

## Introduction from the Chairman

Welcome to our autumn edition of the *Board Sheet* – we have a considerable amount of news to share with you as there has been an incredible amount of activity and change since the last Stakeholder *Board Sheet* in February.



I am delighted to announce the publication of our Annual Report and Accounts, which incorporates a *Parole Journey* section. We have taken an innovative approach to reporting the work carried out by the Board last year, and believe that the format is more reflective of how we collaborate in partnership with other stakeholders across the parole process.

We have also published our Business Plan which sets us challenging, but achievable objectives, and will ensure we focus our energy and resources to deliver on our priorities for the year.

I attended my first Parole Board members' conference in May which provided me with a great opportunity to meet over 180 of our members, and hear the issues and concerns that they are facing. We ran a number of workshops to secure views, ideas and opinions on a variety of areas of our work, much of which will feed into the End to End Review.

You may have seen the recent press release from the Victim Commissioner on parole reviews. The Parole Board is committed to continuing to work with victims in order to improve the parole process and I met with the Victims Commissioner earlier this year to listen to her concerns and explore what work can be done to improve the parole process further.

I hope you find the newsletter informative and useful.

David Calvert-Smith *Chairman*

## Update from the Chief Executive



It is hard to believe it is now nearly 18 months since I started at the Parole Board. Time has flown and this is largely due to how busy the Board has been. We have been improving the way we work within the whole parole process, getting out to parole practitioner forums to meet as many people involved in the process as possible, and working to reduce avoidable errors and mistakes in our casework.

Members and staff alike have continued to work hard to keep up with the growing caseload and we listed record numbers of cases again last year. We have a new business plan and a clear programme managed approach to the next round of improvements we need to make and, even though we will be doing it with fewer resources, look forward to the challenge.

We continue to be faced with a large caseload, and in particular the growing numbers of cases requiring an oral hearing. During 2012-13 we held record numbers of hearings and managed to reduce our backlog of cases by 336 between June 2012 and June 2013. Much of this improvement has been driven by a focus on the older cases within the backlog and identifying ways to progress those cases within it. We are now in the position where there is no delay for securing a listing date for those cases deemed ready to be considered at oral hearing but there is still a backlog of cases which are taking longer than they should to conclude. This is for a variety of reasons and often linked to deferrals and obtaining reports.

These efforts are still under way and have continued to be successful. In the first quarter of the current year, the Board was able to prepare and list the largest number of cases ever, with just over 1410 for April – June 2013. It did so without any increase in staff or members. However, our workload

is set to increase over the course of this year and oral hearings for IPP sentence prisoners is predicted to peak during 2014/15.

One of the changes we have made this year is to move responsibility for booking witnesses for hearings to the Parole Board. This has made the link between witness booking and hearing arrangements much closer and therefore improved the service we are able to offer as a result. It has also reduced the number of cases deferred due to witnesses being unable to attend.

On the 1 August we hosted a visit from the Permanent Secretary, Ursula Brennan. The Permanent Secretary seemed really impressed by her visit and made a point of saying how the Board had not only identified potential improvements but →

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## Update from the Chief Executive

*continued*

was delivering them with a good team spirit, and in her feedback said she was not only impressed but inspired by her visit.

On a final positive note, I am delighted to announce that the Board has attained its Investors in People re-accreditation. We lost this over a year ago and were given one year to deliver an action plan in order not to lose it completely. The Inspector was impressed by the change she saw and improvements to the office, how people worked together and how we now approach our training and development of people. This is a good position to be in for 2013/14 and we will work hard to ensure that we maintain our position! ■

**Claire Bassett** *Chief Executive*

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## MEMBERS' CONFERENCE

In May this year, over 180 members attended the members' conference, which forms part of the training and development programme. A keynote speech was given by Jeremy Wright MP, the Minister for Prisons and Rehabilitation, followed by an overview of progress, challenges and successes over the last year.

