

House of Commons
Home Affairs Committee

**THE WORK OF THE
HOME AFFAIRS
COMMITTEE IN 2002**

Third Report of Session 2002–03

PREVIOUS REPORTS

The following Reports have been published by this Committee since Session 1995–96, and are available from The Stationery Office:

Session 2002–03

1st Report	Extradition Bill	HC 138
2nd Report	Criminal Justice Bill	HC 83

Session 2001–02

1st Report	The Anti-Terrorism, Crime and Security Bill 2001	HC 351
2nd Report	Police Reform Bill	HC 612
3rd Report	The Government’s Drugs Policy: Is it Working?	HC 318
4th Report	The Conduct of Investigations into Past Cases of Abuse in Children’s Homes	HC 836

Session 2000–01

1st Report	Border Controls	HC 163
2nd Report	Criminal Records Bureau	HC 227

Session 1999–2000

1st Report	Managing Dangerous People with Severe Personality Disorder	HC 42
2nd Report	Controls over Firearms	HC 95
3rd Report	The Double Jeopardy Rule	HC 190
4th Report	Blantyre House Prison	HC 904

Session 1998–99

1st Report	The Work of the Criminal Cases Review Commission	HC 106
2nd Report	Freemasonry in Public Life	HC 467
3rd Report	Accountability of the Security Service	HC 291
4th Report	Police Training and Recruitment	HC 81
5th Report	Drugs and Prisons	HC 363

Session 1997–98

1st Report	Police Disciplinary and Complaints Procedures	HC 258
2nd Report	Confidentiality of Police Settlements of Civil Claims	HC 894
3rd Report	Alternatives to Prison Sentences	HC 486
4th Report	Electoral Law and Administration	HC 768

Session 1996–97

1st Report	The Operation of the Dangerous Dogs Act 1991	HC 146
2nd Report	Management of the Prison Service (public and private)	HC 57
3rd Report	Freemasonry in the Police and the Judiciary	HC 192

Session 1995–96

1st Report	Murder: the Mandatory Life Sentence	HC 111
2nd Report	Murder: the Mandatory Life Sentence (Supplementary Report)	HC 412
3rd Report	Judicial Appointments	HC 52
4th Report	Identity Cards	HC 172
5th Report	Possession of Handguns	HC 393

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Third Report of Session 2002–03

*Report, together with
Proceedings of the Committee*

Ordered by The House of Commons to be printed 21 January 2003

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HOME AFFAIRS COMMITTEE

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Home Office and the Lord Chancellor's Department, and their associated public bodies; the administration and expenditure of the Attorney General's Office, the Treasury Solicitor's Department, the Crown Prosecution Service and the Serious Fraud Office.

Current Membership

Mr Chris Mullin MP (*Labour, Sunderland South*) (Chairman)
 Mr David Cameron MP (*Conservative, Witney*)
 Mr James Clappison MP (*Conservative, Hertsmere*)
 Mrs Janet Dean MP (*Labour, Burton*)
 Bridget Prentice MP (*Labour, Lewisham East*)
 Mr Gwyn Prosser MP (*Labour, Dover*)
 Bob Russell MP (*Liberal Democrat, Colchester*)
 Mr Marsha Singh MP (*Labour, Bradford West*)
 Mr Tom Watson MP (*Labour, West Bromwich East*)
 Miss Ann Widdecombe MP (*Conservative, Maidstone and The Weald*)
 David Winnick MP (*Labour, Walsall North*)

The following were also members of the Committee in 2002:

Mr Humfrey Malins MP (*Conservative, Woking*)
 Angela Watkinson MP (*Conservative, Upminster*)

Powers

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

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/parliamentary_committees/home_affairs_committee.cfm. A list of Reports of the Committee since Session 1995–96 is on the inside front cover of this Report.

Contacts

All correspondence should be addressed to The Clerk of the Home Affairs Committee, Committee Office, 7 Millbank, London SW1P 3JA. The telephone number for general inquiries is: 020 7219 3276; the Committee's e-mail address is: homeaffcom@parliament.uk.

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THIRD REPORT

The Home Affairs Committee has agreed to the following Report:

THE WORK OF THE HOME AFFAIRS COMMITTEE IN 2002

INTRODUCTION

1. On 14 May 2002 the House, by resolution, invited the Liaison Committee to establish common objectives for select committees. The Liaison Committee has subsequently issued a list of indicative core tasks, grouped under four principal objectives, and has asked departmental select committees to reflect these in their annual reports.

