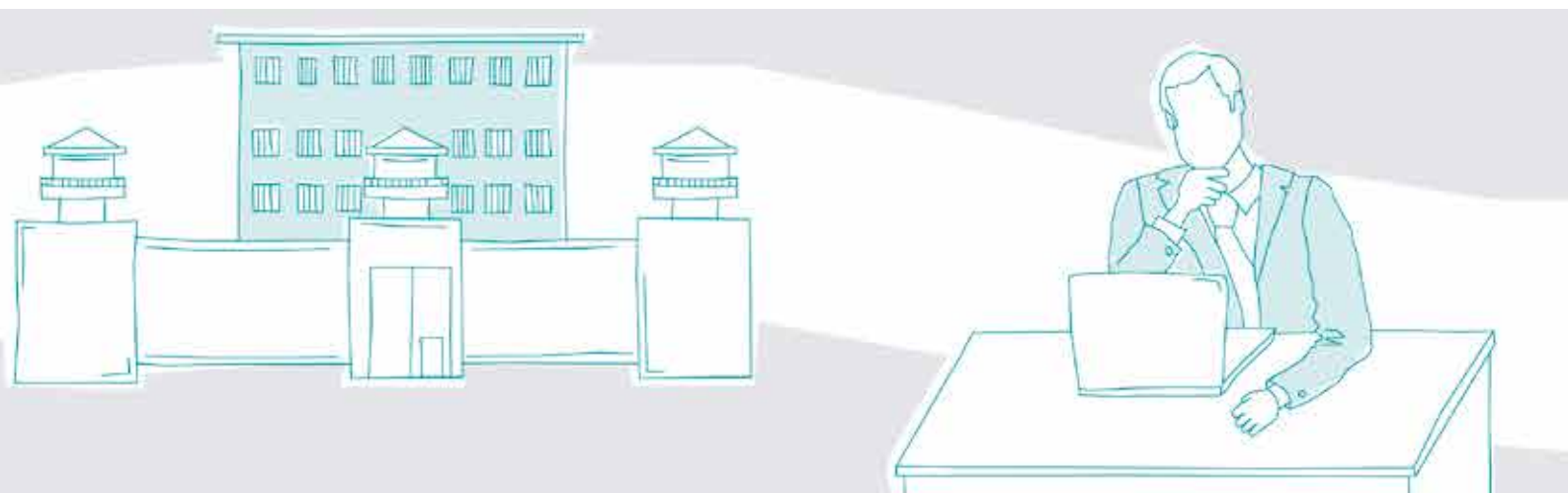


# Getting ready for a parole review without a lawyer

What you need to know



Easy read



This booklet is for prisoners who decide not to have help from a lawyer when getting ready for their parole review.

It tells you how to get ready for the parole review yourself.

It may also help you decide what to do during an oral hearing.

You will see that some words in the booklet are in blue.

We explain what these words mean in Part E.

All of the artwork contained within this booklet (except the image on page 4) are used courtesy of the Koestler Arts. Koestler Arts is the UK's best-known prison arts charity. It encourages people in the UK's criminal justice system to participate in the arts, and shares that talent with the public through publications, events and exhibitions.

<https://www.koestlerarts.org.uk>

We would like to thank the Koestler Arts for allowing the Parole Board to display the artwork.



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## Part A

# Background information

After a certain amount of time in prison, the [Secretary of State](#) will ask the [Parole Board](#) to think about whether a [parole eligible prisoner](#) is ready to:

- leave prison with [licence conditions](#).
- move to an [open prison](#).

The [Parole Board](#) looks at the [Secretary of State's](#) request during a [parole review](#).

At the end of the [parole review](#), the [Parole Board](#) makes a decision or helps the [Secretary of State](#) make a decision.

The decision might be to:

- let the [parole eligible prisoner](#) leave prison with [licence conditions](#).
- recommend the [parole eligible prisoner](#) is moved to an [open prison](#).
- leave things as they are – this means the [parole eligible prisoner](#) stays where they are.

Because the result of the [parole review](#) is so important, the [Parole Board](#) thinks every [parole eligible prisoner](#) should have a [lawyer](#) to help them get ready for it.

## Why have a lawyer?

The [Parole Board](#) strongly recommends that you have a [lawyer](#) to help you get ready for your [parole review](#). There are good reasons why you should:

- [Lawyers](#) know a lot about [parole reviews](#), and what they know will make it easier for you to get ready for yours.
- The [parole review](#) process can be a nervous time for you. For example, it can be hard to get ready for the [parole review](#) on your own. Also, the [parole review](#) result is very important because it may affect how you serve the rest of your sentence.
- The [parole review](#) may include things that are hard to understand.
- You may be asked for important information that you might not understand.
- On your own, you may not know all the things you need to know, and [lawyers](#) can speak for you to people involved in your case. They can do this more quickly and easily because they can use things like email, which you may not have.

A [lawyer](#) can also help you:

- decide what to tell the [Parole Board](#) about why you are ready to leave prison (or to move to an [open prison](#)).
- set out the good points you should tell the [Parole Board](#) about.

[Lawyers](#) must follow rules. One rule says [lawyers](#) must not talk to anyone else about what you tell them, unless you say they can. Another rule says they must tell you what they think is best for you and your case, but you can agree or not agree to what they say.

And if the [parole review](#) includes an [oral hearing](#), a [lawyer](#) can help you think about what questions to ask [witnesses](#). (There is more about [oral hearings](#) in Part D.)

If you do not have enough money for a [lawyer](#), you may get [legal aid](#) to help pay for one.

If you want to know more about contacting a [lawyer](#) about your [parole review](#), ask someone in the prison to give you a list of lawyers you can contact. If you ask for the list of [lawyers](#), the prison must give it to you.

