

## Review Committee

### Terms of Reference and Operating Procedures

#### **1. The Committee's terms of reference are to:**

- 1.1 Review the decision letter and reports on a prisoner released on parole and on licence who is, within three years of the Parole Board panel decision to release, recalled and charged with committing a Serious Further Offence<sup>1</sup> to assess whether the decision to release was justified, taking account of the information that would have been available to the panel at the time.
- 1.2 To review other decision letters and associated reports following a reference from the Parole Board Chair, who will explain why the case is being referred to the Committee. In such cases, the Committee will assess whether the decision in question was justified, taking account of the information that would have been available to the panel at the time.
- 1.3 Feedback the conclusions of each review to the members of the panel who took the decision, the Director member of the Review Committee and, through its published minutes, the Board as a whole.
- 1.4 Consider whether any lessons can be drawn from individual cases and feed them back as in paragraph 1.3.
- 1.5 Identify cases where there are issues of concern, examples of good practice or other learning points for one or more of the other

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<sup>1</sup> Schedule 15A 2003 Criminal Justice Act



agencies involved in the management of prisoners on parole and refer these cases to the Joint Review Panel.

- 1.6 Bring to the attention of the Standards Committee learning and development needs highlighted by the cases reviewed.
- 1.7 Consult the Management Committee on any matters arising out of the cases reviewed that may require its directions and executive action.
- 1.8 Report on its performance annually to the Management Committee.

## **2. Appointment to and Membership of the Committee**

- 2.1 The Committee will comprise of a maximum of 9 members.
- 2.2 The Chair of the Parole Board will appoint the Chair of the Committee from amongst the members of the Board who are serving or retired judges.
- 2.3 A maximum of four other members of the Board will be appointed to the Committee, one of whom will be the Vice Chair. These four posts will include a judicial member, a specialist member and two independent members.
- 2.4 The Chair of the Parole Board will appoint a member of the Board to be the Vice-Chair of the Committee.
- 2.5 The Board will make the other member appointments in consultation with the Chair of the Committee.
- 2.6 All appointments will be made on merit following an open and fair competition.
- 2.7 A maximum of three people who are external to the Board will be appointed to the Committee. Their role is to bring specific outside expertise and challenge to the work of the Committee.

- 2.8 The Director nominated by the Parole Board is a member of the Committee.
- 2.9 A number of Reviewers will be appointed, according to the caseload of the Committee, to complete initial reviews of referred cases. They attend meetings to introduce their cases but are not members of the Committee.

### **3. Tenure of Appointed Members**

- 3.1 The maximum tenure of all members of the Committee appointed under paragraphs 2.2 and 2.3 is three years, with the possibility of renewal for a second term of three years, so long as the person is still a member of the Board.
- 3.2 The maximum tenure of external members at 2.7 of the Committee is three years.
- 3.3 The tenure of the Director at 2.8 is for the duration in the employed post.

### **4. Meetings**

- 4.1 The Committee will meet on at least a quarterly basis. Extra meetings will be convened as necessary to ensure a timely review of all cases.
- 4.2 The dates of future meetings will be set during the previous year.
- 4.3 For each meeting an agenda will be agreed by the Chair, in consultation with the Director. It will include the following Standing Items:
  - 4.3.1 Welcome and Apologies.
  - 4.3.2 Declarations of interest.

- 4.3.3 Approval or amendment of the minutes of the previous meeting, matters arising and Action Log update.
- 4.3.4 Updates from the Management and Standards Committees.
- 4.4 Requests for items on the agenda can be sent by members of the Committee to the Chair or Director at least three weeks before the date of the meeting.
- 4.5 Deadline dates for papers for each meeting will be agreed and publicised in advance. Papers, including minutes of the previous meeting, will usually be circulated to all members at least two weeks before the next meeting. Late papers will be avoided as far as possible.
- 4.6 Members of the Committee are expected to attend every meeting. Apologies for absence, with reasons, should be given at the earliest opportunity. Failure to attend more than two meetings during a calendar year will be brought to the attention of the Chair of the Board.
- 4.7 At least half the total number of members appointed to the Committee need to be present at the meeting for decisions to be made.
- 4.8 The Head of Policy will attend meetings, as may other members of staff to take the minutes and to observe.
- 4.9 Members of the Board may attend meetings as observers, provided that this is agreed in advance to ensure there is space for them in the room and the Committee is not discussing the decision of a panel of which they were part.
- 4.10 The Committee may invite other people to attend meetings to assist with its discussions on any particular matter.
- 4.11 The Chair of the Committee will chair its meetings unless absent, in which case the Vice-Chair will preside. If neither is available but there are sufficient members present to make decisions, the chair will be taken by the Director.

- 4.12 Any potential conflict of interest must be declared before discussion of the agenda item to which it relates. It will be the responsibility of individual Committee members to withdraw from any discussion in which they have an interest that may reasonably be perceived as influencing their judgment. In the event of uncertainty, the Chair of the meeting will decide whether the member need recuse themselves whilst that item is discussed. Actions taken under this heading must be recorded in the minutes.
- 4.13 The Chair of each meeting will decide whether a vote need be taken on a particular motion and will clearly state the wording of the motion which will be recorded in the minutes. Only members of the Committee may vote. A member who is conflicted may not vote on that item. A simple majority suffices for the motion to carry. In the event of deadlock, the Chair has the casting vote.

## **5. Administration, Minute Taking and Reporting**

- 5.1 The Board's Governance function will provide administrative support to the Committee. This will include the processing and distribution of papers, minute taking and correspondence.
- 5.2 Copies of the minutes will be available to all members and staff of the Board.
- 5.3 The Director will be the conduit between the Review Committee and other Board functions.

## **6. Conduct and Appraisal**

- 6.1 Committee members must be honest and impartial in the exercise of their duties. They must not allow their judgment or integrity to be compromised. Committee members will abide by the standards enunciated in the Seven Principles of Public Life published in 1995, otherwise known as "The Nolan Principles".

- 6.2 The performance of the Committee as a whole will be appraised annually by the Chair of the Parole Board, in consultation with the Chair of the Committee, against the Terms of Reference set out above.
- 6.3 The performance of individual appointed members of the Committee will be appraised regularly by the Chair or Vice-Chair of the Committee, against the competencies set out in the job description and abilities and skills section of their person specification on appointment.

## **7. Termination of Tenure**

- 7.1 The tenure of a member of the Committee appointed under paragraphs 2.2 and 2.3 above will automatically end if they cease to be a member of the Parole Board.
- 7.2 Subject to paragraphs 7.1 and 7.3, a Committee member's tenure may be ended for any reason by either the member or the Chair of the Parole Board giving one month's written notice. No notice is required if the tenure is terminated early by mutual consent.
- 7.3 If the Chair of the Parole Board proposes to end the tenure of a Committee member before it expires under paragraphs 3.1 or 3.2 above, the member must be told of the proposal and the reasons for it. The member must be given a reasonable opportunity to make representations before any decision is taken. Notice of such a decision must be provided in writing.

Approved by the Management Committee  
30 January 2020