

Public Accounts Committee

Oral evidence: Ministry of Justice follow-up: Autumn 2025, HC 1240

Thursday 23 October 2025

Ordered by the House of Commons to be published on 23 October 2025.

[Watch the meeting](#)

Members present: Sir Geoffrey Clifton-Brown (Chair); Mr Clive Betts; Anna Dixon; Sarah Olney; Blake Stephenson.

Gareth Davies, Comptroller and Auditor General, National Audit Office, Jenny George, Director, National Audit Office, and David Fairbrother, Treasury Officer of Accounts, HM Treasury, were in attendance.

Questions 1-98

Witnesses

I: Dr Jo Farrar CB OBE, Permanent Secretary, Ministry of Justice (MoJ), Gemma Hewison, Interim Director General Policy, Courts and Access to Justice, Ministry of Justice, Adrian Hannell, Director of Financial Management and Control, Ministry of Justice, Jim Barton CBE, Executive Director, Capacity Implementation, His Majesty's Prison and Probation Service (HMPPS), and Jane Harbottle, Chief Executive, Legal Aid Agency.

Examination of witnesses

Witnesses: Dr Jo Farrar, Gemma Hewison, Adrian Hannell, Jim Barton and Jane Harbottle.

Chair: Welcome to the Public Accounts Committee on Thursday 23 October 2025. In today's session we will follow up on recent scrutiny with the Ministry of Justice, His Majesty's Prison and Probation Service and the Legal Aid Agency.

Earlier this year, the Committee expressed concerns regarding the value for money of HMPPS's decisions regarding HMP Dartmoor, including progress on returning the site to use following the detection of high levels of radon gas. We will also examine the renewal of lease negotiations in relation to that prison.

Additionally, in 2024 we expressed deep concerns about the legal aid system. Although the Government response to the inquiry agreed with all our recommendations, several aspects—which we will examine today—of the MOJ and LAA responses were limited.

We shall also explore the steps taken following the cyber-attack on the Legal Aid Agency in April this year, which exposed the sensitive personal data of people who had applied for legal aid. We will use today's session to explore the quality of HMPPS's decision making and the lessons learned; press the MOJ and Legal Aid Agency on their actions in response to our recommendations; and explore and examine how effectively the MOJ and the Legal Aid Agency are managing the aftermath of the cyber-attacks.

We have a lot to get through, so I appeal to colleagues for short questions and to witnesses for short, pithy answers. That will be hugely appreciated. We will take a short break, probably in the middle, but because various people have to go, I will try to finish just after 12 noon, if possible.

Welcome, Jo, and congratulations on your promotion. I think you have been warned about the two top-of-the-session questions. One is from Anna Dixon, on the self-regulation of judges, and one is from me on Oasis. I hope that bit of communication got through.

Dr Farrar: Yes, that is fine.

Chair: Okay. We will start with Anna Dixon, please.

Q1 Anna Dixon: Thank you, Chair, and welcome witnesses. I will allow you to choose who answers this question, but I think it may be most relevant to Ms Hewison.

I have been made aware of an employment tribunal case in which the claimant has requested access to the court record in order to pursue an

appeal on the basis of judicial misconduct. The request was denied by the judge in question. Other cases have been brought to my attention in which access to court records has been delayed until after the statutory time limit, thereby precluding people from bringing an appeal or complaint. How can people receive a fair trial if a record of proceedings is not made available to them? How can judges have the ability to block access to such records when they themselves are being accused of misconduct?

Dr Farrar: Shall I start? Thank you for welcoming me, Chair. It is great to be back in the Ministry of Justice. I feel very privileged to have this position and to manage such a fantastic group of staff who are doing important things for the people of the nation, keeping people safe every day. It is a real honour to be back. I brought colleagues with me, so should I introduce them before we start, or should we do it as we go along?

Chair: I'm afraid I omitted that, so it would be helpful if everyone briefly introduces themselves.

Jane Harbottle: Good morning. I am Jane Harbottle, chief executive of the Legal Aid Agency.

Chair: Jo, the new permanent secretary at the MOJ, has already introduced herself.

Adrian Hannell: Good morning. I am Adrian Hannell, the director of financial management and control.

Chair: This is your first time in front of the Committee, so a special welcome to you. I hope we see you many times in the future—well, in a way. *[Laughter.]* For your sake, I hope we will not, but I have a feeling we will.

Adrian Hannell: I took it in that way, so thank you.

Gemma Hewison: Good morning. I am Gem Hewison, interim director general for courts and access to justice.

Jim Barton: Good morning. I am Jim Barton, the director for capacity implementation in His Majesty's Prison and Probation Service.

Dr Farrar: Shall return to the question? Sorry for that interlude.

Perhaps I should start by saying that the fundamental question here is about making sure that the courts are as productive as possible so that they give people the service they need when they are going through the court system, which is not an easy time for anybody.

At the Ministry of Justice we are working really closely with colleagues in HMCTS to improve the productivity of the Courts Service across crime, family, civil and tribunals. We know that the judiciary have different responsibilities, as set out in the Constitutional Reform Act, but it is

fundamental that courts and tribunals hear cases and direct progress without interference in the most effective way possible. The Lady Chief Justice is very interested in this, so we are working closely with her and her colleagues to make sure that courts work effectively. Maybe Gemma can pick up the specific point.

Gemma Hewison: Obviously we cannot comment on individual cases, but with regard to judicial complaints and judicial conduct, in order to safeguard judicial independence the process for investigating complaints about conduct is set out in statute. The Judicial Conduct Investigations Office supports the Lord Chancellor and the Lady Chief Justice in their joint statutory responsibility for judicial discipline and considers issues of conduct, but not individual judicial decisions on cases. If there is an issue to be raised on conduct, that would be the route to raise those particular cases. I do not think we can add anything further on the individual specifics you gave an example of.

Q2 Anna Dixon: I am sorry, but can I just probe that? The point is about having access to a record of proceedings, particularly in the case of employment tribunals where there has been a reliance on judges' notes and difficulty in getting transcripts of the proceedings in a timely way so that people can make appeals to the JCIO. It is about the recordings and the ability of judges to delay and block access to them. That is the point I am asking about. I understand the role of the JCIO, but I would like an answer on people having timely access to recordings or access to the judge's notes in cases of employment tribunals specifically.

Gemma Hewison: Okay. I think we will have to write to the Committee on that, because I do not have the specifics of the particular issues that you have mentioned.

Anna Dixon: I would be grateful for a specific response.

Dr Farrar: Can I follow up quickly? I think some of the improvements we are making in digital and technology and the ability to help judges to transcribe more quickly and efficiently will be of interest. As we develop that work, we will be happy to keep the Committee informed.

Anna Dixon: And that should hopefully reduce the costs to any claimant of accessing the transcripts, because at the moment it can stretch into the tens of thousands if it is a long case.

Dr Farrar: Exactly—costs and timeliness. This is an emerging system, so we will keep the Committee informed.

Q3 Chair: This issue of transcripts and the costs and delays in getting them is a problem that has been at the forefront of the legal system for a long time. With modern technology it ought to be possible to produce a transcript more or less instantaneously. They are very valuable, as we know from this Committee. We will have a transcript of this Committee by Monday or

Tuesday of next week. It is a very valuable source of information to be able to go back to.

Dr Farrar: Yes. Our Justice AI team are at the forefront of some of these technologies. We are piloting a number of different ideas at the moment.

We will be rolling out new technology to the Courts Service that will hopefully speed all this up.

Q4 **Chair:** We look forward to catching up on that. Thank you very much.

I am going to move on to a different subject. In August last year the Oasis Academy opened Britain's first school for young offenders, in Kent, trialling a new approach to youth custody that put the emphasis on education and therapeutic care rather than punishment and retribution. Some of the people involved—by no means all—included murderers, rapists, drug dealers and gang members. Some £40 million was spent on the school, yet within a fairly short space of time it was discovered that the doors were not up to standard and could easily be kicked through. Bearing in mind some of the characters involved in these places, I am amazed that the place was allowed to open without that being spotted.

Dr Farrar: Let me pick this up. This is a new model, and it is a different model for children in the justice system. We were obviously introducing a number of new features. In particular, the doors were not doors to places where people slept, but they were doors to corridors, dining areas, kitchens, visit rooms and education rooms—they were internal doors. They had been used before in a secure setting, and they were tested, but when they were used in this setting they proved not to be as effective as we would like, as you have pointed out.

Q5 **Chair:** Okay. So where are we going to from here? I understand that it involved 180 doors at an estimated cost of £3 million. The procurement team promised that stronger doors would be installed by the middle of May, then it was June, and then July. They never materialised, and I gather they have still not materialised. When is this problem likely to be resolved?

Dr Farrar: We hope to reopen the secure school in March of next year, because it is important to us. It is also critical that we get this right. We are making sure that we do thorough testing of all new doors, and we are obviously having to create a new door system. We will start to introduce the new doors into the site shortly, and we hope to reopen in March next year.

Chair: That is really helpful. We now move into the main session, starting with Clive Betts.

Q6 **Mr Betts:** Permanent secretary, you obviously face a number of challenging issues in your new job. When you are having sleepless nights, is the issue that keeps you awake most the idea that you are paying for lots of empty cells in a prison that you are not using?

Dr Farrar: We are moving on to Dartmoor?

Chair: Yes, we have moved on to Dartmoor.

Mr Betts: This is another prison that you have—

Dr Farrar: Well, the secure school is a secure school. Yes, let's move on to Dartmoor. I have been back in the Department for a few months now. What I am focused on is not having sleepless nights thinking about empty cells; it is about how we move forward with this situation and work with the HSE, which is relooking at its policy to make sure it is clarified so that we can undertake the work that we need in order to move forward with Dartmoor.

Q7 **Mr Betts:** When people ask these questions, it is always helpful to say, "Oh, let's move on and look at the future," but the reality here is that we have to look at how Government money is being spent. The reality is that you, as a Department, entered into a new lease and started to increase the amount you paid for a building that was not fit for purpose. It is not acceptable, is it?

Dr Farrar: The Department entered into a new lease with Dartmoor in 2022—a new lease was signed in March 2022. The Committee will remember—you will have heard evidence on this—that at that time the prison system was at risk of running out of prison places, and Dartmoor provided over 600 places. A sensible and pragmatic decision was taken in March, when all the information that we have now was not available, that it was necessary, given the issues the Government were facing, to sign the lease and keep Dartmoor open. Since then, further issues have arisen. There have been further surveys that have given us further information, and new information, about the levels of radon.