## What happens during a parole review?

First, the [Parole Board](#) will read the papers in your [parole dossier](#). At this stage the [Parole Board](#) does not meet you and do not ask anyone any questions.

Sometimes, the [Parole Board](#) will make a decision about your [parole](#) after reading your [parole dossier](#). At other times they will have an [oral hearing](#) before making a decision (there is more about [oral hearings](#) in Part D). But at the end of the [parole review](#), the [Parole Board](#) must make a decision.

## Parole Board decides you are ready to leave prison

If the [Parole Board](#) decides you are ready to leave prison:

- they will confirm or say what will be your [licence conditions](#).
- most prisoners will have to wait 21 days before the [Parole Board's](#) decision becomes final. This is because they may be asked to look at their decision again. This is called 'reconsideration' (there is more about this in Part B).

## Parole Board decides you are not ready to leave prison

If the [Parole Board](#) decides you are not ready to leave prison, they may say you should move to an [open prison](#). In these cases, the [Secretary of State](#) makes the final decision about the move.

## If you are a recalled prisoner

If you are a [recalled prisoner](#), the [Parole Board](#) will check if the decision to tell you to return to prison was right. If they decide:

- the decision was wrong, they will take this into account when thinking about whether to let you leave prison again.
- the decision was right, they will take this into account when thinking about whether to let you leave prison again. But if they say they think you should move to an [open prison](#), the [Secretary of State](#) will make the final decision about the move.

## Advice cases

Sometimes the [Secretary of State](#) only asks the [Parole Board](#) to think about whether you are ready to move to or return to an [open prison](#). These are called ‘advice cases’. If your [parole review](#) is an advice case, the [Parole Board](#) does not think about whether you can leave prison.

At the end of this kind of [parole review](#), the [Parole Board](#) will tell the [Secretary of State](#) whether or not they think you are ready to move to an [open prison](#). The final decision is made by the [Secretary of State](#).

## What the Parole Board must take into account

The law tells the [Parole Board](#) that they must do just one thing. It says:

In order to direct your release, the [Parole Board](#) must be satisfied that it is no longer necessary for the protection of the public that you should remain in custody.

This means the [Parole Board](#) must take account of the risk you might be to other people if you leave prison.

There are other rules the [Parole Board](#) must follow. These are in a booklet called the ‘Parole Board Rules 2019’. You can ask the prison for a copy.

Sometimes the [Parole Board](#) will ask for more information and will write down what they want. These are called ‘Directions’.

## How the Parole Board decides about your risk to others

When the [Parole Board](#) is looking at the risk you might be to others, they want to be sure that the way you behave has changed while you have been in prison. When doing this, the [Parole Board](#) thinks about many things. For example:

- ‘The nature, circumstances and pattern of your previous offending, both the offence for which you are currently in prison, and any previous offending.’

In easy-to-read words, this means: Why you are in prison and what you did in the past to break the law.

- ‘The remarks made by the trial judge when you were sentenced.’ These are sometimes called ‘sentencing remarks’.

In easy-to-read words, this means: What the judge said when you were sentenced.

- ‘What you have done in prison to reduce your risks and to change the attitudes and behaviour which led to you committing the index offence and any other offences.’

In easy-to-read words, this means: What you have done to reduce your risk to others, and what you have done to change the things that led to you breaking the law.

- ‘What factors influence your behaviour, for example misuse of drugs or alcohol or poor relationships.’

In easy-to-read words, this means: What affects the way you behave. For example, drugs and/or alcohol, and the people you mix with.

- ‘Your awareness and insight of your behaviour and risks, and how your behaviour has affected the victims of your offending.’

In easy-to-read words, this means: What you think about the way you behave and your risk to others, and how breaking the law has affected your victims.

- ‘Your behaviour and progress in prison and your relationship with your [Community Offender Manager](#).’

In easy-to-read words, this means: The way you have behaved in prison, and how well you get on with your [Community Offender Manager](#).

- ‘Whether there are any medical, psychiatric or psychological considerations in your case.’

In easy-to-read words, this means: Whether you have an illness that affects you.



The [Parole Board](#) will also think about:

- whether you are likely to follow your [licence conditions](#).
- plans for when you leave prison and how you will be checked up on.

If you are a [recalled prisoner](#), the [Parole Board](#) will also think about why you were recalled.

There may be other things the [Parole Board](#) thinks about during a [parole review](#).

The [Parole Board](#) has written a booklet about how they make their decisions. It is called the 'Decision-Making Framework' and you can ask the prison for a copy.

## How the Parole Board decides if you are ready for open prison

This section only applies to indeterminate sentenced prisoners (those serving a life or IPP sentence). For other prisoners, the decision about moving to an [open prison](#) is made by the prison governor.

When the [Parole Board](#) is looking at whether you are ready to go to an [open prison](#), they think about:

- what you have done to accept and reduce the risk you might be to others while you leave the [open prison](#) for a short time.
- whether you are likely to follow your [licence conditions](#) while you leave the [open prison](#) for a short time.
- the risk that you will not return after leaving the [open prison](#) for a short time.

The [Parole Board](#) will balance these risks with the benefits to you of being in [open prison](#). They will also think about whether there is any work or courses you can do in the [open prison](#) to reduce the risks.

After making their decision, the [Parole Board](#) tells the [Secretary of State](#) what they think should happen to you. The [Secretary of State](#) then makes the final decision about your move to an [open prison](#).





## Part B

# Parole review guidance – for parole eligible prisoners

This Part applies to most\* prisoners preparing for their [parole review](#).

\* Different guidance applies to some [recalled prisoners](#). Their guidance is in Part C.