There were a series of workshops during the conference covering themes including: serious group offending – examining the definitions, motivating factors and predictors of risk related to Serious Group Offending; personality disorder – looking at the model used for understanding personality disorder and what it means for managing risk and for psychosocial health improvement; getting the best from witnesses at oral hearings; and two workshops looking at how to improve the parole process, which will feed into the End to End Review. Members also had the option to attend a play presented by Clean Break, a theatre group set up by two women prisoners who believe that theatre can bring the hidden stories of imprisoned women to a wider audience. The play was extremely well received and we are hoping to be able to book the group again for next year. ■

## News from the Secretariat

Following the restructuring implemented last autumn we now have three directorates. The Business Development and IT Directorate leads on stakeholder engagement, future ways of working, including the End to End review and IT and is headed up by Martha Blom-Cooper. Their work includes handling media enquiries which should now be directed to the Business Development Directorate on 03000 474635 during office hours and 07725 927954 for out of hours contact.

The Members' Development and Practice Directorate is now led by our newly appointed Director, Stephanie McIntosh who comes to us from the Horserace Betting Levy Board. Stephanie joined us at the beginning of August and is currently undertaking a full induction programme and is a welcome addition to the Senior Management Team.

The CEO leads on the third Directorate which includes Corporate Services and Operations. Reporting directly to the CEO is the Head of Operations, Jonny Twidle who now has a strong management team leading on improving the casework performance and a newly created role of Head of Corporate Services. This role replaces the Head of Finance and Head of HR and Business Change who have both now left the Parole Board. Hayley Trezel has been appointed to this role but is currently on maternity leave. We are delighted therefore to welcome Cliff Garland, a very experienced interim who joined us on 2 September. The creation of this role marks big changes for the Parole Board as we move towards financial shared services and are looking to improve our in house support and analytical services. We also welcome Ruth Morrison, Office Manager who will support Cliff in managing the Corporate Services team.

We are also pleased to announce that Jessica Mance has been appointed as the Parole Board's Legal Adviser. Jessica started with us on 2 September and was previously Senior Legal Counsel at the Financial Ombudsman Service. She has been called to the Bar of both England & Wales and New York State, having achieved Masters degrees in law at Cambridge and Harvard University. She will be working alongside Terry McCarthy over the next few weeks and will assume full responsibility for the Board's legal duties on 1 October. Terry will be leaving the Board on 1 November.

During this time we have also said goodbye to 10 secondees who have worked for the Parole Board for over 10 years in some cases. This resolves a long term problem for 13 staff who all had the option to remain civil servants at MoJ or move across to the Parole Board as public servants. We are sorry to say goodbye to those who have left but are also delighted those who chose to stay did so and they continue to be valued members of the casework team. The departure of these staff members with many years of experience will certainly affect some aspects of our work. We are actively working to minimise any disruptions by implementing, amongst other solutions, a recruitment plan to ensure a smooth transition at all levels and to maintain the day to day business. ■

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## Annual Report & Accounts

We are pleased to announce that the Board's accounts have once again received an unqualified certification from the Comptroller and Auditor General. The Annual Report & Accounts were formally laid before Parliament on 10 July 2013.

We took an innovative approach to reporting the work carried out by the Board last year, and believe that the format of the report this year is more reflective of how we collaborate in partnership with other stakeholders across the parole process.

Within the report there is a section entitled 'Parole Journey' which is a document that sets out, in seven stages, the key aspects of the parole process, and identifies the key players. It is not a comprehensive technical document but it is hoped it will act as an easy reference tool to remind everyone of who else is involved and how important it is that we all play our part at the right time, in order to manage effective parole reviews. ■

*These documents can be downloaded from the following web page:*

<http://www.justice.gov.uk/about/parole-board>

# Stakeholder engagement

**We have taken a closer look at engaging with our partners across the whole process, with the aim of improving the level of service which we offer to those with whom we work and those who are the subject of our decisions.**

In January the Parole Board held a stakeholder event which was attended by over 60 stakeholder representatives from all partners involved in the parole process, together with representatives from victims' groups, prisoner groups, other Parole Boards from the UK and a number of special interest groups. Following a number of presentations, work groups discussed the various aspects of the process and considered what was working well, what could be improved on and how working well should look.

