern of the Hirst judgment that there was not sufficient clarity in confirming to offenders that they cannot vote in prison.*

*Secondly, we will amend guidance to address an anomaly in the current system, where offenders who are released back in the community on licence using an electronic tag under the home detention curfew scheme can vote, but those in the community on temporary licence cannot vote. Release on temporary licence is a tool typically used to allow offenders to commute to employment in the community and so prepare themselves for their return to society. Reinstating the civic right of voting at this point is consistent with that approach. Release on temporary licence is absolutely not an automatic entitlement and every case is subject to rigorous risk assessment. The measures I am announcing today do not involve any changes to the criteria for temporary release, and no offenders will be granted release in order to vote.*

*We expect the change to temporary licence to affect up to 100 offenders at any one time and none of them will be able to vote from prison or to register a prison as a home address. The prisoner would have to have satisfied the conditions for registration at a genuine home address. This measure will require no changes to the Representation of the People Act 1983, but instead will entail a change to Prison Service guidance.*

*Our relationship with the Council of Europe is a reserved matter under the devolution settlements, but we will certainly work with the three devolved Administrations on this issue. In particular, we shall work hard with the relevant Administrations to reflect the differences in law and practice in Scotland and Northern Ireland respectively. We have informed the devolved Administrations of our plans to resolve this across the UK.*

*We believe the changes address the points raised in the 2005 judgment in a way that respects the clear direction of successive Parliaments and the strong views of the British public. I commend this statement to the House.*

*Richard Burgon (Leeds East) (Lab)*

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*I welcome the opportunity to discuss this matter today and I thank the Justice Secretary for sharing his statement with me in the past hour.*

*This matter has been given greater prominence over the past decade due to rulings that found the UK to be in breach of its international human rights obligations. As the House is aware, prisoners serving a custodial sentence do not have any right to vote in any elections. As the Secretary of State said, this blanket ban is set out in the Representation of the People Act 1983. Since 2005, however, the blanket ban has been ruled unlawful by the European Court of Human Rights in the Hirst case.*

*Subsequent rulings since the 2005 decision have offered further clarity on what is required by law. I note especially the October 2015 ruling of the European Court of Justice that depriving certain prisoners convicted for very serious crimes, such as murder, of the right to vote was not an unlawful breach of the right of EU citizens. Likewise, in 2013, the UK Supreme Court dismissed appeals that prisoners serving life sentences for murder should be able to vote. I think most of the House would feel that that is sensible.*

*The question remains, however, of how we meet our obligations in relation to the ruling against a blanket ban. This House has been grappling with this issue since 2005. Following the Hirst judgment in 2005, the Labour Government began a consultation on the question of prisoner voting. The Ministry of Justice published a consultation paper in 2009 indicating that some limited enfranchisement of prisoners ought to occur, but made it clear that a final decision on the scope of the franchise must be made by Parliament.*

*Shortly after the 2010 general election, the Conservative-Liberal Democrat coalition Government announced that offenders sentenced to less than four years in custody would have the right to vote in UK Westminster Parliament and European Parliament elections, except when the judge considered it inappropriate when making the sentence. Soon after, in 2011, the Political and Constitutional Reform Committee published a report stating that the while current ban on prisoner voting may be “morally justifiable”, it was a breach of international law.*

*As a nation, we pride ourselves on our adherence to the rule of law. I believe we also take pride in being a nation that abides by its commitments. Our respect for the rule of law is something that has led to our legal system being so well regarded around the world that our legal services are exported internationally and contribute vastly to the UK economy. Today is an opportunity to discuss exactly how we will meet our commitments following the 2005 ruling.*

*I hope the slowness the Government have shown in responding to this issue does not set a precedent for taking over a decade to address our international obligations to uphold human rights. I think we should be clear that if we are signed up to the European convention on human rights, we are bound by its judgment and by those human rights laws. What this debate should be about is not whether we should meet our duties under international human*

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*rights law—that is non-negotiable and it is disappointing that some Members have suggested that we should ignore such law—but how we meet our duties and requirements.*

*Specifically, today's discussion is about whether the Government's proposals meet that threshold and satisfy our international obligations to uphold human rights. I hear Government Members saying, "Of course they do," but we need reassurance, because the Secretary of State said that prisoners sentenced to less than one year in jail who are let out on day release will be allowed to return home to vote. We need to know what discussions with lawyers and assurances he has had to make sure that his proposal brings us into line with human rights law. The last thing this House wants is the right hon. Gentleman having to return to the House at some point to explain that, unfortunately, these measures have not satisfied the test and do not fulfil our international obligations and commitments. I am sure the Government do not want that, and nor do we.*

*As hon. Members have pointed out, including at this week's Justice questions, this measure is about rehabilitation. I am therefore disappointed that the statutory duty on prisons to rehabilitate offenders and thereby reduce the number of victims and make society safer was dropped when the Prisons and Courts Bill fell. I hope that will be considered again in due course.*

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### Westminster Hall Debate – 7<sup>th</sup> November 2017 Community Policing – Edward Davey MP

<http://hansard.parliament.uk/commons/2017-11-07/debates/6E26169D-31A9-470A-A591-D2EB7E0CCEB2/CommunityPolicing>

*Sir Edward Davey (Kingston and Surbiton) (LD)*  
*I beg to move,*

*That this House has considered funding for community policing. Policing in our communities and neighbourhoods is "the cornerstone of the policing model in England and Wales"—not my words, but the judgment of Her Majesty's inspectorate of constabulary in March this year.*

*Good community policing responds to the needs of local people with a consistent, visible police presence; it involves working in partnership to gain trust, gather intelligence and get to the heart of a community's concerns, in order to prevent and fight crime. Yet cuts to community policing across our country have stretched most local police forces to their limit at a time when crime is rising significantly. My constituency has lost more than 40 police officers since May 2015, so it should not surprise us that last year, Her Majesty's inspectorate of constabulary found that*

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*“local policing is the area of operational policing that shows the greatest decline in performance”;*  
*that is linked to the budget cuts. For those reasons, I feel that Ministers need to be held to account for the growing crisis in community policing.*

