



**THE PAROLE BOARD FOR SCOTLAND
LEGAL AND GENERAL MEMBERS**

INFORMATION FOR APPLICANTS

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1. INTRODUCTION

The Judicial Appointments Board for Scotland (JABS) is an advisory non-departmental public body set up under statute. JABS is independent from Scottish Government. This supports maintaining an independent judiciary in Scotland.

JABS is responsible for selecting legally qualified individuals to be recommended for appointment to a variety of judicial roles in Scotland. JABS became responsible for selecting general, and legally qualified, individuals for some devolved Tribunals. Since taking on responsibility for the Parole Board Scotland (PBS) in 2020 this is its first PBS appointment round.

The Board's statutory responsibilities under the provisions of the Judiciary and Courts (Scotland) Act 2008 are that:

- a) selection of an individual to be recommended for appointment must be solely on merit;
- b) the Board may select an individual only if it is satisfied that the individual is of good character; and
- c) in carrying out its functions, the Board must have regard to the need to encourage diversity in the range of individuals available for selection to be recommended for appointment to a judicial office. This is subject to the provisions a) and b) above.

Lay and Legal Members of JABS are appointed by Scottish Ministers, and Judicial Members of JABS are appointed by the Lord President.

The Judicial Appointments Board for Scotland invites applications from suitably qualified/experienced individuals who wish to be considered for appointment as Legal or General Members of the PBS. PBS Members are not employees.

Applicants may apply for only one of these - either Legal Member or General Member.

Further vacancies may arise during the course of the appointment round.

1.1 About the Parole Board for Scotland

The key function of the PBS is to ensure that only those prisoners who are no longer regarded as presenting a risk to public safety may serve the remainder of their sentence in the community on licence under the supervision of a supervising officer. The PBS is located in Edinburgh but has for some time been holding hearings online and remotely. There are currently 44 parole board Members, and this appointment process will increase the number of Members by 12 during 2023. The PBS has a Chairperson and a small management group comprising three PBS Members.

The PBS was previously a public body regulated by the Ethical Standards Commissioner. Recruitment has now been transferred to the Judicial Appointments Board for Scotland under section 46 of the Management of Offenders (Scotland) Act 2019. The PBS will continue to be an independent body.

Further information about duties and functions of the PBS can be found at www.scottishparoleboard.gov.uk or by contacting Colin Spivey, Chief Executive of the PBS on 0131 244 1589 or at colin.spivey@gov.scot.

2. ROLE DESCRIPTIONS

As a Legal or General Member of the PBS your duties will be judicial in nature, and will include:

- communicating effectively with victims, prisoners, relevant professionals, and witnesses who may appear at Tribunals or Oral Hearings;
- working independently and collaboratively with other panel Members;
- deciding on the suitability for release on licence of long-term prisoners (those sentenced to four years or more) to serve a portion of their sentence on licence in the community;
- considering whether to direct the release on licence of life sentence prisoners and prisoners subject to Orders for Lifelong Restriction once they have served the punishment part of their sentence;
- obtaining the views of victims of crime where a life sentence has been imposed;
- consideration of the need to recall to custody offenders who have breached their licence conditions and the case for directing re-release;
- Legal Members may chair Tribunals and Oral Hearings. They must ensure all relevant legal frameworks and principles are considered, and that legal and procedural requirements are met for hearings and decisions.
- General Members may chair Casework meetings that do not require Oral Hearings.
- Both General and Legal Member Chairs will facilitate inclusive panel discussion, and ensure objective, impartial and balanced decision-making.
- Both General and Legal Member Chairs will produce robust minutes for meetings/hearings they chair giving decisions and the reasons for these decisions, reflecting accurately the issues under consideration

PBS Members are not normally directly involved in management or corporate governance. However, General and Legal Members may be asked to serve on the PBS' Management Group. Members may also be involved in quality assessments, staff training, peer review and also training for agencies that provide information and evidence for the PBS.

There may also be occasions when Members may be involved, at the invitation of the Chairperson, in work related to practice and policy development both internally and externally with agencies involved in parole.

2.1 Tribunals, Oral Hearings and Casework meetings

For Tribunals, Members sit as a panel of three. A Legal Member will always chair the Tribunal. A Tribunal is held with the prisoner. In exceptional circumstances, Members may sit as a quorum of two with one being a Legal Member.

For Casework meetings, Members will sit as a panel of two or three. A Legal Member may chair the meeting but it can be chaired by a General Member. Casework meetings considering immediate re-release (following recall) will always be chaired by a Legal Member. Most Casework meetings are paper-based decisions where the prisoner is not present although the panel can direct that an oral hearing is fixed.