We also issued a short survey to NOMS agencies, legal representatives, and others to identify good attributes of case management, areas of change and improvements to processes, and asking for suggestions on other ways to improve our service and case management, in particular to reduce deferrals. One of the strongest messages from this survey was that good communication and customer service is fundamental to improving the way we do things. We therefore put in place an extensive training programme for our casework managers and have focused on improving the way our new single casework administration team works with stakeholders as they are often the first point of contact. In addition, we worked with the Public Protection Casework Section (PPCS) to develop a one-day 'team to team' event for case managers from both organisations to come together and work on developing and improving communications.

We continue to work with partners through the Parole Board User Group (PBUG) and the Parole Standards Board (PSB), which have representation from NOMS agencies, Ministry of Justice, legal representatives (Association of Prison Lawyers), Prisoners' Advice Service (PAS), The Howard League for Penal Reform and the Youth Justice Board (YJB). Both of these groups have undergone a refocus to ensure they are as relevant and useful as possible to our partners and provide a vital source of feedback and an opportunity to work in a collaborative way to improve the way we work.

In June, the Parole Board participated in a multi-agency event organised by West Yorkshire Probation Trust regarding how various professionals work with personality disordered prisoners. The event was attended by representatives from private and public sector prisons, probation, social services, mental health, education and drug and alcohol intervention providers. There was a performance by The Geese Theatre Company who introduced two prisoners with complex needs including personality disorder and illustrated how they might respond in certain situations in the prison setting. The audience were taken through the journey as the prisoners developed over time, and a second performance focused on a male personality disordered offender who the audience were allowed to question. The performances were motivational and really got the audience engaged with the subject matter. There was then a series of workshops looking at

different aspects of personality disordered offenders. The Parole Board presented a workshop on how it deals with these types of cases, explaining what the Parole Board needs from the OM in terms of evidence and how that impacts on risk assessment, management and intervention choices.

We continue to participate in the Parole Practitioner Forums taking place, using them to consult with practitioners from prisons and probation on the End to End Review. Claire Bassett (Chief Executive), Martha Blom-Cooper (Director of Business Development) and Stephanie McIntosh (Director of Member Development and Practice) attended a number of the regional Parole Practitioner Forums in July and August. They found them really useful events and were impressed by how stakeholders work together to identify ways to improve the process for everyone. Some of the prison and probation staff in the groups were really complimentary about working with us, particularly recently, and this was good to hear alongside lots of ideas for how we can do things better as well. It was really helpful to hear some of the challenges which practitioners face, from getting access to computers with PPUD to do their reports, to all the wider organisational changes they are facing at the moment. ■

## Business Plan and priorities

**We have published our 2013/14 Business Plan, setting out our priorities and objectives for the current year.**

This year we approached developing our Business Plan in a different way, moving away from the formula used in previous years. This year the plan is straightforward, with clear objectives and targets, which will provide us with the right guide to deliver, in partnership, on our priorities.

The Plan is the result of a collaborative effort from both staff and members, and the result is a document that is owned and understood.

**The five priorities for this year are:**

- 1 To make right and fair decisions at the right time
- 2 To improve the whole parole process by fostering and developing our expertise and working with others to improve the end to end process
- 3 To make sure we have the right member resources and are using them as effectively as possible
- 4 To improve our working environment by ensuring business support – IT, finance, HR and training – are fit for purpose, and by engaging staff across the Parole Board
- 5 To review and put in place strong and robust corporate governance ■

*The Plan can be downloaded from the following web page:*

<http://www.justice.gov.uk/about/parole-board>

# DEFERRAL ANALYSIS

We continue to carry out regular analysis of those hearings which get deferred and the reasons behind this. As reported in the last *Board Sheet*, we transferred the witness booking function for oral hearings from NOMS to the Parole Board. The transfer took place in January 2013, and, due to the three month scheduling system at the Parole Board, the first month of any impact on deferrals was expected to be May 2013.