Q8 **Mr Betts:** Right, but you knew, or the Department knew, that radon was present before you signed the lease. That is true, isn't it?

Dr Farrar: The Department knew that radon was present, but we—

Mr Betts: So we knew there was a risk.

Dr Farrar: We knew there was a risk.

Q9 **Mr Betts:** So would the sensible thing, at that point, not have been to do the surveys before you entered into the lease?

Dr Farrar: No, because the surveys have been ongoing. The information we had at the time, based on previous surveys, suggested that the best decision would be to take Dartmoor over—

Q10 **Mr Betts:** I am sorry, but look, you knew there was radon there and you were doing surveys, but you signed the lease on a 10-year basis at an increased rate and then did a survey afterwards? It does not look reasonable, does it? It would be helpful if you just came here and said, "No, it wasn't. Hands up—we got it wrong."



HOUSE OF COMMONS

Dr Farrar: It is important to say that we had taken mitigations in Dartmoor. We had been working with the HSE. The knowledge that the Department and HMPPS had at the time was that Dartmoor could remain—

Mr Betts: That is fine, but that is because you did the survey afterwards. If you had done the survey before, you would have had more information.

Dr Farrar: Well, based on the surveys we did before and the mitigations that we had taken, the information that we had available to us at that time suggested that it would be sensible to keep Dartmoor open, given the pressure on prison places.

Q11 **Mr Betts:** Why did you do the survey after you had signed the lease?

Dr Farrar: We were doing regular surveys.

Mr Betts: Why didn't you do a regular survey before?

Dr Farrar: I am going to hand to Jim and Adrian to pick up a bit more of this, but before I do it is important to say that the decision we took in March 2022 was based on the information we had at the time. That information changed, and the situation has evolved since then, which has led us to make a different decision.

Mr Betts: It could have evolved quicker if you had done the survey first, couldn't it?

Q12 **Chair:** I think the real question that my excellent deputy, Clive Betts, is trying to get at is, "What information should you have known at the time?" That is not what information you did have at the time, but what you should have known, and what you did or did not do about that information. Were you, Jim, in charge of the lease negotiations?

Jim Barton: No.

Q13 **Chair:** Who was in charge?

Jim Barton: I first took responsibility for what we call the prison supply directorate—responsible for building new prisons and securing continued access to places like Dartmoor—a year after the lease was signed. My colleague Gary Badley was involved in the lease negotiations at that point in time.

Chair: I must declare an interest as a chartered surveyor, so I'm afraid you are going to get the questions that I would have adopted in a professional capacity, had I been negotiating these negotiations, but I will let you answer Clive first.

Jim Barton: Full disclosure: I am not a chartered surveyor.

Q14 **Mr Betts:** To put it another way, if you were doing a lease negotiation of this nature today, would you want to do a survey first?

Jim Barton: With the benefit of hindsight, if we had access to more information around the density of radon within the Dartmoor site, that would have been helpful in the lease negotiations.

Q15 Mr Betts: Of course it would. Do you think, therefore, that that information should have been obtained before the lease was entered into?

Jim Barton: No.

Mr Betts: You don't?

Jim Barton: No. Perhaps I could expand on that short and brief answer. As the permanent secretary referenced previously, we were, at the time, in the midst of a prison capacity crisis, where every single place that we could gain access to was crucial to maintaining the integrity of the criminal justice system. At the point we took a decision to enter into that new lease, we were operating below what we term critical capacity within the prison estate—that is, the estate was not safe, from our perspective. In that context, it was entirely right and proper that we took every step we could to secure continued access to 640 places.

To contextualise it, £1.5 million a year for 640 places felt, at the time, like good value for money, relative to the fact that we were making repeat use of Operation Safeguard places at over £600 per cell per night. When we took that decision, the forecast showed that by the time the new lease came into effect, we would have a capacity gap—a negative figure—of 900 by January 2024. I appreciate that that answers your question in a slightly different way, but I think it is important to bring us back to what the realities of this moment felt like for decision makers in HMPPS at that point in time.

I will build on that to answer your question more directly. Dartmoor has been occupied as a prison site for hundreds of years. It is well known that there are higher levels of background radon in Dartmoor than there are in England and Wales as a whole. Throughout that history, there had previously been no indication that radon was present at a level that would impact our ability to occupy cells within Dartmoor. There was some data from 2007 that showed heightened levels of radon in a small number of ancillary buildings—admin facilities and the rest. By 2010, the readings showed that those levels were back below actionable levels. It is legitimate to suggest, or for us to accept, that there could reasonably have been a more frequent programme of surveying radon levels at Dartmoor from that point forward, but when we took the decision to sign a lease we were not in possession of facts that indicated that there was a material risk that accommodation at Dartmoor would need to be taken out.

Mr Betts: Okay, I accept the point. You have accepted now that you should have done more frequent surveys.

Jim Barton: Hindsight is a wonderful thing, isn't it?

Q16 Mr Betts: Would it not have been reasonable, given the knowledge there was radon around Dartmoor in the past, to have done two things on the lease negotiation: have a shorter term for the lease, or put some provision in the lease that would have allowed it to be renegotiated in some way in the light of radon becoming a problem?

Dr Farrar: Shall I pick this up? When we signed the new lease, it was for a term of 25 years. The current rent is only marginally more than the previous rent, so at the time it provided very effective value for money, as long as those prison cells are used. We have negotiated an exit clause in the lease at better terms than the previous lease. We will obviously now have to work with the HSE to make sure we know what the new regulations will be and what the new policy on radon is, if indeed there is one. That will be a decision for Ministers. At the point that it becomes applicable, we will have to look at whether we continue with the lease or give notice.

Q17 Mr Betts: So it wouldn't have been reasonable to have an even shorter lease, given what was known, or to have some provision in the lease about some form of change or mitigation if radon were found?

Dr Farrar: The lease can be terminated at any time after December 2033 on five years' prior notice. Before, it would have been 10 years' prior notice.

Mr Betts: Ten years for empty cells.

Dr Farrar: They are the conditions of the lease. When the lease was entered into, they were seen to be reasonable and good value for money. We have good ongoing relationships with the Duchy, as you can see by the reasonably favourable terms of the lease. The current lease expires in 2048, but we can exit from 2033 on five years' prior notice. The important thing for us now is to work with the HSE, which is looking at the policy on radon. We need to see what decisions Ministers make, if indeed they do make any changes, and then we need to assess what work we need to do. Our ambition is still to reopen Dartmoor, because it provides 640 valuable spaces.

Jim Barton: To add one further bit of context, at the time that these lease negotiations were going on within our wider programme to build 20,000 new prison places, we were planning to reopen C wing at Dartmoor, which has been closed for decades. That might feel a strange thing to reference, but I put it in the room because it is a further data point to acknowledge. Our position at that point in time was that we had no reason to believe that there were levels of concern around radon that would jeopardise prisoner accommodation. Now, information has since come to light that proves that that assessment was misplaced, but at that point in time our understanding was that Dartmoor remained a safe place in which to house prisoners and for staff to work, as it had been for hundreds of years.

Q18 Chair: You knew there was a radon problem. You may not have known that it was at a level that would make the prison unoccupiable, but you knew that there was a problem. There are very simple handheld devices, dosimeters, that you can go round with and test the level of radon at any part of this highly complex building. Why did you not do so before you released?

Permanent secretary, you were kind enough yesterday to give us lots of the papers I had asked for, but it would have been helpful if they had been given to us a week ago because there is an awful lot in there. I have read every single one of them. I am a chartered surveyor and I have looked at the lease. It is unbelievable that you signed the lease in March 2022 and you started doing surveys in July 2022, so something must have alerted you to the fact that you should have known before you signed the lease.

It is a very unsatisfactory state of affairs that we have a lease that you cannot break for 10 years. You do not know when you will be able to reoccupy this prison. You do not know whether these mitigation measures are going to be successful—there is still argument among the experts, as I see from the papers—and even if they are, what happens if there is a power cut? You have not even addressed the problems of whether there might be asbestos in the roof of the prison. This is a really, really unsatisfactory situation. I think a little contrition that you got this wrong would go a long way to make this Committee a little more satisfied.

Dr Farrar: Thank you, Chair. As Jim said, with hindsight and the knowledge we have now, we may have acted differently. As you know, I have only been back in the Department for a few months, but having looked at this in detail, and with my focus being on what we can do with Dartmoor in the future, that is where I have been putting my effort. The problem with Dartmoor is that things relating to radon have been changing. We did know there was a radon issue. There was a report in 2022, and in response we put in place a number of mitigations, including ventilation, live monitoring and moving prisoners. The information at the time suggested that that would be adequate to ensure we could keep prisoners in Dartmoor. Information has come forward later which showed different levels of radon. The cell-by-cell survey, which it was really important to do, I believe is now showing higher than acceptable levels of radon. After discussions with HOUSE, we made the decision to decant the prison. That is really unfortunate, because, as you know, we do need prison places.

Q19 Chair: I am not in any way criticising your decision to decant, because I think it was the right thing to do. The Health and Safety Executive got involved and more or less told you that you had to decant because these levels were well above the 300 bq per cubic metre that is safe for a workplace under health and safety regulations. I do not criticise that decision at all. I burned a bit of midnight oil on this last night, because I

got all this information so late yesterday—as I say, it would have been helpful if we had had it before. My figures—I do not expect you necessarily to



HOUSE OF COMMONS

confirm or deny them, but they will lead to a discussion—show that if you are not able to operate this prison for the 10 years before you can get out of it, it is going to cost you well over £100 million. On the figures that I have, and if I am right that it costs £500,000 per prison place to build a prison, and there are 643 places in this prison, then that is about £30 million to build a brand-new prison, with all the radon insulation that you can include with a new building. Permanent secretary, if we are not getting value for managing public money—and this is not achieving value for money—at what point do you say, “Let’s stop all this, move elsewhere and build a new prison”?

Dr Farrar: I apologise for your not having the papers until last night.

Chair: I think it was sometime yesterday, to be fair.

Dr Farrar: I am really sorry for that because I know that you need time to look at this; it is very complex information and there is a lot of it. Next time, we will try to make sure that you get it earlier, so you have time to digest the information.

Q20 **Chair:** I do not expect you to agree with or deny my figures, but the point of what I was saying is, at what point does it become so uneconomic to keep doing this that you should give the lease up, move on and build a new prison? I know you have a problem with prison places; I know all of that—I know what Jim Barton was saying.