## 1 Parole review process starts

The [parole review](#) process starts when you get your first letter about your [parole review](#). At the same time, Her Majesty's Prison and Probation Service ([HMPPS](#)) start preparing your [parole dossier](#) for the [Parole Board](#).

The [Parole Board](#) is not involved at this early stage.

Note: A [parole review](#) usually finishes within 8 months of receiving your first letter about the [parole review](#).

### What you should do

You should do these things:

Done (✓)		
1	Find someone to help you get ready for the <a href="#">parole review</a> . The <a href="#">Parole Board</a> thinks it is best for you if this is a <a href="#">lawyer</a> . The prison can give you a list of <a href="#">lawyers</a> you can contact.	
2	Talk to your <a href="#">Community Offender Manager</a> to find out what they will tell the <a href="#">Parole Board</a> . You can then decide if you agree with what they say. If you think there are things they do not know about you, you should tell them.	
3	Think about asking someone at the prison to help you. For example, your Key Worker, a friend or an adviser.	

## 2 Your parole dossier

When [HMPPS](#) have prepared your [parole dossier](#), you will get a copy. This is usually about 8 weeks after you get their letter. The [Parole Board](#) gets their copy of your [parole dossier](#) at the same time as you.

[Parole reviews](#) follow a timetable. It is important to keep to the timetable so that the [Parole Board](#) gets things in time and nothing is missed.

You should read your [parole dossier](#) carefully. If you want, you can ask someone in the prison for help to go through it and explain anything you do not understand.

Your [parole dossier](#) includes an easy-to-read booklet which gives a short step-by-step guide to the [parole review](#) process.

After reading your [parole dossier](#), you need to think about what you want to tell the [Parole Board](#) or if you want to add anything to your [parole dossier](#). Things you add to your [parole dossier](#) for the [Parole Board](#) to look at are called 'representations'. You have 28 days after you receive your [parole dossier](#) to send representations to the [Parole Board](#).

### What you should do

You should do these things:

		Done (✓)
1	Think about asking someone from the prison to help you, such as your Key Worker, or a friend or adviser.	
2	Read your <a href="#">parole dossier</a> .	
3	Think about whether you want an <a href="#">oral hearing</a> and the reasons why this is important to you. See the section about the Osborn case (page 19) for more information about when it is better to have an <a href="#">oral hearing</a> . (There is more about <a href="#">oral hearings</a> in Part D.)	
4	<p>Send your representations to the <a href="#">Parole Board</a>. This is important because the <a href="#">Parole Board</a> needs to know what you think.</p> <ul style="list-style-type: none"> <li>■ Say if you think you are ready to leave prison or ready to move to an <a href="#">open prison</a>. When writing this, think about what is said in Part A about your risk to other people.</li> <li>■ Read what your <a href="#">Community Offender Manager</a> and <a href="#">Prison Offender Manager</a> told the <a href="#">Parole Board</a>.</li> </ul>	

Done (✓)		
4	<ul style="list-style-type: none"> <li>■ If you have them, think about including:               <ul style="list-style-type: none"> <li>■ proof of learning/trade courses you have done in prison.</li> <li>■ letters of support from respected people that know you, such as a spiritual or religious guide in the prison, or an official prison visitor.</li> <li>■ written offers of work outside prison.</li> <li>■ plans about where you will live.</li> </ul> </li> </ul>	
5	Add any extra information, such as things you have done well in prison.	
6	Say what you think about what is in the <a href="#">parole dossier</a> . For example, if you think something is wrong or missing.	
7	If you need more time to get ready for your representations, write to the <a href="#">Parole Board</a> and ask them for more time. You must do this within 28 days of receiving your <a href="#">parole dossier</a> .	

## Non-disclosure

For fairness, your copy of the [parole dossier](#) should include everything the [Parole Board](#) gets. But sometimes there are things people want the [Parole Board](#) to see which you are not allowed to see. This may be for security or safety, or something to do with the victims of your crimes. This is allowed in the [Parole Board](#) rules.

If this applies to you, the [Parole Board](#) is asked to agree to a 'non disclosure request'. You will be told if someone makes a [non-disclosure request](#).

If the [Parole Board](#) agrees to the [non-disclosure request](#), you will not be allowed to see the information, but:

- you will be told that the information exists and, usually, what it is about – this is called a 'gist' or 'summary'.
- an appeal is automatically made for you. The appeal is to make sure the [Parole Board's](#) decision is fair.



## What you should do

HMPPS will give you a copy of your [parole dossier](#) (including a copy of the easy-to-read guide to [parole](#)) and you will be told if someone has made a [non-disclosure request](#).

You should do these things:

		Done (✓)
1	Check to see that you have all the information and whether the <a href="#">Parole Board</a> has agreed to a <a href="#">non-disclosure request</a> .	
2	If the <a href="#">Parole Board</a> has agreed to a <a href="#">non-disclosure request</a> , check to make sure an appeal has been made for you.	

**You have a right** to be given a copy of your [parole dossier](#) (including the 'Easy Read Guide to Parole') and you **must** be told if any information is being withheld from you.

## Summary decision letters

When the [parole review](#) is finished, anyone – such as victims and [journalists](#) – can ask for a summary of the [parole](#) decision. These are called '[summary decision letters](#)' or '[PBDS](#)'.

If you have serious worries about this, think about:

- telling the [Parole Board](#) about your worries in your representations.
- asking the [Parole Board](#) not to let people see the [summary decision letter](#).

The [Parole Board](#) Chairperson makes the final decision, taking account of what you said. It is rare for the [Parole Board](#) to stop other people seeing your [summary decision letter](#).

## What you should do

You should do these things:

		Done (✓)
1	Think about whether other people seeing your <a href="#">summary decision letter</a> will worry you. If it does, tell the <a href="#">Parole Board</a> about this in your representations.	
2	Think about asking someone from the prison to help you. For example, your Key Worker, or a friend or adviser.	