A commitment was made to assess the impact on deferrals over a three month period, May-July 2013. The May results have been analysed and the results indicate a very positive impact, and more details are set out below. The early statistics for June indicate a similar impact.

The total number of deferrals and adjournments has gone down, although overall it is still quite high. In January 2013, the total number was 228 cases (post-scheduling, on the day and

adjournments). In July this had gone down to 169 cases.

The most significant impact has been with the on the day deferrals, and in particular those caused by the probation witnesses. Below is a table setting out the figures in more detail.

Of particular note, only 8 of the 21 cases recorded for May were deferred on the day of the hearing. Out of these 8, only one was due to a probation witness, 2 due to prison witnesses and the remainder due to witnesses called by the prisoner/legal representative.

The total number of cases deferred due to witness issues has reduced from 41 in April down to 17 in July.

This is extremely promising and we hope the trend continues. Of course, we rely completely on the co-operation of colleagues within NOMS for this and thank them for their speedy attention to requests. ■

## Deferrals due to witness unavailability issues: November 2012 – July 2013

	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>	<i>No. of cases</i>
<b>Witness: other</b>	6	5	13	8	9	9	<b>8</b>	3	7
<b>Witness: prison</b>	11	12	10	15	5	9	<b>5</b>	6	3
<b>Witness: probation</b>	15	21	27	22	17	23	<b>8</b>	5	7
<b>TOTAL</b>	32	38	50	45	31	41	<b>21</b>	14	17

# OFFENDER SURVEY

In January this year, the Parole Board launched its first ever offender survey to capture the understanding and experiences of offenders who have been through a parole review. The survey was developed as an 'easy read form' and over 6000 copies were distributed to prisons throughout England and Wales. The survey was publicised via *Inside Time*.

We were very pleased with the response rate and received over 1150 forms back. We looked at all the responses to the questions and also all of the comments.

The analysis was published in the August edition of *Inside Time* and can be found on our web pages:

<http://www.justice.gov.uk/about/parole-board>

When we read through the comments sections of the form the following issues came up most frequently:

- **Offenders are angry about the delays to their parole review**

- **Offenders do not always understand the stages in the process and are not kept informed of how their review is progressing**
- **Offenders are frustrated by being given a set of recommendations for future work without always understanding why, and then not having access to identified courses**
- **Offenders believe there are factual inaccuracies within their dossier or discussed at the hearing**
- **Offenders do not understand the reasons for the decision the Parole Board made**

The Parole Board is now looking at how it can help those offenders who struggle with their parole review, and in particular how to make its decision letters easier to understand. All of this information will be fed into the End to End Review programme of work. ■



# NAO analysis

During May and June, The National Audit Office (NAO) carried out a review across the Generic Parole Process, working with both PPCS and the Board. The NAO applied its analytical expertise to look at the management systems and processes with a view to:

- Establishing performance gaps against 'what good process management looks like'; and
- Providing an external perspective on how to improve process management across the parole process by highlighting principles of good practice.

We welcomed this as a really positive initiative which has provided a fresh perspective on the processes and will help us and colleagues in NOMS to improve on our effectiveness and efficiency. This initiative complements the work we are already doing as part of our joint Parole Board/NOMS review of the GPP, and which sits under the banner of *Streamlining the Parole Process Together*. ■

## End to End Review

**The Public Protection Casework Section (PPCS) and the Parole Board (PB) are progressing the programme of work entitled *Streamlining the Parole Process Together*, which is taking an end to end review of the Generic Parole Process (GPP).**

The aim is to improve current practices, avoid duplication of effort and remove needless steps or processes that are preventing the most effective and efficient delivery of parole reviews.