*I have three arguments to make, which I hope the Minister will address in turn. First, it is clear that crime is rising. We need to recognise that fact and act. Secondly, the falling police budgets were set before the emerging trend of rising crime took hold; the facts have changed, however, and so must police budgets. Thirdly, a good part of any significant increase in police funding must go to community policing, given its vital role as the cornerstone of policing. First, I want to persuade the Minister to accept in this Chamber that crime is rising, and alarmingly so. There can be no dispute about recorded crime, which is up 13% in the year to June. What should worry us in particular, however, are the categories of crimes with the largest recorded rises: the rise of 19% in violent crime, of 8% in murder and manslaughter, of 26% in knife crime, of 27% in gun crime and of 19% in sexual offences. Recorded crime is what the police have to deal with, and what they have to investigate and clear up, and it drives their activity, so when Ministers counter accusations of rising crime by pointing to the crime survey, which is the other main way that we assess the level of crime, they should be careful.*

*While it is true that the crime survey suggests that crime last year fell, Britain’s top statisticians at the Office for National Statistics make interesting comments about how we should interpret the mixed signals from recorded crime and the crime survey. John Flatley, who heads on crime statistics and analysis for the ONS, said on the release of crime stats last month:*

*“Today’s figures suggest that the police are dealing with a growing volume of crime. While improvements made by police forces in recording crime are still a factor in the increase, we judge that there have been genuine increases in crime—particularly in some of the low incidence but more harmful categories.”*

*Tim Farron (Westmorland and Lonsdale) (LD)*

*My right hon. Friend is making some excellent points. Will he acknowledge that the police themselves are often victims of crime? Recently I was in my local police station in Kendal; three officers were on long-term sickness because they had been sent single-handed to dangerous incidents, when normally they would have been sent as a pair. The cuts in police numbers meant that those officers could be sent only one at a time, and they are off sick as a consequence. Last year alone, 5,000 hours were lost to police sickness in Cumbria. Does he agree that that paints a picture of the police bearing the brunt of the rise in crime and the reduction in resource?*

*Sir Edward Davey*

*My hon. Friend makes an excellent point. As the number of police officers declines, they have to work overtime and, as he described, put themselves in greater danger, which is not acceptable.*

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*When Mr Flatley, the ONS's leading crime statistician, says*

*"low incidence but more harmful categories",*

*he means murder. He means rape. He means knife crime. He means gun crime. Those relatively low-volume crimes—relative to, say, burglary—are poorly reported in the crime survey but reasonably well recorded by the police. In other words, it is a fact that the most serious crimes have risen steeply in incidence in the past two or three years; Ministers cannot hide from that.*

*The ONS makes another key policy and evidence point about the comparison between the crime survey and recorded crime: recorded crime is much better at spotting emerging trends—short-term fluctuations in crime that can easily become long-term trends if action is not taken. Police-reported crime rose by 13% in one year alone, and I hope that Ministers will not dismiss that. They need to ask themselves and their officials some deep questions about that trend, because if it continues and they wrongly dismiss it, people will pay a heavy price. Another reason why the recent upturn in crime demands urgent action is the complexity of the rising crime we are seeing. Complexity can demand significant police resource for just one difficult crime. Counter-terrorism is the obvious example. The record spate of terrorist attacks and plots this year clearly marks a shift in terrorist activity, and the intensity of the demand that that makes on the police requires a response from Government. It is no good Ministers saying that police reserves can sort that out, as the Home Secretary claimed recently. First, some police forces have very small reserves; secondly, those with large reserves have them because they have so many unfunded and unpredictable cost pressures, from unfunded pay decisions to terrorist attacks.*

*The police also face other examples of similarly resource-intensive complex crimes: cyber-crime, child sexual abuse, fraud, modern slavery and human trafficking. The UK has among the highest proportions of complex reported crime in the world, demanding ever more resource, yet police resources have been cut.*

*I fully admit that those cuts are not new. The Prime Minister, when she was Home Secretary during the coalition, presided over cuts, which she continued after the 2015 general election. As a result, today we have nearly 17,000 fewer police officers and more than 4,500 fewer police community support officers.*

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**End of Day Adjournment – 13<sup>th</sup> November 2017**  
**Police Funding: Bedfordshire – Andrew Selous MP**

<http://hansard.parliament.uk/commons/2017-11-13/debates/41EDB175-95F3-4266-BE25-75ED39A70F56/PoliceFundingBedfordshire>

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*Andrew Selous (South West Bedfordshire) (Con)*

*I am grateful to Mr Speaker for granting me this important debate, and I am honoured to have the chief constable of Bedfordshire present.*

*Keeping the public safe is the highest duty of any Government, which is why I take this issue so seriously. Back in 2004, the concept of “damping” was introduced to the police national funding formula. As a result, Bedfordshire police receive between £3 million and £4 million a year less than the Government’s own funding formula says it should. Bedfordshire police already have one of the smallest budgets of any force in England and Wales, at £102 million, and are in the lowest quartile of all forces for both budget and number of officers per head of the population.*

*For many years, Bedfordshire police managed to reduce crime on a reducing budget, and I understand, of course, that the Home Office has to play its part in helping the country to live within its means. Back in 2011-12, however, Bedfordshire had 1,264 police officers. It now has 140 fewer—only 1,124. In 2011-12 we had 128 police and community support officers. We now have 53, which is a reduction of 75. In 2011-12, we had 864 members of police staff. We now have 758, a reduction of 106.*

*Mohammad Yasin (Bedford) (Lab)*

*John Boutcher, the Bedfordshire chief constable, is here tonight. About two months ago he said that, because of funding cuts, he did not have enough officers to respond to 999 calls. The situation is very worrying. Does the hon. Gentleman agree that it is time the Government listened to the chief constable?*

*Andrew Selous*

*I hope that the Government will listen to the chief constable, because damping—which, as I think the hon. Gentleman would admit, has been happening under Governments of both parties for a long time, starting in 2004—has had a cumulatively serious effect on Bedfordshire police.*

*Between 1 April 2016 and 31 August 2017, Bedfordshire experienced a 12.2% increase in crime, a 24% increase in the number of calls requiring an immediate response and a 48.9% increase in burglary, compared with the same period in the previous year. In my constituency, in 2013-14 Houghton Regis had an average of 391 crimes per month, which has risen by 13% to 440. In Dunstable an average of 235 crimes a month has risen by 24% to 292, and Leighton Buzzard’s average monthly crime has risen by 57%, from 136 to 214. I am acutely aware of the impact of rural crime, particularly on people in isolated communities. Many years ago, Bedfordshire police officers lived in the villages for which they were responsible, but that is no longer the case. We are also dealing with an unprecedented level of unauthorised Traveller encampments, which further increase the demand on already overstretched police resources.*

*Between 2011-12 and 2017-18, the Bedfordshire police force has already achieved savings of £34.7 million, but Her Majesty’s inspectorate of constabulary and fire and rescue services has spoken of*

