

Justice Committee

Oral evidence: [Work of the Parole Board](#), HC 1074

Tuesday 1 July 2025

Ordered by the House of Commons to be published on 1 July 2025.

[Watch the meeting](#)

Members present: Andy Slaughter (Chair); Pam Cox; Sir Ashley Fox; Warinder Juss; Tessa Munt; Sarah Russell; Dr Neil Shastri-Hurst.

Questions 1-87

Witnesses

I: Alexandra Marks, Chair-Designate, Parole Board; and Cecilia French, Chief Executive, Parole Board

Examination of witnesses

Witnesses: Alexandra Marks and Cecilia French.

Chair: Welcome to this afternoon's sitting of the Justice Committee, in which we are looking at the work of the Parole Board. We are pleased to have with us the incoming chair of Parole Board, Alexandra Marks, and the relatively new chief executive, Cecilia French, who has been in post for about nine months. Before we ask them to introduce themselves and answer our questions, we need to declare our interests.

Warinder Juss: I am Warinder Juss, MP for Wolverhampton West. I am a solicitor, although not practising. I am a member of the GMB union's executive council and a member of various APPGs.

Sarah Russell: I am Sarah Russell. My interests are as per the register. I am also a non-practising solicitor and a member of various trade unions.

Chair: I am Andy Slaughter, Chair of the Committee and the Member for Hammersmith and Chiswick. I am a non-practising barrister, a member of the GMB and Unite trade unions and a patron of two justice-related charities—the Upper Room for ex-offenders and Hammersmith and Fulham Law Centre.

Pam Cox: Good afternoon. I am Pam Cox, the MP for Colchester. My interests are declared on the register, and I will just add that I am the new chair of the APPG on penal affairs.

Tessa Munt: I am Tessa Munt, the Member for Wells and Mendip Hills in Somerset. Everything is on the register, but I will just point out that I am a vice-chair of the APPG on penal affairs and of WhistleblowersUK, which is a non-profit organisation.

Dr Shastri-Hurst: My name is Neil Shastri-Hurst. I am the Member of Parliament for Solihull West and Shirley. My interests are declared on the register.

Chair: Thank you very much. We will start with some questions from Neil and Tessa on your role in leading and managing the Parole Board.

Q1 **Dr Shastri-Hurst:** Ms Marks, could you broadly introduce yourself to the Committee and set out your background?

Alexandra Marks: It was partly inspired by the TV series, "Justice", in the 1970s, which I am sure you are all too young to remember. I wanted to be the Margaret Lockwood character, but life did not turn out that way. I became a solicitor, and I practised very happily in the City of London for 20 years in real estate and finance. My career was very conventional, except that my commitment to justice remained, and I was very involved at the time in Amnesty International and Justice, the all-party law reform organisation.



HOUSE OF COMMONS

It was only after about 20 years in practice, 13 as a partner, that I decided I wanted to be at the sharp end of dispensing justice, and I applied to be a Crown court recorder. It was rather a steep learning curve for me, because I had not studied criminal law since I was a law student, and I had never practised it. Part of my training as a recorder was visiting prisons and young offenders institutions, and I was quite shocked by what I saw. I became involved in a number of prison charities: the Sheriffs' and Recorder's Fund, based at the Old Bailey; the Prisoners' Education Trust, which I chaired; the Howard League, as a member; and the Hardman Trust, which I now chair.

Since then, I have also had some public appointments. I was a judicial appointments commissioner and a criminal cases review commissioner, and I have done a number of jobs on the conduct of professional bodies. I currently chair the conduct committees for both architects and chartered surveyors.

- Q2 **Dr Shastri-Hurst:** That is very helpful. You have set out your professional background in terms of your commercial practice and your regulatory experience. It is also helpful to hear your experience with the criminal justice system. Have you had specific dealings or engagement with the parole system prior to this appointment?

Alexandra Marks: No, I have not. Even though I have been sitting as a recorder for 20 years—and I still propose to sit, at the suggestion of the vice-chair, who is himself a retired judge—I have not dealt with many long-sentenced or indeterminate-sentence prisoners. Recorders, as you may know, tend not to deal with those kinds of cases. I have not directly encountered the Parole Board professionally.

- Q3 **Dr Shastri-Hurst:** In the light of that, what steps have you taken to prepare yourself for your new role?

Alexandra Marks: Preparing for this hearing has been very instructive, and I have also had an induction and access to a number of reports and materials. I do not start until 18 July, so I have yet to meet most of the staff members, although Cecilia and I have met a few times, and I have met staff in conjunction with preparing for this hearing.

- Q4 **Dr Shastri-Hurst:** You will be cognisant of the fact that, in recent years, the Parole Board has been under significant scrutiny, both from the media and the political world—particularly around the proposed release of John Worboys, for example. Could you set out how you have prepared for what is going to be, potentially, a very public-facing role?

Alexandra Marks: I have had public-facing roles before. I was just describing to Cecilia what a shock it was to me, coming from private practice as a solicitor, to sit in the High Court, where you are under intense public scrutiny in real time, as well as subsequently through the publication of judgments. I have had a little experience of that. My approach to familiarising myself with what the Parole Board does is obviously to meet and talk to the staff, the management committee and the members, of which there are some 300 at the moment. It is also to



familiarise myself with the framework agreement and the Parole Board's various other constitutional documents—I have looked at the rules. I appreciate that it is going to be a steep learning curve, but as you might have gathered from what I have just described, I have recent experience of joining new, public-facing organisations completely afresh without experience and getting to grips with what they are all about.

Q5 Dr Shastri-Hurst: We have had the benefit of a synopsis of your CV, and it is pretty packed. By my count you have four fee-paid appointments and another five or so voluntary appointments, in addition to this role. I have been doing some back-of-a-fag-packet maths, and by my calculation there are 253 working days a year, and of your professional appointments there is a minimum commitment of 140 days across the board. My understanding is that your commitment to the Parole Board is two days a week, so that is another 104 days. That leaves nine days left in the year, not taking into account annual leave and your voluntary roles. Do you feel that you have sufficient capacity to give to this role, given the significant workload involved and the required engagement with staff? I am not asking for a yes or no answer, but could you reassure the Committee that you are able to deliver such a significant leadership role?

Alexandra Marks: I anticipated this when I applied for the role, and I have already given up a considerable number of my existing commitments. I will no longer be involved in Linklaters, with effect from September—not that I was required to spend any time on that particular role. I have already given up many of my charitable activities. I hope you will not be surprised to hear that I have given up my role as a trustee of the Howard League, and indeed my membership of that organisation. I am stepping down as chair and trustee of the Hardman Trust later this month. I have already stepped down as a trustee of LawCare, the mental health and wellbeing charity for the legal professions. I have also stepped down as chair of the charities committee of the Worshipful Company of Solicitors. Some of my voluntary commitments are literally for one day a year, such as those for Corpus Christi College, Cambridge and for the Hampstead Theatre Foundation. I propose to retain my chairmanship of the Discover children's story centre in Stratford, east London, and for the time being my position as trustee of Standing Tall, a homelessness charity.

On my paid roles, as I already said, I have been asked if I will continue as a recorder in the Crown court. I propose to do so, but I will probably step down from my other judicial roles because I do not think they have the same direct relevance to the Parole Board function. For the time being, I propose to continue one day a week as the RICS conduct chair. In fact, that is a relatively undemanding role, essentially dealing with appeals. In the three years that I have been chair, there have been only three appeals. I am expecting another relatively shortly, but that role does not take up a huge amount of my time. However, I recognise that focus is very important, so my intention is to get to grips with the job that is facing me, as chair of the Parole Board, and then reassess which of my other commitments I will have to let go.



HOUSE OF COMMONS

Q6 Dr Shastri-Hurst: You will forgive me for probing on this, but none of the voluntary organisations that you list as having stepped back from is among the five that I identified as those you were still involved with. They have already gone. You still have a significant workload and commitment across both the professional and the voluntary sector. You have indicated that you intend to step down from some of those professional obligations. Do you have a timescale for when you propose to do so?

Alexandra Marks: Not at the moment, but I should say that I have not sat as a High Court deputy for some considerable time, so that is not an issue and is anyway an authorisation, not an appointment. I have not thought about the first-tier tribunal. In fact, I have not sat much there either, but if I were to step down it would require very little notice, because that is the way the fee-paid tribunal arrangements work. At a stroke, I would lose 30 days a year if I were to step back from that.

Q7 Dr Shastri-Hurst: One final question on this point: you say that you have not been sitting much as a High Court or first-tier judge; have you been doing your mandatory 30 days a year in those roles, or less than that?

Alexandra Marks: Yes, I have been doing that, though not as a High Court deputy because my sitting as a recorder counts for that.

Q8 Dr Shastri-Hurst: Ms French, you and Ms Marks are both new to the Parole Board. You have been in post for around nine months, and Ms Marks, as she has set out, is due to join later this month. Do you envisage any particular risks from having a new leadership team, particularly with both of you new to post, who are perhaps less familiar with the parole system?

