

EQUALITY IMPACT ASSESSMENT - RESULTS

Title of Policy	The Parole Board (Scotland) Rules 2022
Summary of aims and desired outcomes of Policy	To simplify and modernise the Parole Board rules of procedure by bringing some common procedures together and introducing some new rules and changes
Directorate: Division: team	Justice: Community Justice Division: Prisons and Parole Unit

Executive summary

The Parole Board (Scotland) Rules 2022 ("the 2022 Rules") sets out the rules of procedure to be followed by the Parole Board for Scotland and replaces the Parole Board (Scotland) Rules 2001 ("the 2001 Rules").

Background

The 2001 rules are now some 20 years old and have undergone multiple amendments in that time which has led to them being more complex and inaccessible. The policy aim is to simplify and modernise the rules bringing some common procedures together and introducing some new rules and changes to existing procedure making the rules easier to follow and understand.

In particular the 2022 Rules provide for:

- a new provision to make it clear that the Board can appoint a 'special advocate' to scrutinise the non-disclosure of damaging information in parole proceedings
- a new review procedure to allow the Parole Board to reconsider a decision not to release where there has been a procedural or administrative error
- a new provision to allow the Parole Board to appoint someone (e.g. a solicitor) to represent the person's interests in a hearing where the person concerned lacks capacity to make that decision by themselves

- a new provision to check the person concerned's state of preparation for a parole hearing to ensure they are fully prepared and ready to proceed and avoid delaying the proceedings.

A fuller description of the changes is provided in the policy note accompanying this EQIA.

The Scope of the EQIA

A public consultation was carried out between 20 July and 12 October 2022. The Scottish Government also consulted with the Parole Board for Scotland and other relevant parties involved with the release of prisoners. The Parole Board are fully supportive of the changes to the Rules.

Key Findings

No equality issues were identified as a result of consultation.

Recommendations and Conclusion

Our conclusion is that the 2022 Rules do not give rise to any equality issues and make improvements to the 2001 Rules by making them more accessible and by introducing new procedures to assist prisoners through the parole process.