



Policy name: Handling of Sensitive Information, Including Information Provided by Victims, For the Purpose of Parole Board Reviews Policy Framework

Reference: N/A

Re-issue Date: 18/06/2025

Implementation Date: 1st November 2021

Replaces the following documents (e.g., PSIs, PSOs, Custodial Service Specs) which are hereby cancelled: PSI 15/2016, PI 14/2016 - Handling of sensitive information, including information provided by victims, for the purpose of parole board reviews.

Introduces amendments to the following documents:

N/A

Action required by:

<input checked="" type="checkbox"/>	HMPPS HQ	<input checked="" type="checkbox"/>	Governors
<input checked="" type="checkbox"/>	Public Sector Prisons	<input checked="" type="checkbox"/>	Heads of Group
<input checked="" type="checkbox"/>	Contracted Prisons	<input checked="" type="checkbox"/>	Contract Managers in Probation Trusts
<input type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)	<input checked="" type="checkbox"/>	Under 18 Young Offender Institutions
<input checked="" type="checkbox"/>	Other providers of Probation and Community Services	<input checked="" type="checkbox"/>	HMPPS Rehabilitation Contract Services Team
<input checked="" type="checkbox"/>	Probation Service		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions. Whilst this document sets out the actions for which the Parole Board is responsible, this document does not bind the Parole Board in any way as it is an internal policy document of the Ministry of Justice.

For Information: Governors must ensure that any new local policies that they develop because of this Policy Framework are compliant with relevant legislation, including the Public-Sector Equality Duty (Equality Act, 2010).

All groups must ensure that when handling personal data, they must have comprehensive and proportionate arrangements for collecting, storing, and sharing information, as set out in the Information Requests Policy Framework.

How will this Policy Framework be audited or monitored: HMPPS Deputy Directors of Custody and Controllers, the Director of the Probation Service (PS) and Youth Offending Teams (YOT) in England and Director of HMPPS in Wales will monitor compliance with the mandatory requirements set out in this framework. HMPPS contract management will hold providers to account for the delivery of mandated requirements as required in the contract.

Resource Impact: The requirements laid out are designed to have a minimal impact on resources. They do not place new obligations on prison, PS and YOT staff. Rather, the Framework confirms existing obligations to ensure effective handling of sensitive information.

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Approved by OPS for publication: Ian Barrow and Sarah Coccia, Joint Chair, Operational Policy Sub-Board, September 2021.

Revisions

Date	Changes
22/3/2022	A number of amendments to clarify issues around informing parties of Parole Board decisions and how information will be handled in the case of partial disclosure.
11/08//2022	The Policy Framework has been revised following an update to the Parole Board Rules 2019. A number of amendments have been made to clarify that the term “representatives” refers to ALL representatives as defined under paragraph 5.2.9 and all representatives under this definition are permitted to provide undertakings. The term Panel Chairman has been amended to Panel Chair to support gender neutrality. Additionally, the requirement of 3.2.24 and 3.2.34 has been amended to reflect that the Parole Board panel no longer must recuse themselves from a prisoner’s case when sensitive information they have viewed has been withdrawn.
18/06/2025	Contact email updated

Contents

1.	Purpose	4
2.	Outcomes	4
3.	Requirements	5
3.1	Considerations for withholding information	5
3.2	Applications for Non-Disclosure	6
3.3	Dealing with Victim Personal Statements	11
3.4	Handling, Storing and Protecting Victim Personal Statements	14
3.5	Inclusion of prison security information in Parole and Standard Determinate Sentence (SDS) dossiers	15
3.6	Multi Agency Public Protection Arrangements (MAPPA)	16
4.	Constraints	17
4.1	Considerations for withholding information	17
4.2	Applications for Non-Disclosure	17
4.3	Dealing with Victim Personal Statements	17
4.4	Handling, Storing and Protecting Victim Personal Statements	18
4.5	Inclusion of prison security information within Parole and Standard Determinate Sentence (SDS) dossiers	18
4.6	Multi Agency Public Protection Arrangements (MAPPA)	18
5.	Guidance	19
5.1	Considerations for withholding information	19
5.2	Applications for Non-Disclosure	21
5.3	Dealing with Victim Personal Statements	23
5.4	Handling, Storing and Protecting Victim Personal Statements	26
5.5	Inclusion of prison security information within Parole and Standard Determinate Sentence (SDS) dossiers	26
5.6	Multi Agency Public Protection Arrangements (MAPPA)	28
6.	Annexes – Process Flowcharts	30
6.1	Annex A - Identifying and gisting information – HMPPS staff	30
6.2	Annex B - Submitting an application to withhold information	31
6.3	Annex C - Decisions, appeals and withdrawing information	32

1. Purpose

- 1.1. This Policy Framework sets out arrangements for the handling and sharing of sensitive information, and where it is necessary to apply to the Parole Board to withhold the information from the prisoner. The requirements and guidance in this Framework must be followed by the Probation Service (PS), Youth Offending Teams (YOT), the Prison Service and the Public Protection Casework Section (PPCS) for all parole eligible and recalled prisoners.
- 1.2. The Parole Board Rules on withholding information do not apply to the processes of variation or suspension of licence conditions. Nonetheless, the requirements and guidance in this Framework must be followed as far as practicable by the PS and YOT when considering whether to request that information is withheld from the prisoner as part of the processes when applying to vary licence conditions of individuals. This applies to those, subject to the following:
- released on life sentences, imprisonment for public protection (IPP) sentences or parole eligible determinate sentences;
 - suspension d/re-imposition of supervision requirements for those released from indeterminate sentences;
 - when making applications to the Parole Board to terminate the licence of eligible individuals subject to IPP sentences.

For further information on the application process please see link to [Managing Parole Eligible Offenders on Licence Policy Framework](#)

- 1.3. The Framework aims to ensure that all risk-related information considered relevant by HMPPS is shared with the Parole Board to enable them to effectively consider prisoners' risk.

2. Outcomes

- 2.1 This Framework aims to ensure that there is an effective process in place which:
- ensures that all known risk-related information considered relevant by HMPPS is shared with the Parole Board;
 - ensures that applications to withhold information from the prisoner and the prisoner's representative (where applicable) are submitted to the Parole Board in line with the relevant provisions in the Parole Board Rules;
 - ensures that sufficient safeguards are in place to protect the source and integrity of the information;
 - enables information owners to be fully involved in the management of their information;
 - ensures Victim Liaison Officers (VLOs) are familiar with the process to apply to withhold a Victim Personal Statement (VPS), enabling them to give accurate information to victims and know where to obtain advice if required;
 - ensures all staff are aware of how to deal with cases in which a victim has included risk information in their VPS to the Parole Board which is unknown to the PS;
 - provides clear procedures and processes for prisons to handle and store victim information, in particular the VPS intended for the Parole Board;
 - provides clear procedures and processes for PPCS to make applications to the Parole Board to withhold the VPS from the prisoner where it is considered necessary to do so;
 - allows security information, such as that which is held in prisons and risk information from MAPPA meetings, to be appropriately shared with the Parole Board.

3. Requirements

3.1 Considerations for withholding information		Action By
3.1.1	Applications to withhold information must be made only where absolutely necessary and proportionate in the circumstances of each case. The presumption must always be in favour of disclosing all available information to the prisoner concerned.	HMPPS PPCS
3.1.2	Information that is relevant to risk must be shared with the Parole Board and consideration must be given as to how that can be achieved. This is the case even if the information has come from a victim.	HMPPS Parole Board PPCS
3.1.3	Where HMPPS staff are unsure about the safe disclosure of the information, they must in the first instance contact the information owner for clarification. In case of further doubt, HMPPS staff should contact PPCS for advice.	HMPPS PPCS
3.1.4	In every case where HMPPS staff wish to apply to the Parole Board to withhold information from a prisoner and their representative , they must contact PPCS immediately for advice and for any application to be made. Guidance contained at section 3.2 of this Framework must be followed.	HMPPS Parole Board PPCS
3.1.5	Where HMPPS staff consider that information cannot be safely disclosed , they must be mindful of the criteria for withholding sensitive information as set out in paragraph 5.1.9.	HMPPS
3.1.6	HMPPS staff must give initial consideration as to whether the information is critical to the Parole Board's assessment of the level of risk presented by the prisoner. In other words, is the sensitive information risk related and relevant to the Board's assessment ?	HMPPS PPCS
3.1.7	Wherever possible, non-disclosure information should be provided as early as possible , prior to the MCA paper hearing in order to avoid unnecessary delays to the hearing.	HMPPS
3.1.8	Where the Parole Board has directed that a case be heard at an oral hearing, all HMPPS staff must ensure that PPCS is alerted to any requests to withhold information from the prisoner as soon as possible. The Parole Board Rules state that all applications for non-disclosure must be submitted to the Parole Board no later than 8 weeks before the date of the oral hearing. All non-disclosure applications must be submitted by PPCS to the Parole Board.	Parole Board HMPPS PPCS

3.1.9	In exceptional circumstances , where an application to withhold information is received less than 8 weeks from the oral hearing, PPCS may make a request to the Panel Chair for permission to present the application for non-disclosure and as part of the application provide reasons for the late service. The Panel Chair may decide to alter the time limit under the Parole Board Rules and accept the late application. A clear explanation for the late application must be provided. The Panel Chair will make a final decision as to whether the application will be accepted and if so, will then consider whether it is appropriate to make a direction to withhold the information.	PS YOT Prisons PPCS Parole Board
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3.2 Applications for Non-Disclosure

The following process deals with requests for **risk-related** information to be withheld. This does not include victim personal statements (VPS), for these cases please refer to section 3.3 of this framework. All HMPPS applications for non-disclosure must be sent to PPCS in the first instance and without delay.

