

## **Information for Victims**

### **Observing a Private Parole Oral Hearing:**

#### **CONFIRMATION**

***You are being provided with this leaflet as your application to observe a private parole oral hearing has been granted by the Parole Board.***

This leaflet is for your use as an agreed observer. With prior agreement from the Parole Board Panel Chair, you may share this leaflet with the person you have chosen who will support you on the day, if you have one. The HMPPS Victim Representative and/or your Victim Liaison Officer will also have a copy of this leaflet.

#### **You should not share this leaflet with anyone else.**

You should be aware that a change in circumstances **could** result in this agreement being withdrawn. The Panel Chair will only do this if they consider it necessary to do so and full reasons will be provided to you.

The Parole Board strongly recommends that you talk with someone who you trust and feel comfortable with about the impact that watching a parole hearing may have on you. Once you have been approved to observe a parole hearing, you should think carefully about how you might react to hearing information that may be distressing and graphic in nature. Think about whether you might need support from a victim service to help you deal with any impact on you. There are a range of options that may be suitable. Further information can be found in section H of this leaflet.

If you decide that observing the hearing is not going to be helpful you can always withdraw your application at any time. This is your decision.

It is recommended that you read the following information carefully. You can talk to your Victim Liaison Officer if you have questions or do not understand something.



### ***Information for approved victim observers***

<b>Section A: General Information</b>	
<b>The Parole Board</b>	The Parole Board is an independent body that sits as a court. It carries out risk assessments on prisoners to determine whether they can be safely released into the community.
<b>The Parole Board Rules 2019 (as amended)</b>	The Parole Board Rules allow a victim to apply to observe the private parole oral hearing of a prisoner who committed an offence against them. Reference to a private parole oral hearing in the rest of this document will now just be referred to as "the hearing".
<b>The Parole Board members</b>	Parole Board members conduct oral hearings as a Parole Board panel. The number of members on a panel can be 1 to 4 people, and they will always have a <b>Panel Chair</b> who will lead the proceedings. There are two parties to Parole Board proceedings: the Secretary of State for Justice and the prisoner.

<b>Section B: Observer Information</b>	
<b>Your name</b>	
<b>Name of anyone else who will be observing with you</b>	
<b>Victim Liaison Officer</b>	
<b>HMPPS Victim Representative</b>	

<b>Section C: Case Information</b>	
<b>Prisoner name</b>	
<b>Sentence type</b>	
<b>Date of Sentence</b>	
<b>Parole review number</b>	
<b>Options available to the Parole Panel as requested by the Secretary of State</b>	

<b>Section D: On the Day Arrangements</b>	
<b>Date of hearing*</b>	
<b>Time of hearing**</b>	

\* Please note that a parole hearing can be subject to a deferral or adjournment. This means that it is unable to take place as scheduled. This can happen in advance of the hearing day or on the day due to unforeseen circumstances arising at short notice. This happens in about 45% of cases. Occasionally, a planned oral hearing may be cancelled, and the review may be finalised on written evidence in the dossier. The Parole Board will aim to update all attendees as soon as possible if a hearing will not take place on the planned date.

\*\*The panel will set up the hearing before you join but will not take evidence before the joining time given to you.

