

Justice Committee

Oral evidence: [The transparency of Parole Board decisions and involvement of victims in the process,](#)
HC 755

Wednesday 7 February 2018

Ordered by the House of Commons to be published on 7 February 2018.

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Members present: Robert Neill (Chair); Mrs Kemi Badenoch; Ruth Cadbury; Alex Chalk; Bambos Charalambous; David Hanson; John Howell; Gavin Newlands; Victoria Prentis; Ellie Reeves; Ms Marie Rimmer.

Questions 1 - 115

Witnesses

I: Nick Hardwick, Chair, Parole Board for England and Wales; and Martin Jones, Chief Executive Officer, Parole Board for England and Wales.

II: Baroness Newlove, Victims' Commissioner for England and Wales; Dame Glenys Stacey, Her Majesty's Chief Inspector of Probation; Sonia Crozier, Executive Director, National Probation Service; and Justin Russell, Director General – Prisons, Offender and Youth Justice Policy, Ministry of Justice.

Examination of witnesses

Witnesses: Nick Hardwick and Martin Jones.

Chair: Good morning, everyone. Professor Hardwick, Mr Jones, thank you for coming to give evidence to us. We will start the formal proceedings with declarations of interest, as we have to in the usual way. As members know, I am a non-practising barrister and consultant to a law firm.

Victoria Prentis: I am a non-practising barrister, but when I was practising I did a great deal of law for both the Parole Board and the Secretary of State.

Alex Chalk: Barrister married to a barrister.

Ellie Reeves: Non-practising barrister.

Bambos Charalambous: I am a non-practising solicitor.

David Hanson: I have known Professor Hardwick for a number of years. We have been involved in a number of projects relating to our joint membership of Hull University.

Q1 **Chair:** That is great. Gentlemen, thank you very much for coming to give evidence to us. It is not the first time. I just want to make it quite clear, for those who are either present in person or watching, that although there has been a great deal of publicity about one particular case—the Worboys case—and what happened there, it is not our role to look at individual cases. Indeed, there may be court proceedings today as far as that is concerned, so I am not going to try to second-guess the role of the courts. That is not the role of a Select Committee.

We are interested, as you will understand, gentlemen, to find out what stems from that and what we have already seen, with the announcement by the Secretary of State of his review into the law and practice and procedure and so on, so that we learn generally from the issues that arise. I am grateful to you for coming to give evidence to us, and I am grateful to you and other witnesses for the written memoranda that have been submitted and that you have read.

Professor Hardwick, perhaps you can help us first of all. Do you feel that the public really understands the way the Parole Board makes its decisions? What can we do to help them to understand better, because the board carries out a very important function on behalf of all of us?

Nick Hardwick: No, I do not think that the public properly understand the work of the Parole Board and I have said that on a number of occasions, including to this Committee, before the current case became controversial. The public cannot properly understand the work of the Parole Board because we do not explain it properly. A number of things can be done to address that, which I hope we will talk about in more detail.

First of all, the general information about how the Parole Board works—its status, what we make decisions about, what we do not make decisions



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about, how we operate—is not clear enough. How individuals engage with the Parole Board, particularly victims, can be improved, and Dame Glenys Stacey's report will be very helpful on some of that.

We could do much more than we do at present to explain individual decisions, but there are risks in doing that and they need to be carefully explored and considered. Despite that, I am very clear that we can do much more to explain the system. I welcome the Justice Secretary's review. I hope it will be radical, but I also hope it will be carefully thought through.

Q2 Chair: Looking at what you can do yourselves, for a start, to make the public more aware—an awareness and education programme—what proposals can you set in train?

Nick Hardwick: There are a number of different steps that we are in the process of taking. First, we need accessible information about the process in a number of different formats and on a number of different platforms. We are talking about using video to explain things. We have seen some very impressive stuff from other jurisdictions that we think we can copy. The written information that we produce could be much improved.

We have taken steps to open up the board in other ways. We have invited external researchers into the Parole Board to look at what we do and publish reports. We have invited journalists to come in and make programmes about the Parole Board, and some of that is in place at the moment. We have invited some key people to sit as observers in Parole Board hearings, so that they can see for themselves how it works. We can do much more than that. I will be clear; there is a resource requirement to that because you need specialist people to do it, but, given the level of public interest and the fairly minimal resource requirements, I will press on and do more.

Q3 Chair: To what extent is your willingness and desire to have greater transparency constrained by the Parole Board rules?

Nick Hardwick: What we cannot do, and we are absolutely prohibited from doing by the Parole Board rules, which were approved by Parliament on a negative resolution, is explain anything about an individual case, even the most basic things. As an example, talking about completely different cases, victims ask for information about licence conditions. We have information about licence conditions that I am sure would reassure them, and that they would find comforting, but we cannot tell them. There is much more, but it is not simply a question of the rules. There are some risks to be thought through.

It is quite clear that some victims do not want all the details of their case rehashed in public again and again. For instance, in a case where we were turning the prisoner down, he could come back before the Parole Board every two years. That would mean that every two years we were



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putting the details of perhaps a horrible domestic family case, which was terribly messy, into the public domain, despite victims not wanting that.

There are real issues around candour. We need offenders to talk honestly to psychologists about their feelings about their offence. Often that will contain information about lots of third parties, let alone themselves. That information has to be given to the Parole Board. We have to be careful about, or think through very carefully, the consequences of inhibiting candour. We need to make sure that witnesses who give evidence to the Parole Board feel they can give us their honest opinion, and do not feel pressured into saying what might be popular.

All of those things need to be thought through, but I would not want that to be understood as me not saying that I think we could go much further in explaining our decisions to people, so that they have a real sense of what we do. They may not like what we do, and they may not agree. Often, victims do not agree with what we have done, but at least they will have some basis for knowing why they do not agree with us. Also, if, as they think about it later, there is a challenge, it makes a challenge process possible. You cannot challenge us at the moment because you do not know how we have made the decision, so then you have to crowdfund to do a judicial review, all of that kind of stuff. We ought to make that much simpler, but not do more harm than good.

You might argue that some of the current problems in criminal justice have occurred because what seemed to be good ideas were pushed through without necessarily thinking through all the consequences. My plea is let's make change, let's make big change, but let's think it through carefully and not do it as an understandable but hasty gut reaction to a particular case.

Q4 Chair: I get the sense that the current arrangements do not make it easier for you to help the public to have confidence in the system.

Nick Hardwick: No. I can think of another case, a notorious case, where we decided to release a prisoner and there was a lot of outcry. There was a lot of media comment on his original offence and a lot of pictures in the media of him as he appeared at the time of that offence. You could understand why that was uppermost in people's minds and you could understand why people were angry. What did not come over was the frail old man we were releasing on a Zimmer frame, who would have struggled to get out of bed, let alone do anybody any harm. That might not have made people feel the decision was right, but it would have provided some context for their concerns. We were not in a position to explain that. There have been many other cases like that.

To remind the Committee, we make 25,000 decisions a year. What we would not want to do—something I am wary about and which needs to be thought through—is simply put out information about the most notorious cases, because that would give a very misleading picture. We have to



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have a system that is robust enough to put out information about a lot of cases, and the mechanics of doing that are quite complex.

Q5 **Chair:** There is a resource implication, Mr Jones, isn't there?

Martin Jones: Absolutely. For the Parole Board, it relates to how you access the information about the cases that are coming up. If you were trying to put a summary of our decisions out there, clearly you need to find a way of getting a really good, accurate summary, which protects sensitive personal information about innocent parties and victims in an appropriate way. We are up for that challenge, but obviously it needs to be resourced over a long term.

We need to think about how you would access the information. In some other international jurisdictions such as Canada and New Zealand, there is an online tool where you can register your interest and that gives rise to further information. That would be quite an intelligent way of going about it, and perhaps where we would go in the future.

Q6 **Chair:** I know you have looked at other jurisdictions. Are those some of the ones where you think there is learning to be had?

Nick Hardwick: We would not describe ourselves as international experts. We have had a lot of contact with the Canadian system, and I have certainly been impressed by some of the ways they work, although the context there is different from here. Martin has had contact with the system in New Zealand. That has some lessons we can learn from. We can certainly go some of the way down the route they go, relatively simply.

Q7 **Chair:** Interestingly, in your evidence you said, Professor Hardwick, that the board is, to all intents and purposes, a court when you have a panel of the board sitting to determine whether or not to direct release.

Nick Hardwick: That is my understanding of the law. When it sits as a panel, it is a court.

Q8 **Chair:** You are acting quasi-judicially.

Nick Hardwick: Exactly. Once the panel has made a decision, we cannot change its mind without going through a JR process. I cannot tell it, "I don't agree with that decision and you have to do something different."

Q9 **Chair:** There is no system for review or appeal.

Nick Hardwick: No.

Q10 **Chair:** You are a court which, by the rules, whether it wants to or not, has to sit in private and cannot give reasons. That is what it comes to.

Nick Hardwick: Exactly. We need to understand some of the history. This arose from a small group of experts giving advice to the Home Secretary, when he or she made the decision shortly after the abolition of capital punishment. The system has changed in lots of ways, both in



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terms of the law and in terms of some of the procedures, but it has not really caught up yet with the modern world. As I said, we need to make some radical change, and if one good thing comes out of the current case, it is that it has given that change impetus that might otherwise have been a very long time coming.

Q11 **Chair:** It needs thorough update.

Nick Hardwick: Yes.

Q12 **Victoria Prentis:** Just to clarify, you do give reasons, don't you? It is just that they are not made public.

Nick Hardwick: Yes. We give very detailed reasons to the prisoner, which, frankly, most of them struggle to understand, but, yes, we provide a very detailed statement of reasons.

Martin Jones: That is by comparison with 25 years ago, when there were no reasons given for the decision at all, so we have changed. The original process was almost secret; it is now private proceedings, and we are talking about making it even more transparent and open than that.

Q13 **Victoria Prentis:** Could you clarify in what proportion of cases there is an oral hearing?

Martin Jones: Last year, we held 7,377 oral hearings, which was a record high. We expect to hold about 8,000 hearings this year, which again will be a new number. Probably around a third of our cases go to an oral hearing and the remainder are concluded on the papers.

