



Ministry
of Justice

Root and branch review of the parole system

**Public consultation on making some
parole hearings open to victims of crime
and the wider public**

This consultation begins on 20 October 2020

This consultation ends on 1 December 2020



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A consultation produced by the Ministry of Justice. It is also available at <https://consult.justice.gov.uk/>

About this consultation

- To:** The consultation is primarily aimed at victims of crime and professionals with knowledge and experience of the parole process but we welcome views from anyone who would like to contribute
- Duration:** From 20/10/20 – 01/12/20
- Enquiries (including requests for the paper in an alternative format) to:** Bail, Sentencing & Release Policy
Ministry of Justice
102 Petty France, Post point 10.21
London SW1H 9AJ
Email: paroleboardreview@justice.gov.uk
- How to respond:** Please send your response by 01/12/20 to:
Bail, Sentencing & Release Policy (parole consultation)
Ministry of Justice
102 Petty France, Post point 10.21
London SW1H 9AJ
Email: paroleboardreview@justice.gov.uk
- Responses by e-mail are preferred**
- Response paper:** A response to this consultation exercise is due to be published by 31 December 2020 at:
<https://consult.justice.gov.uk/>

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Executive summary

1. This consultation is the first action of the government's root and branch review of the parole system. This review will be the culmination of work to examine and reform the parole system which began in 2018 following the Parole Board's direction to release John Worboys which was subsequently quashed by the High Court.
2. The focus of the reforms to date – and a key objective of the root and branch review – is to address concerns that have arisen about the lack of transparency and confidence in the parole system. In 2018, as part of the public consultation on creating a new reconsideration mechanism, we sought views on whether reconsideration hearings should be heard in public. On that occasion a number of respondents raised concerns about such an approach and we decided against allowing public hearings. But we think it is right for the root and branch review to look at the question again and, as a first step, this consultation seeks views on the options.
3. For many years, the system for making parole decisions was entirely 'closed', with the Parole Board being prevented by law from revealing any information about the cases it was considering or their decisions. However, in recent years reforms have been aimed at improving the transparency of the parole process and enabling the Parole Board to provide reasons for its decisions. In that context, significant strides have been made since 2018, including the introduction of decision summaries which provide victims, the media and the wider public with an explanation of the reasons behind individual parole decisions. The summaries have proved popular and useful with over 3,500 being issued, primarily to victims. The Rules do allow for observers to attend hearings, at the discretion of the panel chair, and the Parole Board has sought to use this power to achieve greater transparency, for example by allowing media figures to observe some hearings. The Board has also taken steps to raise awareness of its role through its interactions with media, including social media, and by publishing its reconsideration decisions online.
4. We believe that we should give serious consideration to whether further improvements could be made to open up the parole system even more. As the first action in the root and branch review we have decided to explore the possibility of certain parole hearings being made open to victims of crime and the wider public. Whilst a parole review is not a criminal trial, this would be consistent with the principle of 'open justice' which is an important foundation of our criminal justice system.

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5. It should be noted that the First-tier Tribunal (Mental Health), already allows public hearings in very limited circumstances. The general position is that these tribunal hearings should, like parole hearings, be heard in private – but there is provision to allow for a public hearing where that is considered necessary in the interests of justice. The Mental Health Tribunal is similar to the Parole Board in several ways, notably in that it decides whether an offender who has committed a very serious offence should continue to be detained in secure conditions or may be discharged. When exercising that function, it hears sensitive personal information about patients and the victims of their actions.
6. Parole Board hearings have always been held in private, and historically it has been held that there are good reasons for this. The Board must examine complex and detailed evidence about all aspects of the case, including details of the crime, the offender's background, the risk reduction work they have completed in custody, the current assessment of their risk and the plans for their possible release on licence. In some cases, the Board also may receive medical information or intelligence from the police or security services. Much of this evidence will contain sensitive personal information about the offender and also the victim of the crime and so it is important to carefully consider how such private information can be protected.
7. When deciding whether to allow victims and the wider public to observe hearings, we recognise that there is a balance to be struck between the desire for openness and the rights to privacy and security for all those taking part in hearings. We think it is right to take a gradual and cautious approach to opening up parole proceedings more widely, given the potential risks and implications if we do not get that balance right. We felt it was important to consult on this issue now because we recognise that it is not a straightforward question and there will be differing views. Receiving a wide range of views will be valuable in identifying all the potential benefits and challenges of holding public hearings and will help the government to make an informed decision.
8. The Parole Board is required by law to consider the suitability for release of prisoners who have committed some of the most serious and harmful offences so it is not uncommon for their decisions to release such prisoners to be met with fierce criticism, as an understandable reaction to the grave seriousness of their offending. Few members of the public appreciate that the Board's decision is solely focused on whether that individual continues to represent a significant risk to the public, and the fact that the person who appears before the Board may have changed in the, often, very many years since the commission of their offences.