For Oral Hearings, Members will sit as a panel of three. A Legal Member will always chair the Oral Hearing. An Oral Hearing is held with the prisoner.

No Member will be expected to reach a decision (release or not, licence conditions etc) in isolation. A decision will always be reached by a minimum of two and a maximum of three Members.

2.2 Length of appointment

The appointments are for up to five years in the first instance. Reappointment is automatic up until the age of 75, unless the Member has failed to comply with any of the terms and conditions of Membership by which they are bound, or if the number of Members required for the Board to carry out its functions is such that the services of the Member are no longer required.

2.3 Time Commitment and Remuneration

The Legal Member daily fee rate is £341 and the General Member daily fee rate is £221. Please note that this is based on the 2021-22 rates as the 2022-23 rates have not yet been agreed. (Remuneration could have an impact for applicants in receipt of welfare benefits and it is for you to consider this if appropriate.)

Parole Board Members (Legal and General) are expected to devote around 8 to 10 days per month to performing their functions, including preparation, as and when required.

Tribunals, hearings (including Oral Hearings), and meetings are generally held on-line although there may be occasional travel within Scotland, when required, for face to face Tribunals or Casework Oral Hearings.

3. EQUALITY AND DIVERSITY POLICY

The Judicial Appointments Board for Scotland (JABS) is committed to ensuring that all selection processes are fair and open and that all applicants receive equal treatment. The statutory requirements include a duty to encourage diversity among the range of applicants. We recognise that diversity encompasses more than protected characteristics.

The Board encourages and welcomes applications from the widest possible range of applicants regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.

In addition to the statutorily protected characteristics, we encourage diversity and welcome applications from individuals in a wide range of circumstances, including geography as well as, social, cultural, or economic disadvantage.

More information can be found on the [JABS Equality and Diversity Policy](#) document on our website.

3.1 Reasonable Adjustments

We are committed to considering any reasonable adjustment requests, to ensure that you can participate in the appointment process fairly.

We will consider requests on a case-by-case basis and the information you give will not be used in the selection decisions. If you need any assistance, please contact the Business Management Unit either by email at mailbox@jabs.gov.scot or by telephone on 0131 528 5101.

If you are recommended for appointment, you should discuss any reasonable adjustment requests with the Parole Board Scotland.

4. IS THIS ROLE FOR YOU?

4.1 Eligibility criteria

The eligibility criteria for these appointments are set out in the Parole Board (Scotland) Rules 2001 (S4) :

Legal Members

Legal Members will be either

- (a) a person who holds or who has held judicial office; or
- (b) a solicitor or advocate of not less than 10 years standing (in Scotland)

General Members

There are no statutory eligibility criteria for General Members.

4.2 Experience and Background

We have not set out specific professional experience or backgrounds in our requirements.

We are looking for people who reflect society, and provide relevant experience or professional experience such as, but not exclusive to, Criminal Justice Social Work, Psychiatry, Psychology, the Police Service or Forensic Mental Health services, as well as those from a legal or judicial background.

Successful candidates will meet **all** of the essential criteria relevant to the role they are applying for, and be able to demonstrate how their background makes them suitable for a role as a Member of the PBS, and how they are able to contribute from this.

People may apply for **only one** of the roles – either Legal Member or General Member.

4.3 Career and Relevant Life History

We consider both the career of an applicant and other experience that may be relevant to the qualities required for these roles and you are asked to provide information about both at the application stage.

You are asked to provide a short, tailored career/ life history (up to 600 words), setting out relevant positions held, organisations worked for, and relevant dates.

You are also asked to provide a statement/additional information (up to 600 words) demonstrating your suitability for the role. (This part of the application provides you with the opportunity to tell us about how you are suitable for the role, drawing from any part of your life including your working and/or personal life, or from your participation with any private, public, academic, voluntary or community organisations. The information will also help the panel contextualise the information you provide across the appointment process.)

5. KNOWLEDGE, SKILLS, AND PERSONAL QUALITIES (“CRITERIA”)

We will assess each applicant against Criteria (Knowledge, skills, and personal qualities) that are necessary for the role. By the end of the process, those applicants who are subsequently invited to interview will have been assessed against all of the criteria.

The Knowledge, Skills and Qualities for this role can be found in full at Appendix 14.1, which also shows any maximum for the number of words you may use, and when you will be asked to provide evidence for each criterion. (Not all criteria are asked about at application stage.)

