

Justice Committee

Oral evidence: [Prisons update](#), HC 233

Wednesday 25 May 2022

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Members present: Sir Robert Neill (Chair); Rob Butler; Laura Farris; Karl Turner.

Questions 1 - 65

Witnesses

I: Victoria Atkins MP, Minister of State for Justice, Ministry of Justice; Phil Copple, Director General of Prisons, Her Majesty's Prison and Probation Service; and Claire Fielder, Director of Youth Justice and Offender Policy, Ministry of Justice.



Examination of witnesses

Witnesses: Victoria Atkins, Phil Copple and Claire Fielder.

Q1 Chair: Good afternoon and welcome to this session of the Justice Committee. Welcome, Minister of State. Thank you very much for coming again. Welcome to your officials. Mr Copple, could you introduce yourself for the record?

Phil Copple: Yes, Phil Copple, director general of prisons in Her Majesty's Prison and Probation Service.

Claire Fielder: Claire Fielder. I am the interim director for youth justice and offender policy, Ministry of Justice.

Chair: In terms of our declarations of interest, I am a non-practising barrister.

Karl Turner: I am a non-practising lawyer.

Laura Farris: I am a non-practising barrister.

Rob Butler: Prior to my election I was a non-executive director of HMPPS and even before that a board member of the Youth Justice Board.

Victoria Atkins: And I am a non-practising barrister.

Q2 Chair: That's more or less the set, one way and another.

What I would like to kick off with, if I might, Minister, is the situation around Rainsbrook. You kindly wrote to us giving an update on the position. When you came and gave evidence to us back in November, you said you wanted to consider what the future of Rainsbrook was. You said: "Give us a bit of time to finish reviewing the landscape and I can come back to you with an answer." What is the answer?

Victoria Atkins: We are still reviewing the landscape, I am afraid. I think if I recall correctly, we had either just announced, or we were about to announce but had not yet announced, that we had completely come out of the contract with MTC. It was a big decision both in stepping away from that contractual arrangement and in the implications it had for the wider youth estate and of course the commercial sensitivities around it at the time.

I am very pleased to say that we have reached an amicable solution with MTC, the provider. Rainsbrook remains closed for the moment, but it has had some operational impact including, for example, opening the Keppel wing in Wetherby in the event that there are young women who need to be looked after in the YOI estate, as opposed to the secure children's home estate.

Our process, and I am due to receive advice on it very soon, is that we want to look at the future of the three levels of youth custody, or youth detention, I should say. That is a big subject and it requires very, very careful analysis both by officials and by the Deputy Prime Minister and



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me. I apologise that I do not have an answer for you yet, but as soon as we have made firm decisions, I will happily come and explain them to the Select Committee.

Q3 Chair: The National Audit Office reported in April that the Ministry was considering reopening Rainsbrook, possibly run by HMPPS rather than under contract. Is that correct?

Victoria Atkins: We are ever mindful of the need to ensure that we are addressing capacity not just today, tomorrow and next week but in the longer-term future. While we have an incredibly low number of young people kept in detention at the moment—414 as of February—we know there will be a certain amount of pandemic hangover. Also, things such as the recruitment of 1,300 more police officers will have an impact on the justice system as well.

We are having to try to conduct the very difficult balancing act of addressing the needs of the young people who are with us at the moment, while trying to ensure that we are safe and secure for the future. Anyone in the Ministry of Justice, any Minister, would want to look very carefully at Rainsbrook to see whether it is a facility we still need or whether we may need it in the future.

Q4 Chair: We would be grateful for notice of that.

Victoria Atkins: Most certainly.

Q5 Chair: Including things like the capacity at which it reopens, whether it is an STC or something else, who is going to run it, in-house or contracted, and when you would expect to start placing children.

Victoria Atkins: Absolutely.

Q6 Chair: You said you had come to an amicable resolution with the previous contractor. It involved paying £5.6 million in monthly payments while the contract termination was being sorted out with MTC. That is a chunk of money.

Victoria Atkins: It is an enormous amount of public money and I am afraid it is, again, a hangover of contracts that were created some time ago. You will know that they apply in other parts of the estate as well. While I never ever like or want to see taxpayers' money being spent in that way, when we are getting nothing in return, what we have done as a consequence of that is ensure that our contracts going forward do not contain the sorts of loopholes and problems that, frankly, historical contracts have caused us and continue to cause us, particularly in the world of PFI contracts.

I have ensured that not only do we have internal scrutiny; we also have external scrutiny of such contracts going forward so that we are reassured that there are not, as I say, loopholes or gaps in them that could come back to haunt the Minister sitting in my role in 10, 15 or 20 years' time.



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Q7 **Chair:** Is the external scrutiny going to involve external lawyers or accountants?

Victoria Atkins: It is a good job I declared that I am a non-practising barrister. With things like this, particularly when you are entering into business with very large, very successful businesses that have a wealth of expertise on which they can draw, it is right not only that we use the expertise within the Department but that, importantly, we get an objective outside external view, so that we are not falling inadvertently into group-think or anything of that nature. Always with these enormous contracts, worth as much as they are to the taxpayer, a little bit of time and care in getting external oversight is necessary.

Q8 **Chair:** Having done that myself as a Minister with fire control projects, I understand where you are coming from on that.

Victoria Atkins: Yes.

Q9 **Chair:** You are looking at the contract management process as well as the way the contracts are drafted. Thank you very much on that.

We move from Rainsbrook to Oakhill, the only operating STC at the moment. Since the last Committee hearing, we have had a further inspection by Ofsted. It suggests that there are improvements but there is still more to be done. Is that a fair way to look at it?

Victoria Atkins: Very much. We would call them incremental improvements. The Ofsted inspection went in last week and I don't think we have had the formal recommendations back, but we conduct our own evaluation analysis each week, each month. We, the MOJ, have commissioned a review into safeguarding practices, as has G4S, which asked Barnardo's to go in and look, to make sure that young people feel able to access help when they need it. There is a lot of work going on about what is happening at Oakhill to ensure that the mistakes and failings that Ofsted and others and we have found are corrected and improved on.

Q10 **Chair:** There is particular concern about levels of use of force, for example, and violence, still, given the reduced population.

Victoria Atkins: Yes, very much so.

Q11 **Chair:** What specific actions are being taken to deal with that?

Victoria Atkins: G4S has brought in a specific expert on use of force both to train members of staff—when I visited, the expert was training a group of officers—and to review their use of force. I do not know if we have the latest figures, if we are able to share those.

Q12 **Chair:** I do not know whether Ms Fielder has them.

Victoria Atkins: We are very, very concerned about that. G4S, in fairness, has brought in external oversight as well to help with this.