Cecilia French: That is something that we are very conscious of as a senior leadership team, and so is the management committee, which is the board's main governance function. There are some mitigating factors. We have a very experienced vice-chair, who is staying on for a bit. Members of the management committee have been around for a while, and the senior leadership team, who sit beneath me, are highly experienced. In fact, one of the great things about the Parole Board is that people on the staff side tend to stay there for a while.

This is something I am very conscious of. There are always risks with being new, particularly when you have a new chair and a new chief executive, but I think we can draw on the stability and experience of those around us for support.

Q9 Dr Shastri-Hurst: You mentioned that the vice-chair will stay for a period. Do you know how long they are going to stay?

Cecilia French: Until the end of the year. There is an ongoing campaign at the moment, as you may have spotted, and we will see what comes of that.

Q10 Dr Shastri-Hurst: Ms Marks, you are able to delegate a number of the chair's responsibilities, including decisions about whether hearings should be held in public. How do you envisage approaching that when you



assume the role?

Alexandra Marks: Well, of course, I do not know a great deal about doing the role in practice yet, but I certainly envisage retaining quite a few of those kinds of decisions under the rules that are designated for the chair, even though the rules also permit me to delegate them or even appoint someone else to deal with them. I think I would like to be involved in decisions on public hearings, because public hearings are obviously crucial to the transparency agenda. They are extremely important to victims, as well as to the prisoner under consideration, although in opposite directions, I would say.

My understanding is that my soon-to-be predecessor, Caroline Corby, initially dealt directly with whether to allow applications for public hearings, and I think there were five under her decision making; she then delegated it to judicial members of the board, which is permissible under the rules. The number of public hearings has dropped as a result, which we think is probably for two reasons. One is that, now victims can observe private hearings—victims were obviously among those who applied for public hearings—they are doing that instead, but it may also be because my predecessor was very keen to make sure that enough applications were permitted, so that it did not seem like a complete straw man—that it was real. I think that when each of a group of judges made an individual decision, they did not have that oversight or overview: “We really need to allow a few more.” That is one reason why I am keen to look at those applications myself.

There are other instances that I think are appropriate for the chair to deal with directly, such as setting aside final decisions; and there are various others that I may well want to look at myself. Obviously, the really routine decisions, such as panel compositions, adjournments or deferrals, I won’t be doing myself. That will be delegated, probably to staff, but there are other issues, such as withholding reports or information where national security is at issue. Again, that is the sort of thing that I would expect to be involved in directly.

Q11 Dr Shastri-Hurst: You have highlighted your relative inexperience in this particular forum. What steps are you taking to make sure you are comfortable with the decision-making process, and to make sure you feel that you are approaching it with sufficient rigour?

Alexandra Marks: Obviously, I still have quite a lot of learning to do. As I was saying, I have yet to meet most of the staff and most of the members—or, indeed, any, with the exception of one member of the management committee. I have a number of meetings arranged for immediately after my term starts on 18 July, and I will be continuing that during the summer and beyond.

As I said, I am accustomed to finding myself in situations where I have to make serious decisions—in the High Court and in the CCRC, for example. It is a question of familiarising myself sufficiently with the materials, my

powers and the kind of documentation and support I will get. I am comfortable that I will be able to hit the ground running.

Q12 Dr Shastri-Hurst: You will be pleased to hear that this is the final question from me. What do you think the key challenges are for the Parole Board in your five years in post, and how do you plan to tackle them? If I may, I will direct that first to you, Ms Marks, and then, Ms French, perhaps you could explain how you will support the chair in delivering on those goals.

Alexandra Marks: Thank you for that question. I think it is very pertinent because, as I am sure you are aware, there has been a lot of change in the Parole Board in the last five to seven years. But change continues. There is going to be a new operating environment as a result of the independent sentencing review and the Sentencing Act, so we will have to adjust for that. One of my key priorities is about ensuring that we work efficiently and effectively, and that we work collaboratively with other people. That is happening already, for example through the parole system oversight group.

I also have some ideas about efficiencies that we might look at. For example, one of the reasons that we prefer adjournment to deferral is because the panel keeps control of the case and deals with it, rather than another panel starting all over again. Building on that idea—which, incidentally, is also used for IPP cases—I would like to look at whether we ought to consider what I believe in the United States is called “docketing” cases, where the same judge or the same decision makers keep a case, even if, for example, there is a subsequent hearing a year later. That saves another panel having to read the 1,000-page dossier, or whatever it is, afresh, because they can just look at what is new since last time. There may also be some careful use of artificial intelligence that we could do to summarise some of the lengthy reports, and so on.

I know you are aware of the recent internal transparency review that was conducted by our vice-chair, Peter Rook, and one of our judicial members, Michael Topolski. There is a five-year programme for improving and increasing transparency. I think it is extremely important to communicate clearly what it is we are doing and why, not just to the public and the prisoner, but for victims in particular; it is obviously a difficult process for them, because the Parole Board is making release decisions. We have to allow for the discomfort that that will cause victims in certain situations, but I think that the way to address it is to make sure that they understand what we are doing and why.

Finally, I would just say that I think that resources are really important, and making sure that we are able to pay our people appropriately, because most of them, of course, are doing it on a part-time basis; they have other employment that is better remunerated, and we do not want them to be doing that when they could and should be doing work for us. It is a question of making sure that the terms and conditions, as well as the fees, are sufficiently attractive to keep people prioritising the work they do for the Parole Board.



HOUSE OF COMMONS

Cecilia French: I agree with Alexandra. In so far as my own role is concerned, I see my role as chief executive as threefold: leading the work of the 240-odd staff and 300-plus—and growing—members; being accountable for the Parole Board's work on delivery to time and quality; and acting as an accounting officer, responsible for the good and proper use of public funds. I also really want to major on proactive engagement and strong collaboration with all stakeholders. Alexandra mentioned it, but, although we at the Parole Board perform an essential function, we really are part of a system, and our dependencies on others, both before parole and after release, are so fundamental that we have to work with others to make that whole back end of the system work smoothly. That is a really important priority for me.

In so far as my support for the chair is concerned, I again see that in three ways: first, working with Alexandra and the management committee to set the strategic direction of the board; secondly, supporting the chair in any of her public-facing duties, such as engagement with the media, with parliamentary Committees and with external stakeholders, and with her relationship with Ministers; and, thirdly, and perhaps even more crucially sometimes, supporting Alexandra in ensuring that the independence of the board is maintained, because that is very important to us.

Alexandra Marks: Could I just add one thing? Great strides have been made within the board to improve the diversity and inclusiveness of both the members and the staff, and I think we need constant vigilance to make sure that we retain the very appropriate levels that we have, with a diverse and inclusive set of decision makers and staff supporting them. That is something that I will be keeping a very close eye on too.

Q13 **Tessa Munt:** The role of the Parole Board might be misunderstood by the public. If possible, could you please outline that role and explain the typical process for a Parole Board review, from the initial referral to a final decision?

Cecilia French: The fundamental role of the Parole Board is to consider the release of the prisoners who come before it, and to apply what is now a codified test, as set out in statute, that allows Parole Board panels to determine whether they are satisfied that it is no longer necessary, for the protection of the public, for the offender to remain in prison. That is central to our core function, and central to that process are the principles of independence, fairness to all parties and protection of the public. The two main parties, as part of that, are the Secretary of State and the prisoner. Do you want detail on the process, although obviously not a step by step?

Q14 **Tessa Munt:** Yes, it would be interesting from the public's point of view. They would want to understand the key factors that you consider in your process.

Cecilia French: We get the authority to operate the moment a referral is made to us, which is done by a unit within HMPPS called the public protection casework section. They provide us with a dossier, along with



HOUSE OF COMMONS

the referral, of the evidence about that particular offender. We receive the dossier and do various checks, which we will perhaps come on to later, to ensure that it is complete and has everything it needs in it. We will also request the representations that we need.

Once it is as complete as it can be, and once we are satisfied that we have everything, it then goes to the first stage of our assessment, which is called a paper hearing, otherwise known as a member case assessment—we might refer to them later as MCA reviews. At that point, you can have two outcomes: from the papers, you either conclude a no-release decision, or even a recommendation against open conditions at that stage, or the panel can direct the offender to an oral hearing because it feels that more evidence is necessary than it can get from just the dossier.

If you move to an oral hearing, there is quite a lot of preparation involved, including the availability of everyone who needs to be there, such as witnesses and others, and potentially also seeking further directions for other material that needs to be in the dossier in advance of the hearing. You then have the hearing itself, and you are probably familiar by now with the shape of that. It can be several panel members and several witnesses over the course of a day or more, and that entails the panel really testing the information before it and exploring whether it can make that risk-based decision effectively.

Sometimes hearings are adjourned on the day because last-minute things come up, such as allegations that have not been apparent before, or a witness is not available on the day. For whatever reason, the hearing can be adjourned and then relisted. However, once the hearing is over, it is then incumbent on the panel chair to make a decision within 14 days. At that point, the decision is: a release decision, a no-release decision or a recommendation for a transfer to open conditions.

After that, whatever was decided happens, and there are then four routes to challenge it—or three active ones. There is a reconsideration route that enables either of the parties, the Secretary of State or the prisoner, to ask the panel to reconsider the decision, and you have to do that within 21 calendar days. It is based on the same reasons that you would expect for a judicial review, so it is effectively an internal mechanism available to those two parties that mirrors the JR.

