Victim Support Scotland

Voices in justice: Parole Reform in Scotland

Scottish Government Consultation 2025

Victim Support Scotland is a national organisation dedicated to supporting victims and witnesses of crime. As Scotland's largest victims' organisation, people impacted by crime have access to our services right across the country. We are a listening ear when people need to talk to someone about the impact of crime, we provide practical support such as when people need a safety plan to feel secure in their home and we give access to critical crime-related emergency funds in their time of need.

We play a crucial role in delivering victim-centred support, and this in turn drives our forceful and successful lobbying and campaigning for change within the criminal justice system. As an organisation rooted in the experiences of victims and witnesses, we aim to ensure that their voices are central to the development of policy and practice.

Background to the Consultation:

https://consult.gov.scot/justice/voices-in-justice-parole-reform-in-scotland/

The Scottish Government consulted on a broad range of areas centred on parole improvements and parole reform. The consultation invites all people with an interest in parole and wider justice matters to consider the consultation areas and play a direct role in influencing parole policy in Scotland.



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Question 1: Would you support the introduction of a definition that clearly states the purpose of parole in Scotland?

- Yes
- No
- Other
- Not sure / No opinion

Answer:

Yes. Victim Support Scotland (VSS) supports the introduction of a clear statutory definition of the purpose of parole. In VSS's experience, the parole system is often misunderstood, complex, and difficult for victims and families to navigate. Establishing a definition would help clarify what parole is, how decisions are made, and what it means for those affected by crime.

A definition would improve communication with victims and families, help to manage expectations, and promote greater understanding of how parole decisions are reached. This would, in turn, support confidence in the justice system and help to reduce the anxiety that many victims experience when faced with parole processes.

It is essential that any definition is written in plain, accessible language, free from legal or technical terminology. The language used should be inclusive and easily understood by all those who may engage with the parole system, particularly victims, survivors, and bereaved families.

VSS therefore welcomes the introduction of a definition that provides clarity of purpose, promotes transparency, and helps victims and families to understand how parole decisions may affect them.'

Question 2: If the purpose of parole were to be defined in Scotland, what do you feel the defined purpose should include?

Answer:

VSS believes that the defined purpose of parole in Scotland should prioritise the prevention of further harm, supported by effective rehabilitation and robust public protection. It should make explicit that the foremost consideration is public safety, especially the safety and wellbeing of victims, survivors, and their families.

In VSS's view a defined purpose of parole should include the following core elements:

- Risk assessment and public safety: The definition must confirm that decisions on release are made primarily on the basis of a rigorous assessment of risk to the public and to individual victims. The safety, security, and peace of mind of

victims and their families should be integral to this assessment, not considered as an afterthought.

- Rehabilitation and reintegration: Parole should support the rehabilitation of offenders who have demonstrated a sustained commitment to change, while ensuring that reintegration into the community does not compromise the safety of victims or the wider public.
- Prevention of reoffending: The purpose of parole should include reducing the likelihood of further harm by ensuring that individuals released from custody have engaged meaningfully in relevant programmes and support prior to release, and that these interventions are shown to have reduced risk.
- Transparency and accountability: Victims and families should be able to understand how decisions are made, what factors are considered, and why certain outcomes have been reached. This transparency helps to build public trust and to support victims' confidence in the justice process.
- VSS has heard directly from victims and families who express anxiety about parole decisions, particularly in cases involving serious offences or offenders serving long sentences. Many seek reassurance that any decision to release an individual reflects genuine rehabilitation and a clear, evidence-based reduction in risk.

There is much discourse around the inclusion of remorse, or lack of, in determining whether parole should be granted. Currently, parole is considered on the basis of risk alone. VSS does not support the inclusion of subjective measures such as *remorse* as a decisive factor in parole decisions. While expressions of remorse may be noted as part of an individual's broader rehabilitation journey, they should not be treated as determinative in assessing risk or readiness for release.

Victims frequently report that remorse can appear insincere or be easily feigned, and therefore it cannot be regarded as a reliable indicator of risk reduction. Parole decisions should instead be based on objective, measurable factors such as behaviour, engagement with rehabilitation programmes, and demonstrated evidence of change.

Finally, the defined purpose should make clear how victims' and families' views, experiences of risk, and ongoing trauma will be taken into account within the decision-making process. It should also acknowledge the diverse circumstances of those affected by crime, including victims who may support reintegration and those who may fear revictimisation. A well-defined purpose, rooted in safety, accountability, and fairness, would help ensure that parole decisions in Scotland are transparent, trauma-informed, and focused on protecting victims and preventing further harm.

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Question 3. *Should the Parole Board publish full versions of its decision minutes, including detail on the reasons for the decision and the evidence which was heard at the oral hearing, in release and non-release cases?*

- *Yes – in all cases*
- *Yes – but only in certain types of cases (e.g. indeterminate cases, high-profile or public interest)*
- *No – decision summaries are sufficient*
- *Other*
- *Not sure / No opinion*

Answer:

No / Other. VSS supports greater transparency in parole decision-making but believes that full publication of decision minutes in all cases would not be appropriate.

A clear distinction must be made between improving transparency and publishing detailed, potentially distressing or identifying information in the public domain. While victims and their families should be able to access detailed information about decisions that directly affect them, the unrestricted publication of full minutes risks significant harm, particularly where families include children or vulnerable adults, or where details of the offence have not been shared within the family.

VSS therefore recommends a proportionate and victim-centred approach in which:

- Victims and families can request access to full minutes if they wish, supported by a victim support organisation to ensure that the information is communicated in a trauma-informed manner.
- Full minutes are not published publicly online, but redacted or anonymised summaries are made available to support wider public understanding of parole decisions.

Additionally, VSS also welcomes the recently passed Victims, Witnesses and Justice Reform Act which includes a change to sharing reasons why a person has been granted or denied parole, (Victims, Witnesses and Justice Reform (Scotland) Act 2025, Part 3, Section 35(3)).

Victim Support Scotland – Victims' Lived Experience:

One family member reported that in their case, the trial was reported on in the media throughout and they therefore do not see any reason why the hearing should not be reported on in a similar way as there remains a public interest in the case.

Victim support organisations, with consent from the victim, may be granted access to minutes to provide appropriate advice and assistance.

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VSS also suggests that the Parole Board could enhance transparency through the publication of annual or thematic reports summarising trends in decision-making, outcomes, and learning, rather than through the release of individual case details. This would maintain public accountability while minimising the risk of harm to victims, children, and vulnerable adults.

Finally, VSS seeks clarity on whether victims or families could be offered a choice in certain circumstances, such as high-profile cases that are already in the public domain, about whether fuller details of a decision may be published.

In summary, VSS does not support the full publication of parole minutes in all cases but strongly supports measured transparency that protects victims' privacy while promoting confidence in the justice system.

Question 4. To what extent do you feel that information published by the Parole Board (e.g. decisions, summaries, case examples) should be anonymised/redacted?

- ***Not anonymised*** *– decisions should be published in full, including the names of relevant individuals (if appropriate), to promote transparency (this would not be absolute, and redactions considered on a case-by-case basis)*
- ***De-identified*** *– decisions should be published with straightforward identifying details like names and addresses removed.*
- ***Anonymised*** *– decisions should only be published with all potentially identifying information removed, so that nothing about the case, evidence or sentence mentioned in the decision could be used in combination with information from other sources, to identify anyone.*
- ***Other***
- ***Not sure / No opinion***

Answer:

The answer to this question should be read alongside the answer to Question 3 as both relate to transparency and publication of information by the Parole Board for Scotland.

Anonymised - *decisions should only be published with all potentially identifying information removed, so that nothing about the case, evidence or sentence mentioned in the decision could be used in combination with information from other sources, to identify anyone*

VSS believes that any information published by the Parole Board should always be anonymised and redacted to remove all identifying details relating to any individual

involved in a case. This includes victims, survivors, their families, children, vulnerable adults, and the person in custody. An anonymised approach would help to ensure that no information published could reasonably be used, either alone or in combination with other publicly available data, to identify individuals involved in a parole decision. It would also ensure consistency and fairness across all published materials.

We recognise that in high profile cases, full anonymity may be difficult to achieve where names and details are already in the public domain. In these instances, VSS would expect the Parole Board to apply enhanced safeguards, consulting victims and families before any further information is released and ensuring that their preferences and safety concerns are prioritised. Victims and families should also have the option to receive advance notice of any publication and the opportunity to seek support from a victim support organisation if they wish.

VSS recognises the value of transparency in helping the public to understand how parole decisions are reached. However, this must be achieved in a way that upholds the safety and dignity of those affected by crime. Publishing anonymised and redacted summaries or decisions would meet this aim, allowing for public accountability while safeguarding victims and their families.

In shaping any new policy on publication, VSS encourages the Parole Board to draw on practice from other jurisdictions. For example, the Rook Topolski Transparency Review (2025) recommended that the Parole Board for England and Wales transition towards publishing redacted decisions, noting the strong case for victims who have attended hearings to receive fuller redacted information rather than brief summaries.

