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| **PCNI PLENARY MEETING – 10th APRIL 2014 – PPS HEADQUARTERS** | | | | | |
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| **Present Commissioners:** | | Ms Christine Glenn | | Mrs Elsbeth Rea | |
|  | | Mrs Anne Grimes | | Mr Paul Mageean | |
|  | | Mr Jeremy Mills | | Mrs Ruth Laird | |
|  | | Dr Shelagh Mary Rea | | Mr Tom Craig | |
|  | | Mr Stephen Leach | | Dr Adrian Grounds | |
|  | | Ms Mollie Weatheritt | | Mr Timothy Thorne | |
|  | | Mrs Alexandra Delimata | | Dr Pat McGrath | |
|  | | Mr John Gibbons | | Mrs Maura Hutchinson | |
|  | | Mrs Anne Fenton | | Mrs Debbie McQueirns | |
|  | | Mrs Elaine Peel | | Mr Niall Small | |
|  | | Mrs Marian Killen | | Ms Claire Hunt | |
|  | | Dr Micaela Greenwood | | Ms Mary Barnish | |
|  | | Dr Duncan Morrow | | Ms Clodach McGrory | |
|  | | Dr Damien McCullagh | | Mr Emmet Murray | |
|  | | Judge Tom Burgess | | Justice Tracy Doherty | |
|  | | Mr Noel Phoenix | |  | |
|  | | Mrs Siobhan Keating | |  | |
|  | | Dr Jackie Withers | |  | |
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| **Guest Speakers:** | | Jackie-Bates Gaston | | Geraldine O’Hare | |
|  | | Robin Jordan | |  | |
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| **Secretariat:** | | Mrs Moya Cushley | | Mrs Kerry McIlwaine | |
|  | | Mrs Karen Weir | | Mrs Joanne Williams | |
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| **Apologies:** | | Mr Nigel Stone | | Mrs Linda McHugh | |
|  | | Prof John Jackson | | Mrs Debbie Hill | |
|  | | Mr Derek Rodgers | | Prof Peter Hepper | |
|  | | Mr Steve Murphy | |  | |
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| **Absent:** | | Mr James Scholes | |  | |
| The following is a summary record of the Plenary of the Parole Commissioners covered on 10 April 2014. | | | | | |
| ***Item 1*** | ***Chief Commissioner’s Introductions*** | | | | |
| The Chief Commissioner welcomed everyone to the meeting, gave a brief summary of the structure of the day and thanked Commissioners for their attendance. | | | | | |

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| ***Item 2:*** | ***Chief Commissioner’s Update*** |
| The Chief Commissioner gave a presentation to the Commissioners. The presentation asked for Commissioners’ views and considerations on the following policies and potential efficiencies:  Policies to Consider;   * Memorandum of Understanding (MoU); * Revised Oral Hearing policy – update; * Arrangements for setting oral hearing dates; * Circulation of decisions; * PCNI Risk Assessment Framework; * User Group; * Information Assurance; and * Efficiency Savings. | |

