

REPORT OF THE
PAROLE BOARD
FOR 1972

Presented pursuant to Act Eliz. II 1967 c. 80 schedule 2(6).

*Ordered by The House of Commons to be printed
18th June 1973*

LONDON
HER MAJESTY'S STATIONERY OFFICE

29p net

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Great Britain
~~England~~

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~~PAROLE BOARD - REPORT~~ 4, 1972

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MEMBERSHIP OF THE PAROLE BOARD ON 1 JANUARY 1973

THE RT. HON. LORD HUNT OF LLANVAIR WATERDINE, C.B.E., D.S.O.
 THE HON. MR. JUSTICE SHAW
 THE HON. MRS. S. M. BARING, J.P.
 THE HON. MR. JUSTICE BEAN, O.B.E.
 MR. R. H. BEESON, O.B.E.
 MISS E. M. BLACKFORD
 PROFESSOR G. J. BORRIE
 MR. J. BRADLEY, M.Ed., DIP.PSYCH.(OXON.), A.B.P.S.
 HIS HONOUR JUDGE B. D. BUSH
 MR. R. CALDERWOOD, LL.B.
 MR. A. E. COX
 HIS HONOUR JUDGE R. DAVID, Q.C., D.L.
 MR. S. R. ESHELBY, M.B.E.
 PROFESSOR T. C. M. GIBBENS, M.B.E., M.D., M.R.C.P., D.P.M.
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 THE HON. MR. JUSTICE O'CONNOR
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 MR. A. F. WILCOX, C.B.E.
 MR. A. WORTHY, O.B.E.
 MR. H. L. J. GONSALVES—Secretary

Membership of the Parole Board during 1972

The Rt. Hon. LORD HUNT of Llanvair Waterdine, C.B.E., D.S.O. Chairman.

The Hon. Mr. JUSTICE WALLER, O.B.E. (Vice Chairman; retired in May 1972) Judge of the High Court of Justice, Queen's Bench Division; Member of the Home Office Advisory Council on the Penal System.

The Hon. Mr. JUSTICE GEOFFREY LANE, A.F.C. (appointed Vice Chairman in May 1972; retired in October 1972) Judge of the High Court of Justice, Queen's Bench Division.

The Hon. Mr. JUSTICE SHAW (appointed Vice Chairman in October 1972) Judge of the High Court of Justice, Queen's Bench Division.

The Hon. Mrs. S. M. BARING, J.P. (appointed in December 1972) Member of the Hampshire Probation and After-Care Committee.

The Hon. Mr. JUSTICE BEAN, O.B.E. (appointed in May 1972) Judge of the High Court of Justice, Queen's Bench Division.

Mr. R. H. BEESON, O.B.E. ... Deputy Principal Probation Inspector, Home Office, until his retirement in 1970.

Miss E. M. BLACKFORD ... Headmistress of a comprehensive school in West London.

Professor G. J. BORRIE ... Professor of English Law; Director of the Institute of Judicial Administration, University of Birmingham.

Mr. J. BRADLEY, M.Ed., Dip. Psych. (Oxon.), A.B.P.S. Lecturer in Educational Psychology, University of Leicester.

His Honour JUDGE B. D. BUSH Circuit Judge.

Mr. R. CALDERWOOD, Ll.B. ... Town Clerk of Bolton.

Mr. A. E. COX ... Practising solicitor; Recorder.

His Honour JUDGE R. DAVID, Q.C., D.L. Circuit Judge; Member of Cheshire Probation and After-Care Committee.

Mr. S. R. ESHELBY, M.B.E. ... Principal Probation Officer, Essex, until his retirement in 1969.

Professor T. C. M. GIBBENS, M.B.E., M.D., M.R.C.P., D.P.M. (appointed in November 1972) Professor of Forensic Psychiatry, Institute of Psychiatry, University of London.

Mr. J. BRUCE GLEN ... Businessman; formerly Chairman of Local Review Committee of Gartree Prison.

Mr. R. HARRIS, O.B.E. ... Governor of Wakefield Prison, until his retirement from the Prison Service in 1970; Chairman of Devon Discharged Prisoners' Aid Society; Member of Devon & Exeter Probation & After-Care Committee.

Dr. R. HOOD ... Assistant Director of Research, Institute of Criminology, University of Cambridge.

Lady HOWE, J.P. (appointed in September 1972) ... Chairman of Camberwell Juvenile Court; Member of the Lord Chancellor's Legal Aid Advisory Committee.

Mrs. M. INNES ... Voluntary worker with Birmingham Probation & After-Care Service.

Dr. E. JACOBY, MD(BAS.I.E.), D.P.M. Consultant Psychiatrist, Highcroft Hospital, Birmingham.

Mrs. M. C. JAY, J.P. (retired in September 1972) ... Magistrate for London West Central District.

Mr. G. JONES (retired in June 1972) ... Principal Probation Officer, Hertfordshire Probation & After-Care Service.

Mr. H. J. KLARE, C.B.E. (appointed in October 1972) ... Member of the Gloucestershire Probation and After-Care Committee and of the Board of Visitors of HM Prison, Long Lartin; Formerly Head of the Division of Penal and Criminological Questions, Council of Europe.

Mrs. S. KOMROWER, J.P. ... Member of "William House" After-Care Hostel Committee; Member of Visiting Committee, Manchester Prison.

Mr. J. W. MARSH ... Principal Probation Officer, South East Lancashire Probation and After-Care Service.

Dr. N. J. de V. MATHER, M.A., M.B., Ch.B., F.R.C.Psych., D.P.M. Consultant Psychiatrist, Manchester Regional Hospital Board and Dobroyd Castle School; Member of the Home Office panel of Psychiatrists; Lecturer in Forensic Psychiatry, University of Manchester.

The Hon. Mr. JUSTICE O'CONNOR (appointed in November 1972) Judge of the High Court of Justice, Queen's Bench Division.

The Hon. Mrs. L. PRICE (retired in November 1972) ... Prison Visitor, Holloway Prison.

Dr. H. R. ROLLIN, M.D., M.B., Ch. B., F.R.C.Psych., D.P.M. Eng.	Consultant Psychiatrist, Horton Hospital, Epsom, Surrey.
Dr. G. ROSE	Reader in Social Administration, University of Manchester.
Mr. P. P. SHERVINGTON, O.B.E.	Deputy Principal Probation Officer, Inner London Probation and After-Care Ser- vice.
Mr. H. A. SKINNER, Q.C. ...	Recorder of Leicester.
Dr. J. C. SAWLE THOMAS, F.R.C.P., D.P.M. (retired in December 1972)	Consultant Psychiatrist.
Dr. C. M. VAILLANT, M.A., B.M., F.R.C.P., D.P.M. (appointed January 1972; resigned in October 1972)	Visiting Psychiatrist, formerly of Walton Hospital and Newsham General Hospital; Member of the Home Office panel of Psychiatrists.
Mr. A. F. WILCOX, C.B.E. ...	Chief Constable of Hertfordshire, until his retirement in 1969.
Mr. J. E. HALL WILLIAMS, LL.M. (Wales) (retired in September 1972)	Reader in Criminology, University of London, Law Department, London School of Economics and Political Science.
Mr. A. WORTHY, O.B.E. ...	Principal Probation Officer, Birmingham Probation and After-Care Service.

REPORT OF THE PAROLE BOARD FOR 1972

CHAPTER ONE

The Parole System

1. The parole system in Britain originated from a White Paper "The Adult Offender", published in 1965, in which the following extracts may be helpful to those who are unfamiliar with its philosophy:

"The first need is to protect society against the dangerous man or woman who by crime will disturb its peace if at large . . . Experience shows there are some who just will not make friends with society ever . . . Such evil-doers must be kept apart, for long periods in the exceptional case, even for life . . . Such irreconcilables are the exception not the rule. The rest differ infinitely. Many are disturbed, unstable and immature . . . Long periods in prison may punish, or possibly deter them, but do them no good—certainly do not fit them for re-entry into society. Every additional year of prison progressively unfits them . . . The central feature is that prisoners whose character and record render them suitable should be released from prison earlier than they are at present (ie before the introduction of the parole system). Prisoners who do not of necessity have to be detained for the protection of the public are in some cases more likely to be made into decent citizens if, before completing the whole of their sentence, they are released under supervision with a liability to recall if they do not behave."