## Speeding up cases for oral hearings

If you ask for an [oral hearing](#), you may have special reasons to ask the [Parole Board](#) for this to be done faster than usual. Think about asking someone from the prison to help you decide if you have a special reason. For example, your Key Worker, or a friend or adviser.

There are 2 ways to speed up an [oral hearing](#):

- **Prioritising** – if the [Parole Board](#) agrees to this, your [oral hearing](#) is usually held about 3 months from when you asked. Prisoners under 18 and those having their first [parole review](#) after a Mental Health Tribunal are automatically prioritised.
- **Expediting** – if the [Parole Board](#) agrees to this, your [oral hearing](#) is held as soon as possible. This could be within a month, but it could be more than this depending on when other people, such as [witnesses](#) and [Parole Board](#) members, have time to come to the [oral hearing](#) and if there is a room free in the prison.

Prioritising and expediting can only happen if you can show that there are very special reasons for your [oral hearing](#) to jump ahead of other prisoners in the queue. Special reasons might include serious illness or family problems, or if something that was not your fault delayed your [oral hearing](#).

‘Special reasons’ does **not** usually include your [parole dossier](#) saying you are ready to leave prison or ready to move to an [open prison](#). This is because there are many other prisoners in that position.

If you make a request to speed up your [oral hearing](#), the [Parole Board](#) will look at the request carefully and let you know their decision.

There is more about [oral hearings](#) in Part D.

## Quick checklist for your representations

		Done (✓)
1	Have you spoken to your <a href="#">Community Offender Manager</a> and <a href="#">Prison Offender Manager</a> about what they will tell the <a href="#">Parole Board</a> ?	
2	Do your representations include everything you want to tell the <a href="#">Parole Board</a> ?	
3	Have you included information or letters from other people to support your representations?	

		Done (✓)
4	Have you checked your <a href="#">parole dossier</a> to see if someone has sent a <a href="#">non-disclosure request</a> to the <a href="#">Parole Board</a> ? If they have, have you been told that an appeal against this has been made for you?	
5	Have you checked if someone has asked for a <a href="#">summary decision letter</a> ? If someone has, see page 14.	
6	Have you thought about asking for an <a href="#">oral hearing</a> ? (There is more about <a href="#">oral hearings</a> in Part D.)	
7	Have you thought about asking someone from the prison to help you? For example, your Key Worker, or a friend or advisor.	

### 3 Paper review (or ‘member case assessment’)

28 days after you get your copy of the [parole dossier](#), it is time for it to be sent for a paper review (called a ‘member case assessment’ or ‘MCA’). This is when a member of the [Parole Board](#) reads your [parole dossier](#). If you made your representations within 28 days of getting your copy of the [parole dossier](#), they will be read by the member of the [Parole Board](#).

The [Parole Board](#) member looks carefully at everything in the [parole dossier](#), including your representations. They then make a decision.

Their decision can be:

- **Decision:** You are ready to leave prison or ready to move to an [open prison](#) without an [oral hearing](#) – see below.
- **Decision:** You are not ready to leave prison or not ready to move to an [open prison](#). This means you must stay in prison – see below.
- **Decision:** An [oral hearing](#) is needed. The [Parole Board](#) member will give instructions (called ‘Directions’) about the [witnesses](#) or information they need to make sure your [oral hearing](#) is fair – see below.

## Parole Board member decides you are ready to leave prison

If the [Parole Board](#) member decides you are ready to leave prison, this will be done as soon as all arrangements are in place.

Nothing then happens for 21 days. This is in case the [Parole Board](#) is asked to look at your case again – this is called reconsideration. After 21 days, and if no-one has made a reconsideration request, the [Parole Board's](#) decision becomes final and [HMPPS](#) will arrange your release from prison in accordance with the agreed release plan.

## Parole Board member decides you must stay in prison

If the [Parole Board](#) member decides you must stay in prison, you have 28 days from the date of the decision to decide what to do.

**You can decide to accept the decision.** If you do this, the [parole review](#) is finished.

**You can decide not to accept the decision.** If you do this, you have 28 days to ask the [Parole Board](#) for an [oral hearing](#). If the [Parole Board](#) agrees to have an [oral hearing](#), you can use it to tell the [Parole Board](#) more about your case or to find out what will help you leave prison.

In a court case called Osborn, a judge told the [Parole Board](#) that many more [parole reviews](#) need an [oral hearing](#). There is more about this on page 19.

If you think you should have an [oral hearing](#) you must write to the [Parole Board](#) and ask for one. In your letter you must say why you need an [oral hearing](#) and why your case meets the fairness rules set out in the Osborn case.

After 28 days, if the [Parole Board](#) does not hear from you, nothing happens for another 21 days. This is in case the [Parole Board](#) is asked to look at your case again. After 21 days, and if no-one has asked for your case to be looked at again, the [Parole Board's](#) decision becomes final.

## Parole Board member decides an oral hearing is needed

If the **Parole Board** member decides an **oral hearing** is needed, you will get a copy of their Directions.

