



APPG on Access to Justice Meeting with Rt Hon David Gauke and Lord Timpson on the Independent Sentencing Review

Meeting minutes

18 June 2025

Catherine Atkinson MP – Co-Chair:

The meeting of the All-Party Parliamentary Group on Access to Justice was opened by Catherine Atkinson MP, who welcomed attendees and introduced the session, which focused on the recently published Independent Sentencing Review. She expressed her appreciation for the level of expertise present in the room and emphasised the importance of high-level discussion. Catherine highlighted that while the impetus for the review came from the severe and growing crisis in the UK's prison system, it also presents a significant opportunity. She remarked that the Sentencing Review could play a pivotal role in breaking cycles of reoffending, enabling rehabilitation alongside punishment, and ultimately making communities safer.

Before handing over to Lord Bach, her co-chair, Catherine expressed her optimism about the future of the justice system and the potential for real, meaningful reform.

Lord Bach – Co-Chair:

Lord Bach thanked Catherine and all those present for attending. He introduced David Gauke as the first speaker, noting his central role in chairing the Independent Sentencing Review.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David began by explaining that the Review was commissioned out of necessity, given the unsustainable rise in the prison population, especially in the wake of the COVID-19 pandemic. While the prison population had stabilised at one point, it has since begun rising rapidly, now forecast to increase by as much as 3,000 people each year without a proportionate increase in prison places.

David reflected that the urgency of the situation had been known within government circles for some time, but it was only after the last general election that emergency action was taken. Even so, by the time the Review was commissioned, the expectation was that the country would run out of prison places by early 2026. He then noted that this deadline had come sooner than anticipated.

He shared that he had been approached by Lord James Timpson in the autumn of the previous year to chair the Review. He accepted the role, noting his excitement to work alongside a panel composed of a former Lord Chief Justice, a former head of the prison and probation service, a former Director of Public Prosecutions, an academic, a former police officer and a victims' representative. Together, they worked over a six-month period to produce an interim report in February and a final report in May, offering a set of recommendations to address the crisis.

David explained that the Review had both a numerical and a reformative aim. The numerical target was to reduce demand by 9,500 compared to forecast levels by early 2028. The wider aim of the Review was to seize the opportunity to reorient the criminal justice system toward reducing reoffending and improving rehabilitation outcomes, making the system more effective overall.

David summarised key recommendations, including a shift away from short custodial sentences (i.e. those under 12 months, except in exceptional circumstances), and the extension of suspended sentence orders from two years to three. The Review also proposed an “earned progression” model in which most standard determinate sentence prisoners would be released a third of the way through their sentence if they behaved well, with the remainder served under supervision in the community and then on licence. He also highlighted a proposed reform to the current recall system, introducing a new 56-day fixed recall to replace the current approach, which he argued had become overused and inefficient.

David stated that these measures, taken together, were projected to generate savings of around 9,800 prison places. Although there were additional recommendations that were not included in the final figures due to a lack of robust modelling, such as changes to the treatment of foreign national offenders and the use of deferred sentencing. He emphasised that if the rehabilitation aims were met, the system could achieve even greater reductions in prison numbers.

Turning to the community side of the system, David stressed that a successful shift from custody to community would require proper preparation and resourcing. The probation service, he said, was currently under intense pressure and not equipped to absorb a substantial increase in responsibilities without reform. That was why the Review included an entire chapter focused on probation. It recommended increasing resources and improving how they are used. Experienced probation officers, David continued, should be focused on tasks that require their expertise, while other duties should be redistributed to allow them to focus on frontline work.

David suggested that the third sector had an important role to play, as charities in this space could often act more flexibly and respond more quickly than statutory services. He also saw a significant role for technology in relieving probation officers of administrative burdens, allowing them to focus on the people they support.

He concluded that many reforms proposed by the Review could be implemented cost-effectively, such as expanding the use of approved premises and community treatment requirements. If the recommendations were followed through, if Parliament resisted the

temptation to dilute them with carve-outs or sentence extensions, and if momentum could be sustained, David was optimistic. He believed the justice system could shift from its current overburdened and reactive state into a virtuous cycle - delivering better outcomes, reducing reoffending and freeing prisons to focus more meaningfully on rehabilitation.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson began by explaining his long-standing interest in the prison system, informed by 25 years of visiting prisons, speaking with probation staff, meeting victims and prisoners, and employing people with criminal convictions. He described the opportunity to shape justice reform as a privilege and noted that David Gauke had been chosen not during his time as Secretary of State but through his involvement in the Prison Reform Trust, where his contributions and values stood out.

