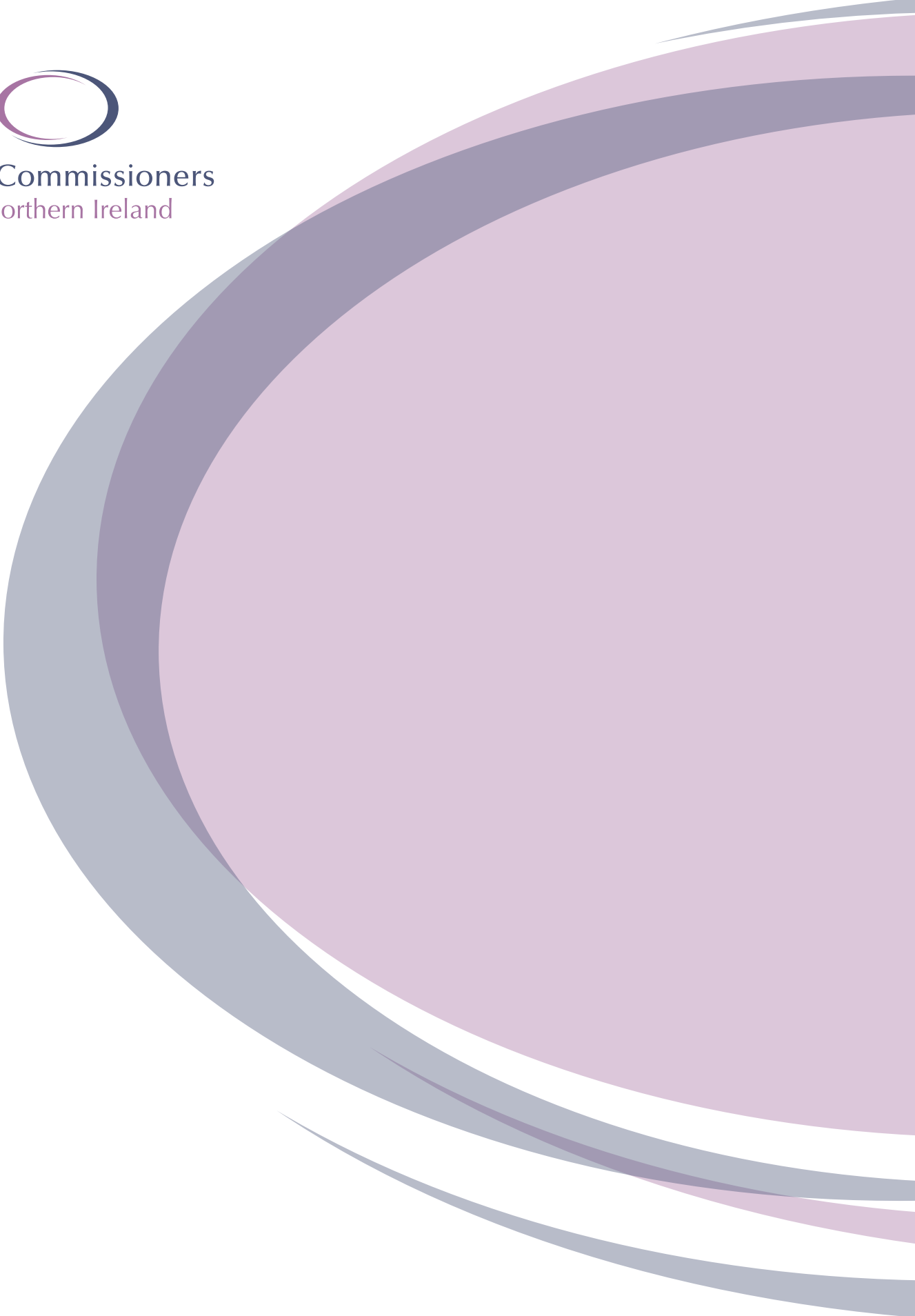




Parole Commissioners  
for Northern Ireland



ANNUAL REPORT  
2015-2016



**Parole Commissioners for Northern Ireland**  
**Annual Report 2015/16**  
**Report for the year end 31 March 2016**

Laid before the Northern Ireland Assembly pursuant to Paragraph 7(2) of Schedule 4 to the Criminal Justice (Northern Ireland) Order 2008. Amended by the NI Act 1998 (Devolution of Policing and Justice Functions) Order 2010.

on

1 July 2016



© Crown Copyright 2016

ISBN: 978-1-911003-36-6

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence v.3. To view this licence visit

[www.nationalarchives.gov.uk/doc/open-government-licence/version/3/](http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/)

or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk)

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned

This publication is also available at [www.parolecomni.org.uk](http://www.parolecomni.org.uk)

Any enquiries regarding this document should be sent to us at

Parole Commissioners for Northern Ireland

1st Floor, Mezzanine, Laganside Court, Oxford Street, BELFAST BT1 3LL

Claire Sugden  
Minister of Justice  
Castle Buildings  
Stormont Estate  
BELFAST  
BT4 3SG

Dear Minister

I am pleased to send you my Annual Report on the work of the Parole Commissioners for the year 2015/16.

One pleasing feature of the last year has been the support of our sponsors in a number of areas. As you see, our workload has largely stabilised and Commissioners have continued to deal with it in a timely manner. However I do have concerns about whether this can continue if we do not receive the information we require to carry out our role.

I am also glad to be able to report that the ongoing issues around Commissioners' terms and conditions were resolved during the year.

The economic climate continues to present challenges to us all. Commissioners have reviewed our processes and tried to find ways to work as efficiently and effectively as possible. The report sets out some of the actions we have taken and notes our relocation to Laganside Courts during the period of the report. It will be hard for us to achieve further efficiencies and better ways of working within the present statutory framework and the revised Rules may offer further possibilities. We will of course continue to do all we can to work as efficiently as we can, provided that we can ensure our high quality standards are maintained.

I commend this report to you.

Yours sincerely

*Christine Glenn*

**Chief Commissioner**

## Contents

Background	6
Criminal Justice (Northern Ireland) Order 2008	6
Current Legislation	6
Introduction	8
Workload	9
Protected Information Cases	9
Key Statistics	10
Terms and Conditions Review	15
Efficiencies	15
New PCNI Rules	15
Stakeholder Engagement	15
Commissioners	16
Secretariat	16
Governance	16
Judicial Reviews and Legislation	16
Going Forward	16
Resources	17
Appendix A – Commissioners’ Profiles	18
Appendix B - Commissioners’ Remuneration	23

# Background

The appointment of the Life Sentence Review Commissioners (LSRC) was the result of a review of Northern Ireland prisons legislation conducted by the Government in anticipation of the coming into effect, in October 2000, of the provisions of the Human Rights Act 1998. An important aspect of that work was to review the arrangements then in place for the consideration of the suitability for release of prisoners who had been sentenced to life imprisonment. The review considered the three types of life sentence: mandatory life sentences (for murder), discretionary life sentences (for other serious violent offences) and juvenile offenders sentenced to detention in circumstances that would, for an adult, have merited either a mandatory or a discretionary life sentence.

