**Giving evidence at Tribunals and Hearings**

The most important thing to remember is that the Parole Board will be focussing on the test for release that is applicable to the case. Witnesses should make sure that they are clear about the test for release that is being applied in the case. There is a concise [summary of the various tests for release](https://www.scottishparoleboard.scot/storage/publications/MpYJDCG9pN5mtKEvmrHGNsMTNbBOscGNpbDmLTS7.pdf) and the type of cases to which they apply available as part of the Board’s published guidance on its website.

In general terms Board members and solicitors are likely to focus on the issues of risk and the issue of manageability. This is likely to require detailed questioning. Witnesses should not feel in any way threatened by being asked to provide detailed evidence and should understand that it is in the interests of fairness and sound decision making for such questioning to take place. In terms of detail, it’s reasonable to expect lots of who, what, where, how, describe, explain type questions and so preparation is important. Witnesses may find it helpful to be able to refer to their records and this is perfectly acceptable. If a question is asked that a witness does not know the answer to, they should say so. If the question can be answered by obtaining further information they should indicate whether this information can be readily obtained.

In relation to risk, questions are likely to involve an exploration of any risk assessments that have been undertaken and the basis for the conclusions that have been reached. Witnesses may be asked to outline what they consider to be the likely risk scenarios and why. Where the test for release involves “serious harm” this is likely to be explored in detail by members and solicitors. Where substance or alcohol use is an issue, it will be important to be clear about whether this impacts on risk and if so in what way. Witnesses may also be asked on how any identified risks may be mitigated, for example by licence conditions. Questions are also likely to be asked about any protective factors that may be relevant.

In relation to manageability, it will be important to have detailed information available about management plans including factual information about the availability of services, accommodation, programmes – particularly where immediate release is a possibility. It is important not to try to second guess a decision that the Board may make – an example would be if accommodation options have not been explored because the social worker is not recommending release. Witnesses are also likely to be asked questions about their views on compliance with licence conditions and why they have formed their views. They may be asked to provide information on previous instances of non-compliance or indeed successful compliance with supervision and so should make sure that they are familiar with historical matters.

Where a prisoner has been in the community, has breached their licence and been recalled and is now being considered for immediate re-release, witnesses should be prepared for detailed questions on the circumstances of the breach. They are also likely to be asked if there have been any change in circumstances since the recall to custody.