There may also be a “set aside” within 21 days by either of the parties. If it becomes apparent during that period that there is new information or an error of law, they can apply to set aside the decision. The third mechanism available at the moment is a JR. The fourth mechanism, which we understand will come into effect in the autumn, is the mechanism of referral to the High Court for some of the serious offenders that came out of the Victims and Prisoners Act last year.

Q15 Tessa Munt: What happens if a decision is set aside? Is that it?

Cecilia French: Yes. Then, depending on the reason for it being set aside, the offender would go back into the parole review process.



HOUSE OF COMMONS

Q16 **Tessa Munt:** Give me an example of where something might theoretically be set aside.

Cecilia French: If there was new information about an offence or something that had not been apparent at the time of the hearing and was not in the dossier.

Q17 **Tessa Munt:** Which hearing?

Cecilia French: The oral hearing.

Another example would be if there was a change of circumstances at any point before the release. For example, if the prisoner suddenly misbehaves and commits something very serious within prison, which meant that, if the decision had been to release, it was not possible to release them, then you can apply to set aside that decision.

Q18 **Tessa Munt:** That is helpful. Thank you. I understand the appeal process for prisoners. Are victims not part of that? You are saying the Secretary of State and the prisoner, but that no other party can intervene in any way in initiating an appeal process?

Cecilia French: No. The victim is not a party to the proceedings. They have other rights, which we can go into later. However, they can—and have—asked via the Secretary of State for a decision to be reconsidered. They would have to lobby HMPPS and the Secretary of State. It would then be for the Secretary of State to determine. We cannot just invent a reason, if we do not like the decision and want it to be reconsidered. It must be that the decision contains an error of law, a failure to follow the correct process, or was irrational or unreasonable. Those mirror the three reasons that you might have a JR. Victims could go that route.

Q19 **Tessa Munt:** I would like to better understand the process for making recommendations to the Secretary of State for a move to open conditions.

Cecilia French: That is a recommendation, not a decision. In effect, it acts as advice to the Secretary of State. It may be in circumstances where the panel thinks that the offender has made significant progress, and it would like to test their level of risk further—they have not met the risk tests that I outlined before, which would enable them to be released—and test the offender's progress in open conditions. It is quite a helpful mechanism for enabling offenders to progress and have sentence planning routes, and potentially the next time their parole review comes around, meet the public protection test and be released. It is only advice, so the Secretary of State can decide not to allow that offender to move to open conditions.

Q20 **Tessa Munt:** How often does the Parole Board review its own decisions, whether they have been right or not, depending on what happened in the future? Does that happen? Do you regularly look at what has happened in the way of recommendations over the last three or six months?

Cecilia French: From a high-level standpoint, we are always looking at standards and the quality of decision making and ensuring that our



HOUSE OF COMMONS

members are following our guidance and a decision-making framework and applying their decisions to quality levels we would expect. That is not quite the answer to your question.

A review would happen in several instances. We look at the reasons why a reconsideration application may be granted and see if there is anything we can learn from that. If the worst thing happens, which is you release an offender and they go on to commit a serious further offence for which they are convicted, we then have an internal mechanism in place by way of a review committee. That is made up mostly of our judicial members and a few others and looks at the whole decision that led to that initial release which resulted in the serious further offence. It asks what can be learned from that and what went wrong. Feedback is then given to the members and the chair of the panel concerned.

Alexandra Marks: That has not happened once in the last seven years, has it?

Cecilia French: Yes, it has. I hardly like to say that what we call our SFO rate is low, because it is such an awful thing to have happened, but it represents about 0.5% of our overall decision making. It is very rare but, obviously, when it happens it is terrible.

Q21 **Tessa Munt:** I wondered about the slightly lower level, as reoffending is such a serious problem, as I understand it. I understand why you have a process in place for looking at serious further offending, but there is the slightly less serious, but still serious, issue of further offending and people coming back into the system so frequently. I wondered about the general review process—I hope you do not mind me asking this, Chair; I want to follow this through.

Cecilia French: Sometimes, we might get the follow-through. We have been responsible for release decisions following recall up until now, but the Sentencing Act is likely to change that. We may get those offenders back and the panels considering their re-release get a chance to consider and review what was done the first time and the reasons why they were recalled, and they have to decide whether the recall was justified. So there is a bit of a feedback loop there. But once we have made our decision and that has been communicated, we are out of jurisdiction and we do not get much feedback on the kind of things that I think you are referring to—what happens at a more minor level through their lives, whether they follow their licensee conditions and whether lower-level offending is going on.

Alexandra Marks: The very high reoffending levels tend to occur at a much lower level—for theft, repeat shoplifting, summary offences, motoring offences and those kinds of thing. That is where the reoffending rates are extremely high. For the kind of prisoners that we are looking at, who have indeterminate sentences, the reoffending rate is very low.

Q22 **Warinder Juss:** Do you have any figures on the percentage of prisoner appeals that succeed, where the prisoner does not agree with a parole

decision not to release?

Cecilia French: I do not have the figures on reconsiderations requested by prisoners and how many of those are granted, but I will give you these figures, because they are quite interesting: there were 257 reconsideration applications in 2024-25—they are not in the annual report that you have available—of which 54 were granted. In 40 of those, the decision remained, and 10 led to a different outcome. I do not know what proportion of those were initiated by the prisoner, but I could find out and write to you afterwards if you are interested.

Warinder Juss: Yes, please do.

Cecilia French: Okay, I will take note of that.

Q23 **Pam Cox:** I will stick with process for a second before moving on to questions about independence. What proportion of the Parole Board's workflow is digitised?

Cecilia French: Tell me if this is not the answer you are looking for: 95% of our hearings are virtual—a form of non-paper hearing. All our dossiers are digitised now. I cannot even imagine the scenario in the past, when you had voluminous paper dossiers. None of them are paper now. All that takes place digitally with information that is extracted from various systems.

Q24 **Pam Cox:** The Committee has been pursuing that theme across the justice system. You sound like an exemplar institution.

Turning to the independence of the Parole Board. Historically, the Parole Board advised the Home Secretary, and the Home Secretary made release decisions. That changed in 1996 when the Parole Board became an arm's length body of the MoJ. Why is the independence of the Parole Board so important?

Cecilia French: I think it is absolutely fundamental. First, it is a requirement under the ECHR for there to be an independent court-like body that reviews the continued detention of offenders. Secondly, it is necessary for public protection reasons to have that independence, because you have to have an independent body making fair decisions that are free of any kind of influence that might be involved. Those are the main reasons why I think it is absolutely fundamental.

Q25 **Pam Cox:** In what instances does the Secretary of State become involved in individual parole decisions, given the importance of the independence you just described?

Cecilia French: The Secretary of State is fundamental to the whole process that I described. Sorry, but I should have added a third reason in my answer to your last question: public confidence. It is difficult to have public confidence in a body that makes the kind of decisions we make if it is not independent.

To go back to your current question, the Secretary of State is one of the two parties to the proceedings, and responsible for the initial referral. The



HOUSE OF COMMONS

dossier of evidence that is compiled comes from the Secretary of State through the PPCS. They are responsible for their own witnesses: the community offender manager, the prison offender manager and sometimes the psychologists who are called as witnesses to hearings. The Secretary of State can be represented during hearings, and the prisoner can be questioned on their behalf. The Secretary of State can apply for a public hearing. When release is directed, they effectively organise the risk management plan, through the Probation Service, and ultimately the release from custody. They issue the licence. They make the decision to recall offenders to custody. As I have outlined, they have the final say on whether a prisoner is transferred to open, and they set future review dates. We do not set those; the Secretary of State will determine when the next review date is due.

There can sometimes seem to be a tension between all that—the Secretary of State’s responsibilities—and the quite separate set of responsibilities for sponsorship of the board; the framework agreement, which you have probably seen, between the Ministry of Justice and us; and the provision of our funding. But that is why we are constituted as an arm’s length body, and why that part of our provision of funding and general sponsorship is managed through a quite different part of the Ministry of Justice.

Q26 Pam Cox: To continue in that vein, the Victims and Prisoners Act 2024 permits the Secretary of State to refer decisions to the High Court if a release may “undermine public confidence”. Do you feel that such a measure is necessary?

Cecilia French: We always welcome forms of challenge to our decisions—and I have outlined what there is already—so we welcome that. It is certainly better than the provisions it replaced in the original form of the Bill. However, it is due to apply only to top-tier offenders and, we understand, only to a small proportion of those. Essentially, the High Court is being asked to apply the same test that we apply, using the same evidence. It is still to be implemented, so we have not seen the detail of all the provisions and how exactly that referral mechanism is going to be constructed, but we hope it will apply only to a small proportion of offenders.

Q27 Pam Cox: Finally, Alexandra, the framework agreement between the Parole Board and the MoJ was last updated in 2012, which is a long time ago. Is there a case for reviewing and updating it? Is that on your to-do list?

Alexandra Marks: It will be now, yes.

Cecilia French: It was actually updated in 2024, so the version I have is relatively recent. I am going to check, but the version that you have had access to must be an old one.