Lord Timpson stressed his interest in evidence, uncomfortable truths, and system-level reform - as a result of his business background. The current trajectory of the prison system, he said, was unsustainable. Repeated emergency interventions to create capacity, such as delaying closures or rapidly increasing places, were insufficient in the face of overwhelming demand. He pointed out the high cost of building new prisons and criticised the longstanding imbalance between attention given to prisons versus that given to probation.

He argued that prisons and probation must be treated as a single, integrated system. Without properly investing in probation, and without treating it as an equal partner in the justice system, it would not be possible to deliver effective reform. He emphasised that any successful change had to include operational improvements such as better recruitment, staff training, leadership development, succession planning, and standards. Technology, he said, must be used wisely, not as a magic solution but as part of a broader cultural shift.

Lord Timpson acknowledged the scale and complexity of the task ahead and welcomed the £700 million secured by the Lord Chancellor. He described the Sentencing Review as essential not only for saving prison places but also for helping people exit the system after a single experience, rather than returning repeatedly.

He concluded by stating that he saw his responsibility, and that of his colleagues, as delivering the sentencing review's recommendations and driving the necessary cultural changes across the justice system. Without those cultural shifts, he warned, the system would end up back in crisis.

Lord Bach – Co-Chair:

Lord Bach then opened the floor to questions.

Richard Atkinson – President of The Law Society:

Richard began by acknowledging the sheer scale of the challenge described in the Review. He pointed out that the margin for error in delivering the proposed reforms was small and emphasised that while the Review focuses primarily on the latter stages of the criminal justice system, success depends on the health of the system as a whole. He argued for a holistic, joined-up approach that considers the entire justice pathway. In particular, Richard highlighted the critical need for legal advice and representation early in the process, such as at the police station. Without this, individuals may not access or take up diversion opportunities that could prevent them from entering the criminal justice system altogether. He referenced previous findings from the Lammy Review, which documented the consequences of inadequate early advice. Richard concluded by asking the speakers whether they agree that in order to deliver their reforms, it's important to ensure that the system as a whole does not overload.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David responded by acknowledging that many of the issues Richard had raised were beyond the scope of the Sentencing Review's formal terms of reference, such as out-of-court disposals. Nonetheless, he agreed that the interdependencies across the system are real and consequential.

He stressed the importance of recognising how reforms in one area could be undermined by pressures or failures elsewhere, such as delays in the courts or bottlenecks in remand. While the Review focused on a reduction target of 9,500 prison places, the current government plans would only deliver 600 of those through extended sentences, making the delivery of the remaining reforms critical.

David cautioned that even small deviations in policy or implementation could push the system back into crisis. He reiterated that the report must be seen as part of a wider ecosystem and warned that if other parts of the system moved in the wrong direction, the gains of the Review could be quickly undone.

Lord Timpson – Minister for Prisons, Probation, and Reducing Reoffending:

Lord Timpson echoed these concerns, stressing that there were three major pieces of work happening in parallel within the Ministry of Justice: the Leveson Review (still ongoing), the Sentencing Review (now complete), and the wider Spending Review (with

allocations yet to be finalised). He underscored the need to land all three pieces of work effectively and in alignment.

Lord Timpson returned to the issue of probation, which he described as central to the success of the entire system. He emphasised that trusted alternatives to custody depend on the confidence of the judiciary, and that confidence rests on probation's ability to deliver high-quality work. Judges, he explained, need to know that the sentence they impose in the community will be carried out and will reduce future offending. To achieve that, probation officers must be given the time, support, and tools they need to do meaningful work and linking up with other services, such as securing housing. Too many current challenges, he argued, can be traced back to a probation service under immense strain.

Faith Healy – Chief Operating Officer of the Parole Board:

Faith welcomed the Review's emphasis on a more victim-centred approach and noted that the Parole Board shares this aim. She described the current parole process as one of the strongest protections for victims, particularly in complex cases involving allegations of further offending. She noted that in many cases, especially those involving domestic violence, these allegations may never result in a criminal charge, but they are still highly relevant to assessing risk. Faith explained that around 60% of determinate sentence prisoners considered for parole have further allegations against them. The Parole Board uses these as part of its risk assessment process and sometimes makes findings of fact in order to justify keeping someone in custody. She expressed concern that a blanket shift to 56-day recalls could undermine this work and place victims at risk. She asked what safeguards and standards would be in place to ensure the continued protection of victims in cases where no formal charge had been made.