This work is vital in terms of ensuring the most efficient, robust and fair process is maintained, against reduced funding and resources. It has been overseen by the multi-disciplinary GPP Monitoring Board, which reviews the progress and delivery of the outcomes. A global message has been issued which can be found at the following link:

<http://www.justice.gov.uk/downloads/publications/pb/streamlining-parole-global-update.pdf>

We will be drafting a stakeholder engagement document with PPCS in September/October and circulating this for comment, so please do look out for it. We will publish it onto our website but in the meantime if you wish to submit any comments, views or suggestions please send them to:

[info@paroleboard.gsi.gov.uk](mailto:info@paroleboard.gsi.gov.uk) ■

# Litigation strategy

**In April this year, The Parole Board published its strategy for dealing with litigation. It set out changes in the way we deal with judicial reviews, and clarified how we deal with litigation as a whole.**

The only change from current practice was a significant one. Most applications for judicial review of a Parole Board decision not to direct release, or not to recommend open conditions, will not be defended. The Board will operate like many other judicial bodies and take no active part other than to assist the court with factual information where appropriate. The Board will approach the pre-action protocols in a similar way.

The Parole Board will continue to defend applications for judicial review where it believes it is appropriate. We envisage that most of those cases we do defend will relate to issues of procedure or judicial acts made during the course of a review such as case management directions, refusals to grant oral hearings etc. The strategy can be downloaded from the website:

<http://www.justice.gov.uk/about/parole-board> ■

## Secretary of State's Directions

**On 11 July the Justice Secretary announced that he was withdrawing his Directions to the Parole Board with regard to release. Directions on transfers to open conditions will be re-issued and will remain in force.**

The Justice Secretary took this step to reflect recent case law that reinforced the Board's status as a court, and in light of the provisions in the LASPO Act. In response the Board has issued guidance to members on factors to be taken into account when considering release. We would encourage all report writers and witnesses to take note of the guidance in order for them to be aware of the factors that the Parole Board needs them to focus on. The guidance can be found on the website:

[www.justice.gov.uk/offenders/parole-board](http://www.justice.gov.uk/offenders/parole-board) ■

**The case of *McIntyre* will require the Parole Board to change its practice with regard to panel chairs' notes of oral hearings.**

*Judicial Review update – see page 7*

# JUDICIAL REVIEW UPDATE

## 1

The long awaited judgment of the Supreme Court hearing of the appeals in *Faulkner/Sturnham* was handed down in May. Parties should now know where they stand with regard to prisoners claiming damages for breach of article 5(4) in respect of damages for delay.

In *Faulkner*, the Parole Board won its appeal against an award of £10,000 made by the Court of Appeal for a ten month delay. He was awarded £6,500 instead. The Board argued successfully that the domestic courts should be guided by principles established in the judgments of the European Court of Human Rights (ECtHR) rather than courts in England & Wales.

In *Sturnham*, however, the Board and the Secretary of State lost; Sturnham was in a different position to Faulkner in that he had not been released at the end of the delayed review. We failed in our argument that damages should not normally be paid in those circumstances and he was awarded £300 for a six month delay.

Lord Reed, who delivered the leading judgment, gave a helpful summary of 15 principles that will now guide all future claims for damages.

## 2

Judgment of the Supreme Court in *Sturnham* was handed down in July. The issue was whether a different test for release should be applied to IPP prisoners to that for lifers. The Appellant had argued that the test for release of an IPP should be the same as the test required to be applied at trial when sentence was passed. The appeal was dismissed unanimously, the leading judgment being that of Lord Mance.