VSS therefore supports the publication of anonymised and redacted decisions that balance openness with protection. Transparency should never come at the expense of victims' safety, privacy, or emotional wellbeing.

Question 5. Should the Parole Board publish more detailed information about how their decisions are reached (e.g. guidance, criteria, case studies)?

- *Yes*
- *No*
- *Other*
- *Not sure / No opinion*

Answer:

Yes. VSS supports the publication of more detailed and accessible information explaining how parole decisions are reached. This would improve understanding among victims, families, and the wider public, and help to build confidence in the fairness and consistency of the process.

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Victim Support Scotland – Victims' Lived Experience:

One family member told is that the current parole system gives a false indication that victims can influence and are listened to. They as that, if this is unachievable due to the complex interconnected system that also involves perpetrators' rights – then it should be ensured that this is clearly laid out and is transparent when attempting to involve victims and families in the process.

The focus of any published material should be on general information about the Parole Board's decision-making process, such as guidance, criteria, and the factors that panels must consider. This should not extend to publishing identifiable or detailed case studies, which could cause unnecessary distress or confusion for victims and families.

Revealing individual case studies may also cause anxiety for some victims. For example, if a victim were to read a case study describing a crime similar to their own experience, they may assume that the same outcome, whether release or refusal of release, will occur in their case. This speculation can heighten fear and distress, undermining the sense of stability and reassurance that victims need when engaging with the justice system.

VSS strongly believes that detailed information about how decisions are made should be available to victims and families, and, with the victim's consent, to victim support organisations. This enables victims to understand what is being considered, how their representations are taken into account, and what safeguards are in place to protect them.

VSS also encourages the Parole Board to provide clear explanations when specific conditions requested by victims or families are not applied to a licence, such as exclusion zones. Victims frequently report frustration and distress when they are not informed of the reasons behind these decisions. Providing a clear rationale would help victims to feel heard and respected and would demonstrate accountability.

In summary, VSS supports enhanced transparency through the publication of clear, general information about parole decision-making, provided this does not involve identifiable or detailed case examples. The key principle should be to inform without harming, ensuring that openness and understanding are achieved in ways that protect victims and their families.

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Question 6. Which format do you feel is the most appropriate for victims/survivors to receive initial information about parole eligibility of the person in the case?

- Letter
- Email
- Phone call
- Video call
- In person
- Not sure / No opinion
- Other, please specify

Answer:

Letter, email, phone call, video call, in person.

Victim Support Scotland feels that a variety of options and choice should be offered to victims/survivors to receive information, including the choice to receive information via several methods. Whichever method is selected by the victim, survivor or family, it should be trauma-informed, timely and supported. These include:

- Letter/email written in a trauma-informed manner, preceded by notice that it is coming.
- Supported conversation with a victim support organisation
- Phone call.

Victim Support Scotland cautions that victims at risk of not being informed about parole eligibility or offered support if they are not currently signed up to the Victim Notification Scheme. The changes recommended for the Victim Notification Scheme made over three years ago are of a critical nature. It is our hope that these are urgently addressed and implemented separately and via the Victims, Witnesses and Justice Reform Act.

With further regard to the Victim Notification Scheme, families of victims have stated that they would like for the VNS to be extended in who can be registered. Currently, only parents and children (but not siblings) are allowed to be registered with the VNS. In situations where the parents and children are unable to interact with the VNS systems – such as through old age, families have let us know that their elderly parents wish for their other children to be the point of contact. We would therefore like to see the VNS extended so that siblings and close relatives can be points of contact. One family member offered the following explanation for extending the Scheme:

- Opening the scheme up to grandparents – as grandparents often raise children in the absence of parents

- Siblings of the deceased – often they take responsibility and shoulder the burden of a death of a sibling. This family member also expressed that it makes little sense that they are legally required to be a witness but have no entitlement to information via the VNS.

What is crucial, is that the victims and their families are swiftly made aware of any updates regarding a perpetrator, to allow them time to process before it may enter the public domain. The time delays that can come with letter communication can mean that families may find out important information via the media before justice agencies get in touch. For example, families might find out about the death of a prisoner from the media. In situations where there has been non-disclosure of location of remains, finding out from the media, about the death of the preparator and subsequently, potentially never learning the location of their loved one, has the potential to cause a huge and long-lasting emotional impact.

Victim Support Scotland – Victims' Lived Experience:

One Victim Support Scotland Support Coordinator reported that a victim she had been working with stated that the process of parole and creating representations is quite upsetting, both in the lead up and after it is complete.

VSS recently spoke with two victims who stated that they would like to receive information via at least two methods of communication. VSS strongly supports their asks for a victim's preferred method/s of contact to be noted and respected when contacting them regarding a parole hearing. Further suggestions made during these conversations are outlined below:

- *Receiving a one-page briefing letter that lets you know that the request for a representation letter or a parole hearing letter is imminent would be beneficial. This one-page letter should be victim-focused and acknowledge the stressful nature of the situation for the victim and family.*
- *Being able to speak with someone ahead of a letter, explaining the process and why a prisoner is eligible for parole would be appreciated. This would add a human aspect to the process.*

A VSS Support Coordinator reported timescales for the process are a cause of concern for victims she has worked with. One victim raised that repeatedly being asked to resubmit representations when nothing has changed is bothersome. Furthermore, the lengthy process can cause a great deal of anxiety whilst waiting to hear on an outcome, and hearing dates being changed at short notice is worrying.

Additionally, Victim Support Scotland feels that the process lacks a trauma-informed approach. We have heard from victims and families that receiving a letter out of the blue, for example, 20 years after an offender was sent to prison, is incredibly jarring for

victims and families as they are suddenly faced again with the offender's name and the possibility of them being released.

> *A member of Victim Support Scotland's Support for Families Bereaved by Crime (SFBC) Service reported a family stating that "by the time a parole hearing comes around, you have gotten to a place where you have you have already been navigating life without your loved one, but when the hearing comes around you are thrown into another difficult headspace."*

Additional comments received by Victim Support Scotland on how the process affects them include:

- *'It feels like you trying everything [to deal with impact of the crime]. The stress of completing representations brings it all back. I have had repeated illnesses as a result of the stress of the parole process.'*
- *'The parole process brings it all back again, the nightmares come back. It is hard to go out the door again. It is hard to find the words for the representations. I am determined to get it done but it is very hard to do the form.'*

We have also repeatedly heard that it is not made clear where to access support from victim support organisations. It has been raised that support information gets lost within text of letters; the information pages victims are directed to are overwhelming and it should be made clearer where you can go to ask questions and have someone available to answer. In contrast, the parole board number provided on the letters is answered via answering machine.

Victim Support Scotland would therefore like to see a more overt and active referral process in which victim support organisations are involved at every step to provide the necessary tailored support for victims. This is also necessary so that the responsibility is not placed on the victim or family to access the support they deserve.

Ensuring victims can easily access the representation form is also very important.

> ***Victim Support Scotland – Victims' Lived Experience:***
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> *Victim Support Scotland has been made aware from victims that the paper form that is posted to victims and families to write their representations on, is limited in that there is not enough space on the one sheet of paper and more than one page is required. Following this, there is no return envelope or stamp provided to return the form. Victims have raised that this is problematic as not everyone will be able to afford to do this.*

Digital submission of the representation form should be available as an option and the form should allow people to type directly into the form. One person also stated that

submission via a digital method would allow for receipt of submission to be generated, something that is not provided with the paper form.

Question 7. Are there any changes you would you like to see in how much information in parole cases is shared with victims?

Answer:

Yes. VSS believes that victims should receive clear, consistent, and comprehensive information about parole cases that affect them, delivered in a way that supports understanding and emotional wellbeing. Access to information should be recognised as a fundamental right for victims, rather than something dependent on administrative discretion or case type.

Currently, when accessing the information victims need, the Victims and Witnesses (Scotland) Act 2014 states victims will:

- have access to relevant information early on and at appropriate points in the process, including:
  - about procedures and their role in them (if any)
  - progress reports with an explanation of any delays
  - the outcome of any court action
  - where they can get other information and support
- be able to understand the information they get – so the language should be easy to understand, and the information should be available in alternative languages or formats if you need them
- be told who to contact if you want to talk about the information, you've been given and get an explanation of anything you don't understand

While these provisions are welcome, in practice victims often experience confusion, inconsistent communication, and difficulty accessing the information they need. This can lead to distress and feelings of exclusion from decisions that directly affect their safety and recovery. VSS recommends three key improvements:

1. Access: Victims should be able to nominate a victim support organisation to receive and interpret information on their behalf, if they wish. This would allow for supported conversations about what has been shared, what it means in practice, and what steps can be taken next.
2. Clarity: All communication should use plain, trauma-informed language and explain the reasons behind decisions in straightforward terms. This includes clear explanations when representations from victims or families are not reflected in parole outcomes or licence conditions. One family member explained to us that they would like to see 'tailored packages' for victims and families so that they are not overloaded with information about a variety of

scenarios. This would provide them with a 'personal roadmap' corresponding to the crime committed in their situation.

