
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 315

The Parole Board (Scotland) Rules 2001

PART IV

PROVISIONS APPLYING TO TRIBUNAL CASES

Citation of persons to attend a hearing to give evidence or to produce documents

24.—(1) For the purposes of requiring any person to attend a hearing under rule 20 and to give evidence thereat, or to produce documents which relate to any matter in question at such a hearing, the provisions of subsections (4) and (5) of section 210 of the Local Government (Scotland) Act 1973⁽¹⁾ shall apply as if—

- (a) references to a local inquiry were references to such a hearing;
- (b) references to the person appointed to hold the inquiry, or the person holding the inquiry, were references to the chairman of the tribunal;
- (c) the reference to “this section” in subsection (5) of section 210 were a reference to this rule; and
- (d) in subsection (5) for “not exceeding level 1” to the end, there were substituted “not exceeding level 2”.

(2) Subject to the following paragraphs of this rule, the chairman of the tribunal may at any time exercise the powers conferred on him by paragraph (1) to require any person to attend to give evidence or to produce any books or other documents—

- (a) on the application of a party; or
- (b) where he is authorised by the tribunal to do so on its own motion.

(3) Where a party wishes to make an application for the purposes of paragraph (2) he or she shall, not later than the expiry of the period within which the prisoner may send written representations to the tribunal under rule 7, make a written application to the tribunal.

(4) Any application under paragraph (3) shall give the name and address of each person in respect of whom the application is made.

(5) Any party who makes an application under paragraph (3) shall, at the same time as the application is made, send a copy of that application to the other parties.

(6) The chairman of the tribunal may grant or refuse an application under paragraph (3) and shall give each party written notice of his decision and, where the application is refused, of the reasons for that decision.

(7) Where any written notice requiring any person to attend to give evidence or to produce any books or other documents is made by virtue of this rule, the Board shall—

- (a) forthwith send the notice signed by the chairman of the tribunal to the person who is named in the notice as the person subject to the requirement specified; and

(1) 1973 c. 65; section 210(5) was amended by virtue of the Criminal Procedure (Scotland) Act 1975 (c. 21), sections 289(f) and 289(g) (as inserted by the Criminal Justice Act 1982 (c. 48), section 54).

(b) send a copy of the notice to each party.