



Ministry
of Justice



HM Prison &
Probation Service

Policy name: Parole Board Oral Hearing Administration & Attendance Policy Framework

Re-issue Date: 31 July 2025

Implementation Date: 4 November 2019

Replaces the following documents which are hereby cancelled:

- PSI 35/2013 – Parole Board and Prison Service Oral Hearing Standards;
- PI 21/2014 – Giving Evidence via video link to a Parole or Recall Oral Hearing;

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 ¹	<input checked="" type="checkbox"/>	Contract Managers in Probation Trusts
<input checked="" type="checkbox"/>	Probation Service	<input checked="" type="checkbox"/>	Under 18 Young Offender Institutions
<input checked="" type="checkbox"/>	HMPPS Rehabilitation Contract Services Team	<input type="checkbox"/>	HMPPS-run Immigration Removal Centres (IRCs)
<input checked="" type="checkbox"/>	Other providers of Probation and Community Services		

Mandatory Actions: All groups referenced above must adhere to all of the mandatory actions in this Policy Framework, as set out in the attached Manual.

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). 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.

All references to “prisoner” within this Framework also refer to those children/young people subject to recall who are covered by the processes detailed within this Policy Framework and all references to the “Probation Practitioner” also refer to the YJS Case Manager.

The Youth Custody Service (YCS) operate under different arrangements to the adult prison service and uses different language. Public protection work is coordinated by the Resettlement Teams and the staff working with children throughout their sentence and planning for release are Resettlement practitioners. In Secure Training Centres (STCs), Secure Children Homes (SCHs) and Secure Schools they are Caseworkers. These sites also use different case recording systems to NOMIS/DPS. The OMiC framework does not apply to the YCS. The Safeguarding and child protection in the children and young people secure estate policy framework and PSI 08/2012: Care and Management of Young People set out additional requirements which apply specifically to children in prison.

¹ In this document the term Governor also applies to Directors of Contracted Prisons

Where this Policy Framework refers to the prisoner the YCS will refer to the child in their care. In YCS cases all references to: The POM also refer to the Resettlement Practitioner or Caseworker; The COM also refer to the Youth Justice Service (YJS) Case Manager; OMU Managers (HOMD or HOMS) refer to Head of resettlement.

In some cases, the oral hearing may be held in a secure hospital rather than a prison. The requirement, constraints and guidance specified in this Policy Framework, therefore apply to secure mental hospitals in the same capacity as prisons.

Audit/monitoring: HMPPS Prison Group Directors, Regional Probation Directors and Youth Justice Systems (YJS) in England and Director of HMPPS in Wales will monitor compliance with the mandatory actions set out in this instruction.

Associated Documents:

- Generic Parole Process Policy Framework
- Recall, review and re-release of recalled prisoners Policy Framework
- Supervision of Indeterminate Sentences Policy Framework
- Power to Detain Dangerous Prisoners Serving a Standard Determinate Sentence Policy Framework
- Handling Sensitive Information Including Information Provided by Victims, For the Purpose of Parole Board Reviews Policy Framework
- Licence conditions Policy Framework
- Women's Policy Framework
- The care and management of individuals who are transgender Policy Framework

Resource impact: The requirements laid out are designed to have a minimal impact on resources. They do not place new obligations on prison staff. Rather, the instructions confirm existing obligations, which are already being complied with in many establishments, with a view to ensuring that they are applied consistently across all of the prison estate. However, where Governors were not aware of their existing obligations (e.g. the provision of lunch and refreshments for Parole Board panel members) they will need to budget accordingly.

Contact: Policy Queries: parolerecallpolicy.pops@justice.gov.uk

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Approved by OPS for publication: Sonia Crozier, Michelle Jarman-Howe, Joint Chairs, Operational Policy Sub-board, September 2019

Revisions

Date	Changes
25 August 2023	<ul style="list-style-type: none"> • Remote, face-to-face and hybrid Parole Board Oral Hearings have been added to the policy framework. • A section on public oral hearings has been added following the introduction last year. • Clarity on the process for HMPPS staff to provide professional opinions on moves to open conditions or release, where they feel able to or have been specifically directed to do so by the Parole Board.

31 July 2025	The Policy Framework now includes an observer section that outlines the process for victims, HMPPS staff and third parties should follow if they wish to apply to observe an oral hearing.
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1. Purpose

- 1.1 This framework applies to Parole Board oral hearings for prisoners subject to the Generic Parole Process, recall reviews and those referred under the Power to Detain Policy Framework. The Framework also applies to Parole Board oral hearings for licence variation, suspension/re-imposition of supervision and, for IPP cases, termination of IPP licence. It sets the expected standards and requirements for the provision and facilitation of all Parole Board oral hearings. The framework confirms the appropriate escalation routes for both establishments and Parole Board members should these standards not be met, as well as the involvement of Public Protection Casework Section (PPCS) where appropriate. The framework also contains guidance for staff who are required to attend hearings to give evidence and outlines the different means by which an oral hearing may be conducted, as well as providing guidance on security measures that witnesses/attendees will need to be aware of, such as ID and requirements for IT devices.

2. Outcomes

- 2.1 This framework aims to ensure that:
- All parties involved in a Parole Board oral hearing understand the requirements leading up to, and on the day of, the hearing;
 - Suitable facilities are provided for all Parole Board oral hearings;
 - Oral hearing capacity is maximised at each prison to enable the timely conclusion of cases;
 - The safety and security of Parole Board members, and other oral hearing attendees/witnesses, is maintained at all times;
 - The use of video and telephone conferencing technology is maximised wherever possible to help facilitate more oral hearings, and ensure the most effective use of resources;
 - Oral hearing attendees/witnesses understand the hearing process and are prepared to give evidence; and
 - Victims attending oral hearings to read out their statements, observing oral hearings or attending public hearings are treated with respect and dignity.

3. Requirements

Part 1 – Parole Board Remote Oral Hearings

- 3.1 The Parole Board will decide if a case is suitable to be heard at a remote oral hearing, and the type of remote oral hearing that will be convened (see guidance 5.1 for details on the types of remote hearings held by the Parole Board). In cases where the hearing is taking place remotely (i.e. video, telephone and hybrid hearings) the following actions must be taken:

Notification of an Oral Hearing to be Conducted Remotely		Action By
3.1.1	<p>The Parole Board will inform the prison, the Community Offender Manager (COM)/Probation Practitioner and the Prison Offender Manager (POM) when a hearing is to be listed for a remote hearing. The notification requires the COM to provide the following information:</p> <ul style="list-style-type: none"> Any application for a colleague who may wish to attend as an observer with the COM/Probation Practitioner while they give evidence (which will be subject to approval); and A contact telephone number on which the COM/Probation Practitioner can be contacted on the day, either before or after the time set out in the notification letter. This can be a mobile number if that is the easiest way to establish direct contact. <p>Further information on hybrid hearings (remote and face to face hearings) must also be followed in Part 2 of the Policy Framework.</p>	Probation Service YJS Prisons
3.1.2	<p>The COM/Probation Practitioner must respond to the notification as soon as possible and no later than five working days after it has been received.</p> <p>The COM/Probation Practitioner must notify the Parole Board Case Manager where they anticipate any problems connecting via the method selected for the hearing as soon as possible. The Parole Board Support Team will assist with any technical difficulties that arise on the day.</p>	Probation Service YJS
The Prison Hearing Room for a Remote Hearing		Action By
3.1.3	<p>The Governor will ensure that staff arrange for a suitable room to be available in their prison for the remote hearing. This room must have video-link equipment and adhere to the requirements at paragraphs 3.2.1 – 3.2.2. Where there are no rooms available, the prison must liaise with the Parole Board to arrange a suitable alternative location.</p>	Prisons
Appropriate Location for a Remote Hearing		Action By
3.1.4	<p>Probation Service managers and the Governor in the prison must ensure that an appropriate location is identified for the purpose of giving evidence at Parole Board remote oral hearings. The following criteria must be met:</p>	HMPPS Probation Service YJS Prisons