2. By the provisions of the Criminal Justice Act 1967, prisoners under fixed term sentences are eligible for consideration for release on parole when they have served one year or one third of their sentence, whichever is the longer. Their cases are reviewed in the first instance by a local review committee at the prison in which they are placed, and all those favourably recommended together with some others, are then considered by the Parole Board. The recommendations for release made by the Board are put to the Home Secretary with whom the final decision rests. In only very few cases does the Home Secretary decide contrary to the Board recommendations (see paragraphs 11 and 19). The cases of offenders refused parole are normally reviewed again after about a year if their length of imprisonment permits. The Board also makes recommendations in relation to the release of prisoners serving life sentences. Offenders released on parole are subject to recall to prison if they commit a further offence, or if in some other way they break the conditions of their licence. In determinate sentence cases the period of supervision and the liability to recall ceases when two-thirds of the sentence has been completed, the exceptions being those serving extended sentences and those prisoners sentenced under Section 53(2) of the Children and Young Persons Act, 1933, who are all liable to recall until the expiration of their sentences. Anyone released on licence from a life sentence is liable to be recalled at any time.

Criteria for Parole Selection

3. In making recommendations to the Home Secretary, local review committees are furnished with reports covering the social and (if any) criminal background of the prisoner; the nature and circumstances of the offence for which he is serving a prison sentence; his conduct and response to prison treatment and training; the conditions likely to obtain in regard to home, work and other aspects of his life in the area where the prisoner will go on release. They also have the prisoner's own representations unless he chooses not to make any. In considering these reports and representations the local review committees and the Board bear in mind that we are dealing with individual human beings; each case is therefore weighed on its individual merits; the balance, however, being weighed between the interests of the prisoner and those of the community. Often it appears that both interests point towards conditional release of the prisoner to serve the remainder of his sentence under supervision, in the community. In some cases the mutual interests point equally clearly towards a further period of detention. But in a number of instances the balance is not so clearly drawn and in such cases, particularly where there appears to be substantial risk to the community or where a release on parole may give rise to serious public anxiety, the Board's recommendations give first priority to the public interest.

4. It cannot be too often repeated that, in reaching our decisions, we are aware that all prisoners serving fixed term sentences will be released at a certain point in time and that all but young prisoners and those serving extended sentences will then be free of any control on their behaviour. For the great majority this point comes on the completion of two-thirds of the prison sentence, owing to the practice of granting remission of the final third for good conduct. Therefore, the balance of advantage to the community, as well as the prisoner, of a period of supervision and support, with the sanction of recall to prison, must be viewed against this normal earliest date of release without conditions.

The Licence

5. A copy of the licence used when a determinate sentence prisoner is released on parole is given in Appendix 3. The six standard conditions are intended to make clear to the prisoner his obligations while concluding the period of his sentence in the community, and to assist the probation officer in his task of supervision. In order to remove the possibility of misunderstandings which had occasionally arisen, the condition that the licence-holder should, if required, receive visits from the supervising officer at his residence was added in 1972. The Board may recommend further conditions where it is considered that by doing so the objectives of parole will be assisted. A condition to reside where approved by the probation officer is commonly included in the case of the homeless offender, to reinforce the arrangements as to residence, often in an after-care hostel, that are agreed before release. Another condition that has been found useful in the rehabilitation of a particular offender is that he shall undertake only such employment as his probation officer approves. A condition not to associate

with a named person is sometimes found a useful safeguard and some protection can be afforded by a condition not to approach or communicate with a particular person without the prior approval of the probation officer. While the conditions are normally settled at the outset, the Board is very willing to consider recommending, during the currency of the licence, such other reasonable conditions as the supervising officer's experience shows may be desirable in an individual case. Similarly, conditions may be varied or cancelled.

The Board's Caseload—Determinate Sentence Cases

6. In 1972 the Board considered a total of 4,593 cases. These consisted of 143 life sentence cases and 4,450 determinate sentence cases. The statistics of decisions made in determinate sentence cases are given in Appendix 1, Table I. Life sentence cases are considered further in paragraphs 17 to 23.

7. The total of 4450 determinate sentence cases considered compares with the slightly larger total of 4584 considered in 1971. The explanation seems to be a reduction in the prison population serving sentences between 18 months and 3 years. It is not due to any reduction in the proportion of prisoners recommended for parole by the local review committees. In fact, the proportion of prisoners recommended by local review committees has increased from 35.8 per cent. in 1971 to 38.2 per cent. in 1972. All cases recommended by local review committees are referred to the Board together with those cases not so recommended which statistically represent a low risk of reoffending. The proportion of cases referred to the Board which we recommended for parole has gone up from 64.8 per cent. to 65.8 per cent. In the final analysis the proportion of all prisoners who wished to be considered in 1972 and who were finally recommended by the Parole Board has increased from 30.8 per cent. to 32.7 per cent.

8. It should be remembered that although 30 per cent. or so of prisoners considered in any one year are selected for parole, those prisoners who are eligible for a number of annual reviews have a greater chance of being selected at some stage in their sentences than this percentage implies. In fact nearly 40 per cent. of parole eligible prisoners who were discharged from prison in 1972 were released on parole, some towards the end of long sentences.

9. Statistics showing the percentage of favourable recommendations made by the Board according to type of offence and length of sentence are given in Appendix I, Table 2 (first review) and Table 2a (second or subsequent review). Table 2 shows closely similar percentages of favourable recommendations to those made in 1971. Table 2a, however, shows some increase in the percentage of favourable recommendations towards the end of their sentences at the second or subsequent review, where the offence is of violence or robbery. This seems to be a reflection of the Board's view that while in general it is not appropriate for an offender in either of these categories to be recommended for parole at the first review (indeed the proportion of prisoners eligible who were selected at first review, where the offence was robbery, has declined since 1970), a short period under supervision may be

a better course to follow than release at the two-thirds point without supervision. Experience so far is that very few offenders in these categories, who have been paroled, were reconvicted during their parole period. During the five years of the parole scheme, out of 11055 offenders paroled only 36 paroled from sentences for crimes of sex or violence have been further convicted of similar offences.

10. Statistics showing the length of licence period in relation to length of sentence are given in Appendix I, Table 3. The average length of licence is the same as in 1971, namely about eight months, but there is a slight trend towards longer licences.

11. Of the 2926 determinate cases recommended for parole in 1972, the Home Secretary felt unable to agree with the Board in only 11 cases.

12. The proportion of men and women opting out of the parole scheme remained about the same in 1972. For first reviews this stood at 5.8 per cent. but a higher proportion (13.8 per cent.) opted out of second or subsequent reviews (see paragraph 32 regarding research into opting out).

The Board's Caseload—People on Parole Coming to Adverse Notice

13. During the year under review 237 prisoners serving determinate sentences were recalled to prison during their parole period and had their licences revoked, (see Tables 4 and 5 in Appendix I). When expressed in relation to the total number of parole recommendations made in 1972, this means that 8.1 per cent. were recalled compared with 7.6 per cent. in 1971. Of these recalls 130 were ordered following failures to comply with the conditions of the licence, 107 being recalls after further convictions. Out of the total of 237 recalls, 16 had their licences revoked by the Courts (compared with only 3 such cases in 1971) and 6 were recalled by the Home Office whose action was subsequently confirmed by the Board (compared with 4 such cases in 1971). The remaining 215 were recalled on the recommendation of the Parole Board (compared with 220 such cases in 1971).

14. The parole system provides for the further release of recalled prisoners and 25 were so released during the year after making representations. In 17 instances the Board felt able to authorise immediate release usually because the circumstances leading to the revocation of the licence had changed. In 8 other instances it was decided to arrange for the release to take place some time ahead, when a suitable release plan had been prepared.

15. Of the 1550 on parole at any given time, the great majority do not come to adverse notice during their licence period, but no summary of the situation concerning recall is complete without some mention being made of those who come to adverse notice but whose parole licences are not revoked. There are some cases, for example, which come to our attention because a reconviction has taken place after the expiry of the licence for offences known to have been committed during the parole period. There were 74 such cases in 1972. In addition we recommended to the Home Office that warnings, both orally and in writing, be given to 76 offenders on parole who had been convicted during the licence period of less serious types of offences and to 15 others for technical infringements of their licence conditions.