### What you should do

You should do these things:

		Done (✓)
1	Read the <b>Parole Board</b> member's Directions carefully.	
2	Think about whether you want someone to come to the <b>oral hearing</b> to support you, such as a family member or friend – these are called ' <b>observers</b> '. You must ask the <b>Parole Board</b> for permission for your observer to come to the <b>oral hearing</b> .*	
3	Think about what you want to tell the <b>Parole Board</b> and what sort of questions you want to ask <b>witnesses</b> .	
4	If you want the <b>Parole Board</b> to make other Directions, write and ask them.* For example, if you want to see a report that is not in the <b>parole dossier</b> that may help your case, or for someone to come to the <b>oral hearing</b> to give evidence for you.	
5	You should also tell the <b>Parole Board</b> if there are any special things that need to be done, for example if you need a translator, or if you need breaks for medical or other reasons.*	
6	The <b>Parole Board</b> has a booklet called 'Guide to <b>oral hearings</b> ' which is written in easy-to-read words. If you want a copy, ask the <b>Parole Board</b> .*	

\* If you want to ask for anything marked with an \* in the table, you **must** ask in a letter to the **Parole Board**. They **must** get your letter at least 12 weeks before the **oral hearing**. **Do not** wait until you have a date for your **oral hearing**.

**Remember:** **Parole reviews** and **oral hearings** follow a timetable. It is important to keep to the timetable so that the **Parole Board** gets things in time and nothing is missed.

At the **oral hearing**, even if you do not have a **lawyer** to help you and have no-one as an **observer**, the **Parole Board** will look at your case fairly.



## The Osborn case

In a court case called Osborn, a judge told the [Parole Board](#) that many more [parole reviews](#) need an [oral hearing](#). This is what the judge said, in easy-to-read words, about when an [oral hearing](#) should happen.

The court cannot list all the times when an [oral hearing](#) is needed, but one may be needed if any of these things happen:

- If the prisoner and other people cannot agree about something the [Parole Board](#) thinks is important.
- If the [Parole Board](#) is told something important that it thinks should be heard at an [oral hearing](#) to help them decide if it is true.
- If the [Parole Board](#), including members who are mental illness experts, cannot make a fair decision about a risk to the prisoner or the way the risk is treated.
- If, after reading letters from the prisoner or the prisoner's [lawyer](#), the [Parole Board](#) decides it is unfair for a single member's decision (see section 3 on page 16) to become final without having an [oral hearing](#).

## 4 Date of the oral hearing

The [Parole Board](#) will tell you about the time and date of your [oral hearing](#) about 10 weeks before it is held. They will include a timetable and tell you who else will be there.

If the [Parole Board](#) makes any more Directions, you will get a copy of these.

## 5 At the oral hearing

The [oral hearing](#) usually takes place in your prison. Sometimes the [Parole Board](#) members or a [witness](#) will use a TV link or telephone instead of being there in person. When you go to the [oral hearing](#), remember to take your [parole dossier](#) and any notes you have written, including any questions you want to ask.

There is more about [oral hearings](#) in Part D.

## 6 The Parole Board's decision

Within 14 days of the [oral hearing](#), the [Parole Board](#) will send a letter to you and the [Secretary of State](#). The letter will say what the decision is and why they made that decision.

Anyone – including victims and [journalists](#) – can ask for a summary of your [parole](#) decision. The letter will tell you if a [summary decision letter](#) has been given to anybody else. The [Parole Board](#) will have already thought about any objections you made, if you sent any.

## Leave prison

If the [Parole Board](#) decides you are ready to leave prison, nothing happens for 21 days. This is in case the [Parole Board](#) has to look at your case again.

After 21 days, if no-one has asked for your case to be looked at again, the [Parole Board's](#) decision become final. This is when [HMPPS](#) will confirm your [licence conditions](#) and arrange for you to leave prison.

## Move to an open prison

If the [Parole Board](#) decides you are ready to move to an [open prison](#), the [Secretary of State](#) will make the final decision. The final decision is usually made within 14 days, but sometimes it takes longer.

## Stay in prison

If the [Parole Board](#) decides you are not ready to leave prison:

- you must stay in prison.
- [HMPPS](#) will tell you when you will have your next [parole review](#).

Some prisoners can ask the [Parole Board](#) to look at their decision again. This can happen if you think the [Parole Board](#) did not follow all the rules for [parole reviews](#) or if their decision does not make sense. You have only 21 days to do this, so you must act fast.

Reconsideration of a [parole](#) decision is very rare and there must be very strong reasons for this to happen. In most cases the [Parole Board's](#) decision will not change.

## Delay making a decision

Sometimes, the [Parole Board](#) may stop the [oral hearing](#) so they can get more information. This is called an 'adjournment'.

When the [Parole Board](#) gets the information they need, they may be able to make their decision without having another [oral hearing](#). But if the [Parole Board](#) wants to ask more questions, they will set a date for another [oral hearing](#).







## Part C

# Parole review guidance – for recalled prisoners

This Part only applies to **indeterminate sentence recall cases** and eligible prisoners whose case has been sent to the **Parole Board** as a **standard determinate sentence recall case**. If you do not know if this Part applies to you, ask a member of staff at the prison.

Other **recalled prisoners** do not automatically have a **parole review** when they return to prison. For example:

- **Fixed-term sentence recall cases.** These prisoners automatically leave prison 14 or 28 days after their return. The **Parole Board** is not involved unless the prisoner asks for a **parole review** and there is time to do this before they automatically leave prison.
- **Standard determinate sentence recall cases.** When these prisoners return to prison, **HMPPS** thinks about whether they can leave prison again. This is called ‘executive re-release’. If the prisoner is allowed to leave again, their case does not go to the **Parole Board**.

But **HMPPS** only has 28 days to make an executive re-release decision. If they do not make a decision within 28 days, the case must go to the **Parole Board**. Note: **HMPPS** can still make an executive re-release decision even after the case has been sent to the **Parole Board**.

## 1 Parole review process starts

If you are a **recalled prisoner**, the **parole review** process starts when you get your **recall dossier**. This happens soon after you return to prison.

The **Parole Board** is not involved at this early stage, and **HMPPS** has 28 days to think about whether you should be let out of prison again.

### What you should do

This is the same as for other prisoners – see ‘What you should do’ on page 11.