The review concluded that the existing procedures for discretionary life sentence prisoners and those sentenced to detention at the Secretary of State's pleasure could be deemed inconsistent with the requirements of the European Convention on Human Rights. This was based on advice on the suitability of the prisoner for release being given to the then Secretary of State by the Life Sentence Review Board, a non-statutory body consisting largely of senior officials of the Northern Ireland Office. It was considered that compliance with the European Convention on Human Rights would require that, once the punitive element of the sentence had been completed, each prisoner should have his or her case reviewed periodically by a judicial body. To have judicial character, the body would need to be independent of the executive (and of the parties concerned); impartial; and able to give a legally binding direction regarding the prisoner's release.

In March 2000, the report of the Review of the Criminal Justice System in Northern Ireland endorsed this conclusion and further recommended that an independent body should make decisions on the release of all life sentence prisoners.

The Government accepted this recommendation and brought forward legislation that required all life sentence prisoners to have the punitive element of their sentence judicially determined and their suitability for release independently assessed and directed at the appropriate time by an independent body of judicial character. The legislation in question was the Life Sentences (Northern Ireland) Order 2001 (2001 Order) and the Life Sentence Review Commissioners' Rules 2001 (2001 Rules). The Order was approved by, and the Rules laid before Parliament in July 2001 and both came into force on 8 October 2001.

The Criminal Justice Act 2003 made a number of significant changes to the sentencing framework for England and Wales. As a result it was felt that Northern Ireland should

have its own review. In March 2005 the Northern Ireland Office published a consultation paper on the sentencing framework in Northern Ireland which considered new measures to enhance public protection. The exercise was largely informed by provisions contained in the Criminal Justice Act 2003, particularly the introduction of indeterminate and extended public protection sentences for dangerous sexual and violent offenders.

Ministers concluded that the sentencing framework should be revised and that legislation should be brought forward to provide for the introduction of indeterminate and extended sentences for dangerous sexual and violent offenders allowing individuals posing a risk of serious harm to be detained indefinitely or to the end of their extended sentences.

## Criminal Justice (Northern Ireland) Order 2008

The relevant legislative provisions are contained in the Criminal Justice (Northern Ireland) Order 2008 (2008 Order). Among other things it provided that the Life Sentence Review Commissioners be renamed the Parole Commissioners for Northern Ireland and that the responsibilities of the Commissioners be extended to include decisions as to the release and recall of prisoners sentenced to indeterminate and extended custodial sentences and the recall of prisoners who receive other determinate sentences.

The Parole Commissioners' Rules (Northern Ireland) 2009 (2009 Rules) came into operation on 1 April 2009. These Rules replaced the Life Sentence Review Commissioners' Rules 2001 and apply to both the 2001 Order and the 2008 Order.

## Current Legislation

The work of the Parole Commissioners for Northern Ireland is governed by two 'Orders' and one set of 'Rules' - The Criminal Justice (Northern Ireland) Order 2008<sup>1</sup>, the Life Sentences (Northern Ireland) Order 2001 and the Parole Commissioners' Rules (Northern Ireland) 2009.

The principal provisions of the Life Sentences (Northern Ireland) 2001 Order provide for:

- The setting by the court of a relevant period, or 'tariff', as the period of the sentence to be served to satisfy retribution and deterrence before review for release;

<sup>1</sup> The NI Act 1998 (Devolution of Policing and Justice Functions) Order 2010, provides for the continuing role of the Secretary of State in cases where national security is involved.

- The power of the Commissioners to direct a prisoner's release on licence if continued detention is not required for the protection of the public;
- The attachment by the Department of Justice of conditions to the release licence, in accordance with recommendations of the Commissioners;
- The revocation by the Department of Justice of the licence of a released prisoner and the latter's recall to prison;
- The consideration by the Commissioners of such recalls and their power to direct the release of recalled prisoners; and
- The arrangements for setting of tariffs for prisoners already serving life sentences.

The principal provisions of the Criminal Justice (Northern Ireland) Order 2008 provide for:

- the appointment of Commissioners;
- the Commissioners to advise the Department of Justice with respect to any matter connected with the release or recall of prisoners referred to them;
- the renaming of the LSRC as the Parole Commissioners for Northern Ireland (PCNI);
- the appointment of Parole Commissioners to include a Chief Commissioner and, if necessary the appointment of a deputy Chief Commissioner;
- the introduction of public protection sentences for violent and/or sexual offenders based on an assessment of dangerousness;
- the necessity for all public protection sentence prisoners to be referred to the Commissioners to assess suitability for release;
- the imposition of licence conditions on persons who have been sentenced to a public protection sentence or a determinate sentence of 12 months or more;
- the revocation by the Department of Justice of the licence of a released prisoner and recall to prison, if so recommended by Parole Commissioners; and
- the consideration by the Commissioners of such recalls and their power to direct release.

The Rules set out in detail the procedures that apply to life and public protection sentenced prisoners where the Department of Justice (or Secretary of State in matters of national security) refers a prisoner's case to the Commissioners regarding his release or recall. Currently there are no Rules governing the recall and re-release of determinate custodial sentenced (DCS) prisoners,

however, as far as is practicable, the Rules will be applied. They provide, in particular, for:

- the exercise by the deputy Chief Commissioner of such powers and functions as may be delegated by the Chief Commissioner and for a deputy Chief Commissioner to act on the Chief Commissioner's behalf if she is unavailable;
- the appointment by the Chief Commissioner of a single Commissioner to consider a case initially and provide a provisional direction/direction on release;
- the appointment by the Chief Commissioner of a panel of three Commissioners to consider those cases where release has been directed or, in the case where a prisoner is not to be released, the prisoner has requested an oral hearing of his case (wherever practical, one panel member should be legally qualified and another a psychiatrist or psychologist);
- the representation of the prisoner and the Department of Justice;
- the appointment by the Commissioners of a representative to act on behalf of the prisoner or for a single Commissioner to carry out an interview, with the prisoner's consent where he/she does not appoint one him/herself;
- the submission of information and reports by the Department of Justice and of representations and documentary evidence by the prisoner;
- the making of directions and the holding of oral hearings to consider the prisoner's case and the procedure for such hearings (including the granting/refusal of the attendance of witnesses and observers);
- the time limits within which notifications and responses must be made;
- the distribution of directions by the single Commissioner and/or panel chairman and the consideration of appeals against such directions by the Chief Commissioner; and
- the withholding, in specified circumstances, of particular items of evidence from the prisoner, or the prisoner and his representative and in the latter event, the appointment by the Attorney General of a Special Advocate to represent the prisoner's interests.

# Introduction

The past twelve months has seen another year of challenge for the Commissioners. Overall, workload has largely stabilised in terms of cases referred to us for determination with a small increase of 3.7%. However, the trend of increased numbers of prisoners requesting oral hearings has continued and this has had an impact overall in terms of resources.