Q14 **Victoria Prentis:** Just to make a suggestion, that could be an idea for choosing the sort of cases that might attract public interest or be the right cases to make more information available about.

Martin Jones: Absolutely right.

Nick Hardwick: Yes, that is where you would want to start.

Q15 **Victoria Prentis:** Would you mind explaining some of the circumstances under which the board takes decisions on the appropriateness of releasing someone, even though they have not been tested in open conditions? What sorts of things does the board take into account?

Nick Hardwick: It is important to say on the record that all the board's decisions are about future risk, as the Committee knows. What we are not doing is revisiting questions of guilt or innocence for the original offence, and we are not revisiting whether the original sentence was appropriate. We cannot do that.

I saw a lot of open conditions when I was chief inspector of prisons. Some open conditions are appropriate for some prisoners who have potentially very chaotic lifestyles. You want to see how they will manage with minimal supervision and you might want to gradually reintroduce them to the outside world. We need to be very clear that levels of



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supervision in open conditions are very limited, less, for instance, than would be the case for somebody in approved premises.

We know perfectly well that it is possible for someone who has very controlled behaviour to go to open conditions, not put a foot wrong and do exactly as asked, and that will tell you almost nothing about how they will behave when they leave open conditions. They would not have the same degree of very intense supervision that might be possible if they were in approved premises.

- Q16 Victoria Prentis:** Those types of people are generally the sort of people that the public is most worried about. How can you evaluate whether or not they are safe to release?

Nick Hardwick: It would depend on the circumstances of the case. Another source of evidence you would use is the panel. The experience of the panel is critical. In a high profile case you might, for instance, have a judicial member chairing it, you might have the Parole Board's own psychologist on the panel and you might have another experienced member. You would then get a large dossier of information. It would contain, for instance, the judge's original sentencing remarks, various risk algorithms and reports from psychologists, offender supervisors and others who have had contact with the prisoner. You would then have a hearing where you would question some of those people. You might question a number of psychologists, the panel might question the prisoner themselves, and hear a victim statement if a victim wanted to make one. You would pull that information together and make a decision on that basis.

In terms of risk, you are looking at two things: whether you think risk has been reduced; and whether the residual risk can be managed in the community, and the risk management plans are robust. On that basis, you make a decision. The test, of course, which has caused concern in some quarters, is that you are satisfied that it is no longer necessary for the protection of the public that the prisoner should be detained. The prisoner has to demonstrate that they are safe to release, not the system demonstrate that it is the other way around. If a prisoner demonstrates that, we are statutorily obliged to release them.

Martin Jones: This might be helpful to the Committee; last year the Parole Board released 2,468 people after oral hearings. The majority of those people were released from closed conditions, not open. All recall prisoners, for example, will go back to closed and be released from there. Lots of the IPP prisoners are being released from closed conditions.

- Q17 Alex Chalk:** Can you tell us a little more about the process by which you reach those conclusions? You talked a little bit about the psychiatric and psychological evidence, because no doubt you will need some expert assistance to establish whether a person is going to offend again or not. Normally, we have an adversarial system in the court system. Do you feel there is sufficient opportunity to scrutinise that expert evidence properly?



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You might say, "Do you know what, that expert evidence is absolute rubbish as far as we are concerned. Their credentials do not stack up." Those are the sorts of things that happen in normal criminal trials. Or is it the case that all expert evidence is taken at face value and there is not a proper opportunity to unpick it?

Nick Hardwick: I can reassure you on that point absolutely. Anyone who appears before the Parole Board and gives expert evidence will tell you that they are grilled, and it is absolutely not the case that we always accept expert evidence as something we go with. There might be an argument for a more adversarial system, and that would be quite an interesting thing to look at, but it is absolutely clear that an expert would be grilled and their evidence would not be taken at face value.

Q18 **Alex Chalk:** Unpicking an expert is something that requires forensic skills, advocacy skills. Do you feel that Parole Boards have the skills to truly unpick expert evidence, properly evaluate it and cast criticism on it if necessary? They may have plenty of other skills, by the way.

Nick Hardwick: It would not always be the case, but when a judicial member is chairing the panel, they will certainly have the expert skills to unpick any evidence and they will be supported. For instance, if it was the case that the evidence of psychologists was crucial, we would often allocate both a judge to chair the panel and a psychologist member to provide expert advice about what the psychologist was saying, so we would have that combination.

It is not just restricted to judges. I have seen panels interrogate in detail, and, if you read the decisions on cases, what you get is a very careful weighing up of the evidence that is produced. In most cases, you will not just have one expert providing evidence; you will have a number, who might have worked with an individual over a period of time. As is the nature of experts, they do not always agree. You have to try to pick your way through all of that, but, just to be clear, the test is not that we have to show that the prisoner is dangerous; they have to show us that they are safe.

Martin Jones: A parole dossier, which will often run to many hundreds of pages, sometimes even over 1,000, will have multiple reports from multiple professionals: the offender manager, the offender supervisor and quite often multiple psychologists. If a single report was going in a particular direction, and everything else was going in a different direction, the panel would have to probe that in order to make a good decision in the case.

Having read many many parole dossiers, I would say that it is extremely rare for one decision to be completely outside. There is always a range of opinions that are offered and you would want some corroboration and testing of the information in those reports. As Nick said, we have psychologists, judges and lawyers on the panel who can absolutely explore that and ask for further reports where necessary.



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Q19 **Chair:** Is there almost an argument for having counsel to the panel, to challenge, perhaps under a more adversarial process?

Nick Hardwick: There are a number of things that need to be looked at as part of the review process, and I would not want my raising things that need to be considered further to be seen as endorsing them. We need to be open-minded and listen to experts. One of the things that we could look at is that the Secretary of State can be represented at a hearing. He or she is rarely represented and often at quite a junior level. There may be an argument, in some cases, for them being represented at a more senior level. In relation to terrorist cases, we raised this with Ministers directly, saying that we think in those cases it would be better if the Secretary of State was represented at a more senior level, potentially by counsel, precisely when there were issues of disclosure.

The prisoner can be represented, and, in a case where the prisoner has very high-level representation, we think it is important that the Secretary of State is represented at a senior level. Whether you would want to do that in all cases, and whether that then drags the Secretary of State into things they do not want to be dragged into, is a different matter, but it could be one of the things that should be on the table for consideration. There may be arguments against, but let's have a look at that.

Q20 **Alex Chalk:** There have been examples of other inquiries, such as the Hutton inquiry, when counsel at the inquiry was a really important asset to forensically examine and provide additional heft, interrogation heft. I just wonder whether, in appropriate cases of particular sensitivity or particular gravity, that would be a useful resource to draw upon.

Nick Hardwick: I had not thought about that. I think that would be—

Q21 **Alex Chalk:** A good idea.

Nick Hardwick: It would certainly be worthy of consideration. There is a balance to be struck, which needs to be carefully thought about. The hearings are inquisitorial. We try to put all the participants at ease. It has the status of a court but it does not look like a court, if you see what I mean. I think that maybe it should do a bit more. We want people to be at their ease, because we want the prisoner and witnesses to speak openly and candidly to the panel. There is a risk that, if we make it too adversarial, people will become very cautious about what they are saying, but in some circumstances what you suggest is a very useful and interesting idea, and it needs to be thought through and looked at.

Q22 **Victoria Prentis:** Certainly, in the past, I and my team represented the Secretary of State repeatedly before the Parole Board. My impression is that that is happening a little less than it was. Is that wrong?

Martin Jones: It is very rare now for the Secretary of State to be represented.

Q23 **Victoria Prentis:** It used to be quite commonplace.



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Nick Hardwick: It is certainly very rare for the Secretary of State to be legally represented. That would be very rare.

Victoria Prentis: We used to provide, in the Treasury Solicitor, both solicitor and counsel representation on a regular basis, and that is not normally the case now.

Chair: It is not the case now.

Q24 **Victoria Prentis:** While we are on the subject of experts, do you feel the balance is right between psychologists and psychiatrists in the people you use to produce your reports?

Nick Hardwick: I am not aware of that balance being raised as a concern. There is a difficulty in getting access to sufficient experts of both types because there are not enough; it is not only us asking for their reports. One of the reasons, sometimes, for delays in referrals is that we are waiting for expert reports. The question of balance has not been raised before as an issue. If we feel we need a particular type of report, that is what we will ask for and we will get it, but sometimes, because of the shortage of personnel, there are delays.

Q25 **Victoria Prentis:** There isn't discussion, in your office, about what type of expert you need, about whether it is a psychiatrist.

Martin Jones: We provide clear guidance to members. When a case reaches the Parole Board, there is a paper assessment of the case, identifying the key issues. It is quite important for us that the member doing the initial assessment says, "I need a psychiatrist member; I need particular reports." It is about the balance between whether it is a mental health issue, where clearly we need psychiatric reports and assessment, and we might be using one of our psychiatric members on the panel, or whether it is something more generic where a psychologist's report might be more important. There is guidance, which perhaps we could share with the Committee, if that would be helpful.

Q26 **Victoria Prentis:** That would be very helpful. It would also be helpful to know what proportion of which speciality you use on a regular basis.

Martin Jones: Of course. We can do that.

Nick Hardwick: One of the things we have encouraged is getting our psychologist members and psychiatrist members to meet separately a couple of times a year, so that if they felt concerned, for instance, that they were not being used enough or were being used too much, we would get their considered opinion. That will be helpful.

Q27 **David Hanson:** You have helpfully answered a number of the questions I was going to raise, but there is one that I would like to follow through. You suggested, Professor Hardwick, that one of the issues you would like to look at is an online registry of Parole Board cases, which would enable interested parties to keep track of progress. Could you define for me interested parties? I am just interested, genuinely, as to whether



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anybody could register, or whether it would have to be a specific victim or some associated response to the case.

Nick Hardwick: We need to work out the detail, but what I have in mind at this point, and put on the table for discussion, is that we would have an online, publicly accessible database. Anyone could go on that database and see that such and such a case is coming up, and a decision is due. It would be publicly available, so if you were interested you could look for a case and find out what was happening to it. It would also have an ability for interested parties to register with the database, so that they are proactively informed of key developments in the case.