Process for withholding sensitive information		Action by
3.2.1	Where it is considered that information cannot be safely disclosed to the prisoner, all HMPPS staff must ensure that the reasons for withholding the information meet the criteria for withholding sensitive information as set out at paragraph 5.1.9 of the guidance, and in compliance with the Parole Board Rules.	Prison PS YOT PPCS
3.2.2	For all applications to withhold information, HMPPS staff must consider whether the information can be presented to the prisoner in a redacted form or by being re-written as a “sanitised” version (commonly known as a gist). (see guidance paragraph 5.1.16 for further information).	Prison PPCS PS YOT
3.2.3	Any gist that is provided to PPCS must provide sufficient information to enable the prisoner to instruct a representative ¹ and respond to the information but must be drafted in such a way that it does not indirectly divulge the identity of any source or third party.	Prison PS YOT
3.2.4	Where a gist or redaction is not possible, HMPPS staff must consult PPCS for advice and provide full reasons why a gist could not be constructed without adversely affecting: <ul style="list-style-type: none"> i. national security ii. the prevention of disorder or crime iii. the health or welfare of the prisoner or any other person <p>See constraints section 4.1.1 for further information.</p>	Prison PS YOT

¹ The term legal representative applies to all representatives detailed at 5.2.9. This caveat applies throughout the Recall, Review and Re-release of Recalled Offenders, Generic Parole Process and Managing Parole Eligible Policy Framework following the update to the Parole Board 2019 Rules that commenced in July 2022.

3.2.5	HMPPS staff must email all information, including the un-redacted sensitive information and any draft gist, to PPCS only. See constraints section 4.2.1 for further information.	Prison PS YOT
3.2.6	Applications to withhold information from both the prisoner and their representative must be approved by the PPCS Heads of Casework . See section on withholding information from Representatives for further information.	PPCS
Applications to withhold information from the prisoner		Action by
3.2.7	PPCS must consider all applications and any accompanying gist promptly.	PPCS
3.2.8	Where deemed appropriate, PPCS will complete the application for the non-disclosure of sensitive information and submit it to the Parole Board.	PPCS
3.2.9	Once the Parole Board has made a decision on a request to withhold information, the Parole Board will inform PPCS, who will inform the prisoner and prisoner's representative (if any) and relevant interested parties of the decision. The application and Parole Board decision may not be provided to the prisoner's representative if either refer to information which the Parole Board has determined is not to be disclosed to the prisoner or to the prisoner's representative, if applicable, without an undertaking ² .	PPCS Parole Board
Dealing with Non-Disclosure Third Party Directions		Action By
3.2.10	Where a third party considers that material cannot be safely disclosed to the prisoner, they must contact PPCS in the first instance .	Third Parties
3.2.11	PPCS is responsible for considering all non-disclosure applications from third parties in the first instance. In the event that PPCS considers that the information is disclosable to the prisoner, they will refer the third party application to the Parole Board.	PPCS
3.2.12	Third party non-disclosure applications will follow the same process as the requirements above. For further information, please see requirements 3.2.1 to 3.2.9.	PPCS Parole Board

The following section applies to all applications to withhold information, including victim personal statements.

Parole Board direct that the information is withheld from the prisoner	Action by
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² Following the update of the Parole Board Rules 2019, all representatives under paragraph 5.2.9 of the Policy Framework will be eligible to provide an undertaking.

3.2.13	Where the Parole Board directs that the information should be withheld but that a gist be disclosed to the prisoner, and where a gist has been prepared, PPCS must add the gist to the dossier.	PPCS
3.2.14	PPCS must ensure that the dossier is updated and that all parties are notified that the gist has been added to the dossier.	PPCS
3.2.15	On receipt of the gist from PPCS, the prison must arrange for this to be disclosed to the prisoner. Upon receipt of the gist, where the individual is on licence in the community, the Community Offender Manager (COM) must arrange for the gist to be disclosed to the individual as soon as possible.	Prison PS
3.2.16	In parole eligible cases only , receipt of the PPUD automatic notification will direct the prison to disclose the gist to the prisoner.	Prison
3.2.17	Unless the Parole Board direct otherwise, if the prisoner has a representative ³ PPCS must disclose the withheld information to that representative, following receipt of a formal written undertaking that the representative will not disclose the information to the prisoner or any other person. See guidance paragraph 5.2.4 for further information.	PPCS
3.2.18	There may be some cases where the Parole Board direct that some of the information is redacted to enable disclosure to the prisoner. PPCS are responsible for deciding whether to appeal this decision. The processes as detailed within this framework should be followed.	PPCS
3.2.19	Where the representative has submitted an appeal against non-disclosure in writing within 7 calendar days of notification of the Parole Board direction, the Parole Board must send a copy to PPCS. See guidance at section 5.2.22 for further information.	Parole Board
3.2.20	Within 7 calendar days of being notified of an appeal being made on behalf of the prisoner, PPCS may make further representations to the Parole Board in respect of the appeal.	PPCS
3.2.21	Where the Parole Board direct the information is withheld or that a gist be provided to the prisoner and the prisoner does not have a representative, the Parole Board Rules automatically treat the prisoner as having submitted an appeal . PPCS may within 7 calendar days of the Parole Board's decision make further representations. The decision will then be referred to the Chair of the Parole Board to determine the appeal outcome.	PPCS

³ Following the update of the Parole Board Rules 2019, all representatives under paragraph 5.2.9 of the Policy Framework will be eligible to provide an undertaking.

3.2.22	<p>Once the Parole Board has made a decision on the appeal, they will inform PPCS, who will then inform the prisoner, representative (if any) and relevant interested parties of the decision.</p> <p>The application and Parole Board decisions must not be provided to the prisoner or their representative if either refer to information which the Parole Board has determined is not to be disclosed to the prisoner or their representative, if applicable, without an undertaking⁴.</p>	Parole Board
3.2.23	<p>Where an appeal determines that the information or gist is to be disclosed to the prisoner or their representative, PPCS may withdraw the information within 7 calendar days of the outcome of the appeal. If the information is withdrawn, the information must not then be shared with the prisoner or their representative and will not form part of the evidence of that prisoner's case. This will be in exceptional circumstances only and the overriding consideration must be protection of the public.</p> <p>See guidance paragraph 5.2.24 for further information.</p>	PPCS
3.2.24	<p>In the event that a Parole Board member who has seen the information that has been withdrawn, under the Parole Board Rules, they may recuse themselves from the prisoner's case.</p>	Parole Board
3.2.25	<p>Once PPCS has consulted the information owner, the final decision on whether to withdraw the information will be taken by the Head of PPG. PPCS will notify all parties of the decision.</p>	PPCS
3.2.26	<p>Where the Parole Board determines that information is to be withheld from the prisoner and/or their representative, this decision will only be valid for the specific parole review. Any subsequent reviews where non-disclosure is requested for the same information, would require a new application to be prepared and the same process must be followed.</p>	Parole Board
Handling Withheld Information at an Oral Hearing		Action by
3.2.27	<p>HMPPS witnesses should be aware that the prisoner's representative (who may have sight of all the information where appropriate) can ask questions about all evidence - including any information withheld from the prisoner - at the oral hearing, or in written representations beforehand.</p> <p>For further information on Oral Hearings refer to the relevant Policy Framework here.</p>	PPCS
Parole Board direct the information is disclosed to the prisoner		Action by
3.2.28	<p>Where the Parole Board direct that information must be disclosed in full or gisted to the prisoner or their</p>	Prison PS

⁴ Following the update of the Parole Board Rules 2019, all representatives under paragraph 5.2.9 of the Policy Framework will be eligible to provide an undertaking.