David Gauke – Chair of the Independent Sentencing Review Panel:

David replied that the proposed 56-day recall system was introduced to address growing concerns that individuals were being lost in the system following recall, with little transparency or timeliness. He acknowledged that a standardised recall length was not suitable in all cases, and that exceptional circumstances might still require longer periods in custody. The key point, he argued, was that the current system had become overused and inefficient. Reform was needed to ensure that the recall process was proportionate, targeted, and did not result in individuals languishing in prison without sufficient cause.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson added that the reality of prison population growth made some level of recall reform necessary. While he recognised the importance of public protection, he emphasised the financial and operational pressure facing the prison estate. The question, he said, was not whether to make changes, but how to do so in a way that maintained risk management and safeguarded victims.

Martin Jones – His Majesty’s Chief Inspector of Probation:

Martin described the Sentencing Review as a “once-in-a-generation opportunity” to reset the system. He expressed strong support for the Review’s chapter on probation, describing it as a fair and accurate account of the pressures facing the service. Martin welcomed the government’s commitment of additional funding and the emphasis on smarter use of resources, including the role of the third sector and new technologies. However, his central concern was one of timing. He questioned how quickly the probation service could realistically scale up to meet the demands of the proposed reforms, and what practical steps were being taken to support staff now and in the near future.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson responded by saying that one of his key priorities since taking office had been to reduce the sense of crisis within the system. He described an environment where everything felt urgent all the time, and where staff were overwhelmed by constant pressure. His approach, he said, was to act with urgency behind the scenes, but communicate with calm and consistency. He pointed to the recruitment of 2,300 new probation staff and new technologies that were already improving efficiency by 25–30%. He reiterated his belief that most probation officers entered the profession to work with people and not to spend their days on admin. The goal, he said, was to reverse the current imbalance, where officers spend 70% of their time on admin, and return the focus to meaningful casework.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David followed up by acknowledging the scale of the challenge identified by Martin. He reflected that, as a trustee of the Prison Reform Trust, he was close enough to know what the crisis was within the prisons, but that the extent of the difficulties within the probation service were less visible. He stressed that solving these problems would not be as simple as throwing **more** money at it and bringing in a load of new people. Recruitment and training pipelines take time to develop, and the service has a limited capacity to absorb new staff each year. However, he shared Martin’s optimism that

technology and the third sector offered faster-moving opportunities to bridge the gap and alleviate pressure.

Laura Janes KC (Hon) - Chair of the Association of Prisoner Lawyers:

Laura asked whether the speakers agreed that funding is needed for legal representation in order to effectively administer the changes recommended in the Review in a fair and non-discriminatory way.

Regarding recalls, Laura noted that 56 days is a lot longer than 14 days and reiterated how disruptive and ineffective short-term imprisonment can be. She asked whether the speakers thought there should be appropriate legal representation for those in that situation.

She also argued that the new earned progression and recall systems could only be fair if prisoners had proper access to legal advice. Currently, she said, many do not. And that 54% of people in custody do not know when they will be released.

Laura shared the story of a client who, despite serious medical needs and repeated attempts to engage with prison healthcare and staff, was continually disciplined for refusing to work in unsuitable conditions. Under an earned progression model, she argued, people like him want to work but cannot so are unfairly penalised. She concluded by asking the speakers how they will ensure the changes made under the Review will be fair and indiscriminatory

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson thanked Laura and asked her to share the details of her client so that he could follow up personally.

He noted that, under the proposed model, most standard determinate sentence prisoners would have a clear release date based on good behaviour. Lord Timpson reiterated his interest in incentives, noting that his businesses are run on incentives. He then drew on the Texas model, noting how effective it has been over there and how incentives have become a really important part of the model.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David added that there were a lot of questions about the implementation that was not within their remit and that they did not have the capacity to set out detailed plan for implementation.

He recognised that there are questions that need answering about how to ensure the system works fairly but agreed with Lord Timpson that incentives are essential. David continued, noting that, particularly at the start of the process, the system will have to operate on the basis that people will be released a third of the way through their sentence, unless they behave badly. In response to Dr Janes' point around prisoner's uncertainty, David suggested that this will give prisoners greater control.