16. The numbers of young prisoner licence holders recalled in 1972 was 52 compared with 33 in 1971.

The Board's Caseload—Life Sentence Cases

17. In 1972 the Board considered the cases of 143 prisoners serving life sentences; of these 78 were considered unsuitable for release and 54 were recommended as suitable for release on licence at a date about a year ahead subject to good behaviour in the meantime (further details are given in Table 6). The Home Secretary was unable to accept 9 recommendations. The 54 cases recommended for release included 43 convicted of murder, 6 of manslaughter, 2 of robbery with violence, 1 of wounding, 1 of attempted murder and 1 of buggery.

18. Of the 54 cases recommended for release, 3 were under 21 years of age when the crime was committed.

19. The sentences that those who are to be released will have served by the time they are released on licence will be:

Number of complete years served ...	4	5	6	7	8	9	10	11	12	14	15
Number of Prisoners	1	2	1	1	7	9	5	7	5	2	1

In addition to these 41 cases, 9 cases recommended by the Parole Board were subsequently refused by the Home Secretary and 2 recommendations were subsequently rescinded by the Board. There were also 2 recall cases recommended for further release, who will have been detained for 5 months and 4 years respectively since recall, and who will have been detained for 10½ years and 13½ years respectively in total.

20. The 1972 figures may be compared with those of 1971 when the Board considered the cases of 124 prisoners serving life sentences: of these 68 were considered unsuitable for release and 41 were recommended as suitable for release on licence at a date about a year ahead, subject to good behaviour in the meantime; 2 prisoners whose life licence had previously been revoked were recommended for immediate release. The 43 cases recommended for release included 36 prisoners convicted of murder and 7 of manslaughter.

21. The number of persons serving life sentences at 31 December 1972 was 888 including 682 prisoners convicted of murder. None of the 42 cases in which trial judges have recommended a minimum period of imprisonment before release on licence has yet come before the Board. In due course the cases of all persons serving life sentences will be considered by the Board.

22. In each case the fullest information is obtained by the Home Office giving the full circumstances in which the crime was committed, the evidence given at his trial relating to his background, medical history and state of mind at the time, together with detailed reports of his behaviour, mental

attitudes, response and progress in custody over a period of years. As to the appropriate length of sentence for the offence, the views of the trial judge and the Lord Chief Justice are obtained before release.

23. Currently the Board and the Home Office are taking a fresh look at the procedure which brings life sentence cases before the Board. It is hoped in the course of the year ahead to develop long term guidelines in this difficult field.

Effects of the Criminal Justice Act 1972

24. Section 35 of the Criminal Justice Act 1972, which comes into force on 1 January 1973, empowers the Home Secretary to release on licence certain categories of offender on the recommendation of local review committees and without specific reference to the Board. The Section provides that the class of cases to be dealt with under the modified procedures should be determined after consultation with the Parole Board and initially the intention is to apply the procedure to cases where the sentence is less than three years, provided that the offence did not involve violence, sex, arson or drug-trafficking and the recommendation of the local review committee was unanimously favourable.

25. This devolutionary measure recognises the contribution made by local review committees and is an indication of the large measure of agreement between the decisions of the committees and the Board since the parole system began. The new procedure will apply to the cases of prisoners where the risks to the community are not seen to be great. One result of this change will be to relieve the Board of some of the load which it is now bearing. The Board will thus be able to concentrate on cases which present greater difficulty and to deal with a wider range of cases where the local review committee have not recommended parole.

26. At the Report stage of the Bill, a Government amendment was carried to provide for time spent on remand in custody before conviction to count towards parole eligibility where the calculation of eligibility is based on one-third of the sentence. The overriding requirement that a minimum of twelve months of the sentence must be served will remain. A consequential amendment to the Prison Rules affecting the calculation of remission and therefore of earliest dates of release takes effect from 1 January 1973.

27. The changes referred to in paragraph 26 will make a number of prisoners eligible simultaneously for parole at a date earlier than was the case before the Act. Some, however, may cease to be eligible for review because their normal date of release has been advanced. The net result will be a backlog of cases for parole reviews, which should have been cleared by March 1973.

Research

28. During 1972, research on the parole scheme undertaken by the Home Office Research Unit concentrated on an evaluation of the effect of parole on the likelihood of a prisoner returning to crime, an examination of the selection process and an attempt to discover why some men reject the chance of being considered for parole. We are indebted to the Home Office Research Unit for the information which follows under this heading.

29. In Appendix 3 of last year's report it was stated that work to discover the effect of parole on reconviction was under way on a sample of 800 men released towards the end of 1968, and that analysis of the data would be completed in 1972. The results now available suggest that parole has a marked short-term effect on offending during the licence period and a smaller effect on criminal behaviour during the two years following release. There were, however, statistical problems associated with the analysis and before anything categorical can be said about the effect of parole on the likelihood of reconviction, the study needs to be repeated on a group of men released in a later period. Data has been collected, therefore, on roughly 800 parolees and 300 non-parolees released between October 1969 and March 1970. The analysis of this data is well advanced and results are expected early in 1973. It is hoped that they will be published in due course.

30. The selection process has been examined in several different ways, one of which has been to look at the relationship between the social and criminal characteristics of the prisoner who is eligible for parole and his chances of being selected for parole. It seems that the statistical estimate of a man's risk of reconviction is the best indicator of selection that has been found so far, followed by length of sentence. As, however, local review committees do not know the prisoner's predicted risk of reconviction when they are considering his case, it has been decided to repeat the exercise using only information that the local review committee has available to it when making its decision. In this way information should be obtained about which factors, other than the reconviction score, seem to have the most bearing on selection.

31. The parole selection rate of parole-eligible prisoners released in the periods January-June 1971 and January-June 1972 has been investigated. The 1971 results will appear in the British Journal of Criminology Vol. 13 No. 1 (January 1973). In both groups the proportion of men paroled at some stage during their sentence was nearly 40 per cent. In the article it was shown that manslaughter and sex offenders had a relatively high paroling rate although no explanation was given for this. From an examination of the 1972 sample it appears that such offenders are selected because they have relatively few previous convictions and are therefore more likely to be seen as better "risks" than men with longer criminal records. In fact, for any given number of previous convictions, sex offenders have a lower selection rate than property offenders.

32. The Home Office Research Unit has studied men who chose not to be considered for parole. The criminal and social characteristics of all the men who have and have not refused their parole reviews up to April 1972 have been compared and a sample of 140 of them have been interviewed. Preliminary findings suggest that men who are relatively criminally sophisticated and socially isolated are most likely to "opt-out" of the scheme.

33. Dr. Pauline Morris' study of 100 parolees released from Stafford and Ford prisons is nearing completion and a draft report will be ready during 1973.

Giving Reasons to a Prisoner not Recommended for Parole by the Parole Board

34. During the year the Board has again been made aware, on our visits to prisons and through correspondence, of the strongly expressed view that a prisoner should be given reasons when he is turned down for parole. It is often said for instance that an understanding by the prisoner of the reasons why parole has not been recommended may be helpful in the rehabilitation process.

35. The points in favour of doing so are well understood by ourselves, but we also appreciate the difficulties. In general, these derive from the complexity of reaching a decision from a wide range of factors which emerge during the discussions of each case, and the limits placed on recording these discussions in a form which might be helpful to each of several thousand prisoners every year. In particular, however, there will always be individual cases where one or more reasons for a refusal cannot be divulged to the prisoner.

36. Members of the Board continue to be concerned about this problem and we have held further discussions with the Home Office.

Recommendations of Local Review Committees

37. At present each local review committee considers only those eligible for parole from its own prison. Inevitably there is some variation in the rates of recommendation for parole between different local review committees and the Board has been considering this matter with the Home Office. It has been decided as a first step that the best course would be to initiate research into the nature of the reports submitted to the local review committees.

