



House of Commons
Justice Committee

Prison reform: Part 1 of the Prisons and Courts Bill

Fourteenth Report of Session 2016–17

*Report, together with formal minutes
relating to the report*

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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).

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Publication

Committee reports are published on the Committee's website at www.parliament.uk/justicecttee and in print by Order of the House.

Committee staff

The current staff of the Committee are Nick Walker (Clerk), Gavin O'Leary (Second Clerk), Gemma Buckland (Senior Committee Specialist), Nony Ardill (Legal Specialist), Elise Uberoi (Committee Research Clerk), Christine Randall (Senior Committee Assistant), Anna Browning (Committee Assistant), and Liz Parratt (Committee Media Officer).

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Summary

As part of our wider inquiry into prison reform, following publication of the Prisons and Courts Bill on 23 March 2017 we decided to produce a Report on Part 1 of the Bill, which contains provisions relating to prisons. Our original intention was to assist the House, when it came to consider the Bill at report stage, by providing our views on the Bill's provisions, and on other provisions which could be added to it, subject to the Chair's judgement on the selection of amendments.

In our Report we note that many important aspects of prison reform are being pursued by non-legislative means. We express the view that as it eventually crystallised, Part 1 of the Bill contains a fairly minimal and eclectic set of measures, and we conclude that, important though its various measures are, Part 1 of the Prisons and Courts Bill can hardly be considered to have fulfilled the promise that it would be the centrepiece of the Government's legislative programme for the 2016–17 Session.

On Clause 1 of the Bill, we welcome the introduction of a statutory purpose for prisons and we also welcome the inclusion of the aim of reforming and rehabilitating offenders as part of that purpose. We do however consider that the statutory purpose would be strengthened by the inclusion of the need to aim to achieve a decent and fair environment for prisoners. On the provisions of Clause 1 concerning the role and accountability of the Secretary of State, we consider that it is not possible to reach a view on whether they will make the running of the prison system more effective, or will ensure sufficient information is available to inform judgements on the matter, while accepting that it is the Government's intention that this should happen.

We welcome the provisions of Clause 2 of the Bill, putting HM Inspectorate of Prisons as well as HM Chief Inspector on a statutory basis and strengthening their powers. Given the importance of the role of Chief Inspector, we recommend that the Justice Committee's pre-appointment scrutiny role should be strengthened by providing that the Committee should be required to give its consent to a recommendation to Her Majesty for appointment of a person as HM Chief Inspector of Prisons, as a backstop guarantee of that person's independence from potential ministerial patronage or pressure. We add two other caveats: that it is essential that the Chief Inspector should be able to determine independently the inspection criteria which he uses, and, secondly, that there should be scope for a requirement to respond to Inspectorate recommendations on immediate operational matters to be placed on the governor or director of the relevant establishment.

We very much welcome the provisions in the Bill (Clauses 4 to 20) placing the important office of Prisons and Probation Ombudsman on a statutory basis.

On matters not currently covered by the Bill, should legislation be brought forward early in the next Parliament we consider that the opportunity should not be missed to place the UK's National Preventive Mechanism on a definitive statutory basis.

1 Report

The Committee's work on prison reform

1. The Queen's Speech of 18 May 2016 announced:

My government will legislate to reform prisons and courts to give individuals a second chance.

Prison Governors will be given unprecedented freedom and they will be able to ensure prisoners receive better education. Old and inefficient prisons will be closed and new institutions built where prisoners can be put more effectively to work.¹

In a press release issued on that day the Government described its plans as “the biggest shake-up of the prisons system since the Victorian era”.² It added that there would be a “Prisons Bill” which would be the “centrepiece” of the Government’s legislative programme.³

2. In July 2016 we announced a major inquiry into prison reform. Our intention was to undertake work on prison reform in a critical and constructive way alongside the development of the Government’s reform programme, commenting on the principles and the implementation of the reform plans and seeking to influence those plans in a process of dialogue informed by the written and oral evidence submitted to us. We aimed to expose the prison reform programme to the greatest possible degree of open and democratic parliamentary and public debate, using the main strengths of the select committee system.

3. Under the aegis of our prison reform inquiry, we embarked on a series of “sub-inquiries” into discrete aspects of prison reform, taking focused evidence in order to report our conclusions and recommendations in time to influence the shape of reform as it is being developed. We reported on 7 April 2017 on our first sub-inquiry, into governor empowerment and prison performance,⁴ and on 30 March 2017 we began a second sub-inquiry into estate modernisation.⁵

4. In accordance with our objective of reacting swiftly and flexibly to events in the prison reform process, we also decided, following publication of the Prisons and Courts Bill on 23 March 2017, to produce a report on the provisions of the Bill relating to prisons (i.e. Part 1 of the Bill) in time for report stage in the House of Commons. This was an innovative approach for us: we have not previously sought to publish our views on primary legislation while it is before the House. In normal circumstances the speed with which programmed legislation goes through its Commons stages would make it difficult for us to take evidence and produce a report quickly enough for it to prove useful for the

1 [HC Deb 18 May 2016 col 3](#)

2 [Biggest shake-up of prison system announced as part of Queen's Speech](#), Ministry of Justice and Prime Minister's Office press release, 18 May 2016, accessed on 31 March 2017

3 [ibid](#)

4 [Justice Committee, Twelfth Report of Session 2016–17, Prison reform: governor empowerment and prison performance](#), HC 1123

5 We closed this sub-inquiry on the House's decision that an early general election should be held.

House in its scrutiny of that legislation. On this occasion it appeared feasible because of the substantial amount of evidence we had already taken on prison reform, and the fact that Part 1 of the Bill is not as extensive as might have been expected.

5. The House's agreement on 19 April to a motion for an early general election means that our intention to produce a Report on Part 1 of the Bill in time for the Commons report stage is no longer of immediate application. We considered whether to proceed to agree a Report and decided on balance that, regardless of the outcome of the forthcoming election and any legislation on prison reform which may be brought forward by the Government in the new Parliament, it would be worthwhile to record our views on the provisions of the Bill which was introduced in this session. For the avoidance of doubt, we expect a Response to be made to this Report in the normal way to our successor Committee by the next Government.