Dr Farrar: This is not the point. The important thing is that we cannot make a decision until the HSE policy work looking at the regulations has concluded. We are working closely with the HSE. We hope that it will conclude soon and advice will be given to Ministers. That will allow us to make a sensible decision. Then we will absolutely look at the most sensible decision to make in terms of Dartmoor, but it is very hard for me to say at what point I can make that decision until that HSE policy work has concluded.

Q21 **Chair:** We have nearly got to where we are going to get on all of this. I will bring in Sarah in a minute. There is a very large figure in that lease of £68 million for improvements to the prison. What is that for? It is a very big figure indeed.

Dr Farrar: Jim and Adrian might want to come in on this.

Jim Barton: Apologies, Chair, but going back to your comparison around the counterfactual of what it would cost to build an equivalent new prison, it would be £300 million rather than £30 million.

Chair: Another nought.

Jim Barton: The comparison is still absolutely relevant. Those are the kind of equations that we do constantly.

Q22 **Chair:** There is also the £100 million if you do not get it operating for 10 years. That is a big figure too.

Jim Barton: These are highly uncertain figures, and your comparison is absolutely valid. But just for the record, that is the comparison. The £68 million relates to fabric improvements across Dartmoor as a site over the period of the lease—pre-existing works we were doing around ventilation and sewerage improvements to the fabric of the site, and then planned works necessary to maintain a facility of that age for duration of the lease.

Q23 **Chair:** Golly. When you say, “to maintain a facility of that age,” it does not sound like we are getting much extra added value, does it? That makes the case that you should not look to build a new prison even weaker.

Jim Barton: At the risk of repeating myself, I will bring us back to the context in which this decision was made.

Chair: I understand the context.

Jim Barton: We had to seek out every available prison place at that point in time. Even with those additional costs, this represented good value for money, absent the information about radon.

Dr Farrar: We have a very ambitious prison build programme that I am sure the Committee will want to discuss with us at some point. We have agreed in the lease with the Duchy that the Duchy will deduct £5 million from any dilapidations liability at the end if we spend the £68 million. We have built things into the lease to make sure that we obtain value for money.

Q24 **Chair:** Can I just check with you that, in your surveys, you do not forget the asbestos in the roof? That is another problem. That does not seem to have come out anywhere.

Jim Barton indicated assent.

Q25 **Sarah Olney:** We have talked a lot about the cost of the lease and the radon mitigations. Dr Farrar, do you have a full understanding of all the costs associated with keeping this prison going without prisoners? There will be security costs, business rates, I assume, and other associated costs. Do you have a sense of what the full cost is?

Dr Farrar: That is something we have to consider as part of my decisions as accounting officer to make sure that we have value for money. Adrian might want to come in on that.

Adrian Hannell: The annual rates are £299,000.

Q26 **Sarah Olney:** Per year?

Adrian Hannell: Yes. At the moment, we are looking at what we can do to minimise any other costs of looking after the site, but that is the cost of the rates.

Q27 **Chair:** Sorry to cut across you, Sarah, but are those rates payable if the prison is empty?

Jim Barton: I believe so.

Adrian Hannell: I believe so. We will come back on that to make sure.

Q28 Blake Stephenson: I was going to ask the same question. There are some very big numbers here. What is the all-in cost per year to keep this prison empty? I think our constituents would be horrified to learn that we are paying all this money for an empty prison. I understand the context, the reasons and the background, but what is the all-in cost per year to keep this prison empty?

Adrian Hannell: The rent is £1.5 million, and the rates are £300,000, so £1.8 million.

Q29 Blake Stephenson: But you are doing all sorts of work on it as well.

Adrian Hannell: I don't believe we are doing work on it at the moment.

Q30 Blake Stephenson: How much taxpayers' money in total—I do not need it to be itemised—is being spent on this prison every year for no prisoners to be in those cells?

Dr Farrar: I will come back to the specific question in a minute, but to put it into context, we are in this situation, and we are therefore trying to reduce the costs as far as possible. We are not spending money on the prison at the moment, because we are waiting for the HSE policy work, which will help us to decide what we need to spend on the prison and when. What are the specific costs, Adrian?

Adrian Hannell: As I said, it's £1.5 million for the rent and £299,000 for the rates.

Q31 Blake Stephenson: And that's it? Nothing else? Just add those two numbers together, and that is what it is costing us?

Jim Barton: There are costs related to the security of the site. Wherever we have a prison left empty, we need to maintain the integrity of that site. To give you an example, Camp Hill has been empty for over a decade. We still need to pay for security guards to maintain and protect that site. The same is true of Dartmoor. We are looking to see what we can do to minimise those costs.

Dr Farrar: And we are looking actively at what we can do to minimise the security costs at the moment. If things change, we are happy to come back to the Committee.

Blake Stephenson: I appreciate that you will, I am sure, be doing everything you possibly can to minimise those costs. Chair, it would be really helpful to get that high-level number to this Committee in writing. It is extraordinary that we cannot have that number.

Q32 Chair: Perhaps you could drop us a note. Blake's question is highly pertinent. I am not sure that we have got to the bottom of the answer to this. There are survey costs. I am not sure what work you are doing, but

you must be doing something in the prison at the moment to keep it wind and watertight. So there are costs involved. You then have to think about a solution, and the question is when are you going to find one, because the experts seem to be disagreeing on what it is.

There are a lot more questions still to answer, and I would be grateful if you could give us a note on all of this, saying when you expect to get a solution, when you expect it to be implemented, when you expect the prison to be reoccupied and what the total costs are to date. Before you get the prisoners in there, it would be really helpful, permanent secretary, if I could have another tranche of information.

Dr Farrar: Okay, we will make sure we get that to you in a timely way.

Chair: That will enable us to move on from this vexed subject to another vexed subject, which is to do with legal aid.

Q33 **Sarah Olney:** Jane Harbottle, this is a follow-up to a previous session we had about getting value for money from legal aid. We expressed our concerns at that point that the removal of remote legal aid provision was having a disproportionate impact on vulnerable groups. What steps have you taken to understand the full impact of that removal on those vulnerable groups?

Jane Harbottle: At the last Committee, we talked about remote advice and its purpose in terms of being accessible to a wide range of people. Since the last Committee, what we have focused on and looked at is the direct relationship that our professions—the solicitors—have with the clients. In the main, they have that direct relationship. We have been looking at how we empower them to use their professional judgment and for them to be the decision makers in how they deliver advice to people in whichever way is most suitable for that individual person in their individual circumstances. We know that people don't come in one shape and size.

That is what we have been looking at, and we have been examining our contract provisions on the operational side to see if there are any barriers we are putting in the way that are stopping providers servicing their clients in the way that the client wants and that is best for that particular client. We have been doing a piece of work, working with Gemma in the policy team, to see if we can remove any arbitrary restrictions that we have in contracts, and to look at some of the demands that we place in contracts around providers having to have a physical, permanent office in a particular area, which could restrict their willingness to travel, do outreach and take services to where people, including vulnerable people, are based, if they wish to see them face to face.

Those are all live considerations at the moment, and we having been doing lots of work with the policy team on that. I do not know if Gemma wants to come in.

Gemma Hewison: There are a couple of things I would add. We have a lot of operational data from the Civil Legal Advice helpline, which gives us information about people and how they use remote services. Our user

satisfaction from the specialist advice given through that service is really high. We have done a lot of work through the review of civil legal aid with legal aid users, intermediaries and providers, as well as a user literature review.

As Jane says, what that information tells us is that there is not a one-size-fits-all for individuals throughout the process, and equally, through the life of their case, there is not a one-size-fits-all in terms of remote versus face-to-face. The critical bit is enabling providers to have as much flexibility as possible to meet those individual user needs, because they are best placed to assess how that user needs to engage with legal aid provision—

Q34 Sarah Olney: Sorry, I am going to interrupt. I hear that—solicitors are best placed, and it is their relationship with the client and so on. My question to you is: what are you doing to ensure appropriate access, and what are you doing specifically for people in more vulnerable groups to ensure that access is possible?

Dr Farrar: I will come in first and then hand back to my colleagues. The important thing for me, as permanent secretary, is that at the moment we are considering changes. It is really helpful to have the Committee's opinions on this. One of the really important changes is that we assess client need at the start of the process, because that can help us to identify how we best serve clients, whether it should be face to face, remote, or another type of service, and how we can take that—

Q35 Sarah Olney: Sorry, but I am going to interrupt again. When you are assessing client need and identify that someone is vulnerable and may have difficulties accessing face-to-face or remote services, what are you then doing to ensure they get what they need?

Dr Farrar: Then we are looking at how we provide advice. Some of those clients will be perfectly happy with remote advice; in fact, our telephone service is very popular—not only with all sorts of clients, but also with vulnerable ones. So it might be remote provision.

We are looking at whether we can change the contracts—no decisions have been made on that yet—but what we would quite like to do is make face-to-face provision more flexible. As Jane said, rather than having offices in certain areas, we want to allow face-to-face advice in different locations and buildings. That would be a really important change, because it would enable more people to see clients face to face. I will go back to Gemma and Jane on the specifics.

Q36 Sarah Olney: Finally on this—well, maybe not finally—and this is really important: there are vulnerable groups who are more disadvantaged and are finding it harder to access legal aid. Specifically, what information do you have about the impact of reducing legal aid on them, and what are you doing to address that?

Jane Harbottle: All the things that we talked about at the last hearing, which we do in practical terms to monitor services in localities, we still do. Our contracts set out the requirements on providers to comply with statutory regulations in relation to vulnerable clients, to identify where there are vulnerabilities and to make reasonable adjustments.

Where we have a direct relationship with the client, as an agency providing the Civil Legal Advice helpline, we offer a range of different services and adaptations—translation services, advice via British Sign Language, email advice, different fonts, prints and languages. We have a vulnerable person policy that is adhered to. As Gemma said, we get really good feedback as a result of making those reasonable adaptations and adjustments.

Sarah Olney: Thank you.

Chair: Are you happy? Have you exhausted your questions?

Sarah Olney: Yes.

Q37 **Mr Betts:** We have raised the issue before that there are often knock-on effects on other parts of the public service when a decision is taken in one part. Here, legal aid restrictions and reductions can have a knock-on effect on other areas, particularly on local government. I think we particularly asked for your Department to discuss with the Department for Levelling Up as it was then—now the Ministry of Housing, Communities and Local Government—what the effects were on legal aid advice services at local government level, which they might provide directly, or they often provide grants for to other organisations. We did not get a reply that indicated that anything would really happen as a result of that.

