Bob Neill MP  
Justice Select Committee  
House of Commons  
SW1A 0AA  

24 April 2019

Dear Mr Neill

**Informal Evidence session on 24 April 2019**

I was grateful for the opportunity to talk to the Justice Committee about the review of the Parole Board rules and reconsideration mechanism.

During this session we discussed the progress the Board has made regarding the summary writing project. Since launching in May 2018, the Parole Board has received 2,100 summary requests and it has issued over 1,200. 99% of these have been issued to victims. The Board is currently issuing our summaries within 9 days, on average, and it is on track to reaching the target of issuing within 7 days to support the reconsideration mechanism.

As promised I attach some examples of our summaries and the supporting guidance materials, which accompany this letter. These will be amended when the reconsideration mechanism is introduced.

I would also like to highlight the work the Board has undertaken to improve victim understanding of parole. We have recently worked with the Victims Commissioner to create and publish a video called “A Victim’s guide to parole” which shows the different stages of parole from a victim’s point of view; from being told a parole review has started, to receiving a summary of the final decision. Please see link to the video here: [https://vimeo.com/327696183](https://vimeo.com/327696183).


The Committee also asked about IPP progression and discretionary life sentences. I attach two charts pulled from published data that show:

A) How the release of IPP prisoners and life sentenced prisoners has changed over the last 15 years.

B) How the number of discretionary life sentences imposed changed before and after the IPP sentence.
I hope this is helpful.

Martin Jones  
**Chief Executive**  
**The Parole Board for England and Wales**

List of enclosed documentation:
1 Summary guide – Parole Board
3 IPP progression and discretionary life sentences data
Parole Glossary

**Determinate Sentence** – a sentence with a fixed end date, on which the prisoner must be released from prison with licence conditions.

**Dossier** – a dossier is a collection of information, evidence and reports about a prisoner. It is given to us as evidence to consider during a parole review.

**Indeterminate Sentence (IPP/ISP)** – a sentence with no end date, meaning the offender must stay in prison until we are satisfied that their risk has reduced enough for them to be released into the community. Most indeterminate prisoners will stay on licence for life. This means that they must keep to the licence conditions set for their release.

**Licence Conditions** – the rules and conditions a prisoner must keep to when they are released from prison. Any breach of these, could result in an offender being returned to prison.

**Offender Manager (OM/Probation officer)** - a professional employed by the National Probation Service. Offender Managers are based in the community and are responsible for managing an offender if released. They write a report for a parole hearing providing information about progress made, identified risks, and making a recommendation to the Parole Board on whether they think the offender is suitable for release.

**Offender Supervisor (OS)** - a professional based in the prison who is responsible for managing an offender whilst in custody. They are required to write a report on behaviour in custody and work completed to reduce risk and to make a recommendation to the Parole Board on what the decision should be.

**Panel** – the Parole Board members who are making the decision about a prisoner’s possible release. A panel can be either one, two or three members.

**Panel chair** – each panel has a chairperson, who acts as the lead member and writes the decision.

**Recalled** – when someone has been returned to custody because they have not complied with their licence conditions. This could be committing another offence, or not following instructions given by an Offender Manager.

**Representations** – this is a letter or statement setting out the progress the prisoner has made while in prison, the outcome they want from their parole review, and why they feel they should get that outcome. This could be written by the offender themselves or by their solicitor.
**Risk Management Plan (RMP)** - the Offender Manager will write a risk management plan, as part of their report, on what measures will be in place in the community to ensure risk is managed effectively.

**Secretary of State** – the Secretary of State for Justice is the government minister responsible for the Probation Service/Prison Service. Officials working on their behalf provide information to the Parole Board for their review.

**Tariff** – the tariff is the minimum amount of time a prisoner must spend in prison. A pre-tariff review happens before they have served their tariff (a prisoner cannot be released from prison at this point), an on-tariff review happens at the point the tariff is served, and a post-tariff review happens after the tariff has been served.

** Victim Liaison Officer** – a representative from the National Probation Service, the victim’s point of contact with regard to the offender’s sentence, who will explain the parole process and help them to write a Victim Personal Statement for a parole hearing.

**Victim Personal Statement (VPS)** – this is a document the victim writes to explain how their life has been affected by the offence, in which they can set out their requests for licence conditions if the prisoner is released. For example, they may request an exclusion zone around their address, so the prisoner cannot come into that area.

**Witness/witnesses** - Prison staff, probation officers, healthcare practitioners and other professionals who have had contact with the prisoner and attend oral hearings to give evidence are called witnesses.
Published data on Releases of Indeterminate Prisoners

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ISP Releases 2002-17 (excluding recalls)
Published data on life sentences imposed pre and post IPP.
**WHAT DOES THE PAROLE BOARD DO?**

Our job is to determine if someone is safe to release. We do so with great care, and public protection is our number one priority.