	<ul style="list-style-type: none"> • The location must be situated in a room where there is no background noise (the proceedings cannot be overheard), and where only those staff involved in the hearing process will be present during the time of the hearing; Where there are multiple attendees/witnesses attending, the room must be large enough for all attendees/witnesses in the location to gather together and be clearly visible when speaking; • If there is an issue locating a large enough room for the number of attendees, an additional room can be booked (if the hearing is being conducted by video hearing); • The Parole Board are responsible for setting up the link to the remote hearing. When connecting remotely to the hearing, the Probation Service must ensure this connection is made over a secure line, and of sufficient quality, to enable effective communication' in line with paragraph 3.1.3. This link must not be shared with anyone outside the Ministry of Justice (MOJ) in order for the oral hearing to remain secure; • Particular care and consideration should be given to any hearings where victims are providing their statement remotely to minimise any additional stress or anxiety. <p>Should the remote location not meet these requirements, then staff will be expected to identify other nearby facilities which do comply. Prisons must also adhere to the requirements at paragraphs 3.2.1 – 3.2.2.</p>	
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Part 2 – Face-to-Face and Hybrid Oral hearings taking place in prisons

3.2 The Parole Board panel chair will determine the type of hearing that should take place on a case-by-case basis (see guidance 5.1 for details on the types of remote hearings held by the Parole Board). It is the responsibility of the prison to facilitate the hearing in the format directed. The prison must inform the Parole Board of any issues pertaining to the hearing taking place as soon as possible. Governors will appoint the appropriate staff to ensure that, where Parole Board oral hearings are taking place within their prison, the following essential criteria are met:

Privacy		Action By
3.2.1	The hearing room must be private, quiet and not subject to outside noise disturbance. Conversation inside the room must not be audible from outside the room.	Prisons Probation Service
Equipment		Action By
3.2.2	The hearing room must be equipped with chairs and a table large enough to accommodate three panel members, the prisoner, the POM (may not be applicable for recalled prisoners), COM/ Probation Practitioner the prisoner's representative, a Secretary of	Prisons

	State (SSJ) Representative (where appointed) and additional witnesses/ report writers/attendees directed by the Parole Board.	
3.2.3	The hearing room must be equipped with an easily accessible alarm so staff can be alerted in the event of an emergency and Parole Board members must not be locked into any area of the prison without physical access to a member of staff.	Prisons
3.2.4	The hearing room must be equipped with accessible power sockets for the Parole Board members' digital devices.	Prisons
Staffing		Action By
3.2.5	In exceptional circumstances, where late papers have been received, and it is not possible for Parole Board members to view them electronically, prison staff must have access to facilities to provide these papers to the Parole Board members.	Prisons
3.2.6	Prison staff must arrange for the secure disposal of case papers and dossiers, where required.	Prisons
Facilities		Action By
3.2.7	Where the prison is notified in advance that the Parole Board members, witnesses/attendees and/or prisoners have particular needs, including mobility issues (e.g. requirements for wheelchair access or adapted toilets), prison staff will make every effort to implement reasonable adjustments where practicable, in accordance with the Equalities Act 2010, such as providing ramps for wheelchair access. Advancing Equality for Offenders and Children in Custody Policy Framework - GOV.UK provides guidance on reasonable adjustments that should be made and the PSI can be found here.	Prisons
3.2.8	Hybrid Hearings Only: Where the prison is equipped with telephone conferencing or video-link facilities, these must be made available for the hearing, where requested by the Parole Board. These should be fully tested ahead of the proceedings and someone should be on hand who can proficiently manage the equipment.	Prisons
3.2.9	Hybrid Hearings Only: Prison staff must ensure that the hybrid hearing is set up, so all hearing attendees are able to see each other on video. All participants must ensure their background does not reveal any personal information or identifiable details about their location. Please note: Oral public hearings are handled separately. Please see paragraph 3.8.1 for further information. In the event all members of the panel have not attended the prison, the panel will need a way to converse in private before, during and after the hearing. Prison staff should facilitate the link to the hearing if requested and will need to leave the room to allow discussions to take place in private.	Prisons
Hearing Room Availability and Capacity		Action By
3.2.10	Once a hearing date is set, prisons must ensure the hearing room remains available to the Parole Board for the whole working day (e.g. 9:30 to 17:30 during Monday to Friday).	Prisons
3.2.11	Hybrid Hearing Only: The oral hearing room must be arranged to enable the prisoner to be sat close to and facing the camera. A	Prisons

	side view limits communication between the prisoner and the panel and therefore could impact upon the hearing.	
3.2.12	The Parole Board will timetable the hearings on the basis that the prisoner will be available throughout the day (between the hours of 9.30am and 5.30pm). HMPPS staff must ensure that they work collaboratively with the Parole Board to ensure that hearings are maximised and that, wherever possible, hearings are not impeded by regime restrictions, barring those related to command directions during a serious incident (see also paragraphs 5.9 & 5.10).	Prisons
Security and Safety		Action By
3.2.13	<p>It is the legal and statutory responsibility of the Governing Governor to take all reasonable steps to ensure the safety of all staff, visitors and prisoners. However, the presence of a prison officer is not considered necessary in Parole Board oral hearings unless there are particular concerns about the risks posed by a prisoner. Where a Governor's risk assessment indicates there is a need for additional security measures during the hearing, the Governor (or an appropriate delegate) must advise PPCS in advance of the hearing in a timely manner. PPCS can then raise any issues with the Parole Board ahead of the actual hearing.</p> <p>Where the Governing Governor decides that it is necessary for a prison officer to attend, the prison must ensure that the details of the prison officer attending the hearing are provided to PPCS who will in turn inform the Parole Board at the earliest opportunity.</p>	Prisons PPCS Parole Board
3.2.14	Hybrid Hearings Only: The Parole Board will provide the link to access the remote hearing. This link must not be shared with anyone outside the Ministry of Justice (MOJ) in order for the oral hearing to remain secure.	Prisons Probation Service YJS PPCS
Prisoner Needs		Action By
3.2.15	Where required and where possible, proper provision should be made for lunch for the prisoner in the vicinity of the hearing room, and any medication that the prisoner requires should also be available. This will help to avoid any lengthy delays because the prisoner has to be taken to healthcare or to the wing.	Prisons

Part 3 – Oral hearings directed for licence variations, suspensions, re-impositions and terminations

3.3.1	Where the Parole Board directs an oral hearing for licence variation, suspension, re-imposition or in IPP cases, licence termination, the Parole Board will consider the most suitable format for the hearing, whether it will be face to face, remote or hybrid.	Parole Board
3.3.2	<p>In the majority of cases, the individual will be in the community subject to supervision and, therefore, it will be the responsibility of HMPPS, to identify a suitable location for the hearing to take place.</p> <p>If the individual is in prison custody, the prison will retain responsibility for identifying a suitable location for the hearing in</p>	PPCS Probation Service Prisons

	line with the normal processes for an oral hearing. If the individual is in a secure hospital, HMPPS staff should liaise with the relevant hospital. The location must fit the criteria laid out at paragraph 3.1.4 of this Framework.	
3.3.3	HMPPS Staff must follow the usual processes as laid out within this Policy Framework, (e.g., providing witness availability when requested, adhering to directions and attending the hearing as directed).	HMPPS
3.3.4	Where a member of HMPPS Staff wish to observe the oral hearing, an application should be made via PPCS outlining the reasons why they wish to observe the hearing as detailed in paragraph 3.7.1.	PPCS