Q28 **David Hanson:** Could you help me by defining what you regard as an interested party?

Nick Hardwick: It would certainly be the victims. This is one of the tricky issues. I would take a broad view, so I would certainly include the victims of the offence for which the prisoner had been convicted. It would be their family members in a case of murder. I would look much more broadly than that, and take a broader view of victims.

Q29 **David Hanson:** For example, would the *Daily Mail*, *The Sun* or the *Flint and Holywell Chronicle* be termed as an interested party?

Nick Hardwick: The *Daily Mail* ought to be able to go on to the register and find out what cases are coming up, if they want to do that, and they ought to be told the results of the cases we deal with. I do not see a problem with that.

Q30 **David Hanson:** I just put this question on the table. If there was an external interest in a potential development in a case from an interested party that was not the victim or the family of the victim or associated individuals, do you think that interested party would then potentially create a wider public debate that would influence the Parole Board's decisions or be taken into account? I am interested in the barriers.

Nick Hardwick: It goes back to what I was saying; there are pros and cons. At the moment, people find out about the most notorious cases anyhow and that gets publicity. We certainly want to be more open with victims, so stuff would go into the public domain anyhow. On the whole, I think you would have more balance if you provided information about the full range of the Parole Board. Not all of it will be of interest, but it will provide some kind of context, rather than media attention simply being focused on the most notorious cases. The most notorious cases are not necessarily the worst cases. People come before us who have done completely frightful things and do not seem to merit a headline.

Q31 **Chair:** There is one final thing, before we move on to a different aspect of the work. You talked about putting information out there, and you quoted the example that you could set someone's mind at rest if you were able to say what the conditions were. Take an IPP case, for example; can you just assist, in broad terms, with the sort of suite of



conditions that it might be possible or appropriate to impose? It would not be in every case, but what sort of things can you do? You mentioned tagging; perhaps it would be residence or whatever.

Martin Jones: There is a published set of licence conditions that are appropriate, and it can be tuned to the needs of the individual offender. One might be drug testing, or it might be to go for some sort of health treatment. You would certainly have exclusion zones where appropriate; they are fairly routine. We would certainly be interested in satellite tracking of offenders, and we have been part of a pilot for the last year. It might be particularly useful and reassuring for victims to know where somebody was. We can have non-contact conditions to say, "You cannot approach these individuals."

The crucial point is that licence conditions are really powerful as a public protection tool. Breach of those licence conditions can result in immediate recall to custody and, in the case of an IPP prisoner, potentially for the rest of their life if they breach them, so they are important. That would help victims enormously.

Our priority on transparency should be to provide much clearer information to victims at an earlier point in time, so that we can say, "Here are the 15 licence conditions that have been placed on this particular offender." I am sure that would reassure them.

Nick Hardwick: You can ask to see people's Oyster cards so that you know where they have been. You can ask to see their phone records. You can tell them, "We want to look at your computer records, and what you have been looking at. You can't delete your history." We could say, "You have to stay in this place; you cannot leave it; you have to be there every night, and you cannot leave it for more than one day. You have to tell a probation officer if you are starting a relationship with any person. You have to stay in this particular place." There will be a long list. Sometimes the question is not, in a sense, where you are banned from going, but where you have to stay, and that is the critical reassurance for people.

Q32 **John Howell:** I would like to take you on to the subject of improving the victim's experience of the Parole Board. In your annual review, you set out a number of steps that you have taken to do that. Can you tell me what your assessment of the impact of those has been?

Martin Jones: To summarise, we have set up a scheme that we have been running, and I suspect we will continue to run, to help pay victims' travelling expenses to come to a parole hearing. So far, we have paid £5,000 in costs. We have really good feedback from victims that it is very helpful if they have to make a long train journey to a very inaccessible prison. That is very helpful to them. I have personally written 200 thank you notes to victims attending parole hearings. That is very much appreciated by people receiving those letters.



There are other areas. Last time we spoke, the Committee asked about giving evidence via video-link. Yesterday afternoon, I spent some time writing some of my notes to victims. In two or three of those cases, the evidence had been given remotely, via video-link. That is an appropriate way to do it. We should explore, for example, pre-recording of a victim's statement. For most people, it is a very difficult thing to get into a prison, with all the security checks, so we could allow them to pre-record that so that it can be played at the hearing. In all the letters I have written, I have not had an example where that has happened, so it is something we should be looking to capitalise on.

Q33 John Howell: Professor Hardwick, you said you wanted to include victims as interested parties.

Nick Hardwick: One of the things we should look at is victims getting a summary of the Parole Board's decisions, if they want one. I certainly think they should know more about licence conditions. This is complicated, because some victims, very understandably, say, "Look, I don't want to hear anything more about this ghastly individual. I've put him behind me. Don't tell me anything."

Some victims want to know stuff and other victims do not, from the same case. We have one case, a voyeurism case, where there are hundreds and hundreds of victims, so it is not a straightforward thing, but the presumption ought to be that we tell victims as much as we can, and they can access that information in the way they want as easily as possible. Dame Glenys is going to review victim handling. There are a lot of very helpful things to say about that and I am sure they will be taken forward.

Q34 John Howell: What you are saying is that the handling of victims is a very difficult matter, because some want to see things and some do not want to see things.

Nick Hardwick: Yes.

Q35 John Howell: How do you make that assessment? How involved are they in the whole of the process?

Nick Hardwick: Contact with the victims is done by the victim contact service through the probation service. We do not do that ourselves, and I would not claim to be an expert. Essentially, it is the victim's choice. The victim chooses the degree of contact they want, and the system ought to work better at enabling the victim to opt in and opt out, and change their mind, which is very understandable. If you are dealing with some horrible thing, you might say, "Look, I don't want to hear anything about it." Then it gets closer to the time and you say, "Yes, I do want to hear about it." That would be a very human way of reacting.

I have had a chance to look briefly at Dame Glenys's report. Part of the problem, it seems to me, is that we are still operating on a paper-based,



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writing people letters system that is not attuned to the modern age. There are some technological changes that would make things easier.

Q36 **John Howell:** That sort of approach is great as long as the victims know that they have that right.

Nick Hardwick: Exactly. I personally think this is where it would tie into the idea of a register. You would know the register exists. You would not have to look at it, but, if you wanted, you could simply log on. Anyone could see it. Then you could say, "Yes, look he's coming up for his parole hearing. Perhaps I do want to know about it after all." We could do more to try to give victims information in an accessible way, so that they can make informed choices about the engagement they want. It is an emotional process for people, and it is complicated to find a way through.

Martin Jones: We should look at the Parole Board website. All of the websites should make it much easier for a victim who makes the decision that they want to feed into the process. How do you do it? If I went to the Parole Board website today, I am not sure that I would know what button to press and how to make that contact. That is something we have to get right for the whole system.

Q37 **John Howell:** What sort of contact do you have with the victim contact scheme? It seems to be a bit patchy.

Martin Jones: Maybe I can help the Committee with that. We have quite close contact. We have held training days when lots of VLOs came in to talk to the Parole Board about how we work, and we share information. We use those as our network of contacts in getting information out there. All the thank you notes that I send are sent through the victim liaison officer, and that is quite an important part of our processes, but the day-to-day contact is through the offender manager, who talks to the person in the community about the contact. I do wonder whether the number of steps and the number of people involved in the process mean that it is very difficult to get information quickly from the Parole Board to the victim liaison officer. That is certainly one of the things we need to tighten up on.

Q38 **John Howell:** What about the probation service generally?

Martin Jones: We have a very close relationship with the probation service. I meet the director of the National Probation Service, probably once every six to eight weeks, and other senior colleagues there. Of course, on a day-to-day basis, probation officers give evidence at the parole hearings. Issues come up on a day-to-day basis that are dealt with via our case managers.

Nick Hardwick: One of the improvements that has happened recently is that relationships with the other agencies involved in the process have improved. There is less silo working. It is important that we maintain our independence, but there is a much better, more effective working relationship than maybe there was in the past.



Q39 Bambos Charalambous: Professor Hardwick, you alluded to the fact that it is emotional for victims, and the Victims' Commissioner has said that victims who attend oral hearings need more practical and emotional support. What is your assessment of the support they currently receive?

Nick Hardwick: The feedback we get from individual victims, certainly about the way they have been dealt with by the panel, is generally positive in terms of the way we do it. They may not like the decision, but they do not generally complain about the contact they have had with the board. Some of the issues are, in a sense, before they get to us. It is an intimidating experience to go into a prison to deliver a victim statement to a person who possibly did you great harm. We cannot make that an easy experience. It is about how we prepare people in advance for that, so they know what to expect, as much as about what happens on the day. There are some practical things. You should not have to worry about your costs for getting to the place and the hotel if you need to be put up. You should not need to worry about how you are going to find your way around. There should be a proper waiting space for you, so that you are not bumping into the prisoner's family, that kind of thing.

To arrange some of those things in a prison is of course much more difficult than would be the case in a court. Martin's idea about trying to do more of this stuff remotely through recorded statements, or, as the Committee has suggested, through video-links, would be easier for some people. I am clear, though, that some victims want to turn up and look the prisoner in the eye across the room and say, "You did this to me," and they should not be denied the possibility of doing that.

Q40 Bambos Charalambous: What do you consider the appropriate parameters within which victims can have greater involvement with the Parole Board process, the actual process itself?

Martin Jones: It is really important to say that the Parole Board's job is to focus on risk. There is a tremendous amount of information that can be contained in a victim personal statement. I have sat in a room, and I have read statements, and seen the enormous impact that they have on the panel. Reading them informs the questioning that they then put to the offender in relation to that, but our job is to look at risk.

Obviously, the punishment for the sentence is set by the judge at that point. Licence conditions are absolutely vital, and it is about providing information to victims on the licence conditions that can be appropriately requested. What is very difficult is if you are getting into the area of risk, or where the victim is saying, "Please don't release this person," and almost lobbying the Parole Board against that. That is something that is certainly advised against.