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*“an inability to maintain a preventative...presence across Bedfordshire.”*

*Jim Shannon (Strangford) (DUP)*

*Will the hon. Gentleman give way?*

*Andrew Selous*

*I will, briefly.*

*Jim Shannon*

*Given the number of police officers who have lost their jobs and the number of forces whose size has decreased, I assume that community policing also faces a downturn. Does the hon. Gentleman share my concern about that? Does he recognise the importance of policing that not only interacts with the community, but serves as the eyes and ears of the police force?*

*Andrew Selous*

*The hon. Gentleman is exactly right. Community policing plays a vital role in prevention. In Bedfordshire, 40% of the force's activity takes place in Luton. While there is insufficient police capacity to deal with the challenges in that town, it means that the rest of Bedfordshire has less than its proportionate share of police cover, for which its residents also pay. A small police budget that has suffered from 13 years of damping would be serious enough even without the fact that Bedfordshire faces unusually high levels of serious threats and criminality which are not normally dealt with by a force of that size.*

*Let me spell this out. Bedfordshire has the third highest terror risk in the country, and its police force must deal with the fourth highest level of serious acquisitive crime in England and Wales. It has a higher proportion of domestic abuse offences per head of population than the much larger forces of Greater Manchester, West Midlands, Thames Valley and Hertfordshire, and 40% of all firearms discharges in the eastern region take place in Bedfordshire. The number of reports of missing persons between April and June this year was 350% higher than the number during the same period in the previous year. As a Bedfordshire Member of Parliament, I am not happy that the people of my county do not enjoy the same levels of police protection and response in an emergency as are available to the people of Hertfordshire and Thames Valley. We pay no less tax than they do, so what is fair or right about that?*

*In one incident of gang-related violent disorder this year, no response resources were available and CID detectives went to the scene with no uniform or protective equipment, and a number of officers were injured as a result. In one incident in Luton recently, a single female officer made three arrests on her own and called for assistance, which took eight minutes to come while she was in danger. At present, each Bedfordshire police officer is expected to investigate 12 to 13 crimes at any one time. The level of stress affecting Bedfordshire police officers is leading to burn-out and psychological and physical illness; that is unacceptable, as we owe them a duty of care.*

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*Bedfordshire police are not able to respond to all the daily calls seeking a fast response, nor to all the daily incidents requiring a community response. Recently a Leighton Buzzard businessman being threatened by a man wielding a metal bar dialled 999 and officers failed to attend.*

*As guardians of taxpayers' money, the Government are absolutely right to demand efficiency, effectiveness and value for money from our police forces. Bedfordshire police have already achieved £34.7 million of savings between 2011-12 and 2017-18. Bedfordshire also already has one of the most extensive blue-light collaboration programmes in the country, and its tri-force collaboration is improving effectiveness and delivering savings. Some 25% of its resources are already allocated to tri-force and regional collaboration.*

*Mohammad Yasin*

*Last year, four shootings took place in one night in my constituency, and the police helicopter took more than an hour to respond. Does the hon. Gentleman agree that gun crime is on the rise because of a shortage of police officers?*

*Andrew Selous*

*I set out the increases in crime on the record for the House just now.*

*Bedfordshire Police's unearmarked reserves are only £3 million, the absolute minimum they should be allowed to fall to. Merger with Hertfordshire and Cambridgeshire would not be agreed by those two counties on the current level of Bedfordshire police funding. Further savings could only be made by reducing the already inadequate frontline resource.*

*Planning is already under way for over 50,000 new homes across Bedfordshire over the next three years and a large number of those are likely to be rated at less than band D council tax, which leads to a much reduced income from the police precept. Bedfordshire police believe they need a minimum of 300 more officers and 80 more detectives in order to provide an acceptable service. An increase of 300 officers would only be a net increase of 160 officers on the number the county had in 2011-12.*

*I am indebted to the Leighton Buzzard Observer newspaper for printing a few years ago an article by former Leighton Buzzard police officer Neil Cairns, who pointed out that in 1988 Leighton Buzzard and Linslade had 12 civilians, one inspector, six sergeants and 27 constables; that is a total of 34 warranted officers in the town's station. Today, 29 years later, Leighton Buzzard has eight officers and three PCSOs; that is a reduction of over three-quarters in the number of warranted officers in the town, which is the third largest in Bedfordshire. Bedfordshire Police has also recently stated that Leighton Buzzard has a larger number of officers than are currently based in Dunstable or Houghton Regis.*

*I have run out various statistics this evening, but statistics are dry. Let me illustrate the impact of burglary on one of my constituents, a Dunstable resident who wrote to me last week: "My young daughter arrived home this week to find we had been burgled and it took the police more than an hour to attend. During this hour anything could have happened to my child and*

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*this situation is completely unacceptable. Please note that we have been burgled four times within the last five years and I now fear for the safety of my family.”*

*He goes on to ask whether he should consider leaving the area, as he does not feel supported as a contributor to the town. I want to be able to give that constituent, and indeed all my constituents, the reassurance they need and deserve.*

*In 2001, when I was first elected to this House, I stood on a platform of restoring the 88 police officers that had been lost to Bedfordshire under the previous Government. In 2005, when elected to the House for the second time, I stood on a platform that committed the Government to recruiting an extra 5,000 police officers nationally every year. By holding this debate tonight, I am holding true to the pledges I made to my constituents when they first gave me the honour of serving them in Parliament.*

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### Westminster Hall Debate – 15<sup>th</sup> November 2017 Family Justice Reform – Suella Fernandes MP

<http://hansard.parliament.uk/commons/2017-11-15/debates/9A9C7955-DCC6-403B-8BD8-55A5D5B0B2D8/FamilyJusticeReform>

*Suella Fernandes (Fareham) (Con)*

*I beg to move,*

*That this House has considered family justice reform.*

*There are not many more challenging areas where the law intervenes than the safety of vulnerable children and family breakdown. Judgments about such things as whether a child should be removed from their parents' care or how a separating couple share parenting reflect our values as individuals and as a society. They go to the heart of how we see family life and how we wish our children to be raised. A nation is only as strong as the families that create it. A strong family unit of whatever form is where strong citizens are nurtured. That is why it is vital that the family justice system works as well as possible. I am grateful to be able to call this debate. Since I introduced my ten-minute rule Bill on this subject back in March, I have seen how we need to have a constructive debate on the future of the family justice system. I thank the Minister for being here on behalf of the Government.*