Section E: Joining Instructions	
Hearing type	
Your attendance will be	

Section F: Observing a private parole oral hearing
<p>The Parole Board understands that observing an oral hearing can be daunting and difficult for you. There will be a lot of information to process on the day. It is important that you are aware of the following instructions before attending so you have time to understand what will happen and you can ask an HMPPS Victim Representative or your Victim Liaison Officer if you are unsure about anything.</p> <ul style="list-style-type: none"> <li>- You must abide by any conditions imposed by the Panel Chair. Conditions will be communicated clearly by the Panel Chair, and the HMPPS Victim Representative will explain to you what they mean ahead of the day when the hearing will take place.</li> <li>- You will attend remotely. This means you will watch the hearing from a laptop. You will usually need to travel to a local Ministry of Justice official building, where you will be supported by an official representative from HMPPS. The HMPPS Victim Representative will have already contacted you to organise all the practical arrangements.</li> <li>- The HMPPS Victim Representative will ask you to sign the Parole Board's Confidentiality Agreement before the hearing. Section G explains in more detail what information must not be shared and why this is necessary. If you choose not to sign the Confidentiality Agreement, the Parole Board will not be able to permit you to observe the hearing.</li> <li>- It is unlikely you will be in the same location as the panel, the prisoner, or other witnesses. Those attending might be at the prison or attending remotely. It may be a combination of these arrangements (called a "hybrid" hearing).</li> <li>- When you are linked into the hearing, the HMPPS Victim Representative will be able to confirm the role of each person at the hearing.</li> <li>- You will be able to see and hear the people ('attendees') involved in the hearing unless permission has been given for some attendees not to have their camera on. <b>No one in the hearing will be able to see or hear you as your camera and microphone will be switched off.</b></li> <li>- If you are reading your VPS this will take place first. After that you will not take part in the hearing and you do not give evidence to the panel. You will not be able to intervene, ask questions of the witnesses or prisoner, or address the Panel directly or indirectly.</li> <li>- <b>You can hear the majority of the evidence that the Parole Board panel will take to help them make their decision.</b> But there may be some parts of the proceedings which must be held in a "<b>closed session</b>". Observers are not permitted to watch those parts. Closed sessions enable confidential information about the prisoner to be discussed, like a release address or private medical information.</li> </ul>

- Should circumstances arise in which the Panel Chair thinks it is appropriate to end the observation, they may terminate the remote link. The HMPPS Victim Representative will assist with this on the Panel Chair's behalf.
- Information discussed at oral hearings can be graphic in nature and distressing. You should take steps to ensure you have adequate support following the hearing, should you need it. Further information can be found in **Section H** of this leaflet.

**The following information is important to note prior to the day of the hearing:**

- Please bring a form of photographic ID (e.g. passport / driving licence / other photographic identification).
- The HMPPS Victim Representative will meet you and take you through what will happen.
- The HMPPS Victim Representative will make all the arrangements for joining the hearing.
- You will not be on camera and there is no dress code. Please consider that you are attending a local government office and the hearing could be as long as five hours.
- You may wish to bring refreshments with you as there may not be local amenities close by to purchase anything during the comfort breaks or lunch break.
- If at any time during the hearing you wish to take a break, please tell the HMPPS Victim Representative who will help. Unfortunately, the parole hearing cannot be paused for this and so you may miss some of the proceedings. The panel will tend to take a break at an appropriate point in proceedings, dependent on the hearing length.

**Section G: Confidentiality**

If you are observing a hearing, you will be required to sign a Confidentiality Agreement. This will be given to you in advance. Please read the Confidentiality Agreement and the following information carefully.

**Whilst this information may appear unfriendly it is provided for your benefit to help you have a safe experience and so that you do not break any rules.**

The digital audio, video, or any other recording or transmission, including screenshots or downloads of private hearings by an attendee is **strictly forbidden**. You will be asked to switch off any mobile phones and confirm you have no other devices with you before the hearing starts.

Details of the hearing including location of the prisoner, the names of all attendees, personal circumstances, and any information discussed at the hearing must not be shared with anyone except where it is in the context of any treatment/therapy/support you receive from appropriate professionals, or in conversation with an HMPPS Victim Representative. Such conversations must be held in private and details must not be discussed in group work or with a wider audience. This is important to ensure you are protected against inadvertently/mistakenly sharing any confidential information in contravention of the Data Protection Act. The sharing of information could lead to legal action taken against you. A breach of privacy could also lead to action being taken against you by the prisoner.

If the Panel Chair has given permission for you to take notes you may do so, and you can take them away with you. Where the Panel Chair has permitted this, you must arrange to store the notes safely and dispose of them securely when no longer needed but **within three months** of the hearing. They must not be shared with other people.

The following information explains why **information you hear must not be shared**:

The Parole Board Rules require that the majority of hearings are held in private and what is discussed is confidential. This is set out in rule 15:

*15(3) An oral hearing (including a case management conference) must be held in private unless the Board chair considers, on their own initiative or on an application to the Board, that it is in the interests of justice for the oral hearing to be held in public.*

Rule 27 of the Rules (*Summaries and disclosure*) sets out some of the consequences of sharing information heard in hearing. In particular, rule 27(5) and rule 27(7) state:

*27(5) Subject to paragraph (1) and rule 17, the Board chair may prohibit or permit the disclosure, recording or publication of proceedings or information about proceedings under these Rules*

*27(7) A contravention of paragraphs (5) or (6), is actionable as a breach of statutory duty by any person who suffers loss or damage as a result.*

Also, section 170 of the Data Protection Act 2018 is relevant. You may be committing a criminal offence and could be subject to prosecution if you share any "personal data". If convicted of knowingly or recklessly disclosing personal data without the consent of the data controller, you are likely to incur a fine. You do not have the consent of the various data controllers to disclose any personal data you receive in the private parole proceedings. "Personal data" has a very wide definition and means **any** personal information relating to an identified or identifiable living individual.