Nick Hardwick: What is really important, well before a case gets to the Parole Board, is that victims feel they can have their proper say at the trial, because it is at the trial that the sentence and the tariff will be set. In a sense, the judge will take into account the impact on the victims in



the sentence and in the tariff he or she hands down. That is the occasion when that should happen. Of course, sometimes processes improve, but often by the time the case gets to the Parole Board we are dealing with a trial that may have happened many years ago, and perhaps at that point the care and attention given to victims' needs was not as great as it would be now.

Q41 Bambos Charalambous: The victims might still want to know about the licence conditions.

Nick Hardwick: Exactly. There may be some licence conditions you can tell a victim, but pretty rarely. We should tell victims more about licence conditions, or about why we turn them down. We had a case the other day where a victim who lived in a fairly remote part of the country said to us, "I have an unusual name. Can you ban the prisoner from coming to this area because I am worried he will track me down?" We said, "The problem is that, if we make this very precise ban, you would be very identifiable and that wouldn't serve the purpose you want." Our ability to have that discussion with the victim and say, "Maybe there is another way that we can meet your concerns," ought to be much simpler.

Around licence conditions, there ought to be, for the victim, a much less adversarial process. It ought to be much more of a discussion: "What is it you're concerned about?" "I don't not think that will work but could we do that? Would that reassure you?" The system ought to enable us to have that conversation in a sensitive way with a victim. We often change licence conditions. That is a really routine business for us. New information comes to light, or something unexpected happens, so we change the licence conditions. That should not feel like some terribly difficult process for people. If people have something to say to us about licence conditions, it should be easy for them to do that.

Q42 Ellie Reeves: Picking up the issue around licence conditions, one of the proposals from Baroness Newlove is that the Parole Board contacts victims by letter to tell them when particular licence conditions are accepted or rejected. Are you saying that is something you are going to do?

Martin Jones: At the moment, it is not the Parole Board that contacts them; we do it via the VLO. That is part of the issue. The Parole Board makes the decision and explains the reasons why it has made its decision. What the victim may be told is whether or not it has been granted.

I looked at a particular complaint that crossed my desk a few months ago. It is about being very clear, with the Parole Board drafting, "This is what the victim should be told about this." I am aware of many cases where, once you come back and clarify, you can make an amended licence condition request. Making it much simpler for the victim should be where we are in the future. If you could simplify the process, you could probably get to that position of clarification much earlier: "We can't grant



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the whole of the south-east of England, but we could, for example, grant this narrow area to give you the protection you need.”

Nick Hardwick: In some ways, it is quite tempting for the Parole Board to say that we would like to be able to have direct contact with victims ourselves. If the criticism is that we are not doing it, we would like the ability to talk to victims and make sure ourselves that it was done right. As I have thought about this more—others will have views on it—I am not sure whether that would work very well for the victims. It might just be another agency coming to them, and maybe we need to keep the channels of communication tight. That would be less confusing for victims than another body coming and talking to them after they have already dealt with the victim liaison team, and they have already dealt with the people at the court. We should try to do this on the basis of what works best for the victims, rather than what is best for the bureaucracies in the process.

Q43 **Ellie Reeves:** Do you think it is best for the victims for it to be through the victims’ service?

Nick Hardwick: To be honest, I do not quite know the answer to that at the moment. I would be open to the Parole Board doing more. I would be open to saying it could be done another way. The point is that at the end of the day victims get the information they need, in a form they can understand, so that it enables them to have the control over the parts of the process and what is happening to them that they should have. We have not got there yet, and Dame Glenys Stacey’s report will help with that.

Q44 **Ellie Reeves:** One of the other things that Baroness Newlove has talked about is victims being informed about the extent to which their evidence is taken into account in decisions being reached. Is that another thing where there is more scope to do some work?

Martin Jones: My view would be that, if you went to full transparency with victims, you should summarise the impact of the victim personal statement. Statements have a real impact on the panel. A very harrowing statement is read, and you know that but you cannot tell the victim. That seems bizarre to me. We should tell them the impact that the statement has had.

Q45 **Ellie Reeves:** Also, it might encourage more victims to engage with the process if they knew they would be heard.

Martin Jones: Absolutely.

Nick Hardwick: If some summaries of decisions were published, a lot of victims would look at what had happened in other decisions and the reasons why decisions were made. It is very difficult for victims now to understand how decisions are made. That is a very fair point.

Q46 **Ruth Cadbury:** Professor Hardwick, what three actions would you like to



come from the Secretary of State's review of the Parole Board? Resources, powers or what?

Nick Hardwick: An action I do not want, if I could say that, is some huge knee-jerk change, possibly without thinking it all through. At the moment, my priorities would be that there should be some sort of a register so that people know what decisions are before us. It should be possible to provide some statement publicly about the reasons for a decision, and it is critical that any additional responsibilities that are put on the Parole Board are properly resourced. What I do not want to do is get back to an Osborne situation, which this Committee has been concerned about, where we get a huge load of extra work, we do not have the resources to deal with it and cases get delayed, so we end up shelling out money in compensation to prisoners, because that would not be what people want as the result of this situation.

Martin Jones: The one thing that the review needs to take into account is that, whatever greater transparency there is, we ensure that the victims are safeguarded as part of it. What you would not want is somebody who has put a dreadful crime behind them, suddenly picking up the papers on a Sunday morning and having it all brought back to life. That would be terribly unfortunate if you wanted to put those things behind you.

Q47 **Ruth Cadbury:** You propose two options for a mechanism for reviewing Parole Board decisions, and you suggest they might work in tandem. Could you explain your rationale for your proposals, and comment on what benefits and challenges there would be in introducing them?

Nick Hardwick: The first proposal would be some sort of simple internal review mechanism. It seems to me that it is undignified that people have to crowdsource to fund a review. I do not think that is an acceptable situation. What we cannot do is make every decision twice. The evidence from other jurisdictions is that, if a review mechanism is generally open, it is used more by prisoners than it is by victims. Whether that will set victims' minds at rest is something that needs to be thought through. If you have some kind of a review mechanism, those would be the risks, but you could have a simple review mechanism that first of all applies a merits test, in the same way as happened with JRs.

Is the decision unreasonable? Have the procedures been followed correctly? That could be done on the papers by senior members of the Parole Board, a judge or whatever. If that failed, as would happen with a JR, it would go back to the Parole Board to be reconsidered by a different panel, but you would still open up. If people still did not like the result, they would still have the right to go to JR, but a JR would not be the first stop.

The alternative would be something like the unduly lenient sentence scheme, where there is an option to institute a review or have a second look at a particular decision. Perhaps the chair of the Parole Board should



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have that option too; if I made a decision now that others thought was completely crazy, there would be nothing they could do about it. What we have to be careful about is that we do not take every decision twice, as I say, which would be a nightmare, and that we think through the consequences of the system being open to prisoners. It would be difficult to see how it could not be open to prisoners and victims. What would the consequences of that be for victims?

Martin Jones: I guess the danger is about risk—that the Parole Board has misapplied itself and we have missed some crucial information or misunderstood the position, or there is some missing evidence. What it cannot be is simply somebody disagreeing with a decision, or they do not like it very much or it is unpopular. It has to be about risk.

Q48 **Ruth Cadbury:** Do you agree with Baroness Newlove that the mechanism for a review in those circumstances should be speedy? Do you think it is necessary and how would you propose that it is achieved, if you agree with her?

Martin Jones: It absolutely has to be speedy. Everybody, the victims and the prisoner, would want certainty at the earliest possible opportunity. The Attorney General's scheme has very tight time limits. We would want legal certainty at the earliest opportunity, and we would need to resource it at our end. We have experience, at the board, of dealing with non-disclosure appeals, which are dealt with very speedily by senior judges, who review a decision very quickly. We want something similar to that, I would have thought.

Q49 **Ruth Cadbury:** There are no barriers, at the moment, to its being speedy.

Martin Jones: I cannot imagine any. It is just about getting the evidence.

Nick Hardwick: It would need to be resourced but there is no reason, in principle, why it could not be done quickly.

Q50 **Chair:** Baroness Newlove suggested a victims' rights review.

Nick Hardwick: If the initial review mechanism decided that a case needed to be looked at again substantively and we needed to re-panel it, it would be a longer process. It would take some months to do, but hopefully it would not happen very often.

Q51 **Chair:** In the rare instances that there is a JR, for example—it does not happen very often—usually by prisoners, do you re-panel it, basically?

Nick Hardwick: Yes, it has to come back to the Parole Board and it has to be re-panelled.

Martin Jones: All the JRs we have received until now have been from prisoners.

Chair: Absolutely, but the same principle applies; you get a fresh panel. I



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understand that is part of the process you need to think about. I get that.

- Q52 **Mrs Badenoch:** When we saw you both last October, we discussed the progress the Parole Board was making in releasing IPP prisoners who were beyond their tariff. Given the scrutiny that has been placed on IPP prisoners and their release, what are the implications, and do you feel you can continue to make progress?

Nick Hardwick: I looked back at what I said last time. I made the point explicitly last time that there were some IPP prisoners who are very dangerous and whom it would be very difficult to release. That remains the case, I hope. I encourage Parole Board members to continue to make decisions as they do at the moment. They should make decisions on the basis of the evidence, in accordance with the law as they understand it, and independently. It is not their job to make popular decisions; it is their job to make the right decisions.

Martin Jones: The strong message to the Parole Board is carry on doing the job in the way that you have been doing it. We still remain on target to release over 1,000 IPPs this year, including recalled prisoners, but only when it is safe to do so. We are not going to release people we consider to be too dangerous.

Nick Hardwick: It was before this all blew up that I was last before the Committee. The first thing I said to the Committee, when you asked about backlogs, was that backlogs are not our first priority; the safety of the public is our first priority. That will remain our message to our members; safety of the public is our No. 1 priority.

- Q53 **Mrs Badenoch:** My second question is about the sex offenders treatment programme. The core SOTP was heavily discredited last summer and I know that there have been changes to the key programmes that have been delivered. My brief tells me that it is Horizon and Kaizen for those who are most high risk. What impact have these changes had in terms of offenders' readiness for release?