CHAPTER TWO

Meetings of the Board

38. During 1972 panels of the Board met on 152 occasions to consider cases for parole or recall from licence. Our meetings are normally held in London, Birmingham and Manchester, averaging three each week. However, we accepted invitations from the civic authorities to hold panel meetings in Bolton, Cardiff, Chester and Leicester during the year, to which further reference is made at paragraph 58.

39. The full Board met on one occasion in 1972 in addition to its own annual overnight conference which took place at Great Missenden as in previous years. The General Purposes Committee met on four occasions and a number of working parties were set up with Home Office officials to examine various problems.

The Secretariat

40. The Secretariat continued to act as the main channel of communication between the Board, those departments of the Home Office involved in matters relating to the custody of offenders after release and all agencies

concerned with the parole scheme. Its services concern the sorting, allocation and despatch of case dossiers and supporting papers to Board members for their study before panel meetings, arrangement and minuting of meetings, correspondence relating to parole and offenders on parole with Home Office departments and prisoners' relatives and visits to prisons, police and probation and after-care service headquarters.

41. The Secretariat now consists of nine officers seconded from the Home Office and it will be further strengthened early in 1973 by two additional officers, to assist with the increasing workload.

42. We wish to record our appreciation of the splendid support provided to Board members by our Secretariat.

Visits to Prisons

43. The Board visited 16 prisons in 1972, including three women's prisons, in pursuance of our practice of maintaining contacts with all those in the prison service who are concerned in the parole system. Our visits followed the established practice of discussions with governors and their staffs and members of local review committees. In the course of most visits Board members had the opportunity to discuss parole with groups of prisoners.

44. Members of the Board and our Secretary gave talks on the work of the Board at courses for prison welfare officers and assistant governors at the Prison Service Staff College, Wakefield. Agreement has been reached for further talks to be given to basic grade officers at the Officers' Training School, Leyhill during 1973.

Liaison with Probation and After-Care Services

45. The contribution of probation officers is crucial to the success of parole, and the Board is very conscious of the burden that falls on them, both in the supervision of offenders on parole and in the preparation of reports about the home circumstances of prisoners who are eligible for parole. In order to keep informed of the problems that arise the programme of visits to probation and after-care services was continued with visits to three areas during the year. The opportunity was taken to meet representatives of the probation and after-care committee and discussions were held with probation officers who had persons on parole under their supervision. Discussions were held with men and women currently on parole in the area who told us how the system had affected them at various stages. Visits were paid to after-care hostels in the neighbourhood. Members of the Board also attended a training conference organised by the South East Lancashire Probation and After-Care Service, a conference arranged by the Manchester and Salford Probation and After-Care Service, a parole seminar run by the probation and after-care services in the South East region and a session on parole at the annual meeting of the Conference of Principal Probation Officers.

46. We attach great importance to increasing these contacts with the probation and after-care services and with those on parole in order to understand better the practical aspects of supervising and helping the latter.

Liaison with the Police

47. The police forces are not involved in the supervising of offenders while on parole, but the Board believes it to be most important that there should be a dialogue between ourselves and police officers about the principles and operation of the parole system. Further progress has been made during 1972 in improving a mutual understanding on this subject.

48. Her Majesty's Inspectors of Constabulary have taken a special interest in the work of the Board and have given their assistance in ensuring that information about the parole system is included in the syllabus at the detective training schools throughout the country. Members of the Board have responded to the growing number of invitations to address regional conferences and courses arranged by local Forces.

49. During the year the Board held a meeting with the newly appointed Commissioner of Police of the Metropolis and his senior officers at New Scotland Yard, and paid visits to four provincial police forces. In the course of frank discussions it was possible to remove misunderstandings and to resolve practical problems which had arisen in specific cases. These meetings in an informal atmosphere gave members of the Board an opportunity of assuring operational detectives that they fully appreciated their difficulties in dealing with serious offences, especially crimes of violence, which were giving rise to public concern.

50. It has also been emphasised that the Board attaches great importance to the police reports on which they rely for a full description of the circumstances of the offence. In past years police reports had only been requested in those cases where parole was likely to be recommended. This arrangement had proved unsatisfactory. After consultation between the Board, the Home Office and the Association of Chief Police Officers it was agreed at the beginning of 1972 that in all cases where a custodial sentence is imposed by a higher court a police report giving details of the offence and the sentence, the antecedent history of the prisoner and the list of his previous convictions will be sent to the prison governor immediately after sentence. The procedure ensures that from the outset the prison authorities, the local review committees and the Board will in all cases have a clear, factual account of the circumstances in which the offences were committed by the prisoner, together with his criminal record.

Visitors from Abroad

51. The following overseas visitors attended panel meetings during the year:

Mr. Clinton Dudley Allen, Chief Probation Officer, Jamaica; Mrs. J. A. Finn, a lawyer from the United States and previously employed with the United States Department of Justice; Mr. John Morony, a member of the New South Wales Parole Board; Mr. Justice Moti Tikaram, Chief Justice of Fiji and Mr. Shozo Tomita, a probation officer from Tokyo.

52. The Board also received an enquiry team under the leadership of Mr. Justice Hugesson on behalf of the Canadian Government, to study certain aspects of the English parole system. Other members of the team were Mr. Richard Gervais, Secretary and Rapporteur of the task force, Mr. James Phelps, Director of a Canadian penal institution and Mr. Irving Waller, a criminologist. The Vice Chairman of the Canadian Parole Board, Mr. André Therrien and Mr. Claude Bouchard, a member of the Board, also visited the Board and attended several of its panel meetings.

Foreign Tours

53. In the autumn, Dr. Henry Rollin paid a visit to the United States to study the role of psychiatrists and the treatment of offenders there. In view of the limited time available to him (about three weeks), he concentrated his visit on a study of the parole systems in California and Connecticut and in addition visited a number of prisons in each of those states, i.e. Fulsom, St. Quentin (both maximum security prisons) and Vacaville (which serves three purposes, i.e. as a classification centre, as a prison as such and also as a psychiatric hospital) in California and Somers (maximum security), Enfield (minimum security) and Niantic (a women's prison) in Connecticut.

Relations with the Home Office

54. As in previous years, the Board has maintained a close relationship with the Probation and After-Care, Criminal, Prison and Research Departments of the Home Office, as well as with the Press Office. Representatives from these Departments attended a number of our panel meetings, as well as meetings of the full Board and of the General Purposes Committee, in an advisory capacity. We take this opportunity to thank officials from these Departments for their helpful co-operation. We were particularly glad to welcome the Minister of State, Lord Colville, at one of our panel meetings.

55. In November a delegation from the Board met senior officials of the Prison Department to discuss the parole system in the context of the prison system. At our annual Board meeting on 3rd October 1972 we welcomed the opportunity to discuss the procedure in regard to life sentence prisoners with the Permanent Under-Secretary of State. The Board appreciates that all concerned are pursuing a common objective to integrate parole into the penal system and we hope that there will be further progress in improving communication, reducing avoidable delays in reaching decisions and enabling prisoners to understand the system and to be prepared for parole.

Relations with the Parole Board for Scotland

56. The Board has maintained contact with our colleagues in Scotland, with visits between the membership of both Boards at various meetings. In January members of the Board, the Secretary and a Home Office representative attended an overnight conference on parole at the Scottish Prison Service Training School, Brightons, Falkirk.

Public Relations

57. The Board has pursued its policy of helping to inform the public about the parole system. Members have spoken at a number of meetings of magistrates' associations, rotary clubs and other audiences. A contribution was made to a symposium on the British parole system which will appear in the January 1973 issue of the British Journal of Criminology.

58. As mentioned in paragraph 38, we welcomed the opportunity to hold meetings during 1972 in other places besides London, Birmingham and Manchester. The Chairman held press conferences in Chester, Cardiff and Leicester following panel meetings taking place in those cities and was interviewed for local radio and television. It was encouraging to note the amount of press and broadcasting interest in the parole system.

59. The national press gave full reports of the 1971 Annual Report and there were a number of other press reports during the year relating to individuals on parole. But again in 1972 the inappropriate use of the word "parole" by one or two newspapers resulted in incorrect reports of crimes committed by offenders on home leave or on the Pre-Release Employment Scheme who had not been recommended for parole.