Casey Jenkins - President of the London Criminal Courts Solicitors' Association:

Casey began by noting that one of the guiding principles of the Sentencing Review had been to look at international examples and learn from what was working elsewhere. She highlighted restorative justice as a model that research shows can reduce reoffending by up to 14% and suggested that embedding restorative justice into both custodial and community sentencing frameworks could support the broader aims of the Review by giving victims a voice, holding offenders accountable, and reducing harm.

Casey acknowledged that while Chapter 5 of the Review included discussion of victim-centred justice, the report did not focus specifically on restorative justice. Given the evidence supporting it and its alignment with the Review's objectives, she asked whether there was value in more explicitly integrating restorative justice into any future sentencing framework.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David responded by admitting that restorative justice was one of the areas the panel would have liked to explore further, had they had more time. He said the omission wasn't a reflection of its importance, but rather a consequence of needing to prioritise other urgent aspects of the justice system. Nonetheless, he agreed there was a case for giving restorative justice more attention and suggested it was an area worth revisiting in future work.

Paul Kohler MP:

Paul first addressed Lord Timpson. He questioned whether the government had done enough to challenge the underlying assumption that prison numbers must inevitably rise. He described prison as a "supply-led industry" and pointed out that simply building more prison places was unlikely to solve the problem. Paul called for a moratorium on prison construction, arguing that increasing capacity only entrenched the status quo. He supported the idea of replacing older prisons but was clear that expanding the estate as a whole was not the answer.

Second, turning to David Gauke, Paul expressed concern that restorative justice had been treated as a “nice to have,” rather than as something that should be central to reform. Paul shared a personal story of how one of his family members had been traumatised after becoming victim to a crime, and how the experience of meeting one of the offenders had changed her life. He argued that restorative justice offers victims a genuine path to recovery, not through retribution, but through understanding and healing, and that it should be a fundamental part of the system, not an afterthought.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson said he was a big fan of restorative justice, noting that many of the people he has employed had been able to come to terms with their offending behaviour through the process. He agreed that international examples were important, recalling a visit to six prisons in Spain with David.

He also returned to the issue of reoffending, describing it as the primary focus of his role and the reason why he had “reducing reoffending” explicitly written into his ministerial title. Eighty percent of offending, he noted, was reoffending. Far too many people were cycling through the system again and again and breaking that cycle required a full-spectrum approach, from sentencing reform to cultural change.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David said that while he understood the government’s response in attempting to control demand while increasing supply, he remained concerned. The prison population, he noted, had doubled since 1950, and the incarceration rate in England and Wales was now twice that of countries like the Netherlands and Germany. He questioned whether that level of imprisonment was necessary or effective, but reiterated that within the current context, something must be done to address demand.

Helen Churcher – Senior Research and Policy Officer at the Howard League of Penal Reform:

Helen posed a question focused on the practicalities of implementing the earned progression model in establishments holding primarily young adults. Helen pointed out that these environments typically experience higher rates of violence and are affected by issues of maturity. She asked how the Review’s model might work in such settings.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David responded by reiterating that the Review set out a clear expectation that most prisoners would be released at the earliest opportunity under the progression model,

emphasising that this would be contingent on behaviour. He made clear that violence towards staff or other prisoners would still have consequences and be subject to existing rules.

Lord Sandhurst:

Lord Sandhurst raised a broader question around resourcing and long-term implementation. Drawing on his experience from the Justice and Home Affairs Committee, he highlighted the growing issue of remand prisoners, describing the situation as being “difficult to control.” He noted that reducing the prison population wouldn’t result in cost savings unless numbers dropped substantially, as baseline operational costs would remain. Meanwhile, increasing the number of individuals under probation supervision would cause probation costs to rise. He acknowledged the £700 million but asked whether the Treasury was on board with this plan for the medium to long term, emphasising that this is not a one or two year project, but a five year minimum effort.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson responded by highlighting the importance of the current three-year spending review, especially for working with third sector organisations. He suggested this timeframe would allow for multi-year arrangements, such as those with Ofsted, which in turn would bring much-needed stability. In terms of cost efficiency, he noted that one way to save money was that he intended to close women’s prisons.