Q13 **Chair:** I do not know if you have the figures to hand or not. I do not know if Ms Fielder has them.



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Victoria Atkins: I should say that Claire has stepped in valiantly because Helga, who would normally accompany me, is giving evidence to the PAC at this precise moment in time.

Chair: Multi-tasking.

Victoria Atkins: Indeed.

Chair: Thanks for coming, Ms Fielder.

Q14 **Rob Butler:** Does that make us the short straw or the PAC the short straw?

Victoria Atkins: With everything that is going on in the building, we are very comfortable here in the Justice Select Committee.

Q15 **Chair:** Do you have them to hand, Ms Fielder?

Claire Fielder: I may have to follow up.

Q16 **Chair:** If there are further statistics, simply write to us about them, please. A final thing from me: you said you are looking at the landscape, Minister, and that raises the whole issue about what we do with STCs for the future?

Victoria Atkins: Very much so. I am conscious that they were introduced, probably two decades ago, very much I suspect to answer the questions at that time. We are in a different position now. We cut the number of young people who are held in detention by some 76% in the last decade. Clearly, we take offending by young people very, very seriously, but we are able to intervene earlier and better to try to steer young people away from either ending up in the criminal justice system or, if they do, trying to find other ways of working with them to divert them from the path of crime.

Only last week, the Deputy Prime Minister and I announced the launch of the Turnaround scheme, which is a huge investment of £60 million to YOTs to help them steer away the children we are most concerned about, who are on the cusp of criminality. Frankly, if we can stop them offending, not only do we, as a society, benefit from that, but it massively improves their life chances.

Q17 **Chair:** I understand. It is anticipated that there may be an increase in the number of young people coming into custody. What will be the driver of that, given your objective of diversion wherever possible?

Victoria Atkins: Absolutely. This is where, in a way, youth custody projections are probably the trickiest of all—don't get me wrong; projecting the prison population at any point is always difficult—precisely because there is a focus on early intervention and prevention in a way that is not always available in the adult population, not least because we know that eight in 10 adult offenders started their offending as children.

It is slightly more nuanced when trying to project youth detention figures. Using our best endeavours, we anticipate that there will be some



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increases in youth custody because of changes in other parts of the system, such as the recruitment of police officers and new criminal offences coming on to the books. Our capacity is around 1,000 places at the moment and we do not anticipate, in the evidence I believe my officials gave to the National Audit Office, that we will meet that sort of level.

Q18 **Chair:** Is there anything to add from either Mr Copple or Ms Fielder? No. Thank you very much.

Q19 **Rob Butler:** I am going to stick with the youth side of things for the moment. On the point that there is potential for 1,000 young people in custody and yet only 400—sorry, potential spaces for 1,000—

Victoria Atkins: There are spaces available.

Q20 **Rob Butler:** There is space for 1,000.

Victoria Atkins: Yes.

Q21 **Rob Butler:** We only have just over 400 at the moment. I absolutely take on board and completely agree with what you say about the difficulty of projections but I think the projections are only up to 700.

Victoria Atkins: Yes.

Q22 **Rob Butler:** That potentially means headroom of around 300, so on the point of not wasting public money, is there an argument for some reconfiguration, in terms of shrinkage, of the existing facilities? Or are we at a point where you cannot really take anything else away?

Victoria Atkins: I shall be going back into the history books. I understand there was a certain amount of removal of assets at the start of the 2010 decade. While we understand why that happened at the time, we have to bear in mind things such as geographical location. On Rainsbrook, for example, there has been discussion about whether Rainsbrook will be turned into the second secure school.

The reality is that Rainsbrook is probably in the wrong geographical location for the needs of the particular children we would want to detain in a secure school. It is not just the numbers; as always, it is geography, it is security risks, it is level of offending. It is the risk that the children and young people present both to other people and to themselves. That is something we keep a very, very close eye on. I would rather have a little bit more headroom than less, if you see what I mean.

Q23 **Rob Butler:** I do. I will stop there on that one. In other parts of the estate, there is still a pretty mixed picture where young offender institutions are concerned. There has just been publication of an inspection into Werrington, which was described as “disappointing”, where there was a deterioration in three of the four healthy prison tests. What has gone wrong and what is being done to sort it out?

Victoria Atkins: We are looking at that at the moment. I am just getting advice from officials. We are particularly concerned about the impact on,



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for example, the education of residents or young people being kept there. We know, again, that there has been a bit of a hangover from Covid. If you think back to when people were having to be closed in cells, kept in their rooms, there was not the same access to education that we very much want now that we have come out of the national framework, as of 9 May.

The lesson I have learned personally from Oakhill is that where an institution working with young people, as it has, is failing on several counts, we need to look at the whole culture of that institution, the leadership, and so on. I would compare and contrast it with, say, Feltham, which I visited very recently. I visited it with Sebastian Vettel, the Formula 1 race driver; I have been looking for an opportunity to show off about that. Amazing: he came to Feltham to open the car workshop there with Aston Martin, and they are going to work with the young men to see if we can spark an interest in them. Feltham has very much improved and there are a lot of lessons there for the rest of the YOI estate.

Q24 **Rob Butler:** On that point, I know the official inspection report into Feltham has not yet been published—

Victoria Atkins: No.

Q25 **Rob Butler:** But I do not think we are straying too far beyond the realms of what we can say, if we say that we probably have good cause for optimism in that report. That goes to the whole point about learning from leadership. The governor of Feltham, who has been there through some incredibly difficult times and has achieved results that we have not formally seen yet but we know we can be confident about, has just been moved to an adult prison.

One of the concerns I have always had, as Mr Copple will know from my time at HMPPS, was whether best practice is shared in the right and appropriate way. It is slightly disconcerting in some respects that a governor who has probably done a very good job is not then able to share that expertise with, for example, the rest of the youth estate.

Victoria Atkins: I am going to allow Phil to come in in a moment because I do not want to hog the limelight. Two points: first of all, the new governor at Feltham was the governor of Downview before, a superb governor. Having visited her very recently, I have no doubt that she is absolutely going to continue that great work. In terms of sharing best practice, certainly we, as Ministers, are very, very supportive and encouraging of governors doing exactly that.

In fact, only this morning the Deputy Prime Minister and I had the latest of our roundtables with governors where we sit and listen to governors on the topic of the day—today it was education and employment—not just with the view of us listening to them, as people working on the frontline, but for the ability to share good practice between governors. I want that to spread out across not just the adult estate but the youth estate as well. It may be that Phil can help me on this.



