



House of Commons
Justice Committee

Environmental Offences Guideline: Consultation

Fourth Report of Session 2013–14

Report, together with formal minutes

*Ordered by the House of Commons
to be printed 16 July 2013*

The Justice Committee

The Justice Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Ministry of Justice and its associated public bodies (including the work of staff provided for the administrative work of courts and tribunals, but excluding consideration of individual cases and appointments, and excluding the work of the Scotland and Wales Offices and of the Advocate General for Scotland); and administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office (but excluding individual cases and appointments and advice given within government by Law Officers).

Current membership

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Yasmin Qureshi (*Labour, Bolton South East*)
Graham Stringer (*Labour, Blackley and Broughton*)
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The following Members were also members of the Committee during the Parliament:

Mr Robert Buckland (*Conservative, South Swindon*); Christopher Evans (*Labour/Co-operative, Islwyn*); Mrs Helen Grant (*Conservative, Maidstone and The Weald*); Ben Gummer (*Conservative, Ipswich*); Mrs Siân C James (*Labour, Swansea East*); Jessica Lee (*Conservative, Erewash*); Robert Neill (*Conservative, Bromley and Chislehurst*); Claire Perry (*Conservative, Devizes*); Mrs Linda Riordan (*Labour/Co-operative, Halifax*); Anna Soubry (*Conservative, Broxtowe*); Elizabeth Truss (*Conservative, South West Norfolk*) and Karl Turner (*Labour, Kingston upon Hull East*).

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via www.parliament.uk

Publication

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/justicecommittee. A list of Reports of the Committee in the present Parliament is at the back of this volume.

The Reports of the Committee, the formal minutes relating to that report, oral evidence taken and some or all written evidence are available in a printed volume. Additional written evidence may be published on the internet only.

Committee staff

The current staff of the Committee are Nick Walker (Clerk), Sarah Petit (Second Clerk), Gemma Buckland (Senior Committee Specialist), Helen Kinghorn (Committee Legal Specialist), Ana Ferreira (Senior Committee Assistant), Miguel Boo Fraga (Committee Assistant), Holly Knowles (Committee Support Assistant), George Margereson (Sandwich student), and Nick Davies (Committee Media Officer).

Contacts

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Report

1. Pursuant to section 120 of the Coroners and Justice Act 2009 the Justice Select Committee must be consulted on proposed draft sentencing guidelines by the Sentencing Council for England and Wales. The proposed Environmental Offences Guideline was consulted on by the Sentencing Council between 14 March 2013 and 6 June 2013, and will replace the existing guidance for sentencers in the *Magistrates' Court Sentencing Guidelines* and the Magistrates' Association's *Costing the Earth*.
2. The draft Guideline covers a small range of offences, but a broad range of activities and offenders. The offences fall mainly within section 33 of the Environmental Protection Act 1990 and regulations 12 and 38(1)–(3) of the Environmental Permitting (England and Wales) Regulations 2010, and cover offences as varied as fly-tipping and hazardous waste.
3. For our consideration of the proposed Guideline we held a seminar in June 2013 with a number of organisations, concentrating our focus on the practical and procedural aspects of the draft Guideline, as this appeared to us to be the most appropriate and effective way for us to add value to the Council's extensive consultation process. We are grateful to the Sentencing Council for agreeing that we could submit comments to them after the conclusion of their formal consultation period.
4. In relation to the question of whether the harm factors set out in the draft Guideline properly reflected the nature and effect of environmental damage, we sought the views of the Environmental Audit and Environment, Food and Rural Affairs Select Committees; both Committees wrote to us with helpful comments, and we append their letters.
5. We publish this short report to draw the House's attention to this Guideline, and to our response, which is set out in the annexed letter to the Sentencing Council. We also annex a list of organisations represented at our seminar.

Annex A – Letter from the Chair of the Justice Committee to Lord Justice Leveson, Chairman of the Sentencing Council

Letter dated 16th July 2013 from the Chair of the Justice Committee, to Lord Justice Leveson, Chairman of the Sentencing Council

The Justice Committee welcomes the opportunity to consider the draft Environmental Offences Guideline, and thanks the Sentencing Council for its work in producing the draft Guideline and liaising with us in our scrutiny of it. In particular we are grateful to the Council for its agreement that, as with the previous Sexual Offences Guideline, we could submit our views after the conclusion of the formal consultation period.