You will also find this information on our website [<insert link to the knowledge, skills, and personal qualities document>](#)

Commented [NB1]: Please add link.

In summary, we will be assessing your suitability in the following areas by the end of the process:

Legal Members

- Ability to Chair Tribunal and Oral Hearings

General Members

- Ability to Chair some types of casework meetings

Both General and Legal Members

- Interest, understanding and enthusiasm for the role, aims, and work of the Parole Board Scotland and ability to contribute to this.
- Critical analysis and making balanced, reasoned, and sound decisions.
- Testing and challenging evidence and opinions
- Communicating effectively.
- Interpersonal Skills.

We will also ask questions about mindset and motivation which may be taken into account in our decision-making.

6. THE ASSESSMENT AND DECISION-MAKING PROCESS

If there is a large number of applications, there may be a first stage of assessment (long-listing stage) involving Lay Appointment Advisers (as permitted by statute) and Panel Members.

The Panel Members comprise three JABS Board Members (Judicial and Lay), and a Legal Member of the PBS. The Panel will collaboratively make decisions about moving applicants through the assessment stages and advise the JABS Board about their views.

The interview stage will include a practical exercise relevant to the work of the PBS, which will be issued on the day, and competency-based and scenario questions on the criteria, and on your responses at interview and during the application process.

Final decisions about recommendations are made by the whole JABS Board in line with statutory requirements. Recommendations are made solely on the basis of merit and provided the Board is satisfied about good character and conduct.

Recommendations go from the Board to Scottish Government. Appointments are made by Scottish Ministers for these roles.

7. THE APPLICATION PROCESS

You will find some hints and tips on completing competency based questions (such as those in the application) on our website. : [Application | JABS \(judicialappointments.scot\)](#)

7.1 Online Application

The first time that you apply online for a judicial vacancy, you will be required to register on our website. If you have any difficulties, please contact the Business Management Unit on 0131 528 5101.

When you submit your application, you will receive acknowledgement by email.

You should contact us if you have **not** received an acknowledgement within 24 hours of submitting your application.

Applications received after 12 noon on the closing date of 23 September 2022 will not be accepted.

Commented [NB2]: Please add link to registration page, and any other relevant link to get into application.

8. COMPLETING THE APPLICATION FORM

The online system is designed to be intuitive and includes instructions for completion. You should also see the Application section of our website before completing the form.

There are some areas that require instruction and these are detailed below:

8.1 Name

It is mandatory to include your full name, including any middle names in your application and this will be used for essential consultation purposes if you are shortlisted.

8.2 Written work

You are asked to upload **one** example of written work for which **you alone** have been responsible. This could be an extract from a larger piece of work. Your written work example should not exceed 500 words.

Please provide additional information, if necessary, (on the application form) up to 100 words to assist the panel to contextualise the written work. The application system has a set word limit of 100 words for this section, and it will not allow you to exceed this.

The written work will be used to assess your written communication skills. i.e. "Ability to write in a clear, and intelligible manner for different situations and participants".

You should **delete or redact any references to individuals**. The selection panel will treat your examples in confidence.

9. GOOD CHARACTER AND CONDUCT

JABS has a statutory responsibility to recommend people of good character and conduct.

9.1 Ethical Principles

PBS Members, , are expected to uphold the PBS Statement of Principles of Ethics and Behaviours which is currently being revised.

This includes reference to the [Statement of Principles of Judicial Ethics for the Scottish Judiciary](#).

The PBS Statement also includes the Nine Principles of Public Life in Scotland which are attached at Appendix 14.2. You will be asked at interview to confirm that you will uphold these.

JABS carries out a number of pre-appointment checks to ensure good character and conduct. This includes asking at application stage for a range of information (such as criminal convictions and investigations about professional conduct) and carrying out a number of pre-appointment checks (listed below) for those invited to interview. (A criminal conviction is not an automatic disqualification to appointment, and the Selection Panel may explore this and any other relevant matters with candidates invited to interview.)

10. PRE APPOINTMENT CHECKS

10.1 Enhanced Disclosure

We are required to carry out Enhanced Disclosure checks for judicial appointments and will do this for all applicants invited to interview.

An application form and guidance note will be sent to you after the invitation to interview letters have been issued.

We will ask you to complete the form and bring it to your interview for checking, but we will not send it to Disclosure Scotland unless you are recommended for appointment.

You are required to pay the cost of the disclosure check, which is £25.