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| ***Item 3:*** | ***Commissioners Business*** |
| The Commissioners were asked to work in groups to discuss in detail the reports and policies below.   1. **MoU** - Judge Burgess spoke to the Commissioners about the draft MoU.   **Background**  The document evolved from a meeting between the Chief Commissioner and the NICTS in June. Problems had arisen after the publication of a controversial decision. NICTS had asked why they had not been briefed in advance of the decision to release. NICTS did not agree that they should not have had access to our decisions/cases. Mr David Lavery suggested that this document should be drawn up to outline the roles and responsibilities of each party. The Commissioners’ views had been sought of the original draft which has now been reviewed further by NICTs and Judge Burgess.  The purpose of the document is to clarify the independence issues and to provide a structure to facilitate a good working relationship with NICTS. The document is between the Chief Executive of NICTS and the Chief Commissioner of the PCNI.  The groups unanimously endorsed the MoU.   1. **Revised Oral Hearing policy**   This concerns a change to the process of how dates are allocated for oral hearings. A new process would be for Commissioners to provide specific days of availability. Hearings would then be allocated around those dates. Commissioners would be tied to those dates and would have to apply formally to the Chief Commissioner in an emergency situation should they need to be removed. There could be no guarantee that all dates would be allocated to hearings.  The Chief Commissioner advised that Ms Anne Fenton had produced a comprehensive policy on oral hearings, the operation of which would be considered by the Legal Group at the end of April.  Ms Laird asked what was wrong with the current system of fixing hearing dates and could this be articulated before we pilot the exercise. Joanne explained that during the last year 109 changes were made to single Commissioner and panel work. This is extremely disproportionate. The Commissioners felt that those concerned should be sanctioned if they withdraw from hearings. Ms Greenwood asked that all commissioners on Advisory Committee should represent their cadre of commissioners. Commissioners were asked to feed their suggestions into their elected representative in advisory. To facilitate this process the advisory papers would be circulated in advance to all commissioners. They would allow Commissioners to be better informed about what was being discussed.  ***Action Point: Karen Weir to circulate all advisory papers to all commissioners in advance of advisory meeting.***   1. **Circulation of Decisions** – do Commissioners want the decisions circulated or would they prefer not to receive them? Some Commissioners wanted the decisions circulated, others did not. Commissioners felt that there should be a portal on the laptops that the Commissioners could have access to. This would allow these decisions to be stored, by article and date centrally. This would mean that decisions would not need to be circulated. Some Commissioners suggested that we send decisions out on a CD routinely. 2. **New Risk assessment framework** – commissioners to consider if this would be useful. – Not enough time to consider this area of work. 3. **User Group** – needs further discussion, but this should be deferred until after the user survey has been completed. 4. **Information Assurance**; Commissioners are asked to take cognisance of the information assurance policy. They are now required to report any loss or breach immediately to the Secretary of the Commissioners. 5. **Efficiency savings**; - where we might have some sensible suggestions. The Chief Commissioner wants to have possible negotiating tools for the forthcoming terms and conditions review as well as ensuring that we do not offer savings greater than required at present. The independent assessment of the CJINI group has shown that we have made some substantial savings and are working hard to work smarter.   A summary of the groups’ considerations is attached at Annex A. | |