Part 4 – Oral hearing witnesses/ attendees

3.4 Arrangements for witness attendance at a hearing must be made as follows:

Witness/Attendees Availability		Action By
3.4.1	All HMPPS staff directed to give evidence at a Parole Board hearing must do so, as this is a judicial direction, which is treated in the same way as a direction to attend any other court hearing.	Probation Service YJS Prisons
3.4.2	Before listing the hearing, the Parole Board will provide all potential witnesses/attendees with the opportunity to declare any dates on which they are unavailable. All witnesses/attendees must respond directly to the Parole Board within the requested timescales.	Probation Service YJS Prisons
3.4.3	The Parole Board will confirm the hearing format, hearing date, and time, once the availability of all witnesses/attendees has been confirmed, or the deadline for providing this information is reached (whichever is the sooner). If witnesses/attendees do not respond it will be assumed that they are available. All witnesses must ensure that they remain available to attend the hearing.	Probation Service YJS Prisons
3.4.4	In exceptional cases, where a third-party witness or HMPPS witness is no longer able to attend, they must notify PPCS at the earliest opportunity who will send a Stakeholder Request Form (SHRF) to the Parole Board to seek agreement from the Panel Chair for an alternative witness to attend the hearing. In cases where no alternative witness is available, PPCS must inform the Parole Board in the first instance. If required, PPCS must submit any applications to vary attendance directions or to seek a deferral or adjournment.	Probation Service YJS Prisons PPCS

3.4.5	<p>All witnesses/attendees are expected to attend using the hearing format directed by the Parole Board, unless there is an exceptional reason they are unable to. If a witness/attendee refuses to attend the hearing, the Parole Board has the power to apply for a witness summons.</p> <p>Where there is an issue which could prevent attendance at the hearing under the format directed by the Parole Board then this must be flagged to the Parole Board as soon as possible, in order to seek agreement from the Panel Chair for an alternative witness to attend the hearing.</p>	Probation Service YJS Prisons
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Part 5 – Other hearing requirements

3.5 Governors will ensure that any specific further requirements for the hearing are to be arranged as follows:

Parole Board Member and Witnesses/Attendees Requirements		Action By
3.5.1	<p>Many Parole Board members and witnesses/attendees will travel to a prison by car and, where requested, details for parking arrangements should be provided to the Parole Board and the witnesses/attendees.</p> <p>If requested by the Parole Board Secretariat, Governors must ensure that they make arrangements for the provision of parking spaces for members with specific disability or access needs on oral hearing days, wherever possible. Suitable parking is needed to avoid unnecessary delay to the start of the hearing (subject to availability). Where possible, parking provision should also be made for attendees/witnesses with access needs and they should contact the prison prior to the hearing to make the appropriate arrangements.</p>	Prisons
Interpreters/Translators		Action By
3.5.2	<p>Where Parole Board directions confirm an interpreter/translator is needed for a particular case, prisons must ensure a qualified interpreter/translator is provided in person for the duration of the hearing, unless directed by the Parole Board for them to attend remotely, and that the arrangements comply with regulations and/or best practice.</p> <p>Prisons are required to comply with the HMPPS Welsh Language scheme ensuring prisoners whose first or preferred language is Welsh have access to Welsh translations where required.</p> <p>Further information on interpreters/translations and supporting Foreign National Offenders (FNO) with language barriers can be found on the intranet.</p>	Prisons

Keeping Prisoners Informed and Helping Them Prepare		Action By
3.5.3	<p>Prisons must ensure that prisoners are informed of the date, time and format (for example remote/hybrid/ face-to-face) of their hearing once it has been listed by the Parole Board. Staff must discuss the hearing with the prisoner to ensure that they understand its purpose and know what to expect. This includes sharing the dossier with the prisoner in a timely manner.</p> <p>When delivering news to the prisoner about their oral hearing, it is important that staff provide this information respectfully in a private setting and ensuring prisoners are aware of the support services available to them, especially in the event of receiving bad news.</p>	Prisons
3.5.4	<p>Prisoners should be encouraged to seek legal representation or request help from a third-party representative. Prisons must provide an up-to-date list of legal advisers, supplying appropriate forms and assist in completing these where requested due to language or literacy difficulties. A third-party representative can be a family member, friend, mental health advocate or someone else who can assist, provide advice and support them through the process (subject to exclusions as set out in the Parole Board Rules). This will be subject to Governor approval for an individual to have access to the prison. Brief details are also given in the Parole Board Easy-to-read leaflet, which can be accessed from the Parole Board website: https://www.gov.uk/government/organisations/parole-board</p>	Prisons

Part 6 – Day of the Hearing

3.6 On the day of the hearing the following arrangements must be made:

Remote Hearings: Accessing the hearing remotely		Action By
3.6.1	The prison is responsible for connecting remotely to the oral hearing on behalf of the prisoner. The joining details will be provided by the Parole Board when the timetable is issued.	Prisons
3.6.2	The Parole Board is responsible for setting up the link to the remote hearing. When connecting to the hearing, the prison must ensure this connection is made over a secure line.	Parole Board Prison
3.6.3	The Parole Board is responsible for verifying the identity of all participants attending remotely.	Parole Board
3.6.4	The prison should confirm with the Panel Chair when it is appropriate to bring the prisoner to the hearing.	Prisons
3.6.5	Where there are technical difficulties on the day of the oral hearing, the Parole Board hearing support team should be informed as soon as possible. Witnesses/attendees should dial into the oral hearing by telephone to inform the panel of the difficulties. The details required to dial into the oral hearing by telephone will be provided by the Parole Board within the joining details.	Prisons Probation Service YJS PPCS

Face-to-Face and Hybrid Hearings: Accessing the Prison – Security Arrangements		Action By
3.6.6	Governors will ensure that gate staff in their prison are provided with the details of <u>all</u> the oral hearing attendees in advance of the hearing date. This information can be found on the hearing timetable issued to the prison by the Parole Board.	Prisons
3.6.7	<p>Hybrid Hearings Only: In line with normal security arrangements, the prison is responsible for verifying the identity of all those attending the prison face-to-face.</p> <p>However, the Parole Board is responsible for verifying the identity of all participants to the hearing, whether they are attending in person or remotely.</p>	Prisons Parole Board
3.6.8	Prisons must treat Parole Board members, all oral hearing witnesses/attendees and any victims attending to read out their Victim Personal Statement, as visitors in accordance with local security strategies, which must be compatible with the national policy. This includes policies in respect of searches including the Management of internal security procedures policy framework (closed and open prisons) - GOV.UK and Providing Visits and Services to Visitors.	Prisons
3.6.9	With the exception of Parole Board members' I.T. equipment (see also paragraph 3.6.12 below), all rules on possession of prohibited items apply to Parole Board members and oral hearing witnesses/attendees, including victims.	Prisons Probation Service YJS PPCS
3.6.10	Governors will ensure that their prison provides appropriate and secure storage facilities for any prohibited items belonging to hearing attendees, including any overnight bags.	Prisons
3.6.11	<p>Upon arrival, attendees must be escorted to the part of the prison where the hearing is taking place as soon as possible. Prisons must not wait for everyone to arrive before escorting participants to the hearing area. Where possible, attendees should notify the prison beforehand of their expected arrival time.</p> <p>However, Parole Board panel members will generally arrive by 9.30am for the pre-panel discussion and must be escorted to the hearing room as soon as possible. All other attendees should arrive up to half-an-hour before the hearing, although HMPPS Victim Representative may arrive earlier to check the hearing room.</p> <p>The prisoner will require a separate room to facilitate a private consultation with their legal representative. Witnesses/attendees must be escorted to a third room (see also paragraphs 3.6.15 – 3.6.19 regarding the arrangements for victims who attend in person).</p>	Prisons Probation Service YJS PPCS
Parole Board Members' I.T. Equipment		Action By
3.6.12	A Memorandum of Understanding (MOU) has been signed by HMPPS and the Parole Board which permits Parole Board Members to bring their official tablet computers, associated	Prisons Parole Board