3. Support: Every piece of communication should contain a clear offer of referral to victim support services. The responsibility for initiating support should rest with the Parole Board and other justice agencies, not with victims themselves.

Improving the way information is shared would help victims to feel respected, informed, and better able to engage with the parole process. It would also support the principles of trauma-informed practice and transparency that underpin a fair and compassionate justice system.

Question 8. Should victims/survivors, who are registered under the VNS, have the automatic right to attend and observe oral hearings?

- Yes, there should be automatic rights to attend and observe oral hearings.
- No, the current arrangement where victims/survivors request to attend is appropriate.
- Other
- Not sure / No opinion

Answer:

Yes. VSS believes that victims and survivors should have an automatic right to attend and observe oral hearings and should also have the opportunity to make oral representations to the Parole Board where they wish to do so. Attendance should be optional but guaranteed as a right, supported by appropriate preparation, safeguards, and emotional support before and after the hearing.

At present, victims must request permission to observe hearings, and only those in certain cases, such as life sentences or Orders for Lifelong Restriction, may provide oral representations. VSS believes this framework is restrictive and inconsistent with the principles of fairness, transparency, and equality. We therefore advocate for an automatic right to attend and observe hearings for all victims, and for the right to make oral representations to be extended to all victims, as set out in our response to Question 11.

All victims should be provided with a clear timetable of proceedings, including the opportunity to change their decision about attending or participating. Some victims may initially choose not to attend but later decide that observing or speaking at the hearing would help them feel informed or regain a sense of agency.

Victims and families must receive practical information about what attendance involves. Observing an oral hearing generally means taking part remotely via video link, without camera or microphone enabled, while those making oral representations may

do so either in person or by secure remote connection. It should be made clear that both observing and speaking at a hearing can be emotionally challenging, and that trauma-informed support will be available before, during, and after the process.

VSS recommends that attendance should not be restricted to those registered under the Victim Notification Scheme (VNS). Many victims who have legitimate safety concerns or a strong interest in the case are not registered, often due to lack of awareness or administrative barriers. Reforms to the VNS should ensure that these victims are not excluded. It is our hope that through the Victims, Witnesses and Justice Reform Act that these outstanding changes to the VNS are implemented swiftly and efficiently.

Practical barriers must also be addressed. Expenses for travel, childcare, or other attendance-related costs should be covered so that victims are not financially disadvantaged for exercising their rights.

To make attendance safe and accessible, VSS can facilitate participation using our network of remote evidence suites, currently established in Glasgow and Edinburgh and being rolled out across Scotland. These suites provide private, trauma-informed settings where victims and families can observe hearings or give oral representations remotely, supported by trained VSS staff and volunteers. This ensures that victims can take part in a secure environment designed to reduce anxiety and make the process as manageable as possible.

> ***Victim Support Scotland – Victims' Lived Experience:***
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> *Victim Support Scotland recently attended a hearing at a fire station with a family who were making representations. The fire station was an unsuitable location for the hearing to take place in as there were regular, frequent and loud announcements and alarms occurring whilst family members were sharing deeply personal views on the murder of their family member.*
>
> *In another case, a hearing took place in a building also used for community service programmes, meaning victims encountered offenders on-site.*

Both examples demonstrate the urgent need for appropriate and respectful venues that safeguard the dignity and emotional safety of victims and families. *One family told VSS:*

"We wanted to be there, but the setting made it so much harder. It felt like an afterthought, not a serious space for justice."

These experiences highlight the need for trauma-informed venues, trained staff and volunteers, and emotional preparation before and after attendance. Victims who

choose to attend should have access to immediate and follow-up support to help them process what they have seen and heard.

In conclusion, VSS believes that all victims should have an automatic right to attend and observe oral hearings, and that the right to make oral representations should be extended to all victims, regardless of sentence type. These rights must be supported by safe and trauma-informed environments, clear communication, and access to trained support staff and volunteers. VSS's remote evidence suites demonstrate how this can be achieved in practice, offering victims a secure and supportive setting to engage meaningfully with the parole process. Ensuring these rights and supports would affirm victims' dignity, promote fairness, and strengthen trust in the parole system.

Question 9. Should all victims / survivors — regardless of the type of sentence the person in custody is serving — have the right to request to observe a parole board oral hearing if one is held?

- Yes – every victim/survivor should have the right to request to observe an oral hearing relating to the person who committed the crime against them.
- No – Only victims/survivors in the most serious cases should have the right to request to observe an oral hearing.
- Other
- Not sure / No opinion

Answer:

Yes –VSS believes that every victim and survivor should have the right to observe a parole hearing relating to the person who committed the crime against them, regardless of the sentence type.

At present, the ability to observe a hearing is limited to certain cases, such as life sentences or Orders for Lifelong Restriction, and requires the victim to submit a formal request for permission. VSS considers this approach restrictive and inconsistent with the principles of fairness, transparency, and inclusion. Victims should not be required to apply to observe proceedings that directly affect their safety, wellbeing, and confidence in the justice system.

VSS therefore advocates for an automatic right to observe parole hearings for all victims, with safeguards to ensure that this is offered in a trauma-informed and supported way. Victims should continue to have a choice about whether or not to observe, and should be fully briefed on what observation involves, including how it will be delivered and what support is available before, during, and after the hearing.

The introduction of an automatic right to observe would:

- Recognise the legitimate interest that all victims have in parole decisions that may affect them.
- Ensure equality of treatment between victims of different sentence types.
- Strengthen transparency and accountability within the parole system.
- Reinforce the victim's place as an informed participant in the justice process, rather than a passive observer.

VSS emphasises that this proposal relates specifically to the right to observe hearings. It does not extend or alter the existing eligibility rules for oral representations, which currently apply only to life sentence and OLR cases.

> ***Victim Support Scotland – Victims' Lived Experience:***
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> *VSS has heard from one victim that feels that 'knowing what is happening around the prisoner is power.'*

This reflects a broader view shared by many victims that access to information and visibility of proceedings helps them feel safer and more in control.

Transparency, when delivered safely and sensitively, can restore a degree of confidence in the justice system for victims who have often felt excluded from critical decisions. Ensuring that all victims have an automatic right to observe parole hearings would therefore represent a fair, proportionate, and trauma-informed evolution of current practice.

Question 10. Who else, if anyone, do you think should have access to parole hearings? (Select all that apply)

- No-one beyond the victim (or, where a victim has died, specified members of their family)
- Members of the public
- Accredited journalists or media
- Legal professionals and researchers
- Social workers
- Other professionals for training purposes
- Other, please specify
- Not sure / No opinion

Answer:

Accredited Media, Social workers, other professionals and other - Victim Support Organisations.

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VSS believes that attendance at parole hearings should be restricted and carefully managed to protect the privacy, safety, and wellbeing of victims, survivors, and their families.

In addition to the victim and, where appropriate, their family members, VSS supports attendance by:

- Victim support organisations, where invited by the victim to provide emotional and practical support. These organisations bring specialist knowledge of trauma and can ensure that victims are fully supported before, during, and after the hearing.
- Relevant professionals, such as social workers or trainee professionals who are directly involved in justice or rehabilitation work, but only where attendance serves a clear educational or professional development purpose and the victim has given informed consent.

Currently, it is not automatic that a victim support organisation can attend a parole hearing alongside a victim or on their behalf. VSS strongly believes that this should be permitted as standard practice where the victim requests it. Without this support, victims are often left to navigate a complex and distressing process alone.

VSS recognises that some victims have expressed differing views. For example, one family told VSS that they would welcome accredited press attending hearings in high-profile cases to promote transparency, while another victim stated that they would not want any public or media presence. These perspectives highlight the importance of maintaining victim choice and ensuring that any attendance by others is proportionate, justified, and always guided by the victim's wishes.

Overall VSS supports attendance only by those whose presence serves a legitimate and trauma-informed purpose. Public or media access should not be routine, as this could risk retraumatising victims or undermining the confidentiality and dignity of proceedings.

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Question 11. Should all victims — regardless of the type of sentence the person in custody is serving — have the right to give oral representations to the Parole Board for Scotland ahead of the Parole Board considering a case?

- Yes – every victim should have the right to give oral representation to the Parole Board for Scotland
- No – the current approach is appropriate. Only victims in the most serious cases should be able to give oral representation to the Parole Board for Scotland
- Other
- Not sure / No opinion

Answer:

Yes - every victim should have the right to give oral representation to the Parole Board for Scotland, *regardless of the type of sentence imposed on the person in custody*.

At present, only victims in certain cases, such as life sentences or Orders for Lifelong Restriction, may provide oral representations. VSS believes that this distinction creates an inequitable system in which some victims can give voice to their concerns directly, while others are limited to written submissions. The opportunity to be heard should not depend on the sentence type or offence classification, but on the principle of fairness and the impact the crime has had on the victim.