The draft Guideline covers a small range of offences, but a broad range of activities and offenders. In considering the best means for the Committee to meet its role as statutory consultee, pursuant to section 120 of the Coroners and Justice Act 2009, we decided to focus on practical and procedural aspects of sentencing for these offences, in particular for corporate offenders. This appeared to us to be the most appropriate and effective way for us to add value to the Council's extensive consultation process.

In relation to the question of whether the harm factors set out in the draft Guideline properly reflected the nature and effect of environmental damage, we sought the views of the Environmental Audit and Environment, Food and Rural Affairs Select Committees; both Committees wrote to us with helpful comments, and we enclose their letters.

As you know, we held a seminar on 25 June 2013 with a number of organisations who are involved in, or have an interest in, the prosecution and defence of these offences. We are grateful to all our invitees for their participation. In advance we asked invitees to send us a copy of their written submission to the Council's consultation; these submissions were very useful in our preparation for the seminar. Within this letter we do not rehearse arguments raised in the submissions, unless they were included within discussions during the event; instead we have selected a number of points that we, as parliamentarians, consider most important.

Breadth of offences, "leakage", and civil penalties

The range of types of activity and offender subject to the draft Guideline is broad. We are aware that at least part of the impetus for the draft Guideline came from the Magistrates' Association, who wished to ensure consistency of sentencing for fly-tipping offences across England and Wales. We note that section 33 of the Environmental Protection Act 1990 ("the 1990 Act") and regulations 12 and 38(1) to (3) of the Environmental Permitting (England and Wales) Regulations 2010 ("the 2010 Regulations"), cover offences as varied as fly-tipping and hazardous waste, and that the breadth of these pieces of legislation has created a broad Guideline covering a range of quite different types of offence and offenders.

We were told that the draft Guideline covers an estimated 60% of cases of environmental crime that come before the Court. We discussed with our invitees whether the draft Guideline was broad enough in terms of the legislation it covers. Some of our invitees considered that the final Guideline should also cover transfrontier shipments of waste, as illegal activity in this area was a matter of increasing concern. Another area of offences which our invitees discussed was offences pursuant to the Control of Major Accidents Hazard Regulations 1999 ("COMAH"). We were given the example of joint prosecutions brought by the Health and Safety Executive and the Environment Agency arising from the explosion at Buncefield Oil Storage Depot in December 2005, where the management of risks at the site was prosecuted under COMAH, which is not covered in the draft Guideline, and the prosecution for pollution of the surface water was undertaken under regulation 12 of the 2010 Regulations, which is covered by the draft Guideline. It was suggested that the omission of COMAH from the draft Guideline created the situation where, from the same incident, some of the offences would fall within the draft Guideline and some would not, and therefore with the possibility of

higher fines for Guideline offences as opposed to COMAH offences, without reference necessarily to the severity of damage, or risks created by the behaviour.

A number of invitees were concerned about “leakage”, where the final Guideline would be applied to non-Guideline offences as it would be the closest related area of guidance. In practice magistrates are likely to use this Guideline to assist them in considering sentencing in relation to other offences which do not have their own Guideline. We were told that this was particularly likely for analogous health and safety offences (such as those following the Buncefield explosion), as there was already a large degree of “reading across” between environmental and health and safety offences. There is a risk of disparity in sentencing between similar offences if the final Guideline is not “read across”, but equally, we expect that consistency of reading-across cannot be guaranteed across the country, and could lead to a Guideline specifically researched and tailored to environmental offences being used for offences for which, for example, the harm categories and starting points are inapplicable, and where later research finds that read across was inappropriate. There is a further risk that if the final Guideline resulted in higher sentences for environmental offences then where an incident resulted in, for example, environmental and health and safety offences being committed, the potentially higher sentences for the environmental offences could leave the health and safety offences looking like less serious offences to members of the public.

Some invitees suggested that examples like the Buncefield explosion, and the likelihood of “leakage”, showed why a different approach to structuring the draft Guideline should have been undertaken. They suggested that the Council should have produced a general guideline containing principles covering a wider range of offences, with short specific guidelines for distinct categories of offences. They suggested that the current approach was piecemeal and promoted unwelcomed leakage.