	<p>representative, the information must not be disclosed to the prisoner without confirmation from PPCS that the direction is not subject to an appeal.</p> <p>If the prisoner has a representative PPCS will disclose the withheld information to that representative, following receipt of a formal written undertaking⁵ that the representative will not disclose the information to the prisoner or any other person. This applies to all cases other than where the application is to withhold the information from the prisoner and their representative see requirements 3.2.37- 3.2.40.</p>	YOT PPCS
3.2.29	PPCS will be responsible for drafting and submitting any appeal against the decision to refuse an application to withhold information.	PPCS
3.2.30	<p>PPCS must submit the appeal in writing to the Chair of the Parole Board within 7 calendar days of the direction being received. PPCS must notify the prisoner or prisoner's representatives that an appeal has been lodged.</p> <p>See guidance paragraph 5.3.19 for further information.</p>	PPCS
3.2.31	Prison staff/COM (where the individual is in the community) must make the prisoner/offender aware that further representation must be submitted within 7 calendar days of being notified that an appeal has been made.	Prison PS
3.2.32	<p>Once the Parole Board has made a decision on the appeal, they will inform PPCS, who will inform the prisoner, their representative (if any) and relevant interested parties of the decision.</p> <p>The application and Parole Board decisions must not be provided to the prisoner or their representative if either refer to information which the Parole Board has determined is not to be disclosed to the prisoner or their representative, if applicable, without an undertaking.</p>	Parole Board PPCS
3.2.33	<p>Where an appeal determines that the information or gist is to be disclosed to the prisoner or their representative, PPCS may withdraw the information within 7 calendar days of the outcome of the appeal. If the information is withdrawn, the information must not then be shared with the prisoner or their representative and will not form part of the evidence of that prisoner's case. This will be in exceptional circumstances only and the overriding consideration must be the protection of the public.</p> <p>See guidance paragraph 5.2.24 for further information.</p>	PPCS
3.2.34	As above in requirement 3.2.24. In the event, that a Parole Board member has seen the information that has been withdrawn, this member may recuse themselves from the prisoner's case.	Parole Board

⁵ Following the update of the Parole Board Rules 2019, all representatives under paragraph 5.2.9 of the Policy Framework will be eligible to provide an undertaking.

3.2.35	Once PPCS has consulted the information owner, the final decision on whether to withdraw the information will be taken by the Head of PPG. PPCS will notify all parties of the decision.	PPCS
3.2.36	Where the Parole Board determines that information is to be withheld from the prisoner and/or their representative, this decision will only be valid for the specific parole review. Any subsequent reviews where non-disclosure is requested for the same information, would require a new application to be prepared and the same process must be followed.	Parole Board
Parole Board Decision to Withhold information from Representatives		Action by
3.2.37	Applications to withhold information (in full or in gist) from a prisoner and their representatives must be signed off by the relevant PPCS Heads of Casework.	PPCS
3.2.38	HMPPS staff must provide compelling evidence to PPCS so that PPCS can make a robust application to the Parole Board as to why it is necessary to take this exceptional step.	PPCS HMPPS PS YOT
3.2.39	Where the Parole Board directs that the information should be disclosed to the prisoner and/or the representative, PPCS and all HMPPS staff must follow the process laid out in requirements 3.2.28 to 3.2.38. Due to the nature of the information, as part of the appeal process, PPCS will not share the withheld information with the representative until the disclosure process has concluded, and only if appropriate to do so.	PPCS HMPPS PS YOT
3.2.40	Exceptionally, where the Parole Board directs that information is withheld from a prisoner and representative, in the interests of fairness the Board may appoint a Special Advocate. See guidance paragraph 5.2.12 for further information.	Parole Board PPCS

3.3 Dealing with Victim Personal Statements

The following section applies to all applications to withhold Victim Personal Statements (VPS). For more guidance, please see section 5.3 of this framework, [Dealing with Victim Personal Statements](#).

Disclosing Victim Personal Statements		Action by
3.3.1	Victim-related issues must be handled with the utmost sensitivity at all times. Victim Liaison Officers (VLO) must explain to victims that their VPS will be disclosed to the prisoner, unless there is a request from the victims not to disclose the VPS and the Parole Board agree to withhold it.	PS YOT
3.3.2	VLOs must be aware that any application for non-disclosure cannot be guaranteed , as the final decision rests with the Parole Board. Where the victim agrees that the VPS is	PS YOT

	suitable for disclosure, it will be shared with the prisoner by prison staff.	
3.3.3	Where the VLO has confirmed that the VPS can be disclosed, the VPS proforma must be completed.	PS YOT
3.3.4	The VPS and the proforma must be sent to PPCS only - it must not be sent to anyone else, including the Parole Board. See constraints 4.3.3 for further information.	PS YOT
3.3.5	PPCS will process the VPS and liaise with the VLO in the case of any uncertainty.	PPCS
3.3.6	Upon receipt from PPCS, of a VPS that <u>can</u> be disclosed, prison staff must make arrangements for it to be shared with the prisoner. Prisons must follow the section starting at 3.4.1 .	Prison
Process for withholding impact only Victim Personal Statements		Action by
3.3.7	Where a victim has requested that the VPS be withheld, the VLO must demonstrate that the disclosure will have an adverse effect on the victim's health or welfare , over and above any distress caused by the index offence and the prospect of the forthcoming Parole Board hearing.	PS YOT
3.3.8	If a VPS is appropriately written and contains only an account of the impact of the index offence on the victim and family, PPCS must be satisfied that the prisoner will not be disadvantaged by non-disclosure . Refer to paragraph 3.3.9 .	PPCS
3.3.9	Where the VPS goes beyond its purpose and, for example, contains risk related information, all staff must follow the requirements laid out below at paragraph 3.3.16 . See section 5.3.12 for further information.	PS YOT
3.3.10	In all cases where non-disclosure is being requested, the VLO must ask the victim to consider giving consent for a gist of the statement to be prepared which will be disclosed to the prisoner. An application can be submitted without a gist, but is far less likely to succeed.	PS YOT
3.3.11	PPCS will prepare a draft gist and send this to the VLO to discuss with the victim and provide comments.	PPCS PS YOT
3.3.12	If the gist is not approved by the victim the application may still be submitted, without the gist.	PS YOT
3.3.13	PPCS will complete the application to withhold sensitive information and submit it to the Parole Board for consideration. See paragraph 3.2.11 for further information.	PPCS

3.3.14	Once the Parole Board has made a decision about a request to withhold a VPS, the Parole Board will notify PPCS who will notify the VLO and the prisoner's representative (if any).	PPCS Parole Board
3.3.15	Providing a VPS is optional and, as such, if the Parole Board directs that it be disclosed to the prisoner against the wishes of the victim, it can be withdrawn by PPCS, at the victim's request, within 7 calendar days from the outcome of the appeal. See guidance paragraph 5.3.10 for further information.	PS YOT PPCS

3.3.16 Victims seeking to include risk related information in VPS

Risk related information within VPS' **should be avoided**, however in exceptional circumstances where it cannot be, the following section applies. For more guidance, please see [section 5.3.12](#), of this framework.

VPS containing risk related information		Action by
3.3.17	VLOs must advise victims that the VPS should be purely about the impact of the offence , and the impact that release would have upon them. Should the victim wish to provide information on the risk presented by a prisoner, this should not be included in the VPS but should be provided to the Responsible Offender Manager separately. For further information please refer to the Victim's Chapter on the VPS on EQuIP.	PS YOT Prison
3.3.18	If a VPS contains new information potentially relating to risk , the VLO must contact PPCS as a matter of urgency for advice.	PS YOT
3.3.19	The VLO must explain to the victim that if a VPS/Victim Liaison Officer Report (VLOR) contains risk related information which is not covered elsewhere in the dossier of reports submitted to the Parole Board, then it cannot be withheld from the prisoner . Ideally, the VLO should work with the victim to ensure that the VPS contains impact only information. Any risk related information should be passed to the Responsible Offender Manager for inclusion in their report.	PS YOT Prison
3.3.20	The VLO must advise the victim that where a VPS/VLOR contains information potentially relating to the prisoner's risk of harm, such as allegations of unauthorised or unsolicited contact from the prisoner, or a history of previously unreported domestic abuse, the Parole Board will want to explore this, and may require further evidence about the risk and for that evidence to be tested. The VLO should make it clear that this could include the victim being called as a witness to give evidence.	PS YOT

3.3.21	PPCS will corroborate potential new risk related information contained in the VPS and will seek to substantiate the information by cross-referencing it with other reports in the parole dossier and make reasonable enquiries, as needed.	PPCS
3.3.22	Where requested by PPCS, HMPPS Staff are responsible for corroborating the information.	PS YOT Prison
3.3.23	Where the information has not been corroborated, the VLO must inform the victim and give them the opportunity to provide further evidence, amend or withdraw the information.	PS YOT
3.3.24	Where risk-related information contained within the VPS cannot be corroborated, PPCS and the victim insists the information remains in the VPS, PPCS will make the Parole Board aware by way of a covering letter to the Panel Chair.	PPCS
3.3.25	If PPCS is of the view that it has a duty to disclose risk-related information, contrary to the wishes of the victim, consideration should be given to presenting the information in such a way that it is disclosable to the prisoner, for example, in the PAROM report. Please see guidance starting at 5.3.26 for further information.	PS YOT PPCS

3.4 Handling, Storing and Protecting Victim Personal Statements

This section relates to the handling and storing of Victim Personal Statements and Victim Liaison Officer Reports (VLOR) within the prison and the prisoner's access to them.