Nick Hardwick: I would strike a note of caution. I am not an expert on sex offender treatment programmes, so I would be cautious and rely on my brief as well. It is not my area of expertise. Generally, prior to the concerns being raised about SOTP, and with new programmes, Parole Board members would look at a whole range of evidence. To answer the question that Mr Chalk raised earlier, they will not simply take an expert view: "This guy has done this programme; therefore he is all right." They look at a whole range of evidence—the static and the dynamic risk—and a programme might be one part of it. Also, the fact that my understanding of the evidence about SOTPs is that they have obviously not worked in some cases does not mean they have not worked in any case.

- Q54 **Mrs Badenoch:** In most or many cases.

Nick Hardwick: As I say, I am not an expert on this. We should be very careful about taking a formulaic approach to these sorts of cases in any



circumstance. Parole Board members do not simply take a risk algorithm generated by a computer or a programme result and say, "Okay, that settles it." They need to use judgment and experience as well, and test these things out. Even then there is no degree of certainty. Certainty is not given to us, I am afraid.

Q55 Victoria Prentis: What you say about that is very reassuring, but we are in the position where 18% of the prison population is in for a sex offence of some kind. The process of releasing those people is obviously going to become an increasing part of your workload. Do sex offenders always receive an oral hearing?

Martin Jones: As regards the workload of the Parole Board, 28% of the current prison population will be in scope of a parole review at some point in their sentence. We are very conscious of the sex offender issues that we have. Certainly, anybody who is considered to be a complex and dangerous offender is going to be sent to an oral hearing, for us to make the decision in that case. Generally speaking, we make paper decisions around, for example, recall prisoners. We could settle them on the papers, but all the complex people, where there is a real issue, will go to an oral hearing. Of course, they might be refused on the papers at an earlier point in time if they have not made sufficient progress.

Nick Hardwick: The other point about that is that all sex offences are very terrible, but they are all different. They cover a range of different sorts of events that have a range of different risks attached to them. For instance, a young man who has recently committed a string of rapes might be a very different sort of risk from a historical sex offender who is now elderly and frail. Both are very serious offences and need to be dealt with quickly, but the risks, and how you manage them and likely reoffending, would be different, but it is not my area of expertise.

Q56 Victoria Prentis: I completely accept what you say about that, but has it not been the case in the past that, if someone has not done an SOTP or an extended SOTP, they have not been considered for parole, a sort of reverse tick-box exercise? If they have not ticked the box, they will not get to the right place to be considered for parole.

Martin Jones: I do not think that is the position in the guidance. I certainly think there have been historical problems with people who denied their offences: "You have not admitted the offence; therefore, you cannot have parole." There are some legal judgments in relation to whether that is lawful. The answer is it is not lawful simply to say that the fact that someone has denied committing the offence means they cannot be considered for parole.

Currently, our advice to members is to look at all the evidence to carefully consider the risk. We know that with some offences—for example, drug treatment—there might be all sorts of things that may lie behind offending behaviour. There are all sorts of one-to-one work that can be done with offenders at a prison that may have an impact in



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reducing their risk over time. It is about looking at all the evidence the panel has, rather than simply saying, "You've not done an SOTP, so you can't progress." We have to look at how that risk is going to be managed in the community, given the seriousness of the offences and what we know about them, and all the expert reports.

Nick Hardwick: People's understanding and knowledge about these sorts of offences is developing, so what was considered the case a few years ago may have changed. Very eminent experts who know much more about this than me have different views, so finding a way through it is not straightforward.

Q57 **David Hanson:** This the final question from me. What is the current recall rate?

Martin Jones: The number of recalls is falling. The overall recall population is down by about 8% over the last year, and that is certainly due in part to some good work that has been going on in the National Probation Service. The number of IPP recalls, which I know has been a previous concern, is up. Just over 800 IPPs have been recalled.

Q58 **David Hanson:** It links to the question of whether you evaluate, ultimately, the decisions that you make, as well as the MOJ evaluating other factors later on.

Nick Hardwick: Recalls are a tricky business because, in some cases, what a recall may be is the risk management plan working well. We might release someone and say, "We think he is safe to release and we're confident that if he is doing something that is dodgy he will get picked up really quickly." What the recall shows is that he has been picked up really quickly, so that is working well. There will be other occasions when we think the reason why he has been recalled does not seem relevant to his offending behaviour. All of these things are different. I would not make a simple equation that the fact that someone has been recalled means we got the original decision wrong.

Q59 **David Hanson:** Does the transparency you have talked about therefore transpose itself to transparency on recall and decisions about recall later?

Martin Jones: It has to.

Nick Hardwick: If we re-release them. To go back to just dealing with the oral hearings, if we released someone who had been recalled at an oral hearing, which is a lot of our business, that would be quite a good reason to make the case openly. If someone said, "Look, this person has done something and you are releasing him. Why in heaven's name is that?" "Well, because of X, Y and Z," if that were the case, or, "We're not doing it because of X, Y and Z," I would put that in the same box as everything else.

Chair: Gentlemen, thank you very much for your evidence. It is not an easy topic. I am conscious of that, so I am grateful for your time and for



the detail you have given us.

Examination of witnesses

Witnesses: Baroness Newlove, Dame Glenys Stacey, Sonia Crozier and Justin Russell.

Q60 **Chair:** Thank you very much for coming to give evidence to us, everybody. As there are four of you on the panel, perhaps I could ask you to introduce yourselves and your organisations.

Baroness Newlove: I am Baroness Newlove, the Victims' Commissioner for England and Wales.

Dame Glenys Stacey: Dame Glenys Stacey, chief inspector of probation.

Sonia Crozier: Sonia Crozier, executive director for the National Probation Service.

Justin Russell: Justin Russell, director general for offender reform and commissioning at the Ministry of Justice.

Q61 **Chair:** Perhaps I could start with you, Lady Newlove and Dame Glenys. You both heard the evidence from Professor Hardwick and Mr Jones, his chief executive. You have both, in your roles, done some work around this. Lady Newlove, in terms of what you heard and what has been done so far, what is your assessment of the steps that have been taken to improve the victim process?

Baroness Newlove: Not just for this case but before, the conversations I had with parole and with probation were to make it more victim focused. Regarding transparency, I have been trying to work with their members to make a judgment. We see judgments in appeal courts and we do not seem to get anything for parole. It seems to be over there, and the victims are down here.

Listening to the evidence today, while I agree with some of the formulas, I still think it feels very much that the victim is on the periphery and the service will still be on the other side. It is not just a case of information being passed down; it is how it is being passed down, what environment it is being passed down in and whether the victim is able to digest it and ask questions. Hopefully, when the Secretary of State finalises the review, we can discuss that further. There are still a lot of gaps in what I have seen, but it is a positive.

Q62 **Chair:** What would you say are the most important of the gaps?

Baroness Newlove: The gap is the victim in all of this.

Q63 **Chair:** How might that be addressed?

Baroness Newlove: It is very much opt in, opt out, addresses, emails and correspondence in the work that I do. That is why I am calling for a



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victims' advocate. There are so many gaps. They are not intentional. There is some good work from frontline workers who have huge caseloads, but at the end of the day we are here to get confidence for victims, and it still feels as though we have a lot more work to do, and that gap is not closing as we want it to.

Q64 **Chair:** How would you envisage the victims' advocate working?

Baroness Newlove: The victims' advocate is from the beginning to the end. It will have to be resourced, and I know that is a challenge. It is looking at the role of an ISVA—an independent sexual violence adviser. They build a relationship. All of this is about building relationships. For me, it is having a professional who will have rights of audience and will not affect the adversarial system—before judges rattle—but will build a relationship for the victim. At the moment it is very post to post to post to post. We are signposting, and I do not think it is right. As my What Works review shows, we have to have effective communication and procedural justice for the victim.

Q65 **Chair:** What about the victim getting a hearing at the oral hearings and so on?

Baroness Newlove: Yes. I speak both professionally and personally. I have been to three parole hearings for myself and, no matter how much you are prepared, when you go on to a prison estate, it is quite nerve-racking. For me, having a Secretary of State advocate says it all, really; it is for the Secretary of State; it is not a victims' advocate, even though I have to say she was a fantastic person. If I could clone Amanda, who was with me, I would welcome that. The support was great. The oral hearing is a victim's choice, but if you give the right information and the right support, it is a very balanced choice, not one or the other.

Q66 **Chair:** Is the use of pre-recording or video-links a sensible approach?

Baroness Newlove: Very sensible. However, as the parole witnesses said, it is a court. I find that amazing, because what are the rights of audience then? The negative to victims, when they do their statements, is cross-examination, but it is not a court as such, with audiences. I have this worry about it, but it could be done, in the right environment. I know of some victims who were put in a cupboard and the video-link did not work, so it was down the phone. They have no right of redress. As we have seen recently, last year a victim's family heard what the judge was saying. If we are going to do this, we should do it with quality and give victims the respect they deserve. We need redress, and that is why I want a victims' law that has teeth, to ensure their rights are looked at and balanced the same as for an offender.

Q67 **Chair:** In this context, one of the things you have referred to is the right to review.

Baroness Newlove: Yes.



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Q68 **Chair:** You heard Professor Hardwick's views on how the operation of the review could be changed. Do you have any observations about how far that meets your concerns?

Baroness Newlove: It is going in the right direction. I am looking to see what the Secretary of State comes up with, because that is important. We have to have the option of right to review. There is nothing at the moment. You make a statement at an oral hearing and you rely on many people to give you the right information. I have had media intrusion; I have found out a result on social media and I have three daughters. To try to get that information is quite scary, so the right to review is a really important issue. We have to have a balance, and it is important to have that space, to go and do that.

Q69 **Chair:** Dame Glenys, you have been specifically asked by the Secretary of State to do a fact-finding exercise on the victim contact scheme and what happened in light of the Worboys case and other broader lessons as far as that is concerned. I think it was published today.

Dame Glenys Stacey: This morning, yes.

Q70 **Chair:** Perhaps you could tell us what, in essence, you think are the lessons that you would immediately direct to our and the Secretary of State's attention.