On balance, we consider that the best approach would have been to create a general guideline containing general principles that could cover offences with an activity whereby environmental harm is caused (including health and safety offences), with short specific guidelines for distinct categories of offences; in particular, we are concerned that leakage might create inconsistency in sentencing for other offences such as health and safety offences. We are also concerned that a discrepancy could be created with sentences for health and safety offences in particular, and that this discrepancy would be difficult to explain to the public. However, we accept that this would have been a much larger project and would have delayed the production of a guideline specifically requested by the Magistrates’ Association to assist them with their work. We also acknowledge that the draft Guideline covers the majority of cases which come before the Court, and that the Sentencing Council must deal with the fact that the relevant legislation covers such broad types of offence and offender.

We think that “leakage” from the final Guideline is likely. We do not come to a conclusion as to whether “leakage” is always a good or bad practice. We suggest, however, that “leakage” could be more transparent, particularly where individuals without legal representation are being sentenced. We request that the Sentencing Council give consideration to including a clearly-expressed caveat at the start of the final Guideline acknowledging that this area of offences overlaps with related offences, and setting out the specific characteristics of the draft Guideline which would make it appropriate or inappropriate to “leak” from it into other related offences.

A related topic which we gave brief consideration to in our seminar was civil penalties, on which we note a level of disagreement between lawyers and the Government as to whether they should be used for individuals and small entities. Again, for the purposes of transparency, clarity and completeness, we suggest that mention is made of the existence and legal basis for civil penalties within the final Guideline document, although not in the Guideline itself.

Turnover as a measurement for categorisation of corporate offenders

A number of invitees raised concerns that the use of turnover to categorise companies, and then apply tariffs based upon that categorisation, was simplistic. We agree that it is simplistic, as it fails to take into account a true financial picture of the company and of the business concerned: some businesses have very high turnover with very low profit margins; however, we consider that the simplicity of turnover can be the starting point for categorisation, provided that other financial information is taken into account in appropriate cases. This would allow a flexibility of approach for sentencers, enabling them to adjust the categorisation of offenders

where turnover alone was not an appropriate measure. We consider that this more flexible approach would require explanatory text to be included within the final Guideline as to factors that could suggest that a company should be moved up or down a category.

Understanding and applying financial information

We were told that the level of expertise and confidence in using financial information will vary between magistrates' benches. We accept that, given the small number of environmental offence prosecutions which come before the magistrates' court each year, any extensive financial training would be of limited use. However, we also note that there are triable either way corporate offences contained in the Sentencing Council's recently published draft guideline on fraud, bribery and money laundering offences, where the Court is referred to financial information in order to accurately assess a corporate offender's financial status. We therefore consider that provision of basic financial training would be of assistance to those magistrates who do not already possess this knowledge, in order to them use financial documents with understanding; I am writing to the Chair of the Magistrates' Association accordingly, and enclose a copy of my letter. In addition, we consider that help could be provided within the final Guideline in the form of a short glossary of basic financial terms, and by the inclusion either in the final Guideline or in other guidance of some mock financial documents with a worked example.

It was suggested to us that, even with a greater general understanding of financial information, magistrates might be unwilling to adjourn cases so that the disclosure of financial information could be ordered and considered at a later date, including with evidence given on oath. We accept that there are pressures upon magistrates to hear cases efficiently and with expedition, but, in order for these guidelines to work effectively, particularly for small companies or individuals who are in fact traders, more adjournments may be needed. In my letter to the Chair of the Magistrates' Association I am informing him of our view on this, and requesting his organisation's assistance in monitoring whether the final Guideline is in fact being applied by benches with as full financial disclosure as possible.

The use of a sentencing matrix

Views varied as to whether the use of a matrix for sentencing was helpful or indeed appropriate. Some invitees praised the simplicity of the matrix model, and pointed out how it was being successfully applied for other offences, such as drug offences. Other invitees raised concerns that the matrix removed an important degree of flexibility from sentencing for these offences, and noted that the Court of Appeal guidance for these offences recognised that the facts of these offences varied widely which meant that consistency of sentencing could and should not be the primary objective. They suggested that the move from categories of corporate offender to a tariff was arbitrary. We agree that there are merits in maintaining a standard and easy to use matrix structure, but consider that flexibility must be included and clearly promoted in order to appropriately sentence a wide variety of offenders.