Conferences with Local Review Committees

60. Apart from our visits to prisons to discuss problems of procedure and assessment with local review committees, 12 special conferences were arranged by the Home Office in 1972, which brought together small groups of three or four local review committees with Board members and Home Office representatives. In previous years, conferences had been organised on a wider basis, both regionally and nationally; these more intimate meetings enabled larger numbers of local committee members to take part.

In Conclusion

61. Our Report shows that in 1972 there has been some increase in the proportion of eligible prisoners obtaining parole. In our two previous Reports we had expressed our intention to recommend that parole should be extended to more offenders who repeatedly commit relatively minor offences against property, believing that mandatory support and supervision, particularly in the case of insecure and inadequate recidivists, would be more in the public interest than prolonging their detention in prison followed by unconditional release. The heavy load of cases already being considered by the Board throughout this period has delayed this more liberal policy; but the devolutionary measure contained in the new Criminal Justice Act will shortly make it possible for the Board, in agreement with the Home Office, to make a start in considering a wider range of recidivist prisoners and thus to advance further. The test of our belief that such an advance will better serve the interests of both society and this type of offender will lie mainly beyond 1973.

62. But it is also important to remember that it is still too early to establish the extent to which the parole system, as operated since 1 April 1968, has been effective in rehabilitating those who have been paroled so far. We maintain that the value of a parole system should not be measured

solely by statistical results, but we recognise that the prospect of reducing the repetition of crime was an important factor in the approval given to the system by Parliament. Any major advance beyond that envisaged in paragraph 61 should, in our opinion, await the production of more evidence to demonstrate the effectiveness of the system to date.

63. There may also be a need for a comprehensive review of parole supervision, which could indicate whether or not the present resources of the probation and after-care services are sufficient to deal with the particular problems created by those 1,550 offenders who are currently on parole; or whether more could be accepted without detriment to public safety and with regard to the needs of the offenders themselves.

64. A further point is that more facilities for training in prison, which are at present handicapped by over-crowding, might improve the prospects of the success of the parole system. We are impressed by the efforts of the Prison Service to overcome this very difficult problem.

65. Meanwhile, there is much to be done to integrate the parole scheme into the penal system; and nowhere more so than by reducing delays in the processing of documents and by improving communications.

66. Finally there is the need to make parole better understood both within and outside the prisons, thus ensuring that parole decisions are seen to have been fair and, with few exceptions, in the true interests of everyone concerned.

APPENDIX 1

Statistics of Parole Recommendations in 1972

TABLE 1

SUMMARY OF DECISIONS MADE IN DETERMINATE SENTENCE CASES FROM 1 JANUARY 1969 TO 31 DECEMBER 1972

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	1969		1970		1971		1972	
	First Reviews	Second or Subsequent Reviews	First Reviews	Second or Subsequent Reviews	First Reviews	Second or Subsequent Reviews	First Reviews	Second or Subsequent Reviews
(a) Total cases dealt with	5,576	1,688	6,625	1,829	8,156	2,232	7,215	2,429
(b) Prisoners declining consideration	296	194	424	217	451	284	416	294
(c) Total cases considered by Local Review Committees	5,280	1,494	6,201	1,612	7,705	1,948	6,799	2,135
(d) Recommended by Local Review Committees ...	1,638	551	2,003	567	2,649	811	2,453	957
(e) Not recommended by Local Review Committees	3,642	943	4,198	1,045	5,056	1,137	4,346	1,178
(f) Cases referred to Parole Board	1,943 (305)*	619 (68)*	2,758 (755)*	808 (241)*	3,566 (917)*	1,018 (207)*	3,229 (776)*	1,221 (264)*
(g) Cases recommended for parole	1,389 (126)*	446 (38)*	1,751 (266)*	459 (69)*	2,367 (253)*	604 (46)*	2,143 (203)*	783 (72)*
(h) Cases recommended for consideration earlier than normal statutory review	34	3	97	9	223	24	243	19
(i) Cases not recommended for parole	520	170	910	340	976	390	843	419

APPENDIX 1—TABLE 1—continued

(j) Percentage of cases considered which were recommended by Local Review Committees (d) to (c)	32.3	32.9	35.8	38.2
(k) Percentage of cases referred to the Parole Board which were recommended for parole (g) to (f)	71.2	62.0	64.8	65.8
(l) Percentage of cases considered by Local Review Committees finally recommended for parole (g) to (c)	27.1	28.3	30.8	32.7
(m) Percentage of all cases dealt with which were finally recommended for parole (g) to (a)	25.2	26.1	28.6	30.3

* The figures in brackets show the number of cases within the categories concerned, which were considered by Local Review Committees unsuitable for parole.

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APPENDIX 1—continued—TABLE 2

DETERMINATE SENTENCE CASES CONSIDERED AT FIRST REVIEW BY THE PAROLE BOARD IN 1972
SHOWING THE PERCENTAGE OF FAVOURABLE RECOMMENDATIONS ACCORDING TO THE TYPE OF OFFENCE AND LENGTH OF SENTENCE

CATEGORY OF OFFENCE		Sentence										Total Cases Referred and % Recommended
		Less than 2 yrs.	2 yrs.—2 yrs. 11 m.	3 yrs.—3 yrs. 11 m.	4 yrs.	4 yrs. 1 m.—4 yrs. 11 m.	5 yrs.—5 yrs. 11 m.	6 yrs.—6 yrs. 11 m.	7 yrs.—7 yrs. 11 m.	8 yrs.—8 yrs. 11 m.	10 yrs. or more	
MANSLAUGHTER	Referred ...	—	9	23	7	—	4	3	4	1	1	52
	Recommended ...	—	5	15(1)	4	—	2(1)	1	3	1	—	31(2)
	% Recommended	—	55.6	65.2	57.1	—	50.0	33.3	75.0	100.0	—	59.6
VIOLENCE	Referred ...	18	151	181	27	7	24	2	3	3	2	418
	Recommended ...	8	112	100	9	2	6	—	—	1	—	238
	% Recommended	44.4	74.2	55.2	33.3	28.6	25.0	—	—	33.3	—	56.9
ROBBERY	Referred ...	10	113	135	25	2	36	4	7	8	7	347
	Recommended ...	7	87	83	11	1	11	—	—	—	—	200
	% Recommended	70.0	77.0	61.5	44.0	50.0	30.6	—	—	—	—	57.6
HOMOSEXUAL	Referred ...	—	13	21	14	—	6	4	—	—	1	59
	Recommended ...	—	10	9	9	—	4	—	—	—	—	32
	% Recommended	—	76.9	42.9	64.3	—	66.7	—	—	—	—	54.2
HETEROSEXUAL	Referred ...	4	47	52	30	3	31	9	3	1	—	180
	Recommended ...	3	35	33	13	2	13	1	—	—	—	100
	% Recommended	75.0	74.5	63.5	43.3	66.7	41.9	11.1	—	—	—	55.6
BREAKING	Referred ...	78	490	177	40	6	28	9	4	1	—	833
	Recommended ...	62	408	127	33	4	12	3	—	—	—	649
	% Recommended	79.5	83.3	71.8	82.5	66.7	42.9	33.3	—	—	—	77.9

APPENDIX 1—TABLE 2—continued

THEFT	Referred ...	51	279	104	24	—	12	5	1	—	—	476
	Recommended ...	38	246	87	12	—	4	—	—	—	—	387
	% Recommended	74.5	88.2	83.7	50.0	—	33.3	—	—	—	—	81.3
FRAUD	Referred ...	22	152	71	31	3	16	4	3	2	—	304
	Recommended ...	17	114	48	18(1)	—	5	—	—	—	—	202(1)
	% Recommended	77.3	75.0	67.6	58.1	—	31.3	—	—	—	—	66.4
HANDLING	Referred ...	19	110	35	11	—	7	3	—	—	—	185
	Recommended ...	15	85	24	10	—	3	—	—	—	—	137
	% Recommended	78.9	77.3	68.6	90.9	—	42.9	—	—	—	—	74.0
OTHER OFFENCES	Referred ...	12	151	115	44	2	36	9	4	—	2	375
	Recommended ...	7	90	51	10	1	6	1	1	—	—	167
	% Recommended	58.3	59.6	44.4	22.7	50.0	16.7	11.1	25.0	—	—	44.5
SUB TOTAL (taken to Table 2(a))	Referred ...	214	1,515	914	253	23	200	52	29	16	13	3,229
	Recommended ...	157	1,192	577(1)	129(1)	10	66(1)	6	4	2	—	2,143(3)
	% Recommended	73.4	78.7	63.2	51.0	43.5	33.3	11.5	13.8	12.5	—	65.4

The figures in brackets show the number of cases in which the Home Secretary decided not to implement the Board's recommendation.