Allowing all victims the right to make oral representations would:

- Promote equality of treatment and access to justice for all victims.
- Enable victims to express the continuing impact of the offence in their own words.
- Provide the Parole Board with fuller insight into risk, harm, and public safety considerations.
- Strengthen victims' sense of agency and trust in the justice system.

This right must be supported by clear information, accessible options, and trauma-informed practice. Victims should be able to choose whether to make oral representations and to do so safely, either in person or remotely. They should also be able to request that a trained support worker from a victim support organisation, attend with them. The engagement of support organisations provides an acknowledgement by the Parole Board Scotland of the difficulty for victims to attend and make representations, creating a more supportive environment for victims and their families.

VSS's remote evidence suites in Glasgow and Edinburgh, and new facilities being developed across Scotland, can provide safe and confidential spaces for victims to make oral representations by video link. These settings ensure privacy, emotional support, and technical reliability, helping victims to participate fully and securely.

As an additional option, VSS recommends exploring the use of pre-recorded video testimony for victims who wish to make oral representations but may be unable or unwilling to attend a live hearing or observe remotely in real time. While this approach is used in criminal trials in Scotland and other jurisdictions to support vulnerable witnesses, it is not currently a feature of the Scottish parole system. If introduced, it should be offered as an optional measure alongside live or remote participation, supported by clear guidance, trauma-informed preparation, and the use of secure and private facilities such as VSS's remote evidence suites. VSS would welcome a pilot or review of this option to assess its potential to improve victim wellbeing and equitable access to the parole process.

> ***Victim Support Scotland – Victims' Lived Experience:***
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> *VSS support workers report that the current system is not easy for victims to engage with. Victims often describe the forms used for written representations as too short and restrictive, making it difficult to express their experiences fully.*

Providing an oral option would allow victims to speak in their own voice, supported by a trauma-informed professional, and to feel that their contribution genuinely matters, therefore avoiding the restrictions described above with the written form. As well as improvements made to expand the format of submitting written representations, the choice to give a representation orally should also be an option.

VSS supports extending the right to make oral representations to all victims, regardless of sentence type. This would promote fairness, improve understanding of risk and impact, and help ensure that victims' voices are heard and respected in every parole decision.

Question 12. What information do you feel is most important for victims to receive, in order to support their understanding of, and engagement with, the parole process?

Answer:

VSS believes that victims and their families must receive clear, timely, and trauma-informed information at every stage of the parole process.

Currently, VSS feels that victims of crime and their families often do not understand where they fit into the parole process or even understand the process as a whole. This is compounded by the sudden emergence of a long and complex process so, ensuring that victims understand the legal process, their rights, key timelines, available support, and who can see their information is essential to creating a trauma-informed parole system.

Victim Support Scotland – Victims' Lived Experience: the following quotes are useful in demonstrating lived experience of the parole process for victims:

'As a victim it is like you are subhuman, it is like you lose your identity. They [justice agencies] don't think about victims, they don't see you the same.'

'It is the same theme at meetings, when they [government ministers and justice officials] listen to stories, they just don't care. They just see victims as a category.'

'Getting prisoners out seems often about money and overcrowding. You need to be in the victims' shoes to understand the effect on their life.'

Victims should be provided with:

- A clear overview of the parole process, including how and when decisions are made and who is involved.
- Details of their rights, including how to make written or oral representations, how to request to observe a hearing, and what choices they have about participation. This must include ensuring that the person/family is aware that attending an oral hearing does not mean they will be physically present in a room with all involved.
    - Being in a room physically and being in a room elsewhere are very different experiences and would provoke different feelings in victims. However, we make it clear that being in a different location does not mean all fear and anxiety is removed from the victim or family.
- Plain-language explanations of decisions, including why parole was granted or refused and the reasons for specific licence conditions.
- Ongoing contact and updates, including notice of changes to dates or processes, and opportunities to seek clarification.
- Accessible routes to support, with direct and active referrals to specialist services such as VSS.
- When victims receive this information early and consistently, they are better prepared, feel more secure, and are more able to engage meaningfully in the process.

Victim Support Scotland – Victims' Lived Experience:

One VSS Support Service Coordinator worked with a victim after they had received a letter regarding a parole hearing. They did not know what parole was and self-referred to Victim Support Scotland for support. They presented to

Victim Support Scotland with stress due to the unknown nature of parole itself and the process they would have to engage with.

One victim who has experience of parole hearings stated - 'In hearings currently they sometimes switch off screen to victim for a private conversation with the prisoner. There should be the same right for the victim to ask to switch off screen to the prisoner when don't want prisoner to hear info they are saying.'

Another family member stated that during the police investigation, they were allocated a liaison officer and that something similar to this would be helpful when they engage with the parole process. They further stated that they feel lucky to have the support of VSS, but there are other families and victims who are not registered with VSS – usually due to lack of awareness.

The criminal justice system, especially the parole process, is very complex and in VSS's experience can result in victims questioning why a system cannot be more focused on their needs. Victims frequently question why they are asked to repeat submissions when nothing has changed. Some are unsure whether they can resubmit the same representation or how a representation differs from a victim impact statement. VSS's Support for Families Bereaved by Crime (SFBC) service regularly assists victims who are unclear that their representation may be shared with the offender.

Victims have also expressed distress about inconsistency in confidentiality protections. Where Rule 9 has been invoked to keep a representation private in one hearing, that agreement does not automatically carry over to subsequent hearings. This lack of continuity causes confusion and anxiety.

Families have raised further concerns about what happens if a victim passes away or loses capacity, and how ongoing risk to other family members, particularly children, will be considered in such cases.

<u>Improving How Information Is Shared</u>

The method of communication is as important as the content. Victims report that receiving a letter without warning can be deeply unsettling, especially many years after a conviction. They value supported, personal contact that helps them prepare emotionally.

Information should be provided as part of a supported journey, where staff and volunteers and volunteers from a victim support organisation maintain regular contact, provide explanations, and adapt communication to the individual's needs. This approach also ensures accessibility for people with literacy challenges, neurodiversity, or other communication needs. What must also be addressed and a concern that we

have heard from families is that if they make a request for certain information and that request is refused, they should be given an explanation as to why they have been refused that information. They feel that currently, there is a 'cloak of secrecy' around the parole system which leaves victims and families feeling 'locked out.'

Victims should be given information that is clear, consistent, and compassionate. They need to understand how the parole process works, what their rights are, and how to access support. Communication should be timely, tailored, and trauma-informed, with continued involvement of victim support organisations throughout. Ensuring that information is provided with empathy and clarity is one of the most powerful ways to build trust and dignity for victims in the parole process.

Question 13. How could digital tools (e.g. videos, podcasts, online updates) be used to improve people's understanding and experience of the parole process?

Answer:

In our increasingly digitised world, VSS recognises that digital tools can play an important role in improving public and victim understanding of the parole process, provided they are used to complement, not replace, trauma-informed human support.

Clear, accessible online resources such as explainer videos, interactive timelines, and podcasts could help victims and families understand what parole is, who is involved, and what to expect at each stage. These resources could be especially valuable for those newly engaging with the system or for people who wish to access information privately before seeking support.

Digital tools could include:

- Short, accessible videos explaining the parole process, rights, and stages of decision-making.
- Online updates or secure digital portals where victims can track key dates, request information, or access guidance.
- Audio resources or podcasts featuring professionals and support staff and volunteers explaining complex terms in plain language.
- Content that includes victims' voices, ensuring the materials are supportive, relatable, and authentic.
    - These voices could be presented directly, or through anonymised testimony and actors, so that others using the tools can benefit from the experiences of those who have gone before them.

This approach would help to ensure that digital resources are developed in a victim-centred and empathetic way, rather than purely informational. Hearing from others who have experienced the parole process can reduce isolation and anxiety and can help prepare victims for what to expect. However, VSS strongly emphasises that digital information alone is not sufficient. Many victims find online materials overwhelming, confusing, or distressing to navigate, particularly when they are already anxious or traumatised. Some victims also face barriers to digital access, such as limited internet connectivity, lack of devices, or low confidence using technology.

Victim Support Scotland reiterates that the power of an intentional conversation must never be underestimated - digital-only communication often leaves victims feeling isolated. There is the risk that simply providing a victim with a video, podcast or online updates to explain parole may put the responsibility on the victim to ask any follow-up questions. If these methods were to be complemented by supported conversation, any follow-up can be led by the support worker who is more equipped to lead discussion.

