

## Parole Board Rules Committee – Minutes 20/08/25

### Attendees



#### Item 1: Introduction

- [REDACTED] briefly updated that the SI was originally scheduled for summer but is now delayed to autumn. [REDACTED] highlighted the need to consult with Civil Procedure Rules Committee regarding the new High Court referral power and the importance of aligning the two processes.
- An updated version of Rule 17 was shared with the meeting papers.
- Timeline: finalise the SI draft by the end of September, with a laying date of 24 November and the rules coming into force 21 days later.

#### Item 2: Discussion of potential additional changes and agreed changes

##### Licence conditions

- [REDACTED] summarised the current process and raised the question of whether to formalise the process in the rules. This would increase certainty but reduce flexibility.
- [REDACTED] expressed concerns about the impact on IT systems and the risk of increased complaints from offenders if the process is codified. He noted that the current gatekeeper is the COM, and anything not coming from the Secretary of State would not be enforceable.
- [REDACTED] highlighted the victim perspective, noting that direct applications to the Parole Board could increase the workload for Victim Liaison Officers.
- [REDACTED] raised practical concerns about the short timeframe until the end of September.
- The committee agreed there was no pressing need to make changes at the moment and it would be better to wait for the outcome of the Newlove judicial review before considering the issue again.

##### Victim presumption

- [REDACTED] explained there has been general support for a rule favouring victim attendance at hearings but questioned its purpose and the current reasons panels might object.
- [REDACTED] identified three relevant areas, privacy (hearings are private unless made public), the impact on prisoners giving evidence, and the need for a culture shift towards transparency.
- Whilst making a rule change may not have a significant impact on decision making, it would underline the government's intention that victims ought to be allowed to observe.
- [REDACTED] suggested drafting a simple presumption into Rule 14, with explicit reference to victims and a requirement for detailed reasons if the presumption is not met.
- [REDACTED] supports the rule change. [REDACTED] agreed that victims would need a detailed decision explaining why the presumption was not met, [REDACTED] also agreed and added that current explanations are too brief.

- The committee agreed to proceed with this change.

#### Redacted decision letters

- [REDACTED] explained there is the ongoing pilot for redacted decision letters and that rule changes are not strictly necessary for the pilot but may be needed for a full rollout.
- [REDACTED] said he had spoken to [REDACTED] who are all in favour of introducing a rule to support wider rollout. [REDACTED] noted that the current rule can be interpreted to allow redacted decisions, the current obligation is to provide a summary unless it's an exceptional case. Making redacted letters the norm without a rule could introduce legal risks.
- The aim is to only have short pilot period so as we are making rule changes now, and we're not sure when the next opportunity will be, it makes sense to add something now that can underpin the pilot and the gradual wider rollout.
- [REDACTED] suggested amending Rule 27 so that a redacted decision letter could be provided instead of a summary but highlighted that further rule changes would be needed if summaries are phased out completely. The committee agreed.

#### Reconsideration/Rule 9

- [REDACTED] raised a recent case where Rule 9 was used to completely remove the reconsideration window in a case due to specialist accommodation needs.
- [REDACTED] agreed this was not the intended use of the rule.
- [REDACTED] outlined the plan for guidance going forward, which will advise panels to seek representations if trying to reduce the reconsideration window.
- [REDACTED] was content to accept this explanation and so the committee decided a rule change was unnecessary.

#### Rule changes already agreed

- [REDACTED] explained a document was circulated with the meeting papers which outlines the rule changes already agreed, and the draft SI will be shared shortly for comments.

#### **Item 3: Rule 17**

- [REDACTED] explained that the latest draft of Rule 17 was shared with the meeting papers.
- [REDACTED] proposed a workshop in September to stress-test the new drafting and process.
- [REDACTED] agreed to arrange a working group session by the end of the first week of September.

#### **AOB:**

- [REDACTED] raised the issue of IPP licence terminations and the possibility of paper only decisions, noting recent judicial reviews (Hanson & McIntosh) and the potential for future challenges regarding oral hearings for IPP terminations. [REDACTED] explained IPP colleagues are aware of the Hanson case and agreed to discuss the newer McIntosh case with them.
- [REDACTED] noted that there had been repeat set aside applications from PCCS, sometimes on grounds that had already been considered and rejected. Panel chairs had raised concerns about this, questioning at what point it was appropriate to stop revisiting the same issues.

The committee discussed the need for clarity on when to draw a line under repeat applications, agreeing that if the risk was considered manageable and no new information had come to light, it was reasonable to stop reconsidering the same grounds. PCCS should be asked to provide case details for any repeat applications to support this approach.

- [REDACTED] suggested future rule consolidation following the High Court referral changes.

#### Actions and next steps:

- [REDACTED] to discuss the IPP licence conditions and the current judicial review cases with IPP colleagues. [update following meeting: we have discussed this issue with IPP Policy Leads in MoJ and HMPPS. They have decided that given the political sensitives around IPPs, we should **not** make changes that could be perceived as reducing IPPs' access to the Parole Board. We will monitor the outcomes of the cases and may revisit it in the future.]
- [REDACTED] to arrange a Rule 17 workshop & to circulate the draft SI for comment [Complete].
- The next meeting will take place in Dec/Jan 2026.