2. The following report is a review of the Home Affairs Committee's activities in 2002, arranged in the form of comments on the Committee's performance in relation to each of these objectives and core tasks. We append a table showing the relationship of our inquiries and evidence sessions to the objectives and tasks.

3. It is expected that in the near future the House will establish a select committee with the specific responsibility of monitoring the work of the Lord Chancellor's Department, which has hitherto been the responsibility of the Home Affairs Committee. Our predecessors in the last Parliament expressed doubt about the extent to which a single committee could provide adequate scrutiny of both the Home Office and the Lord Chancellor's Department.¹ We share those doubts and therefore welcome the imminent appointment of a separate committee. The report which follows, covering the year 2002, deals with our scrutiny of both departments.

¹ Home Affairs Committee, Third Special Report of Session 2000–01, *Work of the Committee in the 1997 Parliament* (HC 248), paras 8–10.

IDENTIFICATION OF INQUIRIES RELATING TO THE CORE TASKS

Task 1: To examine policy proposals from the UK Government and the European Commission in Green Papers, White Papers, draft Guidance etc, and to inquire further where the Committee considers it appropriate

4. The Home Office produces a continuous stream of policy proposals. The Committee monitors these in a variety of ways. We hold an annual evidence session with the Home Secretary to review ministerial priorities and emerging policy issues as a whole. In 2002 this session was held in September when the House was in recess. The Committee's legislative scrutiny of the Police Reform and Criminal Justice Bills and the draft Extradition Bill allowed study of the policy implications of this planned legislation. In the case of the Criminal Justice Bill most of our evidence was taken before the bill's publication, on the basis of the Government's proposals put forward in the White Paper *Justice for All*, published in July.

Task 2: To identify and examine areas of emerging policy, or where existing policy is deficient, and make proposals

5. In addition to the examination of emerging policy detailed in the previous paragraph, the Committee conducted two inquiries into areas where policy was suspected to be inadequate or misconceived: "The Government's Drugs Policy: is it working?" and "The Conduct of Investigations into Past Cases of Abuse in Children's Homes". The former was a wide-ranging investigation: we held 11 evidence sessions with 45 witnesses, including experts from the Netherlands, Switzerland and Sweden. Besides their evidence we also took into account over 200 written submissions. Our report ranged widely over the principles and practice of policy on illegal drugs; we are pleased that the Government has accepted many of our recommendations. The other inquiry focussed on specific elements of procedure in the area of child abuse prosecutions. Both inquiries were initiated because there was reason to suspect that departmental policy was deficient. Evidence sessions with the Home Secretary and the Permanent Secretaries at the Home Office and the Lord Chancellor's Department also explored emerging policy and areas of deficiency.

Task 4: To examine specific output from the department expressed in documents or other decisions

6. The Committee has questioned witnesses—particularly Home Office witnesses—on specific departmental actions as and when they arose during the course of the year. For example, the actions of the department to resolve the problems of the Criminal Records Bureau over the past six months were examined both with the Home Secretary and with the Permanent Secretary.

Task 7: To monitor the work of the department's Executive Agencies, NDPBs, regulators and other associated public bodies

7. The Committee has pursued a programme of single evidence sessions designed to scrutinise the bodies associated with the Home Office and Lord Chancellor's Department, interspersed between its longer inquiries. Bodies examined in these single evidence sessions in 2002 were the Criminal Cases Review Commission, the Crown Prosecution Service, the Metropolitan Police Service, HM Inspectorate of Prisons and the Youth Justice Board.

Task 8: To scrutinise major appointments made by the department

8. The Committee has taken evidence from HM Chief Inspector of Prisons, to review her performance after one year in post. On a related note, the Committee recommended in its report on the Police Reform Bill that the appointment of the Chair of the Independent Police Complaints Commission should be with the “advice and consent” of the House of Commons. At report stage of the Bill, the Chairman moved an amendment to this effect but it was not accepted by the Government.

Task 9: To examine the implementation of legislation and major policy initiatives

9. The inquiry into “The Government’s Drugs Policy: is it working?” involved an examination of the implementation of *Tackling Drugs to Build a Better Britain*, the Government’s ten-year strategy launched in 1998. An evidence session with the Permanent Secretary at the Home Office enabled us to explore the implementation of policy. Through participation in a visit to Brussels and a conference in Madrid, Members kept up to date with major policy initiatives in the increasingly important European Union field of justice and home affairs.