> ***Victim Support Scotland Experience:***
>
> *One SFBC Support Worker has stated that they feel that it would be good to have someone from a justice agency sit down with people to explain that a parole hearing is scheduled and what it is.*

This feedback highlights the power of intentional, supported conversation. Digital tools can introduce information, but victims often need a support worker to help interpret it and manage the emotional impact of what they learn. Recommendations:

- Digital tools should be co-designed with victims to ensure they are accessible, accurate, and sensitive.
- Every digital communication should include a clear offer of follow-up support, directing victims to trained staff or organisations such as VSS.
- Videos and online materials should use plain language and offer subtitles, translations, and accessibility features such as voiceover or large text.
- Where possible, victims should be able to review digital materials with a support worker to ensure understanding and emotional safety.
- The Parole Board should pilot a digital information hub with feedback from victims and support workers before wider rollout.
- Digital tools have strong potential to improve awareness and transparency, but they must operate within a framework of empathy, accessibility, and human connection. As one VSS staff member said, *"The power of an intentional conversation must never be underestimated."*

Victim Support Scotland

Question 14. Do you have any other suggestions for improving communication, transparency, or information sharing in the parole system?

Answer:

VSS believes that improvements to communication, transparency, and information sharing in the parole system must be based on clarity, consistency, and compassion. Victims and families frequently describe the parole process as opaque and unpredictable. Simple, practical changes to communication could make a significant difference to their confidence and sense of safety. As previously stated, what is crucial here is that victims and families do not receive information through the media. It must be personally communicated to them first to afford them the opportunity to ask questions and process the information before it becomes public knowledge.

1. Promote clear pathways to support

More must be done to ensure victims are aware of, and can easily access, the support available to them throughout the parole process. This requires a shift from passive signposting to active referral-making, where the Parole Board or justice partners directly connect victims to support services such as VSS, with their consent. Information about support should appear in every letter and email but should also be followed by an offer to make contact on the victim's behalf.

One victim told VSS that they had received detailing a change of date for a parole hearing that did contain Victim Support Scotland's details. Whilst we recognise the helpfulness of this, in this situation the responsibility to pick up the phone was put back on the victim.

Active referral-making would demonstrate care, reduce barriers to access, and ensure that victims are supported rather than left to seek help alone.

2. Ensure there are clear, appropriate, and manageable timescales

Victims regularly report distress arising from unclear or unpredictable timescales for parole hearings. They often receive correspondence at unexpected times, either long before or shortly before a hearing, leaving them anxious and unprepared.

> ***Victim Support Scotland – Victims' Lived Experience:***
>
> *The SFBC team heard from one family who received a letter in winter notifying them of a parole hearing taking place in summer. They were unaware that the letter would come so early and subsequently felt it came out of the blue.*
>
> *VSS has further heard of experience where a request for a representation letter has been delayed which give victims and families a short timeline to reply.*

VSS is also aware of at least one case in which a victim received the submission form on a Friday that was due on the Monday. In addition, this was over the weekend when there are less opportunities to access support to formulate their response.

VSS recommends that all communications include reasonable and predictable timescales, and that victims are given advance notice before any official correspondence about parole is issued. A short phone call or letter explaining that information is forthcoming would help victims prepare emotionally and practically.

3. Trauma-Informed Communication and Consistency

All correspondence relating to parole should be written in plain, compassionate language and acknowledge the emotional impact of receiving information about parole. Letters should include a named contact for follow-up and be designed in collaboration with victims and support organisations to ensure accessibility and sensitivity.

Victims have reported being re-traumatised by receiving letters without explanation or context, particularly many years after an offence. The tone and layout of written communication should therefore be reviewed to promote understanding rather than anxiety

Additionally, VSS staff and volunteers also report inconsistencies in applying Rule 9, which allows representations to be withheld from the offender. Agreements made for one hearing do not always carry over to later hearings, leaving victims feeling unprotected. This safeguard should automatically continue unless the victim chooses otherwise.

The right to provide representations, whether written or orally, should be complemented by the right of the victim to dictate what information is made available to an offender who is being considered for Parole. This is currently provided for under Rule 9 of the Parole Board Rules, and feedback would suggest that this right should be clearly communicated as an option to all victims and families who are providing representations. VSS would raise the concern that currently this is not being communicated well enough to people providing representations.

It is clear that the Parole Board requires victim testimonies in order to understand the full risk potential of an individual, and so all parts of a representation should be available to the Parole Board to utilise in their decision making. However, there may be aspects of a representation that should be kept private from an offender to respect the safety and privacy of the victim. If this is requested by a victim or their family, the request should be honoured in order to follow a trauma informed approach.

Victim Support Scotland – Victims' Lived Experience:

> One victim being supported by VSS stated that the thought of their testimony being seen or heard by the offender is very triggering. They do not want the offender to know anything about their situation or even their feelings about them. This is to remove any chance of the offender feeling powerful due to the feelings of the victim and to prevent them being able to use any of the information provided by the victim as a resource to locate them or their family.

The above experience demonstrates that the ask for certain information in a victim representation to be withheld from the offender is a trauma informed one and is necessary to reduce the risk of retraumatisation of victims and families and must be clearly communicated as an option. This relatively simple step will also help to give power to victims and families in such tough situations and remove additional anxiety about what information has access to.

Summary:

- Improving communication and transparency in the parole system requires more than proactive communication. It demands a commitment to active connection, ensuring that victims are informed, referred to support, and treated with dignity at every stage.
- Support should be offered automatically, with the option for direct referral to VSS and other services.
- Timescales should be predictable, reasonable, and clearly communicated.
- All correspondence should be trauma-informed, co-designed with victims, and consistent across cases. Small, trauma-informed changes in communication practice could make a transformative difference to victims' experiences, helping to restore trust and confidence in Scotland's parole system.

Question 15. Do you support the introduction of a single over-arching, statutory test for release that would apply to all cases considered for release by the Parole Board?

- Yes – I support a single test for all cases.
- No – I believe different tests should continue to apply depending on sentence type.
- Other
- Not sure / No opinion

Answer:

No. VSS does not support the introduction of a single overarching statutory test for release. While a consistent baseline for decision-making is important, each case

should continue to be assessed according to the nature of the sentence, the offence, and the individual circumstances involved.

VSS would support the development of minimum statutory criteria that apply across all cases, ensuring that every parole decision is guided by the same core consideration: the safety, security, and wellbeing of victims, survivors, and the wider public. Beyond that baseline, different sentence types should allow for additional, tailored criteria that reflect the complexity of each case.

A single test risks oversimplifying decisions that are inherently complex and personal. Victims and families need to be confident that their individual experiences, fears, and ongoing risks are not reduced to a formulaic or one-size-fits-all assessment. Parole decisions should continue to reflect the unique context of each crime, the impact on victims, and the degree of rehabilitation demonstrated by the offender.

VSS has heard from victims and families that confidence in the parole system is built not only on fairness and transparency but also on assurance that safety remains the overriding principle. Victims need to know that their voices and lived experiences contribute meaningfully to decisions about release.

In summary, VSS supports consistency in the standards used to assess release but opposes a single overarching statutory test. The system should combine a common minimum threshold for public and victim safety with tailored, case-specific consideration of the offence, the sentence, and the people affected by it.

Question 16. Regardless of whether a single test is introduced, or the current process is retained, should the test(s) for release from custody continue to focus solely on risk, or should they be amended to also consider a person's readiness to reintegrate into the community?

- The test(s) should continue to be based solely on risk assessment.
- The test(s) should combine risk assessment with an individual's readiness to reintegrate.
- Other
- Not sure / No opinion

Answer:

Yes - decisions about release should be based on both risk and readiness for reintegration, considered together with the safety, security, and wellbeing of victims and their families.

Assessing risk alone provides an incomplete picture. Parole decisions must also consider whether an individual has demonstrated genuine rehabilitation, accountability for their actions, and readiness to reintegrate safely into the community. Readiness

should be defined clearly and assessed against transparent, evidence-based criteria, including engagement with rehabilitation programmes, participation in offence-related work, and demonstrated behavioural change.

At the same time, VSS recognises that the concept of "readiness" can be subjective. It should therefore be applied with care, supported by objective measures and professional assessment. Decisions should be made in consultation with relevant agencies and with full consideration of the impact on victims and families.

> ***Victim Support Scotland – Victims' Lived Experience:***
>
> *"If withholding information was part of their original crime, and they still will not tell the truth years later, they cannot be ready for release."*

Victims have also expressed a strong desire to understand what steps the offender has taken towards rehabilitation. Knowing that an offender has completed required programmes, met behavioural targets, or engaged meaningfully with support helps victims feel more secure and informed about the process.

Readiness must also take into account the practical realities of modern life. For example, a person who has been in custody for decades may lack essential skills for daily living, such as using technology, managing housing, or building safe relationships. Support to address these areas should be part of reintegration planning, both for public safety and for victims' peace of mind.

In assessing readiness, the Parole Board should continue to give significant weight to information from victims and families about the potential risks they may face upon the offender's release. Children connected to victims or offenders are particularly vulnerable, and their safety must be a central consideration in all decisions.

VSS supports a balanced test that considers risk, readiness, and the impact on victims and families. This approach would recognise that successful reintegration cannot be achieved without accountability, rehabilitation, and the assurance of safety for those harmed by crime.