Dame Glenys Stacey: I and my team were looking at how victims were treated in the specific case—as you say, a Parole Board case. It is important to note the way victims are engaged in such cases. It comes from a victim contact scheme that was first created back in 2000, so it is almost two decades' old, but the key tenets have stayed the same. People opt in to the scheme or opt out. Once they opt in, they are given annual updates, brief updates, and then an opportunity to make a victim support statement to the Parole Board and have their say, and to express their views about what licence conditions should be applied, should the individual be released.

Back in 2000, I do not think we had a victims' commissioner, and, of course, victims' own expectations about how they are to be involved and treated, and indeed society's expectations, have changed and grown incrementally, rightly, since the scheme was devised. Of course, technology has improved a bit in those two decades as well, but those implementing the scheme have been a bit slow to catch up with that. It seems to us at HMI Probation that it is time to review the workings of the scheme and, indeed, the roles and responsibilities in it.

In my opinion, the review should start from first principles, so it should be victim led. We can identify, from the experience of this latest case, some ways in which the scheme has not recognised that. To my mind, every victim, whether they have opted in or not, should know when a Parole Board hearing is happening and if a release decision is made, and given the chance to absorb that before it comes under general release. My own view would be that we need to set out those principles, speaking



with those who represent victims, to get this right for victims, and then devise a scheme from those first principles, but recognising what modern technology can do.

- Q71 Chair:** Ms Crozier, one of the things that was mentioned by Professor Hardwick was that he feels it would be helpful if the board were able to communicate to victims what the release conditions are. He gave a number of what seemed to me pretty obvious and common-sense examples as to why that would be helpful. What is the obstacle at the moment? If you were going to change the process, how would you change it, and what would be the parameters within which you think that should happen?

Sonia Crozier: I am very supportive of victims being given more information about licence conditions and, at an early stage, having the opportunity to understand the full range as well. We could certainly do more by way of that approach. We need to give better training to our victim liaison officers, and we have commenced a new national training programme, so that they feel more equipped and confident to give information to the victims they are working with.

In terms of obstacles, we need the clarity and collaboration that the review will give us on the way we can give information. We have to be mindful of the fact that, in releasing information about an individual's licence conditions, we have public protection duties, so there may be some information that we want to keep restricted—the actual address where someone is living, for example, post release.

We have a very good record in this country of people complying, for example, with the sex offenders register, if they are required to do that. The reason we have that good record is that we have good arrangements with the police to ensure that people do not go into hiding. There has to be balance, giving victims assurance but not undermining our public protection duties.

- Q72 Gavin Newlands:** Dame Glenys has just outlined aspects of the victim contact scheme. Ms Crozier and Baroness Newlove, in your view, what part does the VCS currently play in ensuring that the victim both copes with and recovers from the offence itself and their experience of the criminal justice system?

Baroness Newlove: That is a very good question. The victim contact scheme, first and foremost, is not a victim support service; it is just there to give information. That is part of the problem, in the sense that, while we have good victim liaison officers who go the extra mile, some just do what is in the guidance. That is why I am working with probation and training them, but they are not a victim support service. That is where it gets blurry and there is a huge gap; they are speaking with traumatised people, but they are not qualified counsellors. They signpost you to a support service after you have gone through a most traumatic time. They



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are not a victim support service, and that is where we need to work better with them.

Sonia Crozier: I hope that what will also come out of the review is exploration of how different victims' services can work better together and keep the victim central to that. We have some good examples in the country where PCCs have commissioned what are often known as victims' hubs, where they bring different organisations together. The Connect service in Wales, for example, and the Lighthouse service in Avon and Somerset are very good examples where Victim Support workers work alongside the victim pre-sentence, and work alongside victim liaison officers post-sentence, so that victims do not get the sense of being packaged from one part of the criminal justice system to another.

It also ensures a good exchange of information so that errors are not made. One of the issues identified in Dame Glenys's report was to do with errors in details of people's names and addresses. We are reliant on the police giving us that information, and, if it is passed to us incorrectly, there can continue to be errors in the system. There is a huge benefit in exploring how we can bring different services together for the benefit of the individuals, the victims.

Q73 Gavin Newlands: Would you say that the gap in support that the Baroness outlined and Dame Glenys highlighted is a policy issue or a resource issue, or both? For instance, can you tell us how much the VCS scheme currently costs to run?

Sonia Crozier: The VCS scheme currently costs £9.6 million to run for England and Wales. That is an increase from 2014, when the starting position was £8 million. We currently employ 189 victim liaison officers across England and Wales, an increase from two years ago of 169.

Q74 Gavin Newlands: Is that enough?

Sonia Crozier: The demands on the system have increased. You heard from Martin Jones of the increase in the number of IPPs coming through the parole system, so that has created extra pressure on us. We are certainly committed to keeping that under review.

Justin Russell: One of the things we are focusing on in the policy review is exactly how victim contact arrangements work and how we might improve them. If there are resource implications, we would need to consider them.

Baroness Newlove: Something I have put forward, which Dame Glenys has also highlighted, is that the banding has been lowered. It is now not a 4; it is a 3 for new people coming in. I have to say this, and I am going to be honest: is that about money? I do not think people feel worth, and what does that say to victims? I am going to be quite honest; I want qualified professional people and skilled people to get the package they deserve, not to downgrade it to a band 3. Some are band 4 at the moment, but new ones will be band 3. That says a lot in itself.



Q75 Gavin Newlands: Ms Crozier, how does NPS manage the inevitable conflict and fulfil its dual function of being involved in parole cases from the perspective of both the victim and the offender?

Sonia Crozier: Our priorities are public protection. There is no conflict in that in terms of the aims of the victim liaison service and the purpose of supervision. In delivering good public protection, we need to protect individuals and offender managers. Probation officers have as much investment in that as victim liaison officers. Clearly, in terms of our wider briefing in respect of rehabilitation, many victims often want assurance and confidence in the system, and that supervision is doing what it is designed to do, so I do not believe there is an inherent conflict. Clearly, there are differences in the focus of the victim liaison officer and the probation officer, but we manage that.

Q76 Gavin Newlands: You indicated earlier that currently a national training programme is under way, which is obviously welcome, but we have just heard about the band 3 and band 4 issues. What professional development and accreditation do VCS victim liaison staff currently have?

Sonia Crozier: There has been training, but I recognise that we need to improve the quality of the training we offer our victim liaison officers. We are about to launch a new accredited training that will give them a recognised qualification, with specialist packages. That commences in May this year. We have, as Martin referenced, taken the opportunity to do joint training with the Parole Board for our victim liaison officers, and we have invested a lot of time and effort into putting our guidance and manual systems into a digital format, which means that they can get information more easily, and through monthly newsletters as well, but we need to do more. The fact that we are rolling out this new national training, and mandating it for new recruits, shows that we are committed to doing that.

Q77 Gavin Newlands: Do you have a deadline for that ending?

Sonia Crozier: We want all our victim liaison officers to reach the accredited standard. For new recruits, it will be mandated that they have to do the training, and we want to encourage all our existing staff to take that training option.

Q78 Gavin Newlands: If you are encouraging them, is that mandatory?

Sonia Crozier: We can mandate it for new recruits, but for existing staff my hope is that they will take that offer, and do the accredited training that we will have available from May.

Q79 Gavin Newlands: Lastly, I want to read a couple of excerpts from Dame Glenys's report into VCS and the documentation in the Worboys case. About the discretion scheme, it says: "Two other women could have been accepted on to the scheme on a discretionary basis, should they have made initial contact themselves with those administering the scheme. They did not...Those women not in contact with the scheme—the



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majority—learnt of the decision through the media. All who spoke to us described their shock and distress. They had not felt prepared for this outcome.”

I understand that there are obviously great difficulties in how you administer information or get information out, but I think the general public would agree that those two statements are not acceptable. Could you tell us what the criteria are for discretionary access to the VCS for victims who do not have a direct link to the conviction?

Sonia Crozier: Discretionary access is probably the area that requires greatest improvement in terms of how we take that forward in the review. It is an area that Dame Glenys quite rightly identified in her report, as you describe, as unsatisfactory in that those victims were not engaged. The situation at the present time is that our duties are primarily focused on the statutory victims. Non-statutory victims have to make the approach; they have to come forward. How they know how to do that, clearly, as has been identified, needs significant improvement.

In the past, there have been issues for us with discretionary victims when the crime was not taken forward to a formal conviction. Our engaging with them subsequently met with some resistance from defence solicitors, lawyers representing prisoners. In any future review about how we engage with discretionary victims, we have to engage the defence community as well, the lawyers, so that we reach a common understanding of reasonableness about the scheme and the contact we can offer.

Q80 **Chair:** I suppose the difficulty is that, if someone has not been convicted of an offence, how can you say they are a victim of that person, without a conviction? How do you get around that, Dame Glenys? Do you have any thoughts?

Dame Glenys Stacey: To be clear about the notion of a statutory victim, it is someone who is a victim of the convicted offence.

Chair: Indeed.

Dame Glenys Stacey: The first hurdle is that they are all approached immediately after conviction, to ask whether they want to opt in to the scheme. In the case we were looking at, the majority of women decided not to opt in and they were then no longer contacted. That becomes an issue when you get to the big decision about release, when the Parole Board is sitting and considering the case. That is an issue for the review. They may, immediately after a conviction, decide that they do not want to hear every year what is happening in prison, but the scale and nature of a Parole Board decision is very different indeed. That is the first issue; not all statutory victims are engaged in the scheme.

The second point is about those who are described loosely as discretionary victims. You are quite right; they are generally people whose cases have been considered but there has not been a prosecution,



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so the case is lying on file. There are also, within that discretionary victim category, some types of case that would not normally fall in the scheme but for exceptional reasons we can consider them. Things have changed but the scheme has stayed the same. The discretionary victim category is a bit difficult to understand now, so we need to look again at first principles. The notion of a discretionary victim looks a bit odd in the modern day.

Chair: That is helpful.

Justin Russell: The review that we are conducting will look at the exact issue of who should be defined as a victim for the purpose of receiving information.

