
STATUTORY INSTRUMENTS

2011 No. 2947

The Parole Board Rules 2011

PART 2

General

Withholding information or reports

8.—(1) The Secretary of State may withhold any information or report from the prisoner and their representative where the Secretary of State considers—

- (a) that its disclosure would adversely affect—
 - (i) national security;
 - (ii) the prevention of disorder or crime; or
 - (iii) the health or welfare of the prisoner or any other person; and
- (b) that withholding the information or report is a necessary and proportionate measure in the circumstances of the case.

(2) Where any information or report is withheld, the Secretary of State shall—

- (a) record it in a separate document;
- (b) serve it only on the Board; and
- (c) explain to the Board in writing why it has been withheld.

(3) Where any information or report is withheld from the prisoner, the Secretary of State shall, unless the chair directs otherwise, serve it as soon as practicable on—

- (a) the prisoner's representative if the representative is—
 - (i) a barrister or solicitor;
 - (ii) a registered medical practitioner; or
 - (iii) a person whom the chair directs is suitable by virtue of their experience or professional qualification; or
- (b) a special advocate who has been appointed by the Attorney General to represent the prisoner's interests.

(4) A prisoner's representative or a special advocate may not disclose any information or report disclosed in accordance with paragraph (3) without the consent of the chair.

(5) Where the chair decides that any information or report withheld by the Secretary of State under paragraph (1) should be disclosed to the prisoner or their representative, the Secretary of State may withdraw the information or report.

(6) If the Secretary of State withdraws any information or report in accordance with paragraph (5), nobody who has seen that information or report shall sit on a panel which determines the case.