

Rule 10, Parole Board Rules 2019

10.— Representatives

(1) Subject to paragraph (2), a party may appoint a representative (whether a solicitor or barrister or other representative) to represent that party in the proceedings.

(2) The following may not act as a representative—

(a) any person who is detained or is liable to be detained under the Mental Health Act 1983;

(b) any person serving a sentence of imprisonment or a sentence of a detention;

(c) any person who is on licence having been released from a sentence of imprisonment or a sentence of detention, or

(d) any person with a conviction for an offence which remains unspent under the Rehabilitation of Offenders Act 1974.

(3) If a party appoints a representative, that party or the representative must notify the Board and the other party of the name, address and occupation of the representative at the same time as the case is referred to the Board, or as soon as reasonably practicable.

(4) Where the Secretary of State receives due notification of the appointment of a representative under paragraph (3), the Secretary of State—

(a) must provide both the prisoner and the representative with any document which is required to be provided, and

(b) may assume that the representative is and remains authorised as such until they receive written notification that this is not so from the representative or prisoner.

(5) Subject to paragraph (2), a person whose name, address and occupation has not been notified under paragraph (3) may act as a representative if authorised by the panel chair.

(6) If the prisoner has not appointed a representative, the panel chair or duty member may appoint a representative (solicitor or barrister or other representative) for the prisoner—

(a) with the prisoner's agreement, or

(b) where the prisoner lacks the capacity to appoint a representative and the panel chair or duty member believes that it is in the prisoner's best interests for the prisoner to be represented.