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| ***Item 4:*** | ***Psychology Inside Out*** |
| Ms Geraldine O’Hare and Ms Jackie Bates Gaston gave a joint presentation on ‘Psychology Inside Out’ detailing the journey for prisoners inside and outside the prison environment.  PRT 31 (prisoner review team – recommendation 31 - integration of services between Northern Ireland Prison Service (NIPS) and the Probation Board Northern Ireland (PBNI)).  The areas covered were:   * Summary of Psychology Services; PBNI – seven psychologists, one Head of Department (Chartered and Registered), one senior forensic psychologist (chartered and registered) five forensic in training psychologists. Their roles include:   + Forensic psychological assessment and consultation service   + Risk assessment and interventions   + PPANI (strategic and operational)   + Health and community partnerships   + Specialist input an oversight to programmes   + Training and development   + Research and evaluation   + Strategy and policy. * Robin Jordan spoke to the Commissioners on the subject of “The offender Journey” - the journey of an offender through the system:   + *Probations officers’ role* - ACE assessment, RA1, Risk Management meetings, RoSH and case management.   + Offenders in the Community at pre-sentence stage, meetings which may allude to mental health difficulties. Probation Officers will then consult with psychologists and health officials to identify where the client’s needs lie. Clients are assessed for suitability for community services and this will inform the sentence plan or the need for further specialist assessments prior to court consideration or for consideration for community disposal.   + *Case management pathways* – try to identify additional needs pre sentence, case managers can get to know the client and identify if there are further needs. If other needs are identified the case manager will coordinate and ensure the appropriate sharing of information and risk management plans.   + *Risk Assessment* – undertaken with the structured intervention approach using psychometric tools.   + *Life Licences* - the needs of life licensees in the community are often very different building on assessments completed prior to release from prison. Adjustment and integration are particularly important for clients during this phase providing and facilitating time limited work pertaining to resettlement etc. They continue to review clients who are subject to life licence on an annual basis and try to ensure that the client has a dedicated psychologist throughout the whole licence period ensuring continuity of care. * Jackie Bates Gaston – spoke to the Commissioners on the topic of rehabilitation. The Prison Service roles and responsibilities include:   + Psychology service established 1991;   + Development of services for staff and prisoners;   + Strong support from MoJ/NOMS in programme and intervention delivery;   + Development and training of forensic psychologist to chartership and registration;   + Delivery of accredited programmes and intervention to reduce risk. * NIPS have 4 departments, HQ, Maghaberry, Magilligan and Hydebank Wood, each with designated teams but due to vacant posts the prison service have had to buy-in additional services to allow them to deliver the required services;   NIPS psychology provide a range of services, prisoner management, administration and interpretation of psychometrics, professional witness at parole hearings, risk assessment and report preparation, treatment interventions, therapy sessions, offender behaviour programme treatment management and assessments and clinical supervision for psychologist and programme facilitators.   * A lot of money is now being fed into prisons psychology rather than into the community. However the risk always increases once the client is released simply because the environment changes dramatically for the client. NIPS need to ensure that prisoners can reduce their risk sufficiently to demonstrate to commissioners the risk reduction. In the recall situation this is particularly difficult given the time constraints. * Programmes being delivery are currently being reviewed with Probation. Jackie spoke to the range of programmes available to inform the Commissioners. Clinical psychologists are involved in much offence focussed work which is completed internally. The volume of work coming through due to repeat offenders and recalls is proving challenging. NIPS get judicially reviewed if the prisoners haven’t completed the programmes required to reduce their risk. Jackie provided the commissioners on a range of statistics on programmes etc. * Jackie referred to the number of hours with psychology involvement for life sentence prisoners and gave an example that demonstrated that one life prisoner review had over 2000 hrs of psychology involvement. This gives a perspective of the scale of the task. * The focus is on joint working, re-establishing joint strategic programmes and programmes operations group, establishing a joint database and evaluation of services and developing a combined research strategy to meet the needs of offenders.   The presenters provided a question and answer forum for the Commissioners.  The Chief Commissioner thanked PBNI psychology and NIPS psychology for their presentations today which were very informative for the Commissioners. | |

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| ***Item 5:*** | ***HCR 20 Presentation*** |
| Mr Emmet Murray spoke to a presentation on the HCR – 20 (version 3 vs version2) comparisons.  A structure to help people formulate risk. Version 2 contained details on psychopathy which was rarely scored as few psychologists were trained in this area. This therefore caused problems and as a result has been removed from version 3. Emmett provided Commissioners with a comparison between version 2 and version 3. The evaluation of version 2 showed over-breadth of item content e.g. negative attitudes and early maladjustment. The remedy was to split some items up, revise others, prevent over liberal scoring by restricting range, decision making steps and process leading to risk formulation and risk management plans.  Emmett gave the commissioners a summary of HCR 20 version 2.  Question – ‘should we be asking for version 3 routinely – more specifically could we take a corporate approach to ask for version 3?’ Response –‘It will take a little time to phase out version 2 and replace it with version 3. Training for version 3 was delivered in NI in October and is available’. Ms Laird gave an example of where she had seen version 3 used in a recent case. She identified that it can be difficult to interpret. Commissioners need to be aware of the complexities.  The Chief Commissioners thanked Emmet for his presentation. | |

