

# Review Committee

## Annual Report to Management Committee 2023/2024

### Overview:

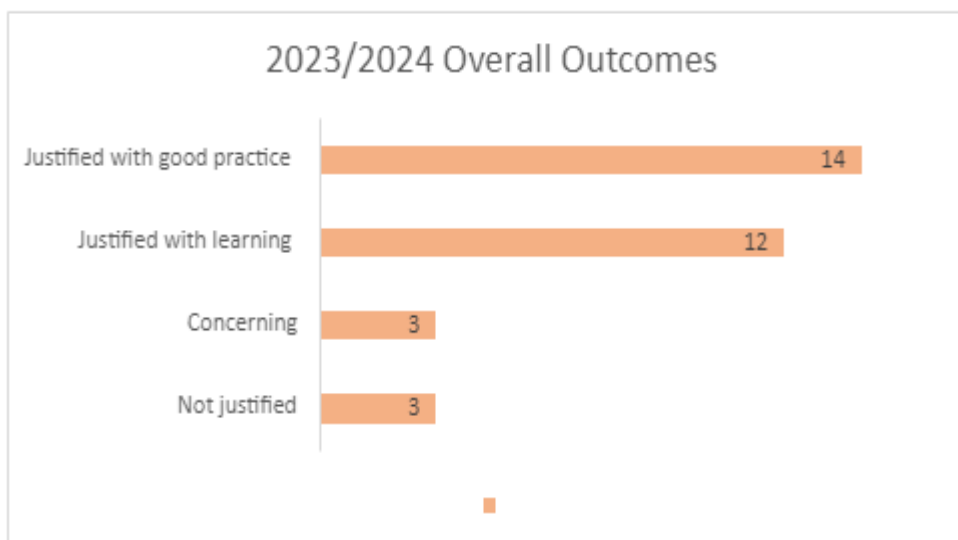
The Review Committee's remit is to review the Parole Board panel's decision and written reasons, where a prisoner released on parole and on licence is recalled and charged with committing a Serious Further Offence (SFO)<sup>1</sup>. It assesses whether the decision to release was justified, taking account of the information available to the panel at the time, and whether the reasons are satisfactory, taking account of the guidance issued to panels by the Board.

The Committee met 5 times in 2023/24 considering a total of 32 cases with a range of sentence types; 13 sentences of Imprisonment for Public Protection (IPP), 9 extended sentences, 5 standard determinate sentences and 5 life sentences. There was a wide spread of serious further offending including murder, attempted murder, rape, aggravated burglary, kidnap and false imprisonment.

26 (81%) cases reviewed by the Committee were found to be justified with good practice or justified with learning. 3 (9%) cases reviewed by the Committee did not receive a justified grade. There were 3 (9%) cases where the decisions were found to be justified or understandable, but the written reasons were not of a satisfactory standard.

---

<sup>1</sup> Serious Further Offences (SFOs) are qualifying violent or sexual offences listed in Schedule 15a to the Criminal Justice Act 2003, committed by individuals who are the subject of probation supervision. The full list of qualifying offences can be found here: [Annex A - Serious Further Offences qualifying list.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100000/Annex_A_-_Serious_Further_Offences_qualifying_list.pdf)



### **Membership:**

The Committee is chaired by serving judicial member HH Judge Anthony Bate, alongside Pamela Badley, retired judicial member and vice chair; Sue Vivian-Byrne, specialist member; Steve Pepper and Jennie Sugden, independent members. Stephanie McIntosh, Director of Special Projects, is an executive member of the Committee and also an independent member.

There are 3 external members who serve to provide challenge and external scrutiny of the process of review where serious further offences have taken place. Colin Campbell, Consultant Forensic Psychiatrist, Rosamund Hamilton, a former director in the Probation Service and Richard Walton former Head of Counter Terrorism at the Metropolitan Police.

The Committee is served by 4 reviewers who prepare the cases for the Committee's consideration prior to the meeting. They are Lorraine Mosson-Jones, Specialist member, Clare Mitchell, Angharad Davies and Rebecca Hunt, independent members. In August 2023 Lorraine Mosson-Jones stepped down from the Parole Board and in December 2023 Clare Mitchell, having reached the end of her second term, stepped down from the Review Committee. Both have been highly valued for the work they have done for the Committee during their tenure.