Question 17. Do you have any other views on the assessment and decision-making process around release – for example, other aims that should be reflected, improvements that could be made, or changes in how risk is considered?

Answer:

Victim Support Scotland

VSS welcomes the strengthening of language in the Victims, Witnesses and Justice Reform (VWJR) Act 2025 from 'may' to 'must' when considering the safety and security of victims and their families when making decisions about release. This change represents an important step in embedding victim safety as a core principle of justice in Scotland.

However, further progress is needed to ensure that victims' perspectives and experiences consistently inform how risk is assessed and managed.

1. Victim Safety and Risk Assessment

Victims and families must be confident that decisions about release are based on a full understanding of the risks posed to them. These risks extend beyond physical harm to include the psychological and emotional impact of potential contact or proximity to the offender.

VSS has supported many victims who fear re-traumatisation if the offender were to return to the same community or workplace. Current assessments can focus too narrowly on statistical or criminogenic risk factors and may overlook the very real and ongoing risks that victims identify.

The Board should therefore ensure that every decision includes a clear assessment of:

- The potential for renewed trauma if the offender's release brings them into the victim's environment.
- The emotional and psychological safety of victims and their families.
- The specific vulnerabilities of children affected by the case.

2. Accountability and Transparency

VSS believes that improved transparency in decision-making is vital to building victims' confidence in the parole system. Victims should understand how their input has been considered, what weight was given to their representations, and the reasoning behind the final decision.

Greater clarity is also needed in how professional evidence is presented. Reports outlining an offender's participation in rehabilitation or offence-related programmes should clearly demonstrate the outcomes of that work and its relevance to reduced risk. Sharing this information, in an appropriate and trauma-informed way, would reassure victims that decisions are based on evidence rather than assumption.

3. A Broader Understanding of Risk

Victim Support Scotland

VSS encourages the Parole Board to adopt a broader understanding of risk that reflects victims lived experience. This should include not only the likelihood of reoffending but also the impact of release on victims' wellbeing and on community confidence in the justice system.

Risk should be assessed as a dynamic and multifaceted concept, taking account of personal, environmental, and emotional safety. Decisions that balance these factors are more likely to protect victims, prevent further harm, and strengthen trust in parole outcomes.

The assessment and decision-making process should ensure that:

- Victim safety is the central and overriding consideration.
- Risk assessments integrate victims' perspectives and lived experience.
- The definition of risk encompasses emotional, psychological, and community safety.
- Victims receive clear, transparent explanations of how their contributions have informed the outcome.
- Embedding these principles will help to create a parole system that is fair, evidence-based, and trusted by victims and the wider public.

As mentioned previously, VSS supports improved communication with victims about the whole process around the release of prisoners. This will help to keep accountability for all involved in getting an offender ready for parole. If the prison and parole staff can evidence that the offender has positively engaged with mandatory programmes (as well as any extras), this can help to reassure victims and families of the steps taken to contribute to the offender being ready for parole.

With regards to how risk is considered, VSS also believes that risk should take into account what victims and families share about their lives now. For example, releasing someone into a community in which the victim works should be considered a risk as well as the release into the area a victim lives in.

VSS has heard from families of victims who believe that if a prisoner is withholding information on the location of remains (Suzanne's Law), this should take precedence above all else in consideration of release. One family told us that they consider the withholding of information a continuation of their crime. In such cases, families believe that this demonstrates the offender has failed 'readiness for rehabilitation' assessments and should not be considered for release.

Victim Support Scotland

Question 18. In principle, do you support the idea of giving the Parole Board for Scotland the power to require post-release progress hearings, at which they can take action based on the person's progress while in the community on parole?

- Yes
- No
- Other
- Not sure / No opinion

Answer:

Yes. VSS supports the introduction of post-release progress hearings as they would provide reassurance to victims that released offenders are being monitored and held accountable. Victims should have the option to be informed about these hearings and to contribute information if they wish, supported by a victim support organisation.

Question 19. If progress hearings were introduced, what changes do you think the Parole Board should have the power to make, based on the person's progress while in the community on parole? [select all that apply]

- Vary the detail of existing licence conditions.
- Impose new conditions.
- Recall the person back to custody.
- Other
- Not sure / No opinion

Answer:

The Parole Board should have the power to vary existing licence conditions, impose new conditions, or recall the person to custody if necessary. These powers would enable swift and proportionate responses to changes in behaviour or risk, helping to maintain public and victim safety.

Question 20. If progress hearings were introduced, how long after someone is released on parole should the Board have the power to call a progress hearing for them?

- One year (replicating New Zealand model).
- Less than one year.
- A set time period longer than one year.
- The full length of a person's parole.
- Other

- Don't know / No opinion

Answer:
Other.

VSS feels this would be dependent on the initial sentence – taking into account length of sentence and level of risk. For life or OLR sentences, progress hearings should remain possible for life. For other cases, the power should continue for the full duration of parole supervision, with victims informed of the timeframe and purpose.

Victims should also be made aware of this, so that they know that the offender is subject to conditions on release.

Question 21. If progress hearings were introduced, how frequently should the Board have the power to call a progress hearing for someone on parole in the community?

- No more than every 3 months (replicating New Zealand model).
- No more than every 6 months.
- No more than annually.
- Only when a specific reason arises.
- As frequently as the Board sees fit (i.e. no limit).
- Other
- Not sure / No opinion

Answer:

As frequently as the Board sees fit (i.e. no limit) / Other.

The Parole Board should have flexibility to call progress hearings as frequently as it deems necessary, rather than being constrained by a fixed interval. At the start of a person's release on licence there may be a need for more frequent reviews, with the possibility of extending intervals as stability is demonstrated. Victims should have the right to make representations or give input to these hearings if they choose to do so. We often hear from victims and families that they wish to inform justice agencies of factors that may need to be considered regarding risk to them or their friends and family. However, we emphasise that giving input should not be a mandatory requirement for victims, because that could impose an additional burden on their healing process and potentially extend harm.

Question 22. Should the law require that certain professions or expertise must always be represented on a Parole Board oral hearing panel?

- Yes – specific backgrounds should be legally required on every oral hearing panel.
- No – oral hearing panel composition should remain flexible.
- Other

- Not sure / No opinion

Answer:

Yes - specific backgrounds should be legally required on every oral hearing panel. VSS believes that oral hearing panels should include a balanced range of professional expertise that reflects both rehabilitation and public-safety considerations. This should always include at least one member with specialist knowledge of trauma-informed practice and victim issues, alongside those with experience in law, psychology, social work, or criminal-justice risk assessment.

Across other jurisdictions, this approach is well established. For example:

- In England and Wales, the Parole Board includes legally qualified members, psychologists, and specialists in risk and rehabilitation.
- In New Zealand, panels are required to include members with experience in community safety, psychology, or rehabilitation, and are advised to consider the interests of victims.
- In Canada, the Parole Board draws on members with backgrounds in law, corrections, and community reintegration, all of whom receive training on the impact of crime on victims.

VSS does not believe that victim support organisations should serve as decision-making panel members, as this could create conflicts of interest if the Board's decision does not reflect the wishes of the victim. Instead, they should retain an independent and advisory role, make representations or provide expert input on behalf of victims. This approach would ensure that victims' voices and safety are central to deliberations without compromising impartiality.

Question 23. If specific professions or expertise were to be required at Parole Board oral hearings, which specific professions or expertise do you feel should be included?

Answer:

Victims and families must have confidence in the composition of the parole board hearing panel. This is especially important for cases where there has been a change in law – this means that there should be individuals who specialise in the crime involved, for example, specialists in the fields of concealment of a body and withholding information.

As mentioned in the answer to Question 22, a victim focused organisation should not be excluded and should have a place to offer their expertise to a parole board oral hearing.

What is essential is that any profession included in the oral hearing process receives specialist training in trauma-informed practice and the impact of crime on victims and their families. Victims are reassured when they know that decision-makers not only understand risk but also listen to and respect the victim perspective. Additionally, it is imperative that those involved in the oral hearing process are equipped to evaluate both public protection and individual rehabilitation.

Question 24. Do you believe that there should be any further changes to the current list of factors, set out above, which may be taken into consideration by the Parole Board when making a decision on a prisoner's release?

Answer:

VSS welcomes the inclusion in the Victims, Witnesses and Justice Reform (VWJR) Act of the new requirement that the Parole Board MUST consider any failure by an offender to disclose the location of a victim's remains or information about how those remains were disposed of. This provision, known as Suzanne's Law, represents a critical advance in ensuring that victims and bereaved families are placed at the centre of decision-making.

Given this move from 'may' to' must' we suggest that this aspect should be a primary factor in decisions regarding parole. Where there is credible reason to believe that an offender has knowledge of a victim's remains or related information and has chosen not to disclose it, this should weigh heavily against release – that is, no other factors need to be considered, and parole should be denied.