Q81 **Victoria Prentis:** Of course, what is being considered is risk. Discretionary victims, which is a term I hate but we will stick with it because we know what we mean, are of course relevant, or may well be very relevant to risk. Is that something you are fully alive to?

Dame Glenys Stacey: What I said in the report is that if you look at this from first principles, in terms of how victims are to be informed, whether you are discretionary or not, you have a deep personal interest in the Parole Board's decision. You need to know that they are going to make a decision, and you need to know when it has been made before the general public know. It seems to me to be pretty clear.

Baroness Newlove: I do not like the title either, it is always a negative. We have to look at statutory victims and discretionary victims, especially in light of child sexual abuse cases. A lot of those victims are coming forward with evidence. There is a live case at the moment where not everybody has a charge and has their rights. You cannot use them and then re-abuse them and not recognise them, because discretionary ones that do not have a conviction lie on file. It is not just in those cases; you get them on a homicide where there has been a rape. They lie on file.

We have to look at it in the 21st century. What do we mean? The judge, at the end of the case, should put it on file, as he does when there is a parole hearing, to say, "Look at this evidence before you come to a decision," so they are never forgotten. You have to understand that the people who are entitled to come under the victim contact scheme do not have that communication, so we have to get that right, to understand what a victim needs, before we look at everything else.

I have met many victims, not just in this case. They have media at their doorstep and they have to cope. This is about cope and recover. Those are the buzzwords. It is not about closure—you never get over it; it is coping and recovering. We need to look at how we put that in, to respect them all.

Q82 **Chair:** In terms of respect, what was the reason, Ms Crozier, for downgrading the recruitment from a band 3 to a band 4, or vice versa? What was the reason?



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Sonia Crozier: When we became the National Probation Service in 2014, we inherited 35 victim liaison schemes from the legacy trusts. The vast majority of the trusts employed their victim liaison officers at a band 3 grade, and there were a very small number who paid their victim liaison officers at a band 4. Clearly, we couldn't carry on with that discrepancy, so we—

Q83 **Chair:** So you levelled down.

Sonia Crozier: No, we undertook a job evaluation scheme.

Q84 **Chair:** That is what it looks like.

Sonia Crozier: We undertook job evaluation and the role was band 3, as most of the probation trusts had been banding the role. A band 3 is an important role in the probation service and they require the accredited training that I am committed to give them, as I described earlier. It was not in any way a reflection, it was more to ensure that we had consistency from legacy systems.

Q85 **Chair:** You do not look terribly convinced, Lady Newlove.

Baroness Newlove: No. I respect what Sonia is saying, but if you cut out all the rubbish, this is about resources. To me, it is about quality and you have to pay for quality. That is why victims feel very much the poor relation in all of this. It is shown in this big case, but there are many other cases across the country that we are not talking about today, and they will be watching this. For me, it is about giving quality workers what they deserve.

Q86 **Chair:** Do you feel you have enough resources to do the ambitious things you want to do with policy and training?

Sonia Crozier: Under the restructure we have been through at the moment, we have had the additional increase and we need to keep that under review. The most important thing, for me, is that we get upgrading of the digital systems to equip the victim liaison officers to operate in a 24-hour media world. For me, the big ask at the moment is the digital upgrade.

Dame Glenys Stacey: Chair, to be clear, I did say in my report that at the time the NPS was created this job was evaluated at level 3, and that is the level of the job now. I do not suggest that it is underbanded. Indeed, there are almost 200 people working at probation service officer level, doing this important job. Staff at that level in the NPS do other important jobs as well.

Q87 **Ms Rimmer:** Can we talk about integration of services for victims' support? The National Probation Service and the police and crime commissioners have services to support victims. Are they integrated and how can they be improved?



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Baroness Newlove: In my role, I go around looking at what police and crime commissioners are doing. Looking at what has been raised on this issue, there is collaboration. I have been to Avon and Somerset and Wales, and there are lots of victims' hubs, as they call them, so we are seeing some good work. Obviously, there will have to be legislation for the responsibility in the PCC role, but if we put them all in one house, so to speak, there is accountability. At the moment, where it works is a postcode lottery, and that is the gap I want to plug. The PCCs commission victims' services. This is about victims and it would work well if it sits there, but it depends on what the Secretary of State's review comes up with.

Q88 **Ms Rimmer:** You talked about a postcode lottery. Could you give us examples of where it works best, in your opinion?

Baroness Newlove: At the moment, I am going around the country to see that. Avon and Somerset has a really good one, and Wales is really good. I am no good at geography, I am really useless at it; I get on trains and get off trains. Where it works, the victims' advocate role is paramount for the victims. However, it is still a mish-mash. While Avon and Somerset are really good, and Wales, as an example, they have said that because they are good they do not have a lot of resources left. When you make something better, you become vulnerable to that. That has been raised. I launch lots of victims' hubs; I would not say it was best practice, but it is the best practice we see. After I have done two and a half years travelling, I will have a better formula to put forward.

Q89 **Ms Rimmer:** Ms Crozier, how do you respond to what was said? How do you improve this?

Sonia Crozier: I cannot disagree with anything that Baroness Newlove has said. I have already highlighted some of the schemes that I am familiar with that give a good blueprint for a more integrated service, so that victims do not feel as though they are being passed from one bit of the criminal justice system to another.

Q90 **Ms Rimmer:** Baroness Newlove stated that the criteria for discretionary access to the VCS should be broadened to all victims of sexual and violent crime, regardless of conviction. Do you agree, Mr Russell?

Justin Russell: At the moment, the statutory scheme only applies to victims of a named list of violent and sex offences, where the sentence is over 12 months, so we have a very either/or system. You are either in the scheme or you are not in the scheme, and you are treated as though you were any other member of the public. We need to think about how we can create a better scheme that addresses, potentially, the needs of people who were not involved in the original case but did report a crime.

Chair: Thank you very much.

Q91 **Ellie Reeves:** Baroness Newlove, the Secretary of State is carrying out his review of the Parole Board and transparency, and support for victims.



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How would you like to see him meaningfully consult victims in the conduct of the review?

Baroness Newlove: I am working with his office to get victim engagement. We talk about people but it is their voices; Dame Glenys's report has highlighted some of the victims and what they are saying. At the moment, we are going to launch it on Monday, when my office and the Ministry of Justice will engage with victims. It is a very short window, but we are working with victims who have come to our office through the victim contact scheme, so at least their voice will be carried. However, I want to see where that goes on the Secretary of State's desk, and we will have to wait to see what his view is. I assure you that I am leading on that to ensure that we get their voices heard.

Q92 **Ellie Reeves:** You feel assured that their voices will be heard in the review.

Baroness Newlove: On my part, yes, and I will challenge if I need to, to ask where they are. It is a question I have raised with the Secretary of State. On his first day, he rang me, and I said it was important that we get every victim that we can to speak about this. It is a very important issue and that is where I come from. Hopefully, you feel that as I am sat here today.

Q93 **Ellie Reeves:** Thank you. One of the things you have talked about is a speedy and quick mechanism for reconsidering Parole Board decisions. What do you actually propose for that?

Baroness Newlove: I am looking in more detail at that and, again, it depends on what the Secretary of State comes up with. The process is very lengthy; your victim liaison officer gets in contact with you on the victim contact scheme and there is a parole hearing. You can do a victim's personal statement, which I want to be a victim impact statement. I do not think personal does it any favours. Putting that to one side, you make your statement and then you have to wait for a hearing and it can be up to 12 months. It can, for some victims, be two years, so just to get a hearing is not a speedy process.

Then, after the hearing, it can be 28 days or two weeks before we hear all the decisions, so it feels very lengthy. You feel in a different space when you are giving your evidence, but you cannot move away from the statement that you have put in. You have to read it word for word, and it feels very cold and painful. I would like it to be a bit speedier, a bit warmer. If we know when the hearing is going to be, we can plan it. People have lives to lead. Some people have to get a hotel. It is not very speedy in that sense, and people want to get it out of the way, to get ready for whatever decision is made.

Q94 **Ellie Reeves:** Is there a timeframe you have in mind? You talked about it taking two years. Have you thought about what the timeframe might be?



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Baroness Newlove: Not really. I would like to work with the agencies. I do not want to put any more on them; they are doing their best. We have a good relationship with all the agencies, and they have resources to do it, but it is better to work proactively than to have a knee-jerk reaction and say, "I want this," because at the end of the day it does not serve a purpose for the victim.

Q95 **Chair:** Are there particular issues around the way victims of mentally disordered offenders are dealt with, people who are detained under the Mental Health Act? The regime seems somewhat different in terms of victims. Are there proposals, for example, for the review to look at that as well?

Justin Russell: It is within the terms of reference of the review, and the VCS covers that set of victims.

Q96 **Chair:** Is it something you think needs attention, Lady Newlove?

Baroness Newlove: It needs a lot of attention. I have met victims who have applauded me when I have mentioned this. It is a very lonely area that does not get looked at. They do not have a parole hearing; it is a mental health tribunal. They are not mentioned at all. I have written to the presidents of the tribunal, and we are working closely with them. I am shortly doing a small paper review. I have mentioned it to the Ministry of Justice, but they said it was not within the terms of their review. However, I like to keep banging on the drum because it is an important area. These are violent offenders, and to have to bump into them in the street is quite shocking.

Q97 **Chair:** In a sense, it is in the scope of the review.

Justin Russell: When we talk to the Parole Board, issues will be raised in relation to mental health cases, and we need to look at where the parallel changes might be.

Chair: The impact is the same, regardless of the mental state of the offender. The impact on the victim is identical, isn't it?

Q98 **Mrs Badenoch:** I mentioned, in the previous session, that sexual offender treatment programmes were severely discredited last year. Ms Crozier, could you tell us what impact this has had on the capacity of prisons and the probation service to, first, prepare offenders for parole and, secondly, manage the risk of their reoffending post release?

Sonia Crozier: I would have to echo some of the comments that Nick Hardwick made. Risk assessment is not just about one particular intervention in terms of formulating whether someone is parole ready, and whether we have confidence that we can make a recommendation for release. We look at a wider range of factors, not just whether they have completed a programme. Even programme completion, of itself, can sometimes expose that the risk has not been reduced. It has to be looked at more holistically.



