
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 315

The Parole Board (Scotland) Rules 2001

PART I

INTRODUCTION

Citation, commencement and application

1.—(1) These Rules may be cited as the Parole Board (Scotland) Rules 2001 and shall come into force on 8th October 2001.

(2) These Rules shall apply to every case referred by the Scottish Ministers to the Parole Board on or after 8th October 2001.

Interpretation

2.—(1) In these Rules, except where the context otherwise requires—

“the 1989 Act” means the Prisons (Scotland) Act 1989(1);

“the 1993 Act” means the Prisoners and Criminal Proceedings (Scotland) Act 1993;

“the 2001 Act” means the Convention Rights (Compliance) (Scotland) Act 2001(2);

“the 1993 Rules” means the Parole Board (Scotland) Rules 1993(3);

“the 1995 Rules” means the Parole Board (Scotland) Rules 1995(4);

“the Board” means the Parole Board for Scotland and includes, in relation to any case which is authorised by rule 14(2), 15(3) or 18(1) to be dealt with, in whole or in part, by a specified number of members of the Board, those members and any tribunal formed by those members under rule 18;

“case” means any case relating to a person which the Board is to consider or is considering and, in any Part of these Rules, means a case to which that Part applies;

“the chairman of the Board” means the chairman of the Board appointed under paragraph 1 of Schedule 2 to the 1993 Act but does not include the chairman of a tribunal;

“the chairman of a tribunal” means the chairman of a tribunal appointed under rule 18(4);

“damaging information” shall be construed in accordance with rule 6(1);

“Part IV case” means a case to which Part IV of these Rules applies by virtue of rule 17;

“parties”, in relation to a Part IV case, means the Scottish Ministers and the prisoner;

“person concerned”, in relation to a case, means the person to whom the case relates;

“prisoner” in relation to a Part IV case, means—

(1) 1989 c. 45.

(2) asp 7.

(3) S.I.1993/2225, amended by S.I.s 1997/2317, 1998/1904 and 1999/1116.

(4) S.I. 1995/1273, amended by S.I. 1998/1904.

- (a) a person sentenced by a court in Scotland to life imprisonment, or to detention without limit of time, or for life;
- (b) a prisoner to whom section 10 or 10A of the 1993 Act, or Part 4 or 5 of the Schedule to the 2001 Act, applies;
- (c) a prisoner subject to an extended sentence by virtue of section 210A of the Criminal Procedure (Scotland) Act 1995⁽⁵⁾ who has been recalled to custody under section 17(1) of the 1993 Act; and

“tribunal” means a tribunal formed under rule 18.

(2) Any reference in these Rules to a numbered rule or to a numbered Schedule means, unless the context otherwise requires, a reference to the rule or the Schedule bearing that number in these Rules and any reference in a rule to a numbered paragraph means, unless the context otherwise requires, a reference to that paragraph bearing that number in that rule.

(5) 1995 c. 46.