6. We did not issue a call for evidence on the provisions of the Bill, as this would have created unhelpful duplication with the work of the Public Bill Committee (PBC). In drawing up this Report we took into account written and oral evidence relevant to Part 1 of the Bill taken before the PBC, as well as the debates in the PBC.⁶ We see this report as complementary to our work on the non-legislative measures the Government has employed to advance prison reform.⁷

Part 1 of the Prisons and Courts Bill: an overview

7. It was always understood that the prison reform programme would include a mixture of legislative and non-legislative measures. At the time of the Queen's Speech the Government said that its forthcoming prison legislation would enable prisons to be established as independent legal entities with the power to enter into contracts, to generate and retain income, and establish their own boards with external expertise.⁸ Following the replacement of Rt Hon Michael Gove MP by Rt Hon Elizabeth Truss MP as Lord Chancellor and Secretary of State in July 2016, along with the replacement of the rest of the Ministry of Justice ministerial team, this intention was evidently rethought. The *Prison Safety and Reform* White Paper, published in November 2016,⁹ merely said that the Government would "look carefully" at how well reform prison governors had been able to set and implement their own workforce strategy to consider whether changes were required to create prisons as distinct, individual legal entities. In the event, no such provisions were contained in the Prisons and Courts Bill as introduced.

8. A wide-ranging suite of prison reform measures is being introduced by non-legislative means. The devolution of responsibilities to governors and the introduction of associated performance agreements are under way;¹⁰ announcements were made on 22 March of the next stages of the estate modernisation programme;¹¹ a wholesale review of Prison Rules and policies is taking place; and the White Paper announced forthcoming strategies or further consideration of policies on education, employment, female offenders, young adult

6 This material is available [here](#).

7 See paragraph 8 below and, for fuller information, the [Prison Safety and Reform White Paper](#), Cm. 9350, November 2016.

8 [Biggest shake-up of prison system announced as part of Queen's Speech](#), Ministry of Justice and Prime Minister's Office press release, 18 May 2016, accessed on 31 March 2017

9 [Prison Safety and Reform](#), Ministry of Justice, Cm.9350. Henceforth "the White Paper".

10 Considered in detail in our [Twelfth Report of Session 2016–17](#), *op.cit.*

11 [Written statement: Prison update](#) – HCWS550, 22 March 2017

offenders, radicalisation, drugs in prison, education, employment, capability of governors and senior managers, and staff corruption. This is the context within which the legislative provisions contained in the Bill need to be considered.

9. The White Paper gave the following indications of the intended content of legislation which did eventually appear in the Bill –

- “we will therefore enshrine in law for the first time what prisons should be delivering, and hold the Secretary of State to account for ensuring they do so”¹² (see Clause 1 of the Bill)
- “[we will ensure] that inspection and other scrutiny arrangements are sharper, with provision for inspection reports to trigger action to improve the system from the Secretary of State and governors”¹³ (see Clause 2)
- “[we will] introduce legislation, subject to Parliamentary approval, to simplify the framework for testing for psychoactive substances”¹⁴ (see Clause 22)
- “we recognise a statutory basis could bolster the status of the [PPO’s] role and will explore ways of achieving this”¹⁵ (see Clauses 4 to 20).

There was no explicit undertaking in the White Paper to introduce legislation to authorise public communication providers to interfere with wireless telegraphy in prisons, as provided for by Clause 21.

10. As it eventually crystallised, Part 1 of the Bill contains a fairly minimal and eclectic set of measures ranging from the strategic framework of Clause 1 to the tactical adjustments of Clauses 21 and 22. It is only Clause 1 which can be considered fundamental to the prison reform project. Seventeen of the 22 Clauses in Part 1 of the Bill are devoted to placing on a statutory basis the Prisons and Probation Ombudsman and his functions. **We conclude that, important though its various measures are, Part 1 of the Prisons and Courts Bill can hardly be considered to have fulfilled the promise that it would be the centrepiece of the Government’s legislative programme for the 2016–17 Session.**

Clause 1: Prisons: purpose, and role of Secretary of State

11. Clause 1 establishes a four-pronged statutory purpose for prisons: they will be required to aim to

- protect the public,
- reform and rehabilitate offenders,
- prepare prisoners for life outside prison, and
- maintain an environment that is safe and secure.

12 [ibid](#) para 6. See also paras 34 to 36, 62, 65 and 66.

13 [ibid](#) para 34. See also para 61.

14 [ibid](#) para 42

15 [ibid](#) para 85

It also ascribes “overall responsibility for prisons” to the Secretary of State, and requires her to report annually on the extent to which prisons as a whole are meeting the statutory purpose. This reporting requirement replaces the existing duty on the Secretary of State under section 5 of the Prison Act 1952 to lay before Parliament an annual report on each prison. In the Public Bill Committee the Prisons and Probation Minister Sam Gyimah MP said that the statutory purpose in Clause 1 of the Bill would provide “a clear common purpose that everyone working in the prison system, whether prison officers, governors, the independent inspectorates or the Secretary of State, can unite behind”.¹⁶

12. The four aims are intended to be much more than declaratory: they are to form, in a sense, the foundation upon which the edifice of the new prison system will be constructed. According to the Government, the elaboration of performance measures related to the four aims will enable governors to be “held to account for the results they achieve in delivering the purposes of the prison system”.¹⁷

13. Clause 2 of the Bill also requires HM Chief Inspector of Prisons (HMCIP) to have regard to the statutory purpose of prisons in preparing his inspection reports. In its current Inspection Framework document HM Inspectorate of Prisons (HMIP) says

The Inspectorate sets its own inspection criteria to ensure transparency and independence. The starting point of all inspections is the outcome for detainees and the Inspectorate’s Expectations are based on and referenced against international human rights standards.¹⁸

The four criteria against which the Inspectorate judges the health of an establishment are safety, respect, purposeful activity and preparation for release. There is considerable overlap between the four criteria and the four aims of the statutory purpose, but they are not completely congruent. The statutory purpose does not for example explicitly capture the need for prisons to maintain a decent environment, in line with the Inspectorate’s respect criterion: “Prisoners are treated with respect for their human dignity”.¹⁹

14. Some have argued that this means there is a lacuna in the statutory purpose. Rt Hon Harriet Harman MP, the Chair of the Joint Committee on Human Rights, for example, wrote on 30 March to the Secretary of State, Rt Hon Elizabeth Truss MP, welcoming the clause from a human rights perspective but saying that it did not, as currently drafted, “reflect the obligations on the State to treat prisoners with humanity, fairness and respect for their dignity”.²⁰ Witnesses before the Public Bill Committee all supported consideration being given to inclusion of decency and fairness within the statutory purpose,²¹ and an amendment²² was moved in the Public Bill Committee to include them within the fourth aim. Mr Gyimah, in opposing the amendment, which was negatived on division, argued:

It is, of course, vital that we treat prisoners with decency and fairness if we are to expect them to turn their lives around. I completely agree about

16 [Prisons and Courts Bill Public Bill Committee](#), Third Sitting, 29 March 2017, col 71

17 [White Paper](#), op.cit., paragraph 94

18 HM Inspectorate of Prisons, [Inspection Framework](#), February 2017, paragraph 2.22

19 [ibid](#), para 2.23

20 [Letter from Rt Hon Harriet Harman MP to Rt Hon Liz Truss MP on the Prisons and Courts Bill, 30 March 2017](#).