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9. For the public to have confidence in the decisions of the Board it is important to understand that this is not about whether offenders deserve to continue to be punished for their crimes. And to appreciate that the punishment element of the sentence set by the court has, by that point, been completed – meaning the offender should be released if it is safe for them to continue serving their sentence in the community subject to licence conditions and probation supervision.
10. We think that public hearings might improve public confidence in and understanding of the parole system, by showing the diligence with which the Parole Board performs its functions and revealing more information about how and why decisions are made. However, the government recognises the complexity of the issue and it is for this reason that we have decided to consult on the issue.
11. We would value your opinion on whether victims and the wider public should be able to observe parole hearings, the types of circumstances and cases where a public hearing might be appropriate and your thoughts on how we might avoid the potential risks and adverse consequences of conducting a hearing in public. We consider that it would be right to maintain that the majority of parole hearings should continue to be held in private but we think it is also important to explore how it may be possible to allow for some hearings to be open to the public.
12. The question of whether to allow public hearings is only one aspect of the root and branch review which will look at four broad areas: i) an evaluation of the parole reforms to date, ii) the constitution and status of the Parole Board, iii) improving public understanding and confidence in the parole system, and iv) measures to improve openness and transparency. All those other aspects of the review will be taken forward alongside this consultation on the specific question of public hearings, and the review work will continue beyond the end of this consultation, drawing on its conclusions with a view to identifying a range of ways in which the system could be made more open and transparent.
13. We anticipate publishing a response to this consultation by the end of 2020 and the review will then continue and conclude by summer 2021.

Introduction

14. This paper sets out for consultation the merits of amending the Parole Board Rules to allow victims of crime or the wider public to attend parole hearings in some limited circumstances. The consultation is aimed primarily at people with experience or knowledge of the parole process, victims of crime, and media representatives in England and Wales who may have any insight or an informed view on the questions that are posed.
15. A Welsh language consultation paper will be available within 10 days of publication.

Options for change

16. Parole hearings are currently held in private and we believe this should remain the default position. It would not be feasible due to the nature of the information discussed at hearings, the scale of work, and the operational difficulties it would create, to hear every parole hearing in public; nor do we believe it would be necessary.
17. Rule 15(3) of the current Parole Board Rules states that hearings must be held private and this offers no flexibility or discretion for the Parole Board to even consider the question of whether a hearing might benefit from being held in public. Hearings are not entirely closed because the Rules permit observers to be admitted at the discretion of the Parole Board's panel chair. In practice these are usually limited to professionals or someone supporting the prisoner but the Parole Board does use its discretion to admit others such as journalists and policy makers. The Parole Board's observer policy guidance did not permit the general public to observe hearings but the guidance has been suspended and is currently under review. Currently, victims may attend hearings to read out their Victim Personal Statement but must leave before any evidence is heard.
18. We believe there are two options for change that should be considered. The first would be that, where it is agreed as being appropriate, a hearing could be held fully in public: i.e. with no restrictions on who could observe including victims, the general public and the media. The second option would be a more limited change whereby victims signed up to the Victim Contact Scheme could have the right to observe the hearing subject to safeguards and conditions, but other potential observers, such as members of the media, would have to rely on the discretion of an updated version of the Parole Board's observer guidance policy.
19. The outcome of this consultation will inform what, if any, changes are made.

Are the existing arrangements sufficient?