Following a recruitment campaign in September 2023, Claire Barker was appointed as the specialist member of the Committee. Lucy Gampell and Rachel Cook, both independent members, were recruited as reviewers. The 3 new appointments began their tenure from 1 February 2024.

A second round of recruitment for the role of reviewer was conducted in December 2023. Having been successful at interview, Heidi Leavesley, independent member, was appointed commencing 1 April 2024. All new members and reviewers of the Review Committee were allocated a mentor for training purposes.

Dr Ravi Lingham replaced Dr Colin Campbell as an external member of the Committee from 1 April 2024.

In addition to reviewing cases, the Committee undertook the following additional activity in 2023/24:

### **Performance Reviews**

Review Committee members and reviewers undertook performance reviews between April and June 2023 in which they reflected upon committee processes and practices, their contribution to its performance and plans for the future. The performance reviews were received positively and there was consensus that it was beneficial to have structured time for giving and receiving feedback and for identifying collective views and emerging themes.

The Committee discussed how often performance reviews should take place. It was agreed that the expectation would be every 2 years for individual members and a 'group performance review' on the alternate years held with all committee members and reviewers.

### **Sharing Lessons Learned**

The Review Committee collates lessons learned from its reviews via the quality assurance team which in the past year has been disseminating a quarterly learning themes document to the wider membership. The document is distributed via the weekly email from the Comms Team and then uploaded to SharePoint. This content and its format has been well received by the membership.

The Committee's visibility has been improved by the distribution of learning themes and has prompted some members to attend and observe individual Review Committee meetings for their own personal learning and development. This is welcomed by the Review Committee.

### **IPP Licence Terminations**

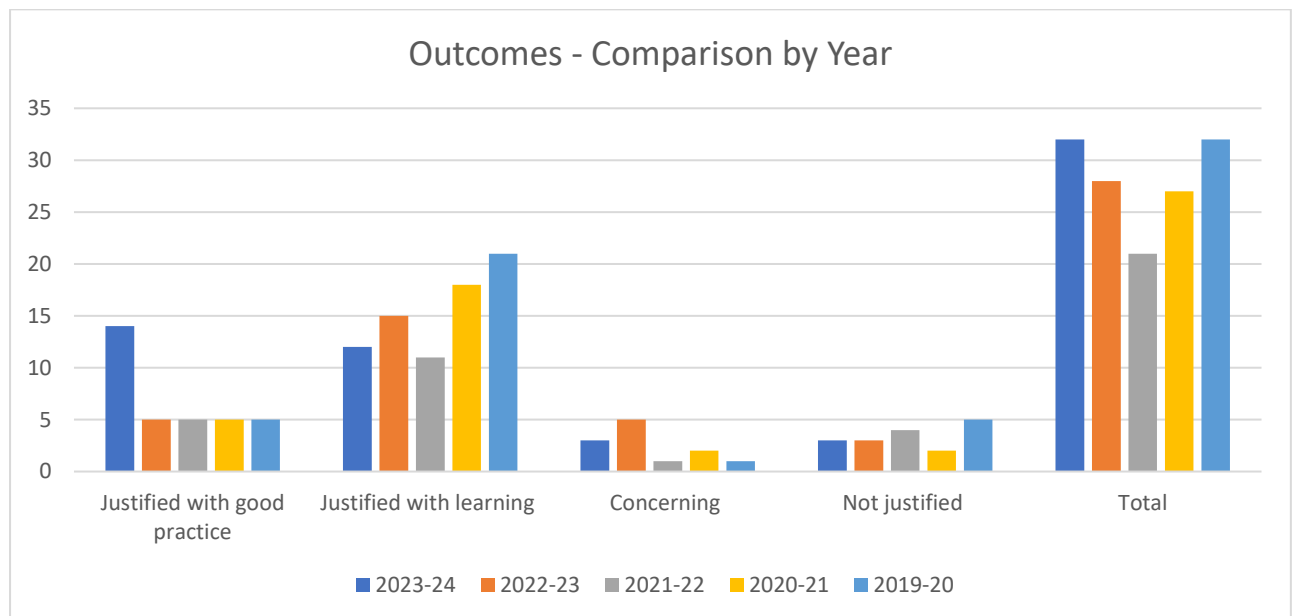
An individual sentenced to Imprisonment for Public Protection (IPP), or Detention for Public Protection (DPP) has the right, under section 31A of the Crime (Sentences) Act 1997 for consideration to be given to terminating their licence 10 years after their initial release from custody. This is regardless of whether they have been recalled to prison at any point during the ten years. Following the commencement of the relevant section of Police, Crime, Sentencing and Courts Act 2022 on 28 June 2022, referrals to the Parole Board are now made automatically by the Secretary of State once an individual becomes eligible.