21 [Prisons and Courts Bill Public Bill Committee](#), First Sitting, 28 March 2017, Q47 [Nigel Newcomen; Martin Lomas; Rachel O’Brien; Joe Simpson]

22 Amendment 10, in clause 1, page 1, line 14, after “safe” insert “, decent, fair”.

the importance of ensuring that we do. However, I believe that it is not necessary to include such a provision in the purpose, because a requirement for a fair and decent regime already exists elsewhere in legislation.²³

Mr Gyimah referred in particular to the requirements placed upon prisons in their treatment of prisoners by the Human Rights Act 1998, the Equality Act 2010, and the minimum standards set out in the Prison Act 1952 and Prison Rules.

15. Reading the statutory aims against the standards which prisons will be measured against, as set out in the Government's White Paper and in a Written Statement of 23 February 2017,²⁴ there are some measures which, if not explicitly expressed in terms of their contribution to the decency and humanity which prisoners are treated, will enable an assessment to be made of the extent to which prisons are doing so. This is particularly the case in relation to the statutory aim to reform and rehabilitate offenders, where the Government's proposed performance measures are intended to facilitate improving prisoners' health and reducing substance misuse, encouraging work, increasing time out of cells, and improving access to education and training and maintenance of family relationships. The fourth aim, of maintaining a safe and secure environment, is also related to the decency and humanity with which prisoners are treated, and the extent to which the aim is being achieved will be captured by measures of rates of assault on staff and prisoners, rates of self-harm by prisoner, staff and prisoner perceptions of safety, and incidents of disorder within prisons. There are however no measures intended to capture the extent to which, for example, prisoners may perceive that they are being treated, or may actually experience treatment, in a fashion which would not respect their dignity or would discriminate against them in comparison with other types of prisoners.

16. It is important to assess the effect of the provisions of Clause 1 of the Bill replacing the Secretary of State's current statutory duty of superintendence of prisons²⁵ with an "overall responsibility for prisons", coupled with the requirement for her to make an annual report to Parliament on the extent to which prisons are meeting the statutory purpose. Would these changes improve the accountability to Parliament and the public of the Secretary of State and others bearing responsibility for the operation of the prison system? In the Public Bill Committee Mr Gyimah claimed that

our reforms will sharpen accountability through the system. We are clarifying the distinction between the Secretary of State's role in managing the prison system as a whole and the operational running of individual prisons, which is for governors and their staff, as part of a new, operationally focused executive agency, Her Majesty's Prison and Probation Service.

17. The replacement of the National Offender Management Service by HM Prison and Probation Service, and the associated redrawing of the division of responsibilities between the Ministry of Justice and its executive agency, took place on 1 April and does not form part of the Prisons and Courts Bill. An amendment was debated in the Public Bill Committee which would have required the Secretary of State to set minimum standards for prisons on such matters as overcrowding of cells in order to achieve the statutory

23 [Prisons and Courts Bill Public Bill Committee](#), Third Sitting, 29 March 2017 (morning), col 73

24 Reproduced in an Appendix to our [Twelfth Report](#).

25 Under section 4 of the Prison Act 1952

purpose for prisons.²⁶ This amendment was resisted by Mr Gyimah on the grounds that it was contrary to the Government's intention to devolve much responsibility to governors, and also because some of the matters covered were already the subject of Prison Rules. The amendment was withdrawn. Debates in the Public Bill Committee on Clause 1 did not directly address the more fundamental question of what operational change, if any, would be effected by the change in the Secretary of State's role from superintendence to responsibility. Nor is it clear what the Secretary of State's annual reports will contain which will add value to the performance measurement data on prisons which the Ministry plans to publish regularly from October 2017 onwards.

18. We agree with the Government that the establishment of a statutory purpose for prisons is an important step forward and should provide a unifying ethos for all those involved in running the system. We also welcome the inclusion of the aim of reforming and rehabilitating offenders as part of the statutory purpose. We do however consider that the statutory purpose would be considerably strengthened by the inclusion of the need to aim to achieve a decent and fair environment for prisoners. *If legislation to introduce a statutory purpose for prisons is introduced early in the next Parliament, we recommend that it should include such an aim. We also recommend that the Ministry should include in its performance measurement dataset indicators to capture explicitly the extent to which prisons are meeting their obligations to ensure prisoners are treated decently, fairly and humanely.*

19. On the provisions of Clause 1 of the Bill concerning the role and accountability of the Secretary of State, we consider that it is not possible to reach a view on whether they will make the running of the prison system more effective and will ensure sufficient information is available to inform judgements on the matter. We accept that it is the Government's intention that this should happen. To a very large extent it will depend, not on the Bill's provisions, but on the structure of the performance management regime and the timeliness and comprehensiveness of publication of information relating to it.

Clause 2: Her Majesty's Chief Inspector and Inspectorate of Prisons

20. The second clause of the Bill makes a number of changes to the statutory arrangements for inspection of prisons. It–

- recognises in statute HM Inspectorate of Prisons as well as the Chief Inspector
- recognises the role of the Inspectorate and the Chief Inspector in relation to visiting places of detention to prevent torture and other cruel, inhuman or degrading treatment or punishment in accordance with the objective of OPCAT²⁷
- as already mentioned, requires the Chief Inspector to have regard to the statutory purpose of prisons in preparing inspection reports
- requires the Secretary of State to respond within 90 days to any recommendations made to her in inspection reports and, in cases where the Chief Inspector gives

26 Amendment 14. For the debate on this amendment, see [Prisons and Courts Bill Public Bill Committee](#), Third Sitting, 29 March 2017 (morning), cols 87–93

27 [The UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment](#) adopted on 18 December 2002

the Secretary of State an urgent notification of serious concerns arising from an inspection, requires her to publish a response to the notification within 28 days setting out actions she has taken or proposes to take

- gives the Chief Inspector powers to enter prisons and other places of detention, and to require people to provide an explanation of information on the running of a prison or on prisoners held in a prison, with some restrictions, if needed in connection with a prison inspection.