We discussed whether Step Three of the draft Guideline ("Consider whether there are any further factors that warrant adjustment of the fine") afforded a degree of flexibility within the matrix, by providing an opportunity for the Court to step back and see if the sentence is correct. However, the wording of Step Three seems to suggest that the purpose of Step Three is mainly to increase fines to meet the aims of punishment, deterrence and the removal of any gain. We suggest that the wording of Step Three is amended to make clear that the matrix is flexible.

A related issue was the position of directors. Pursuant to section 157 of the 1990 Act:

Where an offence under any provision of this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

This section does not appear to be referred to in the draft Guideline. It would appear from the opening wording that either the final Guideline will apply directly, through section 33, or that this is an area where there will be clear “leakage”; indeed one of our invitees suggested that section 157 offenders could be sentenced as individuals under the final Guideline. We consider that the position of section 157 in relation to the final Guideline needs to be made clear, and that, given the clear range of behaviours included within the definition “consent or connivance of, or to have been attributable to any neglect on the part of”, sentencers should be encouraged within the final Guideline to make clear precisely what the link is between the behaviour proved to have occurred pursuant to section 157 and the tariff imposed. This should, in our view, ensure that there is transparent sentencing when a director has, for example, negligently failed to meet an acceptable standard of behaviour, or where a director has been complicit in the offence.

Custodial sentences

Our invitees considered that a starting point of 12 weeks custody for individuals assessed as falling with the offence categories for Category 1, Negligent, Category 2, Reckless and Category 3, Deliberate, was disproportionately high, and disproportionate in relation to current sentencing practice and in relation to sentences for small companies and similar bodies. We see no reason to disagree with this view, and recommend that, whilst custody should remain an option, the starting point should be reduced. We are concerned that the draft Guideline creates a distinction in sentences in the most common fly-tipping type cases between individuals, and small companies with perhaps one or two traders, that is unlikely to be borne out in practice.

We are pleased to note that, where a company or individual has taken steps to remedy the environmental harm they have caused, sentencers are directed that this can be taken into account as a mitigating factor. We consider that such reparation is something that the public want to see. We would ask the Council, however, to restructure the final Guideline, to make clear that the aggravating and mitigating factors section as a whole, applies to both individuals and companies and to bodies delivering public and charitable services (even if particular factors can only apply to individuals), as this is not particularly clear within the draft.

Enclosed copy of letter dated 16th July 2013 from the Chair of the Justice Committee to John Fassenfelt, Chair of the Magistrates’ Association

As you are aware, on 25 June 2013, the Justice Committee held a seminar with interested groups, to discuss the Sentencing Council’s draft Environmental Offences Guideline. We are grateful to the Magistrates’ Association for providing us with a copy of its response to the Consultation, and to Peter Chapman who attended on behalf of the Association.

The seminar was a useful opportunity to consider some of the practical aspects of the draft Guideline, in particular, the use of financial information by sentencers. We are also aware that this topic may arise in relation to parts of the most recent Sentencing Council Consultation on its draft guideline on fraud, bribery and money laundering offences.

Our consideration of the draft Guideline, and discussion at the seminar, raised the following issues which I draw to your attention as matters of interest to the Committee, with which the Magistrates’ Association may be able to assist:

1. Whilst accepting that extensive financial training for sentencers would not be cost-effective, we do consider that provision of basic financial training would be of assistance to those magistrates who do not already possess this knowledge, in order to help them to use financial documents with understanding;
2. In addition, we consider that help could be provided within the final Guideline in the form of a short glossary of basic financial terms, or by the inclusion either in the final Guideline or other guidance of some mock financial documents with a worked example;
3. Finally, it was suggested to us that, even with a greater general understanding of financial information, magistrates might be unwilling to adjourn cases so that the disclosure of financial information could be

ordered and considered at a later date, including with evidence given on oath. We accept that there are pressures upon magistrates to hear cases efficiently and with expedition, but, in order for these guidelines to work effectively, particularly for small companies or individuals who are in fact traders, more adjournments may be needed. We hope that the Magistrates' Association will be able to monitor whether the final Guideline is in fact being applied by benches with as full financial disclosure as possible.

This letter will be published as part of our Report on the draft Guideline, and a copy enclosed with my letter to Lord Justice Leveson, Chairman of the Sentencing Council.

Thank you again for the Magistrates' Association's attendance at our seminar.