	dongle and recording devices into prisons. Attendees with this equipment should bring the MOU with them to the prison.	
3.6.13	Governors must ensure gate staff follow the terms of the MOU so that Parole Board Members are not delayed getting into the prison.	Prisons
3.6.14	Any loss or security incident involving a Member's possessions must be reported to the Parole Board case manager immediately. Any incident affecting the security of a parole dossier must also be reported to PPCS and the Parole Board. Security incidents should also be reported to the duty manager/Governor within the prison.	Prisons Probation Service YJS PPCS
Arrangements for Victims Attending in Person		Action By
3.6.15	<p>When a victim is attending a hearing (upon approval from the Parole Board), a HMPPS Victim Representative provided by HMPPS will always accompany them to provide help and support (see also paragraph 5.47).</p> <p>The HMPPS Victim Representative will liaise with prisons prior to the hearing to ensure that they are aware of when the victim will be arriving and prisons must ensure that they are given prompt access to the prison.</p> <p>There may be some exceptional cases where a Victim Liaison Officer (VLO) has built up a close, supportive relationship with the victim and as a result the victim may not want to attend if the VLO cannot accompany them. In such cases, where permission has been granted by the VLO's manager, the VLO will attend as well as the HMPPS Victim Representative. Attendance in such cases will only be agreed by the Parole Board in exceptional cases.</p>	PPCS Probation Service YJS
3.6.16	Governors will ensure that arrangements are in place to ensure that victims do not come into contact with the prisoner or any members of the prisoner's family who may be attending the hearing to give the prisoner support. If the prisoner and the Parole Board Panel Chair are in agreement then the victim will read the VPS in the presence of the prisoner, should they request to. Alternatively, the victim can read the VPS to the Panel in the absence of the prisoner.	Prisons
3.6.17	<p>Governors will ensure that a separate waiting room is provided for the victim(s). The room must allow quick access to the hearing but must not be directly next to the prisoner's allocated room or on a route to the hearing room where there could be contact between the victim and the prisoner. Additionally:</p> <ul style="list-style-type: none"> • The room must be private and quiet; • Conversations inside the room must not be able to be heard outside of the room; • The room must be comfortable and equipped with chairs; • Tissues must be available in the victim's room; and • Hot and cold drinks must also be provided before and after the hearing. 	Prisons

3.6.18	<p>The HMPPS Victim Representative will have advanced access to the prison facility prior the victim's arrival.</p> <p>In many cases this will include a 'route walk' of the prison from the prison entrance to the hearing room to allow the HMPPS Victim Representative to identify any potential issues, such as when prisoners are moved. Where changes are required, the prison must make all reasonable adjustments, such as amending the 'route walk' to take into account prisoner movements.</p>	Prisons Probation Service
3.6.19	<p>The victim will be required to leave the hearing once they have read out their statement unless the Parole Board has approved a victim request to attend the hearing as an observer (for further information please refer to 3.7.10). Hearings can be a difficult experience for victims, therefore prisons, along with the HMPPS Victim Representative, should escort the victim to the allocated room after the hearing, where the victim and HMPPS Victim Representative can speak privately, if they wish to, before leaving the prison.</p> <p>Governors must ensure that there is a member of staff available to escort the victim out of the prison without any undue delay. If the victim is appearing remotely the VLO/HMPPS Victim Representative must ensure that the video-link/ telephone conference link is disconnected once the statement has been read out. See paragraph 3.6.21 for further details on arrangements for victims who are attending hearings remotely.</p>	Prisons PPCS Probation Service YJS
3.6.20	If the HMPPS Victim Representative has any concerns about the arrangements that a prison has made for victim attendance, then they must escalate this to the Offender Management Unit Manager or equivalent in the first instance.	PPCS Prisons
Arrangements for Victims Attending Remotely to read their VPS		
3.6.21	<p>Where the victim is attending remotely, the Parole Board will provide a separate link to the VLO to facilitate the reading of the VPS.</p> <p>The VLO will assist the victim with dialling in.</p>	Probation Service PPCS
3.6.22	<p>Prisons are required to facilitate the reading of the VPS where:</p> <ul style="list-style-type: none"> a) the victim has requested that the prisoner is present for the reading of the VPS and the prisoner has agreed to this; and b) the prisoner's representative is at the prison for a face-to-face or hybrid hearing and needs to be connected to the reading of the VPS prior to the main hearing. <p>Please refer to paragraph 5.47 for guidance.</p>	Prisons
Arrangements for Prisoners' Representatives and Supporters		Action By
3.6.23	Governors will ensure that arrangements are in place to allow the prisoner to consult with their representative in the lead-up to the hearing and before the scheduled hearing start time on the day. Prisons must set aside at least an hour for the pre-hearing visit. <u>This pre-hearing visit must take place in a private room.</u>	Prisons

3.6.24	There may be cases where immediately after the hearing a post-hearing consultation is required. The prison will make the necessary arrangements to allow the prisoner to consult with their representative, wherever possible.	Prisons
3.6.25	If a member of the prisoner's family or another person is attending the hearing as a supporter, the Governor must make arrangements to ensure that these individuals do not come into contact with any victims and that they are suitably accommodated and escorted.	Prisons
Refreshments and Other Facilities		Action By
3.6.26	Governors will ensure that the prison provides a sandwich lunch and refreshments, including water and hot drinks, for panel members and witnesses/attendees attending to take part in an oral hearing. If Parole Board members or witnesses/attendees have specific dietary requirements, it is the responsibility of the Parole Board Secretariat/witnesses/attendees to notify the prison during the listing process, in order that the prison can accommodate those dietary requirements, wherever possible.	Prisons
Escalation routes		
3.6.27	Where the running of the oral hearing does not meet expectations, and the matter cannot be resolved at the time with reference to this Policy Framework, then the PPCS team leader should be notified as soon as possible.	Prisons Probation Service Parole Board

Part 7 - Observing a Parole Board Oral Hearing

HMPPS Staff and Other Applications		Action By
3.7.1	Where a member of HMPPS Staff wishes to observe the oral hearing, they should apply via email to the PPCS case manager outlining the reasons why they wish to do so. Requests must be submitted as soon as possible after the case has been referred for a parole/recall review, and no later than 10 weeks before the allocated oral hearing .	HMPPS
3.7.2	Where an application is made prior to the Parole Board directing an oral hearing, the application may be reviewed by the Parole Board at the MCA hearing. The Panel Chair makes the final decision.	Parole Board
3.7.3	PPCS is responsible for submitting all applications on behalf of HMPPS Staff to observe an oral hearing, copied to the prison and the prisoner's legal representative. The prison must provide a copy of the application to the prisoner within one working day. Applications must be submitted to the Parole Board at least 8 weeks before the date allocated for the oral hearing . If a late application is submitted, PPCS will provide clear reasons (as provided by the requestor) for the late submission in their	PPCS Parole Board Prison