21. In the Public Bill Committee Mr Gyimah said that the Clause would create “a more prominent role for HMIP: for the first time in legislation, the chief inspector will be required to report on the effectiveness of leadership in a prison.” He added that, together with the Ministry’s own performance evaluation mechanisms, there was a need for “independent, objective assessments of our prisons to hold the governors to account.”²⁸

22. In oral evidence to the Public Bill Committee the Deputy Chief Inspector of Prisons, Martin Lomas, welcomed the clause. He described it as an important step forward, strengthening the Inspectorate’s institutional framework. He thought the reference to OPCAT was “absolutely critical in emphasising the independence of the inspectorate and consequentially its authority and ability to speak to issues and to all stakeholders, including the Government and others.” And he described the provisions concerning the requirement to respond on recommendations, even though to an extent they reflected existing practice, as a “very big step forward in terms of our impact”.²⁹ It is something the Chief Inspector has been advocating for some time.³⁰

23. What criticism there has been of the provisions of Clause 2 has come from those who feel they do not go far enough in strengthening the Inspectorate’s powers or independence. Joe Simpson of the Prison Officers’ Association told the Public Bill Committee

If we are giving governors autonomy, it is not the Secretary of State who is running the prison—it is the governor. He is the employer and the person who is in charge of that prison, so they should get the 28-day notice. What is the point in putting that all the way back up for the Secretary of State, so that she can say, “Yes, we have an action plan”? We would rather see something coming from the chief inspector of prisons go to the governor to improve things, and if they do not improve them, the legislative powers akin to the Health and Safety Executive given to the chief inspector and the PPO.³¹

24. Two amendments grouped for debate in the Public Bill Committee concerned the appointment and independence from the Ministry of the Chief Inspector. Amendment No. 6, which was withdrawn, was to require the person appointed to be an “independent” person; Amendment No. 16, negatived on division, was to make Her Majesty’s appointment

28 [Prisons and Courts Bill Public Bill Committee](#), Third Sitting, 29 March 2017 (morning), col 97

29 [Prisons and Courts Bill Public Bill Committee](#), First Sitting, 28 March 2017, Q42

30 See oral evidence taken before the Justice Committee on 5 July 2016, [Criminal justice inspectorates and the Prisons and Probation Ombudsman](#), HC415, Q26

31 [Prisons and Courts Bill Public Bill Committee](#), First Sitting, 28 March 2017, Q42

of the Chief Inspector based on a recommendation of the Chair of this Committee.³² The latter amendment appeared to be modelled on a recommendation made by the Justice Committee in the last Parliament.³³

25. Earlier in this Parliament we produced a report on criminal justice inspectorates in which, principally as a means of safeguarding the independence of the criminal justice inspectorates and of the Prisons and Probation Ombudsman, we recommended the agreement of protocols between each of these bodies and the Ministry setting out the terms of their relationship.³⁴ The first such protocol, with HM Chief Inspector of Prisons is now in place, rather later than we recommended, but in place nonetheless. The others are being developed.

26. **Overall we welcome the provisions of Clause 2 of the Bill. In our Report on criminal justice inspectorates we said that if the introduction of protocols did not deal effectively with problems of accountability and governance in criminal justice inspectorates, the statutory framework governing each of them might need to be revisited. In light of the proposed strengthening of the powers of HM Inspectorate of Prisons and the Chief Inspector we are more firmly of the view that the protocol between the Inspectorate and the Ministry of Justice should be given a chance to demonstrate its effectiveness in ensuring that there can be no unwelcome influence exerted by the Ministry over the independence of operation and judgement of the Chief Inspector. At this time we do not therefore echo our predecessor Committee's recommendation that the Chief Inspector should be appointed on the recommendation of our Chair.**

27. **We already have a role in respect of the appointment of the Chief Inspector: it is one of the posts which is subject to our pre-appointment scrutiny. Given the importance of the position of Chief Inspector, we consider that our role in respect of appointment to that post should be strengthened. In the last Parliament the then Secretary of State, Rt Hon Kenneth Clarke QC MP, agreed that the Justice Committee should have a de facto veto over the appointment of the Information Commissioner. A precedent has also been set in legislation for a select committee to exercise a veto over ministerial appointments: under the Budget Responsibility and National Audit Act 2011 the Chancellor of the Exchequer is unable to appoint (or dismiss) a member of the Budget Responsibility Committee of the Office for Budget Responsibility without the consent of the Treasury Committee. *We recommend that this Committee should be required to give its consent to a recommendation to Her Majesty for appointment of a person as HM Chief Inspector of Prisons, as a backstop guarantee of that person's independence from potential ministerial patronage or pressure.***

28. **The question of enhancing the powers of HM Chief Inspector to enforce his recommendations, making his role more akin to a regulator than an inspector, is a far-reaching one. We can see an argument for this, or for establishing a separate regulator, but in the absence of any apparent desire for change on the part of the Inspectorate itself, we do not consider it an appropriate one at this time.**

32 The debate on these two amendments can be found at [Prisons and Courts Bill Public Bill Committee](#), Third Sitting, 29 March 2017 (morning), cols 96–99

33 See Justice Committee, [Fourteenth Report of Session 2014–15, Appointment of HM Chief Inspector of Prisons: matters of concern](#), HC 1136, paragraph 14

34 Or, in the case of HM Chief Inspector of the Crown Prosecution Service, with the Attorney General. See Justice Committee, [Fourth Report of Session 2015–16, Criminal justice inspectorates](#), HC 724, paragraphs 19 to 21.