Annex B – Organisations which sent representatives to our seminar

CMS Cameron McKenna

DEFRA / National Fly-tipping Prevention Group

Environment Agency

Magistrates' Association

UKELA (UK Environmental Law Association)

Appendix 1 – Letters from the Chairs of the Environmental Audit Committee and the Environment, Food and Rural Affairs Committee

Letter dated 15th May 2013 from Joan Walley MP, Chair, Environmental Audit Committee, to the Chair of the Justice Committee

I am writing in response to your letter of 25 April about the Sentencing Council's consultation on the draft guidelines on environmental offences, in which you asked for our views on the harm and culpability factors and the aggravating and mitigating factors proposed in the consultation.

Our predecessor Committee undertook an inquiry in 2004 into Environmental Crime and the Courts (Session 2003–04, HC 126), in which they considered sentencing for environmental crimes, including fly-tipping. More recently, we published our report on Wildlife Crime in September 2012 (HC 140), which although less directly relevant does provide some lessons for the draft guidelines now under consultation.

On harm and culpability, our predecessors in 2004 expressed concern that "the general level at which fines are imposed neither reflects the gravity of environmental crimes nor deters or punishes adequately those who commit them". Similarly, in our Wildlife Crime report last year we noted the problem of "inconsistent sentencing by judges and magistrates", which our witnesses attributed to the lack of any sentencing guidelines for the judiciary and of specific training for magistrates. As in the 2004 inquiry, we were concerned that the lack of consistency in sentencing might compromise the deterrent effect of the penalties potentially available. In last year's report we recommended that "the Government reviews whether the available penalties provide sufficient deterrent effect and work with the Sentencing Council and the Magistrates' Association to introduce sentencing guidelines for the judiciary and training for magistrates in relation to wildlife crime offences" (Recommendation 9). However, the Government Response did not accept that recommendation.

Against that background, we have a concern that the Sentencing Council's draft guidelines on environmental offences propose to treat risk of harm as less serious than actual harm at the first stage of the sentencing process. We would recommend that in order to provide an effective deterrent, no distinction should be made between risk of harm and actual harm where the lack of actual harm is simply a matter of good fortune or the preventative actions of regulators. Such an approach would help to reinforce the seriousness of environmental offences, a key message from our 2004 and 2012 reports. In a similar vein, we would suggest that offenders be charged in terms that make clear the harm that resulted from their offence in addition simply to setting out the legislation that they have contravened.

We share the concern that has been expressed by the Chartered Institute of Environmental Health and others that because the scope of environmental offences is so wide, the categories of harm are described in fairly generic terms, which may make it difficult for magistrates to categorise offences, especially those involving noise, where no physical damage may be caused. The categories of harm should therefore be amended to take into account the effect of an offence on "human health and wellbeing", not simply the tangible environmental damage.

On aggravation and mitigation, our predecessors in their 2004 report concluded that there might be "grounds for establishing guidance that crimes against the environment merit an automatic aggravation before the court - in other words that one of the aggravating factors included as guidance for magistrates or judges is damage to the environment or threat to local sustainability" (Recommendation 5). They highlighted the importance of regarding repeat offending and a history of non-compliance as aggravating factors in determining the level of sentence, because the evidence they had received suggested that derisory fines, often unpaid, had been having little deterrent effect on prolific offenders. Our predecessor Committee pointed out

that" Courts-and prosecutors-need to bear in mind that unless the polluter pays substantially more than the sum he profits by from his crime there will be no real deterrent".

Having examined Wildlife Crime more recently, we consider that the need to reflect the importance of potential environmental consequences, as well as a history of offending, as aggravating factors remains paramount. It is important that courts take into account the profits made from environmental crimes when deciding the level of fine or sentence. We would also very much agree with the inclusion in the list of aggravating factors, listed on page 17 of the consultation document, of the environmental sensitivity of the location of the offences. We agree that the repetitive or cumulative nature of some acts should be considered an aggravating factor. On mitigating factors (page 17), we would caution against giving too much weight to a lack of financial gain because in our Wildlife Crime report we found that sometimes clear-headed criminality was driven not just by commercial imperatives but by perhaps more troubling 'hobby' passions – for example, bird egg collecting. In a similar vein, for some individuals fly-tipping could be driven as much by vandalism as by financial factors, so we believe that malice should also be an aggravating factor.

I am copying this letter to the Sentencing Council.