Handling, Storing and Protecting Victim Personal Statements		Action by
3.4.1	Prisons must ensure that prisoners' access to the VPS and the VLOR is in line with the guidance. See guidance section 5.4 for further information.	Prison
3.4.2	PPCS will be the central point for receipt and onward transmission of all VPS/VLORs. PPCS will attach a covering sheet when sending a VPS/VLOR to the prison, to allow for easy identification.	PPCS
3.4.3	Prisons must ensure that all VPS/VLORs are stored securely and away from the prisoner . Prisoners must not be allowed to retain possession of these documents. See guidance section 5.4 for further information.	Prison
3.4.4	Prisons must have procedures in place to allow prisoners reasonable access to the VPS/VLOR, subject to any non-disclosure in place.	Prison
3.4.5	VPS/VLORs must only be read by the prisoner under supervision, and where disclosable .	Prison

3.5 Inclusion of prison security information in Parole and Standard Determinate Sentence (SDS) dossiers

Prison security information within Parole and Standard Determinate Sentence (SDS) dossiers		Action by
3.5.1	Prison staff must ensure that all information relevant to the assessment of risk is provided to the Parole Board.	Prison
3.5.2	Where prisons consider that security information is too sensitive to be provided to the prisoner, PPCS must be contacted for advice. See guidance paragraph 5.5.4 for further information.	Prison
3.5.3	For determinate prisoners who are subject to a review following recall, a security report is not mandatory. However, the supporting POM should check with security if there is security information which is relevant to a prisoner's risk. The POM must ensure that this information is provided to the COM for inclusion in the Part B/C report so that the Parole Board is made aware. The Parole Board will direct further additional specific reports, including security, if deemed necessary.	Prison
3.5.4	Prisons must use the Sentence Planning Review Report (SPRH) form for all parole eligible indeterminate and determinate sentenced prisoners parole reviews. This form must be used to summarise the information contained within their security files.	Prison
3.5.5	For initial Parole Board reviews, prisons must provide a SPRH that includes a summary of all relevant incidents/entries for the last five years. For subsequent reviews the report should cover a period of two years from the date of the last Parole Board decision.	Prison
3.5.6	The Security department must summarise the information and Security Managers must verify and countersign the security report ahead of its addition to the dossier.	Prison
3.5.7	Any subsequent intelligence recorded between the report's submission date and the actual hearing must be submitted to PPCS as an addendum report.	Prison
3.5.8	Applications to withhold sensitive information and/or intelligence from the prisoner must be made via PPCS, using the non-disclosure process outlined in this framework. See guidance section 3.2 for further information.	Prison

3.6 Multi Agency Public Protection Arrangements (MAPPA)

The MAPPA Responsible Authority (Probation, Police and Prison Services acting jointly) have a statutory duty to establish arrangements for assessing and managing dangerous offenders. MAPPA is not an official body but a set of arrangements which exist to assess and manage the risks posed by prisoners. Each agency retains the ownership of its own information. Therefore, MAPPA Agencies act as joint controllers regarding MAPPA minutes and are therefore subject to obligations under the Data Protection Act 2018 and/or the UK GDPR. Where there is a request to any MAPPA Agency for disclosure of information, the receiving Agency must consult with the Agency that provided the information to confirm whether any exemptions are applicable before the receiving Agency discloses any MAPPA related information.

Disclosure of the summary of MAPPA minutes		Action by
3.6.1	<p>The Parole Board may ask for an executive summary of the discussion at a MAPPA meeting and may, on occasion issue a direction for disclosure of the full MAPPA minutes. In such a situation, the COM must refer the direction to the MAPPA co-ordinator, who will assist with facilitating compliance.</p> <p>Please refer to guidance section 5.6.4 for more information.</p>	PS YOT

4. Constraints

4.1 Considerations for withholding information

Handling arrangements for withholding sensitive information		Action by
4.1.1	If the information is not considered to be relevant to risk, and/or is referred to elsewhere in the dossier, it does not have to be submitted to the Parole Board.	Prison PS YOT PPCS
4.1.2	Under no circumstances should any party other than PPCS contact the Parole Board about withholding information or provide information direct to the Parole Board. All communication in this regard must be via PPCS.	Prison PS YOT

4.2 Applications for Non-Disclosure

Process for withholding sensitive information		Action by
4.2.1	Under no circumstances should any HMPPS staff other than PPCS send any information directly to the Parole Board.	Prison PS YOT
4.2.2	The VPS must not be sent directly to the Prison or the Parole Board. The VPS must only be sent to PPCS .	PS YOT
4.2.3	Where the Parole Board direct that information cannot be withheld, HMPPS staff must not disclose the information to the prisoner without permission from PPCS to enable an appeal to be considered.	Prison PS YOT
Dealing with Non-Disclosure Third Party Directions		Action By
4.2.4	Where it is considered that material cannot be safely disclosed to the prisoner, third parties must not disclose the information directly to the Parole Board. In line with requirement 3.1.3 they must contact PPCS in the first instance.	Third Parties

4.3 Dealing with Victim Personal Statements

Disclosure of Victim Personal Statements		Action by
4.3.1	Where the VPS and/or VLOR contains risk-related information which is not covered elsewhere in the dossier of reports submitted to the Parole Board, this should be provided to the Parole Board to be considered through the usual non-disclosure application procedure. Ideally, the risk related information should be provided separately to the Responsible Offender Manager, in order for it to be disclosed in the PAROM 1 report.	PS YOT Prison

4.3.2	Prisons must not disclose a VPS to a prisoner without first consulting PPCS. If disclosure has been directed by the Parole Board PPCS will manage the process. All staff must follow the requirements as detailed in chapter 3.4. For further information on the processes PPCS follow after the Parole Board directs disclosure, please refer to 3.2.23-3.2.30.	Prison
4.3.3	Under no circumstances should any agency other than PPCS send the VPS and/or VLOR to the prison or Parole Board.	PS YOT

4.4 Handling, Storing and Protecting Victim Personal Statements

Handling, Storing and Protecting Victim Personal Statements		Action by
4.4.1	The VPS and/or VLOR must not be retained in the prisoner's possession, although prisoners must be allowed reasonable access to them, under supervision, and subject to any non-disclosure in place.	Prison

4.5 Inclusion of prison security information within Parole and Standard Determinate Sentence (SDS) dossiers

Prison security information within Parole dossiers		Action by
4.5.1	5x5x5 ratings must not be attached to security records.	Prisons

4.6 Multi Agency Public Protection Arrangements (MAPPA)

MAPPA		Action by
4.6.1	MAPPA minutes containing information from other agencies (including those outside of HMPPS), must not be disclosed without confirming with those agencies whether any exemptions to disclosure under the DPA 2018/ UKGDPR or other statute or legislation are applicable. MAPPA Minutes are stored on a specialised case management system known as ViSOR and must be stored separately from the open case file.	Prison PS YOT
4.6.2	Reports for the Parole Board must not quote MAPPA minutes as a source of information. Instead, the providing agency should be quoted as the source.	Prison PS YOT

5. Guidance

5.1 Considerations for withholding information

- 5.1.1 The Parole Board Rules oblige the Secretary of State to provide specified information to the Parole Board. It is essential that the Board is able to make an accurate assessment of risk, thereby fulfilling its role in protecting the public.
- 5.1.2 The assumption is that any information which is relevant to the assessment of a prisoner's risk within the community or custody must be disclosed to the Parole Board, even if it is not suitable for disclosure to the prisoner.
- 5.1.3 Concern that the Parole Board or PPCS could decide to disclose the information to the prisoner is not sufficient grounds on which to withhold such information from the Board. The criteria for withholding information from the prisoner is set out in section 5.1.9.
- 5.1.4 Where consideration is given to withholding information from prisoners, understanding of and compliance with the relevant policies and protocols (including this Policy Framework) and the Parole Board Rules must be demonstrated throughout.
- 5.1.5 HMPPS staff should note that, if a formal application for non-disclosure is submitted, then PPCS will share the full and un-redacted information with the Parole Board.
- 5.1.6 The final decision whether to withhold information from a prisoner ultimately rests with the Parole Board. However, in exceptional circumstances only, PPCS on behalf of the Secretary of State may withdraw information that the Parole Board has directed be disclosed to the prisoner or their representative if it is considered appropriate to do so.
- 5.1.7 Victims who are eligible and participating in the Probation Service Victim Contact Scheme (VCS) may make a VPS to the Parole Board, setting out the impact of the offence and what the impact of release or transfer to open would be. Victims may also request licence conditions, and the VLO may also submit a VLOR to provide information about the victim or victim related issues and concerns to the Parole Board.