*Let me say at the outset: there has been significant progress in this field under the Conservative Government. The Children and Families Act 2014 marked a sea change in how our family justice system operated. It introduced a new family court in England and Wales that made it easier for the public to navigate the system and reduced delays. The 2014 Act introduced a new 26-week time limit for care proceedings. New child arrangement orders were enacted with the aim of encouraging parents to focus on a child's needs, rather than on what they saw as their own rights.*

*John Howell (Henley) (Con)*

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*My hon. Friend is talking passionately about the changes that have been made. Will she accept—I speak as the chairman of the all-party parliamentary group on alternative dispute resolution—that a great contribution has been made by mediation? We should seriously encourage the use of mediation services in this area because they have a positive impact.*

*Suella Fernandes*

*I thank my hon. Friend for raising mediation. Compulsory family mediation information meetings were one of the measures introduced in the 2014 Act. They have had the benefit of diverting conflict and cases out of the adversarial system.*

*The Conservatives and the Government should be proud of a record that leaves family justice in a better place than where we found it in 2010. Why did I call this debate? I called it because there is further to go.*

*Ian C. Lucas (Wrexham) (Lab)*

*I thank the hon. Lady for calling the debate on an important issue, but we have to have a reality check. The Government have withdrawn legal aid from the important areas she has been describing. Mediation has been badly hit by the reforms to which she has referred. We have gone backwards, not forwards. Will she accept that this is a time for reviewing the current situation so that the people who come to my surgeries, who cannot get any help to navigate the complex system, can find help?*

*Suella Fernandes*

*As I said, I think there have been improvements since 2010 because of the measures in the 2014 Act, but I called the debate because there is further to go, and I do not deny that at all. I am raising some elements that should be considered in a review or commission led by this Government. That review or commission could cover three main areas: strengthening child wellbeing and families; instilling a fairer divorce regime; and creating a more transparent justice system.*

*First, on strengthening families and child wellbeing, I have been inundated since March by stories from families from all over England and Wales who have endured our family justice system in the event of a divorce. Months and sometimes years have been spent caught up in a labyrinthine court system and bureaucracy where typically, but not always, the non-resident father has had to fight to see his children at great emotional and financial expense. The sad truth is that many of those being failed by the system are good parents. They want to spend time with their children and be proper dads or mums. They accept that divorce will mean a change in living circumstances and they may not be the main carer, but they are pitted against their former partner who is the resident parent. They can face years of heartache, protracted court proceedings, exorbitant legal fees and diminishing relationships with their children.*

*Nigel Huddleston (Mid Worcestershire) (Con)*

*I congratulate my hon. Friend on securing this debate. She talks about the disruption caused to families by divorce and other family breakdown circumstances. Does she agree that those situations can extend beyond just parents and their children to grandparents? Does she agree*

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*that there is a possibility of looking into changing the law so that grandparents have a right to access their grandchildren, and vice versa?*

*Suella Fernandes*

*I thank my hon. Friend for raising the issue of extended families. Kinship carers and grandparents in particular can play an essential role in the upbringing of our children, and they too can be cut out of children's lives because of the obstacles placed in their way through our system, which needs some change.*

*Many parents in these situations have lost their life savings, their home and, perhaps worst of all, their hope. What price is too much? For those who cannot afford it, the cost can be even worse: no contact and no relationship with their children. In one of the saddest cases I came across, a dad was permitted to send merely a Christmas card every year. In another, a father spent three years and more than £100,000 fighting to see his children eight days a month, rather than the six days originally granted by the court.*

*Children are entitled to a meaningful relationship with both parents, but the current system enables a parent to be erased from a child's life. It is not about parental rights; it is about child wellbeing. Children who have a good relationship with both parents are less likely to experience depression, teenage pregnancy and delinquency. Children without a father in their life often struggle to reach their full potential academically, socially or professionally.*

*Andrew Bridgen (North West Leicestershire) (Con)*

*I thank my hon. Friend for facilitating this important debate. Is she aware of research I have done on the comparative death rates of resident and non-resident parents, which indicates that it is almost twice as likely for a non-resident parent to pass away while their children are small? I indicate that that probably means that it is normally men actually committing suicide because they no longer have contact with their children.*

*Suella Fernandes*

*It is a tragedy. Those cases are unspeakably sad and a reflection of the need for reform. There is a clear need, if we are to fight the burning injustices in our society, to start with the foundation of our society: families and, more specifically, parents. That change is vital. My first proposal is to enshrine a rebuttable presumption of shared parenting. In the majority of divorce cases, parents are able to agree on how their children will be cared for, with whom holidays will be spent, how decisions about a child's life will be made and how the child may spend time with grandparents and other extended family, as my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) mentioned. However, in many cases—approximately 165,000 in 2016—agreement cannot be reached. In those cases, a judge will determine the contact and residence for the parties, and that is when problems can start. As well as the paramountcy of the welfare of the child as the guiding principle, parental involvement—direct or indirect—is the relevant test in deciding access and residence. I see the former Minister, my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), in his place. He should be applauded for his efforts in campaigning to secure considerable progress in this field and improving the lot of non-resident parents through the 2014 Act.*

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*My point today is that that standard is too low, as it does not enable a meaningful relationship to be fostered between parent and child. A rebuttable presumption in favour of shared parenting would go further and, as a starting point, actively enable more of that vital, meaningful relationship to be fostered between parent and child, in the event of family breakdown. To be clear, I am not talking about equal parenting. A crude, mathematical, 50:50 division of time is not always practical, desired by the parties, or optimal for the child. Rather, legislation that emphasises the importance of both parents in a child's life is needed—other than in cases of violence or where the child is not safe, obviously.*

*Shared parenting is commonplace throughout the world, and operates without difficulty in Sweden, Canada and the US states of Florida and Iowa. Alternatively, Dr Hamish Cameron has suggested that there could be a presumption of the continuity of the previous arrangements. If both parents used to take the child to school, that should be the starting point. If both parents provided equal care, they should continue with that arrangement. Such examples would improve on the parental involvement—direct or indirect—position that we have now. If we are going to continue to tell fathers that they have equal responsibilities, we also need to give them equal opportunities to carry them out.*

*Secondly, child arrangement orders, which determine the contact and residence of children upon divorce, need to be better enforced. The current enforcement scheme sits alongside the general contempt powers of courts. If satisfied beyond reasonable doubt, courts can refer the parties to a separated parents information programme, vary or make orders for compensation, or commit to prison—remedies that are so rarely applied, it is easy to forget that they actually exist.*