10.2 Other Checks

JABS asks applicants for all roles to provide some information using standard questions in the application form.

Consultations are carried out with relevant judiciary for legal Member applicants invited to interview. These are provided to JABS in confidence and will not be shared with applicants.

For Legal Member applicants checks may also be carried out to verify eligibility and professional conduct.

For General Member applicants, checks may also be carried out with professional bodies to verify qualifications and/or professional conduct.

A media/social media review may be carried out.

JABS is exempt from the Data Protection provisions in relation to appointments to judicial roles and is not obliged to disclose information obtained from such checks or the sources of such information. We may raise matters arising from such checks with candidates before or at interview for clarification and/or comment.

11. FEEDBACK

You may request feedback, and we aim to offer you feedback at each stage of the process. However, the provision of feedback will depend on the number of applicants/candidates and the resources available.

12. TIMETABLE

DATE	EVENT
2 September 2022	Advertisement published
23 September 2022	Closing date for application forms
w/c 17 October 2022	Unsuccessful applicants notified of outcome of initial stage assessment
w/c 14 November 2022	All applicants who passed to second stage assessment notified of outcome of this
w/c 22 November – w/c 12 December 2022	Candidate Interviews
19 December 2022	Board Decision Meeting
By 23 December 2022	Candidates notified of outcome of interview and Board Decisions (final stage of assessment)
By 23 December 2022 (subject to Disclosure Scotland checks)	Recommendations for appointment* to the Scottish Government. Formal appointment by Ministers will follow.

*Only those with a satisfactory disclosure check will be recommended for appointment.

13. COMPLAINTS

If you are dissatisfied with any aspect of the handling of your application, you should refer to the [Complaints Handling Procedure](#) on the JABS website.

APPENDIX 14.1

CRITERIA (KNOWLEDGE, SKILLS, AND PERSONAL QUALITIES) AND WHEN THEY WILL BE ASSESSED

Person specification

The specification below lists:

- (1) Eligibility to be a Legal Member of the Parole Board Scotland.
- (2) Specific Knowledge, skills and personal qualities required to be a Legal Member or a General Member of the Parole Board.
- (3) Knowledge, skills, and personal qualities required for all Parole Board Members.

By the end of the assessment process, successful candidates will have met all of the relevant eligibility criteria, and all of the essential knowledge, skills, and personal qualities for the role applied for.

You are asked to provide:

- (1) Information in your application to confirm eligibility and to demonstrate some of the requirements by providing evidence for the criteria asked about in the application.
- (2) One example of work written solely by you (**up to 500 words**). This could be an extract from a larger piece of work. Please provide additional information if necessary to assist the panel to contextualise the written work (**up to 100 words**). The written work will be used to assess your written communication skills.
- (3) A short, tailored **career/life history (up to 600 words)**, setting out relevant background, positions held, organisations worked for and relevant dates to provide context for your application, and interview (if invited).
- (4) A statement/additional information (**up to 600 words**) demonstrating your suitability for the role.
(This part of the application provides you with the opportunity to tell us about how you are suitable for the role, drawing from any part of your life including your working and/or personal life, or from your participation with any private, public, academic, voluntary or community organisations. The information will also help the panel contextualise the information you provide across the appointment process.)

Commented [NB3]: Amend in line with application form e.g. "career and relevant life history"

Eligibility (Legal Members only)

The eligibility criteria for these appointments are set out in the Parole Board (Scotland) Rules 2001 (S4) :

Legal Members will be either:

- (c) a person who holds or who has held judicial office; or
- (d) a solicitor or advocate of not less than 10 years standing (in Scotland)

You will be asked to confirm your eligibility (in line with the legislation) in the application and explain why you say you are eligible (**up to 100 words**).

Relevant pre-appointment checks may be made.

Legal Members only

Criterion	What we are looking for	How this will be assessed
Ability to chair Tribunals and Oral Hearings	<ul style="list-style-type: none">Ability to chair Tribunals and Oral Hearings and produce written decisions that comply with legal requirements;ability to ensure that all proceedings comply with relevant legal principles, including European Convention rights;ability to ensure that decisions are reached and recorded in accordance with the applicable legal framework;being familiar with the current legal and justice system in Scotland and its requirementsability to enable each panel member to express their views in discussion;ability to facilitate debate and respectful challenge of opposing views;ability to guide the panel to a balanced, reasoned, objective, and impartial decision.	Please provide evidence for this in your application (up to 400 words) . It will also be assessed at the interview stage (if invited).