Criteria for withholding information

- 5.1.8 HMPPS must make available to the Parole Board any information that may be pertinent to a prisoner's risk, i.e., to the management and assessment of the risk of serious harm and likelihood of reconviction or reoffending posed by the prisoner.
- 5.1.9 Exceptionally, sensitive information may be withheld from a prisoner in the context of their parole or recall review on the grounds that disclosure would adversely affect.
- a) national security; or
 - b) the prevention of disorder or crime; or
 - c) the health or welfare of the prisoner or any other person.
- 5.1.10 Some of the circumstances where it may be necessary to withhold information are:
- a) where an individual has been convicted of terrorism-related or other extremist offences;
 - b) where the individual is believed to be involved in organised crime;
 - c) where the information concerns victims or sources of intelligence or the tactic used, to collect the intelligence who may be known to the prisoner.

However, it should be remembered that types of information which are appropriate for non-disclosure cannot be prescribed:

Consideration of sensitive information by Governor/PS/YOT

- 5.1.11 Where HMPPS staff consider that information cannot safely be disclosed, they must give consideration as to whether the information is critical to the Parole Board's assessment of the level of risk presented by the prisoner.
- 5.1.12 Applications to withhold information must only be made where absolutely necessary as in the interests of fairness all available information should be disclosed to the prisoner.
- 5.1.13 In cases where HMPPS staff consider that information should be withheld, or where there is doubt, PPCS must be consulted without delay.
- 5.1.14 If the information is not considered relevant to risk, and/or is referred to elsewhere in the dossier, it does not have to be submitted to the Parole Board.
- 5.1.15 However, where relevance is established, i.e. the information is likely to assist the Parole Board's assessment of the level of risk presented by the prisoner, then it must be shared in order to enable the Parole Board to fulfil its statutory obligations in determining whether a prisoner is safe to release.

Presenting the information in an alternative way

- 5.1.16 Before an application to withhold information from the prisoner is made, HMPPS staff should consider presenting the information in an alternative way, such as a sanitised version (also known as a gist) without compromising the integrity of the information or the safety of an individual.
- 5.1.17 This might involve redacting a report to exclude the names of third parties and/or references that might enable a third party to be identified. If this can be achieved, then it will not be necessary to make a non-disclosure application.
- 5.1.18 For all applications to withhold information, except those relating to VPS, staff should either:
- (a) prepare a gist of the information being withheld. The gist must include the substance of the information in sufficient detail to enable the prisoner to instruct a representative and respond to the information. Careful consideration must be given to drafting the gist in such a way that it does not disclose any sensitive information or indirectly divulge the identity of any source or third party;
- or
- (b) provide reasons why it is not possible to provide a gist. The reasons must explain why a gist could not be constructed without adversely affecting:
 - i. national security; or
 - ii. the prevention of crime or disorder; or
 - iii. the health or welfare of the prisoner or any other person.

Dealing with information that cannot be sanitised or gisted

- 5.1.19 Where information is deemed unsuitable for presentation, even in a sanitised version or a gist, an application must be made to withhold it from the prisoner. In the first instance, HMPPS staff must contact PPCS for advice.

5.1.20 HMPPS staff must clearly and concisely set out the reasons why a gist cannot be provided, including how the disclosure of information in any form might adversely affect one of the three interests set out above.

5.2 Applications for Non-Disclosure

- 5.2.1 When submitting information to be withheld, HMPPS staff should clearly mark the top of each page of the non-disclosable document in capitals 'NOT FOR DISCLOSURE – REQUESTED BY COMMUNITY OFFENDER MANAGER/ PRISON OFFENDER MANAGER/[OTHER APPROPRIATE STAFF MEMBER] (delete as appropriate)
- 5.2.2 Applications to withhold information are and may only be made by PPCS, on behalf of the Secretary of State. PPCS will therefore liaise with and advise HMPPS staff throughout the application process and agree the final wording with them prior to submission.
- 5.2.3 PPCS will then complete the application and submit it, together with the sanitised/gisted version of the information, if appropriate, and the un-redacted information to the Parole Board.
- 5.2.4 When the Parole Board has made a decision about a request to withhold information, they will notify PPCS who will then notify the other parties including the owner of the information in question and the prisoner's representative (if any).
- 5.2.5 In accordance with the Generic Parole Process (GPP) Policy Framework **and** the Recall, Review and Re-release of Recalled Prisoners Policy Framework, HMPPS are responsible for ensuring that any third party information identified at the initial referral stage of the parole or recall process is provided in the formal referral of the dossier to the Parole Board. From receipt of the formal referral by PPCS to the Parole Board, the Parole Board are responsible for ensuring direction compliance from third party stakeholders. For more information on third parties, please refer to requirement 3.6.3 of the GPP Policy Framework.
- 5.2.6 At any stage in the process, where it is considered that third party information cannot be safely disclosed to the prisoner, in line with requirement 3.1.3. Third parties must contact PPCS in the first instance to discuss the information. Further information is set out in 3.2.10- 3.2.12 of this Policy Framework.

Disclosure of information to representatives

- 5.2.7 Unless the Board directs otherwise, the information being withheld will normally at this stage in the process be disclosed to the prisoner's representative, who must first give a formal written undertaking that it will not be disclosed to the prisoner, in accordance with the Parole Board Rules. The undertaking is binding on the individual representative and of indeterminate duration.
- 5.2.8 Once this written undertaking has been received, PPCS will disclose the information to the representative without delay. Where the representative refuses to provide an undertaking, PPCS will notify the Parole Board.

5.2.9 The Parole Board Rules require that the information withheld from the prisoner is disclosed to their representative, provided that the appointed = representative is:

- A barrister or solicitor;
- A registered medical practitioner; or
- A person whom the Panel Chair directs, or duty member appointed under paragraph (4) directs is suitable by virtue of their experience or professional qualifications.

5.2.10 Where a prisoner does not have a representative, the Parole Board Rules automatically treat the prisoner as having submitted an appeal. Please refer to requirement 3.2.21 for further information.

Withholding information from representatives

5.2.11 In very exceptional circumstances, there may be scope for withholding information from a prisoner's representative. Applications to withhold information from representatives must be endorsed by PPCS Heads of Casework. HMPPS staff must provide compelling evidence as to why it is necessary to apply to take this exceptional step. Where it is agreed, exceptionally, to make such an application, the application will be drafted by PPCS in consultation with Ministry of Justice lawyers.

Purpose of a Special Advocate

5.2.12 Exceptionally, in cases where the Parole Board has directed that information be withheld from a prisoner and their representative, in the interests of fairness the Board may appoint a Special Advocate, particularly in instances where crucial evidence has been withheld. Special Advocates are specially trained lawyers appointed by the Attorney General who are instructed to represent a person's interests in relation to information that is kept secret from that person (and any appointed representative) but analysed by a court or equivalent body at a hearing held in private.

5.2.13 The use of Special Advocates is exceptionally rare and must not be relied upon as a readily available means of withholding information. However, in certain circumstances, the appointment of a Special Advocate might be an important safeguard for maintaining control of extremely sensitive information.

5.2.14 The PPCS Heads of Casework will make submissions on behalf of the Secretary of State in respect of Special Advocates and will liaise with all interested parties.

Handling Withheld Information at an Oral Hearing

5.2.15 PPCS will make HMPPS witnesses aware that the prisoner's representative (who may have sight of all the information) can ask questions about all of the evidence - including any information withheld from the prisoner. This can be done at the oral hearing, or in written representations beforehand.

5.2.16 Where information has been subject to a direction from the Parole Board that it be withheld from the prisoner, the panel chair will usually arrange for part of the hearing to be held without the prisoner being present. This is known as "in camera", formerly known as a "closed hearing". In the vast majority of cases the prisoner's representative will have seen the sensitive information and so will be in attendance.

5.2.17 The Parole Board panel and the representative may ask further questions about the sensitive information at an in camera hearing. If at any time it becomes necessary to share

further information which is not for disclosure to the prisoner, that oral evidence will be subject to the same direction that prevents the representative sharing it with the prisoner.

The Right of Appeal

- 5.2.18 Where the Parole Board makes a direction to withhold information in full or to only disclose a gist, the prisoner, through their representative, has the right to appeal to the Chair of the Parole Board against the direction.
- 5.2.19 Where a prisoner does not have a representative, they will automatically be treated as having made an appeal. PPCS will have 7 calendar days to make any further representations and any recommendation to withhold information will then be referred to the Chair of the Parole Board for a final decision.
- 5.2.20 Where the Parole Board directs that the information must be disclosed in full or gist to the prisoner or the prisoner's representative, or, at a later date, the panel chair or duty member consents to disclosure by the representative the Secretary of State has the right of appeal.
- 5.2.21 In these cases, PPCS must consider whether to submit an appeal against the decision to refuse the application and are responsible for drafting the appeal. The owner of the information will be consulted in order to establish whether, and on what grounds, to appeal.
- 5.2.22 All appeals must be submitted in writing within 7 calendar days of the direction being notified to the prisoner and their representative. The party making the appeal must notify the other party of the application to appeal.