Our challenges this year have had less to do with workload. In my last annual report, I said

*“It is early days but I do have some concern that prisoners may serve longer in custody if we do not have evidence that risk has been reduced and we only have to look at the position in England and Wales to see how much public money has been spent on claims for costs and compensation for delay and lack of programme provision. In Northern Ireland, we have all coped with the huge impact in oral hearings following the Osborne case and there has been no delay in dealing with cases despite the increase in work. I fear that the new developments may result in more cases being adjourned with the consequential impact on cost and more importantly the liberty of the subject.”*

Sadly, this predication appears to be well-founded as Commissioners now have to deal with many cases, mainly the more serious lifer cases or prisoners serving public protection sentences, without either a representative from the Department of Justice or a written submission about whether the prisoner is suitable for release. Even more worrying is the fact that fewer witnesses are attending hearings to assist us with their knowledge and expertise. It is not unusual for an oral hearing to be convened with no-one present for the Department and the prisoner and his representative the only attendees at the hearing. This means that the Commissioners cannot know of any recent developments in the case and have only a one dimensional view presented to them. My colleagues and I are deeply concerned about this development and fear that it strikes at the heart of our role as independent decision-makers. We appreciate that the fiscal climate has meant that agencies such as prison and probation have had to make economies but we are of the view that there is a real future risk which may result in Commissioners making decisions on inadequate information which could put the public at risk.

Commissioners have had to adjourn a far higher number of cases in order to obtain additional information and this has had a knock-on increase in our costs. It is estimated that the cost of adjournments during this reporting year has cost the PCNI in excess of £45k. In addition, we have released fewer prisoners this year, following a year when we released a record number. I have no doubt that these developments are a direct result of the growing paucity of



the information we are receiving. There is also the factor of reduced prison psychology reports and assessments which again is having an impact on risk reduction and our ability to release prisoners.

In July, I asked for a meeting of senior officials in the relevant agencies to raise my concerns and to see what action could be taken to address the problem. Although there is real goodwill in seeking to tackle these issues, it is right to say that there has so far been disappointing progress in finding viable solutions. I will continue to work with officials and government to find a way forward.

## Workload

This year the workload has increased 3.7% on last year seeing an increase in referrals from 618 to 641, mainly due to an increase in life sentenced prisoner reviews and recommendations on life licences. There has been a substantial increase in the review of Extended Custodial Sentenced (ECS) prisoners who have been recalled (56% increase on last year). Of the 641 referrals received, 11% relate to life sentenced prisoners with 34% to public protection sentenced (PPS) prisoners. The remaining 55% relate to Determinate Custodial Sentenced (DCS) prisoners showing an overall decline in DCS cases for the second year running.

In total 141 cases were completed at the single Commissioner stage compared to 164 last year showing an overall decrease of 14%. Of the DCS cases dealt with in year, 56% were completed at this stage which is a considerable drop from last year (79%). Completions in life and PPS cases have remained stable at 18% and 17% respectively.

There has been a significant decline in requests for oral hearings relating to DCS prisoners which has reduced by slightly more than a fifth. However, this must be seen in the context of more cases being referred to a panel by a single Commissioner.

Commissioners conducted a total of 235 panel hearings, a 10% increase on the previous year. This figure includes cases with multiple hearings which included various adjournment reasons such as a requirement for additional reports, more work to be done with the offender and a small number of logistical difficulties. This year the increases are centred on life and ECS recall hearings which have both increased (24% and 160% respectively) whilst DCS cases have reduced by 8%.

There has been a notable decrease in the number of prisoners released during the year with 73 prisoners released in comparison to 99 last year; a decrease of 26%.

Requests for recall have remained consistent with 3 additional requests referred against last year's figure. Of the 198 requests received, 8 recommendations were for the prisoner not to be recalled and a further recall request was withdrawn before a recommendation was made.

Overall 846 provisional directions/directions, single Commissioner decisions, panel decisions, pre-tariff recommendations, licence consultation/ variation/ cancellation recommendations and recall recommendations have been issued in the period.

## Protected Information Cases

The Commissioners have considered four cases involving protected information in the last year. By their very nature these types of cases are extremely complex and fall outside the normal timetables set out in the Parole Commissioners' Rules 2009. The timetable can become very protracted and this is unavoidable. It is essential that the Commissioners carefully consider all the information put to them and hear any arguments put forward on behalf of the prisoner both in open and closed hearings.

Because the information is ordinarily, but not always, concerned with national security issues the prisoner is unable to have sight of the information. In these circumstances the Commissioners are required to review the gist of the information provided to them and the prisoner and make a decision on whether there is enough specificity in it to allow the prisoner to make representations. The Attorney General is invited to appoint a Special Advocate who will act in the interests of the prisoner in relation to the protected information. The Special Advocate may only directly correspond with the prisoner before he/she views the information. A panel of Commissioners will then be involved in a number of direction hearings to establish the timetable for the consideration of the case and will conduct a series of open and closed hearings until such times as a decision can be made. The Commissioners will make their decision based on the statutory test of whether the prisoner poses a risk of serious harm/harm and whether that risk can be safely managed in the community.

# Key Statistics

4

protected information cases.

641

New referrals received - up 3.7%

590

cases were completed. 11% - life sentence cases; 34% - ICS/ECS; 55% DCS cases.

141

cases completed at single Commissioner stage compared to 164 last year – a 14% decrease.

235

panel hearings conducted - 10% increase on last year.

198

requests for recall received. 8 were not recommended and 1 was withdrawn.

73

prisoners released, a decrease of 26%

## Referrals

Article	2013/14	2014/15	2015/16
6	43	42	46
7(2)	0	0	0
8(3)	8	5	8
9(1)	1	5	2
9(4)	1	4	3
18	93*	99	110
24(5)	12	38	32
28(2)(a) ECS/ICS	16	32	36
28(2)(a) DCS	179	158	160
28(4) ECS/ICS	7	25	39
28(4) DCS	160	151	153
29(6)	27	39	42
46(3)	23	20	10
<b>Totals</b>	<b>580</b>	<b>618</b>	<b>641</b>

\* Includes 2 cases referred under the Criminal Justice (Children)(Northern Ireland) Order 1998.

## Cases Completed

Article	2013/14	2014/15	2015/16	C/F
6	45	40	44	33
7(2)	0	0	0	0
8(3)	9	5	8	0
9(1)	1	5	2	0
9(4)	5	2	4	2
18	71*	107	93	64
24(5)	12	36	33	1
28(2)(a) ECS/ICS	16	32	36	0
28(2)(a) DCS	179	158	160	0
28(4) ECS/ICS	18	18	37	14
28(4) DCS	160	167	129	56
29(6)	21	37	36	13
46(3)	18	22	8	6
<b>Totals</b>	<b>555</b>	<b>629</b>	<b>590</b>	<b>189</b>

\* Includes 1 case referred under the Criminal Justice (Children)(Northern Ireland) Order 1998

Cases Withdrawn/ No jurisdiction			
Article	2013/14	2014/15	2015/16
18	2	4	0
28(2)(a)	0	0	1
28(4) DCS	3	1	0
29(6)	1	1	2
46(3)	2	2	0
<b>Totals</b>	<b>8</b>	<b>8</b>	<b>3</b>

Cases Completed at single Commissioner stage			
Article	2013/14	2014/15	2015/16
6	8	8	9
9(4)	0	0	0
18	17	19	19
28(4) ECS/ICS	5	5	6
28(4) DCS	127	108	85
29(6)	19	24	22
<b>Totals</b>	<b>176</b>	<b>164</b>	<b>141</b>