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| ***Item 6:*** | ***AOB*** |
| The Chief Commissioner asked if Commissioners would let her know what topics they would like considered for the next training event. Mrs Greenwood suggested that it might be better if more time was to be attributed to Commissioner business – i.e. approx 60% business and 40% training. The majority of Commissioners agreed. Mrs Grimes felt that some discussion on the current themes on judicial reviews would be useful. Some commissioners felt that there is a need for a feedback loop into NIPS so that Commissioners can advise on issues of concern i.e. drugs being stored in lockers and leading to prisoners being bullied etc. It was suggested that we set up a forum to deal with issues in NIPS, including programmes etc. This will provide us with the evidence to inform the systems. Dr McCullough made the point that PCNI should be careful not to be seen straying into NIPS policy and practice. | |

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| **Kerry McIlwaine**  **Minute-taker** |

**Annex A**

**FEEDBACK FROM COMMISSIONERS WORKING GROUPS**

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| **Group A** | |
| **Topic** | **Considerations** |
| MOU | * Valuable document to clarify PCNI independence; * Some compromise, initially acceptable; * There is a risk that resource pressures underline the independence of the PCNI; * Issues – Chief Commissioner involved in Chief Executive; appraisal ? Do commissioners approve business cases? |
| ORAL HEARINGS | * We already give availability but still get requests; * We still get short notice requests; * Problem is withdrawals; * In new system, what will sanctions be for unjustified late withdrawals? * Can’t hold further dates indefinitely. |
| EFFICIENCY | * DCS Panel reduced from 3 – 2, worth trying. Panels also need to determine if hearing is needed; * Content that AO’s attend hearings rather than EO2’s. |

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| **Group B** | |
| **Topic** | **Considerations** |
| ORAL HEARINGS | * Don’t understand what is proposed in new system; * Worth doing a pilot – 6 months (would need to exclude holidays); * Short notice calls for volunteers needs to be retained; * Commissioners experience of “clumping” difficulties – would a stated limit of cases per month per commissioner be feasible (each commissioner to notify); * With regard to publishing decisions within 7 days could this be reviewed upwards to possible 14 days). |
| CIRCULATION OF DECISIONS | * Decisions need to be filed centrally electronically by type and date * Judicial portal; * If this was implemented there would be no need for circulation. |
| USER GROUP | * Refer this discussion until survey has been completed. |
| EFFICIENCY | * Allocate hearings based on commissioner locations; * DCS panels reduced from 3 – 2 – would need to be convinced that it will have real savings, concerned with implications (majority decisions); * Content that AO’s attend hearings rather than EO2’s; * Pre-tariff cases – combine two roles into one – don’t agree; * Use of CJSM rather than laptops – very strongly opposed; * Video Link – very strongly opposed; * Plenary – two one day events throughout the year. |

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| **Group C** | |
| **Topic** | **Considerations** |
| EFFICIENCY | * Calculated that we need to get savings of £72k per year; * need to consider how savings should be distributed between years 1 and 2; * Content that AO’s attend hearings rather than EO2’sl * CJSM – might be worth considering if it was allowed; * Should allow English Commissioners to make their own travel arrangements – however commissioners would then have to carry to cost if hearings were cancelled or adjourned; * Where are our lines in the sand? * Nuclear option - we could judicially review the department if the reductions resulted in an inability to comply with our statutory duties. |

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| **Group D** | |
| **Topic** | **Considerations** |
| EFFICIENCY | * Advisory committee – this should be a line in the sand, should insist on 3 – 4 times per year; * Advisory committee should have a more representational role on behalf of all commissioners – with a standing item on the agenda for issues raised by commissioners; * Plenary should be both a two day and a one day plenary – this is not a saving but would be worthwhile; * IT Issues – CJSM worth looking at but there is a need for a judicial portal; * Oral Hearings – this should be left for the legal group to decide; * DCS panels 3 – 2, could possibly look at this change to be allowed but only in certain circumstances; * DCS recalls – often the process can take up to 6 months (too long), why do we go through single commissioner and apply for oral hearing? Especially if they all have an entitlement for oral hearing – could we not simply have a 2 panel hearing within 8 weeks of a recall? |