

Press release: Letter of resignation from Nick Hardwick to the Secretary of State for Justice

We met this afternoon to consider the implications of the judgment in the Worboys case.

I want to repeat my admiration for the courage and tenacity of the women who brought the judicial review. Their success will have consequences that go far beyond this individual case and will benefit victims and the administration of justice for years to come.

I am very pleased that the court declared the Rule that prohibits the Parole Board from explaining its decisions should go and that the judgment recognised that this was something I had been calling for. I am pleased too that as a result of Dame Glenys Stacy's investigation into victim communication in the case, these processes will be improved in future and that she made no criticism of the Parole Board's actions in this matter. I am also confident that as a result of this case a much simpler system for reviewing Parole Board decisions will be established and, as I have already made clear in my submission to you, this is something I would very much welcome.

Consistent with these principles, I have been clear throughout the legal processes that followed the decision in the Worboys case that I welcomed the scrutiny to which it was subject. I instructed that there should be no procedural moves to prevent such scrutiny, as the judgment indicated could have been made, and that our disclosure of material relating to the case should be as full as possible. I am as anxious as everyone else that the correct decision should be made.

The court was critical of some aspects of the panel's decision-making processes although it did not overturn the panel's decisions on these grounds. It could not, no more than you or I, put itself in the place of the expert and experienced panel members who heard the evidence and made the decision. The court did however find that the panel's understanding that it could not go beyond the offences for which Worboys was convicted was mistaken in this "difficult, troubling case with many exceptional features." I shared the panel's misapprehension in this matter and this was supported by the advice I received. We were wrong.

You told me that you thought my position was untenable. I had no role in the decision of the panel in the case and believe I am capable of leading the Parole Board through the changes, many of which I have advocated, that will now be necessary. I am sorry for the mistakes that were made in this case but I have always made it clear that I will support the members and staff of the Board in the very difficult individual decisions they make and I will accept accountability for the work of the Board. I will not pass the buck to those

who work under me. In these circumstances I inform you of my decision to resign with immediate effect.

In conclusion, I want to state my concern about the independence of the Board. I believe this matter raises very troubling questions about how the Board's independence can be safeguarded. I hope Parliament will consider what structural changes are necessary to ensure this independence is protected in future.