Cases Referred to Panel			
Article	2013/14	2014/15	2015/16
6	12	8	9
9(4)	0	1	1
18	8*	13	18
28(4) ECS/ICS	0	2	7
28(4) DCS	13	8	8
29(6)	5	3	4
<b>Totals</b>	<b>38</b>	<b>35</b>	<b>47</b>

\* Includes 1 case referred under the Criminal Justice (Children)(Northern Ireland) Order 1998

### Oral Hearing Requests Received Art 28(4) DCS & 29(6)

	2013/14		2014/15		2015/16		
Article	Refused	Granted	Refused	Granted	Refused	Granted	C/F
28(4)	18	28	1	48	2	38	1
29(6)	1	2	1	13	0	8	1
<b>Totals</b>	<b>19</b>	<b>30</b>	<b>2</b>	<b>61</b>	<b>2</b>	<b>46</b>	<b>2</b>

### Panel Hearings Conducted

Article	2013/14	2014/15	2015/16
6	37	35	42
9(4)	11	6	9
18	62	85	79
28(4) ECS/ICS	13	15	39
28(4) DCS	40	56	52
29(6)	9	16	14
<b>Totals</b>	<b>172</b>	<b>213</b>	<b>235</b>

Includes multiple hearings in the same cases due to adjournments and paper hearings

### Release Decisions

Article	2013/14	2014/15	2015/16
6	9	13	11
9(4)	2	0	0
18	15*	25	17
28(4) ECS/ICS	5	9	12
28(4) DCS	31	46	18
29(6)	9	6	15
<b>Totals</b>	<b>71</b>	<b>99</b>	<b>73</b>

\* Includes 1 case referred under the Criminal Justice (Children)(Northern Ireland) Order 1998

### No Recommendations for further Review

Article	2013/14	2014/15	2015/16
6	0	0	0
9(4)	0	0	0
18	8	25	16
28(4) ECS/ICS	4	2	9
28(4) DCS	93	87	79
29(6)	14	14	13
<b>Totals</b>	<b>119</b>	<b>128</b>	<b>117</b>

### Recalls

Article	2013/14		2014/15		2015/16**	
	Recall	Not Recalled	Recall	Not Recalled	Recall	Not Recalled
9(1)	1	0	5	0	2	0
28(2)(a) ECS/ICS	17	1*	30	2	34	2
28(2)(a)DCS	167	12	153	5	153	6
<b>Totals</b>	<b>185</b>	<b>13</b>	<b>188</b>	<b>7</b>	<b>189</b>	<b>8</b>

\* Includes 1 case referred under the Criminal Justice (Children)(Northern Ireland) Order 1998

\*\* 1 matter was also withdrawn before a recommendation was made

### Recommendations on Licence Conditions

Article		2013/14	2014/15	2015/16
8(3)	Condition(s) Cancelled	6	4	6
	Condition(s) varied	1	1	2
	Condition(s) not varied	2	0	0
24(5)	Consultation	10	21	18
	Condition(s) varied	2	14	11
	Condition(s) added to licence	0	3	4
<b>Totals</b>		<b>21</b>	<b>43</b>	<b>41</b>

## Terms and Conditions Review

The review of the Commissioners' terms and conditions was protracted and a temporary extension was given to Commissioners in September 2015 as more time was needed by the Department. A decision was made after full consultation with me that it would be inappropriate to change the current arrangements in isolation and all Commissioners were therefore offered a further appointment for a maximum period of three and a half years. The uncertainty around the review was unsettling for Commissioners but the outcome was welcome and it is heartening that all but three Commissioners have chosen to renew their appointments. It is also pleasing that the Department carried out a proper consultation and listened to our views and I am grateful to officials for their approach.

## Efficiencies

Following a high level review of Belfast leased accommodation, the Northern Ireland Courts and Tribunal Service (NICTS) Strategic Planning Group sought to rationalise the leased court estate in central Belfast to ensure better value for money by maximising usage of NICTS owned buildings.

Since 2010 the Parole Commissioners' Secretariat occupied the 9<sup>th</sup> Floor of Linum Chambers, in Bedford Street. The lease of the 9<sup>th</sup> floor was not due to expire until 2020. However, 2015 offered the PCNI the opportunity to invoke a break clause within the terms of their lease which would allow the Office to relocate to the Mezzanine floor of Laganside Court by July 2015.

A project was established to realise efficiency savings in the Parole Commissioners' Budget and maximise the benefits to the NICTS estate by utilising existing NICTS accommodation. As a result the PCNI relocated their Secretariat from Linum Chambers in Belfast to the first floor Mezzanine in Laganside Court in July 2015.

In addition, the Commissioners made significant efficiency savings this year. We changed our staffing structure and the Secretary to the Commissioners post, the head of the office has been combined with a broader role across tribunals. As an organisation we made considerable process changes throughout the year, reducing, where possible some of our oral hearing panels from three Commissioners to two Commissioners.

I have always been clear that I am happy to consider any efficiencies which do not impact on the quality of our core business. Indeed, as a public body, I believe it is our duty to do so especially in a time of such economic challenge. However, it will be increasingly important for agencies to

work more closely together when making changes to their own practices so as to ensure that there are no unintended adverse consequences for others.

The Commissioners are developing a revised directions template to make their information requirements clearer and more timely as well as a best practice guide for oral hearings which is intended to improve overall consistency. I believe that these initiatives should result in cases being managed more effectively.

## New PCNI Rules

Revised PCNI Rules have been on the agenda for some years now and amendments to the Rules were agreed by the Justice Committee in November 2013. In the event, these did not go before the Assembly and a decision has now been made to start with a blank sheet of paper and devise new Rules which will cover all the work carried out by the Commissioners. A tight timetable has been put in place with the Department of Justice planning for new Rules to be in place by April 2017. The Commissioners support this approach and will fully co-operate in the project. I see a real opportunity to improve the efficiency and effectiveness of the processes with Commissioners being given greater flexibility.

## Stakeholder Engagement

A real feature of the past year has been the continued improvement in our relationship with our sponsors. I am grateful to Ronnie Armour and his colleagues in the Courts and Tribunals Service for the interest and support we have been offered. Following the change in arrangements three years ago, the split in responsibility between policy matters and sponsorship had led to some uncertainty about overall responsibility. Now, a new strategic group has been set up to co-ordinate the various strands of work to ensure that everything is co-ordinated and that all are fully aware of issues and progress. It is early days but I am sure that this more joined-up approach will pay dividends.

Last year, I reported that the User Group had not met as regularly as we had hoped. Sadly, this remains the case and despite the efforts of its Chair, Anne Fenton, this important channel of communication has not been as effective as we would have liked. We are investigating the possibility of CPD points being available for attendance of legal representatives in the hope that this could make a difference.