He also discussed the significant variation in running costs between prisons. Older Victorian prisons, which still make up 25% of the estate, often cost upwards of £52,000 per prisoner due to high maintenance and energy costs. By contrast, more modern establishments like HMP Oakwood operated much more efficiently. He pointed out the untapped potential of prison labour, not just in terms of cost savings, but also for rehabilitation. Many prisoners are skilled in trades such as electrical work, plumbing, IT and gardening. Timpson argued that prisons should be using these skills more actively in the day-to-day running of the estate, both for operational benefit and personal development.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David noted that while the Review didn’t put forward specific financial recommendations, its proposals were aimed at reducing cost over time. He reminded attendees that prison is an expensive way to deliver justice. Even maintaining the current population remains costly. The Treasury, he said, is constantly seeking better value for money, and as an institution, it is supportive of reform that achieves this.

Warinder Juss MP:

Warinder focused on rehabilitation within prisons. He acknowledged the importance of expanding prison capacity to manage dangerous offenders but stressed that the system would never be fixed without serious efforts to reduce reoffending. While the increased funding for probation was welcome, he questioned whether enough was being done inside prisons. Specifically, he asked whether there were sufficient programmes in place for education, training, and employment, and also raised the issue of accommodation on release. He emphasised that many prisoners leave custody without a stable place to live, which undermines their chances of reintegration. For him, tackling reoffending was the “absolute paramount” priority.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson agreed with the assessment and acknowledged the inconsistent delivery of support across the prison estate. He noted that at Hatfield open prison, over 95% of eligible prisoners were engaged in day release employment, but this was not the case elsewhere. While progress had been made in recent years through the development of employment advisory boards, there was still a long way to go, particularly around accommodation, which was responsible for around a third of recalls.

Lord Timpson continued, stressing the importance of having a purposeful regime inside prisons, encouraging activity, education and work as ways to reduce violence and improve outcomes. However, he added that nearly half of all new prisoners arrive with drug or alcohol dependency issues. These individuals are often targeted by serious organised crime groups operating within prisons, leading to violence and debt. Addressing these underlying issues, he said, was just as important as increasing education and employment opportunities.

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David agreed. While rehabilitation inside prison was not the focus of the Review, it remained crucial. However, he said it is extremely difficult to deliver effective rehabilitation in overcrowded, overstretched institutions. His hope was that, by reducing the pressure on prisons through sentencing reform, there would be more room to improve what happens inside.

Dominic Collyer – Senior Public Affairs Manager at City & Guilds:

Dominic introduced his organisation as a key provider of prison qualifications and training, also involved in bootcamp-style skills programmes. He welcomed the Review's focus on rehabilitation and emphasised the importance of skills training as a route to reducing reoffending. His question centred on how different parts of government, including the Treasury, Department for Education, Ministry of Justice, and local services, could be better aligned to deliver a skills-focused strategy that reduced the 80% reoffending rate the Review had identified.

Andrew Sperling – Solicitor-Advocate specialising in Judicial Review, Parole Board advocacy and Human Rights, and Managing Director at SL5 Legal:

Andrew acknowledged the potential of the earned progression model but raised concerns about its implementation. He asked how decision-making would work, whether it would move away from risk assessments to something more behavioural or superficial. He also asked who would be responsible for deciding when someone had earned progression: a governor, a board, or someone else?

Rt Hon David Gauke – Chair of the Independent Sentencing Review Panel:

David addressed both questions. On skills, he reiterated his agreement. One of the first things he had done as Justice Secretary was to launch an education and employment strategy for prisons. On progression, he explained that the Review had intentionally avoided being prescriptive on implementation. It was for the Ministry of Justice to work out how best to design and manage decision-making. However, he stressed that the principle was to incentivise good behaviour, not replace one flawed system with another. He noted that a form of judicial oversight already exists in prisons, and that the same sort of structure could help support progression decisions over time.

Lord Timpson – Minister for Prisons, Probation and Reducing Reoffending:

Lord Timpson acknowledged that skills on their own aren't enough, rather it's the link between skills and actual employment that makes the difference. He spoke positively about the new prison training centres and the work of the Employment Advisory Council, which he had helped establish early in his tenure. He described a particularly inspiring example: the intensive supervision court in Birmingham, which he had invited David Gauke to visit. In this model, individuals at risk of custody are closely supervised by a judge, alongside professionals from housing, drug services and mental health teams. If they meet the conditions, they avoid prison. The model, he said, worked because it pulled everything together in a wrapped-around way that achieved results.

Lord Bach – Co-Chair:

Lord Bach thanked the speakers for their answers and for giving up their time. He noted that he felt particularly excited by the review and what Lord Timpson was doing at the MoJ. To conclude, Lord Bach thanked the attendees for coming.