20. As we have explained above, the Parole Board Rules 2019 already allow others to attend oral hearings as observers, subject to approval from the panel chair. For example, victims may attend to read out their Victim Personal Statement (VPS) but they cannot stay for the whole hearing or ordinarily hear any of the evidence. The parties to the parole process (the prisoner or the Secretary of State) may apply to the panel chair for an observer to attend the hearing but these are normally limited to professionals such as trainee probation officers or someone in support of the prisoner. The Rules also allow the Parole Board to admit observers themselves

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without an application from the parties. They have recently used that power to allow journalists to attend a hearing in order to write newspaper articles or inform radio programmes about parole. Policy makers and political special advisors have also been admitted.

21. Since 2018 we have also changed the Parole Board Rules to allow decision summaries to be produced and we have introduced the reconsideration mechanism which allows the parties to ask for a parole decision to be reviewed if it appears to be legally or procedurally flawed. Victims may ask the Secretary of State to apply for reconsideration on their behalf and reconsideration decisions are published online by the Parole Board.
22. The principles of open justice are well established and are intended to provide a fair hearing by protecting individuals from the administration of justice in secret and without scrutiny, as they were in the early decades of the Board's existence. We do not believe it can be said that parole hearings are 'secret' or not open to scrutiny – and we consider that the various measures described above to ensure transparency of decision making, and which allow for outside parties to observe parole hearings, are sufficient to meet the principles of open justice. But we recognise that there is a balance to be struck between openness and privacy and that it may be possible to go further to allow for greater transparency without compromising the integrity of the parole process.
23. The existing provisions for observers have the benefit of allowing for access in a controlled manner in which risks can be minimised because their attendance can be made subject to a range of restrictions. For example, the most recent version of the Parole Board's observer policy guidance set out clearly that permission to attend as an observer could be withdrawn. It also stated that observers could not disclose any information about the proceedings without prior permission and could only attend for a professional purpose or a purpose connected to the parole process.
24. While the existing provisions for observers provides some openness and scope for scrutiny, this is not the same as a fully public hearing. For a hearing to be truly 'public', similar to a Crown court hearing, we do not believe the Parole Board would be able to prevent individuals from attending. The practical issues around holding public hearings, including the physical location of the hearing are discussed in a later section of this consultation.
25. We have explained that the Parole Board is responsible for deciding who can be admitted to a hearing as an observer and it has a published observer guidance policy document which sets out the criteria (parts of the guidance are currently suspended and being reviewed). However, it is important to point out that the Parole Board Rules as currently drafted do not expressly exclude anyone from observing a hearing

and theoretically there are no limits on the number of observers that could be admitted. You may therefore feel that the current provisions are sufficient, or could become sufficient with some amendments to either the Rules or the Parole Board's guidance – as well as potential practical changes to allow for greater numbers of observers (e.g. using video or phone technology to avoid the need to attend in person) – and so fully public hearings are not necessary.

Should parole hearings be open to the general public?

Potential benefits of holding public hearings

26. In the event that an option for a public hearing is introduced, then we would envisage a system whereby hearings remain private unless one of the parties to the process (the prisoner or the Secretary of State for Justice) makes an application to the Parole Board for it to be heard in public.
27. Applications would need to be made at an early stage of the parole review before any evidence had been considered. The non-applying party would have the opportunity to submit representations on the issue and the Parole Board panel would then need to reach a decision. We expect it would do so in accordance with guidance or criteria that it would publish. If a public hearing was permitted, then we expect that the details would need to be published so that members of the public and media were aware.
28. It would also be open to the Parole Board to decide themselves that a hearing might benefit from being heard in public without an application from the parties. In such instances, the views of the parties would need to be invited but the final decision would rest with the Parole Board.
29. The Parole Board's overriding responsibility is the protection of the public and they must not direct the release of a prisoner unless satisfied that he or she no longer poses a risk of causing further serious harm. On that basis, there is a strong argument that parole decision-making is a matter of public interest and should be as open and transparent as possible in order to satisfy the needs of open justice. In a public hearing, the attendees would be able to hear the evidence and recommendations of the professional witnesses, and see how the Parole Board's panel question them to explore and evaluate the merits of their recommendations. It would also allow the public to hear the prisoner's own evidence, including their account of their offending history and how they have gone about addressing the causes of their offending and reducing their risk while in custody.
30. Open hearings would allow the public, media and victims to gain a better understanding of how and why a decision was reached in a level of detail that cannot be achieved just through the written summary of the decision, which is all that is

