



Disclosure Team
Ministry of Justice
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25 November 2022

Dear Mr Dawson

Freedom of Information Act (FOIA) Request – 221005042

Thank you for your request dated 05 October in which you asked for the following information from the Ministry of Justice (MoJ):

- **A copy of the EA.**
- **Whether any prisoners have had pre-tariff reviews cancelled or postponed because of the new criteria; (I'm distinguishing this from the decisions on hearings that occurred prior to 6 June because we have had heard from some people that consideration of pre-tariff sifts was postponed following remarks made by the Secretary of State in November last year).**
- **Given that the new criteria have been in operation since 6 June, it would be helpful to know how they are operating in practice. So I would be grateful if you could indicate:**
 - **How many pre-tariff sifts have been considered under the new criteria, and with what outcome;**
 - **How many recommendations from the Parole Board have been considered under the new criteria, and of those:**
 - **How many have been considered solely by officials in the department, with what outcome and on what grounds;**
 - **How many have been personally considered by which minister, with what outcome and on what grounds;**
 - **How many in each category have involved a prisoner with one or more protected characteristics and what the breakdown in terms of characteristic and outcome has been; and**

- How many have been decided within the timescales laid out by the policy framework for the generic parole process.

I would also be grateful if you could confirm what this will leave as the response deadlines.

Your request has been handled under the FOIA. I am sorry for the delay in replying.

I can confirm that the MoJ holds the information that you have requested and I have provided it below.

A copy of the Equality Assessment is attached.

How many pre-tariff sifts have been considered under the new criteria, and with what outcome.

69 considered

8 referred to the Parole Board

61 not referred to the Parole Board.

How many recommendations from the Parole Board have been considered under the new criteria, and of those:

The Parole Board has considered 82 pre-tariff sift cases in total and has recommended the prisoner should move to open conditions in 35 of those cases.

These are pre-tariff sift cases referred to the Parole Board by the Secretary of State prior to 6 June, but which have been considered by the Parole Board since 6 June with reference to the new open conditions test. None of the 8 cases mentioned in the preceding answer are included,

How many have been considered solely by officials in the department, with what outcome and on what grounds;

0 cases considered at this stage

How many have been personally considered by which minister, with what outcome and on what grounds;

0 cases considered at this stage

How many in each category have involved a prisoner with one or more protected characteristics and what the breakdown in terms of characteristic and outcome has been;

Not applicable

How many have been decided within the timescales laid out by the policy framework for the generic parole process

Not applicable

When the current backlog of open recommendations cases is cleared, HMPPS will continue to review recommendations in line with policy set out in the Generic Parole Process Framework.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to one of the addresses below within two months of the date of this response.

data.access@justice.gov.uk

Disclosure Team, Ministry of Justice

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Marlon Haytread
Public Protection Group
Her Majesty's Prison and Probation Service