*Although the majority of orders are complied with, too often they are breached with impunity—usually by the resident parent, due to the reluctance of courts to penalise non-compliance effectively. In 2015, of the 4,654 enforcement applications made to court, a mere 1.2% were successful. I question whether the criminal standard of proof is the right one, when family courts make other decisions, including placement in care or change of residency, on the lower threshold of the balance of probability.*

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**Westminster Hall Debate – 29<sup>th</sup> November 2017**  
**Family Justice Reform – Paul Sweeney MP**

<http://hansard.parliament.uk/commons/2017-11-15/debates/9A9C7955-DCC6-403B-8BD8-55A5D5B0B2D8/FamilyJusticeReform>

*Mr Paul Sweeney (Glasgow North East) (Lab/Co-op)*  
*I beg to move,*

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*That this House has considered the provision of legal aid.*

*Thank you, Mr Robertson, for calling me to move the motion in this critical debate on legal aid provision in the United Kingdom. As ever, it is an honour to serve under your chairmanship. When people lack the money or knowledge to enforce their rights, those rights are worth nothing more than the paper they are written on. It is unacceptable that, in 2017, justice is fast regressing to a system that is not served to all, but instead belongs to those with the deepest pockets. Failings in the legal aid system are taking away people's ability to defend their rights in practice, which is creating a system where a person's income or economic status is a key determinant of whose rights matter when they are most needed.*

*That increasingly worrying situation is the result of a conscious political choice to restrict access. Just as the Labour party was founded more than a century ago to give working people representation in Parliament, legal aid was introduced by Clement Attlee's pioneering Labour Government in 1949, alongside the pillars of the welfare state, to rebalance the scales of justice. The principle underpinning its creation was the belief that every person should have equal access to, and protection under, the law, regardless of financial position or social status. That was, and still is, a key way to support our ambition for a fairer society.*

*Since then, legal aid has been a lifeline for the vulnerable. It has funded action to stop justice being available only to the privileged few in a wide range of areas, from housing and family break-ups to benefits assessments. As Lord Bach stated in a Fabian Society investigation of the state of legal aid, which was recently commissioned by the Labour party:*

*"We will all lean on the law at some point in our lives... an effective legal system in which all can access justice fairly is the cornerstone of a free society... The law guarantees our rights, underlines our duties, and provides an equitable and orderly means of resolving disputes." But in all parts of the UK it is becoming harder and harder for the poorest people to access justice. Access to legal aid lawyers continues to become ever more difficult, with the Law Society warning of "legal aid deserts" where there are no legal providers, or just a sole legal provider, for whole regions.*

*Stephanie Peacock (Barnsley East) (Lab)*

*Does my hon. Friend share my concern that the number of legal aid providers has fallen by 20% since the Government changed the eligibility criteria?*

*Mr Sweeney*

*Absolutely. I will refer to that statistic later. It is a shocking indictment of the cuts and the attrition of the access available to the weakest in our society, who rely on that point of contact and are otherwise shut out of the legal system altogether. Where in our country someone lives should never affect their ability to access justice, but it does, because of the wide variation in availability of legal aid providers.*

*Legal aid is often a lifeline, particularly for women, when the case is domestic violence, family law or employment tribunals on equal pay, unfair dismissal or discrimination. In my constituency and across the country, it is clear that we need to relearn just how critical legal*

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*aid is as a cornerstone of a civilised society. Although Scotland has a distinctive legal system within the United Kingdom, the Law Society of Scotland recently raised concerns about the sustainability of the legal aid system there, stating that, in particular,*

*“current rates of payment for legal aid work risk making the provision of legal services to some of the poorest and most vulnerable in our society”*

*simply “uneconomical”. We already know that gaps are developing in the provision of legal aid in parts of Scotland, and we must work hard to stop those gaps growing. The Law Society of Scotland also said that a lack of investment in legal assistance had made it “increasingly difficult to maintain a sustainable, high-quality legal assistance system” across Scotland. It urged crucial investment to halt the ongoing real-terms decrease in legal aid funding.*

*Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP)*

*Does the hon. Gentleman welcome the Scottish Government’s review of legal aid? The legislation is 30 years old, and the Government now seek to ensure that full access to public legal aid continues.*

*Mr Sweeney*

*I think we both recognise that the situation in England and Wales is much more acute than it is in Scotland, but none the less, there are challenges facing the legal system in Scotland. I welcome that review and I hope it will take into consideration the financial constraints that legal aid provision in Scotland has faced in recent years, and take heed of what the Law Society of Scotland has urged.*

*To look back at the wider issue, an increasing lack of funds across the UK means that a growing number of solicitors will be unable to take on legal aid cases. The report “The financial health of legal aid firms in Scotland” of February this year found that those relying on legal aid might soon be unable to find a solicitor because many law firms simply cannot afford to carry out legal aid work.*

*Jim Shannon (Strangford) (DUP)*

*I congratulate the hon. Gentleman on securing the debate and giving us a chance to intervene or speak on the subject. On average, since 2011, Northern Ireland’s annual bill for legal aid has been in excess of £102 million. Does he agree that, as we live in an increasingly litigious world, legal aid must be available to support those who have been wronged and cannot afford redress? Does he further agree that we must ensure they have protection? Protection is what they need, which is why they need legal aid.*

*Mr Sweeney*

*I agree. The fundamental, critical point of judgment on this is equality of access, not necessarily cost. Cost is a secondary consideration. Access is the fundamental right that all should be entitled to. That is the challenge we face, whereby some of the smallest legal aid firms are carrying out legal aid work at a loss and are at serious risk of not being able to offer*

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*legal aid work at all. Civil legal aid solicitors are paid for only approximately two thirds of the work they carry out, and criminal legal aid solicitors are paid for only three quarters of the work they carry out.*

*As if that were not bad enough, we have seen even greater ravages to the system in England and Wales following the cuts made by the Tory Government. That has taught us what happens when access to justice is removed from people in our democracy: further inequality, marginalisation of the most vulnerable, a self-defeating increased cost to the public purse and a fundamental impact on our society.*

*Access to justice has been seriously undermined by the Conservative Government, with hundreds of thousands of people unable to afford to defend their rights following savage cuts to the legal aid budget as part of the 2012 reforms, where the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012—LASPO—left many vulnerable people unable to defend themselves in areas as fundamental as housing, employment, immigration and welfare benefits. We have seen not only a decline in access to legal aid providers, but, as mentioned by my hon. Friend the Member for Barnsley East (Stephanie Peacock), the number of providers cut by a shocking 20% in just five years, and a limiting of the scope of legal aid itself. It has been an all-out assault on justice.*

