

November 2018

Providing a Summary of Parole Board Decisions

From 22 May 2018 the Parole Board's amended rules permit the provision of a document, referred to as a summary, to interested parties. The summary document is a succinct explanation of how a panel reached its decision to release or not release a prisoner.

The rule amendment applies to all decisions made on or after 22 May 2018. The decision to provide these will be at the discretion of the Parole Board and decided on a case by case basis. Particular emphasis will be placed on whether the provision of a summary will adversely impact on the offender's progress post release to rehabilitate.

Summaries will be produced for each case when an actionable request has been made prior to, at or following the adjudication of a panel. A summary will provide detail as to the reasons the Parole Board has reached its decision, based on the facts of the particular case. It will include information about the hearing, risk factors considered and a prisoners' progress in custody.

Any summary provided may refer to the prisoner by their name at the time of their original offence or that by which they are publicly known. The Board will use its discretion to protect any new identity taken on by the offender as part of their rehabilitation and release.

When a summary will be provided

The Board, to meet its obligation of creating a more open and transparent process, will be working on the assumption that summaries will be made available when requested. However, the Board has the discretion to refuse provision of a summary or redact details or amend as necessary a summary of a panel's decision where the information contained 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.

Any decision to withhold a summary will be agreed by the Chair of the Board. The Board will notify the requestor of any summary deemed not to be in the public interest to disclose.

In all summaries provided, the Board will not disclose information which breaches any persons' rights as covered in Article 8 of the European Convention of Human Rights (ECHR), Data Protection Act (DPA) and General Data Protection Regulation (GDPR).

In order to assist the Parole Board in determining if any of the above criteria come into play, representations should be made by the offender, their representative or any interested party at the time of the making of the decision to allow or refuse release from custody.

The Board will not be seeking representations from offenders, however where any offender believes information not known to the Board may affect disclosure as per the above criteria, they may make representations to the Board.

Provision

Any victim registered with the Victim Contact Scheme (VCS) may request a summary of an upcoming decision, through their Victim Liaison Officer (VLO) provided there is an active Parole Review at time of request. Where a victim requests a summary of a decision, the Parole Board will provide this, via the VLO.

Any member of the public who requests a summary will have to demonstrate why it is in the public interest for the summary to be provided, as per Rule 25 (2).

Summaries deemed to be in the public interest, as per the above, will be sent to the requestor via the email or postal address they provide on the request form. All summaries should be obtained by submission of a request to either summaries@paroleboard.gov.uk or via our postal address.

The Parole Board will consider requests from interested parties up to six months after any decision is made. A summary will be provided as soon as is practicable.

This policy is subject to regular review by the Board.