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Phil Cottle: To build on what the Minister said, the Youth Custody Service is obviously relatively small, so there are lots of opportunities across that estate for governors to come together with their line manager and with Helga, as their overall director, to share good practice; a great deal of that goes on. We obviously have other mechanisms to share good practice. I was delighted that recently we had our first governors' forum for two and a half years, with everybody coming together. There was a lot of opportunity in that context as well.

We also try to have good practice to inform lots of the guidance on operational policy developments we have. For example, all governors in the youth and adult systems have recently had a staff retention toolkit issued. That has been very much informed by lots of good practice. We identified in some prisons really looking after new staff effectively, so we try to share that more widely.

It is always a challenge in a large organisation to get people to take on board good practice when it has not been invented there. When we have good evidence that it may be effective, it is something we always maintain and put effort into.

Victoria Atkins: Also in the adult estate, we have the prison strategy White Paper. We are introducing new KPIs and the weighting of KPIs. Things such as education and employment are much, much heavier in their weighting now. Through that, we believe that not only are we actively encouraging governors but nudging them day to day to follow best practice in order to get a good result on the KPIs.

Q26 **Rob Butler:** Can I come back to youth and to the concept of secure schools? They are at the moment a commitment in the future, that they should essentially be the residence of choice for youth detention. The estimated costs of converting Medway to a secure school have increased, as I understand it, from just under £5 million to about £36 million. Those numbers have changed from one to the other in the space of a couple of years. How confident can we be with the current figures?

Victoria Atkins: Much more confident. Initially, there was a massive underestimate of what it would cost to change an existing building that was built, as one would expect it to be, along STC lines. There were underestimates as to how much it would cost to refurbish it.

Q27 **Rob Butler:** How sure are you that that is value for money?

Victoria Atkins: This is a pretty radical policy. This is us saying that for a particular cohort of young people, 49 boys and girls, we want the focus to be not just on keeping them behind YOI-type walls but to have the emphasis on education. That is the whole ethos of it, including the recruitment of staff. They will not be prison officers; they will be first and foremost academics. That is a pretty radical policy.

In this area, our primary objective will always be to protect the public; it will always be to ensure that court sentences are imposed and that when they are imposed, they are absolutely followed. After that, we have to



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look at what the young people will be like when they are released from custody. Sometimes it will be youth custody, sometimes they will be going into the adult estate. It is right that we, as a Government, look at whether there are options other than the three models we have at the moment, bearing in mind that STCs were created some two decades ago and are not, perhaps, working out quite as the people who put them in place initially planned.

This is the first one; we will be evaluating it very, very carefully. We have a very good working relationship with the education provider, Oasis. We are now on the road to construction, having passed the PCSC Bill and got through the legal difficulties that appear to exist.

Q28 Rob Butler: That extra money may not yet have been spent. Is the extra money coming from the existing youth custody budget or is it coming from a separate capital budget? Where is that extra money coming from?

Victoria Atkins: It is capital expenditure.

Q29 Rob Butler: It is not coming out of provision for youth custody elsewhere to make sure that young people in secure children's homes or YOIs are in no way losing anything financially.

Victoria Atkins: In any event, we would have to be looking to provide another secure establishment, whether it was a secure school or an STC. We closed Medway, obviously, as an STC; we have closed Rainsbrook. While we are all right at the moment, none the less we have to plan for the future and we know that there are complexities with secure children's homes. They rightly risk assess young people and decide whether or not they can manage that young person well, both for the young person and, importantly, for the rest of the children's home. We have to have options other than secure children's homes. This is a really brave effort to look at what they could be.

Q30 Rob Butler: Are you on track to open that first secure school as a secure school by November 2023?

Victoria Atkins: We are. The only caveat is if there are, for example, disruptions in the supply chain, which as we know are happening across the construction industry. As always, that may have an impact. We are absolutely determined to open in November 2023 and I would like to get the first children in very early next year, January/February 2024.

Q31 Rob Butler: I imagine that a major emphasis you are going to have there is making sure there is suitable provision for girls.

Victoria Atkins: Yes.

Q32 Rob Butler: If secure children's homes cannot take them, it is particularly girls who now do not have the opportunity of an STC. What has been the experience with the Keppel unit, in other words putting girls into a YOI, because that was very much at the early stages when you last spoke to us?



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Victoria Atkins: It was, and it was not a decision we made easily, but I had no alternative. To reassure the Committee, there are less than five—the terminology we are required to use. It is fair to say that very small numbers of girls are not accepted by secure children's homes.

It seems to be working well. The most recent inspection showed that the staff we trained specifically seemed to be adjusting well to looking after this particular cohort. Probably for the next 18 to 24 months, whenever Medway opens, that will have to be where they are. We do not take anything for granted and we are not complacent, but so far it seems to be working well.

Q33 **Rob Butler:** One final question from me, moving up the age scale a little bit to young adults, the cohort between 18 and 24. I know HMPPS has been doing quite a lot of work on this, so can you update us on where you are with bespoke provision, given that we now know an awful lot more about the neurological development of people in their early 20s?

Victoria Atkins: Yes. One of the most volatile prisons in the entire prison estate is Isis and that is because of the issues that you have already set out. I am very interested in the model that Isis provides. The transition from YOIs to the adult estate can be a very, very big culture shock for young men. Certainly, when I visited Oakhill, there were one or two young men who were looking to make that change in the coming years and they were very, very nervous about it; very, very worried about it. I am very interested in that.

At the moment, we have Isis but what I would like to do is try to embed better understanding and operations in the prisons outside Isis. Claire or Phil, are you able to give us a little bit more operational reality on that?

Phil Copple: We have done a lot of work to develop new guidance for the establishments that hold that age group. Typically, most of the young men in that age group are now held in prisons that have older men, above the age of 24, as well. We have drawn on a lot of detailed work around the evidence base about what is more effective with younger people, trying to take into account a new maturity assessment tool that we have developed with expert input. We can tailor much more what the regime offer is to people in light of an assessment of their maturity, and we are taking that forward.

We have been looking at what we do with young men who are convicted of the most serious offences and are serving longer sentences. We are trying to learn from some of the challenges we experienced at some establishments, like Aylesbury, in the past. We want to try to have them with properly tailored regime provision, but with lots of specialist support and higher staffing ratios, in category B training prisons, where we have more psychologists, better prison officer frontline staffing levels and more intelligence investment. We can then better meet their needs and better address the challenges they can sometimes present, and move away from some of the very concerning levels of violence that we had in



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institutions like Aylesbury historically, when they were all concentrated together in that way. We are doing that in the long-term estate as well.