	application. The Panel Chair will make a final decision as to whether the application will be accepted.	
3.7.4	Where a prisoner's supporter or any other third party wishes to observe an oral hearing, they must apply directly to the Parole Board and copy PPCS (on behalf of the SSJ) in the email. Requests must be submitted as soon as possible after the case has been referred for a parole review, and no later than 8 weeks before the date allocated for the oral hearing .	Parole Board
3.7.5	The Parole Board is required to provide an opportunity for the parties to make representations in relation to any applications received to observe an oral hearing.	Parole Board PPCS
3.7.6	Where required PPCS will inform all HMPPS witnesses of the application and request that they provide any relevant information on the observer application, which will be included in the SSJ representations.	PPCS
3.7.7	The Parole Board Panel Chair (or a delegated authority) is responsible for deciding whether the observer application should be accepted and will issue the decision to PPCS and the prisoner, copying in all witnesses. The Panel Chair's decision is final and there is no appeal process.	Parole Board PPCS
3.7.8	Following, a successful application to observe an oral hearing, the Parole Board will consider whether to hold a case management conference on a case-by-case basis and will invite participants. This will usually include the Probation Practitioner/COM, POM, and the legal representative.	Parole Board
3.7.9	If the application is granted, the Parole Board will notify the individual, whether they must attend the prison or remotely. The individual must comply with all rules/requirements set by the Parole Board and must sign a confidentiality agreement. Further information can be found in the Parole Boards observer guidance for oral hearings.	Parole Board

Victim Applications		Action By
3.7.10	Where a victim (signed up to the Victim Contact Scheme) wishes to observe the oral hearing, they will complete an application form. The VLO will complete a notification form and send both documents to the PPCS caseworker Requests must be submitted as soon as possible after the case is referred for a parole review, and no later than 10 weeks before the allocated oral hearing .	HMPPS
3.7.11	PPCS is responsible for submitting all applications on behalf of victims to the Parole Board and should copy the prisoner/legal representative into the email. Once the application is received,	PPCS

	<p>PPCS will ask report writers for information, including any risk-based concerns. PPCS will collate responses and put forward the application and SSJ representations using the Stakeholder Response Form (SHRF).</p> <p>Applications must be submitted to the Parole Board at least 8 weeks before the date allocated for the oral hearing.</p> <p>If a late application is submitted, PPCS will provide clear reasons (as provided by the victim) for the late submission in their application. The Panel Chair will make a final decision as to whether the application will be accepted.</p>	
3.7.12	The Parole Board is required to provide an opportunity for the parties to make in relation to the victim application to observe an oral hearing.	Parole Board PPCS
3.7.13	The Parole Board Panel Chair (or via delegated authority) is responsible for deciding whether the observer application should be accepted and will issue the decision to PPCS and the prisoner, copying in all witnesses. The Panel Chair's decision is final and there is no appeal process.	Parole Board PPCS
3.7.14	Where an application is made prior to the Parole Board directing an oral hearing, the application may be reviewed by the Parole Board at the MCA hearing. The final decision is made by the Panel	Parole Board
3.7.15	Following, a successful application to observe an oral hearing, the Parole Board will consider whether to hold a case management conference on a case-by-case basis and will invite participants. This will usually include the Probation Practitioner/COM, POM, the Victim Representative and the legal representative.	Parole Board
3.7.16	If the application is granted, the victim will be required to attend remotely to view the hearing and must comply with all rules/requirements set by the Parole Board.	Parole Board HMPPS
3.7.17	<p>Where the victim's application is granted, a HMPPS Victim Representative will be assigned. They will make contact with the victim to prepare them for attendance to observe, arrange a suitable location to observe and will accompany the victim to provide support on the day. The Parole Board will require that the victim signs a confidentiality agreement prior to the oral hearing as a condition of attending.</p> <p>Further information can be found in the Parole Board victims' guidance.</p> <p>If they wish to read out their VPS to the Panel, this request should be made separately from the application to observe the hearing. For further information please refer to 3.6.15-3.6.22.</p>	HMPPS

Part 8 – Public Oral Hearings

Public Oral Hearings		Action By
3.8.1	Any individual (including victims, the media, members of the general public or the prisoner) can apply to the Parole Board to request that an oral hearing is held publicly, 12 weeks prior to the hearing. If a late application is submitted, as part of the application, the individual will provide clear reasons for the late submission. The Parole Board Chair or a (delegated judicial member.) may decide to alter the time limit under the Parole Board Rules and accept the late application. The Parole Board Chair (or a delegated judicial member) will make a final decision as to whether the application will be accepted	Parole Board
3.8.2	The Parole Board will seek representations from PPCS (on behalf of the SSJ) and the prisoner in relation to any application received to hold the oral hearing publicly. Representations must be provided to the Parole Board. Where either party requires an extension, a request must be made to the Parole Board prior to the deadline.	Parole Board PPCS
3.8.3	PPCS is responsible for submitting representations on behalf of the SSJ.	PPCS
3.8.4	PPCS will inform HMPPS report writers/witnesses (including VLOs) of the application and ask for information for inclusion in the SSJ representation, including any risk-based concerns.	PPCS
3.8.5	The Parole Board Chair is responsible for deciding whether a public hearing should take place and will issue the decision to PPCS and the prisoner. The Chair's decision is final.	Parole Board
3.8.6	PPCS is responsible for informing the prison and the COM/Probation Practitioner/VLO of the Parole Board's decision. VLO is responsible for informing the victim.	PPCS Probation Service
3.8.7	If the application is granted, the Parole Board will usually convene a case management conference (where required) prior to the public oral hearing.	Parole Board
3.8.8	When the hearing takes place, all members of the public (including victims and Press) will be required to attend the Parole Board offices (or the venue prescribed by the Board) to view the hearing and must comply with all rules/requirements set by the Parole Board. Where the Parole Board accept a victim (engaged with the VCS) application, the HMPPS Victim Representative will support them on the day. For further information please refer to the Public Oral Hearing guidance.	Parole Board

4. **Constraints**

Interpreters		Action By
4.1	If prisons are unable to engage the services of an interpreter on the hearing date this should be raised with the PPCS case manager as soon as possible for alternative arrangements to be made.	Prisons
Oral Hearing Witnesses/Attendees		Action By
4.2	Prisons/Probation Service must not apply to call witnesses/attendees directly to the Parole Board but can submit a request to PPCS.	Prison Probation Service
4.3	Only the prisoner (or their representative) and PPCS, on behalf of the SSJ, may apply for leave to call additional witnesses but the final decision rests with the Panel Chair.	PPCS
4.4	Potential witnesses cannot refuse to attend to the Parole Board oral hearing. The Board can apply for a witness summons to compel attendance.	Parole Board
4.5	A witness summons is only used as a last resort but failure to comply with the terms of a summons may be treated as contempt of court.	Parole Board
4.6	Only PPCS can provide an SSJ Representative for an oral hearing.	PPCS
4.7	The Parole Board's decision on whether witnesses can give evidence remotely is final. Where the hearing is face to face, applications to give evidence remotely must be submitted within 14 calendar days of the scheduled oral hearing date.	Parole Board
4.8	When victims are attending an oral hearing, prisons must not discuss the prisoner or details of the case with them or their family.	Prisons

5. **Guidance**

Parole Board oral hearings

Types of Parole Board Oral Hearings

- 5.1 Where an oral hearing is directed by the Parole Board, the panel chair will decide the format of the oral hearing. The Parole Board Panel will consider whether a hearing can be conducted by telephone and/or video as the majority of cases will be suitable for this option, or a form of hybrid arrangement. When directing a face-to-face hearing, the Parole Board panel will give their reasons why a face-to-face oral hearing is necessary when making that direction. The following hearing formats are currently available:

Remote hearings:

- 5.2 Video hearings - The Parole Board currently use the Cloud Video Platform (CVP) to undertake hearings virtually. The prison require video conferencing technology (videolink)

to link into the hearing. Other witnesses/attendees may join from a video-capable device with a camera and microphone. Joining details will be provided by the Parole Board.