We reviewed our Communications strategy this year and made no significant change. I was pleased to be asked back to make a presentation to the Belfast Solicitors' Association about our work. The Acting Director of Probation, Cheryl

Lamont and I had an article about our joint work published in the Irish Probation Journal. I have also agreed to host a seminar about recalls for a Canadian academic who has previously led on an international research project in this area. This will take place in May 2016. It is pleasing that Northern Ireland is starting to be regarded as a place of good practice on a wider stage.

## Commissioners

This has been a settled year with no new appointments. Two Commissioners resigned during this reporting year; Derek Rodgers, who retired after a leave of absence, and Stephen Leach who resigned to take up another appointment. In addition two Commissioners decided not to renew their appointment following the review of the Commissioners' terms and conditions. These were Jackie Withers and Tom Craig. Jackie was a Commissioner for only two years but her professional input was appreciated by all. Tom served as a Commissioner from 2002. He made a magnificent contribution to our work not only in his expert and conscientious casework but also his involvement in training new Commissioners. These Commissioners will be missed by us all.

A recruitment exercise will begin in the autumn to recruit new Commissioners to ensure that we continue to have sufficient people in place to manage our demanding caseload.

I continue to be grateful for the excellent work done by Commissioners and for their continued support and comradeship.

## Secretariat

I know I speak for all Commissioners when I say thank you to all the staff for their continued hard work and efficiency. The two Deputy Principals continued to deputise brilliantly as Secretary to the Commissioners until August when our new Secretary Mark Radcliffe joined us. Mark is combining this role with a broader job in tribunals. I welcome his appointment and hope that he enjoys the unique challenge of our work.

## Governance

The Memorandum of Understanding (MOU) agreed in 2014 with the Courts and Tribunal Service has resulted in much improved relationships between the Parole

Commissioners and NICTS. The process of examining the proper lines of accountability required in agreeing the MOU was immensely useful in developing a better understanding of our respective roles. We have recently reviewed the MOU and I am delighted to say that it remains fit for purpose.

The other major piece of work which is finally being tackled this year is consideration of moving the Commissioners into Schedule 1 and making us an integral part of the judicial family. This is something we have wanted for some time and, if implemented, would finally give the Commissioners a proper status as a public body. I look forward to making this a reality.

## Judicial Review

There have been a number of pre-action challenges against the Parole Commissioners this year and all matters were resolved to the satisfaction of the parties without reference to the Court system. There were also a number of applications for leave to apply for judicial review but they were either withdrawn or dismissed. It is to the credit of the Commissioners that the decisions that they have taken over the past year have not resulted in any successful judicial review challenges.

## Going Forward

In the coming year, the focus will be on the consideration of our inclusion in Schedule 1 and to ensuring that the Commissioners have sufficient information to enable them to perform their statutory duty and play their part in protecting the public. The opportunity to do this using new PCNI Rules will be important. It will be hard for us to achieve further efficiencies and better ways of working within the present statutory framework and again the revised Rules could and should offer possibilities here.



# Resources

## Financial Summary

For most of the year covered by this report, the Commissioners have been supported and advised by a Secretariat comprising of 16 staff.

During the period of this report; the Commissioners' Secretariat moved accommodation from the 9<sup>th</sup> floor of Linum Chambers in Bedford Street to the 1<sup>st</sup> floor Mezzanine in Laganside Court, Oxford Street Belfast.

Expenditure incurred by the Department of Justice in providing for the work of the Commissioners in the year ending 31 March 2016 is detailed below:

	2010/11 (£000)	2011/12 (£000)	2012/13 (£000)	2013/14 (£000)	2014/15 (£000)	2015/16 (£000)
Commissioners' Remuneration	527	607	689	896	927	836
Commissioners' Travel, Accommodation and Expenses	59	46	37	65	76	74
Legal Costs	0	62	86	105	22	29
Premises	179	207**	188	137	187	120
General Administration	166*	94	72	111	91	80
Staff Salaries	399	427	431	551	530	499
Total Expenditure	1,330	1,443	1,503	1,865	1,833	1,638

\*includes the cost of refurbishment of the new accommodation

\*\* includes costs for Windsor House

# APPENDIX A

## Commissioners' Profiles

## Chief Commissioner

**Ms Christine Glenn** qualified as a barrister in 1980. She was the Justices' Chief Executive in the Inner London Magistrates' Courts Service until 2001 and Chief Executive of the Parole Board for England and Wales from 2001 until March 2009. She sat as a judge in the First Tier Tribunal, dealing with asylum and immigration cases. She served as a member of the Thames Valley Courts Board from its inception until 2010. She also worked as a consultant on parole and criminal justice, including advising governments and training parole boards in Cyprus, the Cayman Islands, Montserrat, Anguilla, and the British Virgin Islands. She has worked as a Visiting Expert at the United Nations And Far East Institute in Japan and has also presented on parole and its impact on reducing prison overcrowding at the United Nations Congress on Crime in Brazil 2010. She is a member of the Association of Paroling Authorities International Training and Development Committee, representing the international division.

## Commissioners from a Legal Background

**Justice Teresa Doherty CBE** was a barrister. She was formerly a member of the Lord Chancellor's Advisory Committee of JP's, is a part-time Chairperson of the Social Security Appeals Tribunal and also held the positions of Principal Magistrate and Judge of the National and Supreme Court of Papua New Guinea and of the Court of Appeal and High Court of Sierra Leone. In January 2005 she was appointed by the United Nations as a judge of the 2nd trial chamber of the Special Court for Sierra Leone (the international war crimes tribunal for Sierra Leone) and to the Residual Special Court of Sierra Leone in 2013. She is a Visiting Professor at the University of Ulster, Adjunct Professor at University of Cork and an honorary Bencher of the Inn of Court of Northern Ireland.

**Mrs Anne Fenton MBE** has been a qualified solicitor since 1978. She was Director of the Institute of Professional Legal Studies at Queen's University, Belfast from 1998 to 2013. She is currently a part-time legal member of the Mental Health Review Tribunal and has previously held appointments as part-time Chairperson to both the Child Support and Disability Appeal Tribunals. In January 2014 she was appointed Under-Treasurer of the Inn of Court of Northern Ireland.

**Ms Clodach McGrory** practiced at the Bar in Northern Ireland from 1990 to 1995 and subsequently worked at the Law Centre (NI). She was a member of the Standing Advisory Commission on Human Rights from 1998 to 1999 and served a term of office on the Irish Human Rights

Commission from December 2000 until August 2006. She was a member of the Prison Review Team which was appointed by the Minister of Justice in June 2011 to conduct a comprehensive review of the Northern Ireland Prison Service and reported in October 2012. She is currently a part-time Chairperson of Social Security Appeal Tribunals and has been a Life Sentence Review Commissioner/Parole Commissioner since 2001. Ms McGrory was appointed Chairperson on the Sentence Review Commissioners on the 21 January 2013.

**Professor John Jackson** is a professor of Law at the University of Nottingham and a qualified barrister. He was previously Dean of the School of Law at University College Dublin and has taught at several other universities including Queen's University Belfast, the University of Sheffield, the City University, London and University College Cardiff. He has held visiting professorships at Hastings College of the Law, University of California and the Faculty of Law, University of New South Wales and was a Fernand Braudel Senior Fellow at the European University Institute in 2007 – 2008. From 1998 to 2000 he was an Independent Assessor for the Northern Ireland Criminal Justice Review.