available at present. This could be very valuable, particularly to victims in reassuring them that the panel have carefully scrutinised all the available evidence, including asking probing questions of the prisoner and witnesses. The emotive nature of the types of cases involved means that people will inevitably disagree with decisions to release certain prisoners but by being able to hear all the evidence and see the way the hearing was conducted, we would hope that people would better appreciate the reasons for a decision and be reassured that a comprehensive assessment of risk has been carried out. This may help to disprove some of the common misconceptions about parole and lead to more balanced reporting of high-profile cases.

31. The majority of decisions made by the Parole Board do not result in the prisoner being released (less than 1 in 4 of those considered each year are released) and so more open decision-making would also help to illustrate the very important role that the Parole Board plays in public protection by denying release on licence where the prisoner still poses an unacceptably high risk of causing further harm.

The challenges and risks of holding public hearings in parole cases

32. To reach a properly informed decision in each case, the Parole Board must examine personal and highly sensitive information. Making that information open to the public could jeopardise an offender's ability to safely reintegrate into the community, as well as create risks to the physical safety of the offender, their family and associates. For example, it may be the case that an offender's age or infirmity has affected their physical ability to commit further offences, or a mental health condition that contributed to their offending behaviour has been correctly diagnosed and is now under control. In both cases, the Parole Board would need to consider the medical evidence about deeply personal matters such as their ability to self-care or the side-effects of medication.
33. Hearings also require detailed discussions as to the prisoner's behaviour and personal circumstances both recently in prison and when they committed the index offence (often many years previously). This may include the results of psychological assessments and could touch on sensitive personal matters such as previously unreported use of violence (and the victims of such behaviour), family relationships, substance misuse or sexual habits and fantasies. Some parole hearings will involve graphic evidence that would be extremely upsetting to victims and members of the public. Such information should only be disclosed when necessary but more importantly in the context of parole, the prospect of discussing such matters publicly might prompt a prisoner to withhold information or lie which has obvious implications for the reliability and safety of the Parole Board's assessment of risk and their decision on release.

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34. Alternatively, prisoners could try to embellish their evidence in an attempt to win public sympathy and support for their release in the hope of putting pressure on the Parole Board. There would also be a risk of offenders 'acting up' for the camera, for example by issuing threats or making inappropriate statements intended to cause harm and distress to victims, or even potentially trying to assault witnesses or panel members if they were physically present in a face-to-face hearing. Victims or members of the general public who attend hearings could also seek to disrupt the proceedings. The Parole Board does not currently have any contempt of court powers but there may be a need for such powers in the event that public attendance is permitted or if observers are allowed more frequently than present.
35. The Parole Board relies heavily on the evidence and recommendations of expert witnesses including prison and probation officers involved in managing the offender's sentence and planning for their release, plus other professionals such as psychologists, psychiatrists, medical doctors or police officers. It is vital that witnesses provide accurate, honest and candid evidence but public hearings could compromise their willingness to do so. For example, in high profile or emotive cases such as those involving child victims, professional witnesses may be more reluctant to recommend a prisoner is released if they fear unwarranted criticism or harassment from the media or the general public. There is a possibility that this could lead to more risk-averse recommendations and decisions with the result that prisoners are detained unnecessarily.
36. These would all be areas in which the Parole Board could apply its professional expertise and use the oral hearing to explore whether witnesses and the prisoner are giving accurate and comprehensive evidence. While this may reduce the impact of these issues, it would add an additional layer of difficulty and complexity to the Parole Board's task.
37. A key part of every assessment is the suitability of the release plan and in particular, the proposed living and working arrangements for the offender if they are released. Panels will often discuss in detail where an offender would live after release and how their risks would be managed there. Discussing release arrangements publicly would expose the offender, and anyone else living or working at the same premises, to the risk of harassment, physical harm or media intrusion. There have been examples where the media have located high profile prisoners after release and published their photographs and location which can require them to be re-located at public expense. This also jeopardises the possibility of the offender being able to resettle back in the community safely and successfully – potentially increasing risks to the public.
38. All of these challenges and risks demonstrate why we should not take lightly the issue of opening up parole hearings to the public – and why we think it is right for the majority of hearings to continue to be held in private. But transparency and better

public understanding of the parole process is important so we want to examine, and seek your views on, how and in what circumstances it may be safe and appropriate for some hearings to be open to the public.