Some of the additional and significant investment in reducing reoffending initiatives that we are going to be taking forward—£550 million over the three-year SR period—involves appointing neuro-diversity leads and support in our prison system, which will be a really important factor for all the prison population, particularly for that age group. We will have better-informed provision for education and other learning opportunities, taking account of particular needs.

Rob Butler: Thank you very much.

Chair: Mr Turner, do you want to come in on the youth point?

Q34 **Karl Turner:** Very briefly, Sir Bob, if I may. I want to ask the Minister about the CVP, or the cloud video platform, especially in the youth estate. We accept, and it is fairly reasonable to say, that the Government, the Department, are doing their very best to divert youths from custody, but once they are in there and the longer they are in there, the reality is that they tend to commit more offences when they get out and eventually get into the adult prison sphere. Once that happens, we have major difficulties.

I am told there are significant issues around CVP in terms of the youth estate, with lawyers, defence lawyers and youth offending teams not being able properly to access CVP in order to progress cases. What is the Department doing about investing in CVP?

Victoria Atkins: Those worries have not been brought to my attention but I will very much take that away and look into it. Having access to legal advice is a fundamental human right. I am concerned to hear that. Do you know more, Phil, about the operations?

Phil Cople: No, I am not aware of the specific details. I do not have day-to-day operational responsibility for the youth custody estate, so I have not picked that up in conversations with Helga Swidenbank as the director, but we will certainly look into it and try to come back to the Committee.

Victoria Atkins: I wonder, Mr Turner, whether after this we could have a conversation, just so that I can understand which establishments in particular. It may be that there is a particular problem at one of the establishments, and we will see what we can do to sort that.

Karl Turner: I would be very happy to do that, Minister. Generally, there is a suggestion from defence lawyers and professionals that it is a problem across the piece. The reason I ask particularly about youth offending institutions is that we have a concern. We all very desperately want to divert people from custody, but once they are in, the tendency is that they progress, sadly, to adult prisons. There is a fairly significant problem in the youth estate, but perhaps I should discuss that with the Minister separately. Thank you.



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Chair: The Minister has very kindly offered to take that forward. We will be interested as a Committee to know if there is an issue around that. I, too, am conscious from practitioner friends that there can be areas of concern as well. Thank you very much.

Q35 Laura Farris: I want to ask a few questions about prison staff. When we look at the data, the retention issue is most pronounced with those who have been in post for 10 years or more. We have talked about this as a Select Committee before. Can I ask you about churn on the prison estate, Minister, particularly at the more senior levels, and what, if anything, you are doing to try to retain more senior staff?

Victoria Atkins: Recruitment and retention are my No. 1 concern as we come out of the pandemic. There are many things that we have to get right coming out of the national framework, including building a proper regime that means that prisoners spend their time well in custody, but none of it works unless we have members of staff who are well trained and experienced, and enthusiastic and enjoying their job because that helps them, I fundamentally believe, to be better officers. We have a huge programme ongoing at the moment. We are in the middle of negotiations.

There are several issues. We know that particularly operational grades are concerned about pay, so we have taken those concerns very seriously and we are in the middle of going through the prison pay review process. We await the outcomes of that with great interest. I am very keen that while we are looking at pay we also look at how we support our members of staff around pay. Alongside the pay discussions, we are drawing up a package of measures to show how our staff are valued, including on things like how we make sure they are safe in the workplace and the help they can get if they are having wellbeing problems and so on.

From speaking to officers, I want to really crystallise how this can be an incredibly fulfilling career and to crystallise the career paths available to officers, because one of the concerns I have heard from officers is that they are not quite sure whether they are in it for the long term. They are not sure that it is a career. There are lots of strands of work to help with recruitment and, importantly, with retention because we need experienced officers on the wings.

Q36 Laura Farris: Can I ask you about governance? The atmosphere in a prison is set quite a lot by the governor. You do not have to specify, but have you made an assessment of the prisons that are working best and what the best practice is in a quality of governance that may not be there in other prisons, and how do you replicate it? Is it something you can read across? Can you train someone up to be a good governor, or is it a bit like a head teacher, and some just naturally have it?

Victoria Atkins: There is a complexity with prisons. In fact, something a governor said today at the roundtable was that different prisons have different roles. Your cat B local that has a churn of people coming in and out—remanded in custody, short sentences and so on—is a very different



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environment from a high-security, long-term prison where people are settling for a good number of years. For efforts such as drug rehabilitation or elimination, the approaches that a governor will need to take in the first are probably quite different from the second, and, indeed, even more different from an open prison. We believe firmly in earned autonomy for governors, but we acknowledge that that will look different in different prisons, depending on their categorisation.

Q37 Laura Farris: What category of prison has the biggest churn? What is the most difficult one?

Phil Copple: Are you asking specifically around the governors?

Q38 Laura Farris: It could be general. The category A or category B prison where someone is in for a longer stretch has its own challenges, but you can work with the prisoner over time and see them develop. Have you been able to identify the category of prison or type of prison that typically has a high churn?

Phil Copple: There is not necessarily a strong correlation with the variations we have with the leadership or the type of prison. There can be an element of that, but it is not the strongest thing where we find a correlation. The strongest correlation is with the labour market locally. That varies across the country in levels of competitiveness. That is what tends to be most closely associated with high levels of churn.

On the question around governors, broadly speaking, as somebody who has been a prison governor and a prison officer and led by prison governors in different roles in the past, I think a lot of the skills that we need are generic management and leadership skills. That means that we can bring people in from outside, and then we can equip them with sector-specific knowledge about prisons. We are absolutely open to doing that, but we also need to invest sufficiently, as we intend to do, and the White Paper set out, in the continuing professional development of our managers in the future and try to invest more in that to raise skills.

There is no simple equation between quality of governor, general leadership and performance of prison, not least because I often put my best governors into my most challenged prisons, as you might expect. Some of those prisons have significant structural problems that mean they are very unlikely ever to be among our top-performing prisons, but we need really capable people to keep them running reasonably well and stop them going backwards.

Victoria Atkins: HMP Leicester is an example of a prison that is like a TARDIS in terms of its physical structure. It is an old Victorian prison right in the heart of Leicester, and the governor and the team squeeze every centimetre they can out of that prison estate. The issues they have to deal with are very different from, say, the brand-new HMP Five Wells where we have been able to build according to what analysis and evidence shows us works in getting people on to the straight and narrow for their exit to the outside community. There is quite a bit about the geography and the physicality of the establishment as well.



Q39 Laura Farris: I have two more questions. One of the questions comes from our recent visit to HMP High Down and a suggestion that was made to me by a deputy governor there. He thought there could be a role for ex-prisoners as prison staff in the future. Not every category of prisoner would be suitable, but there could, of course, be circumstances where they would understand the experience that the prisoner is having. Is that something worth exploring, or is it better to keep separate the role of the ex-convict?