Currently IPP licence terminations are not within the scope of the Review Committee's terms of reference, but such a case could be referred by the Parole Board Chair under paragraph 1.2 'To review other decision letters and associated reports following a reference from the Parole Board Chair, who will explain why the case is being referred to the Committee.' The Management Committee has agreed that each case would be reviewed on its merits and where there are

grounds for a full review, it can be referred by the Parole Board Chair under this clause.

In such cases, the Committee will assess whether the decision to terminate the licence was justified, taking account of the information that would have been available to the panel at the time. There have been no IPP termination cases referred to date.

### Analysis of 2023/24 Review Committee outcomes



The Review Committee Grading System 2022 is a framework used to evaluate the 'decision' and the 'reasons' of the panel that made the releasing decision. There are 3 grades for the decision and 3 grades for the reasons, with four overall grades available; Justified with Good Practice; Justified with Learning; Concerning and Not Justified. These outcomes are set out below alongside the relevant sections from the Review Committee Grading System 2022 to explain what those gradings mean.

#### Grading Scheme overall

1. Justified decision and good reasons = **Justified, with good practice**
2. Justified decision and sufficient reasons = **Justified, with learning**
3. Justified decision and unsatisfactory reasons = **Concerning**
4. Understandable decision with good reasons = **Justified, with learning**
5. Understandable decision with sufficient reasons = **Justified, with learning**
6. Understandable decision with unsatisfactory reasons = **Concerning**

7. Not justified decision and good reasons = **Not Justified**
8. Not justified decision and sufficient reasons = **Not Justified**
9. Not justified decision and unsatisfactory reasons = **Not Justified**

**Justified:**

The evidence was analysed, and the correct test was applied. The decision-making framework was followed. The decision is understandable and balanced and justified from the information available to the panel at the time. Most panels would have reached the same conclusion.

**Understandable:**

The evidence was analysed, and the correct test was applied. The decision-making framework was followed. The decision is understandable and balanced although the information available at the time could have led to a different decision. Some panels may have decided differently.

**Not Justified:**

The evidence was not properly analysed and / or the correct test was not applied. The decision-making framework was not properly followed. The decision is difficult to understand or not balanced or further relevant identifiable information ought to have been considered. Most panels would have decided differently.

**Good:**

The reasons are good if they state and show the application of the correct test, are accurate, clear, analytical, evidence-based, risk-focused and follow the framework. The decision flows logically from the reasons.