39. Limiting access to certain parts of the hearing where sensitive or personal information is discussed may be a solution to overcoming many of the issues described in the previous paragraphs. It would enable particularly sensitive or personal evidence to still be heard in private while providing far greater levels of access and transparency than are currently available. It would require some changes to how a hearing is conducted. For example, some type of private 'pre-hearing' may be necessary where the parties could discuss and agree with the panel in advance which evidence would be heard in private and which would be open. This approach would add to the complexity of the hearing process so it would not be without its challenges, but we would be interested in your views on whether it represents a viable solution.
40. The Parole Board has existing powers within the Rules to order that certain evidence should not be disclosed to the prisoner. This is most commonly used for Victim Personal Statements but also for sensitive information such as intelligence from the police or security services where disclosure of the information to the prisoner could reveal an ongoing investigation or the identity of sources. As an alternative solution, it may be possible to use similar provisions to require observers not to disclose information outside the hearing without prior permission, but this may require some form of sanction to be available in the event that it was breached.

Should parole hearings only be open to victims?

41. We have already outlined the potential benefits of relaxing the restrictions on admittance to parole hearings in terms of providing more clarity and improving public understanding and confidence in how and why parole decisions are made. Greater access to hearings would also assist victims in fully understanding the process and the evidence that is used by the Parole Board to reach its decisions – and could help victims in deciding whether to ask the Secretary of State to apply for reconsideration of a parole decision on their behalf.
42. Parole-eligible prisoners are often not released at the first opportunity and will have further reviews at least every two years after their first review. If a victim was to observe all the hearings then they would, over the course of several years, be able to see evidence of a prisoner's gradual progress in custody as they complete offending behaviour programmes and try to reduce their risk of re-offending. Seeing evidence of change over time, including how the views of the witnesses and the Parole Board's panel evolve in response, may provide some victims with a greater sense of 'closure' when a prisoner is eventually released on licence.

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43. If the rules are changed, we would propose that victims would be able to apply via the Secretary of State in the first instance to observe the hearing, so they can be provided with the necessary advice and support from their Victim Liaison Officer. We do not believe it would be workable to give an automatic right for victims to attend a hearing because there will be occasions where it would not be appropriate or safe to do so and therefore some element of discretion for the Parole Board would need to be retained.
44. Restricting attendance at hearings just to victims would reduce or prevent many of the problems described above with permitting more general public access. Allowing victims to attend the full hearing would be a significant step forward in terms of openness and transparency but excluding the media and the wider public from attending would mean that the parole system would remain a largely 'closed' process.
45. We believe that many victims would welcome the opportunity to observe the Parole Board hearing in full but doing so has the potential to be harmful. The evidence often requires the prisoner to explain their behaviour and motivation for committing the index offence and that may involve detailed descriptions about the nature of the violence or other indignities inflicted on the victim. Victims may find it difficult to hear such information discussed and it has the capacity to re-traumatise them, especially if the prisoner does not express remorse or is maintaining their innocence.
46. Great care would need to be taken to ensure that victims are properly prepared and supported throughout the process – and the benefits of victims being able to hear all the evidence must be weighed against the potential adverse impact it may have on them. We must also be mindful, as discussed above, of the potential risk that witnesses and the prisoner in giving evidence may not be as open and candid as they may otherwise be if they are aware that the victim is observing the proceedings – and that, in turn, could undermine the integrity and accuracy of the evidence on which the Parole Board bases its decision.
47. In the event that hearings are open to the wider public then the potential for harm to victims may be even greater. For example, in some cases, the offence will have occurred many years ago and the victim may have chosen not to reveal details about it to their friends, family, partner or children. Media coverage of a public hearing could disclose sensitive personal information about their ordeal and identify them as a victim to people who were previously unaware (such as work colleagues). The contents of the Victim Personal Statement may also be sensitive and victims may not want this shared publicly. For that reason, some victims may be put off providing a statement if the proceedings were to be held in public, even if they would otherwise been keen for the Parole Board to hear their views and concerns. We would not want to undermine or lose some important elements of the parole proceedings for the sake