Parole Board rule 15 and 27, and section 170 of the Data Protection Act apply to the passing on of information that includes the circumstances of any crime, information about previous convictions, rehabilitation, the management of the prisoner and the name of any person concerned in the proceedings. This applies to naming of any victim, the prisoner, any social worker, prison staff, the author of any report, any witness appearing at the hearing, the prisoner's representative and the members of the panel and their staff.

This means that you must not pass on any such information you hear in the hearing to any person not involved in those proceedings or to the public, including friends, relatives and the press and media.

The Board sits as a court, and interference with its proceedings can be contempt of court, which includes disruptive behaviour in the hearing, unauthorised recording of the proceedings, and failure to comply with the directions it makes. For anyone held to be in contempt of court, there may be serious consequences.

## **Section H: After the Hearing**

The Parole Board recognises that the parole process may be unfamiliar and concerning for many victims, particularly if you are observing a private parole hearing for the first time.

Before the hearing, we strongly encourage that you consider what support you may need on the day during and after the hearing. This might be a family member or a friend who you can ask to be with you. You may wish to talk to them about your experience at a later time, or seek some professional support if the things discussed have upset you.

Your VLO may be able to provide additional information about support that may be available. An advice and support leaflet is available, so please ask your VLO for a copy.

A summary of the parole decision will automatically be produced for all cases where a victim observes a hearing. However, you don't have to receive a copy if you don't want it.

There is further information published on the Parole Board's web pages, including a video and other supporting resources, which can be found here:

- [Our Commitment to Victims of Crime](http://www.gov.uk/guidance/the-parole-boards-commitment-to-victims-of-crime): [www.gov.uk/guidance/the-parole-boards-commitment-to-victims-of-crime](http://www.gov.uk/guidance/the-parole-boards-commitment-to-victims-of-crime)

The Ministry of Justice has published information for victims which can be found here:

- [Guide to parole for victims of crime](http://www.gov.uk/guidance/guide-to-parole-for-victims-of-crime): [www.gov.uk/guidance/guide-to-parole-for-victims-of-crime](http://www.gov.uk/guidance/guide-to-parole-for-victims-of-crime)
- [Information about the Victim Contact Scheme](http://www.gov.uk/government/publications/get-support-as-a-victim-of-crime/information-about-the-victim-contact-scheme): [www.gov.uk/government/publications/get-support-as-a-victim-of-crime/information-about-the-victim-contact-scheme](http://www.gov.uk/government/publications/get-support-as-a-victim-of-crime/information-about-the-victim-contact-scheme)

There is a support page for victims of crime on GOV.uk:

- [Get Support as a Victim of Crime](http://www.gov.uk/get-support-as-a-victim-of-crime): [www.gov.uk/get-support-as-a-victim-of-crime](http://www.gov.uk/get-support-as-a-victim-of-crime)

You may wish to seek support around the impact of the crime or after attending a parole hearing. There are many victim support organisations and the below signposting may be helpful in learning about these:

- A list of victim services for different types of crimes can be found here: <https://www.gov.uk/guidance/victim-and-witness-services>.
- Victim Support: [www.victimsupport.org.uk/](http://www.victimsupport.org.uk/). You can call their *Supportline* on 08 08 16 89 111 for free, 24/7. Victim Support can also direct you to the nearest office or provide support over the phone. Additionally, you can use their live chat service or access the free and secure [My Support Space](#) online resource.

[You may also wish to read about Restorative Justice after the hearing. Observing a parole hearing is not part of Restorative Justice and is a completely separate process. You can learn more about Restorative Justice and how to access the service through several organisations, such as:](#)

- [Why me?: why-me.org/](http://why-me.org/)
- [Victims First: www.victims-first.org.uk/crime-info/guidance-and-support/restorative-justice](http://www.victims-first.org.uk/crime-info/guidance-and-support/restorative-justice)