

Challenge a parole decision (Set Aside)

Prisoner application form

The set aside process will give parties the right to ask for a final parole decision to be looked at again by the Parole Board.

Who can make an application?

The set aside process applies to all decisions relating to release that become final made on or after 21 July 2022.

When can you make an application?

Your application must be received by the Parole Board:

- a) Within 21 days from the date the decision became final if you are challenging a release/no release decision on the basis that the decision would not have been made but for an error of fact or law.
- b) At any point from the date the decision became final up until release if you are challenging a release decision on the basis that there is new information and/or there has been a change in circumstances.

For more information, please speak to your representative, who can complete this form on your behalf.

What will the Parole Board be assessing?

A member of the Parole Board will assess your application and will be looking for evidence that:

- **An Error of Law or Fact:** That the direction for release would not have been made but for an error of law or fact (for no release/release);
- **New information:** That the direction for release would not have been made if information that was not made available to the panel when the direction was made, had been available (for release only); and/or
- **Change in circumstances:** That the direction for release would not have been made if the change in circumstances had occurred before the direction was given (for release only).

Being unhappy with the decision is not grounds for making an application to set aside a final decision.

Submitting your form

Once you've filled in the attached form, you need to send it to Board Setting Aside Team by email or post:

- Email: settingaside@paroleboard.gov.uk
- By Post:

Parole Board Setting Aside Team
3rd Floor
10 South Colonnade
London
E14 4PU

It is recommended that you send the form by email (through your representative) because it is quicker.

What happens next?

The Setting Aside Team will contact you after your application has been considered. They will tell you whether the Parole Board has decided to set aside the decision or not.

If the application is accepted:

The case may be sent for another parole review, which will be arranged as a priority. This new review will be made on the papers or at an oral hearing. Depending on the facts of the case, the review will either be managed by the panel who made the original decision, or a new panel of members.

Even when a decision has been set aside, it does not necessarily mean that the final outcome will change.

If the application is rejected:

The original decision will remain unchanged and the Parole Board will give written reasons why the decision should not be set aside.

Application form

Your Name

Prison Number

Date of Birth

Name of Prison

If you are a representative completing this on behalf the prisoner, please include your contact details.

Representative Name

Phone Number

Email address

Address

Postcode

Your reasons

Use this section to explain the reasons why you think that your parole decision should be set aside.

There are three sections and you can fill in one or all boxes, depending on your reasons for applying for the decision to be set aside.

Include extra pages if you need to. You can also submit copies of evidence with your form.

1. There has been an error of law and/or fact

Give details in this section if you believe the that the direction for release or no release would not have been made but for an error of law or fact.

2. There is new information

Give details in this section if you believe the decision for release would not have been made if information that was not made available to the panel when the direction was made, had been available.

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3. Change in circumstances

Give details in this section if you believe the decision for release would not have been made if the change in circumstances had occurred before the direction was given.

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Additional comments

Include any other information you would like to add.

Your signature

Date