Telephone hearings - The Parole Board will use Microsoft (MS) Teams. Prisons will require a telephone with a speaker function, and the telephone number provided in the Parole Board's joining details. A PIN may also be required. Other witnesses/attendees can dial into the oral hearing from any type of telephone.

In person:

- 5.3 Face-to-face hearings – These hearings are held in the prison and require a large room that can comfortably accommodate the Parole Board panel members, the agreed witnesses/attendees and the prisoner. A telephone with speaker function should be available in the room in case a witness/attendee needs to dial in.
- 5.4 Hybrid hearings – These types of hearings are held within the prison, and by video/telephone. Some witnesses/attendees attend in person at the prison, and other witnesses/attendees join the hearing remotely. As a minimum usually either the prisoner and a panel member, or the prisoner and the prisoner's legal representative attend in person at the prison, whilst other witnesses/attendees attend remotely. The prison should allocate a room, with video equipment, which is large enough to accommodate the agreed witnesses/attendees attending in person.
- 5.5 The prisoner may apply to the Parole Board to appear before a panel in person if they have reason to believe a remote oral hearing will prevent their case from being considered fairly. The final decision rests with the Parole Board Panel Chair.
- 5.6 When considering suitability, the Parole Board panel will identify relevant issues from the dossier and take account of any representations which have been made by the prisoner or their representative. If a case is not suitable for a telephone or video hearing, clear reasons will be given by the Parole Board.

Oral hearings taking place in prisons

- 5.7 It is recognised that, due to the wide range of prison designs, there will be variations across the prison estate in the types of rooms available for hearings.
- 5.8 In addition to the mandatory criteria for oral and remote hearing rooms given in paragraphs 3.1 and 3.2, the following criteria are also desirable where resources permit:
 - Parole Board members, prisoner's representative and witnesses/attendees to have access to an outside telephone line for confidential business use; and
 - Suitable toilet facilities should be available near the hearing room.

Hearing room availability and capacity

- 5.9 The demand for oral hearings has increased over the years. To manage the increased workload, the Parole Board will list multiple hearings per day to maximise the number of panels held. Before fixing the date, they will provide the prison with an opportunity to declare any dates or times when the oral hearing room(s) will be unavailable.

- 5.10 It is recognised that holding multiple hearings per day may be challenging for some prisons. Governors are expected to do their utmost to accommodate all hearings the Board wishes to hold while ensuring that the security and safety of attendees remains a priority. By maximising the number of hearings that can be held in their prisons, Governors can play a pivotal role in ensuring Parole Board reviews are completed on time and prisoners' progress towards release is not unduly delayed. However, there may be dates/times where staff resources or the location of the hearing room impinge on the ability of the prison to accommodate hearings safely, such as training days and religious services. The design/structure of certain prisons (particularly older ones) may also limit the ability to accommodate hearings when the location of the only available hearing room conflicts with the functioning of the regime and impinges on safety. It is recognised that the security/safety of staff, prisoners and hearing attendees should always be prioritised. Prisons must continue to be as flexible as possible in accommodating hearings and should notify the Parole Board in advance of any dates/times and planned construction/engineering works when hearings cannot take place.
- 5.11 During and after the oral hearing, it is important that prison staff ensure that the appropriate support for the prisoner has been identified and is available, taking into consideration their specific needs and who would be the appropriate person to offer that support. Where the hearing is taking place remotely and the prisoner will be attending on their own, it may be beneficial to consider what support the prisoner may require, for example the attendance of a keyworker or other appropriate person to provide support. Where this need has been identified, prisons should request that PPCS make an observer application, providing full reasons for the application, for further information including deadlines for applications, please see paragraph 5.54.
- 5.12 Staff will need to ensure when the hearing is attended via videolink that the prisoner is only having contact with the intended witnesses (representatives/ Parole Board not the victim). For further information, please refer to the guidance - Understand risk and share information (sharepoint.com).
- 5.13 Following the conclusion of the oral hearing, if prison staff have any concerns about the prisoner's wellbeing, support should be offered in line with the prison's guidance and practices. If the prisoner is under the care of Assessment, Care in Custody and Teamwork (ACCT), particular care should be taken when the prisoner attends the hearing, as this could be a stressful time for them. Staff should ensure that there is the appropriate support in place.

Use of video and telephone conferencing Technology

- 5.14 In cases where the Parole Board have directed a face-to-face oral hearing the COM/ Probation Practitioner, and any other witnesses/attendees not based at the prison where the hearing is being held, can apply to give their evidence by video-link. Witnesses/attendees wishing to give their evidence remotely should apply to the Parole Board accordingly and no later than 14 calendar days after the timetable has been issued. The final decision is a matter for the Parole Board Panel Chair.
- 5.15 If there are any concerns over the quality of teleconference or video-link facilities these should be raised with the prison concerned. If the facilities are not of the required standard, then that prison may not be able to host an oral hearing using those facilities in future.

Hybrid/ Remote Hearings Only:

- 5.16 Where the Parole Board has provided laptops to prisons, they must be made available for the Parole Board if required, and booked out only to other prison departments authorised to use them. The laptops may be used to enable witnesses/attendees attending in separate areas of the prison to also be visible during the hearing.
- 5.17 Prisons should ensure that the Parole Board is notified of any planned technical/engineering work which may disrupt the availability of video/telephone conferencing equipment.
- 5.18 In order for hybrid hearings to proceed efficiently, remote equipment should be used to connect participants, which should enable a strong connection and full visibility of prison-based witnesses/attendees. If there are any concerns about facilitating this, prison staff should contact the Parole Board case manager in the first instance.
- 5.19 In cases where the Parole Board decides that a telephone link for witnesses/attendees who are not physically attending the prison is suitable, a room with a telephone that has a speaker function should be sourced.

Keeping prisoners informed and helping them prepare

- 5.20 The oral hearing is likely to be a daunting prospect for the prisoner, especially if it is their first one. Prison staff should take time to discuss any concerns with individual prisoners and consider how best to overcome them and support them to secure appropriate legal advice and representation. One example of good practice is to hold mock hearings where prison staff play the role of Parole Board members. Prison staff may also provide the prisoner with a copy of the Parole Board's Easy Read Guides to parole and oral hearings, or the Easy-to-Read leaflet, if appropriate. These provide information on the parole process. Where appropriate the Parole Board will contribute to Lifer days or other events aimed at providing information to prisoners. Further information can be accessed from the Parole Board webpage: <https://www.gov.uk/government/organisations/parole-board>

Oral hearings directed for licence variations, suspensions, re-impositions and IPP terminations Guidance

- 5.21 Parole Board directed oral hearings for licence variation, suspension, re-imposition and IPP termination cases are anticipated to be rare and consideration for directing an oral hearing will be on a case-by-case basis.
- 5.22 If the hearing is directed to be conducted remotely or by a hybrid hearing, the individual if in the community, will still be required to attend the agreed location sourced by HMPPS or if attending remotely, from a location of their choosing (such as their representative's office.). If the prisoner is still in prison, then the responsibility will be on the prison to locate a suitable room. Any such location must comply with the requirements of a parole oral hearing.
- 5.23 HMPPS will locate a venue taking account of all risk concerns and consider risk management measures of potential locations, to ensure the safety of all attendees. In certain cases, where MAPPA is involved, it may be appropriate to hold a multi-agency meeting prior to the hearing to discuss the logistics of the venue and any risk concerns.