Pam Cox: All right. Perhaps we will follow up with you on that afterwards. Thank you.



Q28 Chair: This question is about the current performance of the Parole Board. We have heard, as did our predecessor Committee, quite a lot of evidence that is critical of the way that dossiers have been prepared—that there is quantity over quality of information, and that they are prepared late and are incomplete—which obviously affects the quality of the hearing. At the moment you have 11 KPIs; four have been achieved, four require improvement and three require significant improvement. I appreciate that you have been in post only for a relatively short time—not even as long as the Government—but are those problems still apparent? Do they concern you? What are you doing about them?

Cecilia French: Yes, dossier quality is a big issue, and I do not shy away from that. It is a big issue because it is fundamental to the process I outlined before, about being able to work smoothly and hiccup-free, and for oral hearings especially to proceed to the timeliness that we want them to. One of the three main reasons why hearings get adjourned, which leads to delays in the system, is dossier quality, along with decisions not being complied with and witnesses not attending.

I would say a couple of things about dossier quality, having acknowledged that it is a continuing issue and that we are focusing in on it. First, we do not have ownership of the dossier—that comes from HMPPS and PPCS, specifically—but we recognise that we take receipt of it. It is our members who have to use it, and we therefore have to have some input into the quality standards we expect, and the kind of format and layout we would like to see.

Looking to the future—because of what you said about digitalisation—we are looking at options for applying AI to the dossier construction to try to synthesise what has ended up being, in some cases, 2,000 pages of information, which is quite difficult to navigate if you are a member.

We have to get better accountability for the various bits that comprise the dossier, the quality of the reports that are written, and the fact that sometimes the dossiers are not complete with all the information we want in them. We would like to align the way the dossier looks with our decision-making framework. Rather than just having documents shoved in in a sort of vague chronological order, which is quite difficult to make your way round when you are a time-pressed panel chair, it would help if we could align it to the way that members make decisions.

There are all sorts of other things I could go into that we are trying to do to improve it, but improve it we must. I recognise that although it is not our dossier, we need to work with HMPPS quite closely on it.

Alexandra Marks: There are some things we are doing already, though. We are liaising directly with the police, for example.

Cecilia French: Yes, there have been some improvements on third-party directions—directions that a panel might request of other parties to a hearing. The police are a big recipient of our third-party directions, because the panel might need to get intelligence information or

information about allegations that have surfaced. Historically, those directions are not well complied with, but we have had some excellent engagement with the NPCC, and we have actually increased our compliance rates. That particular area of the dossier is a tick.

We also now have easier access to court records and court documents through PPCS. That is another good improvement, and some of the mandatory documents, such as sentencing remarks and the like, are appearing more frequently in dossiers.

Q29 Chair: Did you find it an inefficient organisation when you joined? Do you think you are making strides to improve its efficiency?

Cecilia French: I do not think it is an inefficient organisation. I recognise that some of the KPIs you quoted are not where I would like them to be. When you see this year's annual report, for 2024-25, published in a couple of weeks' time, there have been improvements in quite a lot of those KPIs. I am pleased about that, but yes, there are definitely areas that we have to lean into and work on with others in the system.

Having less of a waiting time for listing oral hearings, which is one of our KPIs that showed red in the 2023-24 report, is one of them. Part of that is about dossier quality and part of that is about reducing adjournments. It was actually amber in the annual report, and it is now green, but we have to really keep an eye on it.

Alexandra mentioned the diversity of our membership, and we have to keep our active caseload down so that there are not too many cases in the system at any one time. That leads to waiting times and a congested system. I do not think we are an inefficient organisation, but there are definitely areas for improvement in our performance.

Alexandra Marks: There is a possibility of learning from different environments. For example, when sitting in the Crown court, as I do, the parties are now almost invariably required to file a certificate of compliance, which states that they have complied with everything they have been asked to do and that they are ready for trial. As I am sure you are aware, there is also a big problem in the Crown courts of trials going off at the last minute because a key witness is not there or a key document has not been supplied, or something of that sort. It does not always work but it is a good way of focusing minds before everyone has gathered for a hearing, when obviously the time has been wasted.

There are other things we can do to try to improve efficiency. I alluded to this earlier, but the removal of the recall cases will make a huge difference, because that is 48% of the Parole Board's workload at the moment. That will make a huge difference to the amount of time that can be spent on the more serious cases, which involve release decisions for the more serious offenders serving indeterminate sentences, rather than the recall of people who are possibly serving only two or three years and therefore would not necessarily pose the sort of safety issue we are talking about.



HOUSE OF COMMONS

Q30 **Chair:** We have a number of interesting points for you on recall rates, which we are going to come to later. On the hearing itself, the prisoner has a legal representative in the great majority of cases, which I presume helps matters.

Cecilia French: It definitely helps.

Chair: It is clearly possible to get representation, and I think legal aid is available.

Cecilia French: It is, yes.

Q31 **Chair:** One of the areas that is still in scope is the fact that fees have gone up very little over the past 20 or 30 years—I think there has been a small increase recently. Is that something you are aware of?

Cecilia French: Yes, we are aware of it. We are not involved in the efforts of the Association of Prison Lawyers to increase their criminal legal aid fees, particularly those for parole, but I know that a consultation on that is under way at the moment in the Ministry of Justice, and the Parole Board is definitely supportive of an increase.

Chair: Are you actively supportive of that?

Cecilia French: We have raised it with the Minister, for example. I think we are as active as we can be, within our remit.

Q32 **Chair:** We have been looking recently at the manner of working of the Criminal Cases Review Commission, and we were surprised that there is very little face-to-face contact within that organisation—it is a remote-only organisation. You are not quite a remote-only organisation, but I think 95% of your oral hearings were conducted virtually in the last year we have figures for. I assume that is done for reasons of efficiency, but is it entirely fair on prisoners? Are prisoners allowed to opt for a face-to-face hearing?

Cecilia French: You are right that approximately 95% of our hearings are virtual, and interestingly the transition to virtual for oral hearings was under way before covid, although covid hastened it, for sure. For those hearings that need to be face to face because the offender has particular mental health needs, or other needs that mean they will find it difficult to communicate via a screen, we do them face to face.

Chair: Who makes that judgment?

Cecilia French: The panel chair makes that judgment.

Chair: On application?

Cecilia French: It can be on application, but not necessarily. They can determine quite easily from the information in the dossier and about the prisoner themselves whether it is something that is better done face to face. I have observed three face-to-face hearings where there have been offenders in that category, including one IPP who had extreme mental



HOUSE OF COMMONS

health issues that meant they just would not have coped with that virtual interface, so that can happen.

We do not hold ourselves to having 95% each year, but it has been transformative for us to be able to do it that way. It is so much quicker and so much more flexible for our membership, who are drawn from everywhere. You might have a psychologist or a psychiatrist in Yorkshire who needs to participate in a hearing in Cornwall. It is fantastically flexible and has meant that we have been able get through and list many more cases, so it is definitely a good thing.

Alexandra Marks: My concern was about whether the prisoner thinks it is fair. The interesting thing is that many of them actually prefer it, because they are very reluctant to leave prison in case their place is not there when they get back. I have seen that in the Crown court as well: prisoners often want to attend their hearing via prison video link because, first, it is less intimidating, and secondly, they can be confident that they are not going to end up somewhere else at the end of the day, which they might well do given the pressure on spaces.

Q33 **Chair:** That is not germane to the hearing; it is germane to their other circumstances. Do your panel chairs think it is easier or more difficult to assess risk if they do a remote hearing?

Cecilia French: By and large, they like virtual hearings and do not see there being a difference, unless there is a need for a face-to-face hearing for the kind of offender I have described. They can be flexible in that regard. Some panel members prefer it to be face to face. I observe hearings regularly because I want to try to understand how they make their risk-based decisions, and I prefer observing face to face because it is more interesting, but they are doing it for a different reason.

One more point that I ought to have made is about the move that almost flipped it around. Pre-covid, it was almost the opposite, with 7% virtual. That transformation has not impacted on either our release rate, which is more or less one in four—it was 25% in 2023-24; it was a little bit less last year, in 2024-25—nor our serious further offending rate, so we feel it has not impacted on our quality, if you like.

Q34 **Chair:** I mentioned the CCRC; I think you were a commissioner there, Ms Marks.

Alexandra Marks: I was.

Chair: And you were also—you have an impressive list of previous appointments—on the Judicial Appointments Commission at the same time.

Alexandra Marks: That is right.

Chair: What was your experience of being a commissioner? You were there some time ago now; did you feel at the time that it worked well?



Alexandra Marks: It was in a time of transition when I went. At the time, I was the first commissioner who did not work full time or nearly full time, but we were all on site. I commuted to Birmingham to be on site, and I very happily did that because I found that the direct engagement not just with fellow commissioners but with other staff, particularly the case review managers, was critical to understanding and working through often very complex cases. It wasn't by any means plain sailing when I was there, but I found the experience very rewarding. I left in 2018, which is now seven years ago, and I know things have changed, but I have not kept particularly close to it.

Chair: Thank you. That is all from me for the time being.

Q35 **Tessa Munt:** Increasing transparency has been a significant focus for your board since 2018. What does transparency mean in the context of the board's work, and what do you currently do to promote it?