Letter dated 9th May 2013 from Miss Anne McIntosh MP, Chair, Environmental, Food and Rural Affairs Committee, to the Chair of the Justice Committee

Thank you for seeking my Committee's views in relation to draft guidelines issued by the Sentencing Council on a number of environmental offences. The Committee has no formal view on the matters raised, but I have asked the staff of the Committee to liaise with the staff of your own to provide some background information that may be helpful.

Committee staff have provided comments on the substance of the proposals, particularly the proposals on determining the offence category and on the aggravating and mitigating factors affecting the seriousness of the offence (pages 34–39 of the consultation document). The overall concern is that the definitions used for determining the category level of an offence may need to be clarified since they currently rely on the interpretation of the words "substantial", "significant" and "minor". Furthermore, the terminology used to refer to the impacts of the offence may need refining more closely to mirror the terminology used in other environmental policies so that the meaning of, for example, "land" and "flora" are more definitively explained. Consideration might also need to be given to the impact of an offence away from the site itself - for example, water or air pollution may have an impact at some distance from the original offence location, which does not appear to be adequately covered by the current wording. Finally, the mitigating and aggravating factors do not take into account whether the offender has taken reasonable care to prevent the offence, although steps to remedy the problem are listed as mitigating factors. There may be an omission to be addressed in that respect.

Formal Minutes

Tuesday 16 July 2013

Members present:

Sir Alan Beith, in the Chair

Steve Brine

Andy McDonald

Rehman Chishti

Seema Malhotra

Nick de Bois

Graham Stringer

Mr Elfyn Llwyd

Draft Report (*Environment Offences Guideline: Consultation*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 5 read and agreed to.

Annexes agreed to.

Papers were appended to the Report as Appendix 1.

Resolved, That the Report be the Fourth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 3 September at 9.15am]

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2010–12

First Report	Revised Sentencing Guideline: Assault	HC 637
Second Report	Appointment of the Chair of the Judicial Appointments Commission	HC 770
Third Report	Government's proposed reform of legal aid	HC 681-I (Cm 8111)
Fourth Report	Appointment of the Prisons and Probation Ombudsman for England and Wales	HC 1022
Fifth Report	Appointment of HM Chief Inspector of Probation	HC 1021
Sixth Report	Operation of the Family Courts	HC 518-I (Cm 8189)
Seventh Report	Draft sentencing guidelines: drugs and burglary	HC 1211
Eighth Report	The role of the Probation Service	HC 519-I (Cm 8176)
Ninth Report	Referral fees and the theft of personal data: evidence from the Information Commissioner	HC 1473(Cm 8240)
Tenth Report	The proposed abolition of the Youth Justice Board	HC 1547 (Cm 8257)
Eleventh Report	Joint Enterprise	HC 1597 (HC 1901)
Twelfth Report	Presumption of Death	HC 1663 (Cm 8377)
First Special Report	Joint Enterprise: Government Response to the Committee's Eleventh Report of Session 2010–12	HC 1901

Session 2012–13

First Report	Post-legislative scrutiny of the Freedom of Information Act 2000	HC 96-I (Cm 8505)
Second Report	The budget and structure of the Ministry of Justice	HC 97-I (Cm 8433)
Third Report	The Committee's opinion on the European Union Data Protection framework proposals	HC 572 (Cm 8530)
Fourth Report	Pre-legislative scrutiny of the Children and Families Bill	HC 739 (Cm 8540)
Fifth Report	Draft Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013	HC 927
Sixth Report	Interpreting and translation services and the Applied Language Solutions contract	HC 645 (Cm 8600)
Seventh Report	Youth Justice	HC 339 (Cm 8615)
Eighth Report	Scrutiny of the draft Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013	HC 965 (HC 1119)
Ninth Report	The functions, powers and resources of the Information Commissioner	HC 962 (HC 560, Session 2013–14)
First Special Report	Scrutiny of the draft Public Bodies (Abolition of Administrative Justice and Tribunals Council) Order 2013: Government Response to the Committee's	HC 1119

Eighth Report of Session 2012–13

Session 2013–14

First Report	Sexual Offences Guidelines: Consultation	HC 93
Second Report	Women offenders: after the Corston Report	HC 92
Third Report	Transforming Legal Aid: evidence taken by the Committee	HC 91
First Special Report	The functions, powers and resources of the Information Commissioner: Government Response to the Committee's Ninth Report of Session 2012–13	HC 560