of greater public openness. Some victims want to forget all about the crime and do not sign up to the Victim Contact Scheme. It may be particularly harmful to them to see media coverage of a public hearing of which they had no prior knowledge.

48. Safeguards could be put in place to minimise the risks to victims and we have already discussed the possibility of hearing parts of the evidence *in camera* or introducing new powers for the Parole Board similar to the existing non-disclosure provisions. However, the possibility of accidental or inadvertent disclosure would remain.

Practical considerations

49. It is necessary to also consider the practical arrangements that would be required to hold a public hearing in parole cases. In 2019/20, the Parole Board held 8,264 oral hearings. Hearings can be held in person at the prison establishment where the offender is being detained or conducted remotely where all parties attend via video or teleconferencing. Before the Covid-19 pandemic, the vast majority of oral hearings were held in person. We anticipate that face-to-face hearings will return, but perhaps not in the same numbers that we saw previously and more hearings will be heard remotely in future.
50. Very few, if any, prisons would be equipped to hold public hearings in person where members of the public could attend to observe the proceedings, as they can at a court in the public gallery. There will be at least six attendees for most hearings (three Parole Board panel members, the prisoner, their legal representative and the Offender Manager). Many cases will also receive evidence from prison-based and external psychologists, prison staff, a Secretary of State's representative or the victim. With the exception of the victim, the witnesses are normally present for the whole hearing so they can hear all of the evidence. The rooms used for hearings are typically just general-purpose meeting rooms within prisons and in most cases it would be difficult to safely accommodate more than one or two additional observers.
51. A lack of facilities would also be an issue in many prisons. For example, they do not have comfortable dedicated waiting rooms so it would be logistically difficult to keep observers, witnesses and the prisoner apart before or after a hearing.
52. It is not hard to imagine that a hearing for a very high-profile prisoner could attract dozens or perhaps hundreds of requests to attend if it was open to the general public, thereby creating a significant challenge for the Parole Board and the holding prison in selecting who could attend. Public hearings would attract applications from victims to attend and it would be very difficult for the Parole Board not to prioritise them over others. As such, fully public hearings would be virtually impossible to achieve in a prison due to a lack of capacity – as well as the obvious security

challenges and risks it would create. There would also be the broader question of who prisoner Governors or Directors would be prepared to admit into a prison given that they are solely responsible for good order and security inside establishments.

53. Holding some hearings in larger premises, such as court buildings, could potentially provide more capacity for observers and better facilities but that approach would carry its own risks because in order to allow public attendance details of the hearing would have to be provided in advance. This would mean that all interested parties, the public and media would have advance notice of a prisoner's movements (i.e. the dates, destination and approximate times of travel to and from the location) which could potentially facilitate an attack on a prisoner or an escape attempt. Such risks exist already when prisoners are transported for other purposes, including court appearances, and problems are very rare but there would be considerable security, financial and resourcing costs to supporting external hearings in this way.
54. In our view technological solutions, such as broadcasting the proceedings to a separate location or streaming them online would be the most viable method of delivering public hearings. These would overcome the physical barriers to public hearings but the privacy concerns and other adverse implications of conducting proceedings in public, described above, would remain – and could even be exacerbated in some circumstances. For example, a streamed or broadcast hearing would make it easier for images of hearing attendees to be captured and shared by the press or by the public via social media, thereby increasing the risk of identification and harassment. It could also allow for the creation of selectively edited clips of the hearing that may seek to deliberately misrepresent the proper substance of an individual's evidence. A potential mitigation to that risk would be to screen the proceedings in a controlled manner by requiring observers to go to a particular location to view the hearing such as a court building or a conference centre. This would enable observers' behaviour to be monitored and restrictions applied such as preventing the use of mobile phones during the hearing but may limit those who would be able to attend.