Before imposing an IPP, the trial judge had to be of the opinion that *'there is a significant risk to members of the public of serious harm occasioned by the commission by [the offender] of further specified offences'*. However, once the tariff has expired the Parole Board may not direct the release of an IPP or a lifer unless *'satisfied that it is no longer necessary for the protection of the public that the prisoner should be confined'*. It was common ground between the parties that there is a difference in substance between the two tests. The Appellant, however, argued that an IPP can be distinguished from a lifer and the statutory test must be interpreted differently, in line with the sentencing test. The Supreme Court preferred the proposition that Parliament, in full awareness of the case law regarding interpretation of the test for the release of lifers, deliberately brought IPPs into the same statutory provision as already existed for lifers when it introduced the sentence in the Criminal Justice Act 2003. In other words it desired a different test to be applied by the Parole Board to that applied by the sentencing court.

There has been a wealth of case law surrounding the meaning of the statutory test. The phrase 'life and limb' has been introduced into Parole Board language and in the 1991 case of *Bradley* the court said that the level of risk relevant at the release stage *'must indeed be "substantial" ... , but this can mean no more than that it is not merely perceptible or minimal'*.

The variety of words and phrases used to determine exactly what panels are supposed to apply when considering release has led to some difficulty when they come to express in their reasons

the test that has been applied. Lord Mance decided that *Bradley* went too far in trying to impose some sort of mathematical threshold for how significant the level of risk must be. He said in his judgement:

'the equation of "substantial" risk with any risk that is "not merely perceptible or minimal" tends to change the focus or starting point in a way which may influence the conclusion. It is preferable to concentrate on the statutory language and not to paraphrase.'

## 3

The Supreme Court judgment in *Sturnham* may have some impact on the application for judicial review in *King*, a recalled determinate sentenced prisoner.

In December 2012, the provisions of the Legal Aid, Sentencing & Punishment of Offenders Act 2012 (LASPO) came into effect. The provisions relevant to this JR were those introducing statutory tests purporting to unify the tests that the Parole Board must apply when considering the release of different categories of prisoner. The test in LASPO is the same as that which already existed for lifers and IPPs.

Although LASPO was silent on any test for the release of recalled determinate prisoners, we have good reason to conclude that the same 'public protection' test must be applied in the event of recall. The Board has decided to advise its members that the public protection test of sexual/violent offending should apply, *but that it need not be serious offending of that type*. The Claimant argues that exactly the same test as exists for lifers/IPP's must be adopted (i.e. serious offending, life and limb etc) and that the Board's advice is unlawful.

Permission has been granted and we await a hearing date.

## 4

In *McGetrick* the Claimant had sought a direction from the Board to have certain material served by the Secretary of State removed from the dossier. It related to matters that had been in possession of the CPS before trial; however, no indictment was ever pursued in relation to any of these matters, and the Claimant was not convicted of any offence in connection with them. It was the Claimant's case that the material was so prejudicial to his case that no Parole Board panel could fairly take it into account. Having failed to persuade the Secretary of State to remove it from the Board's consideration, he sought to argue that the Board itself had the power to remove it. The case hinged upon the construction of section 239(3) of the Criminal Justice Act 2003 which states:

'The Board must, in dealing with cases as respects which it makes recommendations under this Chapter or under Chapter 2 of Part 2 of the 1997 Act, consider –  
(a) any documents given to it by the Secretary of State, and  
(b) any other oral or written information obtained by it'

Our interpretation of the section was that the Board had to consider whatever the Secretary of State put in front of it and had no power to order it removed. The Claimant argued successfully that the phrase 'dealing with cases' did not necessarily mean that the panel taking the final decision had to consider it. The provision did not prevent a procedure whereby an intermediate →

or interlocutory decision is made by the Parole Board to exclude material from its final consideration. As Lord Justice Toulson put it:

‘section 239(3) of the 2003 Act is well capable of being interpreted consistently with the ability of the Parole Board, in an appropriate case, to decide that documents given to it by the Secretary of State should be withheld from the panel which will make the ultimate decision about a prisoner’s release. The Parole Board would be considering the documents in dealing with the case, and section 239(3) should be so construed.’