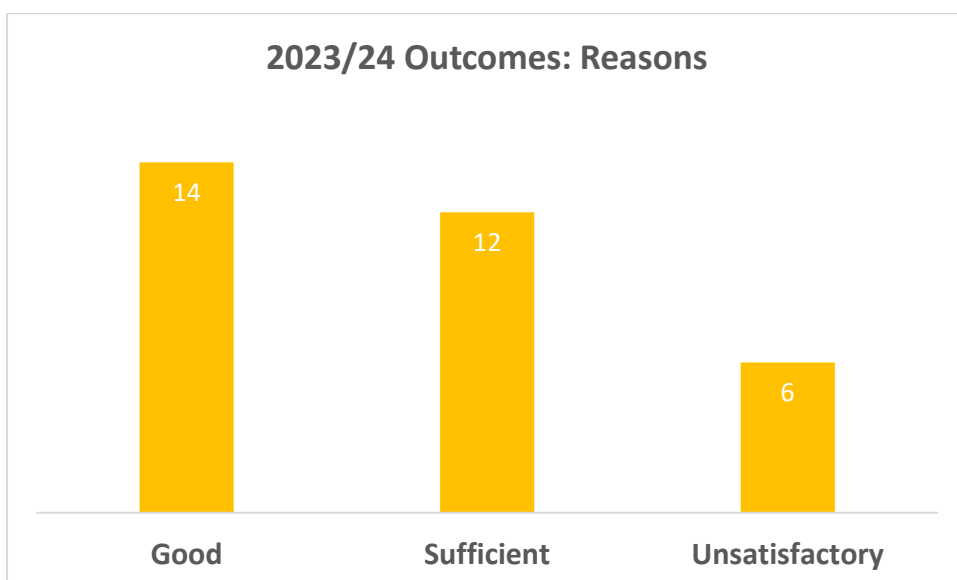
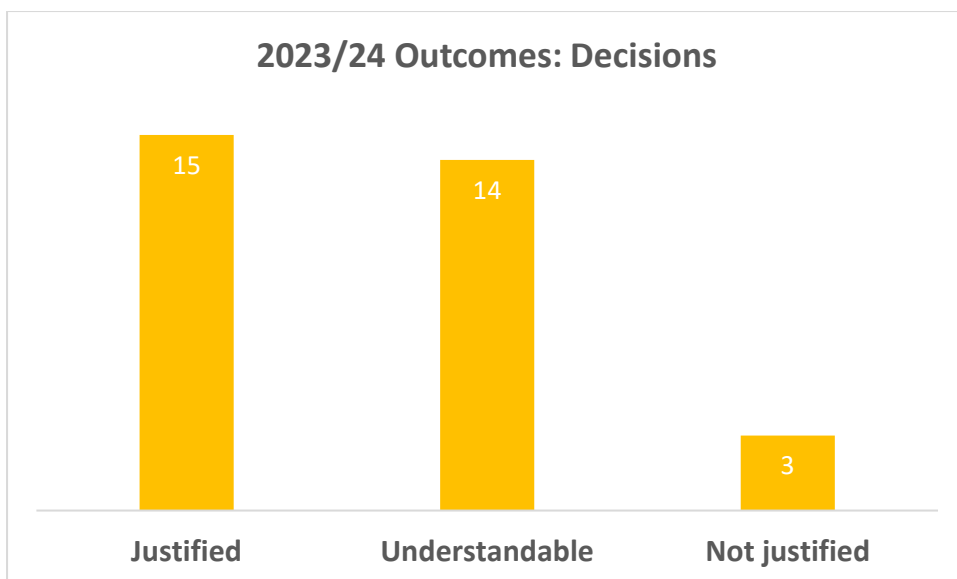
**Sufficient:**

The reasons are sufficient if they apply the correct test and provide some evidence and rationale for the decision. They would have been improved by from one or more of the following features: Correctly quoting the test, improved accuracy, more clarity, greater analysis, more risk- focused, and inclusion of additional relevant evidence. The reasons provide some evidence and rationale for the decision.

**Not Justified:**

The reasons are unsatisfactory due to one or more of the following features: they have not applied the correct test, are insufficiently analytical, risk-focused or evidence-based, or ambiguous on key issues. There may be significant inaccuracies and/or omissions of relevant information available at the time.

The decision does not flow logically from the reasons and / or does not reflect the nature and extent of information available at the time.

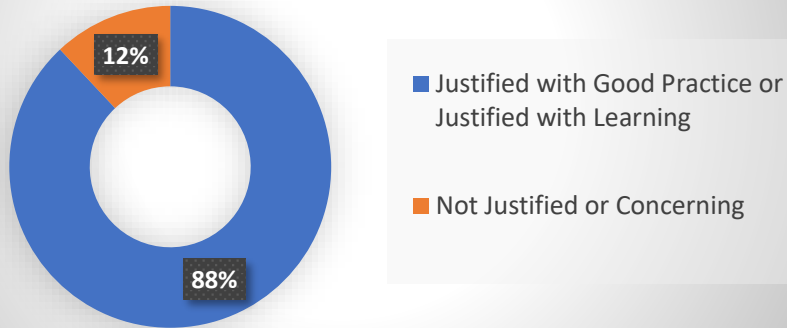


Of the 32 cases reviewed by the Review Committee 25 of the release decisions preceding the SFO were made by multi member panels (either 2 or 3 members) and 7 had decisions made by a single member panel. The graphs below show that single member panels had a higher proportion of not justified or concerning outcomes. However, the data sample is too small to determine whether this is indicative of a pattern and further monitoring will be undertaken.