- 5.24 In community cases, where the licence variation or reimposition of supervision case has progressed to an oral hearing, and there is a delay between the decision to request a licence variation and the decision to grant it, there may be an impact on risk. The Probation Service will need to consider the impact of any delay to the decision, particularly in cases where the licence variation request is intended to manage escalating risk of serious harm. Where a licence variation request has been made as an alternative to recall, the Probation Service should revisit the risk management plan upon learning that the decision has progressed to an oral hearing. Where the licence variation request is in response to reduced risk, the Probation Service should consider what would continue to maintain the motivation of the person on probation whilst awaiting a decision. In all cases, the Probation Service should assess the impact on the person on probation of attending an oral hearing and consider how this affects engagement, risk and reoffending.
- 5.25 Oral hearings directed for these cases are anticipated to be rare and when directed, will more than likely be held in the community. In most cases these hearings will be heard remotely (unless the individual has specific needs which require an in-person hearing), if so, the individual can attend from their representative's office (if their representative agrees). If unrepresented, they will need to attend via their Probation Practitioner's/COM's office. However, all the guidance and requirements on attendance of the oral hearing within this Framework still apply. In cases where the victim has requested to read their VPS, HMPPS staff and the VLO should work in conjunction with each other to find a suitable location, taking into account how the individual will be attending the hearing.

Oral hearing witnesses/attendees

- 5.26 The Parole Board will call the witnesses/attendees they deem necessary to provide information to help them assess the risk and reach a determination in each case. COMs/Probation Practitioners and POMs should always expect to be called to give oral evidence except in pre-tariff cases, as under OMiC there will not yet be an assigned COM/Probation Practitioner, so only a POM is likely to be called in these cases. Some hearings will require the attendance of an HMPPS psychologist, or a psychologist commissioned, acting on behalf of HMPPS. On occasions, other staff such as healthcare, security or wing staff may also be called upon.
- 5.27 Where there are any difficulties in obtaining the availability of witnesses/attendees, the Parole Board will escalate the matter to PPCS who, where the witnesses/attendees are an employee of MOJ, will seek to resolve the issue at local level. Where absolutely necessary, an application can be made to the court for a Witness Summons, see paragraph 3.4.5 for further information-.
- 5.28 When providing their availability, if HMPPS witnesses wish to attend the hearing in person to give their evidence, they should always ask permission from the Parole Board via submission of a Stakeholder Response Form.
- 5.29 If witnesses/attendees are unsure why they have been called to give evidence they should contact the PPCS case manager for advice in the first instance. PPCS can seek clarification, and if necessary apply to vary a direction to give evidence on behalf of a prospective witness/attendee. However, the final decision rests with the Parole Board and witnesses/attendees cannot refuse to give evidence if called (see also paragraph 3.4.5). Directions should be clear on why a particular witness/attendee is required and should be raised with the Parole Board via PPCS where they are not clear.

- 5.30 Where a victim is intending to attend a hearing (to read the VPS or to observe), it is the responsibility of the VLO to ascertain any sensitive dates to avoid for the hearing. The VLO must inform PPCS of these dates as soon as possible so they can be shared with the Parole Board and consideration can be given to avoiding these dates where possible. However, the final decision on the date of the hearing lies with the Parole Board. Once a date has been set it is unlikely to be moved due to the availability of the victim or a clash with a sensitive date.
- 5.31 There may be occasions on which witnesses/attendees are stood down by the Parole Board. In these instances, the witness/attendee will no longer need to attend.
- 5.32 There will be observers at some hearings, which can be requested by the prisoner, the SSJ or as part of professional development for an individual. HMPPS staff should send requests to observe an oral hearing to PPCS. PPCS is responsible for making an application to the Parole Board. For further information, see Part 7 of the Framework requirements.
- 5.33 HMPPS Staff are representing the Service whilst attending an oral hearing and should ensure that they act appropriately. All participants should be aware of how their behaviour may present to others during the hearing (regardless of the format of the hearing).
- 5.34 Witnesses should be prepared to give evidence and must co-operate with the Parole Board, answering truthfully any directions and questions posed by the Board, to the extent that the witness feels capable of providing the Board with an answer.
- 5.35 If a witness feels capable of providing a professional opinion on the question of whether a prisoner can be safely managed in the community or be transferred to open conditions, they should provide the Parole Board with their opinion. Where they feel unable to do so, they should explain why. Witnesses who provide the Parole Board with their opinion should ensure that that opinion is expressed as their own, and not of the Secretary of State. The Secretary of State is a party to Parole Board proceedings and may wish to present their own view as to whether or not the statutory release test is met. Further guidance is available on EQuIP via this [link](#).

The Secretary of State's Representative/Counsel

- 5.36 PPCS will consider sending a Secretary of State Representative to attend an oral hearing but only where representation is required in order to facilitate the progress of the review.
- 5.37 Where PPCS deem it appropriate for a Secretary of State Representative to attend, they will inform the prison and the Parole Board who the representative will be in advance of the hearing.
- 5.38 Following the amendment to the Parole Board Rules 2019, where considered appropriate, the Secretary of State may choose to provide the Parole Board with an overarching Secretary of State view which takes account of all reports and available evidence, including any professional opinions offered by report writers. Where an overarching Secretary of State view is provided, the Secretary of State will be represented at any oral hearing by either a Secretary of State representative or by Counsel.
- 5.39 In addition, and entirely separate to the above, HMPPS (via the Secretary of State Victim Support Representative) also provides support to victims who choose to attend a recall hearing in order to read a Victim Personal Statement (VPS).

The day of the hearing

Accessing the prison - security arrangements

- 5.40 On arrival at the prison, everyone attending the oral hearing should expect to be searched in accordance with local searching strategies, which must be compatible with national policy. Prohibited items are not permitted inside the prison and will be held at the gate or nearby lockers. While prisons are required to hold the items, storage space may be limited and therefore hearing witnesses/attendees should only bring essential items to the prison. Storage will be provided for overnight bags where required. (See also Para 3.5.4).
- 5.41 Common examples of prohibited items include mobile phones including all technology that has communication accessibilities such as smart watches), cameras, sound recording equipment (with the exception of panel members digital recording equipment, which is permitted under the MOU – see also paragraph 3.6.12 and paragraph 5.44), tobacco products, food and aerosols. The full list of prohibited items is determined locally and if hearing attendees are unsure about the rules on particular items that they need to carry then they should check with the prison before travelling (see also paragraph 3.6.10).
- 5.42 It is unlawful to carry certain items into prison without authorisation and criminal proceedings can be taken against those who do so. For more information please see [Managing conveyance of unauthorised and illicit items policy frameworks \(open and closed prisons\) - GOV.UK](#).

Parole Board Members' I.T.