Phil Cople: There is a lot of potential for that, and there is already quite a lot of established history in different ways, not always directly employed by the Prison and Probation Service, although sometimes that is the case. We have quite a lot of people with lived experience of being prisoners working in our headquarters right now, as well as in a lot of prisons, trying to take forward the reducing reoffending agenda. They are people who have inspirational stories about the way they have turned their lives around, so we definitely can learn from that. Lots of our partner organisations have former prisoners, people who have history of significant substance misuse problems and so on, who work directly in prisons with prisoners.

One of the things that we and the Government are very keen to do is improve the employment prospects of people coming out of prison, and we are trying to lead by example and walk that talk ourselves. The Ministry of Justice has made a big effort to try to employ people with criminal records, and, indeed, HMPPS does in a variety of roles. Once people have a good track record, they can be more widely employed, including in our sector.

Victoria Atkins: And indeed in the voluntary sphere. I went to Wormwood Scrubs a couple of weeks ago to meet their listeners. They are prisoners who are fully trained by the Samaritans, in the way they train the people who answer the phones on their helpline, and they are there to listen to other prisoners. Having the experience of being a prisoner means that often they have different relationships from those that members of staff can have with prisoners; also they are there all the time, they understand and they can relate. It is a very valuable service.

Q40 Laura Farris: My final question, which should have been my first, is this. Do you think, realistically, that you are on track to meet your recruitment target by the mid-2020s, given the level of attrition that you have? Is it impossible to estimate?

Victoria Atkins: Yes, I do. We are having to look at, rightly so, everything we are doing at the moment and seeing whether there is even more we can do. There are particular parts of the country where because the labour market is so competitive at the moment—I am not complaining about it at all; it is wonderful that we have record employment—there is increased pressure on services such as the Prison Service, and indeed other forms of public service as well. It creates that little bit of pressure, and, as Phil says, in some parts of the country there is real pressure for governors recruiting new members of staff.



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This is where we look not just at recruitment but also retention. If we can keep the people we have trained with us for the whole of their career, or a big part of their career, not only is that better for us as an organisation but it is great for the Prison Service because having an experienced offer with many years of experience is a benefit to the prison in which they work.

Phil Cople: As far as I am concerned, it can be achieved. We are tracking the position closely. I want to acknowledge that the trajectory we are on has to be changed and it has to be improved significantly, otherwise we will not. There is no option but to address that because the alternatives are not acceptable to any of us, in the sense of having a growing level of staff vacancy, not being able to recover from the pandemic properly, not being able to run prisons properly, and then increasingly, as the decade goes on, not being able to open the additional prison places we are building to cope with the rising prison population. It will have to be addressed. The next few weeks and months are important.

The Minister referred to the recommendations of the Prison Service pay review body. The pay award will be particularly important this year to see whether we can start turning that around, because it is deteriorating month on month at the moment, both fewer people coming in as recruits on that side of it and more people leaving, in terms of the retention challenge.

Q41 **Karl Turner:** Mr Cople spoke about the rise in prison numbers. I am pleased that the Government have a recruitment drive for police officers. I do not wish to make a political point particularly, but the reality is that the Government cut 20,000 police officers between 2010 and 2019. We are now recruiting police officers. With that, we expect that there will be more prosecutions. With more prosecutions, we expect that there will be more remand prisoners. With the current estate, can the Department cope with a probably significant influx of more remand prisoners?

Victoria Atkins: Yes. First of all, we very much look to the front end of the criminal justice system in order to try to gauge what will be coming up in the years ahead of us. We note that it is not just police officers because, of course, police officers are there to prevent crime as well as to detect it. There are offences that we are putting into statute because we fundamentally believe that they must be criminal offences. The Police, Crime, Sentencing and Courts Bill is a recent example of that. We very much acknowledge that that will have an impact on the end of the system, the prison and probation side of things.

As part of it, we have set out our intention to build up to 20,000 new prison places by the mid-2020s. We have already provided 2,900 new places, including HMP Five Wells. HMP Fosse Way is very much on its way. We are deploying rapid deployment cells, which were very much turbo-charged during the pandemic and have proven to be very popular within prisons and we think they also help with the management of particular sites.



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We have a very careful eye on prison projections for the middle of the decade and beyond. We are investing £3.7 billion in this. It is, I am told, the largest prison build we have had for 100 years. I would very much like the Justice Minister in 100 years' time to be talking about HMP Five Wells in the way that I talk with some fondness, albeit caveated fondness, about our more historic prisons.

Q42 Karl Turner: Can I ask briefly about remand defendants and the production of those defendants in court hearings? Clearly, there is a significant problem. There is quite a serious backlog in the criminal courts. It seems to me that that is growing—

Victoria Atkins: No, it is not.

Q43 Karl Turner: —rather than reducing. Nevertheless, we can perhaps have that argument another time. What is the Department doing to address the issue of the failure to produce defendants before the courts, or is there not a problem to address?

Victoria Atkins: Sir Bob, if I may, I have the latest quarterly criminal court statistics that were published on 31 March. For the latest figures that we have, December 2020-21, there was an outstanding Crown court case load of 58,818, which is down 3.4% from the all-time high in June. I say that because there are huge numbers of people across the CJS working incredibly hard to get the backlog down. I want to acknowledge the huge efforts of the judiciary, the Bar, solicitors, the CPS, police officers and court staff to try to reduce the backlog.

On the point about production at court, sadly, I remember it being an issue 15 years ago in any busy Crown court. There is a real issue, particularly in long-standing cases and multi-handler cases, of getting people into the prison van on time and into court. We have had a very difficult period over the last two years because there were huge restrictions on the deployment of cells and cell sharing at court.

I know that there have been very practical problems where there have been outbreaks within prisons, which then had a knock-on effect on cases and defendants being able to be produced at court, because they have come from the originating outbreak prison. We are looking at the contracts that we have with the providers very closely. We need to get this right. It must be improved, because our system of justice rests on defendants being in court either through video link or physically, and we cannot allow delays in transportation to get in the way of justice. I have great sympathy with the concerns that the judiciary and others raise on this.

Q44 Karl Turner: Does the Department keep a tally, a record, of how many defendants fail to be produced before the courts each week?

Phil Cople: We have extensive performance data in relation to productions and also their timeliness. Performance has obviously had certain pandemic impacts. We have tried to significantly increase video court hearings, which have worked well during the pandemic. We intend



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to try to maintain that as far as we can as we recover and for the future. It is fair to say that we had some particular performance challenges across the south of England with the contracted provider for prison escort and court services there, which were, essentially, due to their own staffing challenges and vacancies. We have taken contractual action.