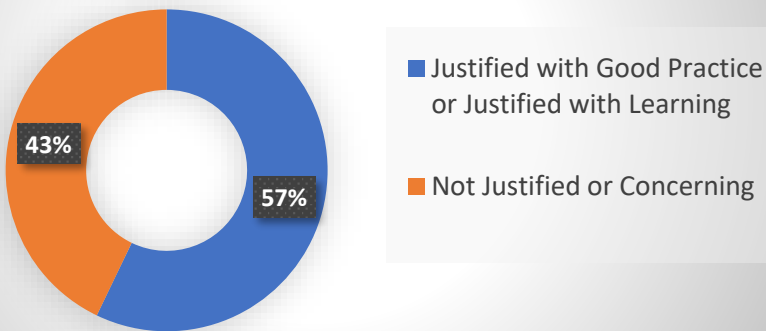
**Outcomes - 7 single member panel cases:**

Justified with good practice	Justified with learning	Concerning	Not justified
2	2	1	2

### Review Committee Outcomes by Multi Member Panels

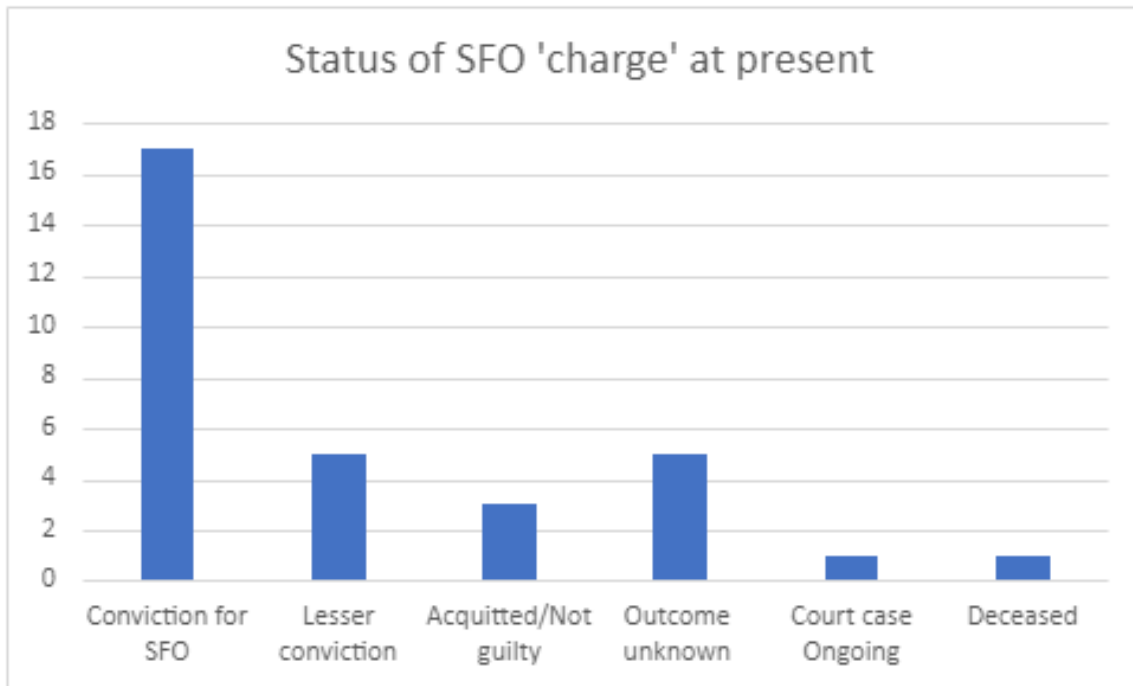


### Review Committee Outcomes by Single Member Panels



**Convictions/Outcomes:**

The key criteria for referral to the Review Committee is the charge for a serious further offence, as defined by Schedule 15A 2003 Criminal Justice Act. The Review Committee process proceeds whether or not the charge is later dropped and irrespective of any court outcome. The table below displays the outcomes for cases considered by the Review Committee in 2023/24.



The 3 acquitted/ not guilty cases had been graded 'Not Justified', 'Justified with Learning and 'Concerning'

### **Forward Look:**

Every panel has a meeting with the executive member of the committee, Stephanie McIntosh, after they have received their outcome letter from the Review Committee. The feedback captured from these meetings following the October and December 2023 committee meetings has been collated and grouped into themes. Matters directly relating to the Review Committee process will be considered and actioned by the committee. The first step will be a working group of members and reviewers that will review the feedback and make recommendations to the committee about how to proceed.

Other matters relating to the business more widely will be taken forward by the senior leadership team.