Dr Farrar: I will start off and then hand to Gemma to say a bit more. As a former chief executive of local government in two local authorities, I agree. We need to work effectively across the system to make sure that we get these services right for people. Since the last PAC hearing, we have surveyed local authorities about their funding of free advice. That is aimed at improving our understanding of the advice provided.

We have also been working with other Government Departments, primarily around immigration advice, where we have made some changes. We have been linking in with MHCLG—as now—about immigration advice. The roll-out of our IT systems—the common platform, which is now rolled out fully, and HMCTS reform programmes—will allow us to gather more data so that we can more accurately assess need. I will hand over to Gemma to give you a bit more detail, but to finish, I absolutely agree with your point that we need to work closely with local authorities and other Government Departments on legal aid.

¹ [Letter from the Permanent Secretary of the Ministry of Justice relating to the transcript of the Committee's evidence session on 23 October 2025 \(Follow-Up: Autumn 2025\), 06 November 2025](#)

Gemma Hewison: Thank you, Jo. I have just a couple more bits to add. It is quite difficult to absolutely identify and isolate the impact of changes to legal aid provision to other Government Departments and local authorities, but as Jo said, we have surveyed local authorities to try to get under the skin of that and understand exactly where they are funding additional legal advice, and why. We did not have a huge response rate to that survey, despite quite a lot of hard work from our side.

It is worth recognising that although the small response that we did have said that there is some additional funding of legal aid or legal advice that local authorities are providing, there are many reasons why people might be seeking that legal advice: they might be out of scope of the legal aid provision; they might not meet the means and merits test of that legal aid provision; or it might be more generic and general advice that they are seeking.

One of the things we are doing is looking at the wider legal support strategy—outside of the legal aid provision—to support individuals with that legal advice. We provided £6.2 million-worth of grant funding in 2025-26 to 60 frontline organisations to help with that access to legal support and early legal advice. We have also established a Legal Support Strategy Delivery Group, which is formed of stakeholders, experts and academics, to develop a programme of work around that wider legal support system and to get to the detail of what interventions are most effective and we look at that across the whole.

To pick up specifically on some of the other Government Departments' work, we have done a lot of work with MHCLG, particularly on the future legislation on the Renters' Rights Bill, and how we provide—how we ensure—legal aid provision for the people who it affects. That includes looking at the data we have about the housing loss prevention advice service and what we do for individuals in those circumstances; how the Renters' Rights Bill will impact that; and, therefore, how we make sure the provision is in the right places to meet that demand.

Q38 **Mr Betts:** I would like to pick up that particular point. Has anything changed since the Committee's report that asked you to have these conversations with local authorities? Whether it is conversations or working parties—has anything actually changed?

Gemma Hewison: We have completed the survey of local authorities, but, as I said, we did not have a huge response rate. We have done work with MHCLG on the Renters' Rights Bill and on the support that we provide in the housing loss prevention scheme. We have worked with the Home Office absolutely hand in hand on providing the additional support for the Immigration Act, and continued support for its ongoing initiatives and policy changes to make sure that access to legal aid and legal support is in the right place for the most vulnerable people.

Q39 Mr Betts: I will ask the question again: in terms of local government and your conversations, discussions and working groups with them, has anything actually changed?

Gemma Hewison: Thinking of the work that we have done with the Home Office, we have changed the way that we implement support for people in detention centres and immigration removal centres to ensure that we have the most comprehensive cover for individuals who want to access that service, making sure that we can support those policy changes. I think that things have changed, meeting the changing demands.

Q40 Mr Betts: I asked about local government specifically.

Dr Farrar: I can pick that up. Local government will be concerned about issues around children and families, in particular. We recently rolled out a new pathfinder model for private family law cases—it is called Pathfinder. It aims to improve experiences and outcomes for children and families. It provides a specialist person to work with those families, and will reduce demand on local government because it will mean that those families can be pointed to the sources of legal advice that we now fund access to. That is important.

The specialist case progression officer will work with that family. In the areas that we have rolled it out—Dorset, Birmingham, West Yorkshire and Wales—it has reduced the average number of hearings per case from five to between one and two.

Q41 Mr Betts: Is that going nationwide?

Dr Farrar: That will be a decision for allocations, so a decision for Ministers. But the early work that we have done in the six core areas shows that it is having a significant impact, particularly by reducing case durations, but also by helping people to find the right advice in the right place when they need it. It reduces the stress for the people involved in those cases. We have also heard positive feedback about the increased support for victims of domestic abuse. Those are the kind of things that we want to roll out in local areas, which will help local authorities and reduce the amount of legal advice that is needed because people will get the right legal advice at the right time.

Q42 Mr Betts: Can I come back to the housing situation? It was helpful that you mentioned the Renters' Rights Bill, a very significant piece of legislation that will basically change the relationship between landlords and tenants. Currently, many tenants will not complain about their landlord because they know that the eviction notice will come the following day, and that is just the reality of life. When landlords cannot do no-fault evictions, tenants may get a lot braver in saying, "Actually, we need to pursue our landlord for not doing the repairs, for harassment"—or for whatever. How far have you worked with local authorities to assess the likely impact in those areas, and worked together to try to address that and to support people in that situation?

Gemma Hewison: We are working hand in hand with MHCLG and local authorities on the implementation of the Renters' Rights Bill, on the individual implications of each of its measures and on how we best support it, with capacity within the tribunals, legal aid, and the support that is needed. That includes using local authorities to promote the housing loss prevention advice service and how people can access it in all the local authorities' communications, as well as in ours and through the courts.

Q43 **Mr Betts:** I suppose the test will be when the Act comes into force and things start happening. At that point, it might be helpful if the Committee could have some assessment of how that is working and the challenges. It will be a big change, and trying to anticipate exactly how it will work through is going to be difficult, but people will really need support in this area.

Gemma Hewison: You are absolutely right. One of the real challenges here is that we cannot necessarily completely predict it. We are doing everything that we can with the data that we have, but you are right to ask for that.

Chair: Thank you very much, Clive. That is an important point.

Q44 **Sarah Olney:** Gemma, when do you expect the court service to have more information about the impact of litigants in person on the administration of the courts? We can see that they are having an impact; what is the Ministry of Justice doing to properly understand that impact?

Gemma Hewison: That is a really good question. It is something that we have talked about before, but the historical data that we have is not good enough to tell us the story about litigants in person. However, the roll-out of HMCTS reform really makes a huge difference. A common platform has been rolled out across all the magistrates and Crown courts, which enables us to capture data about litigants in person and the real detail about hearing times and so on, so that we can look at what impact the roll-out is having. Similarly, we are also rolling out to the private—

Q45 **Sarah Olney:** Just quickly, what have you learned from the roll-out so far? What are you picking up from the data on that?

Gemma Hewison: We do not have the data fully on the common platform for the criminal side. I will just touch on the family side, because that is a real issue. We are currently rolling out the private family law system. In the meantime, to try to get more detail, we have done some analysis of unpublished historical data in private family. What that tells us is that cases where neither party is represented are no less efficient in terms of timeliness of the hearings—so, the length of the hearings.

Q46 **Sarah Olney:** I appreciate the point you make about efficiency. One thing that is a real concern for me, because it comes up in my constituency casework a lot, is this. What evidence are you picking up about child protection issues in the family courts, particularly where one party or the other is a litigant in person? Are you confident that the child protection

issues that arise in family courts are being properly treated where we have litigants in person?

Gemma Hewison: There is comprehensive support for litigants in person in the family courts and a range of measures are in place. There is judicial guidance about how they should support litigants in person, and they take that that responsibility very seriously. There is a process for online applications for child arrangements, which includes a step-by-step process. That speeds up the data collection. It also speeds up the safeguarding checks, because the data is where it needs to be, and much more quickly.

The Family Justice Council has commissioned advice now—

Q47 **Sarah Olney:** I beg your pardon; I know I keep interrupting you, but what you are saying is that the new system makes it more efficient—it's not—but the point is really around the litigants in person, because what we are examining here is the impact of reductions in legal aid. What does the data show about the increased child protection risk arising from, shall we say, one party in a family court dispute being a litigant in person?

Gemma Hewison: I don't think I understand exactly the question you are getting at as to why you think there is an increased—

Q48 **Sarah Olney:** Is there an increased risk of child protection failure from a litigant in person in a family court, particularly when the other side is properly represented?

Gemma Hewison: I don't think there is specific data on that.

Q49 **Sarah Olney:** There isn't?

Gemma Hewison: No.

Q50 **Sarah Olney:** Okay. I will go back to my main question about the overall impact of litigants in person. Before I interrupted you, you were saying that there is no evidence that there is any less efficiency in having litigants in person.

Gemma Hewison: That is right. The historical data that we have looked at says that that does not slow the process down. As Jo mentioned, the roll-out of the Pathfinder programme in private family law is having a really significant impact on pace and in reducing the number of hearings. Again, we are not seeing any difference, or any negative impact, on the efficiency of the hearings from having litigants in person.

Dr Farrar: Can I just go back to your question about safeguarding? That is very important to us, and there are lots of safeguarding measures in place to make sure that we identify and work appropriately if there is a safeguarding issue. Obviously, the improved data will not make people more vulnerable. In fact, the roll-out of reform and a common platform will make things more efficient and effective.

With the addition of Pathfinder, which gives people an individual case progression officer, we should be able to work closely with the family—not just with the litigant in person, but with the family—to make sure, as we always have done, that they have the interest of the children at heart. We are seeing through Pathfinder that there are improved outcomes for children and families by working together with the family in this way.

As I say, this is a decision for allocations, but we will keep the Committee informed on Pathfinder, because I think it is an important step forward and we are learning from it all the time.

Q51 Sarah Olney: Thank you; that is good to know. Gemma, is the improved data that you have and will have on litigants in person going to help you to differentiate between the litigants in person who are more actively engaged in their cases and the ones who are not engaging at all?

Gemma Hewison: I think that is quite difficult to measure. I don't know how you would capture the level of involvement of a litigant in person through the process.

Q52 Sarah Olney: What about appearance in hearings?

Gemma Hewison: The information will record appearance in hearings, so we can take some inference from that, but it's quite difficult and quite subjective—that view of level of involvement.