Q45 Karl Turner: Was the fact that there were staffing difficulties due to the Covid pandemic, or was it more general?

Phil Copple: The pandemic, and more recently the Omicron wave, tended to impact across the whole system, so that there was not necessarily the same business to be done in quite the same way when lots of people were getting infected and so on. It was more specifically that over an extended period their staffing position deteriorated and they could not, therefore, deliver the service levels that were required under the contract. We took contractual action to improve that. They have taken a number of rapid steps to improve their staffing position. Their performance has been improving month on month more recently. Some of the concerns relate to a particular part of the country and to the recent past, but the position is improving.

Q46 Karl Turner: Is there an estimate of the financial cost to the system from the failure to produce remand defendants?

Phil Copple: I am not aware that there is one that takes account of the costs for all the different parties, including those outside the public sector and the public services, representatives and so on, but it is something that we could look into and see if we can furnish further evidence on that for the Committee.

Q47 Karl Turner: When we start to look at the financial costs, what it is costing the British taxpayer for these things to be not happening, that is when, frankly, Ministers' attention tunes in on the problem and addresses the issue. I wonder if the Minister might want to say whether she thinks it might be a good idea to keep a tally of the financial cost to the system and, indeed, the taxpayer on the specific issue of failing to produce a remand defendant to court. It has been a long time, Sir Bob, since I was practising in the criminal courts—

Chair: That makes two of us.

Karl Turner: In my experience, way back then, it was a very significant cost. Judges would be incredibly cross, understandably, about the fact that a trial had to go off, and so on.

Chair: A vacated trial.

Karl Turner: I wonder whether we should be looking at that.

Victoria Atkins: Very much. I suspect HMCTS will be able to help us with some of this as well because they hold the data in relation to the composition of the courtroom on the day. There is also potentially a societal cost. It is not just the money and people turning up to court and the trial not being effective, but if there is a vulnerable victim, they will



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have geared themselves up to give their evidence, and then are not able to do so, which means putting it back.

There are the wider costs of public trust in the criminal justice system. Victims, families and communities want to see justice done in court, and not being able to get a defendant there, as I know from my experiences in the past, can be a very significant blow to those affected. Let's see what we can do to produce that figure or something in that region, if we are not able to provide the exact amount.

Karl Turner: If I may say so, Sir Bob, I think the Minister makes an incredibly important point. We should all be concerned about victims in this. If the Department addresses that issue, I am sure that victims of crime will see much speedier justice done. Thank you.

Chair: Thanks for the constructive approach that you adopted to that, Minister. It is appreciated.

You have until 3 o'clock, as I recall. I want to pick up on one or two things. One is the whole issue of drugs in prison. We know that there has been an increase in the rate of positive tests for traditional drugs for some time. Seizures are now at a record level, on the last stats we had, never mind the issue of new psychoactive substances, which is another complication.

The Committee visited High Down, where as well as all the various security measures they have with scanners and so on for people coming in, they have a policy of opening the post that comes for prisoners and then sending it off-site for scanning so that they can detect whether drugs were impregnated in the paper. The only exception is for legal correspondence, which is quite right. Is that a policy that the Ministry supports, and is it something you would like to see rolled out elsewhere? It seems to be effective, according to the information we had.

Victoria Atkins: Yes. Individual governors know what will work in their own establishment, but we are very keen to support efforts such as that. We want to find ways of ensuring that non-legal mail is not tampered with or abused and exploited. We also know there can be difficulties with mail purporting to be from legal representatives but is not and contains psychoactive substances. There are a number of initiatives that we are looking at. The emergence of email and scanning can really help us with this.

I am pleased that we have completed the roll-out of the body X-ray scanners to the closed male estate. They have made a huge difference in ensuring that people coming into the prison estate are not concealing items internally. We know that when we shut down one method of entry, the organised crime gangs behind drug rings will try to find other ways of bringing it in, so it requires a great deal of imagination and ingenuity on the part of those involved in prison security to try to tackle these new ways.

Q48 **Chair:** Do you have anything on that, Mr Copple?



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Phil Copple: No, I do not think there is. That is fine.

Q49 **Chair:** The other thing we picked up at High Down was whether or not it is suitable to use what they call a drugs toilet, which enables, to put it bluntly, the evidence to be retained and it can then, therefore, found the prosecution, as it is, of course, a specific offence if prisoners try to smuggle drugs in. They seem to have had difficulty getting one. Is there an issue around the supply of these, or is there a policy issue or a practical issue in making them available?

Phil Copple: It is an initiative that we are trying to take forward and evaluate, with limited provision across the system initially, to try to explore the evidence around their effectiveness. A range of the other measures that we had in the security investment programme have a good evidence base, and there was a £100 million investment in that. It is very welcome, but it is still limited, so we cannot use it to do every conceivable thing that may be helpful. We are keen to pilot the use of the drug toilets and evaluate them further. What we have with the protocols around X-ray body scanners would effectively, as we are seeing, stop the drugs coming into the prison in the first place even if they are not always retrieved, which is the first thing that we need to make sure that we can deliver. We will look in the future, based on the evaluation evidence, as to whether we can have drug toilets more widely across the estate as well.

Q50 **Chair:** Thank you. That is useful to know. Can I go on to some issues around the estate and the physical condition of the estate? The chief inspector, in his 2021 report, highlights a number of underlying problems, which we all know have been there for some time, with the condition of the estate, particularly in the older prisons. When Sir Robert Buckland was Justice Secretary, he gave evidence to us in October 2019 that about 500 prison places a year would be lost and not used because of dilapidation and the state of conditions. What is the position now? What has happened since then? Has that 500 a year being lost improved or got worse?

Phil Copple: It has got worse in the last three years because of a particularly impactful loss of places. Last year, we lost 1,900 places in a very short space of time. They were all temporary units that had gone past the end of their useful life, but we had not been able to decommission them in the way that had been originally planned, more than 10 years before, when they were first put in place. New and more rigorous fire safety regulations meant that they were no longer safe to retain in use, so the average over the last few years is now unplanned losses of 700 places a year. It is not just dilapidation, but fire safety reasons. Fire safety requirements have increased in their rigour. Dilapidation is sometimes associated with some of the fire safety risks as well.

Q51 **Chair:** What is the plan to recover the position?

Phil Copple: The plan is linked to the 20,000-place expansion programme, and we are trying to put in more temporary places. Some of



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those have already been put in place as part of the 2,900 the Minister referred to earlier. They were in place by the end of March in some establishments. There is also a new design, with a higher specification, for temporary places that should have a life of 15 years, which we are calling the rapid deployment cells project, within the supply programme. We are putting more places in to replace those we have lost, as well as making sure they are in the right places across the estate. We are taking into account losses as well as requirements in the new places we are creating.