## 2 Your recall dossier

HMPPS prepares your **recall dossier** and you will get a copy soon after you return to prison. You will also be told what will happen next.

You should read your **recall dossier** carefully. If you want, you can ask someone in the prison for help to go through your **recall dossier** and explain anything you do not understand.

If you are not let out of prison again, the **Parole Board** will get their copy of your **recall dossier** 28 days after you return to prison. These 28-days gives you time to think about what you want to tell the **Parole Board** or if you want to add anything to your **recall dossier**. Things you add to your **recall dossier** are called ‘representations’.

You should send in your representations as soon as you can.

### What you should do

This is the same as for other prisoners – see ‘What you should do’ on page 12.

## 3 Paper review (or ‘member case assessment’)

The **parole review** process is the same as for other prisoners – see page 16.

Notes:

- If you are a **standard determinate sentence recalled prisoner**, HMPPS can think about letting you out of prison again (using their executive re-release powers) at any time after the paper review.
- If you are an **indeterminate sentence recalled prisoner**, HMPPS does not have the power to let you out of prison again using executive re-release.





## Part D

# Other information

## Oral hearings

### Where the oral hearing is held

The [oral hearing](#), if there is one, is usually held in a private room in your prison or other place where you are held, such as a hospital or other secure place.

### Who is at the oral hearing

These people are usually in the room with you at an [oral hearing](#):

- The [Parole Board](#) members. There are usually between 1 and 3 [Parole Board](#) members at the [oral hearing](#). One of them is the [Panel Hearing leader](#) (the Panel Chair) and their job is to make sure the meeting goes well. One may be an expert [Parole Board](#) member, such as a mental illness expert.
- Someone you have asked to speak for you. They are called your ‘representative’. See below for information about who can represent you. Note: You do not have to have a representative if you do not want one, but the Parole Board thinks you should.
- Your supporter. If you do not have a representative you may want someone to come with you for support, for example to talk things over with or to plan your case. See below for information about who can support you. Note: You do not have to have a supporter if you do not want one.
- [Witnesses](#). These are people who give information to the [Parole Board’s](#) members at the [oral hearing](#). For example, your [Community Offender Manager](#) or your [Prison Offender Manager](#), a mental health expert who has been working with you in prison, or someone else who can give information about you.
- An [observer](#). This is someone the [Parole Board](#) has said can come and watch the [oral hearing](#). [Observers](#) cannot take part in the [oral hearing](#). If you want to, you can ask the [Panel Hearing leader](#) for the [observers](#) to leave the [oral hearing](#). The [Panel Hearing leader’s](#) decision is final.

Some of the people mentioned above may join the meeting by videolink or telephone and not actually be in the room.

### Victims

Sometimes, the victim of your crime or their family may be at the [oral hearing](#). They may read out a letter about how your crime has affected them – this is called a ‘Victim Personal Statement’. This is usually done at the start of the [oral hearing](#).

You do not usually have to be in the room when the letter is read out. If you do not want to be in the room, you are usually told what the victim thinks about this. If the victim wants you to be in the room, the [Panel Hearing leader](#) will make the final decision.

No one can ask the victim any questions and only the words from the letter are read out. The victim cannot ask questions about your case and they cannot see your [parole dossier](#). They also cannot stay to listen to your [oral hearing](#), but the [Panel Hearing leader](#) may tell the victim about the process and who everybody is.

After the letter is read out, the victim and/or their family leave the [oral hearing](#).

While the victim is in the [oral hearing](#), someone is always there to support them. They are only there to support the victim and will leave when the victim leaves. Sometimes this person will read out the letter for the victim.

## What you should do to prepare for an oral hearing

You should do these things:

		Done (✓)
1	Read through your <a href="#">parole dossier</a> .	
2	Ask for a copy of the <a href="#">Parole Board</a> 's booklet called 'Easy-read guide to <a href="#">oral hearings</a> '.	
3	Decide what you want from the <a href="#">oral hearing</a> . For example, you may want to leave prison, to move to an <a href="#">open prison</a> , or to find out what will help you leave prison in the future etc.	
4	Think about what the <a href="#">Parole Board</a> members may ask you. When thinking about this, read what is said in Part A about your risk to other people (page 8).	
5	Think about the main things you want to tell the <a href="#">Parole Board</a> members – you could talk about these at the start of the <a href="#">oral hearing</a> when you are given a chance to speak, or you could refer to them if you wrote about them in your representations.	
6	Think about questions you want to ask <a href="#">witnesses</a> . The <a href="#">Parole Board leader</a> will make sure you get the chance to ask questions, but they cannot tell you what to ask.	
7	Ask a friend, a supporter or the <a href="#">Parole Board</a> if you feel you need help to prepare for the <a href="#">oral hearing</a> . For example, if you need a translator or if you have a difficulty with something, such as hearing or reading.	