Cecilia French: First, you are quite right that it is incredibly important to us. It sounds a bit naff, but we see it as us being on a journey from that Worboys judgment, before which everything was in private, to where we are now. It is something that we want to continue—I will come on to that in a minute, or perhaps you will ask me about it.

What it means to us is that the public, who are quite understandably invested in our decisions, and victims and survivors, who have already endured a great deal, are able to access information that helps them to understand a bit more about what parole is, because there are many myths around parole.

For a start, it is not a re-sentencing exercise. I meet quite a lot of victims and receive quite a lot of correspondence, and it is interesting how much misunderstanding there is. It is not a re-sentencing, and it is not a route to early release. You can only get parole at your parole eligibility date, which is based on your sentence. You cannot apply for parole. We are independent, despite the fact that others sometimes think differently. Being able to explain what we do, why we do it and how we make our decisions is what transparency is about—for me, anyway, and for the board, I think.

What have we done to evolve from the position where very little was made public before 2018? After 2018, we started making summaries of decisions available to those who applied for them. In 2019, we introduced the reconsideration mechanism. Reconsideration decisions are published on BAILII, as are the set-asides. In 2022, we introduced public hearings. From this year, although it was piloted for the two years prior, we and HMPPS have introduced victims' observations of private hearings.

Those are the four main areas through which we have been able to shine a light on what we do. Then there are other things, like the BBC "Parole" series, all the engagement that we do speaking around prisons and speaking to offenders, and our more recent internal transparency review, which we have just published.

Q36 **Tessa Munt:** Yes, I was going to ask you about that. Is that the Rook Topolski review?

Cecilia French: Yes.

Q37 **Tessa Munt:** What did that review reveal?

Cecilia French: It revealed that, although we have made good progress over the last seven years since that 2018 seminal moment, there is much more that we could do and that it recommends we should do.

It has 34 recommendations in different areas, but there are three main ones. First, it recommends that we should do more public hearings within the limits of our resources—I can explain more about that if you would like—and that, if possible, we should do them a bit differently so that they reach more people. I can also explain a bit more about that. Secondly, it recommends that we should phase out summaries, introduce redacted decisions and make them available to people. Thirdly—and we are already doing this—it recommends more victims' observations of private hearings, with a presumption that when they are applied for, we should accept them.

Q38 **Tessa Munt:** Do you feel that victims in particular have an understanding of your decision-making process? You have referred, perhaps obliquely, to the fact that they might be a group who do not.

Cecilia French: It is such a traumatic experience for victims at that point in the process; it is almost going through it again. There is a mixture of sometimes a misunderstanding of what we are trying to achieve, and just emotion. We are trying, within the limits of what we can do, to make that process as comfortable as it can be for them. I can talk about some of the support that is available.

We are also trying to explain to them what is going on, so they do not have wildly ambitious expectations of the outcome and so that they understand the limits of what we are trying to do. It is both a support and an information-providing function that we are trying to do more of, recognising that although they are not a party to the proceeding, they are so important.

Q39 **Tessa Munt:** The rules were changed in 2022 so that the chair could determine that a hearing could be held in public, but I think I am right in saying that only nine hearings have been granted, whereas 39 have been refused. Are those figures correct?

Cecilia French: Yes, except that nine were granted but we have actually only held six, because two that were granted went on to be concluded on the papers and one is still to happen. That one will be on 30 and 31 July; if any member of the Committee is interested in observing that, we will be streaming it. It is David Norris's public hearing, and we are streaming it to a venue that we can provide details of, if you are interested.

Q40 **Tessa Munt:** That would be interesting. If you could write to the Chair, that would be good.



HOUSE OF COMMONS

Can I just take you back a bit? You had six that were heard, and another two—what happened to them?

Cecilia French: They went on to be concluded on the papers; I am not sure what the actual decision in that case was: it must have concluded with a no-release or something like that. They were withdrawn and never went on to an oral hearing that was broadcast. *[Interruption.]* I have just been given a handy note: there were two no-release decisions in those cases, so they were concluded on the papers.

Q41 **Tessa Munt:** So 39 have been refused—that is quite a weight on one side, is it not? It does not seem as if the new rules have kicked in hugely, or am I being very unfair?

Cecilia French: No, and I think that the Rook Topolski review recognises that we ought to do more.

Q42 **Tessa Munt:** What is stopping that?

Cecilia French: What we want is a hearing to be effective, fundamentally. For a hearing to be effective and for consideration to be given to whether it can be held in public, there needs to be enough information that can actually be heard in public. Particularly in some of the higher-profile, noteworthy hearings, there is a lot of private information—for example, where the offender's family lives, where they will be released to on licence, and sometimes descriptions of their friends and support networks. There can be allegations discussed that must be heard in private, because they simply cannot be heard in public.

When the weight of all that information means that it is simply not in the public interest to have a public hearing, a conclusion is reached by one of our independent members that it should not be heard in public. But I agree that 39 is a lot of noes.

Alexandra Marks: On the other hand, victims, as we were saying, can observe private hearings.

Cecilia French: That is true.

Alexandra Marks: That is probably some amelioration on that particular measure.

There is also something that Cecilia has not mentioned explicitly: where, for example, there are medical or mental health issues for the prisoner, it is obviously very personal information and we have to be very careful about how it is dealt with.

I come across it in the Crown court quite routinely. Very often, in the pre-sentence report, we have a lot of material that is relevant to the sentence but is not necessarily referred to in open court. Normally, there is a form of words along the lines of "I have read everything about you and your situation in the pre-sentence report and have taken that into account in my sentencing," and so on. Obviously that is not the way it would work in a parole hearing, so it is difficult.



HOUSE OF COMMONS

I have come across this in a completely different context, because in the tribunal I sit in, which is on information rights, we have to do some things in private. The information that is being sought and is being withheld is what the appeal is about: we cannot disclose it during the hearing, but the panel often needs to know what it is to make a decision. Sometimes, in the middle of a public hearing, we have to withdraw to consider private information. It may be something that we could consider.

Q43 Tessa Munt: Can you not see a future—because clearly Topolski did—that is very different from nine and 39? Well, maybe we should say six minus two plus one and 39. There must be a way. We manage it in court.

Alexandra Marks: Yes. Can I just say something else, though? It would be a lot easier if we were a tribunal, because there are many more protections for the decision makers and for everybody involved. The security and the contempt of court rules and so on would make it a lot easier than it is now.

Cecilia French: We want to do more, but we are limited by resources. These hearings are a lot more expensive than running an ordinary virtual hearing. Just to give you a flavour, we have estimated that a public hearing—one that we stream publicly—works out at about £17,000 to £20,000 per hearing per day, whereas an ordinary oral hearing is about £1,500 to £2,000.

Given that we are in the business of trying to list as many hearings as we possibly can to improve our performance, we must be cognisant of our resources, but we do want to do more. I think there is a balance.

Alexandra made a point that has sparked another point I want to make on something you said about the 39 refusals. That was during a period in which we were piloting victims' applications to observe private hearings, but only in two areas in the country. Victims in other areas, being unable to access the victim observation route, were applying for public hearings. Strictly speaking, they were not really meeting the criteria for a public hearing. That might change now that victim observation applications for private hearings are available nationally. We are getting more and more applications, so the applications that come in for public hearings will be the ones that are more fitted, as it were.

Q44 Sarah Russell: The difference in cost between those things seems enormous. What is the reason for that? Across a three-day hearing, that is 60 grand or something. It is massive.

Alexandra Marks: I think it is the hiring of the place to have it—so the observers, as I understand it.

Cecilia French: It is that, and it is some of the extra AV we have to bring to make the experience for observers better. It is also the logistics. There are many more people involved in running a public hearing.

Q45 Sarah Russell: We have courtrooms sitting empty across the country. Is there not a way of making this more efficient? Is there an internal



recharge mechanism?

Cecilia French: There is. For example, we have run public hearings from the RCJ—or streamed them, I should say, to a room in the RCJ. There is a recharge mechanism there, but it is not huge. It is part of the cost, but there are still the other costs, including the time of the members involved, because these are more complex to run and you need more case management conferences.

That said, I realise that it is quite a big differential. It is something that I, personally, want to look at. I come from a public inquiry background, so we run hearings in public all the time. I want to see whether we can apply that context, albeit with different rules and in a different statutory environment, to our own parole hearings in a way that is more cost-effective than the numbers that I have just given you.

Q46 **Tessa Munt:** May I take you on to another aspect? How did you manage the BBC programme? Bearing in mind the constraints on holding these hearings in public, how was it possible to film and broadcast them for the television series?

Cecilia French: It was all about the consent of the individuals involved. They agreed. There was careful selection, on behalf of the production company and with assistance from us and the MoJ, of the offenders who were involved. They gave their consent, which meant that the private element of the hearings was easier to navigate. Actually, if you remember, what you saw was only bits of hearings; you did not see the whole lot, although the way it was edited made it look like a much fuller experience. It was really about consent. Most offenders who are on the receiving end of public hearing applications do not want their hearing to be in public.

Q47 **Tessa Munt:** From 1 April this year, victims have been able to apply to observe a private Parole Board hearing. What support is put in place for the victims?