Beyond this, VSS supports continued development of the list of factors considered by the Parole Board to ensure it reflects a comprehensive and trauma-informed understanding of risk and impact. In particular, every decision should take full account of:

- The safety, security, and ongoing wellbeing of victims, survivors, and their families.
- The best interests of children affected by the case, in line with the United Nations Convention on the Rights of the Child (UNCRC).
    - The best interests of children must be a primary consideration in all decisions, particularly when release could expose them to harm or contact with the offender.
- The likelihood of renewed trauma or distress resulting from release.
    - The offender's demonstrated understanding of the harm caused and engagement with meaningful rehabilitation.

VSS also encourages the Parole Board to make its reasoning clearer, including how these factors are weighed and applied in practice. Victims should be told explicitly how their representations and safety concerns have been considered in each decision.

Question 25. What are your views on exploring a means to develop a formal review and appeal process for parole decisions, and who could this apply to?

- A formal appeal or review process should be introduced for both the person in prison and the victims/survivors of the crime.
- A formal appeal or review process should be introduced but only for the person in prison.
- A formal appeal or review process should be introduced but only for victims/survivors of the crime.
- The current system is sufficient.
- Other
- Not sure / No opinion

Answer:

VSS supports the introduction of a formal review or appeal process that is accessible to both victims and offenders. Victims should have the right to request a review where there is clear evidence that the decision did not adequately consider their safety, wellbeing, or representations.

A transparent and fair review mechanism would help to build confidence in the parole system and ensure that decisions are accountable, proportionate, and consistent with the principles of justice for both victims and the wider public.

Question 26. Do you think that the current approach to licence conditions should be reviewed?

- Yes
- No – the current approach works well.
- Other
- Not sure / No opinion

Answer:

Yes. VSS believes that the current approach to licence conditions should be reviewed to ensure they provide effective protection for victims, survivors, and their families, and that they are consistently applied, clearly communicated, and robustly enforced.

In particular, the Parole Board should be required to consider exclusion zones in every relevant case, with conditions reviewed and updated to reflect changes in a victim's or family's circumstances. For example, an exclusion zone that initially protects a school

area may later need to include a workplace, college, or other location significant to the victim or their family.

There must also be clarity on the size and boundaries of exclusion zones. VSS has heard concerns that some named areas are too large, for instance, using "Glasgow" as a condition is too broad to provide meaningful reassurance. However, zones that are too small could risk revealing the approximate location of victims or families. A balanced, evidence-based approach is required to ensure both safety and confidentiality.

VSS seeks clarity for victims and families on how exclusion zones are monitored and enforced. Many have told VSS that they are uncertain whether breaches would be detected or how they would be notified. This uncertainty can leave them feeling unsafe and distrustful of the system.

VSS also notes that victims and families are often not told where an offender is living after release, which can lead to accidental and distressing encounters. Clearer communication and appropriate disclosure, where risk warrants it, would significantly improve victims' sense of security.

> ***Victim Support Scotland – Victims' Lived Experience:***
>
> *One victim VSS has recently worked with highlighted that they felt that 'license conditions should be set in stone, but with GPS to actually monitor what is happening.'*

VSS supports a full review of licence conditions to ensure they are practical, proportionate, and effectively enforced. Exclusion zones should be mandatory considerations, GPS monitoring should be expanded, and victims must have clear, consistent information about the safeguards that protect them. As with arguments made earlier in this consultation response, if changes are to be made to license conditions victims and families must be sufficiently informed.

Question 27. Do you feel that the language used in licence conditions (see Annex C) is clear and accessible for all people who need to understand and follow them?

- Yes
- No
- Other
- Not sure / No opinion

Answer:

VSS believes that the language used in licence conditions must be clearer and more accessible for both offenders and victims. Crucially, it is in the best interests of victims that offenders fully understand their licence conditions so they can comply with them effectively. Parole staff should ensure that conditions are delivered to the perpetrator in a way in which they fully understand what is being asked of them.

Parallel to this, victims and families should be offered the opportunity to discuss and clarify licence conditions with a trained support worker. This would help reduce anxiety, ensure understanding, and build confidence that the conditions in place are meaningful and enforceable.

Question 28. Do you feel that licence conditions are currently well designed to maximise successful rehabilitation and reintegration?

- Yes
- No
- Other
- Not sure / No opinion

Answer:

No. In August 2025, it was reported that since 2020, approximately 1,200 offenders had been returned to prison for breaching their licence conditions. This suggests that current licence conditions are not effectively supporting rehabilitation or successful reintegration into the community.

As a victim support organisation, VSS is concerned that failures in licence compliance undermine both public safety and victims' confidence in the justice system. It is essential that when an offender is released, every step is taken to support genuine rehabilitation and reduce the risk of reoffending. Effective rehabilitation and clear, enforceable licence conditions not only help offenders reintegrate safely but also help victims and families feel more secure and protected.

Question 29. What changes, if any, would make licence conditions more supportive of rehabilitation and reintegration in your opinion?

Answer:

VSS believes that licence conditions could better support rehabilitation and reintegration by being clearer, more individualised, and effectively enforced.

One of the simplest and most practical ways this could be achieved is through the continued roll-out of GPS monitoring for offenders subject to exclusion zones. GPS monitoring promotes reintegration by providing structure, order, and accountability, while reinforcing discipline in following rules. It also allows for a faster police response

to breaches, which is especially important in relation to exclusion zones that protect victims and families.

What must also be considered in licence conditions is where there have been 2 perpetrators involved in a crime.VSS has heard from a family member of a victim that where there are co-offenders in a case, there must be mandatory separation of the co-offender's post-release. This should be mandated via a no-association order.

Moreover, where a crime has included a digital aspect, there should be strict monitoring of usage with sustained supervision of devices used for internet access.

VSS also believes that successful reintegration depends on preparing offenders to manage daily life in the community. One VSS support worker reported concerns regarding an offender who said they had never used a smartphone, a basic skill that most people take for granted. Practical support of this kind, including help with technology, employment, and housing, is essential to ensure that licence conditions promote positive outcomes rather than setting people up to fail, and by extension increasing risk to victims and their families.

Finally, better multi-agency coordination between justice, health, housing, and community services is needed to align licence conditions with rehabilitation plans and to support safe reintegration. This approach benefits offenders, victims, and the wider public by reducing the risk of reoffending and promoting lasting stability after release.

Question 30. What are your views on the options currently available to the Parole Board when they consider a request for recall (warning letter, recall to custody or no action)?

- I think that the current options are adequate.
- I think that more options for responding to the request should be available to the Board.
- I think one or more of the current options should be removed.
- Other
- Not sure / No opinion

Answer:

VSS believes that the current options available to the Parole Board when considering a request for recall should be reviewed. Our position is closest to “Other,” as we believe that one or more of the current options should be removed and replaced with more proportionate and effective responses.

VSS questions why “no action” remains an available outcome when a recall request is made. The expectation must be that if a recall has been requested, it follows behaviour

that breaches licence conditions or raises legitimate concerns about risk. In such circumstances, some form of action should always be taken.

Where "no action" is deemed appropriate, there should be a clear, documented rationale for that decision, and it should be communicated to all relevant parties, including victims or their appointed support organisations. Transparency is essential to maintaining confidence in the recall process.

VSS also questions the effectiveness of issuing a warning letter as a response to licence breaches. It is unclear what impact such a letter has in terms of deterrence or behaviour change. A more proportionate and meaningful response could be the introduction of a formal police warning or mandatory meetings with supervising officers to reinforce the seriousness of the breach.

VSS believes that the recall process should prioritise public and victim safety, remove the "no action" option, and ensure that every identified breach of licence conditions results in a clear, appropriate, and transparent response.

Question 31. If the Board were to have more options for responding to a potential licence breach or request for recall, what should these be in your opinion?

Answer:

Following on from the point raised in response to Question 30, VSS believes that a formal police warning could be a more effective and proportionate option than an official letter. This would reinforce the seriousness of a breach and ensure that the response is recorded and monitored appropriately.

Whenever a licence breach occurs, it should also trigger an opportunity for the victim or family to be referred or re-referred to specialist support. Even minor breaches can cause renewed anxiety or trauma, and proactive contact from a victim support organisation would help to provide reassurance and practical assistance at what can be a distressing time.

Question 32. Do you support enabling the Parole Board for Scotland to set a progress hearing as an additional option in cases where the Board are deciding on recall?

- Yes – this would be a welcome approach and provide alternative, individualised options.
- Yes – this would be a welcome approach, but this should be a progress hearing only, and not an opportunity to make a decision on recall.
- No – the current options available to the Parole Board are satisfactory.
- Other
- Not sure / No opinion

Answer:

Victim Support Scotland

Yes - this would be a welcome approach as it would provide alternative, individualised options for managing licence breaches. A progress hearing may lead to an appropriate recall, allowing the Board to review the situation in more depth, identify appropriate support or supervision measures, and take proportionate action to manage risk. Where a progress hearing is fixed, victims should be automatically offered support and re-engagement with a victim support organisation to help them understand what the hearing means and to manage any emotional impact it may have.