**Mr Paul Mageean** qualified as a solicitor in 1991 and was originally in private practice. In 1995 he joined the Committee on the Administration of Justice as their Legal Officer during which time he successfully brought a number of cases to the European Court of Human Rights. He was Head of the Criminal Justice Secretariat of the Court Service from 2004, and joined the Criminal Justice Inspection Northern Ireland in 2005. He was the Director of the Graduate School for Professional Legal Education at the University of Ulster from 2008 until his appointment in September 2013 as Director of the Institute of Professional Legal Studies at Queen's University Belfast.

**Mr Jeremy Mills** qualified as a solicitor in 1990. He spent 15 years with a firm of corporate solicitors in Belfast and was a partner for 10 years. Between 2007 and 2012 Jeremy served as a part time Legal Chairman of the Northern Ireland Valuation Tribunal. From 2008 to 2012 he was also a member of the Department of Agriculture and Rural Development's Independent Review of Decisions Panel. He joined the Board of Bryson Charitable Group in 2008 as a non-executive Director. In 2009 he was appointed to Transport NI's panel of independent Public Inquiry Inspectors.

**Ms Anne Grimes** qualified as a solicitor in 1990. She worked at Law Centre (NI) for 12 years. She was appointed as an Immigration Judge of the First-tier Tribunal in 2002 and also as a Deputy Judge of the Upper Tribunal in 2010. In 2007 she was appointed a part time Legal Chairman of the Northern Ireland Valuation Tribunal.

**Judge Tom Burgess CBE** was educated at Queen's University, Belfast. He was admitted as a solicitor in 1968 and was appointed President of the Law Society in 1987. He was leader of the UK Delegation to the European Bar from 1989 -1992. He was appointed as a Deputy County Court Judge in 1988 and sworn in as a County Court Judge in 1992. Judge Burgess was Recorder of Londonderry from 1995 until 2003. Judge Burgess was appointed as Recorder of Belfast in March 2005. He was appointed as the Presiding judge on 3 April 2006. He retired in September 2012 and appointed Deputy High Court Judge in November 2012.

**Mr John F Gibbons** qualified as a solicitor in 1991, and runs his own law firm, which he established in 1995. He was originally appointed a member of the Solicitors Disciplinary Tribunal in 2009 and was reappointed for a third term, in 2015. He was a trustee board member and treasurer of Citizens Advice, Belfast, between 2008 and 2014. In 2010 he was appointed a legal chairman of the Department of Agriculture and Rural Development's Independent Appeals panel and in 2012 he was appointed legal chair to the Pharmaceutical Society for Northern Ireland's Fitness to Practice scrutiny committee. He was sworn in as a Legal Member of the Mental Health Review Tribunal for Northern Ireland, in January 2015.

**Ms Maura Hutchinson** qualified as a solicitor in 1996 and worked for a number of years in a City of London legal practice. She set up and managed a grant-giving programme (Awards for All) in the charity and voluntary sector in Northern Ireland and was a solicitor at Law Centre (NI) until 2010. Maura has been a part-time judge of the First Tier Tribunal - Immigration and Asylum Chamber since 2006 and was appointed as a deputy judge of the Upper Tribunal, Immigration and Asylum Chamber in 2015. She was appointed as an Adjudicator of the Traffic Penalty Tribunal Northern Ireland in 2006. Maura was appointed as a part-time Chairperson of the Social Security Appeal Tribunals in 2014 and as a part-time legal member of the Mental Health Review Tribunal in 2015. Until 2015 she acted as a lay member for the Northern Ireland Medical and Dental Training Agency.

**Mrs Marian Killen** was admitted as a solicitor in 1978 and took up her current post as Assistant Crown Solicitor in 2007. She sits as a Deputy District Judge (civil) in the County Court and a Deputy Master in the High Court. She is a member of the Law Society's Advanced Advocacy Working Party, the Law Society's Contentious Business Committee, the Chancery Liaison Committee and the Queen's Bench Liaison Committee. She has also trained as a Mediator and is a Solicitor Advocate.

**Mr James Scholes** qualified as a barrister in 1973. He was appointed Deputy Director of Public Prosecutions in 2008 and served as Acting Director of Public Prosecutions from 2009 to 2011. He was appointed a Civil Service Commissioner in 2012.

**Mr Niall Small** qualified as a Solicitor in 1992. He worked in private practice for 10 years before becoming a founding partner in the firm of Small & Marken Solicitors in Antrim. He has been reappointed to the Guardian A'd Litem Solicitor Panel in Northern Ireland and has recently been appointed as a legal chair of the HSCB Disciplinary Committee for Dental, Optometry and Pharmaceutical services. He is a trained mediator and has qualified as a Solicitor Advocate. He has held several positions with a number of voluntary organisations throughout Northern Ireland.

**Mr Timothy Thorne** qualified as a barrister in 1987. He practiced mainly in the fields of criminal defence and prosecution. He is a Deputy (part-time) Judge Advocate sitting in Courts Martial and a part-time judge in the First Tier Tribunal, dealing with asylum and immigration cases. He is also a past Deputy Chairperson of the National Health Service Tribunal. He was a consultant trainer to the Inns of Court School of Law in London and is presently a non-Executive Director of a legal training company.

## Commissioners from a Psychiatry and Psychology Background

**Dr Adrian Grounds** was a University Senior Lecturer in forensic psychiatry at the Institute of Criminology, University of Cambridge, and an honorary consultant forensic psychiatrist in the Cambridgeshire and Peterborough NHS Foundation Trust, until retiring in 2010. He is now an honorary research fellow at the Institute of Criminology. He has also been a Sentence Review Commissioner since 1998.

**Professor Peter Hepper** is a Professor of Psychology and Director of Research at Queen's University of Belfast. He has previously served as: Head of School, School of Psychology, Queen's University Belfast; Chair of the Irish Football Associations Appeals Committee, Non-Executive Director Ulster Hospitals Trust. He is a Chartered Psychologist and a Fellow of the British Psychological Society and has been Visiting Professor at Kyushu University, Japan, University New South Wales, Australia, Vanderbilt University, USA. Prof Hepper has undertaken speciality training in forensic child interviewing, hostage negotiation, threat and risk assessment, forensic linguistic analysis, profiling and various interview techniques.

**Dr Damien McCullagh** is a Consultant Clinical & Forensic Psychologist within the Mental Health and Learning Disability Directorate of the Southern Trust (2000-present). He is a Chartered member of the British Psychological Society. He has previously worked as a Principal Psychologist with the Northern Ireland Prison Service where he had primary responsibility for providing psychological risk assessments on Life Sentence Prisoners to the Life Sentence Review Board (1997-2000). He previously held posts in Adult and Child Psychology Services in the Republic of Ireland and with Sperrin Lakeland Health and Social Services in Omagh (1989-1997). Dr McCullagh is an Honorary Lecturer in Forensic Risk Assessment at Queen's University, Belfast. He is also an Association of Chief Police Officers (ACPO) accredited Behavioural Investigative Advisor. He has previously been the Chairman of the Board of Governors of Drumragh Integrated College in Omagh from 1995-2005.