Withdrawing Information from the Parole Board

- 5.2.23 Where an appeal determines that the information or gist is to be disclosed to the prisoner or their representative, PPCS on behalf of the Secretary of State may withdraw the information rather than disclose it. Approval must be given by the Head of PPG for withdrawal of information.
- 5.2.24 The Secretary of State has 7 calendar days from the date of the decision or appeal which to take the decision to withdraw. If the information is withdrawn, the information must not then be shared with the prisoner or their representative and will not form part of the evidence of that. The overriding consideration must be the protection of the public.
- 5.2.25 A VPS about the impact of the crime is optional and, as such, if the Parole Board directs that they are disclosed to the prisoner against the wishes of the victim, the VPS can be withdrawn at the victim's request. Alternatively, the VPS could be amended or a new one written.

5.3 Dealing with Victim Personal Statements

- 5.3.1 All victim related issues must be handled with the utmost sensitivity at all times. When discussing with victims the preparation of a VPS or VLOR, VLOs must ensure that they explain to victims, that with the exception of the circumstances in paragraph 5.1.9, the VPS will be disclosed.
- 5.3.2 Any application for non-disclosure cannot be guaranteed as the final decision rests with the Parole Board.

- 5.3.3 If the victim agrees that the VPS is suitable for disclosure, it will be shared with the prisoner by prison staff. However, the prisoner has the choice not to read it.
- 5.3.4 To withhold a VPS it will be necessary to demonstrate that the victim will be caused harm by disclosure, over and above any distress already caused by the index offence and the forthcoming Parole Board hearing. It should be demonstrated that the prisoner will not be disadvantaged because the VPS only contains information about the impact of the offence.

Application process to withhold a VPS/VLOR

- 5.3.5 PPCS will take responsibility for drafting an application to the Board to withhold the VPS/VLOR from the prisoner. The VLO must provide PPCS with the necessary information in support of such an application and ensure that the victim is kept informed of the progress of the application, through liaison with PPCS.
- 5.3.6 When discussing whether to apply to withhold a VPS with the victim, the VLO must also ask the victim to consider giving consent for a redacted or gisted version of the statement to be prepared which can be disclosed.
- 5.3.7 It is imperative that the Responsible Offender Manager ensures that VLOs are kept up to date on the progress of a prisoner's recall/parole review or oral hearing, to allow sufficient time to consult victims and allow them to make unhurried and unpressurised decisions.
- 5.3.8 The Parole Board have indicated that it will strengthen the application to withhold a VPS if there is a redacted or gisted version that can be disclosed to the prisoner.
- 5.3.9 PPCS will prepare a draft gist and send this to the VLO for comments. The victim must approve the content of the gist before it can be submitted to the Parole Board.

Application to withhold VPS/VLOR refused

- 5.3.10 If an application to withhold a VPS/VLOR is refused by the Parole Board, the decision can be appealed; if the appeal fails, the VPS/VLOR can be withdrawn at the victim's request.
- 5.3.11 Where the victim states that they wish the VPS/VLOR to be withdrawn, PPCS must advise the Parole Board accordingly. PPCS must ensure that effective liaison is maintained with VLOs and the Responsible Offender Manager throughout this process.

VPS containing risk related information

- 5.3.12 The VLO should advise victims that the VPS should be purely about the impact of the index offence, and the impact that release would have upon them. It should not contain information potentially related to the risk presented by the prisoner See Constraints at 4.3.1.
- 5.3.13 If the victim has information about risk, for example if they have had unwanted contact from the prisoner, this information must be passed from the VLO to the Responsible Offender Manager who, together with PPCS, must consider whether it is relevant to current risk and if it should be included in the dossier for the Parole Board.
- 5.3.14 If the Responsible Offender Manager or VLO believes that a VPS contains new information relating to risk, they must contact PPCS as a matter of urgency for advice.

- 5.3.15 The VLO should explain to the victim, particularly in cases where the victim has indicated that they do not want the VPS/VLOR disclosed to the prisoner, the implications of including information potentially relating to the prisoner's risk. PPCS should be contacted for advice if required.
- 5.3.16 If a VPS/VLOR contains risk related information which is covered elsewhere in the dossier of reports submitted to the Parole Board, then it does not need to be withheld from the prisoner.
- 5.3.17 Any information contained within a VPS/VLOR that relates directly to the prisoner's risk of harm, such as allegations of unauthorised contact from the prisoner or a history of previously unreported domestic violence, is relevant to the Parole Board's decision making.
- 5.3.18 As such, the Board must have the opportunity to question the prisoner about risk-related issues and the prisoner has the right to instruct a representative on how to respond to such issues.
- 5.3.19 Where such evidence is included, the VLO must advise the victim that the Parole Board may, in exceptional circumstances, want the victim to give evidence and ask questions about it.

See the requirements at [3.3.16 - 3.3.24](#) for further information

Investigation of risk-related information within the VPS

- 5.3.20 PPCS will consider potential new risk related information contained in the VPS and will seek to substantiate the information by making reasonable attempts to investigate and cross-referencing it with other reports in the dossier.
- 5.3.21 Where PPCS identifies new information potentially linked to risk or where it is unable to corroborate it in the dossier, PPCS will contact the VLO and/or Responsible Offender Manager for assistance, for example, to ask that enquiries are made with local courts or police.
- 5.3.22 Where requested by PPCS, the PS/YOT are responsible for corroborating the information.
- 5.3.23 Prison staff may also be consulted. It is important that when investigating such allegations, accurate information, in particular about the possible dates of the alleged incidents are provided to assist with enquiries.

Uncorroborated risk-related information

- 5.3.24 Where risk-related information contained within the VPS cannot be corroborated, PPCS has a duty to make the Parole Board aware who in turn may decide to place little weight on the information in their deliberations. PPCS will submit the information by way of a covering letter to the Panel Chair. The letter will clearly set out exactly which parts of the VPS have been investigated and confirm the information is not available anywhere else in the dossier and set out what has been done to try and verify the information.
- 5.3.25 Although it will require sensitive handling, VLOs should be aware that the victim must be told of the letter. This provides them with an additional opportunity to provide further evidence if they are able to, or to remove the information from their VPS.

5.3.26 Where PPCS is of the view that it has a duty to disclose such information, contrary to the wishes of the victim, then the only option is for it to be presented in a different way. For example, the information could be 'gisted' in such a way that it becomes disclosable to the prisoner and included in the Responsible Offender Manager's report (the PAROM or, in recall cases, the Part B/C Report).

5.4 Handling, Storing and Protecting Victim Personal Statements

5.4.1 Prisons must ensure that all VPS and VLOR submitted for the Parole Board review are stored securely and away from the prisoner, usually in the prison Offender Management Unit (OMU).

5.4.2 Prisons must have procedures in place to allow prisoners reasonable access to the VPS and VLOR if they are for disclosure, but prisoners must not be allowed to retain possession of these reports. They must only be read by the prisoner under supervision.

5.4.3 The VPS and other reports submitted on behalf of the victim for the Parole Board will contain sensitive personal information and this must not be shared with other prisoners or sent outside the prison by the prisoner.

5.4.4 To make identification of these reports easier for prisons, PPCS acts as the central point for receipt and onward transmission of all VPS and victim contact reports to prisons. When sending to prisons, PPCS will include a cover sheet to the prison OMU to allow for easy identification.

5.5 Inclusion of prison security information within Parole and Standard Determinate Sentence (SDS) dossiers

5.5.1 Prison security departments will contribute to parole dossiers by providing a summary of intelligence relevant to the prisoner's risk. The 5x5x5 ratings must not be attached to security records. 5x5x5 ratings (the grading of intelligence reporting) provides a shared understanding between law enforcement communities and partner agencies of the reliability and handling of intelligence. Reporting used in these products is informed by the 5x5x5 evaluation process allowing analysts to communicate a confidence in the reporting through use of agreed analytical and predictive language. For more information on intelligence, reporting please refer to Intelligence Collection, Analysis and Dissemination Policy Framework - HMPPS Intranet (gsi.gov.uk).

5.5.2 In lieu of 5x5x5 ratings, the prison analyst must produce a summary of the information from intelligence systems or other prison systems, which should include the low/medium/high rating (see para 5.5.9 for more guidance on grading intelligence).

5.5.3 For all indeterminate and determinate parole-eligible prisoners, using the SPRH form (which is available on EQuIP), the prison analyst will provide an intelligence summary that may draw on other sources of information where necessary for use in parole reviews and shared with the prisoner. A security report is a mandatory document for the parole dossier and therefore in cases where there is no relevant intelligence the prison analyst must submit a nil return to this effect.

5.5.4 5x5x5 codes must not be shared with the Board in order to prevent the inadvertent disclosure of sources and/or exposing information from Police or Law Enforcement Agencies. However, if the Board directs them, they must be provided. Where there are concerns about disclosure, all HMPPS staff should follow the non-disclosure process as set out in Chapter 3.2. of this Framework.