29. **We make two further comments on the provisions of Clause 2. We consider it to be essential that the need for the Chief Inspector to have regard for the statutory purpose of prisons in preparing inspection reports should not infringe his ability to determine independently, and in accordance with other applicable standards, the inspection criteria which he uses. Secondly, we believe there should be scope, as suggested by the Prison Officers' Association, for a requirement to respond to Inspectorate recommendations on immediate operational matters to be placed on the governor or director of the relevant establishment, rather than the Secretary of State. That would appear to chime with the devolutionary ambitions of much of the Government's prison reform agenda, and would also be more in line with the provisions which will govern recommendations made by the Prisons and Probation Ombudsman.**

Clauses 4 to 20: The Prisons and Probation Ombudsman

30. The lengthiest section of Part 1 of the Bill is also one of the least controversial. Clauses 4 to 20,³⁵ and the associated Schedule 1 to the Bill, place the office of Prisons and Probation Ombudsman (PPO) on a statutory basis. They set out the PPO's main functions of investigating the deaths of persons detained in custody and, in some circumstances, persons who have left custody, and of investigating complaints made by persons detained in custody or subject to probation supervision. They also provide for the PPO to carry out investigations at the request of the Secretary of State and to produce thematic reports on his own initiative. Finally, after consultation with the PPO, the Secretary of State may confer additional functions on him by means of regulations subject to affirmative resolution.

31. For some time Nigel Newcomen, the Prisons and Probation Ombudsman has been pressing for his office to be placed on a statutory footing. In evidence to the Public Bill Committee he expressed his warm approval of the measures in the Bill:

I am very clear that this is a step-change improvement in the situation for the prisons and probation ombudsman and I hope my successor benefits from it. It is quite astounding that a body tasked with investigating some of the most sensitive and secretive contexts in looking at deaths in custody and complaints in custody is basically dependent on the goodwill of those whom it is investigating for access to places, people and documents. The Bill rectifies this. This is something that not just I but parliamentarians of many hues have been calling for for many years.

... I think it will enhance the actual and perceived independence of the office, but more particularly it will improve the practical and investigative capacity and, I hope, contribute to the outcome of greater safety and fairness in custody.³⁶

32. **We very much welcome the provisions in the Bill placing the important office of Prisons and Probation Ombudsman on a statutory basis. We note that when reports by the PPO following investigations of deaths or of complaints contain recommendations to the relevant authority, such as the governor or director of a prison, or to the Secretary of State, that person must provide a written response to those recommendations.**

35 We do not make any comment on Clause 3 of the Bill (Minor and consequential amendments to Prison Act 1952).

36 [Prisons and Courts Bill Public Bill Committee](#), First Sitting, 28 March 2017, Q48

Amendment No. 24, moved and then withdrawn in the Public Bill Committee, sought to require the consent of this Committee for the appointment of the PPO: we are content with our current pre-appointment scrutiny role in relation to this post.

Clauses 21 and 22

33. Clause 21 (Interference with wireless telegraphy in prisons etc.) enables the Secretary of State to authorise public communications providers, i.e. mobile phone network operators, to interfere with wireless telegraphy in prisons. Clause 22 (Testing prisoners for psychoactive substances) amends the legislative framework for testing for drugs in prisons to enable tests to be carried out for new psychoactive substances, using the definition of them contained in the Psychoactive Substances Act 2016, without having to bring forward delegated legislation to add each new individual psychoactive substance to the testing regime. These clauses should both assist in combating illicit use of mobile phones and the use of new psychoactive substances, two of the main causes of the epidemic of disturbances and violence which has been affecting prisons in England and Wales in recent times.

Other possible provisions

National Preventive Mechanism

34. As mentioned above (paragraph 20), the Bill recognises the role of HM Chief Inspector of Prisons in relation to achieving the objective of OPCAT. It does not however, provide statutory recognition of the UK's National Preventive Mechanism (NPM). Articles 17 to 23 of OPCAT set out the requirements on States Parties to establish and support the functioning of their NPMs. The UK's NPM, designated in 2009, is made up of 21 visiting or inspecting bodies which visit places of detention in England, Wales, Scotland and Northern Ireland, such as prisons, police custody suites and immigration detention centres. It is co-ordinated by HM Inspectorate of Prisons.

35. The Chair of the UK's National Preventive Mechanism, John Wadham, submitted written evidence to the Public Bill Committee in which he said:

I welcome the explicit reference to OPCAT in relation to the role of HM Chief Inspector of Prisons and HM Inspectorate of Prisons, which puts beyond doubt the crucial role they play in delivering the UK's international obligations. I have previously raised with the government, the Justice Committee and the Joint Committee on Human Rights the need for the NPM to be provided for in legislation, in line with international requirements.

One crucial element of achieving this is for individual members of the NPM to have specific reference to their OPCAT roles in their legislation. This is particularly important for HMIP because of its role as the NPM's coordinating body.³⁷

37 [Written evidence submitted by John Wadham, Chair of the UK National Preventive Mechanism \(PCB 08\)](#)

The main international requirement referred to by Mr Wadham is set out in *Guidelines on National Preventive Mechanisms* issued by the UN Sub-Committee on Prevention of Torture in 2010, which state that the mandate and powers of NPMs “should be clearly set out in a constitutional or legislative text”.³⁸

36. Should legislation on prison reform be brought forward early in the next Parliament we consider that the opportunity should not be missed to place the UK’s National Preventive Mechanism on a definitive statutory basis, in accordance with the UK’s international obligations as a party to OPCAT.

Young adults

37. In the Public Bill Committee a number of probing amendments were tabled and debated in order to elicit information about the Government’s intentions in relation to particular issues which it will be essential to address if effective prison reform is to be achieved. Matters affecting prisoners and prison regimes such as physical and mental healthcare, maintenance of family relationships, drug treatment, liaison with probation and other services, access to education, and prisoners’ rights were all covered in debate. We have referred above (paragraph 8) to various strategies covering particular categories of offenders or particular themes which the Government’s White Paper says will be produced or are under consideration. All these strategies will form vital parts of the prison reform agenda, and it is solely because we have reported recently on the treatment of young adult offenders³⁹ that we draw particular attention to that subject in this Report.

38. In its White Paper the Government says:

We are reflecting on the treatment of young adult men within the criminal justice system and will consider carefully the recent report of the Justice Select Committee (JSC) released on 26 October 2016, entitled “The Treatment of Young Adults in the Criminal Justice System”. We will consider the report’s recommendations within our wider efforts to provide a greater focus to young adults’ safety, their experience of rehabilitative activities and their education.⁴⁰

We hope the next Government will take a similar approach.⁴¹

38 [Guidelines on national preventive mechanisms](#), Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 9 December 2010 (CAT/OP/12/5), para 7

39 Justice Committee: [Seventh Report of Session 2016–17, The treatment of young adults in the criminal justice system](#), HC 169

40 [White Paper](#), paragraph 30.