Q53 Sarah Olney: So we are saying that the data will record just that the participant is a litigant in person; it will not record whether they are actively involved or whether they are a litigant in person by default, but they are not actually speaking up for themselves or making an active attempt to present their case.

Gemma Hewison: The record of the case will include information about the hearing and the involvement of the parties, yes.

Q54 Chair: May I follow up on Sarah's questions, Gemma, because your answer is counterintuitive? There are two aspects to the issue of litigants in person. One is the impact on the litigants themselves, which we have covered quite well, but what we have not covered quite so well is the aspect of slowing down the cases. As you know, this Committee held a hearing on the delays in the Crown courts. What evidence do you have about that on litigants in person? One of our evidence people has given us the figure that in domestic abuse cases an extra 1,555 people made court applications without representation between April and June 2024, so this is a rising problem. How much is it slowing down the criminal justice system?

Gemma Hewison: That is the point: the evidence that we have tells us that actually there is not any inefficiency from having litigants in person through the process. There are not extended hearings or a longer procedure.

Q55 Chair: I hear what you say, but if somebody is attending a court procedure for the first time and does not know how it works, the judge inevitably has to explain to them what they are supposed to be doing, and that must slow it down.

Gemma Hewison: That is about the support that is provided at each step of the process for that individual. As I say, there are a number of routes, through different jurisdictions, by which individuals are supported pre court or by the judiciary or by the case progression officer in the private family courts. There are a number of different points where that intervention and support are provided to help ensure that the hearings proceed.

Dr Farrar: Just to add to that, the data that we have is showing us that, as Gemma said, there isn't a difference, but the data that we are collecting data through Common Platform—and, in this case, through reform—will obviously give us better data and then we can interrogate that further, to make sure that the data that we have collected so far is telling us the right story. Pathfinder is also important here, because that will make sure that people need fewer hearings, so it will speed up the cases for them; it will make it a less drawn-out process. As we roll out reform, we can continue to look at what the data is telling us.

Chair: That is really helpful, Jo; thank you very much. We look forward to following that progress with interest. Anna Dixon will ask about the final bit of the legal aid system.

Q56 Anna Dixon: Before I move on to my substantive question, I want to pick up the point about litigation in person, if I have understood it correctly, and some of the points about identification of vulnerable persons. I know we were talking about that in the context of legal aid, but it is also relevant at the stage of court proceedings.

I have a constituent who was going through a court proceeding, but the court had not identified the individual as vulnerable. Although she was hospitalised and going through quite severe health issues that were prohibiting her from attending, she was constantly getting summonsed to appear at court, despite doctors' letters and other things explaining that she was not physically or mentally able to attend.

In supporting vulnerable clients through the court system, and with regard to whatever is appropriate for the individual, how are you ensuring that vulnerable people—I should be more specific: people who may have health issues, physical disabilities and mental health crises that are prohibiting them from even leaving their home, never mind attending court—are fairly treated in the justice process?

Gemma Hewison: We have implemented quite a lot of changes to provide that support through the courts and tribunals service centres, so that we have the ability to centralise requests on individual cases. People can contact our courts and tribunals service centres to talk about their

issues with accessibility, their issues with attending court and what adaptations we may need to put into place in each of our court buildings to either enable them to come to court or facilitate an application to look at a remote hearing, if that is the right answer.

Q57 Anna Dixon: In that case, it could change from in-person to remote hearings partway through. That application can be made at any stage.

Gemma Hewison: At judicial discretion, yes.

Q58² Anna Dixon: Thank you. Going back to legal aid, my substantive point is to do with sustainability and profitability. This Committee did a report in 2024 on value for money, and in the Treasury minute response from the Department there was a commitment to start to monitor profitability. Since that time, Minister Sackman has announced an intention to increase civil legal aid fees for both housing and immigration. I am keen to get an update for the Committee on how you are monitoring the sustainability and profitability of legal aid work.

Dr Farrar: Shall I start? Jane will probably want to come in on this. Jane said earlier that we monitor the number and location of providers and feed that into provider capacity reports. We have recently surveyed both criminal and civil providers, and we talk to the sector and, importantly, the criminal legal aid advisory board. The criminal legal aid advisory board annual report in November 2024, its first annual report, included a number of recommendations for the MOJ. We are considering those recommendations, along with other recommendations.

Since the last PAC, we have published information from the review of civil legal aid. As you mentioned, we are increasing the fees for housing and immigration, and we have also identified other issues that will help the sector beyond that. Jane, do you want to add to that?

Jane Harbottle: Yes. The sustainability of legal aid remains a concern. We continue to monitor the numbers of providers in each of our procurement areas, and we continue to talk to providers. Gemma will want to talk more about the policy aspects, the review of civil legal aid and the fee increases, but we have also been trying to tackle this from an operational point of view. I think I gave a commitment at the last Committee to start to try to reduce, as much as possible, the administrative burden and bureaucracy around doing legal aid. Some of that is down to the underlying regulations and complexity, but some of it, as I said to you before, is about the way we impose requirements on providers that drive up their cost base.

At the last Committee, I think I was asked about the structure of our contracts. We amended our contracts this year. Starting with the crime

² [Letter from the Permanent Secretary of the Ministry of Justice relating to the transcript of the Committee's evidence session on 23 October 2025 \(Follow-Up: Autumn 2025\), 06 November 2025](#)

contract, we have extended the term so that it is now a 10-year contract, which will give people more certainty.

In both civil and criminal legal aid, we have shifted our position from doing big, monolithic tenders, which were invariably every five years, to having an always-on approach, so that the market can be much more flexible. Anybody can join the legal aid market at any point in the year; we are not locking people out of the market. If a firm closes and other people wish to set up another firm, they are not waiting for another five years for us to allow them to enter the market. We are trying to be a lot more dynamic and flexible in how we are approaching our contracts. We are already seeing some benefit from that, with new applications to do legal aid coming in. That is something positive that we have done since the last Committee.

That also means that we have reduced the time to get people into the system, as it were. These tenders used to take almost a year—10 to 12 months from somebody applying to getting them through the door. We have that down to around three months, and we issue providers with a third of the documentation that we did before. That has really improved the process, and the time and the cost of administering that, both for the LAA and for providers. Now I have that in place, I want my staff who have normally been consumed with all these complicated tenders to do far more market engagement at a local level, for example, where we are seeing problems.

In Lancaster, we do not have a housing loss prevention advice service. People in Lancaster can get advice from other services, but that would have to be remote, pretty much, by default. My staff have been into the area. They have communicated with local providers. They have found a provider who has said, "Look—we will do it, but we can't do those particular days, because we have other commitments." We have liaised with HMCTS, and they are considering changing their listing pattern so that that provider can service Lancaster and those vulnerable people who need that on-the-day help and support. That is one of the practical things that we have started to do.

The second thing, which I know we will come on to when we talk about the cyber-attack and cyber-incident, is that we really need to modernise legal aid. That starts from, as I said before, the regulations, how legal aid is structured and the complexity of the fee schemes, all of which drive cost for providers and for the agency as well in terms of checking various regulations from different years and different rates.

We will do a complete review of legal aid and use technology to streamline processes as far as possible, and try to reduce as much of the administrative burden as possible. That must be done with clients in the room—vulnerable clients—and the provider base as well, working together on redesigning how we deliver those services. We have started to set up

those multidisciplinary teams internally—my operations people with policy people—and to engage with users of the service as well.

The third thing is embedding a culture of asking, “How do we simplify this? How do we put the user or the provider at the heart of everything we do and how do we listen to them?” We had a real problem in some of our high-cost family work, because the “right first time” rate for applications was something like 9%. You can appreciate the absolute frustration of these providers trying to get applications through to us, while trying to deal with clients on the ground. My staff stepped in. They have simplified things. They have run webinars. They have worked with the providers who do volumes of these cases. We have got that “right first time” response rate right up to 35%. That is a real improvement. They are not stopping there—they are continuing.

That is just one small example. We are trying to remove as many of the pain points in the system as we possibly can. Gemma might want to say a bit more from the policy perspective.

Q59 Anna Dixon: Can I follow up? Thank you for that very comprehensive answer. In terms of the provider market, it sounds like you have identified some of the inefficiencies and wasted bureaucracy in the process, and it is good that you have got more flexible procurement in place. How is that actually translating into net capacity to provide legal aid advice—has it gone up or down in the last 12 months? Is it translating, or are we still in a position where market fragility is leading to more providers withdrawing from providing legal aid than coming on board?

Jane Harbottle: We still have a real challenge in securing sufficient provision all over the country. On a systemic level, we procure our contracts via procurement areas that are based on the demand in a particular area and the needs of other justice agencies in that area—the police or the courts. On that level, all areas in civil, apart from housing and debt, have coverage against our procurement standards. We have a real challenge in housing and debt. In crime, we have sufficient coverage, albeit there are about six areas that we are watching extremely closely.

At the last Committee, we had quite a long conversation about criminal legal aid in Skegness and the fact that that was being serviced by providers in Lincoln and Boston and surrounding areas. Since then, we have worked to get evidence that we can give to Gemma’s team, and we have worked with Ministers. They have agreed to pay travel costs for providers in local areas to service more vulnerable areas. That is now available in six areas. We are doing what we can to respond to the pressures that we see, but the model that we have for legal aid is such that we are reliant on the private sector, such as charities and not-forprofit agencies, wanting to do legal aid work.

Q60 Anna Dixon: So your point is that everybody can get access, albeit remotely. The gaps are in providing face-to-face for certain types of legal

aid in certain geographies, and you are now taking a much more proactive approach to market development to close those gaps.

Jane Harbottle: We are trying to close those gaps.

Q61 **Anna Dixon:** It would be extremely helpful, in due course, to get more information about how many of those gaps still exist and what your mitigations are, as well as the progress you are making on closing those gaps in access to legal aid.

Chair: If you could let us have a note of those so-called legal aid deserts, it would be really helpful.

Jane Harbottle: Yes, I can give you a note of the gaps.

Q62³ **Anna Dixon:** Fantastic. You specifically mentioned housing. Given that is an area where the fee level is proposed to go up—this may be where Gemma wishes to come in—how confident are you? To what extent, from your provider feedback, have fees been a significant factor in why we have an undersupply of legal aid on housing? Are the fees going to make the difference, or are there other factors, such as the ones you have described surrounding the bureaucracy and procurement process, that are more significant than just the fee level?

