

Written Ministerial Statement

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Department of Justice

INDEPENDENT REVIEW OF CIRCUMSTANCES RELATING TO THE RELEASE OF A PRISONER UNDER THE COMPASSIONATE TEMPORARY RELEASE SCHEME – REVIEW LEAD AND TERMS OF REFERENCE

Published at 3pm on Thursday 1 October 2026

Mrs Long (The Minister of Justice): I have previously updated the Assembly on the circumstances relating to the release of Gary Anderson under the compassionate temporary release (CTR) scheme. I wish to update Members on the independent review that has been commissioned.

Firstly, however, I welcome the arrest of Gary Anderson in the Republic of Ireland and I thank the Police Service of Northern Ireland and An Garda Síochána for their swift and effective work in locating and apprehending him.

I also met with the family of Karol Kelly last week and I know it has been a deeply distressing time for them. It is critical that the criminal justice system learns from the events around handling of the CTR application by Gary Anderson to avoid any retraumatisation of victims.

When I requested that officials carry out an urgent examination of the circumstances relating to how the case was initially progressed, I made clear to Members that there was a need for an independent review into handling of the case.

I asked the Permanent Secretary to commission the independent review and I can now confirm that Phil Cople CB, formerly Director General of Operations in HM Prison and Probation Service, has agreed to lead the review. To assist with the review, the Reviewer will have direct access to Senior Crown Counsel for support in considering relevant legal issues.

In addition, the Commissioner Designate for Victims and Witnesses of Crime, Geri Hanna, has confirmed that she is available to provide advice to ensure that relevant issues are considered from the perspective of victims.

I am grateful for the willingness of everyone involved to support this important work.

The Terms of Reference for the review are published alongside this statement.

The review will examine the decisions and circumstances which led to the release of Gary Anderson and provide an independent and objective assessment of the handling and outworkings of his CTR application. Its purpose is to establish the facts, understand what happened and when, identify any lessons arising from the handling of the case, and make recommendations for improvement.

Where lessons can be learned, they must be learned, and where improvements are required, they must be made. This is critical for the handling of future applications for CTR.

Given the seriousness of the issues involved, it is important that the review is able to follow the evidence wherever it leads and reach its conclusions independently. At the same time, I have asked that the review be progressed as expeditiously as possible so that any lessons can be identified and any necessary improvements implemented at the earliest opportunity.

I will update the Assembly on the outcome of the review and any recommendations arising from its findings.

**TERMS OF REFERENCE FOR INDEPENDENT REVIEW OF CIRCUMSTANCES
RELATING TO THE RELEASE OF A PRISONER UNDER THE COMPASSIONATE
TEMPORARY RELEASE SCHEME**

Purpose

The Department of Justice is commissioning an independent review of the circumstances surrounding the handling of a recent application for compassionate temporary release (CTR) by a prisoner in Maghaberry prison.

The purpose of the review is to:

- provide an independent and objective assessment of the handling and outworkings of the CTR application;
- establish the relevant facts and chronology;
- consider whether the actions and decisions taken were reasonable and consistent with the relevant legal, policy and procedural framework; and,
- identify any learning or improvements that may be required.

Scope

The review will encompass:

- establishing the key facts and chronology relating to the handling and outworkings of the CTR application from the initial request made by the prisoner through to the prisoner absconding;
- examining the key decisions and actions taken, including the information and support available to those making decisions and any relevant advice sought or received by individuals involved in the decision-making processes;
- considering how the CTR application, and its outworkings, was handled by staff in the Northern Ireland Prison Service (NIPS) in accordance with relevant policies, procedures and legislation;
- considering the events following release of the individual on CTR and the prisoner absconding and subsequent arrest, including the arrangements in place for identification of chaperones;
- considering the communications and governance arrangements within and between NIPS, legal advisers and the DoJ in relation to the judicial review action and any other relevant aspects, including the extent and timing of briefing provided to the Minister to inform updates to the Assembly;
- considering the appropriateness of arrangements for handling of urgent CTR applications, including the response to the legal challenge by the applicant;
- examining the arrangements for communications with victims, in particular with the Kelly family, and how those arrangements operate outside normal working hours; and
- making recommendations, where appropriate, for improvement and administration of handling CTR applications of a similar nature in the future.

The purpose of the review is to identify the facts of what happened and make recommendations for improvement accordingly; it is not to seek to apportion blame to any of the parties involved in the decision-making process. The review can not investigate any judicial matters which are a matter for the Court and independent judiciary.

Outputs

The review will be conducted by Phil Copple CB, formerly Director General Operations, HM Prison and Probation Service. He will have direct access for support on consideration of relevant legal issues to Senior Crown Counsel. The Commissioner Designate for Victims and Witnesses of Crime has confirmed that the Reviewer can seek support from her so as to ensure that issues are considered from the perspective of victims.

Access to Staff

For the purposes of the investigation the Reviewer will be facilitated in engaging with relevant staff in NIPS, DoJ or legal advisers as required, as well as access to all documentation.