41 [Government Response to the Justice Committee’s Seventh Report of Session 2016–17: The treatment of young adults in the criminal justice system](#), Cm.9388, January 2017.

Conclusions and recommendations

Part 1 of the Prisons and Courts Bill: an overview

1. We conclude that, important though its various measures are, Part 1 of the Prisons and Courts Bill can hardly be considered to have fulfilled the promise that it would be the centrepiece of the Government's legislative programme for the 2016–17 Session. (Paragraph 10)

Clause 1: Prisons: purpose, and role of Secretary of State

2. We agree with the Government that the establishment of a statutory purpose for prisons is an important step forward and should provide a unifying ethos for all those involved in running the system. We also welcome the inclusion of the aim of reforming and rehabilitating offenders as part of the statutory purpose. We do however consider that the statutory purpose would be considerably strengthened by the inclusion of the need to aim to achieve a decent and fair environment for prisoners. *If legislation to introduce a statutory purpose for prisons is introduced early in the next Parliament, we recommend that it should include such an aim. We also recommend that the Ministry should include in its performance measurement dataset indicators to capture explicitly the extent to which prisons are meeting their obligations to ensure prisoners are treated decently, fairly and humanely.* (Paragraph 18)
3. On the provisions of Clause 1 of the Bill concerning the role and accountability of the Secretary of State, we consider that it is not possible to reach a view on whether they will make the running of the prison system more effective and will ensure sufficient information is available to inform judgements on the matter. We accept that it is the Government's intention that this should happen. To a very large extent it will depend, not on the Bill's provisions, but on the structure of the performance management regime and the timeliness and comprehensiveness of publication of information relating to it. (Paragraph 19)

Clause 2: Her Majesty's Chief Inspector and Inspectorate of Prisons

4. Overall we welcome the provisions of Clause 2 of the Bill. In our Report on criminal justice inspectorates we said that if the introduction of protocols did not deal effectively with problems of accountability and governance in criminal justice inspectorates, the statutory framework governing each of them might need to be revisited. In light of the proposed strengthening of the powers of HM Inspectorate of Prisons and the Chief Inspector we are more firmly of the view that the protocol between the Inspectorate and the Ministry of Justice should be given a chance to demonstrate its effectiveness in ensuring that there can be no unwelcome influence exerted by the Ministry over the independence of operation and judgement of the Chief Inspector. At this time we do not therefore echo our predecessor Committee's recommendation that the Chief Inspector should be appointed on the recommendation of our Chair. (Paragraph 26)

5. We already have a role in respect of the appointment of the Chief Inspector: it is one of the posts which is subject to our pre-appointment scrutiny. Given the importance of the position of Chief Inspector, we consider that our role in respect of appointment to that post should be strengthened. In the last Parliament the then Secretary of State, Rt Hon Kenneth Clarke QC MP, agreed that the Justice Committee should have a de facto veto over the appointment of the Information Commissioner. A precedent has also been set in legislation for a select committee to exercise a veto over ministerial appointments: under the Budget Responsibility and National Audit Act 2011 the Chancellor of the Exchequer is unable to appoint (or dismiss) a member of the Budget Responsibility Committee of the Office for Budget Responsibility without the consent of the Treasury Committee. *We recommend that this Committee should be required to give its consent to a recommendation to Her Majesty for appointment of a person as HM Chief Inspector of Prisons, as a backstop guarantee of that person's independence from potential ministerial patronage or pressure.* (Paragraph 27)
6. The question of enhancing the powers of HM Chief Inspector to enforce his recommendations, making his role more akin to a regulator than an inspector, is a far-reaching one. We can see an argument for this, or for establishing a separate regulator, but in the absence of any apparent desire for change on the part of the Inspectorate itself, we do not consider it an appropriate one at this time. (Paragraph 28)
7. We make two further comments on the provisions of Clause 2. We consider it to be essential that the need for the Chief Inspector to have regard for the statutory purpose of prisons in preparing inspection reports should not infringe his ability to determine independently, and in accordance with other applicable standards, the inspection criteria which he uses. Secondly, we believe there should be scope, as suggested by the Prison Officers' Association, for a requirement to respond to Inspectorate recommendations on immediate operational matters to be placed on the governor or director of the relevant establishment, rather than the Secretary of State. That would appear to chime with the devolutionary ambitions of much of the Government's prison reform agenda, and would also be more in line with the provisions which will govern recommendations made by the Prisons and Probation Ombudsman. (Paragraph 29)

Clauses 4 to 20: The Prisons and Probation Ombudsman

8. We very much welcome the provisions in the Bill placing the important office of Prisons and Probation Ombudsman on a statutory basis. We note that when reports by the PPO following investigations of deaths or of complaints contain recommendations to the relevant authority, such as the governor or director of a prison, or to the Secretary of State, that person must provide a written response to those recommendations. Amendment No. 24, moved and then withdrawn in the Public Bill Committee, sought to require the consent of this Committee for the appointment of the PPO: we are content with our current pre-appointment scrutiny role in relation to this post. (Paragraph 32)

Other possible provisions

9. Should legislation on prison reform be brought forward early in the next Parliament we consider that the opportunity should not be missed to place the UK's National Preventive Mechanism on a definitive statutory basis, in accordance with the UK's international obligations as a party to OPCAT. (Paragraph 36)
10. In its White Paper the Government says:

We are reflecting on the treatment of young adult men within the criminal justice system and will consider carefully the recent report of the Justice Select Committee (JSC) released on 26 October 2016, entitled "The Treatment of Young Adults in the Criminal Justice System". We will consider the report's recommendations within our wider efforts to provide a greater focus to young adults' safety, their experience of rehabilitative activities and their education.

We hope the next Government will take a similar approach (Paragraph 38)

Formal Minutes

Tuesday 25 April 2017

Members present:

Robert Neill, in the Chair

Alex Chalk	Mr David Hanson
Alberto Costa	Victoria Prentis
Kate Green	Keith Vaz

Draft Report (*Prison reform: Part 1 of the Prisons and Courts Bill*), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 38 read and agreed to.

Summary read and agreed to.

Resolved, That the Report be the Fourteenth 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.

[The Committee adjourned.]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 29 November 2016

Sam Gyimah MP, Parliamentary Under-Secretary for Prisons and Probation, Ministry of Justice, and **Michael Spurr**, Chief Executive Officer, National Offender Management Service.