## What happens on the day of your oral hearing

- Someone from the prison will take you to the **oral hearing** room – remember to take your **parole dossier** with you. Your representative or supporter will already be there if you have not already met with them.
- Remember that the **Parole Board** members have a copy of your **parole dossier** on their laptop computers.
- The **Panel Hearing leader** and members will make things as easy as they can for you and the other **witnesses** to speak at the **oral hearing**.
- If you do not understand something that is said or done at the **oral hearing**, feel free to ask the **Panel Hearing leader** to explain it to you.
- The **oral hearing** is usually recorded on a recording machine. If this really worries you, you can ask the **Panel Hearing leader** to write notes instead. The **Panel Hearing leader** makes the final decision about this. There is a booklet about this – ask the prison for a copy.
- At the start of the **oral hearing**, the **Panel Hearing leader** will say who everybody is and what will happen at the meeting.
- One at a time, the **Panel Hearing leader** and other members of the **Parole Board** will ask you and the **witnesses** to give evidence. The questions aim to fill in any gaps in the evidence or to find out about things in more detail. You will have the chance to ask questions.
- Usually, a **lawyer** asks questions for you. As you will not have a **lawyer**, you should prepare some questions to ask **witnesses** or write a statement to read out to the **Parole Board**. You do not have to speak if you do not want to but remember, the **Parole Board** needs to know what you think – this will help them make their decision.
- When all the **witnesses** have spoken, the **Panel Hearing leader** will usually ask whether you have any last things to say. These are called ‘closing remarks’.
- When the **Parole Board** members are happy that they have all the information they need, the meeting ends and people can leave the **oral hearing** room.
- The **Parole Board** will then take some time to think about the papers in your **parole dossier** and what they heard at the **oral hearing**.
- The **Parole Board** will then make their decision. You will get a letter telling you what their decision is and why they made that decision within 14 days of the **oral hearing**.

## Parole Board Rules 2019

The **Parole Board** has a booklet about the rules for **parole** hearings. These are called the ‘Parole Board Rules 2019’. You can ask the prison for a copy.

## Who can represent you

If you want someone to speak for you at the [oral hearing](#) but do not want a [lawyer](#), you can get someone else to do this. Anyone can do this except:

- someone who is held or should be held in a hospital under the Mental Health Act 1983.
- a prisoner.
- someone who has left prison on [parole](#).
- someone to whom the Rehabilitation of Offenders Act 1974 still applies.

You could ask a friend or family member or someone else who you may know and trust to represent you. But they must be able to understand the [parole review](#) process, read what is in your [parole dossier](#) and attend the [oral hearing](#) (if there is one).

If you ask a member of your family or a friend, you must check with the prison to make sure they will be allowed into the prison.

You could also contact the Prisoners' Advice Service:

Prisoners' Advice Service  
PO Box 46199  
London EC1M 4XA

Their phone number is 020 7253 3323 and they are open Mondays, Tuesday evenings, Wednesdays and Fridays. All prisoners in England and Wales can phone this number.

The Prisoners' Advice Service cannot discuss your case with family or friends unless you tell them it is OK first.

## Who can support you

If you are representing yourself but would like someone to support you with your [parole review](#), you could still ask a family member or someone else you may know.

You can also ask:

- a [McKenzie friend](#).
- an official prison visitor.
- a prison peer social care advocate.
- other staff within the prison, such as a spiritual or religious guide or a key worker.

People on this list cannot speak for you at an [oral hearing](#) (if there is one), but they can support you and explain anything you do not understand. Usually they cannot tell you what to do or tell you what to say. If they come to the [oral hearing](#), they will be let in as [observers](#).



## If something goes wrong

If you think the [parole review](#) process was not done properly or that the [Parole Board's](#) decision does not make sense, you may be able to:

- ask the [Parole Board](#) to look at your case again (this is called reconsideration).
- ask a judge to look at the [Parole Board's](#) decision (this is called judicial review).

There is more about each of these below.

### Reconsideration

If they think something has gone wrong, some prisoners can ask the [Parole Board](#) to look at their case again. Ask a member of staff at the prison whether you are one of these prisoners.

If you are told you can ask for reconsideration:

- check if you have a proper reason to ask for reconsideration. You must be able to show:
  - the [parole review](#) was not done properly (this is called 'procedurally unfair'). For example, you were not told about something important or a rule was not followed.
  - the [Parole Board's](#) decision does not make sense (this is called 'irrational'). For example, you think no other [Parole Board](#) would make the same decision after reading your [parole dossier](#) and hearing what was said at the [oral hearing](#).
- set out your reasons for asking for reconsideration. Note: Just being unhappy with the [Parole Board's](#) decision is not enough.

Note: You must apply within 21 days of the date the [Parole Board's](#) decision was issued, but you can send a letter to the [Parole Board](#) asking for more time if there are special reasons. But you must send your letter asking for more time within the 21 days. If your letter is received after more than 21 days, the [Parole Board](#) will not give you more time.

### Judicial review

This happens when a judge looks at the [Parole Board's](#) decision to see if the way it was made breaks the law. Note: The judge does not look at whether the decision is right or wrong.

For more information about judicial review, ask for copies of the 'Administrative Court Guide to Judicial Review 2019' and the 'Pre-Action Protocol for Judicial Review'. You should talk to a [lawyer](#) before asking for a judicial review.

## Compensation

If your [parole review](#) has been delayed, you may be able to claim compensation. If you think this might apply to you, write to the [Parole Board](#) and ask them to check.

## Complaints

If you think that someone at the [Parole Board](#) has acted badly, you can complain to the [Parole Board](#). Their address is:

The Parole Board for England & Wales  
3rd Floor  
10 South Colonnade  
London E14 4PU

## Other documents

The following are mentioned in this booklet. You can ask the prison or the [Parole Board](#) for copies:

- Parole Board Rules 2019
- Decision-Making Framework
- Easy-to-read guide to Oral Hearings
- Observers at Parole Board hearings
- Digital Recording of oral hearings

You can get all five of the above from the [Parole Board's](#) website at:  
[www.gov.uk/government/organisations/parole-board](http://www.gov.uk/government/organisations/parole-board)

- Administrative Court Guide to Judicial Review 2019
- Pre-Action Protocol for Judicial Review

You can get these from the following websites:

- [www.gov.uk/government/publications/administrative-court-judicial-review-guide](http://www.gov.uk/government/publications/administrative-court-judicial-review-guide)
- [www.justice.gov.uk/courts/procedure-rules/civil/protocol/prot\\_jrv](http://www.justice.gov.uk/courts/procedure-rules/civil/protocol/prot_jrv)

## If you need more information

If you have any questions about the [parole review](#) process or if there is anything you do not understand:

- call the [Parole Board](#) on 020 3880 0885.
- ask the Offender Management Unit in your prison for the name and telephone number of the [Parole Board](#) Case Manager looking after your case.