- 5.5.5 For determinate prisoners who are subject to a review following recall, a security report is not mandatory. The Parole Board will direct specific reports, including security, if they deem it necessary. If there is no specific direction for a security report but the prison has security information which is relevant to prisoner's risk, this must be provided in any report provided by the COM so that the Parole Board are aware.
- 5.5.6 For all indeterminate and determinate parole eligible prisoners, the SPRH form (available on EQuIP) should be used to summarise the information contained within their security files.
- 5.5.7 For first parole reviews, the SPRH must include all relevant incidents/entries for the last five years. The period of five years has been chosen to help the Parole Board identify any trends in the information over time. For subsequent reviews the report should cover a period of two years from the date of the last Parole Board decision.
- 5.5.8 The SPRH should identify themes through the means of summarised statements. The information identified should include but is not limited to, the nature of the intelligence, the periods during which it occurred and the reliability of the intelligence. These statements should be broken down by 6-month periods for when for the intelligence occurred.
- 5.5.9 When compiling SPRH reports, prisons must ensure that intelligence is graded according to the reliability of each entry as either High, Medium, or Low. "High" intelligence will typically be A1 or B2 and "Low" will be D4 or D5.
- 5.5.10 There may be some cases where it is not appropriate to include the intelligence grading within the SPRH. Where prisons have concerns about including the intelligence grading within the SPRH, they should contact PPCS in the first instance to discuss.
- 5.5.11 Sources or direct repetition of intelligence held should not appear in the summary. Where there is intelligence or a source that is considered to be too sensitive for inclusion or to be mentioned in the summary PPCS must be contacted for advice on whether the information can be withheld. The requirements are set out in section 5.1 must be followed.
- 5.5.12 Any summarised information must not lose the sense of the original information. Security Managers must verify and countersign the security report ahead of its addition to the dossier; in doing so, they will be confirming that the submitted report is a full and accurate representation of the prisoner's security records.
- 5.5.13 All information relevant to the assessment of the prisoner's risk must be provided to the Parole Board. Where establishments consider that security information is too sensitive for onward disclosure, they must contact PPCS for advice, and the considerations for withholding information from the prisoner section starting at paragraph 5.1 of this Framework must be followed.
- 5.5.14 It is imperative that as soon as sensitive information is identified that Security departments are proactive in seeking the advice of PPCS; this is most likely to occur at the point at which security information is requested or directed for inclusion in the dossier.
- 5.5.15 Any subsequent intelligence recorded between the report's submission date and the actual hearing must be submitted to PPCS as an addendum report.

5.6 Multi Agency Public Protection Arrangements (MAPPA)

- 5.6.1 The MAPPA Responsible Authority (PS, Police and Prison Services acting jointly) has a statutory duty to establish arrangements for assessing and managing dangerous offenders. Where appropriate, risk assessments and risk management plans that have been discussed at MAPPA meetings should be disclosed to the Secretary of State and the Parole Board by the individual body responsible for that assessment. However, each agency acts as a joint controller for MAPPA minutes and may receive requests for disclosure of the MAPPA minutes. Recipient MAPPA Agencies must consult with the Agency that provided the information to confirm whether any exemptions are applicable before MAPPA minutes are disclosed. MAPPA as a set of arrangements and not a separate body cannot make decisions pertaining to the prisoner, therefore decisions should not be attributed to MAPPA.
- 5.6.2 MAPPA records that are held on PS systems are subject to the provisions of the Data Protection Act 2018; they are therefore subject to a request for disclosure by the data subject (offender). There is a right of general access pursuant to a subject access request made by an offender. However, this right is qualified based on applicable exemptions in the Data Protection Act 2018. The PS must therefore consult with the agency that provided the information to confirm whether any exemptions are engaged before MAPPA minutes are disclosed.
- 5.6.3 COMs preparing reports for the Parole Board must not quote MAPPA minutes as a source of information. Where the COM wishes to use a specific piece of information that has been shared at a level 2 or level 3 MAPPA meeting, they must first consult the agency that provided it to seek approval to use the information in a report. The information must be attributed to the agency and the content agreed with the agency representative who attended the MAPPA meeting.
- 5.6.4 In the event that the Parole Board issues a direction for disclosure of the MAPPA minutes, the COM must refer the direction to the MAPPA co-ordinator, a summary of minutes will be prepared, which will contain relevant information about the discussion of the prisoner at the MAPPA meeting, details of their risk assessment and the risk management plan. Only this summary and not the full MAPPA minutes, must be made available to the Parole Board and the Secretary of State.
- 5.6.5 A MAPPA meeting summary must include:
- The prisoner's name and personal details.
 - Referring Agency and reason for referral to a MAPPA meeting.
 - Summary of the meetings: this section provides an overview of the risks identified at the meetings, any diversity needs that require managing, general victim issues, the agreed risk assessment and the level of MAPPA management required by the case.
 - Outline of the MAPPA Risk Management Plan.
 - MAPPA meeting details.
 - Detail of MAPPA meeting Chair.

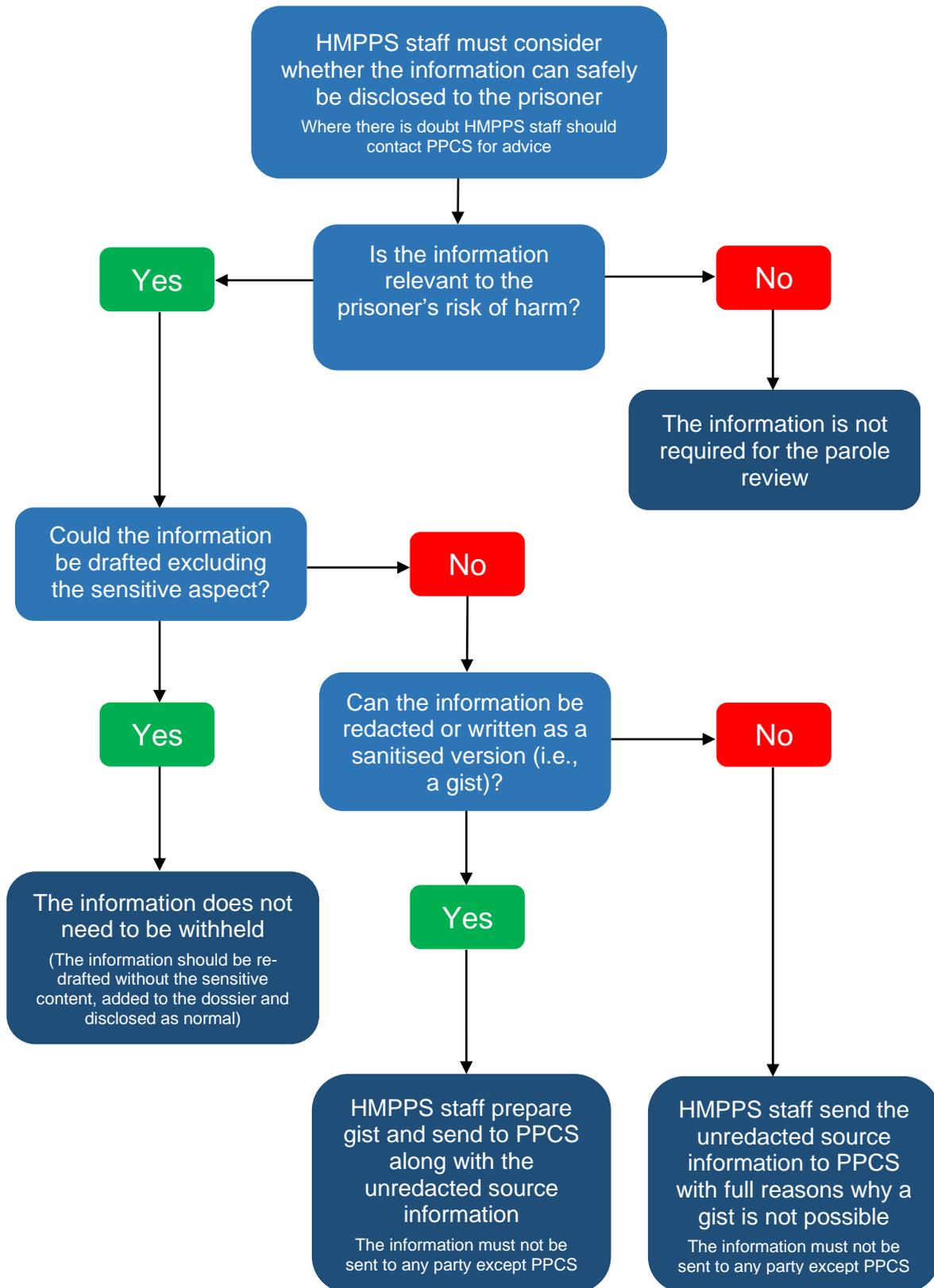
Please click on this link for the full MAPPA Guidance- [MAPPA Guidance](#).