*This summer's Supreme Court ruling that the Government acted unlawfully by imposing employment tribunal fees underlines just how far they have gone in restricting people's access to justice. We have a Tory Government attacking people's living standards and, at the same time, deliberately undermining their ability to defend themselves from those very attacks. It is a cynical, Kafkaesque nightmare perpetrated on the poorest. Britain's most senior judge, Lord Thomas, has said:*

*"Our justice system has become unaffordable to most."*

*Amnesty International's 2016 report, "Cuts that hurt: the impact of legal aid cuts in England on access to justice", states:*

*"Cuts to legal aid imposed by this Government have decimated access to justice and left thousands of the most vulnerable without essential legal advice and support. We are in danger of creating a two-tier civil justice system, open to those who can afford it, but increasingly closed to the poorest and most in need of its protection. From parents fighting for access to their children, to those trying to stay in the country they have grown up in, and to people with mental health problems at risk of homelessness, these cuts have hit the most vulnerable, the most."*

*LASPO removed whole areas of law from the scope of legal aid and drastically reduced the percentage of the population eligible for the legal advice service and representation that still exists. Spending has fallen from £2.2 billion to £1.62 billion per year. As a result, the number of civil legal aid cases, which was 573,744 in the year to April 2013, has now fallen to a*

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*shocking 146,618 in the year to April 2017. In some regions the fall was even greater. For example, in October The Independent reported:*

*“Legal aid cuts have triggered a staggering 99.5 per cent collapse in the number of people receiving state help in benefits cases”*

*with just 440 claimants given assistance in the last financial year, down from a massive 83,000 before the £1 billion of cuts imposed by the Tories. That is absolutely shocking. One of the Government’s stated aims in no longer funding lawyers for low-income couples arguing over divorce or child arrangements was that that would encourage them to seek mediation instead, but the Government have acknowledged that the opposite has happened, with mediation numbers falling off a cliff and a huge rise in people attempting to navigate the family courts with no lawyer or legal representation. Even more appallingly, not a single person with a discrimination complaint was referred to see a legal aid lawyer in the last year, as BuzzFeed News revealed just last week.*

*During a time of austerity, it is fanciful to believe that the decline in numbers reflects reduced demand. This is a deliberate effort to exploit the weakest in our society and deny their access to justice.*

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### Westminster Hall Debate – 4<sup>th</sup> December 2017 Public Sector Pay – Helen Jones MP

[\*Helen Jones \(Warrington North\) \(Lab\)\*](#)

*I beg to move,*

*That this House has considered e-petition 200032 relating to public sector pay.*

*It is a great pleasure to be here under your chairmanship, Mr Hanson.*

*When Conservative Members talk about public sector workers, it is common to hear them refer to them as if they were somehow a drain on the economy. They try to make a distinction between public sector workers and taxpayers, as if somehow to be fair to one is unfair to the other. That is nonsense, for two reasons. First, public sector workers, like most of us—or at least those of us who cannot afford obscure offshore tax avoidance schemes—are taxpayers and, secondly, in a modern economy the private sector and the public sector are interdependent. It is not possible to run a 21st-century economy without a healthy, educated workforce. The security that is provided by our armed forces, the police and the fire service is as essential to businesses as to individuals, and the rule of law they maintain, along with the courts and the Prison Service, provides the essential stability that allows businesses to grow and invest.*

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

*I congratulate my hon. Friend on the speech she has started to make. Does she agree that one of the great betrayals and causes of instability is the constant promise that the pay cap is temporary, when all the time it has continued, and seven years down the line here we are?*

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*Helen Jones*

*My hon. Friend is right, and I will come to that issue later.*

*None of us could function day to day without, for instance, the people who sweep our streets and empty our bins. I mention them because their hard and unglamorous jobs—as many public sector jobs still are—often get overlooked when we talk about the public sector. We understandably see documentaries about hospitals and schools, but I would like to mention those people who are now officially refuse disposal operatives, but in my neck of the woods are the binnies. They do a grand job.*

*Kevin Brennan (Cardiff West) (Lab)*

*I congratulate my hon. Friend on the way in which she is introducing the debate. As Chair of the Petitions Committee, she always introduces these debates with great force and eloquence. In addition to the points she has made, does she agree that public sector workers are also consumers? It is essential that they are appropriately rewarded, as consumers, for their work so that they too can contribute to stimulating the economy, including the private sector.*

*Helen Jones*

*My hon. Friend is right and, again, I will come to that matter later.*

*When we are told that only the private sector generates value in the economy, we should ask, “Yes, but who looks after your workers when they are sick? Who do you call if you are burgled or are the victim of fraud? Who do you call if a fire starts in your building? Who educated the workers you employ?” The answer is, of course, “the public sector”. There is something else about the public sector that cannot be measured so easily: it has contributed more to human improvement and happiness than it is possible to say. Without our teachers and our classroom assistants, for instance, so many hopes and aspirations would be stifled. Having a national health service has freed many families from the fear of being ill and not being able to pay the doctor. The improvements that NHS staff have made in preventing and tackling disease have vastly increased everyone’s quality of life.*

*Something else about the public sector is that its workers are often ready to go the extra mile, precisely because they believe in the notion of public service. We see that in teachers and classroom assistants, who put on extra classes in their own time to help children who are struggling or to help the very brightest achieve their potential. We see it in an NHS support worker, who will bring in a card or a small gift for an old person on their birthday because they know they have no one else. We see it in a police community support officer who will go around to reassure a victim of crime or antisocial behaviour, even when they are off duty. Nor should we forget that we saw it in this House when Westminster was under attack from terrorists. The staff of St Thomas’s Hospital ran—they ran—across that bridge, heedless of their own safety, to help others, and a very brave man, Police Constable Keith Palmer, lost his life defending us. After such incidents, a lot of gratitude is expressed to public sector workers, and rightly so, but gratitude does not pay the rent or the mortgage, or put food on the table. It does not buy a new uniform for the kids, or a day out.*

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*Dan Carden (Liverpool, Walton) (Lab)*

*I, too, congratulate my hon. Friend. Aintree University Hospital is in my constituency. Nurses have had a 14% pay cut in real terms since 2010 and one in four of them are taking on additional employment to make ends meet. What does that say about the state of our economy?*