EXAMINATION OF LEGISLATION

Task 3: To conduct scrutiny of any published draft bill within the Committee’s responsibilities

10. The Committee examined one draft Bill in 2002, the draft Extradition Bill, and two published bills, the Police Reform and Criminal Justice Bills. In each case, evidence was taken on the likely implications of the legislation under review, and reports published in advance of the second reading debates. The draft Extradition Bill was published in good time by the Government, and the Committee had scope to consider the responses to the Government’s consultation exercise, as well as to take its own oral evidence. By contrast, the Criminal Justice Bill was published only a week and a half before second reading, and most of the Committee’s evidence was based on the White Paper which preceded the bill. A little more time was available to study the Police Reform Bill, which was first introduced in the House of Lords, and once again a report was produced in time for second reading in the Commons. We propose to conduct similar scrutiny of the expected Sexual Offences Bill and Anti-Social Behaviour Bill in the coming year.

EXAMINATION OF EXPENDITURE

Task 5: To examine the expenditure plans and out-turn of the department, its agencies and principal NDPBs

11. The Annual Departmental Reports and Accounts of the Home Office and the Lord Chancellor’s Department formed the basis for evidence sessions with the relevant Permanent Secretaries. The Committee was also able to question these witnesses and, later, the Home Secretary, on the results of Spending Review 2002.

EXAMINATION OF PUBLIC SERVICE AGREEMENTS

Task 6: To examine the department's Public Service Agreements, the associated targets and the statistical measurement employed, and report if appropriate

12. The evidence sessions with the Permanent Secretaries of the Home Office and Lord Chancellor's Department included consideration of the two departments' performance against past targets and PSAs and the development of new ones for the forthcoming year.

ASSISTING THE HOUSE IN DEBATE AND DISCUSSION

Task 10: To produce Reports which are suitable for debate in the House, including Westminster Hall, or debating Committees

13. Home Affairs Committee reports were 'tagged' on the Order Paper as relevant to debates in the House on three successive sitting days in December 2002, which we think may be a record. Two of the reports were on the Criminal Justice Bill and the Extradition Bill, and were aimed to inform the respective second reading debates; the third was that on "The Government's Drugs Policy: is it working?", which was tagged in relation to a full-day Estimates Day debate on drugs policy. Earlier in the year, our report on the Police Reform Bill had also been tagged in relation to the second reading debate.

All tasks: Extent to which systematic structure is in place for meeting the indicative tasks listed, and response of department

14. The Committee has been informed of major policy initiatives by the departments, mainly through press notices and liaison with the Parliamentary Clerks, and conducts inquiries into these as and when appropriate. The departments have been helpful and co-operative in response to the Committee's inquiries. We are discussing with the Home Office ways of improving the mechanisms by which the Committee is kept informed of significant developments.

Home Affairs Committee, 2002

Relationship of Inquiries/Evidence Sessions to Objectives and Core Tasks

Inquiries/Evidence Sessions	Objective A				Objective B	Objective C				Objective D	
	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6	Task 7	Task 8	Task 9	Task 10	
Police Reform Bill	✓	✓	✓					✓			✓
The Government's Drugs Policy: Is It Working?		✓							✓		✓
The Conduct of Investigations into Past Cases of Abuse in Children's Homes		✓									
Extradition Bill	✓	✓	✓								✓
Criminal Justice Bill	✓	✓	✓								✓
Asylum and Immigration: Removals		✓									
The Work of the Lord Chancellor's Department	✓	✓			✓				✓		
Home Office Issues	✓	✓		✓	✓	✓				✓	
Single evidence sessions with agencies and NDPBs							✓				✓

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

TUESDAY 21 JANUARY 2003

Members present:

Mr Chris Mullin, in the Chair

Mr James Clappison
Mrs Janet Dean
Bridget Prentice

Mr Gwyn Prosser
Mr Marsha Singh
David Winnick

* * *

Draft Report [The Work of the Home Affairs Committee in 2002] proposed by the Chairman, brought up and read.

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

Paragraphs 1 to 14 Read and agreed to.

Annex agreed to.

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

Ordered, That the Chairman do make the Report to the House.

* * *

[Adjourned till Tuesday 28 January at quarter to Nine o'clock.]

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