Q52 Chair: The issue as well, Minister, is that underlying this there has been consistent underfunding of the maintenance budget, hasn't there, for many years? I think the Public Accounts Committee gave an estimate in March 2021 that there was about £1 billion-worth of maintenance backlog. Would either you or Mr Copple disagree with that figure?

Phil Copple: No, I think the latest estimate is £1.3 billion as a backlog. I should say there is evidence of progress as well on a number of important fronts.

I was with Robert Buckland when he gave evidence in late 2019. It was acknowledged that there had been historical under-investment and it led to the creation of that backlog, but the levels of funding we have had in recent years have been much better. We had over £300 million for capital maintenance last year. We have £225 million this year, and we should have the same for the next two years as part of the spending review settlement. The levels of funding, you might recall, dipped below £100 million a few years ago. We now have a much more sensible level of funding that is enabling us to make more progress.

Fire safety is a big issue, as well as dilapidation. Fire safety is made more urgent by the fact that the regulations have become more demanding, as I mentioned. We are making progress there, but it is in a context where we have about 35,000 prison places across the system that do not meet current fire regulation standards, and we have temporary mitigations in place agreed with the Crown premises fire safety inspectorate to make sure that they can continue in use.

Last year, we were able to bring about 6,000 places up to the required standards. This year, with new projects plus those that were complete this year but started last, we should bring another 7,000 places up to the standards. Those standards are around automatic fire detection and automatic fire suppression. We are making good progress on the fire safety front, but we need to try to maintain the investment, and we also need to put in modern prison places, as far as we can, as part of the main programme.

Q53 Chair: Yes, I was going to come to that. I suppose the issue is that certainly there has been an increase in the investment—£300 million or whatever—but on an annualised rate it is still running at about a quarter of the backlog, so it looks as if it will be a long time before we catch up, doesn't it? When is the plan effectively to eradicate the backlog? What is



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an acceptable backlog?

Victoria Atkins: It is rather like this place. Some of our buildings are so old and so historic. If, as you have, you have been into a cell in somewhere like the Scrubs, you can see how it was built for that era and not what we would expect today, post Grenfell and the fire regulations that rightly have been created to address very real concerns. We need to work through this as quickly as we can because, apart from anything else, it has a huge impact on our capacity issues, but we have to work within the budget we have. It is better than it has been in recent years, but this will continue to be a problem as we go through the decade.

Q54 **Chair:** Basically, the case has continually been made to Treasury for more in terms of the capital.

Phil Copple: We have to balance in the programme, in how we spend the money we have, things that are critical as opposed to non-critical or desirable. Quite a lot of that £1.3 billion backlog, I would say, falls into the desirable category, whereas some of the things we are doing with fire safety and decency of living conditions for people—refurbishing cells and shower areas—are the things we are trying to prioritise.

Q55 **Chair:** Can you give me some examples of things that fall into the desirable category? I understand about the fire safety and other things you talked about there. What sorts of things would be desirables and non-critical in the backlog register?

Phil Copple: There is a significant backlog on replacing flooring, which will become critical over time—

Q56 **Chair:** Yes, because at some point it will be dangerous.

Phil Copple: —but it is not necessarily critical in the short term. There are a lot of decoration elements. There is also quite a lot of machinery and mechanical maintenance.

The backlog is not static. A lot of the maintenance gets done, but it is getting done late. Some of the things have been moved to the right as well, so the backlog itself might not be decreasing very quickly, but it does not mean that the same things are being neglected month after month and year after year. It is just that they are being delayed in being dealt with.

Q57 **Chair:** I understand that. You mentioned, Mr Copple, the 20,000 new places. Perhaps you and the Minister might help me about this: given that the last attempt that we had to procure new prison places, with the prison estate transformation programme, did not end well—it had to be retired and, frankly, had not delivered anything like the numbers—what is the difference in the way the new prisons programme will be delivered that is going to give us any more confidence that you will achieve it this time?

Victoria Atkins: First, there is the fact that we have already opened Five Wells and we are well on the way with Fosse Way. It is fair to say that



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there have been some stumbling blocks in planning applications on other sites, but we are still continuing with our plans elsewhere in the country, and the planning decisions on those applications are under consideration at the moment. The deployment of rapid deployment cells is a significant measure as well for helping to increase the capacity that we have in existing sites. Bringing Morton Hall back into the prison estate has helped us significantly, and that will begin to take more and more prisoners throughout this year.

Q58 Chair: Okay. How many of the 20,000 are new for old, rather than ones that have increased total capacity? Can you help me?

Phil Cople: At the current time, none of the 20,000 places is intended to help us close out existing places. They are all additional, to deal with the increase in the prison population that is projected over the course of this decade, which is also relevant to your last question. In the last decade, the programme was predicated on new for old. When the financial position tightened, there was an option for Government not to proceed with it. If the prison population is increasing, there is not really an option not to proceed with it. It is imperative that capacity increases to cope with the increased population. The programme will be delivered, and it will keep pace with the prison population as it increases during the course of this decade.

Q59 Chair: There are 10,450-odd places, aren't there? Sorry, Minister, you wanted to comment.

Victoria Atkins: The one caveat I have for that is the female estate. With some of the older establishments, I would like very much to get to the place where we are able to open up new and close old. That is my ambition. We have to acknowledge that with female offending, in line with male offending, as we have discussed already today, there may be capacity issues. I very much want us to be able to replace new for old, if we can, with the female estate.

Q60 Chair: You do not have any plans to close any of the poor-condition prisons at the moment.

Victoria Atkins: Not at the moment. As an alternative to custody for short sentences, last week I announced that we have purchased a site in Swansea for the first residential women's centre. It will be really helpful in diverting women in the Swansea area who would ordinarily receive very short sentences to the residential women's centre.

Q61 Chair: Yes, you kindly wrote to us about that, for which we are grateful. Talking of women in prison, perhaps you can help me on this. You have had a move to enable more women's prisons to hold remand and sentenced prisoners. Has the benefit of getting nearer to their homes been balanced by the issue that sentenced women can sometimes find, we have been told, with seeing remand prisoners released and so on, given the often fragile state of many women in prison?

Victoria Atkins: Absolutely. We are very conscious that sometimes women are kept further from home than we would like. I think something



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like seven out of 10 of the female establishments already have reception capabilities. We are looking to increase that, with an aim of trying to send women a little bit closer to home where we can. I know that parliamentarians in Wales feel strongly about that because there is no female prison in Wales, which is why, genuinely, it was one of the factors that we took into account when we were locating a site for the residential women's centre. I hope that will provide a little bit of comfort to those who are concerned about this in Wales. We want, if we can, to have women as close to home as we possibly can, and remand is a very important part of that.