**5**

Finally, the case of *McIntyre* will require the Parole Board to change its practice with regard to panel chairs’ notes of oral hearings. Legal advice taken some years ago was to the effect that members’ notes were not the property of the Parole Board and therefore not ‘data’ for the purposes of the Data Protection Act. Guidance to members was that their notes need not be disclosed except in the event of permission being granted in a JR.

In addition members were advised that they should destroy their notes after 9 months.

The Divisional Court has now ruled otherwise. The President of the QBD said in his judgement:

‘Thus in our judgment the notes of the chair which constitute the record of the proceedings are made by the chair to discharge the Board’s duty to keep a record. The Board was incorrect in stating it had no control over them. As there is no other official record of the evidence and the proceedings, the notes by way of record are the Board’s record of the proceedings before the panel determining the liberty of an individual.’

The notes are a record of a hearing that has importance for the proceedings. As such, the Board must review its policy of destroying notes after 9 months, and the notes may have to be consulted or disclosed to settle disputes over the evidence given.

This applies to the note of the proceedings and not notes made by the chair or other panel member during the hearing to reflect, for example, their views of the evidence or reliability of a witness. ■

## Parole Board responses to government consultations

The Parole Board takes an active interest in the plans outlined by the government on the future of both the Probation Service and the Legal Aid provisions and participated in the consultation processes for both of these and submitted responses.

**Transforming Rehabilitation Services** was first consulted on by the Government last year and then a second round of consultations took place earlier this year. Comments were restricted to those directly affecting the Parole Board. Therefore, a response to all questions was not provided.

Overall the Parole Board welcomes those aspects of the proposals relating to the management of high risk offenders. The plans for a dedicated group of specialist practitioners skilled and experienced in the assessment and management of high risk offenders accord very closely with the views of the Parole Board membership about the framework within which the Probation Service can, and has in the past, delivered a good standard of service.

However, the Parole Board has concerns about the arrangements for low and medium risk offenders where offenders in these categories are subject to recall and may be referred to the Parole Board for consideration for re-release.

The Parole Board welcomes the extension of rehabilitation to those serving under 12 months as well as the low and medium risk offenders as these are potential future higher risk/parole cases and will benefit from earlier, proactive intervention to protect the public and prevent further waste of system costs if/when they re-offend.

The Parole Board is concerned about a number of key points which are set out in our responses, to be found here:

<http://www.justice.gov.uk/about/parole-board>

**The Transforming Legal Aid** consultation took place in June and the response from the Parole Board focused on the section devoted to proposals concerning those who represent serving prisoners whose cases are considered by the Parole Board.

The Parole Board operates in a very different way to a criminal court. Its decisions are based upon an investigative process

and not an adversarial one. The skills required on all sides, including the prisoners’ representative, bear little relation to those employed by a criminal trial advocate. Over time a body of specialist prison lawyers has grown up which understands the nature of the process and contributes to the quality of the eventual decisions and the ability of the Parole Board to make those decisions in a timely manner.

We are concerned that the proposed changes may have a significant detrimental effect on these attributes, thus making the parole process slower, less efficient and more expensive.

The full response can be found here:

<http://www.justice.gov.uk/about/parole-board> ■

### PUBLISHER

The *Board Sheet* is published by the Parole Board, Grenadier House, 99-105 Horseferry Road, London, SW1P 2DX.

Comments or questions about the publication should be sent to the Business Development Directorate

[Glenn.gathercole@paroleboard.gsi.gov.uk](mailto:Glenn.gathercole@paroleboard.gsi.gov.uk)

The *Board Sheet* is intended for circulation to key stakeholders and those with a direct professional interest in the work of the Board.

Information about the work of the Parole Board is now available online in three places:

**Prisoner facing content:**

<https://www.gov.uk/leaving-prison/parole-board-hearings-what-happens>

**Practitioner facing content:**

<http://www.justice.gov.uk/about/parole-board/index.htm>

**Archive content:**

[http://tna.europarchive.org/\\*/http://www.paroleboard.gov.uk/](http://tna.europarchive.org/*/http://www.paroleboard.gov.uk/)