## Part E

# Easy-read word list

## Community Offender Manager

This is the person who will manage you on licence if you are let out of prison on [parole](#). They used to be called 'Offender Managers'.

## HMPPS

This is the short name for Her Majesty's Prison and Probation Service. People at [HMPPS](#) do work for the [Secretary of State](#).

## Journalists

These are people who gather news about things other people want to hear about. They may work for newspapers or TV news programmes.

## Lawyers

These are people who have learned about the law and prisons at college. Their job is to help people with anything to do with the law and prisons. This includes [parole reviews](#).

## Legal aid

This is money you might get to pay for a [lawyer](#) to help you prepare for your [parole review](#). When you apply for [legal aid](#), you will be asked questions about what money you have and what you must pay for. The [legal aid](#) office then works out what you can pay. Sometimes this means you must pay for a [lawyer](#) yourself.

## Licence conditions

These are the rules you must follow if you leave prison on licence. For example, to obey the law, not to use drugs, to have somewhere to live and to meet your [Community Offender Manager](#) at set times. [Licence conditions](#) are made to protect people you meet outside prison and to help make sure you behave well.

## McKenzie friend

This is someone from outside the prison who can offer support to you for different things. They cannot tell you what to do or speak on your behalf.

## Non-disclosure request

This is what someone makes if they have information they do not want you to see but wants the [Parole Board](#) to see and think about during your [parole review](#). This may be for security or safety, or something to do with the victims of your crimes.

## Observer

This may be someone the [Parole Board](#) has said can come and watch the [oral hearing](#). It may also be someone you have asked to come to the [oral hearing](#) to support you, such as a family member or friend. [Observers](#) cannot take part in the [oral hearing](#).

## Open prison

This is a low security prison for trusted prisoners. [Open prisons](#) have fewer prison officers, may not have walls to keep the prisoners inside, and prisoners may not be locked up in their cells. Prisoners may also be allowed to work outside the prison.

## Oral hearing

This is a meeting where the [Parole Board](#) finds out more about your case. [Oral hearings](#) only happen if the [Parole Board](#) agrees to have one. At an [oral hearing](#) you and other [witnesses](#) may be asked questions to help the [Parole Board](#) understand your case better. The [Parole Board](#) does not make a decision about your case on the day of the [oral hearing](#).

## Panel Hearing leader

This is the [Parole Board](#) member who is in charge of the [oral hearing](#). Sometimes they are called the 'panel Chair'. They make decisions about how the [oral hearing](#) will be managed and will write the decision, after talking about your case with the other [Parole Board](#) members.

## Parole

This is where you are let out of prison on licence. The [Parole Board](#) agrees to let you leave prison and you agree to behave well outside prison. You must also agree to do other things called [licence conditions](#) while you are out of prison.



## Parole Board

In this booklet, 'Parole Board' means the person or people who decide, during a [parole review](#), if it is safe to let you leave prison. When making that decision, the [Parole Board's](#) first thought is to protect the public. The [Parole Board](#) is not part of the government.

## Parole Board leader

This is the person who leads the [Parole Board](#). They are called the 'Chairperson'.

## Parole dossier

This is a folder which holds papers about you which the [Parole Board](#) reads during your [parole review](#). It may include information about why you are in prison and how well you are doing in prison. There may also be reports about any mental illnesses you have, how well you did during a course in prison, and whether it is safe for you to leave prison.

When the [parole dossier](#) is complete, it will also contain papers and letters you have written. For example, other information you want the [Parole Board](#) to know about.

## Parole eligible prisoner

These are prisoners who may be able to leave prison on [parole](#) or move to an [open prison](#). Not every prisoner can get [parole](#) or move to an [open prison](#). If you do not know if you are a [parole eligible prisoner](#), ask a member of staff at the prison.

## Parole review

This is the process that starts when the [Secretary of State](#) asks the [Parole Board](#) to decide whether you are ready to leave prison or ready to move to an [open prison](#). The main thing the [Parole Board](#) must think about during your [parole review](#) is whether you would be a risk to other people outside prison or in an [open prison](#).

## Prison Offender Manager

This is the person who is in charge of planning what you will do during your time in prison. They used to be called 'Offender Supervisors'.

## Recall dossier

This is a folder of papers which the [Parole Board](#) reads during your [recall review](#). It may include information about why were sent back to prison, about your original crime, how well you are doing back in prison, reports about any mental illnesses you have, how well you did on a course, and whether it is safe for you to leave prison.

You can add information to your [recall dossier](#) that you want the [Parole Board](#) to know about.

## Recalled prisoner

These are prisoners who left prison but were then told to return to prison because they broke the rules of their [licence conditions](#).

## Secretary of State

This is the member of the government who is in charge at the Ministry of Justice. Their full title is the [Secretary of State](#) for Justice.

## Summary decision letter (or PBDS)

This is a summary of the [Parole Board's](#) decision that another person – such as a victim or a [journalist](#) – can ask for. It gives some of the information about what the [Parole Board](#) took into account in making the decision they made after your [parole review](#).

## Witnesses

In this booklet, these are people who come to an [oral hearing](#) to tell the [Parole Board](#) what they know about your case. What they say may help the [Parole Board](#) make a decision. [Witnesses](#) may include your [Community Offender Manager](#), your Key Worker or your [Prison Offender Manager](#), or a mental health expert who has been working with you in prison.

You can ask for your own [witnesses](#) to come to the [oral hearing](#), and you will have the chance to ask the [witnesses](#) questions.

