

## **OBSERVER CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

YOUR NAME: \_\_\_\_\_

DATE OF HEARING: \_\_\_\_\_

The Parole Board Rules 2019 (as amended) ('the Rules') permits a person upon application to the panel chair or duty member of the Parole Board to observe a parole hearing and the Parole Board can impose conditions on that person's admittance.

Accordingly, the Parole Board hereby imposes the following conditions which you must agree to before attending the parole hearing on the above date:

### Privacy of Hearings

- Parole hearings are private proceedings. In accordance with Rule 27(5) of the Rules, you cannot communicate any information you see or hear whilst observing the proceedings, outside of this hearing without the permission of the Chair of the Parole Board (but see exceptions below).
- You understand that, under rule 27(7), should a breach of privacy occur, any person suffering loss or damages as a result (including a prisoner) of the breach, can take legal action against the person responsible for the breach of privacy.
- You must not record this hearing or capture images in any format, even if it is not your intention to share the recording or images.
- You agree that if you record or share any information heard in this hearing in any format, without the prior permission of the Chair of the Parole Board, this will constitute a breach of confidentiality, which may give rise to legal action under Rule 27(7) and may constitute a breach of the privacy rights of other people under the United Kingdom General Data Protection Regulation (UK-GDPR).
- The Board sits as a court, and interference with its proceedings can be contempt of court, which includes disruptive behaviour in the hearing, unauthorised recording of the proceedings, and failure to comply with the directions it makes. If you are held to be in contempt of court there may be serious consequences.
- Refusal to sign this document means you may not be permitted to observe this hearing.

### Exceptions

Whilst it is not permitted to communicate any information you see or hear whilst observing these proceedings, the following exceptions are allowed:

- Observers attending as part of their professional training may discuss these proceedings with their supervisor, in the context of professional learning and development and subject to professional confidentiality protocols.
- Observers attending as part of an approved research study may discuss these proceedings within the context of their research study and in line with any Data Sharing Agreement that is in place.



It should be noted that there are different arrangements for observing a public parole hearing.

### Provision of Documents

If, as an observer you receive communications or documents from or relevant to the work and practice of the Parole Board, they must be kept strictly confidential.

In particular, you agree to ensure never to divulge the name, personal circumstances, or any information contained in any dossiers or other documents that are provided to you by the Parole Board to anyone other than Parole Board staff or members.

You further agree to securely dispose of all relevant documents given to you in relation to the case once the hearing has been completed. Whilst any such documents or communications are in your possession, you will ensure that they are kept safe in an appropriately locked place, or digitally secure at all times.

Should at any time any of the documents or information be lost, mislaid, or divulged to anyone who is not a member of staff at the Parole Board or the prison establishment, you undertake to inform a senior manager at the Parole Board immediately of such loss, and agree to co-operate fully with any Parole Board, Police, Information Commissioner, or other investigation about the loss.

These undertakings apply similarly to any oral information which you may hear in the course of observing these parole proceedings.

### Safeguarding

It is important that you understand that observing parole proceedings may often involve hearing information that may be distressing and of a very detailed and graphic nature, including descriptions of violent or sexual offending. You therefore agree to exonerate the Parole Board from any legal action that may arise from any distress you may suffer as a result of attending the parole hearing. As an observer of a parole hearing, you have responsibility to ensure appropriate support structures are in place should you need them.

By signing this confidentiality agreement, you understand the sensitive nature of the information discussed at a parole hearing and are agreeing to the conditions set out above and understand that a breach of this agreement might give rise to legal proceedings.

**Refusal to sign this document means you may not be permitted to observe this hearing.**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Representing/Organisation (if applicable) \_\_\_\_\_