Commented [NB4]: Amend if required depending on what is said in the application form e.g. "you will be asked to explain the basis on which you meet the eligibility criteria."

General Members only

Criterion	What we are looking for	How this will be assessed
Ability to chair Casework meetings.	<ul style="list-style-type: none">• Ability to chair casework meetings and produce written decisions;• ability to enable each panel member to express their views in discussion;• ability to facilitate debate and respectful challenge of opposing views;• ability to guide the panel to a balanced, reasoned, objective, and impartial decision.	Please provide evidence for this in your application (up to 400 words) It will also be assessed at the interview stage (if invited).

Essential Criteria: Knowledge, Skills, and Personal Qualities / (Legal and General Members)

All applicants must be able to demonstrate

Criterion	What we are looking for	How this will be assessed
Mindset and Motivation: <ul style="list-style-type: none"> Self-reflection and commitment to personal learning and development. An appreciation of public service. 	<ul style="list-style-type: none"> Uses feedback and self-reflection to develop; ability to keep up to date with changing context, guidance, information etc; takes responsibility for own learning and development; ability to act in the interests of the Parole Board Scotland and the public. 	<p>This will be explored in the interview stage (if invited).</p> <p>This section will <u>not</u> be scored, and may be taken into account at final decision stages.</p>
Interest, understanding and enthusiasm for the role, aims, and work of the Parole Board Scotland and ability to contribute to this.	<ul style="list-style-type: none"> Has an understanding and appreciation of the role and work of the Parole Board Scotland; aware of the purposes of parole and public protection. 	<p>This will be assessed at the interview stage (if invited) and may also be drawn from the responses in your application.</p>
Critical analysis and making balanced, reasoned, and sound decisions.	<ul style="list-style-type: none"> Ability to assess and weigh up large amounts of complex evidence, including technical, from a variety of written and oral sources; ability to make balanced, reasoned, objective, and impartial decisions using complex and sometimes conflicting information; ability to evaluate risk and risk management (in the context of Parole Board Scotland) ability to explain and justify the reasoning 	<p>Please provide evidence in your application (up to 400 words). It will also be assessed at the interview stage (if invited), through practical exercise and questions.</p>

	behind the decisions.	
Testing and challenging evidence and opinions.	<ul style="list-style-type: none"> Ability to devise and use questions to obtain and test evidence; ability to explore and debate contrary views in a respectful manner. 	This will be assessed at the interview stage (if invited).
Communicating effectively.	<ul style="list-style-type: none"> Being focussed and succinct; possessing good listening skills; ability to write in a clear, and intelligible manner for different audiences, under time pressure. ability to adapt communication style for different situations, and participants. 	<p>Your written communication skills will be assessed through the written work you submit and your application.</p> <p>Your oral communication skills will be tested throughout the interview stage (if invited).</p>
Interpersonal Skills.	<ul style="list-style-type: none"> Ability to work with a range of people, from a variety of professions and backgrounds; Sensitivity and respect in interactions with, and questioning people from, a variety of backgrounds - including victims, vulnerable adults, and children; ability to set out own position under pressure, whilst working towards consensus; ability to present your position clearly and without conflict; respect conflicting opinions. 	<p>Please provide evidence for the first two indicators of this criterion in your application (up to 400 words). All of the indicators will be assessed at the interview stage (if invited).</p>

APPENDIX 14.2

PRINCIPLES OF PUBLIC LIFE IN SCOTLAND

The key principles are:

Duty

I have a duty to uphold the law and act in accordance with the law and the public trust placed in me. I have a duty to act in the interests of the public body of which I am a member and in accordance with the core functions and duties of that body.

Selflessness

I have a duty to take decisions solely in terms of public interest. I must not act in order to gain financial or other material benefit for myself, family or friends.

Integrity

I must not place myself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence me in the performance of my duties.

Objectivity

I must make decisions solely on merit and in a way that is consistent with the functions of my public body when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.

Accountability and Stewardship

I am accountable to the public for my decisions and actions. I have a duty to consider issues on their merits, taking account of the views of others and I must ensure that my public body uses its resources prudently and in accordance with the law.

Openness

I have a duty to be as open as possible about my decisions and actions, giving reasons for my decisions and restricting information only when the wider public interest clearly demands.

Honesty

I have a duty to act honestly. I must declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

I have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of my public body and its members in conducting public business.

Respect

I must respect all other board members and all employees of my public body and the role they play, treating them with courtesy at all times. Similarly, I must respect members of the public when performing my duties as a board member.