National Security cases

- 5.6.6 Not all stakeholders involved in the collection of sensitive information are part of MAPPAs but through the Joint Counter Terrorism Prison & Probation Hub (JCTPPH) are able to pass relevant information into the MAPPAs process. Partner agencies and other stakeholders need to be mindful of this Framework and the responsibility of the Parole Board in relation to sensitive information. It is important that the provider of the information continues to be involved following submission of the information to the Parole Board.
- 5.6.7 HMPPS staff who are managing national security prisoners, particularly those convicted of offences under terrorism legislation or whose offences relate to terrorism, may have access to different levels of sensitive information from a variety of sources including Police and the Security Service.
- 5.6.8 Management of risk presented by these prisoners is done through the MAPPAs process and so the process of handling information as is outlined above.

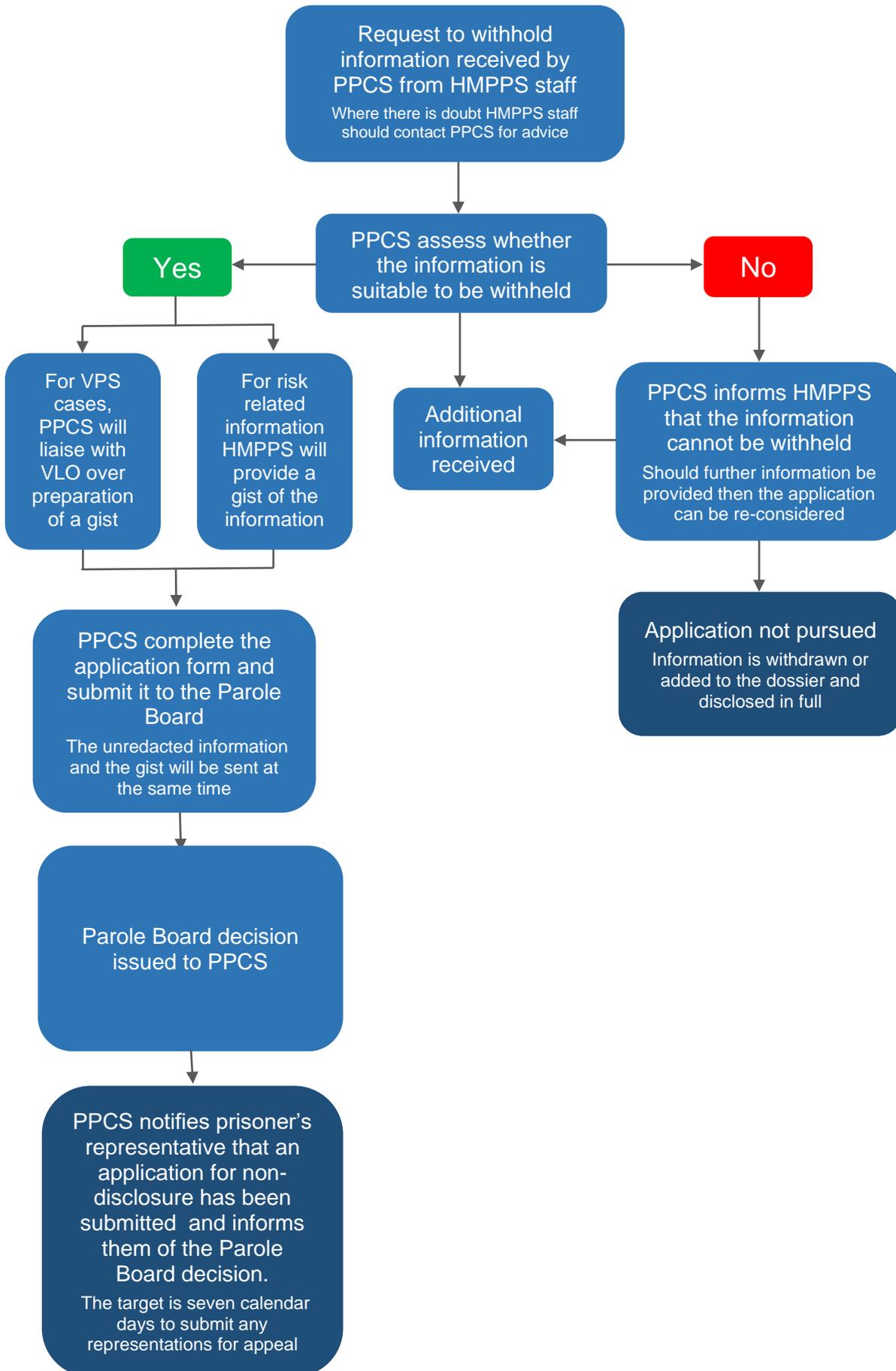
6. Annexes – Process Flowcharts

6.1 Annex A - Identifying and gisting information – HMPPS staff

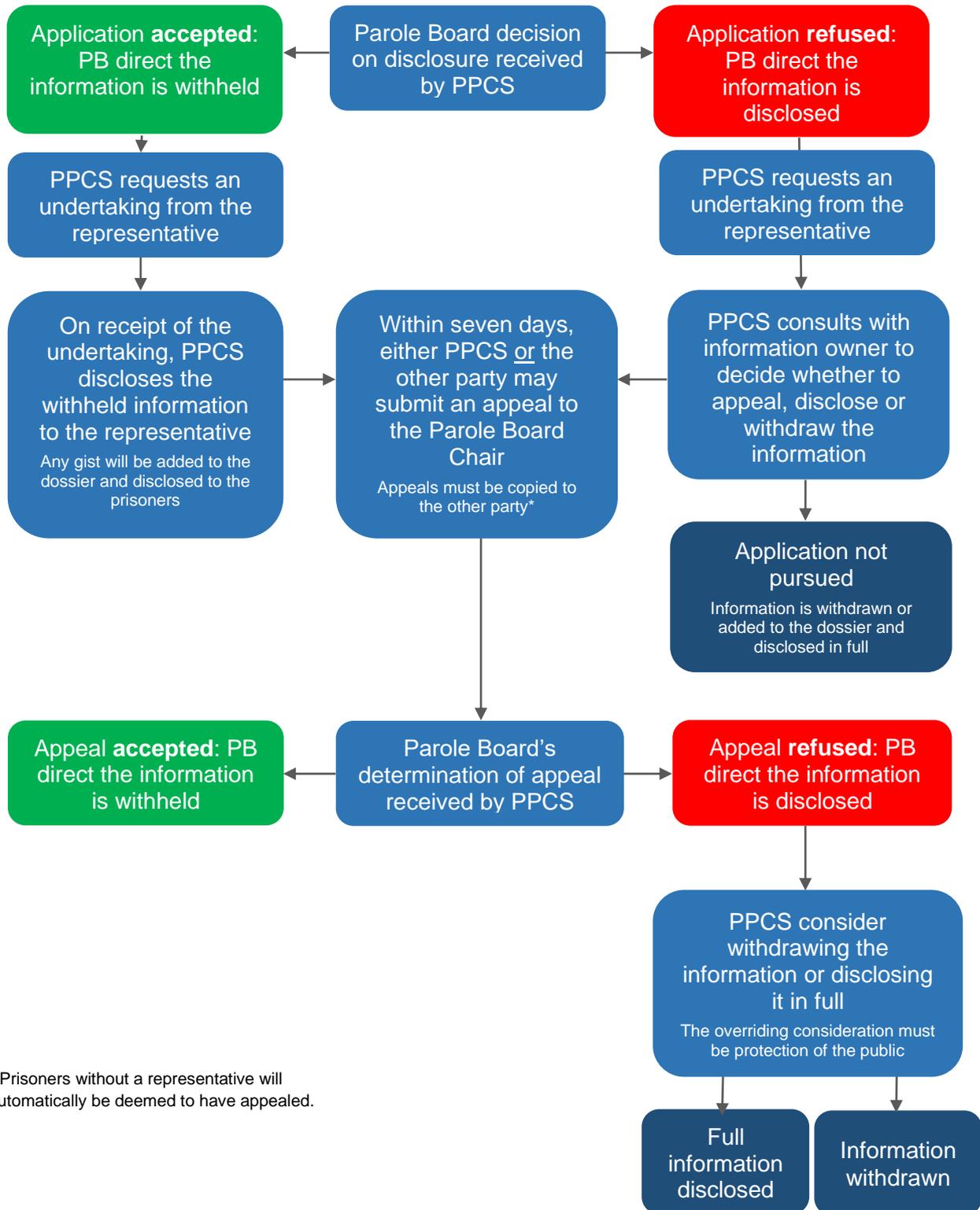


*The information owner must prepare the gist except in VPS cases where it will be drafted by PPCS in consultation with the VLO and the victim

6.2 Annex B - Submitting an application to withhold information



6.3 Annex C - Decisions, appeals and withdrawing information



* Prisoners without a representative will automatically be deemed to have appealed.