APPENDIX 1—continued—TABLE 2(a)

DETERMINATE SENTENCE CASES CONSIDERED AT SECOND OR SUBSEQUENT REVIEW BY THE PAROLE BOARD IN 1972
SHOWING THE PERCENTAGE OF FAVOURABLE RECOMMENDATIONS ACCORDING TO THE TYPE OF OFFENCE AND LENGTH OF SENTENCE

CATEGORY OF OFFENCE		Sentence										Total Cases Referred and % Recommended
		Less than 2 yrs.	2 yrs. - 2 yrs. 11 m.	3 yrs. - 3 yrs. 11 m.	4 yrs.	4 yrs. 1 m. - 4 yrs. 11 m.	5 yrs. - 5 yrs. 11 m.	6 yrs. - 6 yrs. 11 m.	7 yrs. - 7 yrs. 11 m.	8 yrs. - 8 yrs. 11 m.	10 yrs. or more	
MANSLAUGHTER	Referred ...	—	—	4	6	—	3	—	5	2	7	27
	Recommended ...	—	—	2	4	—	—	—	3	—	4(1)	13(1)
	% Recommended	—	—	50.0	66.7	—	—	—	60.0	—	57.1	48.1
VIOLENCE	Referred ...	—	7	64	40	3	23	9	15	4	17	182
	Recommended ...	—	6	48	22	2	16	7	9	3(1)	9(1)	122(2)
	% Recommended	—	85.7	75.0	55.0	66.7	69.6	77.8	60.0	75.0	52.9	67.0
ROBBERY	Referred ...	—	7	70	51	7	35	19	27	9	32	257
	Recommended ...	—	6	57	36	7	25(1)	12(2)	14	4	12(1)	173(4)
	% Recommended	—	85.7	81.4	70.6	100.0	71.4	63.2	51.9	44.4	37.5	67.3
HOMOSEXUAL	Referred ...	—	—	10	6	—	6	10	3	1	—	36
	Recommended ...	—	—	6	5	—	4	2	1	1	—	19
	% Recommended	—	—	60.0	83.3	—	66.7	20.0	33.3	100.0	—	52.8
HETEROSEXUAL	Referred ...	—	1	18	20	3	18	11	12	6	5	94
	Recommended ...	—	1	17	9	3	15	4	5	3	1	58
	% Recommended	—	100.0	94.4	45.0	100.0	83.3	36.4	41.7	50.0	20.0	61.7
BREAKING	Referred ...	—	15	126	52	18	33	10	12	5	11	282
	Recommended ...	—	15	100	26	11	17	8	8	3	5	193
	% Recommended	—	100.0	79.4	50.0	61.1	51.5	80.0	66.7	60.0	45.5	68.4

APPENDIX 1—TABLE 2(a)—continued

THEFT	Referred ...	—	5	46	23	7	17	5	5	3	1	112
	Recommended ...	—	4	36	17	3	10	4	1	2	1	78
	% Recommended	—	80.0	78.3	73.9	42.9	58.8	80.0	20.0	66.7	100.0	69.6
FRAUD	Referred ...	—	2	35	17	2	13	4	2	5	2	82
	Recommended ...	—	2	24	7	1	7	2	—	3	1	47
	% Recommended	—	100.0	68.6	41.2	50.0	53.8	50.0	—	60.0	50.0	57.3
HANDLING	Referred ...	—	2	16	10	1	7	—	1	—	1	38
	Recommended ...	—	2	12	8	—	3	—	—	—	1	26
	% Recommended	—	100.0	75.0	80.0	—	42.9	—	—	—	100.0	68.4
OTHER OFFENCES	Referred ...	—	—	24	30	6	20	5	11	6	9	111
	Recommended ...	—	—	20(1)	13	—	10	3	2	2	4	54(1)
	% Recommended	—	—	83.3	43.3	—	50.0	60.0	18.2	33.3	44.4	48.6
SUB TOTAL	Referred ...	—	39	413	255	47	175	73	93	41	85	1,221
	Recommended ...	—	36	322(1)	147	27	107(1)	42(2)	43	21(1)	38(3)	783(8)
	% Recommended	—	92.3	78.0	57.6	57.4	61.1	57.5	46.2	51.2	44.7	64.1
SUB TOTAL (carried from Table 2)	Referred ...	214	1,515	914	253	23	200	52	29	16	13	3,229
	Recommended ...	157	1,192	577(1)	129(1)	10	66(1)	6	4	2	—	2,143(3)
	% Recommended	73.4	78.7	63.2	51.0	43.5	33.0	11.5	13.8	12.5	—	66.4
TOTAL	Referred ...	214	1,554	1,327	508	70	375	125	122	57	98	4,450
	Recommended ...	157	1,228	899(2)	276(1)	37	173(2)	48(2)	47	23(1)	38(3)	2,926(11)
	% Recommended	73.4	79.0	67.7	54.3	52.9	46.1	38.4	38.5	40.3	38.8	65.8

The figures in brackets show the number of cases in which the Home Secretary decided not to implement the Board's recommendation.

APPENDIX 1—continued—TABLE 3
 DETERMINATE SENTENCE CASES RECOMMENDED FOR PAROLE BY THE BOARD IN 1972
 SHOWING LENGTH OF LICENCE PERIOD IN RELATION TO LENGTH OF CURRENT SENTENCE

Period of Licence	Sentence										Total	%
	Less than 2 yrs.	2 yrs.-2 yrs. 11 m.	3 yrs.-3 yrs. 11 m.	4 yrs	4 yrs. 1 m.-4 yrs. 11 m.	5 yrs.-5 yrs. 11 m.	6 yrs.-6 yrs. 11 m.	7 yrs.-7 yrs. 11 m.	8 yrs.-9 yrs. 11 m.	10 yrs. or more		
Less than 1 m. ...	21	9	7	1	1	2	—	1	—	—	42	1.5
1 m. but less than 3 m. ...	131	315	50	18	5	8	4	7	1	3	542	18.6
3 m. but less than 6 m. ...	4	631	170	57	8	24	3	9	2	2	910	31.2
6 m. but less than 12 m. ...	1	265	509	85	13	52	20	16	5	8	974	33.4
12 m. but less than 18 m. ...	—	8	72	89	7	38	8	5	2	5	234	8.0
18 m. but less than 24 m. ...	—	—	89	14	—	37	6	3	4	13	166	5.7
24 m. but less than 36 m. ...	—	—	—	11	3	9	4	5	1	3	36	1.2
36 m. but less than 60 m. ...	—	—	—	—	—	1	1	1	7	1	11	0.4
5 yrs. or more ...	—	—	—	—	—	—	—	—	—	—	—	—
TOTAL ...	157	1,228	897	275	37	171	46	47	22	35	2,915	100.0
PERCENTAGE...	5.4	42.1	30.7	9.4	1.3	5.9	1.6	1.6	0.8	1.2		

* N.B. The difference of 11 between the total on this Table and the total on Table 2(a) denotes the number of persons who, although recommended by the Board were not released on parole.