Questionnaire

We would welcome responses to the following questions:

- Q1. Do you agree that parole hearings should generally continue to be held in private but with the possibility of a public hearing in certain limited circumstances?**
- Q2. Which of these groups should be able to attend the hearing:**
- a. Should victims be able to attend the hearing?
 - b. Should hearings be open to the general public?
 - c. Should hearings be open to the media?
 - d. Who else, in your opinion, should hearings be open to (if anyone)?
- Q3. In what circumstances would a public hearing be appropriate or add value to the parole process?**
- Q4. In what circumstances would a public hearing not be appropriate?**
- Q5. What criteria should be used to decide whether a hearing should be heard in public?**
- Q6. How should victims' view be taken into account in deciding whether to hold a public hearing?**
- Q7. Do you think that conducting a hearing in public would make the examination of evidence and decision-making process better or worse – and why?**
- Q8a. What measures or approaches would be needed to avoid or mitigate any adverse consequences of conducting a hearing in public?**
- Q8b. What impact will such measures have on the effectiveness or efficiency of the parole process?**
- Q9a. Which of the options for the location/methods for public hearings (i.e. face-to-face in prison or in a court building, broadcast to a separate location or streamed online) do you think would be the most suitable and why?**
- Q9b. Can you suggest any other alternative options to facilitate public hearings?**
- Q10. What do you consider to be the equalities impacts on individuals with protected characteristics of each of the proposed options for reform? Please give reasons.**

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Q11. Are there any key reasons or benefits of having parole hearings in public not already identified in this consultation that we should seek to achieve?

Q12. If a hearing were to be held in public, are there any risks or implications not already highlighted in this consultation that would need to be considered?

Thank you for participating in this consultation exercise.

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About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

Please send your response by 1 December 2020 to:

Parole Consultation

Ministry of Justice
Bail Sentencing & Release Policy
10th Floor, 10.21
102 Petty France
London SW1H 9AJ

Email: paroleboardreview@justice.gov.uk

Responses by e-mail are preferred

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available on-line at <https://consult.justice.gov.uk/>.

Alternative format versions of this publication can be requested from paroleboardreview@justice.gov.uk.

Publication of response

A paper summarising the responses to this consultation will be published by 31 December 2020. The response paper will be available on-line at <https://consult.justice.gov.uk/>.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

By responding to this consultation, you acknowledge that your response, along with your name/corporate identity will be made public when the Department publishes a response to the consultation in accordance with the access to information regimes (these are primarily the Freedom of information Act 2000(FOIA), the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPR) and the Environmental Information Regulations 2004).

Government considers it important in the interests of transparency that the public can see who has responded to Government consultations and what their views are. Further, the Department may choose not to remove your name/details from your response at a later date, for example, if you change your mind or seek to be 'forgotten' under data protection legislation, if Department considers that it remains in the public interest for those details to be publicly available. If you do not wish your name/corporate identity to be made public in this way then you are advised to provide a response in an anonymous fashion (for example 'local business owner', 'member of public'). Alternatively, you may choose not to respond.

Equalities and Welsh Language

Under the [Public Sector Equality Duty](#) within the Equality Act 2010 MoJ Ministers and policy makers are required to consider the equalities impacts of policy proposals in relation to the following:

- (a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it.

To inform responses to this consultation document we have published a separate Equalities Statement that should be read in conjunction with this consultation document.

The Equality Statement considers the potential effects of our proposals according to the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We have asked a question on equalities within this paper (Q.10). We welcome comments about the accuracy and extent of the impacts identified. We particularly welcome responses from those who identify themselves as sharing a protected characteristic or from interest groups representing those with protected characteristics. The responses received will be taken into account as the Government decides the best way forward following the end of the consultation period.

A Welsh language version of the consultation document and the equalities statement will be available within 10 days of the publication date.

Consultation principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the Cabinet Office Consultation Principles 2018 that can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles_1_.pdf



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