**Dr Micaela Greenwood** is an independent business psychologist and management consultant. Her previous positions include Principal Occupational Psychologist at the Police Service of Northern Ireland and Associate Director of the MSc in Occupational Psychology at Queen's University of Belfast. Micaela was appointed as a Sentence Review Commissioner in 2015.

**Mrs Deborah McQueirns** is an independent Registered and Chartered Forensic Psychologist, Chartered Scientist and Associate Fellow of the British Psychological Society (BPS). Her previous positions include Principal Forensic Psychologist in female and high secure prisons, Consultant Psychologist with Priory Health Care specialising in forensic learning disability and acquired brain injury and specialist forensic psychologist in forensic mental health. She is currently working as a consultant psychologist in the High Secure Estate in England, as an independent trainer and a practitioner psychologist. She is currently undertaking

a PhD in narrative identity and agency in older male prisoners at the University of Portsmouth. She is also active in committee roles with the BPS Division of Forensic Psychology and is the editor of book reviews for Forensic Update.

**Mr Emmet Murray** is a Health and Care Professions Council registered and British Psychology Society Chartered Forensic Clinical Psychologist currently working in the area of Adult Mental Health and Child Protection. He was previously a Principal Psychologist with the Northern Ireland Prison Service and is currently an Expert Advisor with the National Policing Improvement Agency.

**Dr Shelagh-Mary Rea** is a Consultant Psychiatrist with specialist status in General Adult Psychiatry and Old Age Psychiatry. She has practiced as a Consultant in Old Age Psychiatry for twenty-four years in the Northern Sector of the Western Health and Social Care Trust areas until her retirement in 2010. She is a Fellow of the Royal College of Psychiatrists and currently works as a medical member of the Regulation and Quality Improvement Authority.

**Ms Claire Hunt** is a Registered Psychologist, Chartered Forensic Psychologist and an associate fellow of the British Psychological Society. She has worked as a Forensic Psychologist for 21 years. She is a psychologist member of the Parole Board for England and Wales and she also works part-time in mental health services, as a Consultant Psychologist. Ms Hunt has been working as an expert witness in criminal and family proceedings for 11 years and regularly attends court to provide expert testimony. Previously she worked in HM Prison Service for 11 years, working with high risk offenders, both male and female.

**Mrs Siobhan Keating** is a Registered Psychologist (HCPC) and Chartered Forensic and Clinical Psychologist (BPS). She currently works as a Consultant Psychologist in Belfast Health & Social Care Trust in the forensic learning disability service. Previously she was a Principal Psychologist with the Northern Ireland Prison Service and a Senior Occupational Psychologist with the Dept. of Employment (NW England). She is a Chartered Scientist and an Associate Fellow of the British Psychological Society.

**Dr Jacqueline (Jackie) Withers** has over 20 years' experience as a Chartered Psychologist. She is an experienced clinician, trainer, supervisor, manager and researcher. Jackie is dual registered as a Clinical and Forensic Psychologist. She has a wide range of clinical experience and has worked across several specialties including adult mental health, HIV/AIDS, addiction and forensic client groups as well as across a range of settings, e.g. community, day programmes, inpatient and low, medium and high secure facilities. She

has extensive experience in assessing and treating victims and perpetrators. Jackie is also a Psychotherapist and has completed substantial further post qualification training e.g. Cognitive Therapy, Dialectical Behaviour Therapist, and Cognitive Analytic Therapy (Practitioner, Psychotherapist, Supervisor and Trainer, & is UKCP registered) and she has completed further training in EMDR, group analytic, psychoanalytic and systemic approaches. She has also trained as an Organisational Consultant and an Expert Witness.

## Commissioners from Relevant Backgrounds

**Mr Nigel Stone** was Senior Lecturer in Criminology and Criminal Justice at the University of East Anglia (UEA) and is now a Visiting Fellow there. Until 1997 he also served in the Probation Service for 25 years, holding a joint appointment as Probation Officer and Head of Home Office sponsored training programmes for probation students at UEA. He was a criminologist member of the Parole Board for England and Wales 1997-2007 and was reappointed to the Board in 2010.

**Mr Stephen Murphy** CBE is a former Director General of the National Probation Service for England and Wales, prior to which he was Chief Probation Officer first in Hampshire and the Isle of Wight and then in Northumbria. He is a member of the Parole Board for England and Wales on which he also served from 1995 to 2005.

**Mrs Elaine Peel** is currently a Company Director. She was formerly an Assistant Chief Probation Officer with 24 years' experience of working with offenders. During her time with the Probation Board for Northern Ireland she was instrumental in setting up a wide range of multi-agency services for prisoners and their families and the implementation of the first programmes to deal with domestic violence in Northern Ireland. She was a Director of the National Community Justice Training Organisation.

**Mrs Alexandra Delimata** is a self-employed consultant who works primarily with community groups, enterprises and small businesses in North West Ireland. Until 2004, she was Corporate Secretary of The Travel Partnership Corporation, an international consortium of travel associations. Prior to relocating to Ireland in 2001, she was Assistant Director, Corporate Development, for the International Air Transport Association (IATA) in Geneva.

**Mrs Ruth Laird CBE** is a human resource professional with particular experience in organisational development, equality and diversity in the public, private and voluntary sectors. She was formerly Director of the National Trust NI, Head of Personnel for BBC (NI) and a Fair Employment Commissioner. Ruth has held appointments as a NI Judicial Appointments Commissioner; Civil Service Commissioner; a non-executive Director of both the Northern Ireland Prison Service and the Regulation and Quality Improvement Authority; a Board member of Business in the Community and National Trustee of Barnardo's. She is currently an Independent Assessor for Public Appointments, a member of the Civil Legal Services Appeal Panels and a member of the Council of Ulster University. On 29 October 2015 she was appointed as a member of the Mental Health Review Tribunal. Ruth was made a CBE in the 2012 Queen's Birthday Honours List for public and voluntary services in Northern Ireland.

**Ms Mollie Weatheritt** was a member of the Parole Board for England and Wales from 1998 to 2008, where she served as the Board's Director of Quality and Standards. She has a background in research on criminal justice, focussing on policing. She is currently a member of the Conduct and Competence Committee of the Nursing and Midwifery Council and of the Investigating, Health and Conduct and Competence Committees of the Health and Care Professions Council. She has been a member of the Independent Monitoring Board for HMP Pentonville since 2010.

**Mr Thomas Craig** is a retired Assistant Chief Constable with over 35 years' of policing experience in Northern Ireland. Latterly he was appointed Regional Commander of South Region in 1998 and had previous experience in a number of headquarter support roles.

**Dr Duncan Morrow** is an academic in the University of Ulster currently developing engagement with communities and stakeholders as part of the University's Greater Belfast Development. Until 2011 he was Chief Executive of the Community Relations Council (CRC) and has taken an active role in peace building and the legacy of violence in the past. Dr Morrow is also a Sentence Review Commissioner for Northern Ireland. Currently, he is chair of the Scottish Government Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion. A native of Belfast, he is married with three teenage children.