- 5.43 The majority of parole oral hearings are now digitally recorded (in response to a judgment handed down in the Administrative Court). Members will have microphones attached to their tablets which are discreet and included in the MOU for acceptable equipment that the Parole Board can bring into prison and secure hospital prisons. The Parole Board is required to audio record oral hearings for evidential reasons. However, should any attendee have an objection they can make their concerns known to the Parole Board Panel Chair who will consider the request. There will always be a digital recording of the oral hearing, unless there are exceptional circumstances. Recording will be stored securely by the Parole Board and access to a transcript can only be requested by the prisoner or the SSJ upon submission of substantive reasons which meet specific criteria.
- 5.44 The prison should already have a complete list of Panel Member devices being brought into the prison for the hearing (including recording devices), which is provided by the Parole Board Secretariat and each member will bring a copy of their MOU letter of authorisation to the prison on the day of the hearing, as noted in paragraph 3.6.12.
- 5.45 All Parole Board Members will rely on tablet computers to read parole dossiers rather than paper copies so the use of I.T. is now routine for all hearings.
- 5.46 Parole Board members will assume full responsibility for the safe-keeping of their I.T. equipment and other possessions taken into the prison

Arrangements for victims

- 5.47 In some hearings, the victim (or a family member) of the index offence may attend the hearing in person at the prison to read out their VPS. Where this is the case, the Parole Board case manager will alert all parties in advance that the victim will be attending. An HMPPS Victim Representative will always attend these hearings and liaise with the VLO and prison over practical arrangements, consulting with the Parole Board panel chair as required. If the victim is attending to solely read the VPS, they will leave after reading it. Attending the hearing to read the VPS is separate from observing the hearing, if the victim wishes to observe the hearing, an application to the Parole Board must be made in accordance with paragraphs 3.6.15, 3.6.21 and 3.7.10 above.
- 5.48 Where a victim is attending a hearing the HMPPS Victim Representative will contact the prison in advance of the hearing date to confirm the arrangements for the victim's attendance. The HMPPS Victim Representative will advise when the victim will arrive at the prison and the prison must arrange for staff to collect the victim from the gate promptly upon their arrival. This will help to ensure that the victim does not come into contact with the offender manager, solicitor or members of the prisoner's family. The HMPPS Victim Representative will also meet the victim prior to arrival at the prison to ensure that they are accompanied upon entry into the prison. The prison should advise the HMPPS Victim Representative of any issues that could arise at the time of arrival (such as lunchtime movements etc.). There may be some exceptional cases where a VLO has built up a close supportive relationship with the victim and as a result the victim may not want to attend if the VLO cannot accompany them. In such cases, where a victim specifically requests that the VLO accompany them and permission has been granted by the VLO's manager and the Parole Board Panel Chair, the VLO will also attend as well as the HMPPS Victim Representative. Attendance in such cases will only be agreed in exceptional cases and where it would make a difference to the victim attending.
- 5.49 Where the victim elects to attend the hearing remotely, the Parole Board will provide a separate link to the VLO to facilitate for the reading of the VPS. The VLO will assist the victim with dialling in.
- 5.50 As stated in the requirement section at paragraph 3.6.22, the prison will only be required to facilitate the reading of the VPS (under two circumstances) if:
- a) the victim has requested that the prisoner is present for the reading of the VPS and the prisoner has agreed to this; and/or
 - b) the prisoner's representative is at the prison for a face-to-face or hybrid hearing and needs to be connected to the reading of the VPS prior to the main hearing.
- 5.51 In these instances, the prison will receive two links for the hearing, one for the VPS reading and one for the oral hearing. The Parole Board will provide specific instructions on how to dial in and which equipment to use. If unsure how to facilitate this, prisons should contact the Parole Board case manager and for remote hearings, copy in the functional mailbox (hearingsupport@paroleboard.gov.uk).

Arrangements for the prisoner's representatives

- 5.52 Providing an opportunity for the prisoner to consult with their representatives before the hearing starts is essential to avoid the panel being delayed and the hearing having to be adjourned or deferred.

- 5.53 Prisons should allow up to an hour for the pre-hearing meeting (see also paragraph 3.6.23), although this will not be necessary in all cases. To facilitate good working relationships and reduce the possibility of delays on the day, prisoner's representative should be encouraged to discuss the arrangements with the prison before the day of the hearing.

Requests to Observe a Parole Board Oral Hearing

- 5.54 PPCS (on behalf of the Secretary of State) and the prisoner as parties to the proceedings can apply to the Parole Board for observers to attend an oral hearing. If a HMPPS staff member (except the HMPPS Victims Representative) and victims (who are signed up to the VCS) wish to attend an oral hearing as an observer, this should be requested via PPCS, who will apply to the Parole Board in writing. PPCS should be provided with the following information:
- The individual who has requested to observe;
 - Who the individual is in relation to the case;
 - If the application is from a victim and the name of the allocated VLO;
 - The individual's reasons for the observance (this applies to non-victim applications)
- 5.55 In the case of third parties or members of public, the Parole Board rules set out that if they wish to observe an oral hearing, they should apply directly to the Parole Board. Victims (who are not eligible for the VCS) are also able to apply direct to the Parole Board as a 'member of the public'. Under the Parole Board rules, 'a member of the public' can make an application to observe an oral hearing up to eight weeks prior to the oral hearing listing date.
- 5.56 For victims that are signed up to VCS, the VLOs should communicate with them as soon as possible (at the commencement of the parole review) and discuss whether they wish to make an application, to ensure there is sufficient time for the VLO to consider and facilitate the victim's needs.
- 5.57 PPCS and the prisoner will be provided with the opportunity to provide representations to the Parole Board in response to the application. Upon receipt of the representations, the Panel Chair will decide whether the observer application should be accepted. The Panel Chair's decision is final and there will be no opportunity for the applicant to appeal.
- 5.58 The oral hearings will be conducted in private unless the Parole Board Chair has separately approved an application for the oral hearing to be made public. For further information on Public Oral Hearings see Part 8 of the Framework Requirements.
- 5.59 All requests for observers are subject to the approval of the Parole Board Panel Chair and access to the prison (for face-to-face hearings) is given only with the permission of the Governor. Where the Parole Board Panel Chair admits a person as an observer, the Panel Chair can also impose conditions on that person's admittance, for example, that the observer cannot observe certain parts of the hearing (for example risk information, offending behaviour work, allegations of new offending).
- 5.60 In cases where victims wish to apply to observe an oral hearing, victims will be supported through the application process by their VLOs. If the application is granted by the Parole Board Panel Chair, they will also be supported by a HMPPS Victim Representative who will prepare them for attendance, organise the remote location and support them on the day of

the parole hearing. In the majority of cases, the victim will observe remotely (via a live stream) at an agreed location (likely to be a Probation Office) and as an observer they will not be able to take part in the oral hearing itself. Therefore, they will not be able to be seen or heard by the Panel (or anyone else participating in proceedings) and they will not be able to ask questions of the Parole Board Panel, the prisoner or any other attendee. If they wish to read out their VPS to the Panel, this request should be made separately from the application to observe the hearing.

- 5.61 If circumstances in the case change and there are additional concerns about observers attending the hearing, the decision for the observer to attend may be revisited by the Parole Board.

Public Oral Hearings

- 5.62 An application for a public oral hearing can only be made once a case has been directed to an oral hearing. The Parole Board will then process the application once the case has been listed, see paragraph 3.8.1 for further information.
- 5.63 Any applications should be submitted to the Parole Board at least 12 weeks before any scheduled oral hearing.
- 5.64 The Parole Board Chair is responsible for applying the interest of justice test when deciding whether a hearing should take place in public. The Parole Board will communicate the decision to all parties to the proceedings. The decision will be published on the Parole Board website. There is no opportunity to appeal the Parole Board decision and the decision is not eligible for Reconsideration or Power to Set Aside.
- 5.65 Where a public hearing is agreed, a case management conference will be convened by the Parole Board. All witnesses/attendees and prisoner's representative will be invited to attend. The purpose of the case management conference is to discuss the logistics of the public hearing. Where HMPPS witnesses/attendees or prisoner's representative have concerns about parts of the hearing being conducted publicly, they should outline them in their representations to the Parole Board ahead of the Panel Chair making their decision, see paragraph 3.8.1 for further information. These concerns will then be discussed as part of the case conference and the Panel Chair may decide to hear any particularly sensitive evidence in a closed part of the hearing without the public being present.
- 5.66 For further information on how Public Oral Hearings are conducted please see the Public Oral Hearings EQUIP map.