[Q1–148](#)

Wednesday 14 December 2016

Ian Bickers, Executive Governor, HMP Wandsworth, **Nick Pascoe**, Executive Governor, HMP High Down and HMP Coldingley, **Ian Blakeman**, Executive Governor, HMP Holme House and HMP&YOI Kirklevington Grange, **Neil Richards**, Executive Governor, HMP Ranby, **Louise Spencer**, Governor, HMP High Down, and **Nigel Hirst**, Governor, HMP Ranby

[Q149–206](#)

Wednesday 18 January 2017

Professor Alison Liebling, Director, Prison Research Centre, University of Cambridge, **Mat Ilic**, Strategic Director Justice, Catch22, **Julian Le Vay**, former Finance Director of the Prison Service and Director of Competition in NOMS, and **Eleonora Harwich**, Researcher, Reform

[Q207–251](#)

Andrea Albutt, President, Prison Governors Association, **Ralph Valerio**, National Vice Chair, Prison Officers Association, and **Peter Dawson**, Director, Prison Reform Trust

[Q252–288](#)

Tuesday 31 January 2017

Helen Boothman, Secretary, Association of Members of Independent Monitoring Boards, **John Thornhill**, President, National Council of Independent Monitoring Boards, and **Elizabeth Moody**, Deputy Ombudsman Complaints, Office of the Prisons and Probation Ombudsman

[Q289–337](#)

Peter Clarke, HM Chief Inspector of Prisons, HM Inspectorate of Prisons, and **John Wadham**, Chair, National Preventive Mechanism

[Q338–371](#)

Tuesday 21 February 2017

Amy Rice, Deputy Director, Prison Safety and Reform Lead on Empowerment and Accountable Governors, Ministry of Justice; **Nina Champion**, Head of Policy, Prisoners' Education Trust, Prisoner Learning Alliance; and **Nathan Dick**, Head of Policy and Communications, Clinks

[Q372–422](#)

Kate Davies, Director of Public Health, Armed Forces and their Families and Health & Justice, NHS England; **Dr Rachael Pickering**, Co-chair, BMA Forensic Medicine Committee; and **Dr Eamonn O'Moore**, Public Health England and Director of the UK Collaborating Centre to the WHO Health in Prisons Programme

[Q423–448](#)

Tuesday 28 February 2017

Janine McDowell, Chief Operating Officer, Justice UK and Ireland, Sodexo; **Jerry Petherick**, Managing Director Custodial Detention Services, G4S; **Julia Rogers**, Managing Director, Justice and Immigration, Serco; and **Nigel Taylor**, Managing Director, Carillion Services

[Q449–507](#)

Sam Gyimah MP, Minister of State for Prisons and Probation, Ministry of Justice.

[Q508–553](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

PRF numbers are generated by the evidence processing system and so may not be complete.

- 1 A serving prison officer ([PRF0152](#))
- 2 A serving prisoner, HMP Bure ([PRF0093](#))
- 3 A serving prisoner, HMP Channings Wood ([PRF0090](#))
- 4 A serving prisoner, HMP Elmley ([PRF0084](#))
- 5 A serving prisoner, HMP Frankland ([PRF0083](#))
- 6 A serving prisoner, HMP Frankland ([PRF0094](#))
- 7 A serving prisoner, HMP Full Sutton ([PRF0095](#))
- 8 A serving prisoner, HMP Highpoint ([PRF0086](#))
- 9 A serving prisoner, HMP Holme House ([PRF0100](#))
- 10 A serving prisoner, HMP Isle of Wight ([PRF0091](#))
- 11 A serving prisoner, HMP Littlehey ([PRF0088](#))
- 12 A serving prisoner, HMP Lowdham Grange ([PRF0085](#), [PRF0098](#))
- 13 A serving prisoner, HMP Norwich ([PRF0089](#))
- 14 A serving prisoner, HMP Swaleside ([PRF0162](#))
- 15 A serving prisoner, HMP Wakefield ([PRF0092](#))
- 16 A serving prisoner, HMP Wakefield ([PRF0161](#))
- 17 AELP/ERSA ([PRF0045](#))
- 18 AMIMB ([PRF0024](#), [PRF0124](#), [PRF0145](#))
- 19 Anonymous ([PRF0087](#))
- 20 British Association for Counselling and Psychotherapy ([PRF0114](#))
- 21 British Medical Association (BMA) ([PRF0054](#), [PRF0147](#))
- 22 BTEG ([PRF0032](#))
- 23 Carillion ([PRF0131](#))
- 24 Catch22 ([PRF0042](#), [PRF0122](#), [PRF0148](#))
- 25 Catholic Bishops' Conference of England and Wales ([PRF0009](#))
- 26 Catholic Bishops' Conference of England and Wales, Church of England, and the Free Churches Group ([PRF0109](#))
- 27 Centre for Crime and Justice Studies ([PRF0056](#))
- 28 Centre for Entrepreneurs ([PRF0027](#))
- 29 Chartered Institute of Library and Information Professionals (CILIP) ([PRF0010](#))
- 30 City&Guilds ([PRF0034](#))
- 31 Clinks ([PRF0013](#), [PRF0120](#), [PRF0144](#))
- 32 Community ([PRF0072](#))
- 33 Confederation of British Industry (CBI) ([PRF0040](#))