*Helen Jones*

*My hon. Friend is absolutely right. Gratitude for public sector workers is not enough; they also deserve our respect. Respect involves paying them a decent wage for the job they do but, sadly, under this Government their wages have been continually held down.*

*John Spellar (Warley) (Lab)*

*Many of the arguments my hon. Friend has made up to now would have been recognised and endorsed by traditional Conservatives. Is it not unfortunate that, having imported the anti-state ideology from the US Republicans, they now see the state and public service as the enemy rather than a key part of the mixed economy?*

*Helen Jones*

*I could not have put it better myself. The result was that one of the Conservative Government's first actions was to announce a two-year freeze on public sector pay from 2011-12. They followed that up with an announcement that public sector pay would be capped at 1% for the following four years and, in his 2015 summer Budget, the Chancellor announced a further four years of the cap, saying that he would fund public sector workforces for a pay award of 1%. That did not mean, of course, that everyone would get even 1%: a letter from the right hon. Member for Chelsea and Fulham (Greg Hands), then a Treasury Minister, made it clear that the money was first to be used—as if—to address recruitment and retention pressures in the system: “there should not be an expectation that every worker will receive a 1% award”. What that meant, of course, was that those people in areas where there were retention pressures received less, and those in areas where there were many people on the minimum wage—46,000 in local government alone—who had rightly to receive a pay rise, received less. Even if a public sector worker got the 1% pay rise, their wages were still declining in real terms. A public sector worker on the median income who had their pay determined by the pay cap would, by 2016, have lost £3,875 in real terms. Real-terms losses of between £2,000 and £3,000 are common throughout the public sector.*

*A midwife on band 6 will have seen a real-terms decline in her wages of 12.1%. Midwives are leaving the profession at a previously unseen rate. They are leaving the register in serious numbers. A teacher outside London will have lost 10.4% and a band 5 nurse will have lost 11.9%. If the pay cap continues until 2020, there will be a further real-terms decline in wages. A social worker will lose £3,533. A border guard—I thought the Government wanted to secure our borders—will lose £2,520. A firefighter will lose £2,766. The reason for those falls is not hard to find: while wages have been stagnant or hardly rising at all, prices have been rising at a much faster rate.*

*Gloria De Piero (Ashfield) (Lab)*

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*My hon. Friend is making an incredible speech, and I thank her for giving way. On the point about rising prices and falling wages, I want to tell her about a police officer who contacted me. He said that after 20 years of service, he never thought he would be in a position where he was struggling to look after his family. He ended with a question:*

*“Do we really want a police force that is stressed out and humiliated by not being able to look after their family?”*

*The clear and simple answer to that is no, we do not.*

*Helen Jones*

*Indeed. The situation my hon. Friend mentioned is true of many people in the public sector. Between 2010 and 2016, food prices went up by 8.5%, electricity went up by 27.7% and gas went up by 24%. These are not things that people can do without; they are essential for a decent life. Note that I am not talking about an extravagant life; I am simply talking about a decent life.*

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### Backbench Business Debate – 7<sup>th</sup> December 2017 Prison Reform – Bob Neill MP, David Hanson MP

*Robert Neill (Bromley and Chislehurst) (Con)*

*I beg to move,*

*That this House takes note of the Justice Committee’s Twelfth and Fourteenth Reports of Session 2016-17, on Prison reform and the Government Responses to them; notes with concern the continuing crisis in prisons in England and Wales, with an historically high prison population and unacceptably high levels of violence, drug availability and use, disturbances and self-harm and self-inflicted deaths in the adult and youth custodial estate; further notes the critical reports by HM Chief Inspector of Prisons on individual establishments and thematic issues; welcomes the Government’s intention to proceed with a programme of prison reform and to produce a prison safety and reform action plan as recommended by the Committee, and the publication of performance data on each prison from 26 October 2017; regrets the fact that the Government does not intend to bring forward legislation to establish a statutory purpose for prisons, enhance the powers of HM Chief Inspector of Prisons, and place the Prisons and Probation Ombudsman (PPO) and the UK’s National Preventive Mechanism on a statutory basis; further regrets the Government’s rejection of the Committee’s recommendation that it should report at six-monthly intervals on the impact of governor empowerment on complaints made to the PPO and Independent Monitoring Boards; and calls on the Government to ensure that information on prison performance and safety is published regularly, and with sufficient detail and timeliness to enable the effective scrutiny of the management of prisons by the Ministry of Justice and HM Prison and Probation Service.*

*Let me begin by thanking the Backbench Business Committee for giving us the opportunity to debate this very important topic. I thank the co-sponsor of the motion, the right hon. Member*

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*for Delyn (David Hanson), and other members of the Justice Committee from both sides of the House who have contributed to our work over the last two years or more, both in this Parliament and in the previous one. I thank the many organisations involved in prison reform and other prison issues that have assisted us with their advice and experience. I also thank officials in Her Majesty's Prison and Probation Service, and many prison officers across the country, for their co-operation. They all deserve our thanks.*

*Mrs Madeleine Moon (Bridgend) (Lab)*

*Will the hon. Gentleman give way?*

*Robert Neill*

*I will, but I hope that the hon. Lady will bear in mind that I should like to make a bit of progress.*

*Mrs Moon*

*Did the hon. Gentleman visit Parc prison during the Committee's investigation? Its fantastic work with Invisible Walls Wales is making a huge difference to people's attitudes to prison, as it shows that prison can change the lives of prisoners and their families, and prevent reoffending.*

*Robert Neill*

*We regularly visit a number of prisons. We are indeed aware of the very good work done at Parc, and we will continue our visits.*

*Let me explain why we tabled the motion and did so these terms. We cannot avoid the reality that our prison system has reached a stage at which we have to use the phrase "a crisis". I do not do so lightly. More than 30 years' experience of practising criminal law and visiting prisons to advise prisoners, and subsequently, since coming to the House, working with the criminal justice sector, have led me inevitably to the conclusion that the system is under unprecedented strain.*

*I do not for one second doubt the good intentions of the Minister or his predecessors, the Secretary of State or his predecessors, or the management of Her Majesty's Prison and Probation Service. I also acknowledge the good work that we see carried out by many individual members of that service as we travel around the country. However, the fact is that despite the extra money that has been invested in the system over the past year or so following one of our reports, and despite all that good work, all the indicators were going in the wrong direction at the time of our two reports—one on prison safety and one on governor empowerment and reform, which were produced in the 2015-16 and 2016-17 Sessions respectively—and they are still going in the wrong direction.*