Cecilia French: We have done a number of things to try to prepare them for that. Some of them are necessary but quite prosaic, like providing them with guidance on what is happening. We are about to make some videos and blogs, and a leaflet, to explain it in an easier way. During the hearing, they have the support of a rep from the victims team at HMPPS. They sit with them, usually at a completely different location—sometimes a probation office near where they live—and they effectively prepare them and are with them during that experience.

Sometimes the most difficult time is afterwards, because they will have just seen the offender and heard what they said. It is sometimes then that they are at their most vulnerable, even before they have heard the decision. They have the support of their victim liaison officer, who is someone from the Probation Service, to sustain them, but in my view there is a bit of a gap in aftercare for victims in this environment. What victims have described to me, either in writing or when they come to see me, is that they feel they are in a never-ending nightmare loop.



Tessa Munt: It is retraumatising.

Cecilia French: Yes, every time. If it is a no-release decision and it is an indeterminate, they are back two years later, or if it is a recall, they are back a year later. There is then the process of putting together a victim personal statement, including any changes, and then it goes on.

Q48 **Tessa Munt:** In the pilot, 40% of applications to observe the private hearing were refused. Can you just run through why? I think we have covered part of that.

Cecilia French: There are different reasons why they would have been refused. Sometimes the applications were just out of time; they were put very close to the hearing, so it was just not possible to accommodate.

Tessa Munt: Sorry, but could you just explain that to me?

Cecilia French: They were out of time. The application to observe the public hearing was submitted—

Tessa Munt: Late?

Cecilia French: Too late, basically. Others were due to the risk to staff and prisoners: the particular mental health needs of the offender may have triggered a reaction that makes them unstable and volatile in that environment.

Another reason was that the prisoner themselves would not be able to give their best evidence, due to various mental health or anxiety reasons. Those were some of the reasons advanced for turning down applications during the pilot stage.

There has been a change since then, which we have put in our guidance and which is going to be subject to a rule change later this year: there will be a presumption in favour of accepting applications unless there are exceptional circumstances that mean they should not be accepted. We would really want to encourage this. We have not been submerged by applications, but as this becomes more business as usual, members are becoming used to managing it as part of the normal process—the sequence of steps that I outlined earlier. I think we will definitely see more and more applications accepted, and this will be run as something that is more or less standard.

Q49 **Tessa Munt:** Can I just test you? You say that you get applications that are out of time. How does that happen? Surely there is a process involved. Did that many people make a late decision?

Cecilia French: I do not know how many. I do not think that that reason accounted for very many. We do not have direct communication with victims; we go through the victims team in HMPPS, who then talk to the victim liaison officer, who then talks to the victim. It is possible that that communication link breaks down, or it could just be a late change of mind on behalf of the victim.

Tessa Munt: It would be nice to see that set out a bit more tidily.

Cecilia French: Do you want me to provide more detail on that?

Q50 **Tessa Munt:** I think that might be quite interesting, if you do not mind.

Just to test you again, you said something about the prisoner not being able to give his or her best evidence in front of the victim. Really? Who decides that?

Cecilia French: It will obviously be the prisoner saying so, first of all, but there will be representations from their legal rep. Also, some views will be taken from their prison offender manager—their POM, as we call them—who is the closest person to them, looking over them and what they are doing at their parole hearing. I think a combined view as to effectiveness will be taken from all those individuals.

Alexandra Marks: Can I just add to that? From my experience in the Crown court, listening to victim personal statements is very important for everybody in the court. I did one recently where the jury were clearly very affected by what they heard from the victim. Of course, it is very important for victims that the offender hears what they have to say as well. It is not just the decision makers, as it were; it is a very important feature of what we do, as well as what happens in court.

Q51 **Tessa Munt:** It is, and suppose my sense is—this is not about me, but about the whole Committee—that hearing the victim is really important. The prisoner should hear the victim; even if the prisoner has heard the victim three or four times, so be it, because it is real to the victim. We have managed to somehow deal with the fact that prisoners do not want to hear their sentencing remarks—we shove them in anyway. It feels as though this ought to swing in the victim's favour.

Cecilia French: With victim observations, I would definitely agree. But I would say that you do not have to have a victim observing a private hearing to make the VPS. There are lots of victim personal statements that are either read out by the victim themselves, and then they go—they do not stay to observe the hearing—or read out on their behalf by a nominee of their choice. That happens regularly and has done for some time. As we are making the comparison with sentencing, I believe it is the case that the offender can choose not to be present, but from my knowledge, most do not do that; most stay to listen to it.

Q52 **Tessa Munt:** It would be very interesting to know what the figures were on that as well, as I think that is sliding in the wrong way. It must be right that the victim is considered. I will not go on too much longer, but I wanted to ask a question about the Parole Board's ability to meet the additional cost of victim attendance. Will that have an impact on anything else you are doing? Are you squeezing the same—

Cecilia French: Yes, essentially. Everybody in this process—HMPPS and us, basically—have had to meet the additional costs of making victim observations happen. In the case of HMPPS, it is just more case management and having to recruit more victim reps. In our case, we have



actually created a new victim team within the Parole Board that manages all the co-ordination and communication. We have got a small team who manage that and the dissemination of decisions. Then there is the literal cost of, for example, T&S associated with victims attending hearings, which it is our understanding that HMPPS is covering. Another cost we have had to bear is that, as we embed this as business as usual, it takes a bit more time; members' fees go up a bit and there are more case management conferences—that kind of thing. We think it will settle, and it is something that we think is important enough that we have just had to absorb it.

- Q53 Tessa Munt:** The transparency review recommended that the Parole Board decision summaries are replaced by redacted, fully reasoned decisions, as “circumstances have changed and a different approach is now required.” Do you accept that this change in approach has to come about?

Cecilia French: That is something that we are keen on implementing, along with many other recommendations in the review. But it is something that we are going to have to roll out on a phased basis. We are going to do it first for public hearings; we will trial the replacement of summary documents with redacted decisions in public hearings. We did it for one last summer in the case of Ling, for which we published a redacted decision on our website. Then we will try to move on to victim-observed hearings, replacing the summaries with redacted decisions, before we see whether it can be rolled out more widely. We are piloting it, essentially, but we think that is the way forward. The feedback has been that summaries have been immensely useful, but they have become a bit anodyne.

- Q54 Warinder Juss:** With IPP prisoners, at what point do they come into contact with the Parole Board, and what decisions and recommendations are you required to make?

Cecilia French: Apart from one area, which I will come on to, it is exactly the same as the process that I outlined earlier. We have about 1,500 active IPP referrals within our caseload at the moment, and about 40% of those have never been released. That is the hard rump that a lot of parliamentarians talk about—the 1,000-plus who have never been released. They will come to us in the same way—paper decision, oral hearing—and the same choice is available to the panel as to what happens to them. The difference now, as a result of VAPA—sorry, the Victims and Prisoners Act—is that we have one addition: they can be referred to us for a licence termination. That is when they have been released into the community and have reached the eligibility point, which is two years if you are a DPP prisoner—under 18—and three years if you are an IPP prisoner. The Parole Board can then decide, “Are they safe enough?”, with the same codified test to terminate their licence, to vary their licence or to keep their licence in place.

- Q55 Warinder Juss:** I was going to ask about licence terminations a bit later, but as you have mentioned that, how many licence termination reviews



HOUSE OF COMMONS

has the Parole Board carried out since 1 February this year? What proportion of those prisoners have had their licences terminated as a result? What is the timeframe for completing those reviews?

Cecilia French: The figures that I have available are only up to about two weeks ago, 19 June—I do not know if more up-to-date figures are available—so from 1 February until then, we had had 625 referrals for an IPP licence termination, of which we dealt with 510 and, of those 510, 51% have been terminated. Some are still being looked at, so that does not mean that all the rest are going to be refused. I think 17% have had their licence varied. Those are the figures that I have.

Q56 **Warinder Juss:** As of 1 February, I think 600 were immediately eligible for licence termination.

Cecilia French: Yes. That is right.

Q57 **Warinder Juss:** Did you have extra resources in place to be able to deal with that?

Cecilia French: We actually got ourselves ready, because we thought that those 625 were going to come all in one go, so we had a list of members—it is called a duty member decision—ready to work through them. In the end, they came through in phases through the weeks that followed, so it has been a more gradual approach, and they are still coming in. Obviously, as the weeks move on, new people become eligible.

Q58 **Warinder Juss:** One of the things given quite a lot of profile is the severe mental health concerns of IPP prisoners, and the high incidence of self-harm and suicide. I hope that the answer to this is yes: do you take that risk of psychological harm into account when you look at IPP sentences?

Cecilia French: I think our members would say that they are very aware of it. Our hands, though, are slightly tied with IPP sentences—we still have to apply the test. We cannot do away with it. It is still the same test.

Recognising the particular injustices and challenges of those sentences, we created a taskforce of 30 of our most experienced members, who have been there a long time and done IPP reviews in the past—made up of a mix of judicial, psychologists, psychiatrists and independents—and they are the ones who look at and review the IPP sentences. We also try to do end-to-end case management, which those prisoners retain throughout paper hearing and oral hearing to try to develop a relationship and ensure that there is case progression. We can actively manage it and try to squeeze out any of the delays that might happen in ordinary parole reviews.