We deal with 25,000 cases a year which are referred to us once the prisoner has served the punishment determined by the courts. We act as a court-like body and are independent from government.

**WHO MAKES THE DECISION?**

Hearings are conducted by Parole Board Members who sit as a panel. They are public appointees recruited by the Secretary of State for Justice. All Parole Board members receive extensive training. They come from a variety of backgrounds, including specialist members who may be judges, psychiatrists or psychologists. Panels are made up of 1 to 3 members and specialist members will be allocated based on the facts of a particular case.

**HOW DOES AN ORAL HEARING WORK?**

The panel will consult a wide range of reports and hear evidence from professionals that are working with the prisoner.

They are looking for evidence of change in behaviour and attitude since their offence was committed: what was it about their situation that led to offending behaviour? Have they addressed those issues?

**HOW DOES THE PANEL REACH ITS DECISION?**

Parole Board decisions are solely focused on whether a prisoner would represent a significant risk to the public after release. It is up to the offender to demonstrate that they are safe for release, and that is hard to do.

If the panel decide, after weighing the evidence, that an offender should be released - this is not because they think that they pose no risk, but that the likelihood of re-offending is now small enough to be effectively managed in the community. The prisoner’s Offender Manager (also called a Probation Officer) is required to submit a risk management plan, outlining how they will manage the offender in the community if released. The panel will consider whether this plan is robust enough when making their decision.

Once an individual is released, they will be managed in the community by the National Probation Service for the remainder of their sentence under a strict set of licence conditions. A breach of any of these could result in a return to prison. If anyone has information regarding a potential breach of a licence condition, they should contact the National Probation Service or the police.
WHAT DON'T WE DO?

It is not our role to assess whether someone has been sufficiently punished or whether their original sentence was long enough.

WHAT ROLE CAN VICTIMS HAVE IN THE HEARING?

Victims can submit a Victim Personal Statement (VPS). This is about the impact the crime had on the victim at the time and continues to have in the present day. A victim can ask for certain conditions to be set should the offender be released, for example to include an exclusion zone of where the victim lives.

The VPS does not directly influence the decision. This is because the Parole Board’s focus is risk assessment and the VPS does not contain information about risk. If a victim does have information that relates to a prisoner’s risk then that information should be passed on to the probation service, who will consider including it in their report. The VPS does allow the panel to direct questions to the prisoner regarding the impact of their behaviour, insight into their behaviour, remorse and empathy. It gives the panel insight into the original offence and its impact. It also helps the panel decide on appropriate licence conditions, if the prisoner is to be released.

WHAT IS A SUMMARY?

A summary will describe the reasons for a panel’s decision. A summary will include details of what evidence was received (i.e. evidence and recommendations of individual witnesses) and explain the assessment of evidence; and how the panel came to the conclusion they did.

WHY IS THIS IN A SUMMARY?

The summary will set out information about the prisoner’s risk and the prisoner’s progress in custody. If a prisoner is going to be released, the summary will include some information about the licence conditions that will be in place to enable the National Probation Service to manage them in the community.

Information contained in the document will only be what is relevant to the panel’s decision.
WHAT WILL NOT BE IN SUMMARY?

Details of the offence(s) will not be included to protect the privacy of victims where possible.

Information about specific licence conditions, including release addresses and exclusion zones will not be included to protect the safety of the offender.

There will be occasions that information will be amended or withheld completely because of Data Protection principles. As we are acting as a court we can disclose personal information but only where it is fair, relevant, limited to what is necessary and is relevant to risk.

This includes information relating to a person’s:
- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data, biometric data;
- Data concerning health (mental and physical);
- Sex life;
- Sexual orientation;
- Criminal history

Information can also be redacted, amended or withheld completely if the information could or does:
- Adversely affect the successful rehabilitation or progress towards rehabilitation of any offender;
- Place the safety of any person/s in jeopardy, through threats or other harmful behaviour;
- Pertain to a young offender - under the age of 18;
- Pertain to any offender released from a secure Mental Health Unit;
- Breach any outstanding court orders;
- Relate to any ongoing investigations;
- Threaten national security;
- Go against the public interest to disclose

WILL THE OFFENDER KNOW A SUMMARY HAS BEEN REQUESTED?

The Parole Board tells the offender when a request for a summary has been received and whether it came from a Victim Liaison Officer (VLO), the media or a member of the public. No names are ever provided to the offender.