Gemma Hewison: The work that has been done through the review of civil legal aid really focused minds on the acute pressures in housing and immigration, which is why we are uplifting fees in those areas. I think it is worth noting that, although the provider numbers have declined overall, the volume of work that is being done on an annual basis has increased. Actually, we are meeting an increasing demand, just in a different organisation of the provider numbers. The provider numbers, in themselves, are quite a crude measure. I think the fees are going to make a significant difference to this process, and that is why we have prioritised them so much.

Q63 **Anna Dixon:** Have you identified other areas where you think fees also need reviewing?

Gemma Hewison: The fees across the rest of civil legal aid remain under review, and will continue to be. As Jane mentioned, the key elements that also came out of the review of civil legal aid were those points about the complexity of the contracts, the restrictions and the administrative burdens that we put on providers in a number of ways through our processes and the technology itself.

Q64 **Anna Dixon:** Jane, you mentioned that you are doing what sounds like an internal redesign and review of legal aid that is just getting started. What is the timescale for that to deliver some benefits and proposals for restructure? Do you think some of them will require changes to legislation?

³ [Letter from the Permanent Secretary of the Ministry of Justice relating to the transcript of the Committee's evidence session on 23 October 2025 \(Follow-Up: Autumn 2025\), 06 November 2025](#)



HOUSE OF COMMONS

Jane Harbottle: On the latter point about changes to legislation, potentially, and that is why we are working really closely with Gemma's team and have had early conversations with Ministers about sponsorship for the programme. The programme itself is still subject to final budget allocations, because obviously it will need funding to deliver. Our original timeline to modernise the system completely was over five years, so it took us just over into the next Parliament. As a result of the cyber-attack, there is lots of ongoing work to see how we can deliver that sooner within the next three years.

Anna Dixon: Okay. We are going to come on to the cyber-attack now, aren't we, Chair?

Q65 **Chair:** I am going to take a break before we get to cyber. As a result of these rather long exchanges, I now have three questions—a little bit of inspiration has come to me.

Let's start with Jane, please, on the issue of fees. The permanent secretary very kindly provided us with a copy of the letter from her Minister of State of 1 July, in which it says that the fees for housing and immigration are going up. It also says, "This represents a significant investment—the first since 1996".

Exactly a week ago today, we had a hearing on fees and charges, and one of the great frustrations about them was that a long delay like this in increasing the fee meant that, when it did come, people were suffering—because they had not been getting their increase in the meantime—and, with inflation, that is a very long time. Is it your general intention, across the legal aid system, to review fees and charges much more frequently than that—after nearly 20 years?

Jane Harbottle: As the Legal Aid Agency, we are responsible for the operation of the system and the processing of the applications and bills, but fees are actually set by Ministers, so that is not something that is in my area of responsibility. It is probably more of a question for Gemma.

Dr Farrar: Ministers keep legal aid fees under review, and you will have seen from the letter, and from other changes, that there have been a number of changes to fees in recent years. We have been talking about civil legal aid, but we are also consulting on £92 million a year for criminal solicitors, so we are acutely aware—as are Ministers—of the need to keep fees under review. But as Jane says, ultimately any increases are a decision for Ministers.

Q66 **Chair:** An idea was put to me yesterday in respect of legal aid: should you think about putting more money in at the beginning of a case to ensure the preparation is as good as it can be? If the preparation at the beginning is not proper, it means the case is going to take longer, may not achieve the right outcome and may go to a higher court as a result. Is that something worth considering?

Dr Farrar: Absolutely. This goes back to some of the points we made earlier about the work we do with the Lady Chief Justice and the court system to ensure that court is as efficient and effective as possible. It also goes back to some of the comments we made about legal aid, engaging the client and assessing client need at the start of the process. All those things will help to make the service more effective. You are absolutely right that we want the service to be as productive and effective as possible, and some of the technology we have referenced throughout will help with that too.

Q67 Chair: Gemma, I am sorry to labour the point about litigants in person, but I have had a little bit of inspiration. Our evidence submissions imply evidence of slower hearings, which is not what you are saying or finding. But the data does not distinguish between active and passive litigants in person. I would have thought that would be a relatively easy bit of data to collect. We could compare a case that has a litigant in person, either active or passive—that is a different class—as opposed to somebody who is properly represented. You could get a similar case—if there is such a thing as a similar case. I would have thought the data on that ought to be relatively easy to collect.

Gemma Hewison: I said earlier that we have the data from the hearings or court proceedings that reflect what happened in the hearings. Identifying whether somebody is passive or not, other than their engagement in the hearing itself, is the only distinguishing feature.

Q68 Chair: I imagine there are quite a lot of cases in which a litigant in person just sits there and says nothing, or only says something when asked to by the judge, rather than proactively making their case.

Gemma Hewison: I think that is quite subjective. If you were trying to record that, how would you record that they have said two things rather than 10? I think that's quite difficult. That is not to say that it is not something we should look at in the future, but our first mission is to ensure that we have the robust data about litigants in person, the length of hearings and exactly what is happening on that basis. Then we can look at how we can extend it.

Chair: It is almost exactly 11.30 am. I am going to take a short break, and then we will come back for the final lap on cyber-attacks. Before I suspend, remember that the microphones will be on, so be careful what you say. If we could be back here by 11.35 am, and then have a quick sprint to the finish, that would be really good.

Sitting suspended.

On resuming—

Q69 Chair: Jo, to what extent do the Legal Aid Agency decisions on the cyberhack leave the system vulnerable to attack?

Dr Farrar: Actually, the legal aid system has been on our risk register as a vulnerability since 2021. Since 2022, we have spent £32 million on the system. When I was here as second permanent secretary in 2023, I

commissioned a review to really understand the risks in the LAA systems and mitigate them. That led to remediation work, and we spent £10.5 million in 2024-25 on urgent stabilisation. We want to spend more on the system, which will obviously be a decision for allocations.

The system was, then, less vulnerable and, in fact, the changes we made allowed us to identify the cyber-attack early and take action as a result. As Jane said earlier, it is a very complex system; there are a number of systems that interact. We knew it was in need of remediation, which is why we started to spend the money on it before the cyber-attack. These systems are very expensive to replace, and it takes a while to carry out all the actions that we need.

Q70 Chair: When was it first evident that a hack had taken place?

Dr Farrar: The earliest known point of access was December 2024. I think that's right, isn't it, Jane?

Jane Harbottle: Is it helpful if I give a brief chronology? I know you want us to be pithy.

Chair: A chronology would be really helpful.

Jane Harbottle: On Wednesday 23 April, we became aware of an attack on our online digital services, following some routine checks made the day before. We then took immediate action to bolster the security of the systems concerned, and we informed legal aid providers at that point that some of their details, including financial information—their bank details and payment transactions—may have been compromised.

On Friday 16 May, we discovered that the attack was a lot more extensive than we had originally understood, and that the group behind it had accessed a large amount of information, potentially relating to legal aid applicants. Further investigation at that stage identified that the attacker's first known entry into the system was back on 31 December 2024. At that stage, we immediately took our systems down. We obtained an injunction to stop the onward publication of any details that may appear on the web or on the dark web, and then we instigated contingency measures, which I am sure we will come on to talk about, across the provider base. That is a quick chronology that I hope is helpful.

Q71 Chair: That is really helpful. The obvious question that arises from that is: could you or should you have known between December and March, and why, when you knew on 23 April, did it take you another few days, until 16 May, to shut it all down?

Jane Harbottle: There are a few things there, so let's take a step back. As the permanent secretary said, this was a known risk. It had been rated

as an extremely high risk on risk registers as far back as 2021—and even before then—and remedial work had been taking place. As a result of the review that the permanent secretary sponsored when she was second permanent secretary in the Department, we obtained some money to start to address some of our technical debt and to start to improve some of our security on the systems. A new security monitoring service being put in place allowed us to detect the attack on 23 April. In December, we would not have been able to see that. It was directly as a result of the improvements and remediation work that we were able to spot it.

On the gap between 23 April and 16 May, our understanding of the attack changed. We immediately took advice from the National Cyber Security Centre, and we also had advice from the National Crime Agency. During that period, we were constantly assessing access to justice and the disruption that would be caused by removing our systems and taking them down, and the risk posed that we knew about at the time. That was a constant re-evaluation in our minds throughout that period. Almost daily, at the highest levels across the LAA and the MOJ, those decisions were being taken.

On 16 May, we received notification from the attacker and the whole situation changed, in terms of our understanding of the potential amount of information that they had had access to. At that point, we immediately shut those systems down.

Q72 Chair: That is very helpful; thank you. I was looking for this but I cannot find it—how much data was released? How many people's bank account details were released?

Jane Harbottle: In terms of bank account details, we believe that the attackers had access to the details any provider who has had a payment in legal aid. In terms of the data itself—people say this a lot about legal aid—it is very complicated. First, we take the security of people's personal data extremely seriously. That has been front and centre throughout the months when we have been dealing with the aftermath of the attack. To reassure you, we have notified the ICO and liaised with the ICO all the way through the attack.

It is very difficult, at this moment in time, to give you or the ICO a number of the unique records of people who have been impacted. That is because of the way our systems are structured and the way the data is stored. We have 48 different systems and 120 different components, all of which house various buckets of data. The data appears as a number of transactions. There is no whole "Jane Harbottle" legal aid, civil legal aid or criminal legal aid file that could have been extracted. There is no file. It appears in a series of different transactions in different buckets in different parts of the system, so it is very difficult to piece the data together. We have a team of analysts looking at this and trying to piece the data together to see whether we can find unique identifiers to map back to

what it says about Jane Harbottle or Dr Jo Farrar. But at this moment in time, we are just not able to do that because it is very complicated.

An awful lot of the data that was taken is also coded. It could be a provider putting in a claim for a particular bill, which uses a code for the type of case it was or a code for the type of payment that it was. The work is still ongoing, but at this moment in time I cannot give you a definitive number of unique records for anybody. We only know that it was between 2007 and May 2025, when we shut the system down. We are continuing to work with the NCA to monitor the dark web. As far as we are aware, as yet no data has been shared or put out in the public domain, but it is something we are taking very seriously and trying to get to the bottom of.

Q73 Chair: I absolutely understand and sympathise with the fact that it is very complex. A concern when one gets one of these hacks is to make sure that the people affected are notified so that they can take the appropriate steps to change their details, or whatever they need to do with their bank or whatever. When do you think you will have completed that process and be able to notify all those who could have been affected?

