**Submissions Template**

The Board, whether sitting as a Tribunal or as a Case Work Meeting panel is required in every case, to take into account the matters set out in Rule 8 of the Parole Board (Scotland) Rules 2001 which is in the following terms:-

**8. Matters to be taken into account by the Board**

In dealing with a case of a person, the Board may take into account any matter which it considers to be relevant, including, but without prejudice to the foregoing generality, any of the following matters:–

(a) the nature and circumstances of any offence of which that person has been convicted or found guilty by a court;

(b) that person's conduct since the date of his or her current sentence or sentences;

(c) the risk of that person committing any offence or causing harm to any other person if he or she were to be released on licence, remain on licence or be re-released on licence as the case may be;

(d) what that person intends to do if he or she were to be released on licence, remain on licence or be re-released on licence, as the case may be, and the likelihood of that person fulfilling those intentions; and

(e) the effect on the safety or security of any other person, including in particular any victim or any family member of a victim, were he or she to be released on licence, remain on licence, or be re-released on licence as the case may be.

There is no suggestion that submissions must be made on any matter. Where, however, submissions are to be made it will be extremely helpful to members of Tribunals and Case Work Meetings if submissions, written or oral, are grouped together to follow the paragraphs of Rule 8.

Such groupings will make for a logical structure and better allow members to identify and note how the submissions relate to the matters which must be taken into account.

There may be submissions which are relevant to more than one matter and there may be some limited element of repetition.

**(a) the nature and circumstances of any offence of which that person has been convicted**

**or found guilty by a court**

If submissions are to be made dealing with the index offence, or any convictions prior to the index offence. Typically, but not exclusively, information may come from the trial judge’s report, pre-sentence reports from Social Workers, psychologists or other professionals.

**(b) that person's conduct since the date of his or her current sentence or sentences**

If submissions are to be made in relation to conduct since the date of the current sentence/s they should be grouped under this paragraph. Information may typically come from the Response in Custody Report, the Lifer or Early Release Liaison Officer, intelligence and misconduct reports, police or Crown Office Reports or in Social Work Reports or from oral evidence. Whatever the source may be, it will be helpful if submissions on the prisoner’s conduct since the date of the index sentence be grouped here.

**(c) the risk of that person committing any offence or causing harm to any other person if he or she were to be released on licence, remain on licence or be re-released on licence as the case may be**

If submissions are to be made on risk they should be grouped under this paragraph. Information may typically come from social work reports, psychological reports, Risk Assessment and Risk Management Reports for OLR cases, post-programme reports and, particularly, the outcomes of structured risk assessments using recognised risk assessment tools and professional recommendations. Information may also come from written or oral evidence on how risk might be managed in the community. Whatever the source may be, it will be helpful if submissions on risk be grouped here.

**(d) what that person intends to do if he or she were to be released on licence, remain on**

**licence or be re-released on licence, as the case may be, and the likelihood of that person**

**fulfilling those intentions.**

If submissions are to be made on what the prisoner intends to do if released on licence, remain on licence or be re-released on licence and/or the likelihood of that person fulfilling those intentions they should be grouped under this paragraph. Information may typically come from social work or other professional reports, post-programme reports, offers of family or other support or employment or use of time in the community. It may be that conclusions on the likelihood of the prisoner fulfilling the intentions will be a matter of inference from all or some of the information and written or oral evidence available.

**(e) the effect on the safety or security of any other person, including in particular any victim or any family member of a victim, were he or she to be released on licence, remain on licence, or be re-released on licence as the case may be.**

If submissions are to be made on the effect of release on third parties, in particular, victims or members of their families they should be grouped together here. This paragraph follows a recent amendment to the Rules but information may come, typically, from victim representations or may be a matter of inference from other written or oral evidence.

**(f) other relevant matter/s**

The possible sources of information and evidence set out above are illustrative only and account may be taken of any relevant evidence from any source. The only real issue is how much weight should be attached to the information or evidence. If it is considered that further submissions are required which, for some reason, cannot be grouped under one of the paragraphs above they should be grouped here.