*Norman Lamb (North Norfolk) (LD)*

*I am grateful to the right hon. Gentleman—*

*Not yet, although the hon. Gentleman clearly deserves it. I am grateful to him for giving way.*

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*I agree with the point that the hon. Gentleman is making, but is not the truth that we simply incarcerate too many people, particularly people with mental health problems? A staggering percentage of people in Britain have mental health problems, learning disabilities or autism. Should we not be investing more in keeping people out of prison and ensuring that they receive the treatment that they need to help them to avoid the criminal justice system in the longer run?*

*Robert Neill*

*The right hon. Gentleman makes an important point—I agree with him. Although the two reports that gave rise to the debate do not touch on this directly, he may be pleased to know that our Committee has agreed to embark on an inquiry in which we shall examine projections for the prison population up to 2025. The issue that he raises will prove to be particularly important aspect of that inquiry.*

*Sir Greg Knight (East Yorkshire) (Con)*

*Does my hon. Friend agree that literacy levels among prisoners are a problem? I understand that more than 30% of people in prison have the reading age of an 11-year-old. Does not that issue really need to be addressed?*

*Robert Neill*

*My right hon. Friend is absolutely correct. The former Justice Secretary, my right hon. Friend the Member for Surrey Heath (Michael Gove), rightly drew attention to that on a number of occasions. If we do not turn our prisons into places of education, we will be failing, and we will continue to see reoffending. Part of the problem is the low attainment of people when they arrive in prisons, which is often linked with issues such as social deprivation, a lack of proper parenting and unstable family backgrounds. A particularly high percentage of prisoners have been in care. Low educational attainment is a real problem, and it needs to be tackled.*

*One of the problems that we have found is that because of other pressures on the system, many establishments are running regimes that are so restricted that it is virtually impossible for prisoners—even those who are well motivated and wish to do so—to gain access to some of the educational facilities that ought to be available. I am grateful to my right hon. Friend (Sir Greg Knight) for that important point.*

*Jo Churchill (Bury St Edmunds) (Con)*

*Does my hon. Friend agree that prison can offer people a second chance to gain access to education and to find the right track? Charities such as Greener Growth, which works in Norfolk prisons in particular, and with which I work in my constituency, help people to understand and connect with the environment, and to learn about food and nutrition, as well as many of the other basics in life that most of us take for granted.*

*Robert Neill*

*That is absolutely true. I and the Committee recognise the very good work that is being done. What we must do, however, is to ensure that we have a programme of prison reform that genuinely enables us to draw that good work together, and establishes a comprehensive and holistic strategy. For example, the good that is done by many people on existing programmes*

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*ought to be reinforced by a more imaginative use of release on temporary licence, but sadly there has been a decrease of some 40% in the use of such release over the last couple of decades. That is one of the indicators that are going in the wrong direction.*

*Rebecca Pow (Taunton Deane) (Con)*

*If we could engage many more outside bodies—local authorities and experts on health and education, for instance, and indeed experts on the environment such as the Wildlife Trust, all of which run many good programmes on rehabilitation—we could not only save money by setting up the right framework, but benefit offenders, as the courses would give them skills and make them feel confident about going into the outside world.*

*Robert Neill*

*My hon. Friend is right. I cannot do better than quote a 19th-century prison reformer, Thomas Mott Osborne, a former politician who is described by my right hon. Friend the Member for Surrey Heath as having “turned to good works”. That might seem to be a tautology. Osborne became immersed in the prison system, becoming a prison reform commissioner in New York just before the first world war. He said:*

*“Not until we think of our prisons as in reality educational institutions shall we come within sight of a successful system; and by a successful system I mean, one that not only ensures a quiet, orderly, well-behaved prison but has genuine life in it— one that restores to society the largest number of intelligent, forceful, honest citizens.”*

*He was right then, and I think that what he said rings true now as well.*

*Colin Clark (Gordon) (Con)*

*I was recently very glad to speak to a group of sixth-formers who were doing modern studies. They asked me about prisons, and I said that at the first opportunity I would raise the subject on the Floor of the House and ask one of their questions. Given that my hon. Friend is so well versed in the subject, I will ask him this question: “Do you think that the support on offer to those prisoners who suffer mental health disorders is effective?”*

*Robert Neill*

*All the evidence that our Committee has seen so far suggests that it is not effective. Far too many people in prison suffer from mental health difficulties. David Cameron, the former Prime Minister, rightly emphasised that in a speech that he made back in 2015.*

*Victoria Prentis (Banbury) (Con)*

*In February.*

*Robert Neill*

*My hon. Friend clearly remembers it vividly.*

*The point was well made. There are some people whom we will always have to imprison, because they deserve to go to prison, and I saw enough of them during my career as a barrister practising criminal law. However, many others are in prison due to far more complex reasons, such as bad choices, lack of support, lack of background, poor education and*

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*mental health issues. We need to be much more discerning, and that means that we need a much more sophisticated approach to our penal policy. We need to introduce genuinely robust alternatives to custody, in the right cases, for those who do not pose a threat and a danger to the public, and who can be reformed without their going to prison. That is critical. We have not yet achieved that. The objective must be not only that the public have confidence in sentences, but that we have proper systems for rehabilitation of those who are incarcerated. However, as almost everyone will be released at some point, we must make sure we release them in a better state in which they can contribute to society than at present.*

*Ms Karen Buck (Westminster North) (Lab)*

*The hon. Gentleman rightly emphasises the importance of education and rehabilitation, but may I add to that the critical aspect of access to family? May I also commend to him the report on mental health in prisons by the Joint Committee on Human Rights, and the work that we did in particular to look at the risks to young people and offenders with mental health problems? Such people were not always guaranteed access to family support at critical times when they were self-harming or at risk of suicide?*

*Robert Neill*

*That is a good point. I know that other Members are likely to take up such issues in our debate.*

*While we welcome a number of the initiatives the Government have implemented, more still needs to be done. We particularly regret the loss of the prison element of the Prisons and Courts Bill from the last Parliament, because implementing that statutory purpose, which would have covered rehabilitation for prisoners, would have been an important umbrella under which to link the good work that is done. It is good news that we have a proper prison reform and safety plan, but it needs to be put into a full context. We need positive actions, not just the good aspirations that are set out.*



Simpson Millar<sup>LLP</sup>  
Solicitors

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### ANNEX 3: UNION SERVICES

This report was written and compiled by  
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

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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 Holmes**, 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:
  - **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

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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***