Jane Harbottle: We put out a notice straightaway via gov.uk, and various news channels picked that up. So we notified people straightaway. What we did not do is write to all clients, to all the addresses that we had, because some of those addresses would be very old, and that would potentially create another data breach in itself. So we took the decision to issue a public notice.

We have also been working closely with the Home Office. If we do manage to identify any individuals who we believe to be vulnerable, we will notify them straightaway. The Home Office, the police and so on are on notice for that, but to date we have not been able to identify that particular dataset. It is something that we are very conscious of.

Q74 Chair: You do not know when you will complete the monitoring process you are going through to try to work out who may have been affected by this.

Jane Harbottle: On the timeline that we believe we have, it will probably be in another month or so—another five to six weeks. I am happy to write back to the Committee when we have completed that analysis to confirm that we have, and how many individuals. If we are able to identify people who are particularly vulnerable, we will let you know what we are doing.

Dr Farrar: I know Jane has said this, but people will be worried, so I want to re-emphasise that our work with the NCA has suggested that, to our knowledge, the data has not been shared further. As Jane said, it is a very complex system. Just as it is complex for us to identify what information has been released, it is also very complicated for people who get into the system to identify the whole information about a single person. I just wanted to give some reassurance, particularly if people are watching.

Q75 Chair: I understand that. The only problem is that sometimes, as we know from previous hacks, by the time those affected have managed to work it out, the hackers have published it. That is the danger.

Dr Farrar: Yes; that is why we absolutely have to be proactive. As Jane said, we put out the injunction. We are working closely with our colleagues in the police and the NCA.

Q76 Chair: Jane, your answer spurred another question, on old data. Why was data going back to 2007 still on the system? Do you not have a system of cleaning data that is clearly so old that there are no tax and fraud implications? There comes a point where you should take it off, surely.

Jane Harbottle: It is an age-old problem in relation to our legacy technology, which does not have automatic cleaning mechanisms. In legal aid, there is also often a need to keep records going back until any debts or other things are discharged on the file, which can be any number of years—in some instances, until people sell their properties, because we have a statutory charge over the property as well. There are various reasons why we may keep that data, but we need to be on modern, secure-by-default technology that has all these things in-built. It is a risk that we had been flagging and that we were aware of. These were known risks.

Q77 Sarah Olney: Jo, there was a lot of concern about the impact of the breach on the operations of the legal aid providers. You wrote to the Committee at the beginning of this month to say that, “the attack and subsequent response have” not “led directly to any providers withdrawing from the market,” which seems quite a high bar. Do you know what other impacts these providers might have experienced? Are they experiencing hardship and operational difficulties as a result of the breach? Maybe that is a question for you, Jane.

Dr Farrar: I will start, and Jane might want to add something. Legal Aid acted very quickly to put their contingency plans in place. It is very good that we had those contingency plans so that we were able to pay providers based on average claims. Now that we have the system back online for criminal providers, we have been able to deal with the backlog and make sure that we are fully up to date.

When I wrote to you, we had not seen any evidence of people leaving the market as a result of this. The number of people in the market has remained about the same. Some people have left and some people have joined. We have not seen a significant decline, which is very reassuring. All credit to Jane and colleagues for putting these contingency plans in place. We will continue to monitor this as we bring the civil systems back online. That is under way now.

Jane Harbottle: First, let me acknowledge that this is not a situation that any of us wanted to be in. We have talked about the challenges across the legal aid provider base, and this is the last thing they need. I just want to

acknowledge that. My heartfelt thanks go to all our providers, who worked so hard throughout the attack to keep access to justice turning and understand the contingency measures that we have put in place, and to the representative bodies, who have been in the room with us, helping us to design some of these things and giving us feedback about what it is like on the ground. I have been out to providers, and my staff go out and spend time with providers, so we understand their concerns. Our response was, first, to try to keep access to justice going and not let legal aid stop that and, secondly, to make sure that providers had the cash flow that they needed. I can go into detail about some of the pressures.

Q78 Sarah Olney: I want to ask about the cash flow point. Were you making loans to providers?

Jane Harbottle: Adrian might want to come in here, but in criminal legal aid, due to previous investment, the systems were more modern. We were able to restore those sooner, so we were able to get internal access back in June and immediately resume paying Crown court bills. It just kept the system going. We were already paying the crime lower work, because that was not impacted.

Civil legal aid—any work done under legal help, so most of your housing or immigration-type work—has continued to be paid. That is paid off a completely separate system. For civil representation—family work, the family courts and so on—we had to go to Treasury to agree what we had as a payment contingency. We looked at what each provider had claimed, or what we had paid the provider, in the three months before the incident and used that to set an average payment. We agreed with Treasury that if the provider asked us to make that payment, we would make that payment to them each week. We have been doing that since the attack for the people who have opted in. Some providers have not claimed that money, but it is there should they need it.

We are making good progress on the civil system, although it is taking much longer because it is much more complicated and it is much older technology. When we restore the system, providers will send in their bills as normal. We will assess and pay their bills, and over the course of coming months, we will start to recoup and reconcile the money that we have paid under the contingency process. We will need to do that very carefully, because we will need to make sure that we are not putting the providers out of pocket by doing that. Adrian and I are conscious of that, and we will work with the providers because we do not want to cause them any harm by recouping—

Q79 Sarah Olney: So where you have overpaid in the interim, you will not aim to claw that back straightaway. You will claw that back over time.

Jane Harbottle: Exactly. For every week of contingency, we will recover that week's money over a month. If we have made 20 payments, it will take us 20 months to recoup that money. Adrian might want to come in here and save you listening to my voice.

Adrian Hannell: We are very mindful of the impact on the providers. We are making provision to cover them for the period while the systems were not available, and making sure that as we unwind it, we do that very carefully. At the moment, as Jane said, we are taking the money back at 25% of the speed at which we gave it out. As we go along, we are also going to be monitoring things very closely with the providers to make sure we can keep track of how quickly they are billing. If their billing is not quick enough—so we will have over-recouped—we will talk to them about that and work through it with them to make sure that we control their cash flow. We also expect, from conversations, that there will be people who want to get it repaid quickly. If people have the ability to raise their bills quickly, they might want to pay it off quickly. Again, we will have the flexibilities to allow people to do that.

The last thing I would say is that it is an average payment scheme, but we also have an escalation process at the moment. If people are doing a significantly different level of work from the level that they were doing in the average period that we looked at, we flex it for them. So if their level of work has gone up, they are not tied to an average from before. We work with them to make sure that we give them the correct amount of available cash.

Q80 **Sarah Olney:** Excellent, thank you. I want to move on to how the contingency arrangements have affected the delivery of justice. We have talked about the contingency arrangements—particularly the representation service—and we have identified that family courts are one of the main areas for that. What impact has the contingency had on the efficiency of family courts, in particular?

Dr Farrar: First, I think you are seeing from others that a huge amount of work has gone on right across the Ministry of Justice. I am grateful to people right across the Ministry of Justice for working together so well to absolutely minimise the impacts on courts and providers. There has obviously been an impact, and Jane might want to say a little bit more about that, but considering the scale of the attack and the disruption to the system, the impact has been minimal. We have been able to quickly give people access to justice, and therefore they have been able to have the legal aid that they need to progress through the court system. Jane do you want to say anything about the impact?

Jane Harbottle: We have been looking at various measures, but to date there does not appear to be any impact, certainly on the criminal courts. There is no impact on the Crown court backlog, as far as we can see, and the rates of ineffective and vacated trials have remained consistent pre and post attack. Although, as I said, the situation we are in is not ideal, that is fairly reassuring. Ditto for the civil courts: there does not appear to be any change, other than a slight improvement, but I think that that is because of general improvements in HMCTS on public law, family cases and the time taken to process those.

There was some slight wider disruption for HMCTS, because it has a help with fees service—you probably know more about that than I do—and it relies on one of our interfaces, which is an automated check-in system for benefits with DWP. When we took the systems down, they lost the availability of that service to check if people needed help with fees, so they had to implement their manual contingency there. I think that had a slight impact on delays, but I am not aware of any other impacts.

We have kept the judiciary informed throughout. Certainly in the early days, the judiciary and the chief magistrate wrote out to criminal providers to help inform them of the contingency processes and say, “If you are experiencing any delay, this is what you can do, and this is what you can ask of the court.” As far as I am aware, that has not been invoked.

We have managed all this through a bronze, silver, gold command, as you would expect in these circumstances. We have an HMCTS member in those meetings with us, so if there are any issues, or vice versa, they would be raised in the incident response meetings. We have had HMCTS in the room with us throughout.

Dr Farrar: As we have discussed, that is so reassuring, and I am really grateful for all the work that went into that. There has been an impact on legal aid providers, and we have talked about that. We have tried to minimise it as much as possible, but as Jane said earlier, we are also really grateful to legal aid providers. Their co-operation and willingness to be flexible, to access a temporary system and to wait for bills to be paid, has allowed us to keep access to justice. We should pay tribute to those providers, who have worked closely with us throughout.

Q81 Mr Betts: Moving forward, how can the public have confidence, having seen this problem, that the information stored on your different systems is safe, and that the mitigations put in place are working?

Dr Farrar: We have comprehensively reviewed all our systems. As with many other systems, in both the public and private sectors, we are seeing increasingly sophisticated actors who are determined to try and disrupt and access data for criminal purposes. We are doing all we can to understand where the risks are and update our systems accordingly. Obviously, as I said earlier, there is a huge cost to that. We have dedicated money to the legal aid system, which was identified as our highest-risk system. Other decisions on improvements will now be taken through our allocation process. But, to reassure you, we have the assessment of all our systems, and we know where our risks are.

Q82 Mr Betts: Right. So you have a transformation programme, do you?

Dr Farrar: We have a transformation programme.

Q83 Mr Betts: Are you going to accelerate it in the light of what has happened?

Dr Farrar: That will be an allocations decision, because it will need funding.

Q84 Mr Betts: In terms of what you have now, and what you might be planning for, have you identified—I will not ask you to say which they are, for obvious reasons—the systems most at risk?

Dr Farrar: Yes.

Q85 Mr Betts: Are you going to give them priority when you come to the transformation programme?

Dr Farrar: Of course.

Q86 Mr Betts: Right. At some point we might have more information.

Dr Farrar: Yes, and we may want to come back on that. At the moment, that is subject to allocation decisions, and obviously there are lots of funding decisions to balance.