TABLE 4
 SUMMARY OF CASES RECALLED DURING 1972

<i>Offenders on Parole from Determinate Sentences</i>	
1. Recalled by the Parole Board ...	215
2. Recalled by the Secretary of State ...	6
3. Revocations by Courts ...	16
	<hr/> 237
<i>Reasons for the Recalls</i>	
1. Recalled for further offence and in some cases for other breaches of licence conditions ...	107
2. Recalled for being out of touch and in some cases for other breaches of licence conditions. (Of these 27 had committed further offences while at large.) ...	115
3. Recalled for various breaches of licence conditions other than those above ...	15
	<hr/> 237
<i>Young Prisoner Licence Holders</i>	
1. Recalled by the Parole Board ...	52
2. Recalled by the Secretary of State ...	0
3. Revocations by Courts ...	0
<i>Extended Sentence Licence Holders</i>	
1. Recalled by the Parole Board ...	6
2. Recalled by the Secretary of State ...	0
3. Revocations by Courts ...	0

TABLE 5
 RECALLS DURING 1972 OF OFFENDERS ON PAROLE LICENCE
 FROM DETERMINATE SENTENCES

Number of months between release and revocation	Length of time between release from prison and revocation of licence	
	Percentage	Number revoked
0 to less than 2	28.3	67
2 to less than 4	23.2	55
4 to less than 6	17.3	41
6 to less than 8	13.9	33
8 to less than 10	5.5	13
10 to less than 12	5.1	12
12 and over	6.7	16
TOTALS	100.0	237

TABLE 6

LIFE SENTENCE CASES CONSIDERED BY THE PAROLE BOARD IN 1972

1. Cases referred to the Board during 1972	...	...	...	...	...	...	143
2. Cases recommended for release	...	...	...	...	...	...	54
3. Cases not recommended for release	...	...	...	...	...	...	78
4. Recalls: licence based on Board's recommendation	...	...	...	...	...	...	2
5. licence before the Board became operative	...	...	...	...	...	...	1
6. Cases referred for variation and cancellation of conditions, review of release date etc.	...	...	...	...	...	...	8

APPENDIX 2

Criminal Justice Act 1967

*Release of prisoners on licence and supervision
of prisoners after release*

(SECTIONS 59 TO 62 INCLUSIVE)

Criminal Justice Act 1967

SCHEDULE 2

Statutory Rules

1967 No. 1685

Criminal Justice Act 1972

*Release on licence without recommendation
of Parole Board*

(SECTION 35)

Criminal Justice Act 1972

SCHEDULE 5

*(Amendment to the
Criminal Justice Act 1967)*

PART III

TREATMENT OF OFFENDERS

Release of prisoners on licence and supervision of prisoners after release

59.—(1) For the purpose of exercising the functions conferred on it by this Part of this Act as respects England and Wales there shall be a body to be known as the Parole Board and for the purpose of exercising those functions as respects Scotland there shall be a body to be known as the Parole Board for Scotland, each body consisting of a chairman and not less than four other members appointed by the Secretary of State.

Constitution and functions of Parole Board and local review committees.

(2) Any reference in the following provisions of this Part of this Act (including Schedule 2 thereto) to the Parole Board shall be construed as a reference to the Parole Board or the Parole Board for Scotland, as the case may require.

(3) It shall be the duty of the Board to advise the Secretary of State with respect to—

- (a) the release on licence under section 60(1) or 61, and the recall under section 62, of this Act of persons whose cases have been referred to the Board by the Secretary of State ;
- (b) the conditions of such licences and the variation or cancellation of such conditions ; and
- (c) any other matter so referred which is connected with the release on licence or recall of persons to whom the said section 60 or 61 applies.

(4) The following provisions shall have effect with respect to the proceedings of the Board on any case referred to it, that is to say—

- (a) the Board shall deal with the case on consideration of any documents given to it by the Secretary of State and of any reports it has called for and any information whether oral or in writing that it has obtained ; and
- (b) if in any particular case the Board thinks it necessary to interview the person to whom the case relates before reaching a decision, the Board may request one of its members to interview him and shall take into account the report of that interview by that member ;

and, without prejudice to the foregoing, the Secretary of State may by rules make provision with respect to the proceedings of the Board on cases referred to it, including provision authorising such cases to be dealt with by a prescribed number of members of the Board.

PART III

(5) The documents to be given by the Secretary of State to the Board under the last foregoing subsection shall include—

- (a) where the case referred to the Board is one of release under section 60 or 61 of this Act, any written representations made by the person to whom the case relates in connection with or since his last interview in accordance with rules under the next following subsection ;
- (b) where the case so referred relates to a person recalled under section 62 of this Act, any written representations made under that section.

(6) The Secretary of State may by rules make provision—

- (a) for the establishment and constitution of local review committees having the duty of reviewing at such times or in such circumstances as may be prescribed by or determined under the rules the cases of persons who are or will become eligible for release under section 60 or 61 of this Act and reporting to the Secretary of State on their suitability for release on licence ; and
- (b) for the interview of such persons by a member of any such committee (not being a prison officer) ;

and rules under this subsection may make different provision for different cases.

(7) The supplementary provisions contained in Schedule 2 to this Act shall have effect with respect to the Parole Board and local review committees.

Release on licence of persons serving determinate sentences.

60.—(1) The Secretary of State may, if recommended to do so by the Parole Board, release on licence a person serving a sentence of imprisonment, other than imprisonment for life, after he has served not less than one-third of his sentence or twelve months thereof, whichever expires the later.

(2) A person whose sentence falls to be reduced under section 67 of this Act, shall, for the purpose of determining under the foregoing subsection whether he has served one-third of his sentence, be treated as if any period spent in custody between conviction and sentence and taken into account under that section were included in his sentence and as if he had served that period as part of that sentence.

(3) Without prejudice to his earlier release under subsection (1) of this section the Secretary of State may direct that—

- (a) a person serving a sentence of imprisonment in respect of whom an extended sentence certificate was issued when the sentence was passed ; or

PART III

- (b) a person serving a sentence of imprisonment for a term of eighteen months or more who was under the age of twenty-one when the sentence was passed ;

shall, instead of being granted remission of any part of his sentence under the prison rules, be released on licence at any time on or after the day on which he could have been discharged from prison if the remission had been granted.

(4) A person subject to a licence under this section shall comply with such conditions, if any, as may for the time being be specified in the licence.

(5) The Secretary of State shall consult the Board before including on release, or subsequently inserting, a condition in a licence under this section or varying or cancelling any such condition ; and for the purposes of this subsection the Secretary of State shall be treated as having consulted the Board about a proposal to include, insert, vary or cancel a condition in any case if he has consulted the Board about the implementation of proposals of that description generally or in that class of case.

(6) A licence granted to any person under this section shall, unless previously revoked under section 62 of this Act, remain in force until a date specified in the licence, being—

- (a) in the case of a licence granted to a person in respect of whom an extended sentence certificate was issued when sentence was passed on him or to a person who was under the age of twenty-one when sentence was passed on him, the date of the expiration of the sentence ;
- (b) in any other case, the date on which he could have been discharged from prison on remission of part of his sentence under the prison rules if, after the date of his release on licence, he had not forfeited remission of any part of the sentence under the rules.

(7) Section 20 of and Schedule 3 to the Criminal Justice Act 1961 (supervision of discharged prisoners) shall cease to have effect.

(8) In the application of this section to Scotland—

- (a) the expression “prison rules” means rules under section 35 of the Prisons (Scotland) Act 1952 ;
- (b) the expression “imprisonment” includes detention in a young offenders institution as defined in section 31(1) (d) of the Prisons (Scotland) Act 1952 ;
- (c) subsection (3)(a) shall be omitted ;
- (d) in paragraph (a) of subsection (6) the words from “to a person” where they first occur to “or” shall be omitted.

Release on licence of persons sentenced to imprisonment for life, etc.
1933 c. 12.

61.—(1) The Secretary of State may, if recommended to do so by the Parole Board, release on licence a person serving a sentence of imprisonment for life or a person detained under section 53 of the Children and Young Persons Act 1933 (young offenders convicted of grave crimes), but shall not do so in the case of a person sentenced to imprisonment for life or to detention during Her Majesty's pleasure or for life except after consultation with the Lord Chief Justice of England together with the trial judge if available.

(2) Subsections (4) and (5) of the last foregoing section shall apply in relation to a licence under this section as they apply in relation to a licence under that section.

(3) A licence granted under this section to any person sentenced under section 53(2) of the Children and Young Persons Act 1933 to be detained otherwise than for life shall, unless previously revoked under the next following section, remain in force until a date specified in the licence, being the date of the expiration of the sentence.

(4) In the application of this section to Scotland—

(a) for the references to section 53 and 53(2) of the Children and Young Persons Act 1933 there shall be substituted respectively references to section 57 and 57(2) of the Children and Young Persons (Scotland) Act 1937 ;

(b) in subsection (1), for the words "Lord Chief Justice of England" there shall be substituted the words "Lord Justice General".