- 34 Criminal Justice Alliance ([PRF0062](#))
- 35 Dr David Scott ([PRF0102](#))
- 36 Dr Harry Annison ([PRF0012](#))
- 37 Dr Jamie Bennett ([PRF0103](#))
- 38 Dr Philippa Tomczak ([PRF0008](#))
- 39 Dr Richard Kirkham ([PRF0125](#))
- 40 Dyslexia Adult Network ([PRF0017](#))
- 41 Employment Related Services Association ([PRF0116](#))
- 42 Equality and Human Rights Commission ([PRF0073](#))
- 43 G4S ([PRF0135](#),[PRF0158](#))
- 44 GM Police and Crime Commissioner ([PRF0058](#))
- 45 Her Majesty's Inspectorate of Prisons ([PRF0037](#))
- 46 His Honour John Samuels QC ([PRF0096](#))
- 47 HM Inspectorate of Prisons ([PRF0155](#))
- 48 HM Inspectorate of Probation ([PRF0019](#))
- 49 Howard League for Penal Reform ([PRF0014](#))
- 50 Independent Monitoring Boards ([PRF0016](#), [PRF0141](#))
- 51 Interserve Plc([PRF0105](#), [PRF0064](#))
- 52 Julian Le Vay ([PRF0137](#))
- 53 learndirect ([PRF0104](#))
- 54 Liberty ([PRF0097](#))
- 55 Lord David Ramsbotham ([PRF0099](#))
- 56 Mayor's Office for Policing and Crime (MOPAC) ([PRF0108](#))
- 57 Michelle Banville ([PRF0004](#))
- 58 Ministry of Justice ([PRF0074](#), [PRF0126](#), [PRF0143](#))
- 59 Mother of a serving prisoner ([PRF0043](#))
- 60 Mr Andy Stelman ([PRF0002](#))
- 61 Mr Idris Morris ([PRF0011](#))
- 62 Mr J Aldridge ([PRF0160](#))
- 63 Mr John Sidwell MBE ([PRF0132](#), [PRF0138](#))
- 64 Mr Julian Le Vay ([PRF0059](#), [PRF0113](#), [PRF0115](#))
- 65 Mr Michael Campbell-Brown ([PRF0007](#))
- 66 Ms Felicity Green QC and Lyndon Harris ([PRF0180](#))
- 67 MTCnovo ([PRF0039](#))
- 68 Nacro ([PRF0053](#))
- 69 National Preventive Mechanism ([PRF0128](#))
- 70 NHS England ([PRF0134](#), [PRF0149](#))
- 71 Novus ([PRF0046](#), [PRF0121](#))

- 72 Parole Board for England & Wales ([PRF0071](#))
- 73 People Arise Now ([PRF0025](#))
- 74 Prison Governors Association ([PRF0107](#))
- 75 Prison Officers Association ([PRF0081](#))
- 76 Prison Reform Trust ([PRF0021](#), [PRF0119](#))
- 77 Prison Research Centre ([PRF0156](#))
- 78 Prisoner Learning Alliance PLA([PRF0142](#), [PRF0052](#))
- 79 Prisons and Probation Ombudsman ([PRF0031](#), [PRF0101](#), [PRF0139](#))
- 80 Prisons Research Centre, University of Cambridge ([PRF0153](#), [PRF0022](#))
- 81 Probation Institute ([PRF0018](#), [PRF0117](#))
- 82 Public Health England ([PRF0150](#))
- 83 Pupils 2 Parliament ([PRF0055](#))
- 84 Quaker Crime, Community and Justice Sub-Committee ([PRF0006](#))
- 85 RAND Europe ([PRF0110](#))
- 86 Reform ([PRF0159](#))
- 87 Restorative Justice Council ([PRF0061](#))
- 88 Robert Jones ([PRF0065](#))
- 89 RReD ([PRF0028](#))
- 90 Seetec BTC Ltd ([PRF0005](#))
- 91 Serco Justice & Immigration ([PRF0041](#))
- 92 Serco plc ([PRF0123](#), [PRF0151](#))
- 93 Sheila Field ([PRF0082](#))
- 94 SMCUK ([PRF0133](#))
- 95 Sodexo ([PRF0051](#), [PRF0157](#))
- 96 Spark Inside ([PRF0111](#))
- 97 St Mungo's ([PRF0044](#))
- 98 Steps2Recovery ([PRF0023](#))
- 99 techUK ([PRF0068](#))
- 100 The Association of Prison Lawyers ([PRF0060](#))
- 101 The British Association of Counselling and Psychotherapy ([PRF0029](#))
- 102 The British Psychological Society ([PRF0050](#))
- 103 The Criminal Bar Association ([PRF0035](#))
- 104 The Disabilities Trust ([PRF0033](#))
- 105 The Open University ([PRF0057](#))
- 106 The Parole Board England and Wales ([PRF0118](#))
- 107 The Royal College of Psychiatrists ([PRF0063](#))
- 108 The Royal College of Speech and Language Therapists ([PRF0069](#), [PRF0130](#))
- 109 The RSA/Transitions Spaces ([PRF0026](#))

- 110 The Standing Committee for Youth Justice ([PRF0015](#))
- 111 Transition 2 Adulthood (T2A) Alliance ([PRF0036](#))
- 112 UK National Preventive Mechanism ([PRF0146](#))
- 113 Unilink ([PRF0070](#))
- 114 University of Cambridge ([PRF0106](#))
- 115 Unlocked Graduates ([PRF0140](#))
- 116 User Voice ([PRF0048](#))
- 117 Wife of serving prisoner ([PRF0136](#))
- 118 Women in Prison ([PRF0080](#))
- 119 Working Links ([PRF0038](#))

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

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

Session 2015–16

First Report	Draft Allocation Guideline	HC 404
Second Report	Criminal courts charge	HC 586 (HC 667)
Third Report	Appointment of HM Chief Inspector of Prisons and HM Chief Inspector of Probation	HC 624
Fourth Report	Criminal Justice inspectorates	HC 724 (HC 1000)
Fifth Report	Draft sentencing guideline on community and custodial sentences	HC 876
Sixth Report	Prison Safety	HC 625 (HC 647)
First Special Report	Women offenders: follow-up: Government response to the Committee's Thirteenth Report of Session 2014–15	HC 374

Session 2016–17

First Report	Reduction in sentence for a guilty plea guideline	HC 168
Second Report	Courts and tribunals fees	HC 167 (Cm 9300)
Third Report	Pre-appointment scrutiny of the Chair of the Judicial Appointments Commission	HC 416
Fourth Report	Restorative Justice	HC 164 (Cm 9343)
Fifth Report	Sentencing Council draft guidelines on sentencing of youths and magistrates' court sentencing	HC 646
Sixth Report	The role of the magistracy	HC 165 (Cm 9368)
Seventh Report	The treatment of young adults in the criminal justice	HC 169 (Cm 9388)
Eighth Report	Draft Sentencing Guidelines on bladed articles and offensive weapons	HC 1028
Ninth Report	Implications of Brexit for the justice system	HC 750
Tenth Report	The implications of Brexit for the Crown Dependencies	HC 752

Eleventh Report	Appointment of the Chair of the Office for Legal Complaints	HC 752
Twelfth Report	Prison reform: governor empowerment and prison performance	HC 1123
Thirteenth Report	Draft sentencing guideline on breach offences	HC 1105
First Special Report	Prison safety: Government Response to the Committee's Sixth Report of Session 2015–16	HC 647