

Sent via email

request-523171-9b25854f@whatdotheyknow.com

Reference: **FOI 2018/Edward Williams (4)**

15 October 2018

Dear Mr Williams

**Freedom of Information Act (FOIA) Request –
FOI 2018/Edward Williams (4)**

Thank you for your request dated 1 October 2018, in which you asked for the following information from the Parole Board:

I would like all data relating to how you are going to correct the situation given the judgement in Wakenshaw, R (On the Application Of) v Secretary Of State For Justice [2018] EWHC 2089 (Admin) (07 August 2018):

32."I therefore grant permission to the claimant limited to seeking a declaration as follows:

"That the period of appointment (three or four years, renewable for three or four years) of Parole Board members coupled with the power of the Secretary of State to remove a member if he is satisfied that he or she has failed without reasonable excuse to discharge the functions of his or her office for a continuous period of at least three months, or is unable to discharge the functions of the office, without recourse to any procedure or machinery to determine the merit of a decision to remove him or her on one or other of these grounds, means that the provisions for tenure of Parole Board membership fail the test of objective independence."

34.I turn to the application for interim relief. Even though I am satisfied that the claimant is arguably entitled to the declaration set out above it by no means follows that I should halt the current competition to select a new Chair of the Board. I have already pointed out that the claimed interim relief appears to go wider than the substantive relief which is sought. If a declaration in the terms set out above is made, then there will need to be further changes made to the terms of appointment of members. I think all that would be needed is to provide for a fully independent and impartial review to examine the merits of a removal. That amendment would have to be made available to all existing as well as future members."

Your request is being handled under the FOIA.

The Parole Board does not hold any information in the scope of your request. This is because we are not the appropriate authority to contact on this subject.



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However, I would like to point out that the appointment and tenure of Parole Board members is a matter for the Secretary of State for Justice. We understand that the MoJ has already provided you with the current status in a letter dated 8 October 2018.

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to Gary Hopper at gary.hopper@paroleboard.gov.uk.

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

Nazreen Khan
Compliance and Assurance Officer
The Parole Board for England and Wales