



Disclosure Team
Ministry of Justice
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Dr Laura Janes

21 June 2023

Dear Dr Janes

Freedom of Information Act (FOIA) Request – 230523033

Thank you for your request dated 23 May 2023 in which you asked for the following information from the Ministry of Justice (MoJ):

Can you please provide me with information as to the breakdown of reasons for decisions not to accept a Parole Board recommendation for transfer to open conditions since 6 June 2022 to date, confirming how many have been on the basis of a) risk of abscond, b) not considered essential c) public confidence d) a combination of not considered essential and public confidence.

Your request has been handled under the FOIA.

I can confirm that the MoJ holds the information that you have requested, and I have provided it below.

Caveats

Data extracts are snapshots drawn from live IT systems at fixed points in time. Although care is taken when entering, processing and analysing the data, the level of detail collected is subject to the inaccuracies inherent in any large-scale recording system.

Some elements of the data included within this FOI response were collated manually. If further requests of this nature were to be submitted in the future there is no guarantee that the response could be collated within the cost limit, as outlined within section 12 of the Freedom of Information (FOI) act.

Following the publication of the Root and Branch Review of the Parole System on 30 March 2022, in June 2022 Ministers introduced a new test for considering an indeterminate sentenced prisoner's suitability for a move to open conditions following a recommendation by the Parole Board. The Generic Parole Process Policy Framework (GPPF) was revised to reflect this change and applied to all recommendations made by the Parole Board on or after 6 June 2022. The GPPF can be found at the following link: [Generic Parole Process Policy Framework - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

The new test included the introduction of a higher level of scrutiny of Parole Board recommendations for open conditions in cases of offenders convicted of the most serious offences, to include murder. This has introduced changes to the decision-making process by which these cases are considered with oversight by Ministers or by Senior Officials within the Public Protection Group (PPG) of HMPPS. This is necessary in the interest of public protection.

From June 2022 to 31 May 2023, the Secretary of State considered 168 recommendations from the Parole Board for transfer to open conditions, 146 were declined and 22 approved. The following shows a breakdown of the number of times that the basis for refusal of transfer to open conditions (singly or in combination) was a. risk of abscond, b. not considered essential c. public confidence d. a combination of not considered essential and public confidence.

a) risk of abscond	28
b) not considered essential	131
c) public confidence	56
d) a combination of not considered essential and public confidence	50

Public protection is our number one priority, and our parole reforms will ensure perpetrators face the strictest test before they are released and that victims' voices are heard louder during the process.

As part of our parole reforms victims will be able to apply to observe Parole Board hearings and to submit questions during the process – such as querying an offender's suitability for release. The Parole Board will be required to consider the protection of the victim before making a decision in a case.

We also announced a package of landmark reforms designed to restore public confidence in the parole system, enshrining a new release test for the Parole Board into law, leaving no room for interpretation that public safety must be the only priority when making release decisions, and introducing a new power for the Justice Secretary to block the release of the most dangerous offenders in the interests of public safety:
<https://www.gov.uk/government/news/parole-reform-to-keep-dangerous-prisoners-off-streets>

Last year, we introduced greater scrutiny of Parole Board recommendations on open prison moves and may reject a Parole Board recommendation unless they can demonstrably pass a tough three-step test, including proving they are highly unlikely to abscond; that the move is essential for them to work towards future release; and the move would not undermine public confidence in the wider criminal justice.

Appeal Rights

If you are not satisfied with this response, you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Public Protection Casework Section
HM Prison and Probation Service