The second thing we have done is just engage, engage, engage—we talk to just about everyone in the system. We try to help them understand what our members have seen and the particular challenges involved—some of the mental health issues, what we have found, some of the particularities that we might encounter—and to advocate and push for more sentence planning for those particular offenders.



Q59 Warinder Juss: Lots and lots of IPP prisoners have gone over tariff, which is obviously quite concerning. As of March 2025, I think 1,004 IPP prisoners were over tariff—509 were 10 years over tariff and 188 were 15 years over tariff. I can understand why you would want to see IPP prisoners multiple times to make sure you make the correct decision, but do you think the prison service could do more to make that process quicker? Are there any specific interventions you think might help to speed up the process of having to see those IPP prisoners so many times?

Cecilia French: I will preface what I am about to say by saying that ultimately, I think it is really a matter for Parliament. If you really want to tackle the underlying release issue, something has to change in the statute to enable that to happen—the Howard League have made some suggestions recently, and I think you did, too, as a Committee. There are things short of that that could happen, for example, to ensure that IPP prisoners are more parole ready if we are still applying that test. An IPP progression panel is a multidisciplinary meeting about a particular offender that puts in place a bespoke series of interventions that they can have in prison and afterwards. That is resource intensive. HMPPS has said it will do it as part of its IPP action plan, but we have not seen many of those happen yet.

We are talking about mental health issues. There is a gap in section 117 aftercare planning, because there are so many mental health issues with this cohort. There are also issues with their long-term resettlement. Accommodation and suitability of accommodation on release are issues for everyone, but particularly for them, because some of them—you set out the figures—have been in for so long.

Another thing we find is that there can be limited communication between the IPP prisoner and their community offender manager, and sometimes they come to their parole review and they have only just met them. That is hopeless in being able to ascertain risk properly and progress that person through the system. Those are the kinds of areas that we can all help with collectively.

Q60 Warinder Juss: You mentioned the Justice Committee's recommendation, which was that there be a resentencing exercise, but that was rejected by the Government. Now the Lord Chief Justice has proposed an alternative way whereby the Parole Board sets a date within a two-year period when the prisoner will be released. What is your opinion on that?

Cecilia French: It is difficult for me to give an opinion. As a board, we are very supportive of leaning in to tackle the IPP problem—if I can put it that way. Ultimately, it is a matter for Parliament, and we will do whatever the statute says we must do—if that will change our codified test in the way that I think the Howard League and the former Lord Chief Justice suggested, then that is something for us to discuss with the Lord Chancellor and her officials.

Q61 Chair: You are experts in the field. Can you see any advantages or disadvantages to what the Howard League is proposing, as opposed to,



say, current Government policy or resentencing?

Alexandra Marks: There is one disadvantage. By saying it will be two years, there is a real risk that the two years thing does not work out, so then you have to extend it, and it becomes kicking the can down the road. That is even before, as Cecilia said, there would have to be some adjustment to the Parole Board's test to enable us to set a timeframe like that, because we have to make the decision as at now: we can release the person now, or not—not in two years' time if they do this, that and the other. There would have to be primary legislation to change the Parole Board test. That is not addressed in the Howard League report, as far as I can see, but it would be required. The Parole Board wants to be able to help with this particular issue, if it can, but at the moment, as Cecilia said, we have to act within the restriction of our statutory test. That is what we have been doing, and that is why we are where we are.

Cecilia French: The Howard League report made another recommendation, which was to introduce a better aftercare offer, along the lines of the section 117 model. We would be very supportive of that. It is the kind of thing I just mentioned—a sort of list of things.

Q62 **Warinder Juss:** Do you think you have the resources to make the adaptations?

Cecilia French: It would make people more parole-ready if we could see that there was a suite of things out there in the community that would help to deal with any remaining risk.

Q63 **Warinder Juss:** I have a final question on the move to open conditions. The previous Government wanted to tighten the move to open conditions. How many recommendations have been accepted in the last 12 months for moving IPP prisoners to open conditions, which would hopefully help them to be readier for release?

Cecilia French: We are pleased to see the acceptance of our recommendations for open conditions. The percentage of those who are accepted is beginning to go up, having gone down dramatically in about 2022-23, when the changes to the test were made. The percentages literally plunged—almost everything was rejected. Then the change was not quite reversed, but different criteria were substituted, and the percentage started to creep up. I will double-check, but I think I am right in saying that last year—2024-25—the acceptance rate went up to 78%. Also in that year, 445 prisoners were recommended for open conditions, and I know, because I have this in front of me, that 192 of those were subject to an IPP.

Q64 **Warinder Juss:** May I ask one final question? What impact has that had on your work as the Parole Board and on progressing IPP prisoners into open conditions?

Cecilia French: I think it is a good thing. That is why we make recommendations to move prisoners to open conditions as a natural progression, as I said at the start, in the sentence planning for an



HOUSE OF COMMONS

individual and to see whether they can meet the test at our next parole review.

It has not really changed our work because we still make recommendations—they are only ever recommendations—but it enhances general confidence in the Parole Board if the Secretary of State accepts our recommendations, as opposed to turning them all down.

- Q65 **Sarah Russell:** You referred to something, possibly in a couple of different ways, and I want to clarify my understanding. You talked about how it would help sometimes if a case came back to the same panel more than once. Who owns the cases? You have referred repeatedly to delays, unavailable paperwork, or the paperwork not being of a suitable quality and so on. Who has ownership? Is there a single case manager? Is it the chair? How does that work in driving the cases forward?

Cecilia French: I was referring to the end-to-end case management approach, where the member or the panel retains ownership of the case in an IPP context because we want to manage those cases and progress them properly. Ordinarily, when you come to the MCA stage—that first paper stage—it will involve a single member chair making the decision. If that chair decides that the case needs to progress to an oral hearing, it will go to a different panel, which will not necessarily have the initial member on it. It will go to different people. That is the difference from the IPP end-to-end management model that I was talking about.

You asked who owns the case. We have a case manager, or a case management team, at the paper hearing stage. The cases that move to an oral hearing—many are decided at the paper stage—are handed over to a different team, so to a new case manager. As a result of what we think will be the changes in the Sentencing Bill, we are going to look at whether we can move to a new operating model, where there is more end-to-end, single ownership of the case.

- Q66 **Sarah Russell:** Do you feel that the current version represents value for money?

Cecilia French: The Parole Board budget is £32 million. We released just under 4,000 prisoners recommended for release last year. More were released in 2023-24. Thinking about the cost of a prison place, that represents value for money.

- Q67 **Chair:** Sarah will ask some questions on our final topic, which is recall, but, before that, I want to ask about risk. Risk is important to what you do. You mentioned earlier the 0.5% SFO rate and caveated it by saying that any incident of serious further offence is traumatic and terrible. We have just talked about IPPs, but we could equally talk about lifers or extended determinate sentences where you are dealing with serious crime—often violent sexual crime and so forth—and you must make those decisions. What is your attitude, as an organisation, to risk?

Cecilia French: As a board, what is our attitude to risk?

- Q68 **Chair:** Yes. Does that influence the way you work on a day-to-day basis?



HOUSE OF COMMONS

There are criticisms from both sides that you make mistakes—they can be extremely serious—or that you are far too cautious.

Cecilia French: Okay; I understand your question. It is completely central to what we do. We are essentially risk assessors. Making sure that those decisions are right is absolutely key. Because of some of those statistics, I think we get it right in the majority of cases. We do not take this lightly. Our members have to go through an enormous amount of guidance and training to become expert risk assessors and they must follow a structured decision-making framework. It is such a big public protection decision and I do not think that anybody takes it lightly. We are not too cautious, but nor do we take anything lightly—we take it very seriously. It will be for others to debate where we lie between that—I cannot really answer where we are on that spectrum.

Alexandra Marks: May I make an observation? I have not worked at the Parole Board yet, so I am coming into this. It seems that it is impossible to eliminate risk completely. There are bound to be some instances where it goes wrong and is not necessarily something that the Parole Board has done wrong. But there are many more prisoners serving determinate terms who are automatically released and who come nowhere near the Parole Board. As a society, we live with the consequences of them reoffending.

Obviously all reoffending is terrible, and you can go back and say, “Well, should they have had a determinate sentence which meant they would come out automatically?”—it is so difficult. I speak as a sentencer as well. It is very difficult to assess, particularly at the point when the judge is making the decision. I know what they have done, and have a lot of material about that, and I make my sentencing decision accordingly, but I do not know what it is going to be like in 15 years’ time. That is what the Parole Board has to do. It is a very difficult task for them because, to a large extent, the individual has been in a protective and secure environment, so you have not got more information about what they will necessarily be like when they are released. It is extremely challenging to make that balance and to get it right.

Q69 **Chair:** Let me put the question the other way: how do you prevent yourself from becoming too cautious? Exactly as you say, prisoners on determinate sentences get released every day and may commit other offences. You can blame the system for that. If the Parole Board releases someone who commits a serious further offence, you can blame the chair of the Parole Board or of the panel. How do you resist becoming overcautious and not doing your job, in the sense that you are not assessing people correctly?