**Dr Patrick McGrath** retired in 2002 from the NHS after 30 years' service as a General Practitioner and now continues in regular clinical practice as a Forensic Physician. He formerly taught Medical Ethics and Law at the University of Ulster



as a visiting Professor until retirement from that position in 2015. In 2006 Dr McGrath was elected a Foundation Fellow of the Faculty of Forensic and Legal Medicine of the Royal College of Physicians.

**Miss Linda McHugh** is a Management Consultant and former Vice-Chair of Community Housing Association. She is a Trustee of several charities including Providence Row and Woman's Trust and is a member of the Audit Committee of the Law Society. She was an Independent Member of the Parole Board for England and Wales from 2002 until 2009 and was a non-executive member of its Management Board and Chairman of its Audit and Risk Management Committee.

**Mrs Elsbeth Rea OBE** is a retired social worker. She has worked as both a Senior Probation Officer with the Probation Board for Northern Ireland, as a lecturer in Social Work at Queen's University Belfast and for various social work and social care bodies and agencies on a sessional basis. She is currently a Lay Magistrate and a Lay Member of the Bar Disciplinary Committee. She has held public appointments with the Northern Ireland Committee of Ofqual, the Ulster Community and Hospitals Trust, the Police Authority for Northern Ireland and the Eastern Health and Social Services Council.

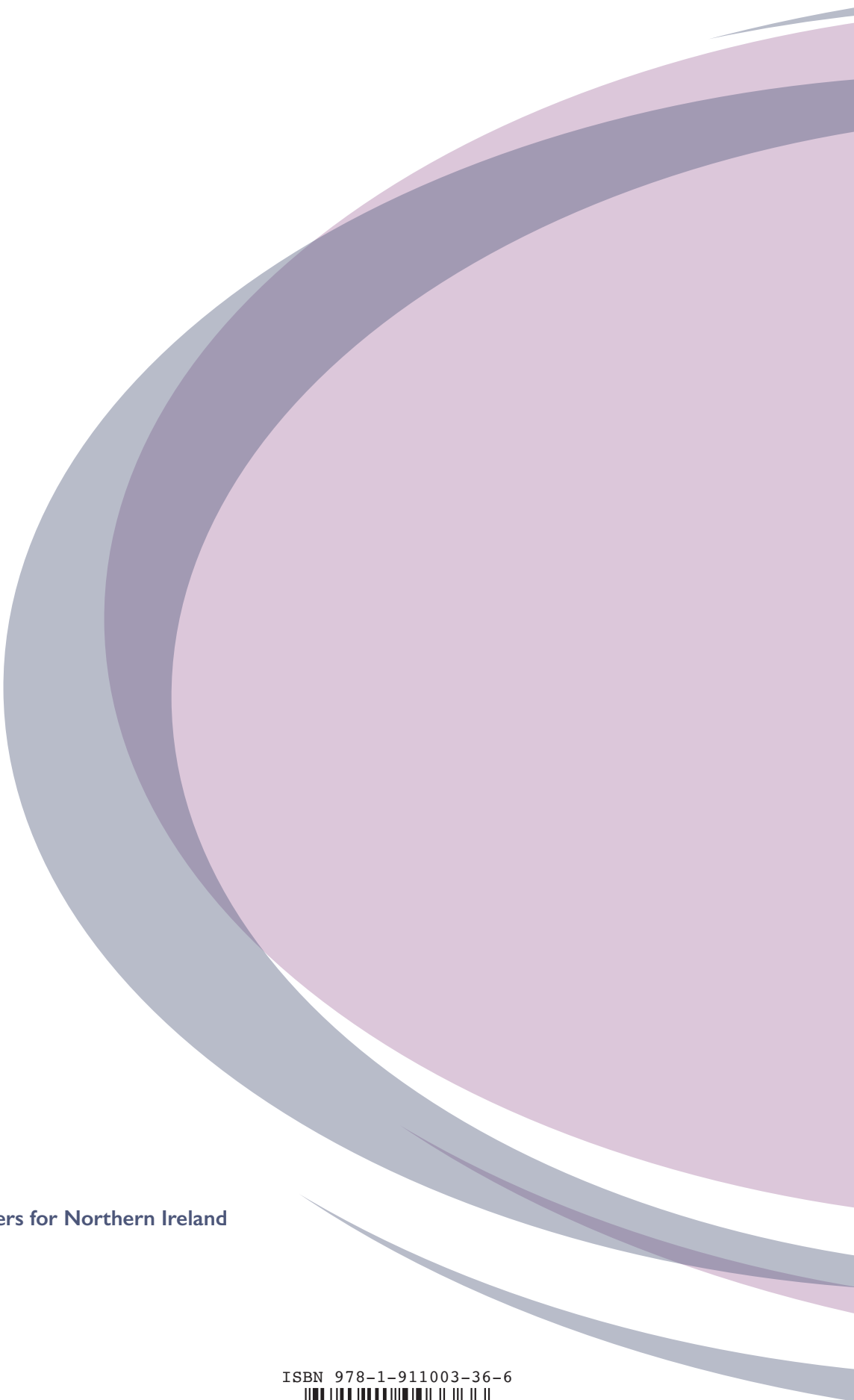
**Mrs Debbie Hill** is a barrister (non-practising). She began her career in Youth Justice before working in the Probation Service as a District Manager responsible for courts and as the District Sex Offender Specialist. She re-trained as a barrister. She is currently an independent member of the Parole Board for England and Wales, a lay member of the Criminal Injuries Compensation Board and the Mental Health Review Tribunal for Wales. Mrs Hill is currently sitting as a Chair for the General Chiropractic Council fitness to practice Panels and is also a lay member/Chair for the MPTS fitness to practice hearings.

**Ms Mary Barnish** is a former senior probation officer who worked for London Probation for 35 years. Her management roles have included the family courts service, programmes for women offenders, victims unit, and a public protection unit responsible for the assessment and supervision of high risk offenders. From 2002 -2005 she was seconded to HM Inspectorate of Probation for England & Wales, auditing accredited programmes and conducting effective supervision inspections, including a thematic inspection on domestic violence. More recently she was a member of London Probation's Inspection and Standards unit where her responsibilities included HR and complaints investigations and conducting serious case reviews.

## APPENDIX B

### Commissioners' Remuneration

Remuneration Band	Number of Commissioners
£0.00 - £5,000	1
£5,001 - £10,000	4
£10,001 - £15,000	9
£15,001 - £20,000	11
£20,001 - £25,000	6
£25,001 - £30,000	3
£30,001 - £35,000	2
£35,001 - £40,000	2
£40,001 - £45,000	0
£45,001 - £50,000	2



**Parole Commissioners for Northern Ireland**

1st Floor  
Mezzanine  
Laganside Court  
Oxford Street  
BELFAST  
BT1 3LL

**Telephone:** 02890 412969

**Fax:** 02890 545915

**Email:** [info@parolecomni.x.gsi.gov.uk](mailto:info@parolecomni.x.gsi.gov.uk)

**[www.parolecomni.x.gsi.gov.uk](http://www.parolecomni.x.gsi.gov.uk)**

ISBN 978-1-911003-36-6



9 781911 003366 >