
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 385

The Parole Board (Scotland) Rules 2022

PART 2

General Rules

Reconsideration of panel decisions

19.—(1) Subject to paragraph (2) the decision of a panel in relation to a case may be reconsidered under this Rule.

(2) This Rule does not apply to a decision to recommend or direct that the person concerned be released or re-released.

(3) The chairperson of the Board, (or another member or members appointed by the chairperson for that purpose) may select a decision for reconsideration where they consider there is or may be an administrative or procedural defect affecting that decision.

(4) A decision may only be selected for reconsideration within 20 working days following the date on which that decision is notified to the parties.

(5) Where a decision is selected for reconsideration, the chairperson of the Board is to make such arrangements for that reconsideration as appear to be necessary in the interests of justice and having regard to the reason the decision was selected.

(6) The arrangements may include, but are not limited to—

- (a) remitting the case to the panel which previously considered the case for a new decision,
- (b) appointing a panel consisting of different members of the Board to consider the case and reach a new decision.

(7) Where a case is reconsidered under the procedure in Part 3 of these Rules, rule 22 applies to a new decision reached following that reconsideration as it applies to any other decision of a casework panel under that procedure.

(8) Where a case is reconsidered under the procedure in Part 4 of these Rules, rules 33 and 34 apply to a new decision reached following that reconsideration as they apply to any other decision of an oral hearing panel under that procedure.