1937 c. 37.

Revocation of licences and conviction of prisoners on licence.

62.—(1) Where the Parole Board recommends the recall of any person who is subject to a licence under section 60 or 61 of this Act, the Secretary of State may revoke that person's licence and recall him to prison.

(2) The Secretary of State may revoke the licence of any such person and recall him as aforesaid without consulting the Board where it appears to him that it is expedient in the public interest to recall that person before such consultation is practicable.

(3) A person recalled to prison under the foregoing provisions of this section may make representations in writing with respect to his recall and shall on his return to prison be informed of the reasons for his recall and of his right to make such representations.

(4) The Secretary of State shall refer to the Board the case of a person recalled under subsection (1) of this section who makes representations under the last foregoing subsection and shall in any event so refer the case of a person returned to prison after being recalled under subsection (2) of this section.

(5) Where the Board recommends the immediate release on licence of a person whose case is referred to it under this section, the Secretary of State shall give effect to the recommendation, and where it is necessary for that purpose to release that person under subsection (1) of the last foregoing section, the Secretary of State shall do so without the consultation required by that subsection.

(6) If a person subject to a licence under section 60 or 61 of this Act is convicted by a magistrates' court of an offence punishable on indictment with imprisonment, the court may commit him in custody or on bail to quarter sessions for sentence in accordance with section 29 of the Criminal Justice Act 1948 (power of quarter sessions to sentence persons convicted by magistrates' courts of indictable offences). 1948 c. 58.

(7) If a person subject to any such licence is convicted on indictment of such an offence as aforesaid or is committed to quarter sessions for sentence as aforesaid or under section 29 of the Magistrates' Courts Act 1952 (committal of persons convicted of indictable offences for sentence), the court by which he is convicted or to which he is committed, as the case may be, may, whether or not it passes any other sentence on him, revoke the licence. 1952 c. 55.

(8) If a person subject to a licence under section 60 or 61 of this Act is convicted by the High Court of Justiciary, or by a sheriff, whether summarily or on indictment, of an offence punishable on indictment with imprisonment, the court by which he is convicted may, whether or not it passes any other sentence on him, revoke the licence.

(9) On the revocation of the licence of any person under this section, he shall be liable to be detained in pursuance of his sentence, and, if at large, shall be deemed to be unlawfully at large.

(10) If in the case of a person subject to a licence under Section 60 of this Act a court of assize or quarter sessions or the High Court of Justiciary or a sheriff revokes that licence under this section, the Secretary of State shall not thereafter release him under subsection (1) of that section before the expiration of one year from the date of revocation or before the expiration of one-third of the period during which the licence would have remained in force, whichever is the later ; but the foregoing provision shall not affect any power to release him otherwise than under that subsection.

(11) This section shall have effect, in its application to a person sentenced to be detained under section 53 of the Children and Young Persons Act 1933 or section 57 of the Children and Young Persons (Scotland) Act 1937 (young offenders convicted of grave crimes), as if for any reference to a prison there were substituted a reference to any place in which the Secretary of State directs that person to be detained. 1933 c. 12. 1937 c. 37.

SCHEDULE 2

PROVISIONS AS TO PAROLE BOARD AND LOCAL
REVIEW COMMITTEES*The Parole Board*

1. The Parole Board shall include among its members—
 - (a) a person who holds or has held judicial office ;
 - (b) a registered medical practitioner who is a psychiatrist ;
 - (c) a person appearing to the Secretary of State to have knowledge and experience of the supervision or after-care of discharged prisoners ; and
 - (d) a person appearing to the Secretary of State to have made a study of the causes of delinquency or the treatment of offenders.

2. A person appointed to be a member of the Parole Board shall hold and vacate office under the terms of the instrument by which he is appointed, but may at any time resign his office ; and a person who ceases to hold office as a member of the Board shall be eligible for reappointment.

1957 c. 20.

3. In Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (bodies of which all members are disqualified under that Act), in its application to the House of Commons of the Parliament of the United Kingdom, there shall be inserted (at the appropriate point in alphabetical order) the entry "The Parole Board constituted under section 59 of the Criminal Justice Act 1967".

4. There shall be paid to the members of the Board such remuneration and allowances as the Secretary of State may with the consent of the Treasury determine.

5. The expenses of the Board under the last foregoing paragraph and any other expenses incurred by the Board in discharging its functions under section 59 of this Act shall be defrayed by the Secretary of State out of moneys provided by Parliament.

6. The Board shall as soon as practicable after the end of each year make to the Secretary of State a report on the performance of its functions during that year, and the Secretary of State shall lay a copy of each report so made before Parliament.

Local Review Committees

7. The Secretary of State may out of moneys provided by Parliament pay to members of local review committees, and to persons assisting in or concerned with the carrying out of the functions of any such committee, travelling or other allowances in accordance with such scales as may be determined by him with the consent of the Treasury, and may out of such moneys defray any other expenses of such committees to such amount as may be so determined.

STATUTORY INSTRUMENTS

1967 No. 1685

PRISONS

ENGLAND AND WALES

The Parole Board Rules 1967

Made - - - - 11th November 1967

Laid before Parliament 17th November 1967

Coming into Operation 21st November 1967

In exercise of the powers conferred on me by section 59(4) of the Criminal Justice Act 1967(a), I hereby make the following Rules :—

1. The case of any person referred to the Parole Board may be dealt with by any three or more members of the Board.
2. The members of the Board to deal with any case shall be determined by, or under arrangements made by, the Board.
3. These Rules may be cited as the Parole Board Rules 1967 and shall come into operation on 21st November 1967.

Roy Jenkins,
One of Her Majesty's Principal
Secretaries of State.

Home Office
Whitehall.

11th November 1967.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules authorise cases referred to the Parole Board to be dealt with by three or more members of the Board.

(a) 1967 c. 80

PART III

MISCELLANEOUS PROVISIONS

*Release on licence without recommendation
of Parole Board*

Release on
licence without
recommendation
of Parole Board.

35.—(1) If, in any case falling within such class of cases as the Secretary of State may determine after consultation with the Parole Board, a local review committee recommends the release on licence of a person to whom subsection (1) of section 60 of the Criminal Justice Act 1967 applies, the Secretary of State shall not be obliged to refer the case to the Parole Board before releasing him under that subsection and, unless he nevertheless refers it to the Board, may so release him without any recommendation by the Board.

(2) In this section "local review committee" means a committee established under section 59(6) of the said Act of 1967; and in the application of this section to Scotland for any reference to the Parole Board there shall be substituted a reference to the Parole Board for Scotland.

SCHEDULE 5

MINOR AND CONSEQUENTIAL AMENDMENTS

The Criminal Justice Act 1967

1967 c. 80. In the Criminal Justice Act 1967—

(c) in section 60(2) the words "between conviction and sentence" shall be omitted;

LICENCE IN RESPECT OF DETERMINATE SENTENCE CASES

Criminal Justice Act 1967

Home Office
Probation and After-Care
Department
Romney House
Marsham Street
London SW1P 3DY

The Secretary of State hereby authorises the release on licence of

within fifteen days of the date hereof, who shall on release and during the period of this licence comply with the following conditions or any other conditions which may be substituted from time to time.

1. He shall report, without delay, to the officer in charge of the probation and after-care office at

2. He shall place himself under the supervision of whichever probation officer is nominated for this purpose from time to time.

3. He shall keep in touch with his probation officer in accordance with that officer's instructions.

4. He shall inform his probation officer at once if he changes his address or changes or loses his job.

5. He shall, if his probation officer so requires, receive visits from that officer where the licence-holder is living.

6. He shall be of good behaviour and lead an industrious life.

This licence expires on

unless previously revoked.

for Assistant Secretary.

NOTES:—

Subject to the provisions of sections 60 to 62 of the Criminal Justice Act 1967—

- (1) the conditions of this licence may be varied or cancelled or further conditions may be added by the Secretary of State ;
- (2) the Secretary of State may revoke the licence at any time ;
- (3) if the licensee is convicted of any offence punishable with imprisonment his licence may be revoked by a court.

END

7. 11. 67 / 11. 11. 67