Q87 Mr Betts: Do you have real concerns about particular systems, and if so, what measures can you put in place prior to their being transformed under a future programme which is dependent on resources being made available. Are there things you can do in the meantime to make them more robust?

Dr Farrar: Yes, absolutely. We have a transformation programme, but we also have a legacy system, and there are certain mitigations that we can put in place. Some of the funding we spent on the legal aid systems was not to replace the system but to mitigate the risk. We look at both. Protecting ourselves from cyber-attack is our top priority when it comes to changes to our systems.

Q88 Mr Betts: What lessons should be learned?

Jane Harbottle: I have a few. I have already said to my team that once we restore the civil systems, a key responsibility for us is to share our experience with other Government Departments, especially through the operational delivery profession.

Another lesson is that with the increase of cyber-vulnerability and cyberattacks this is not a technical problem anymore—it is everybody's problem. Senior leaders really need to lean in and understand their technology. Is it patched? Is it up to date? What are the risks? Where are the vulnerabilities? They need to make sure that is really understood. It doesn't sit just with tech teams anymore.

Secondly, most business continuity plans in the private sector and even across Government are probably relatively short term. They don't think, "What if there is a complete wipeout?" We had done a lot of the thinking, but our business continuity plan was not for the long term, although we knew what we were going to do. We did some rapid work to lay emergency legislation in June, so that we were able to put these different contingency plans in place; we step-changed our contingency planning. So I think contingency planning needs to be much longer term across

operations. That is difficult because we cannot always just go back to paper now; we have moved on. So there are those plans.

For me, the third lesson is about the people and wellbeing. This has been absolutely brutal; I don't think anybody would wish to repeat this experience. The digital teams, my legal aid team—all across the Ministry, people have come together, laying the emergency legislation, as I said, but it has been brutal. People's resilience has certain bounds, and you need to be very conscious of that in these situations as well.

The last lesson—I promise I will finish on this one—is to overcommunicate and collaborate. I mentioned the profession, the professional bodies. We had daily communications going out and we had them in the room with us—helping shape our response to this—as we will going forward, because we have a period of recovery to come, even when we get the systems back up and running. So that is also vital in terms of communication and collaboration.

Sorry if they sound like obvious things. Some of those things were picked up in the NCSC annual report this year as well. But as I said, I and my colleagues will be making sure that we share our learning across Government with as many people as possible.

Dr Farrar: The important thing is that we have been and still are working to make sure that the system is back online and that we are able to pay providers. And we are learning lessons. We have been learning lessons as we go along, but we will be able to properly take a step back and review this once the systems are up and running. I was very grateful that we did have the contingency plans in place to be able to pay providers. So I absolutely echo Jane's lessons learned so far.

Q89 Mr Betts: Has this caused you to become, or were you already, aware of the potential failings in all your systems? Has an assessment been done?

Dr Farrar: We have looked at all our systems now. This risk develops quite quickly, so we need to continue doing that assessment. It is not something you can do once and finish. But we have a much better understanding about our systems. We have been working on that for a few years and, as I say, our transformation programme and some of the work that we have planned to make our systems less vulnerable are important.

But this is an ongoing risk. No matter how secure you think your systems are—this will probably be one of our lessons learned—we need to keep assessing that and keep changing, because we are dealing with people who are very determined to access systems for criminal purposes.

Q90 Chair: You will be aware of this Committee's recommendation, accepted by Government, that every Department should have a CDIO officer at a very senior level of management within the Department and on their executive boards. Do you have that in your Department?

Dr Farrar: We do have a LADO. We also have a director of transformation, who is on our executive team.

Q91 **Chair:** This is very specifically somebody who is an expert in digital information—a CDIO.

Dr Farrar: Yes.

Q92 **Chair:** Good; thank you. And on your executive board?

Dr Farrar: Yes.

Chair: Great. Blake Stephenson, please.

Q93 **Blake Stephenson:** I will not take up too much time. I just want to ask a few questions about the risk register and the entry of this on the risk register back in 2021, and then lead into how much money is being spent on cyber-risk and the adequacy of that. It is good to hear that this was on the risk register in 2021. I think it has been described as a high risk. At the time that it was put on the risk register and in the months leading up to the breach itself, what was management's assessment of the impact of the event, should it occur, and the probability that it would occur, before it happened?

Dr Farrar: I was here in 2021, so I can talk about that bit and then I will bring others in on the rest of it. We regularly review our risk registers and our systems, and in 2021 this was highlighted as a significant risk for the organisation. That is why I triggered the review—to look at the LAA risk.

First, we put some money into the system, then we commissioned a piece of work to understand how to mitigate the issue. That led to some more investment in the system. Perhaps Jane could pick up on the months running up to that because I was not here at that point.

Jane Harbottle: There were two main risks. One was the scale and complexity of the estate itself and the legacy technology on which it was all built, and the second was obviously a specific cyber-risk. It was on the register back in 2021; that said, from 2018 somebody had been allocated to move the services from old physical servers, basically, into the cloud. We were seeing real problems with performance at that stage, as well—both operationally and with the provider base. That work was vital from a legacy point of view.

As the permanent secretary says, in '22-23 our estate was assessed as the most complex and fragile in the MOJ, and funding of £8.4 million was secured to start to address the technical debt. It is fair to say that the scale and complexity of the digital estate meant that that investment was not sufficient. I guess, as with all ageing technology, it is probably like scooping water out of a sinking boat—very challenging.

Discussions with Jo led to the full independent assessment of the systems to say what it would take to get us out of this. Obviously, we had talked

about the longer-term transformation but what did we need to do each and every year until we got to the transformed state?

Q94 **Blake Stephenson:** To be clear, this was before the breach.

Jane Harbottle: This was before the breach, in '22-23. That then gave us the investment case, for both short-term funding and the basis of our transformation bid. We secured another £10.5 million in 2024. It was part of that £10.5 million that put the monitoring in place and allowed us to detect the attack when it happened—so it was effective in that regard.

The money also laid the groundwork for us replacing the most vulnerable part of the system. It was called the “legal aid portal” at the time—the security and identity access system. The portal checks your credentials and that then gives you access to the various legal aid applications and systems. It was through that portal that the attackers managed the breach; that is how they got in.

But because of the £10.5 million, we had already laid the groundwork and started to build when the attack struck. We were basically able to accelerate that and rolled it out in August. That means at least that when we stand up systems—we stood up all our crime systems in September—that new identity, the ring of fire, is sat around all the systems. That was already in place.

We knew there was an issue and we got funding. Was it enough and was there enough time to stop the attack? No, but it certainly helped us to deal with the attack and its after-effects.

Q95 **Blake Stephenson:** It helped you identify it, as well.

Jane Harbottle: It helped us identify it as well, which is absolutely critical.

Q96 **Blake Stephenson:** Earlier in the session, someone mentioned £32 million having been spent since it was added to the risk register. I think that relates to the numbers that you just ran through—it's not doubling up, right?

Adrian Hannell: There is the £8.5 and the £10.5 million, and then this year we have put in an additional £32 million—

Blake Stephenson: So it's additional.

Adrian Hannell: No—Jo was referring to part of that. There is the £8.5 and the £10.5 million, plus the £32 million extra, some of which is for stabilisation and some for transformation. I think Jo was referring to the transformation part, which, slightly confusingly, gives us two lots of £32 million.

Q97⁴ **Blake Stephenson:** Give us a sense of what that is as a proportion of overall budgets. Cyber is clearly a very high-risk issue, and I know that in

the private sector a lot of money is spent on cyber-resilience. How would you compare your spend on cyber versus other Government Departments? You may not have that off the top of your head.

Jane Harbottle: I do not have that off the top of my head, but I know there has been a significant increase in digital spend across the Department in the last couple of years. The Department also now has a director general who is specifically responsible for digital and transformation, and some of the operational agencies, like mine, sit in her group for precisely that reason: to make sure we are investing in the right places.

Adrian Hannell: For legal aid on its own, we have invested 48% more in '25-26 versus '22-23. I know we have done some work to look at your question; I do not have the answer with me, but I will write back if that is okay. It also depends on the different nature of some of the different Departments and trying to look at it in a sensible comparative way. But we definitely have something, so I will write back with that, if that is okay.

Q98 Chair: Jo, I'm afraid there is one final question from me. I have not warned you about this, so I am very happy if you write to me on it. We have had evidence from Tussle, a public spending analytics firm, that £5 billion of supplier payments between June '22 and May '23 have not been listed as they are supposed to be listed under the guidance on managing public money.

Tussle estimates that, projecting that forward to today, it amounts to a total of £10 billion for which receipt remains unposted. I do not mind if you write to me about this, but I would like assurance on when it is going to be put right.

Dr Farrar: I am delighted that we will not have to write to you about it because Adrian is going to be able to answer the question.

Chair: Excellent! We like instant answers.

Adrian Hannell: First, let me apologise for it. We have been running with a very high level of vacancies in the team where this happens. It is currently a very manual process and it has not been given the priority it should have been given.

We have a plan in place to rapidly remediate it. The data through to October '24 has already been collated, so we are just going through the clearance process for that. We have taken a number of individuals from other areas and put them on to it, so we have a number of people focused on getting it out. We are also working with our AI and digital specialists in

⁴ [Letter from the Permanent Secretary of the Ministry of Justice relating to the transcript of the Committee's evidence session on 23 October 2025 \(Follow-Up: Autumn 2025\), 06 November 2025](#)

the MOJ to look at a way to do a significantly more automated version of this work.

At the moment, part of what has been taking the time is the fact that there are thousands of line items, and we go through very carefully to redact it, to make sure we do not put out any personal information. It should be possible to do that in a far more automated way, which is what we are looking to do. It is absolutely at the top of the list at the moment.

Dr Farrar: I have been very concerned about it, so Adrian and his team have been reporting on it directly to me as accounting officer.

Chair: Good. I am really pleased that you recognise the seriousness of it and will put it right.

May I thank you all, and particularly the permanent secretary, very much? It has been a slightly difficult session, but I suppose that is inevitable when things are not entirely right. We do appreciate the information you have given us, particularly the reassurance around the cyber-attack, what you are going to do in your transformation programme and what you have already done to put it right, which sounds like quite a good model for when these things happen. Thank you for all of that.

An uncorrected transcript of this hearing will be published on the Committee's website in the coming days, and we will consider the evidence carefully. We will then produce a report and, no doubt, recommendations in due course. Thank you very much for coming today.