Q62 Chair: I am conscious that we are pushed for time and you need to leave us at 3, so there are some factual questions that we will put in writing to you. I just want to pick up two other things, if I might.

The first is the whole question of Jonathan Hall QC's report as the independent reviewer of terrorism. He is concerned that there was a lack of focus on the terrorist risk in prisons, no strategic oversight and that prisoners convicted of terrorist offences have "held positions of influence in prisons." That is very troubling, isn't it, and the risk of radicalisation of more vulnerable inmates is all the stronger? Do you recognise that situation? What responsible engagement have you had with Mr Hall since his review?

Victoria Atkins: We absolutely welcome his report. Both the Deputy Prime Minister and I have, as you would appreciate, discussed it with him. We have accepted 12 of his recommendations, partially accepted another, and in some areas we want to go beyond them. We are codifying terrorist risk behaviour. We are supporting governors to address terrorist risk in prisons with specific policies, KPIs and regular training. We have appointed a senior CT police officer to have formal responsibility for addressing terrorism in prisons and to ensure consistency in investigating terrorist offences, and we will strengthen the separation centre referral process to make it more robust, so that operational staff are able to remove dangerous radicalisers from the mainstream prison population.

We are creating a specific team to move terrorists into separation centres, and we will be going further by investing more than £6 million in creating 10 extra places in close supervision centres, increasing capacity by around 20% to separate the most violent offenders and keep others in the prison safe. We take on board very seriously his recommendations.

Q63 Chair: There was a bit of a caveat around separation centres, wasn't there? It was around potential downsides, as they were described, and the risks of placing terrorists and terrorist risk offenders together in the same separation centre. What is your assessment of that, and how is it being addressed?

Victoria Atkins: We have around 200 people convicted of terrorist offences and a similar number who are believed to be at risk of terrorist ideology. We are very concerned that none of those people should be able to influence vulnerable prisoners in the wider prison estate, which is



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why the separation centres are both necessary and the right thing to do. We are never complacent, but we think the fact that they contain the most serious people, as they do, helps to ensure the safety of both prisoners and staff in the wider estate. Phil, is there anything you want to say?

Phil Cople: The people we place in the separation centres are, as has always been the concept for them, the people where the evidence is most concerning about their influence and their behaviours. We do not think there is a significant risk of them causing further risks with the people they are co-located with because they are already all identified as very significant concerns. We are trying to protect the wider population by separating them, and we think that that benefit far outweighs any risks in the co-location and separation centres. We are going to strengthen joint working and intelligence with CT police and the security services to help us have the evidence to get more prisoners, where suitable, into separation centres. We are investing over the spending review period in a specialist caseworking unit, including legally trained colleagues, who will help us with those referrals and selections, so that we can avoid having legal challenge undermining our efforts to tackle those risks.

In terms of terrorist risk behaviours, we need to follow through on investment in staff training. We need staff who are very alert to the signs, but we also need staff who feel confident about reporting it, confident that action will be taken against it, and confident that we are all alive to the risks of sophisticated prisoners trying to intimidate them and condition them with false allegations, and that we do not have corporate timidity about tackling those behaviours. We want to support and encourage our staff to be confident that they should not be timid in tackling those behaviours either.

Victoria Atkins: Regarding the figures I gave for terrorist convictions and those who are believed to be at risk of terrorist activity, obviously, they are not all in separation centres, just in case I gave that impression. There is a very careful risk assessment for the highest-risk offenders, and separation centres are the right answer for them.

Chair: I understand that.

Q64 **Karl Turner:** Forgive my ignorance, but are those 400 not already kept in segregation units within the estate? Why not?

Phil Cople: They are overwhelmingly held in high-security prisons that have the best staff-prisoner ratios, the most secure conditions, the greatest investment in intelligence operations and the strongest partnership working with police generally, as well as CT police and the security services in particular. We have them, where appropriate, in the most secure conditions. Reaching a judgment about whether they should be able to mix with other people in the general population or not goes back to the judgment that the Chair was referring to about the benefits and risks and where the balance lies.



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The original concept of the separation centres, which goes back some years to the review carried out by Ian Acheson that recommended their creation, was that they were for the few of the few, for the people we were most concerned about and had evidence of their negative influence on other prisoners—their direct behaviours but often their manipulative behaviours on other people and spreading poisonous ideology in the prison. They were never intended to hold the majority of people convicted under the Terrorism Act, but for that smaller number of people.

There would clearly be some disbenefits if we tried to have 100, 200 or more people all held completely separately. I do not think we have the evidence to suggest that that is necessary as long as we have people in the right high-security conditions and we can monitor them closely.

Chair: That is helpful. Ms Farris, do you have any other questions?

Laura Farris: Not on that.

Chair: Is there anything else you want to come in on while we still have the Minister? As we are coming towards the end, I want to give everybody an opportunity to ask any final questions.

Laura Farris: No, I don't think I do.

Q65 **Karl Turner:** I just want to speak very briefly, if you don't mind, about the criminal legal aid review, CLAIR or CLAR, depending on which we one we use. As I understand it, from my reading of the review, there is a suggestion that legal aid will not be available for adjudications in prisons. Is that the Minister's understanding? If not, does the Minister think that might be a problem in not allowing prisoners the opportunity to be represented in prison adjudications?

Victoria Atkins: We want adjudications to be speedy. We want there to be speedy resolutions to some of these disciplinary issues. I am not sure, frankly, that all of the adjudications processes require legal representation. Certainly, more serious cases that fall into the criminal justice system will have access to legal aid representation. On the point about adjudications, concerns of this nature have not been raised with me, but I will take that away and look into it.

My underlying belief about adjudications is that they should be dealt with quickly within the prison, in order to help the governor, staff and others keep good order in the prison. If we are talking about somebody criminally damaging their cell, for example, very often getting as swift a response to that as possible means that we are able to deal with it and help staff maintain stability in the prison environment. That is what adjudications fundamentally are about.

Chair: That is very helpful. There are some other things that we want to follow up on, so we will write. There appears to be a Division. I am not quite sure why.

Laura Farris: It is the telecommunications Bill.



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Chair: There is a Division. I know you needed to finish by 3, Minister, so, as we will not be back in time to finish before that, perhaps we can follow up in writing with our remaining matters. Thank you, Minister, Mr Copple and Ms Fielder for your time and your evidence today. It is much appreciated. The session is concluded.