
STATUTORY INSTRUMENTS

2011 No. 2947

The Parole Board Rules 2011

PART 1

Introduction

Title, commencement, revocation and transition

1.—(1) These Rules may be cited as the Parole Board Rules 2011 and shall come into force on 3rd January 2012.

(2) The Parole Board Rules 2004(1) are revoked.

(3) The revocation of the Parole Board Rules 2004 does not affect anything done under those rules before 3rd January 2012.

Interpretation

2. In these Rules:

“Board” means the Parole Board, continued by section 239(1) of the Criminal Justice Act 2003;

“Chairman” means the chairman of the Board appointed under paragraph 2 of Schedule 19 to the Criminal Justice Act 2003;

“Chair” means a chairman of a panel appointed under rule 5(3);

“Determinate sentence” means a sentence of imprisonment other than an indeterminate sentence;

“Indeterminate sentence” means a sentence of imprisonment listed under section 34(2) of the Crime (Sentences) Act 1997(2);

“Panel” means a panel appointed in accordance with rule 5(1) or (2);

“Oral panel” means a panel which determines a case or matter at a hearing;

“Party” means a prisoner or the Secretary of State;

“Prison” includes a young offender institution or any other institution where a prisoner is or has been detained; and

“Single member” means a member of the Board who has been appointed to constitute a panel in accordance with rule 5(1).

(1) The Parole Board Rules 2004 were made under section 32(5) of the Criminal Justice Act 1991 (c.53) and were not made by statutory instrument. Section 32(5) of the Criminal Justice Act 1991 was repealed by sections 303(a) and 332 and Part 7 of Schedule 37 of the Criminal Justice Act 2003 and its provisions were re-enacted in section 239(5) of that Act. The Parole Board Rules 2004 were amended by the Parole Board (Amendment) Rules 2009 (S.I. 2009/408).

(2) 1997 c. 43; section 34(2) was amended by section 165(1) and paragraph 183 of Schedule 9 to the Powers of Criminal Courts (Sentencing) Act 2000 (c.6), section 230 and paragraph 3 of Schedule 18 to the Criminal Justice Act 2003 (c. 44) and by section 378 and Schedules 16 and 17 to the Armed Forces Act 2006 (c.52).

Application

3.—(1) These Rules apply where the Secretary of State refers a case to the Board relating to the release or recall of a prisoner.

(2) Rule 7(3) applies only where the Secretary of State refers a case to the Board relating to the initial release of a prisoner serving an indeterminate sentence.

(3) Part 3 of these Rules applies only where the Secretary of State refers a case to the Board relating to the release of a prisoner serving an indeterminate sentence.

(4) A reference to a period of time—

- (a) in the case of the initial release of a prisoner serving an indeterminate sentence, applies as set out in the Rules; and
- (b) in all other cases, applies as if it was a reference to such period of time as the chair shall in each case determine.