Cecilia French: Members would say by keeping out the noise around that particular offender. There is always a lot of noise, particularly when something is noteworthy. Also, by sticking rigorously to that decision-making framework in the guidance. I think that if you look at our release rate—you might consider it to be cautious; I don’t know—it has remained fairly stable throughout the years at 25%, or approximately one in four,

with a bit of variation either side. Given all the other statistics we talk about, I think that probably points to where we feel comfortable in being.

Alexandra Marks: As the chair, I recognise that if something really bad goes wrong, that is down to me, even if I had absolutely nothing to do with it. And when I say it has really gone badly wrong, it is because we, as the Parole Board, should have done better. So, even if, personally, it has nothing to do with me, I accept that it is the role of chairs to be accountable and to be responsible.

On Cecilia's point, one in four seems a little bit low—maybe it could be a bit better—but one of the things that does concern me about that is that, on average, every person we release will have been seen by four panels. That is probably 12 people: 12 different people in the Parole Board will have had to read a 1,000—maybe 2,000—page dossier. That is where the efficiency, or inefficiency, comes in, which is why I am very keen to explore this. I have mentioned this in the Crown court as well: sometimes I am the eighth judge to have looked through the file, and it seems to me incredibly inefficient.

I realise that with Crown court listings and so on, it is very difficult, but I think that with the Parole Board, where our referrals and our reviews are much more predictable, although not under our control, it ought to be possible to have at least some of the Parole Board members who have seen the case before to be seeing it next time, and the time after. We can't promise that, because obviously Parole Board members come and go, but I think that would be something to look into and explore.

Q70 **Chair:** Let us apply that approach to recall, because quite significant things are happening to recall. I am not entirely sure I understand them, because at the moment we are legislating to allow, for those with sentences of four years and below, that there will be an automatic recall period limited to 28 days. What Gauke says, in the independent statutory review, is slightly different from that. It says that for a wider group of people who are recalled to prison, there will be a 56-day period. I am not quite sure—it will be for the Government to square that circle. Whatever happens, you are not going to be dealing with most of the recall cases that you currently deal with.

Cecilia French: Exactly.

Q71 **Chair:** I heard you say earlier that recall is 46% of your work.

Alexandra Marks: The figure I was told is 48%.

Q72 **Chair:** So that makes a big difference to your workload. But presumably you have no role at all in fixed recall periods.

Cecilia French: No.

Q73 **Chair:** So that means there is no scrutiny of those people in the way there is now.

Cecilia French: Exactly

Q74 **Chair:** Does that concern you?

Cecilia French: I think the sentencing Bill is going to be introduced next week, isn't it?

Alexandra Marks: 10 July.

Cecilia French: So let's see exactly what the form of those proposals takes, but definitely the bit that affects us is the progression model for standard determinate sentences, where the proposals are to replace standard recall, where we would have had a decision on re-release, with fixed-term recall of 56 days. And, yes, you are right, the statutory instrument kind of makes that come in earlier for sentences of four years and under from September in phases, but with a fixed-term recall of 28 days. That is the major impact on us—removing recall from our caseload, although there will be exceptions, and we have yet to see the exact form of the exceptions. We have been given an indication of what those exceptions might look like.

Q75 **Chair:** But in a whole swathe of cases that currently come under your purview, where you are assessing the risk to the public of releasing somebody who has been recalled, that will now be an automatic process after somebody has been recalled.

Cecilia French: That's right. We do have some public protection concerns with that, which we have raised with the Minister. One where we would like to see exemptions—I don't know whether they will be in this form when the Bill is introduced next week—is for top-tier offenders, as defined in the Victims and Prisoners Act 2024 by reference to the referral. It seems to us that it would be consistent with that to have an exception to that fixed-term recall for those types of offenders so that there is at least some alignment across legislation, and there would be a parole review before those top-tier offenders—we are talking murder, rape, attacks and terrorism offenders—would be released on recall.

The second category are prisoners serving a sentence of potentially seven or more years for certain sexual or violent offences. Those would be of concern to us if they were being automatically released after 56 days. It is slightly different, but a third category where we are quite keen to see an exemption is those prisoners who have been subject to that fixed-term recall on multiple occasions. You are released, and you get recalled—when are you going to stop?

Admittedly, under the Gauke recommendations, the bar is supposed to be much higher for recall and, in the standard determinate sentences, with no licensee supervision at all in that last third, so there should in theory be no recalls. But if you are in that loop, we think there is a point at which two strikes might be a sensible replacement with a parole decision.

We have other public protection concerns, but those are the main areas in which we would be interested in seeing some exemptions.

Q76 **Chair:** At the moment, in those cases where you have a hearing in



HOUSE OF COMMONS

relation to a recall prisoner, what proportion do you refuse to allow to be released?

Cecilia French: In those categories?

Chair: Yes.

Cecilia French: I don't know.

Q77 **Chair:** Across the board.

Cecilia French: Maybe by the time you ask your next question, the people behind me will have scribbled me a note.

Q78 **Chair:** I have only one more question, so I will ask that. It is on the same subject. Do victims currently play a part in the recall process? If you are determining whether a recall prisoner should be released, do you have victim and witness statements?

Cecilia French: Yes, we have all the things we were talking about before.

Q79 **Chair:** So that won't happen with fixed-term recall. It is taking victims out of the equation.

Cecilia French: Yes, it's the counterpart to fixed-term recall.

Q80 **Chair:** So quite a big chunk of your work.

Cecilia French: Yes. We recognise that the prison population is what is driving this, and we recognise that it is a finely balanced consideration between that, public protection concerns, and the rights of victims. Where the Government choose to draw the line in the sentencing Bill remains to be seen.

Q81 **Chair:** We are assuming that they adopt that part of Gauke. The 28-day provision going through at the moment could be seen as part of the emergency measures, but if, as seems very likely, the Gauke recommendations on recall are incorporated into the sentencing Bill, that would then become a permanent feature of the justice system. You would have less of a role and victims would have less of a role—it would be a far more automatic process.

Alexandra Marks: Can I make a couple of points about that? First, there are recalls for lots of different reasons. There is a category of recall that is for fairly trivial breaches of licences. This is something I was concerned about and mentioned at my interview. It is partly born of my sole experience, so far, of observing a parole hearing, although I will be doing a lot more. The individual had committed fairly trivial breaches of licence, but had to wait a year for a parole review, when that was frankly not justified for public protection. It is extremely expensive to keep someone in prison, quite apart from the fact that it destroyed all the rehabilitation aspects of a home, job, partner and all those sorts of things.

Chair: That is a very fair point.

Alexandra Marks: The other issue is that, although it accounts for 48% of our caseload, because it is some of the sort of cases where it should be



HOUSE OF COMMONS

fairly easy to make a decision, even on the papers, it is not going to halve the workload because clearly a disproportionate amount of effort from the Parole Board is on the more complex cases, which we will, of course, retain.

Chair: That is why, going back to my previous question, I asked in what proportion you refuse release to recall prisoners. While we are still waiting for the answer to that, I will bring in Sir Ashley Fox.

Q82 **Sir Ashley Fox:** When you said, “two strikes and you’re out”, were you suggesting that someone who has been recalled for a second period of 56 days should not be automatically released, but they have a Parole Board hearing?

Cecilia French: That is the kind of thing. I mean, two strikes was perhaps nasty language, but that is an example, yes.

Q83 **Sir Ashley Fox:** And that is presumably because, if you have this tougher standard to be recalled for 56 days and someone has now done this twice, there is a judgment to be made as to whether they actually need to be in prison.

Cecilia French: Yes, exactly, so that is why we have made that suggestion.

In relation to your question, Chair, about 70% of the SDS recalls that come to us being knocked back—in other words, there is no release—

Chair: Oh, really?

Q84 **Tessa Munt:** Is that just the recent SDS—the 40% ones?

Alexandra Marks: That is the 40% ones. In a way, it is not surprising, because that was announced so rapidly, and happened so quickly, that there was not much preparation done for those individuals.

Cecilia French: Do you mean the ones under four years?

Alexandra Marks: No, I am talking about the change to automatic release, from 50% of the sentence to 40%, so there was suddenly a lot of people released—*[Interruption.]*

Chair: These messages from the oracle are very welcome.

Cecilia French: It is all types; that is what I thought.

Alexandra Marks: But it includes SDS40, and I think there were people in the community who were concerned that they were trying to rehabilitate people, but that crucial last period before release suddenly disappeared.

Q85 **Chair:** So that might have contributed. Even so, if it is all types, that 70% is a high figure.

Cecilia French: Exactly. That is why we have the public protection concerns that we have, particularly in those areas that I raised.



HOUSE OF COMMONS

Q86 **Chair:** Have you made those known?

Cecilia French: Yes, we have.

Q87 **Chair:** Publicly?

Cecilia French: No, this is the most public it has got. I don't think I would go any more public.

Chair: Fine, okay. We are almost exactly to time, for once—extraordinarily. Does anybody have any last questions before I close the session? Then thank you very much for your attendance today and for answering all of our questions. Good luck with the new appointment—we can say that, because we are not the arbiters in this case—and thank you for giving evidence today.