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Dear Deputy Prime Minister

Root and branch reform of the Parole System and victim attendance at parole hearings

I am writing in response to the proposals to reform the Parole System that have been outlined in the root and branch reform and discussed as part of Victims' Bill development. There are a number of initiatives outlined that will seek to improve communication and engagement with victims. Whilst work to improve engagement and communication is to be commended, it is my role to represent the interests of victims. In doing so, I am writing to outline some serious concerns with the reforms that need to be mitigated.

The reforms will provide a new ability for victims to be able to attend parole hearings and, less commonly, public parole hearings. I understand that a pilot of victim attendance is due to take place in south west England in the autumn. I am very concerned about the impact that attending hearings may have on victims, which is not reflected in the current plans.

I agree the victims must not be prevented from attending parole hearings if they wish to do so. This opportunity can offer improved engagement in the system, transparency and communication. However, attending these hearings also brings a significant risk of re-traumatising victims. As you will appreciate, there is a need for government to ensure that victims are not further harmed by attending the hearings.

Parole hearings, rightly, have a different aim and perspective to the victims attending. In attending hearings, victims deliver Victim Personal Statements (VPS) to explain the impact that the crime has had on them. Victims may wish to see remorse from the person who has harmed them and may wish to see their detention continued.

In contrast the Parole Board is in place to carry out risk assessments on prisoners and determine whether they can be safely released into the

community. A VPS will not influence the decision of the Board, whose focus is risk assessment. These differing perspectives are likely to cause the victim distress and possible re-traumatisation.

Victims who may not have seen an offender for many years will face the shock of seeing the physically changed person who has loomed so large in their lives. Victims may, very understandably, expect the focus of the hearing to be on them or their loved one. But will, instead, face the prospect of witnessing in-depth discussions on behaviour management of the offender.

In certain cases, where past sexual behaviour will be a pointer to risk, this may include probing sexual behaviours and thoughts, violent impulses and their attitudes towards women and girls. This detailed exploration is necessary for understanding risk. However, it is likely to be highly distressing for victims. Victims of rape may be forced to relive the impact of a sexual assault at the hands of this same person. Or parents, whose daughter may have been sexually assaulted and murdered, will face similar issues of re-traumatisation.

Given the life-long and life-changing impact serious crime, such as rape or murder, has on a victim, the structure of the hearing is likely to be shocking and potentially very damaging to them. This may, in some cases, risk leading to suicide or self-harm.

In order to capture the benefits of the proposed reforms, whilst mitigating against these risks, there are two areas that I invite you to consider:

The first is ensuring that the Victim Contact Scheme (VCS) is used effectively so that Victim Liaison Officers (VLOs) fully explain the purpose, structure and likely content of any hearing. VLOs must explain the limits of the victims' engagement in the process and highlight any areas for discussion that are likely to cause distress. As victims are due to join hearings remotely, this will prepare the victim and empower them to pause or disconnect from hearings when required.

In order to deliver this function well, VLOs must be trained in trauma-informed working and all communications should reflect a trauma-informed approach.

These new requirements on the VCS and on VLOs far exceed the current demands on these roles. Furthermore, VLOs are likely to be responsible for linking victims to appropriate victim support. This, in turn, will require a level of needs assessment, and links to support services, not currently required and which VLOs are unlikely to have experience of. These challenges must be acknowledged and appropriately addressed.

Secondly, victims must have access to specialist support services to help them to cope with, and recover from, the experience. Victims who attend parole hearings may be many years from the initial crime and may not be in contact with support services. However, attending the hearings is likely to create need to engage with these services both before and following the hearing. Services must be commissioned to recognise this specialist role and the nature of the crime itself. For example, specialist support for victims of sexual violence will be necessary for victims of rape.

The pilot must work to establish clear pathways for victims to be able to access support services. This must engage with current commissioning arrangements for support services, delivered via Police and Crime Commissioners. VLOs must be equipped to refer victims to the appropriate local arrangements and those local services must be prepared to respond to these new and specific needs from victims attending parole hearings.

These recommendations reflect the dual needs of the victim both to understand and give informed consent to attend hearings and to provide the best possible wraparound support for them.

As the pilot is due to start in the autumn, it is essential that there is appropriate investment in these areas now. The pilots must evaluate the impact on victims and respond accordingly, ensuring that any rollout of victim attendance effectively responds to the points raised above and delivers any additional requirements flagged during the initial hearings.

The reforms to the parole system provide an interesting opportunity for victims and, if carefully implemented, can deliver valuable change. I would very much welcome an opportunity to meet with you so that we can discuss this further and work together to ensure that victims' needs are met.

For note, in order to be transparent, I publish correspondence on my website, unless there is a clear reason not to do so.

Kind regards

A handwritten signature in black ink, appearing to read 'V Baird', with a stylized flourish at the end.

Dame Vera Baird QC
Victims' Commissioner for England and Wales