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The types of things we would be looking for, from a probation perspective, in terms of recommending either release or transfer to an open prison, are factors in relation to the behaviours in prison, their willingness to engage with us and be prepared for what can be fairly stringent conditions, and how realistic they are about the changes they will have to make on release and the support networks that they have around them. Yes, we have all been impacted by the outcome of the SOTP review, but it has not prevented us from making those judgments, because it is more than the programmes.

Q99 Mrs Badenoch: I have a wider question about IPP licence conditions. What public protection arrangements can sexual offenders on IPP licence be subject to, and how does the probation service enforce and monitor the licence conditions?

Sonia Crozier: There are a range of measures. There are the standard licence conditions, but, over and above those, we can require individuals to live in one of our approved premises, where they have heavy curfew restrictions. They can have requirements that they are not allowed access to the internet or to smartphones. There are non-contact requirements, drug and alcohol requirements, and in exceptional circumstances they can be made subject to polygraph testing, which is a very specialist service where they are interviewed with a lie detector; that is the best way to describe it, but you are not supposed to call it that. Effectively, they are interviewed wired up to a machine, and asked various questions, so that both we and the police can make an assessment as to whether we think they are being truthful or whether there are risks that require further investigation. We have a whole range of options. There is GPS tagging as well, which, for those where it is required, would keep them under some form of surveillance at the highest degree. Obviously, we have to work with the police on that.

Q100 Mrs Badenoch: We understand that, as part of the work to release IPPs who have gone beyond their tariff, the probation service has been working to improve the post-release public protection arrangements. Could you go into that in depth and tell us what you are doing, how it is going and what additional resources you have received to carry out that work?

Sonia Crozier: It is about setting greater expectations about the contact with the probation officer who will supervise the individual on release, in that pre-release window. The relationship between the probation officer and the offender is crucial in terms of both understanding the risk and to build trust, so that when prisoners are released they can be honest and open about how they are experiencing the licence and whether they themselves are concerned about the way things are going. It is about building on that expectation of high levels of contact post release.

We also have an investment case currently to create more approved premises beds in the country. Our approved premises are in high demand, quite rightly. They are a very useful stepping-stone for when



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people leave prison and return to the community. We have about 2,100 beds currently, but we need more, so we are currently working with MOJ estates to see how we can increase bed space in the APs that we have across the country. For me, that is probably one of the most important components of managing the movement of IPPs from custody to community.

Q101 Mrs Badenoch: It sounds as though you have not been given any additional resources to carry out this work.

Sonia Crozier: Since we became the National Probation Service, from 2014 to the present, we have increased both our budget and the number of probation officers. In some parts of the country, we are still struggling with recruitment. It can be a very competitive market, particularly in the south and east, so there are concerns around the country about having people in post. We have been given additional resource since 2014, but the area that we absolutely need to focus on now is our approved premises estate. That does require investment.

Q102 Mrs Badenoch: I have one question for Baroness Newlove. You stated that many victims are unaware of the various means by which the risk of sexual offenders can be managed in the community, so what more can we do to assist victims and the public to understand this and who do you think should take responsibility for it?

Baroness Newlove: I do not want the risk to scare people. You have to look at this in a respectful way, but also a very risk-assessment way. It is having no information. We hear public protection, we hear risk assessment, but we do not understand what that means. Again, something I have been working on with the Parole Board is to outline what that means, but it is no good to have vigilantism both ways. I want this so that the victim can understand. You get none of that; you just get told whether they are going to be released, and then, of course, they come with the exclusion zone.

I would just like it to be open and transparent, and in a language that people understand. We talk about transparency and risk assessment, but that is not what we talk about on the ground. We just want to understand why they have come to that decision. At the moment, they are assessing victims as if they are too irate to take that information, and they do not give them time to absorb that information, so there has to be a balance. That is where I would like to have the conversation; how we assess it for them to understand why they have made that decision. Some people will never agree with it, but having that conversation irritates their emotions more because you have re-traumatised them.

Q103 Mrs Badenoch: Whose responsibility do you think it should be to improve the detail and transparency?

Baroness Newlove: It should come from the Parole Board who make the decision, but working alongside the victim contact scheme, so that there is that conversation. Again, it comes down to the victims' advocate



to build the profile on the victim, and have that relationship, because they may see several victim liaison officers. I have had victims who were on their third victim liaison officer; they have retired or they have left. You have to build the bricks up. I think it needs to come—not to be common—out of the horse's mouth. They are looking at the Parole Board and they are the ones who make the decision.

Q104 Chair: Could you help me, Mr Russell? You talked about the review and, hopefully, these issues, we are told, are going to be picked up in it. Have you, as officials, been given the timeframe by which you are supposed to come back to the Secretary of State?

Justin Russell: We are confident we can deliver a report to the Secretary of State by Easter. We are going to focus on four very specific issues as we go forward. There is the issue of whether it should be possible for us and the Parole Board to reconsider one of its decisions, so we will be doing some work around that. Then we will be looking at the transparency of Parole Board decisions, and we have had some useful ideas. Everyone is in the same place; we need to create a more transparent decision where victims are told more about the decision and more about the licence conditions. There have been some interesting ideas about whether we might be able to create an online register, or some other ways that people can register interest.

There is a specific issue about victim involvement in parole hearings themselves. Victims have the right to come along and read out a victim personal statement at the moment, but have to leave the rest of the proceedings. In some other jurisdictions, people can ask to stay for the whole of the Parole Board hearings, or can view a hearing through a video-link, so we need to look at that issue. The fourth thing, which came across very strongly from Glenys's report, is, how do we communicate with victims? We need to use the latest technology to make sure that happens in much more reliable, speedy and high-quality ways.

Q105 Chair: How are you seeking contributions and feeding into that review?

Justin Russell: As Baroness Newlove said, she will be leading for us in terms of victim engagement, making sure that victims who are currently part of the victim contact scheme have a chance to feed in their views, and also victims who are not part of the scheme, which is really important.

Q106 Chair: Is it internal to Government agencies, or are you looking for external input as well?

Justin Russell: Baroness Newlove will be looking outside Government as well. We will be talking to members of the Parole Board, past chairs of the Parole Board and people who sit on parole panels. We will be talking to probation colleagues and to people working in the public protection casework section. We will be talking to international colleagues as well. There is a lot we could learn from Canada and from New Zealand and Australia.



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Q107 **David Hanson:** As Dame Glenys's report is in the public domain today, is there an initial reaction from either Sonia or Justin as to the content, particularly relating to the poor quality of the letters and the fact that there was a lapse between 2010 and 2012 on contact, which is obviously a serious matter? What would be the initial response, given that the report has been published today?

Dame Glenys Stacey: For clarification, could I just say that at the period of that lapse the responsibility was with London? NPS did not exist, in effect.

Chair: It was the local probation service at that point.

Q108 **David Hanson:** The Ministry of Justice existed.

Dame Glenys Stacey: It did indeed.

Q109 **David Hanson:** And it had responsibility for those matters. I am just interested as to whether there are any comments.

Sonia Crozier: We were already aware of some of the poor quality of our letters, and the differences that existed across the country in the way they were formulated. Prior to the attention on this case, we began work to complete a standard set of letters to issue nationally. Those letters are due to go out imminently. We have worked on the content of those letters with the Victims' Commissioner, so I am already confident that we have a better set of communications, but it will be enhanced again when we get some of the digital solutions that we need. We have already picked that point up.

Q110 **Ruth Cadbury:** I fully appreciate basic common standards, but there are slight alarm bells about standard letters. Is there some opportunity for nuancing, according to the sensitivities and the needs of the victim, once the relevant officer knows the victim?

Sonia Crozier: Yes, absolutely, but the initial contact letter needed to be standardised and improved, and put into simple, plain language to encourage people to accept the scheme. You are absolutely right; the relationship once the victim meets the victim liaison officer is the important element of the scheme. We have not run away with bureaucracy.

Q111 **Chair:** Do you agree with Baroness Newlove's point that you cannot have this relationship as a transactional one? It has to be much more than that, doesn't it?

Sonia Crozier: When VLOs meet victims, it can be a relationship that can last for many years.

Q112 **Chair:** But it is more than a transaction. That is what I am getting at.

Sonia Crozier: We have difference across the country. As Baroness Newlove quite rightly described, some VLOs operate in a more transactional way, and others invest more in the relationship. This is



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historical, from the way that different probation trusts developed their victim liaison schemes, so we need to find a more consistent approach that meets our aspirations around quality, but to do that alongside other partner agencies in the way I described earlier.

Q113 **Chair:** The upshot is that those who are being transactional have to stop being transactional.

Sonia Crozier: We want them to be confident and professionally qualified so that they offer the best possible support to the individual, recognising that we do not have all the support services under our umbrella, and that sits with other organisations.

Q114 **Chair:** Is there a yes in that?

Dame Glenys Stacey: That is right, yes. I am hoping that during the course of the review those involved will explore the limits of the scheme, because the scheme is there simply to provide information, limited information, to victims at the moment, yet victims are not quite sure where they get other wider support. The boundaries either need to be clarified or changed, and it is a helpful opportunity to look closely at that.

Baroness Newlove: I totally agree. That is the problem; it is an information service. That is why I spoke about the banding—it was not Dame Glenys; it was me. You have to put quality into this. When you get quality professional people, they know what they can and cannot do, to a degree. It is not just about the victim contact scheme. We are also going to look at the support after a parole hearing; you give your statement and you are left to get out of the building, the prison, and go back in your car or whatever travel. Afterwards there is no contact.

Q115 **Chair:** It is pretty lonely.

Baroness Newlove: It is very lonely. The prison estate is not very friendly, and I say that personally, again. It is not just the victim contact scheme; we have to have them all working and understanding. It is quite a lonely estate to be on when you are with the offenders, legal reps and the offender manager.

Chair: Ladies and gentlemen, thank you very much for your evidence. It has been very comprehensive. We are grateful to you for your time and for your assistance to us. The evidence session is concluded.