This would ensure that victims are not left feeling uncertain or overlooked at critical decision points in the parole process.

Question 33. If recall decisions were to be based on a wider range of factors, which specific issues should be taken into account?

Answer:

Currently, victim harassment or threat by a perpetrator or people known to the perpetrator are not covered by licence conditions. VSS feels strongly that these behaviours should be included, given the significant impact they can have on victims' safety and wellbeing.

This should also extend to harassment, intimidation, or unwanted contact carried out through social media or other online platforms, which victims increasingly report as a means through which offenders or their associates attempt to cause fear or distress.

Explicitly including these forms of behaviour as grounds for recall would strengthen protection for victims, recognise the changing nature of harassment.

Question 34. If any, what other suggestions do you have for improving the recall process in Scotland?

Answer:

Victim Support Scotland would like to see greater clarity and transparency around how recalls are monitored and managed, including which agencies are responsible for oversight and how breaches are reported and recorded.

Whenever a recall occurs, victims should be informed promptly and automatically referred back to victim support services. This would allow them to access emotional, practical, and safety support at a moment when old fears or trauma may resurface.

Providing timely information and support after a recall would help victims feel safer, respected, and more confident that the system is working to protect them.

Victim Support Scotland

Question 35. Do you feel that re-release process is effective at supporting the initial decision to recall?

- Yes, the current system works well ensuring that recalled individuals are subject to a further hearing where all information is made available.
- No, the decision to recommend recall to custody has been made and rerelease hearings may be unnecessary in some cases.
- The nature of the re-release hearing could be a different format (please explain below).
- Other
- Not sure / No opinion

Answer:

Not sure / no opinion - VSS does not have sufficient information to comment on the overall effectiveness of the re-release process. However, from a victim perspective, the data indicating that the vast majority of individuals who are recalled are ultimately not considered suitable for re-release raises concerns about the robustness of the initial release decisions. If most recalled offenders are assessed as unsafe to return to the community, this may suggest weaknesses in the original risk-assessment process.

Automatic re-release hearings can also be retraumatising for victims and families, who may feel that they are being taken through the parole process again after already experiencing anxiety and distress from the offender's earlier release. Each recall and subsequent hearing reopens fears that the system is not protecting them effectively.

VSS therefore questions whether automatic re-release hearings in every case are necessary or proportionate. If data consistently show that most recalled individuals are not suitable for re-release, clear criteria should be introduced to determine when such hearings are required. This would help to focus resources where there is genuine potential for change, while reducing unnecessary distress for victims.

Any reform should continue to uphold fairness for offenders but must prioritise victim safety, public confidence, and the integrity of parole decision-making.

Question 36. Do you believe there should be a firm timeframe set out for re-release hearings?

- Yes, within two weeks of being recalled to custody.
- Yes within four weeks of being recalled to custody.

- No, it should be held whenever possible but without any set timescales.
- Other
- Not sure /No opinion

Answer:

Other.

VSS believes that the timing of re-release hearings should allow sufficient opportunity for a robust and evidence-based assessment of risk, including time to obtain expert reports or updated information from supervising agencies. The priority must always be to minimise any potential risk to victims, families, or the wider public.

Once a hearing date is set, victims and families should be promptly informed and provided with clear information about what to expect at each stage. They should also be offered the choice to have their views or representations considered as part of the overall risk assessment.

If the hearing date changes, victims and families must be notified immediately and told the reason for the change. At every stage, there should be an automatic offer of support or re-referral to a victim support organisation to help manage anxiety and ensure they feel safe and informed.

Transparent communication and meaningful opportunities for victims to contribute to the assessment process are essential to maintaining confidence in the parole system.

Question 37. If any, what other suggestions do you have on the format and timings of the Parole Board's re-release hearings?

Answer:

As above. VSS believes that re-release hearings must allow sufficient time for a comprehensive assessment of risk, supported by expert reports and multi-agency input. Victims should have the option to provide views or updated information relevant to risk, and their safety must be a central consideration.

Once hearing arrangements are confirmed, victims and families should receive timely, trauma-informed communication explaining the process, along with an offer of specialist support. This approach would help reduce uncertainty, ensure procedural fairness, and strengthen victims' confidence that their safety is being prioritised.

Question 38. If you have been connected to a case (or cases) where a parole hearing was deferred, do you know the reason for deferral?

Answer:

VSS is aware that approximately one third of parole hearings are deferred due to insufficient information being provided for the case, such as missing reports or incomplete risk assessments.

Deferrals can have a significant and negative impact on victims and families. Preparing for a hearing often requires emotional readiness, time off work, childcare arrangements, and sometimes travel or accommodation bookings. When hearings are postponed at short notice, these efforts are wasted and can leave victims feeling frustrated, anxious, and disregarded.

> ***Victim Support Scotland – Victims' Lived Experience:***
>
> *The Supporting Families Bereaved by Crime Service at VSS has worked with at least two families who had been informed that a hearing that had been set was to be postponed by 6 to 8 weeks due to the necessary social work report not being ready. One of these families felt that the initial date should not have been set if there was the possibility of the report not being ready as they had prepared themselves for the initial date.*

Victim Support Scotland is keen to highlight the negative impact that case deferrals have on victims and their families. Deferring cases for avoidable reasons impacts people in a number of ways, such as having to re-arrange childcare or rebooking travel/accommodation. These situations have led to victims and their families becoming frustrated with PBS and have stated they would wish that the particular social work department fined or sanctioned in some way for this. We are mindful of resource challenges but broader impact on victims needs to be considered.

> ***Victim Support Scotland – Victims' Lived Experience:***
>
> *Victim Support Scotland had been providing support to a family going through the parole process. The family reported that the parole hearing they were attending was due to last three to four hours, but it was called off one hour into proceedings because it was found that the offender's social workers had not provided a thorough enough risk assessment on the offender.*

VSS recognises that resource pressures can contribute to these situations but believes that the wider impact on victims must be considered. Deferrals should only occur when absolutely necessary, and systems should be in place to ensure that all required information is available before hearings are scheduled.

Where deferrals are unavoidable, victims and families must be informed promptly, offered an explanation, and provided with an immediate offer of support or re-referral to a victim support organisation. This would help reduce distress and demonstrate

respect for the significant emotional effort victims invest in preparing for parole hearings.

Question 39. Are there any changes you believe could be made to improve efficiencies and minimise deferral of Parole Board hearings?

Answer:

VSS believes that improving efficiencies and minimising deferrals will require greater transparency, accountability, and proactive planning across all agencies involved in preparing parole cases.

There should be clear reporting and monitoring of the reasons for deferral, so that recurring issues can be identified and addressed. Publishing this data would promote accountability and enable targeted action to reduce delays caused by incomplete reports or administrative errors.

Deferrals have a significant emotional and practical impact on victims and families, who often prepare intensively for hearings. Greater transparency about the causes of deferral, along with early identification of missing information, would help prevent unnecessary postponements and ensure that victims are not retraumatised by repeated delays.

To support both efficiency and fairness, the scheduling of hearings should also allow adequate time for victims' views to be sought and considered as part of the process. Properly integrating victims' perspectives at an early stage would help ensure that their input informs decision-making and reduce the likelihood of last-minute deferrals caused by incomplete consultation.

Agencies responsible for preparing reports should work together to improve coordination and information sharing before hearing dates are confirmed, ensuring that all required documentation and victim input are complete.

By improving communication, data monitoring, and early engagement with victims, the Parole Board could significantly reduce avoidable deferrals and the harm they cause to victims and their families.

Question 40. Which of the following best represents your view on this timescale?

- 12 months seems appropriate; there is no need for change.
- 12 months is too frequent, the length between parole hearings should be extended.

- 12 months is not frequent enough, the length between parole hearings should be shortened.
- The timeframe should be flexible, and set based on the individual case, with no maximum time between opportunities to be considered for parole.
- Other
- Not sure / No opinion

Answer:

12 months is too frequent, the length between parole hearings should be extended.

In VSS's experience, victims and families affected by offenders serving long-term sentences often wish for a longer period than 12 months between parole reconsiderations. Frequent reviews can be retraumatising, forcing victims to revisit their experiences and prepare new or updated representations too soon after the previous hearing. Each new hearing should also prompt a renewed offer of support from a victim support organisation to help victims and families manage the emotional impact of re-engagement with the process.

VSS reiterates the importance of placing victims and families at the centre of decisions about potential release, ensuring that they have clarity, certainty, and sufficient time to recover between hearings.

Victims also report frustration at being asked to resubmit representations when there has been no change in circumstances. Many are unaware that they can resubmit the same statement if they wish. VSS therefore recommends that the Parole Board make this option explicit and accessible, so that victims are not burdened with unnecessary or distressing repetition.

Extending the interval between parole reviews would reduce unnecessary re-traumatisation, promote a more compassionate and sustainable process for victims, and provide sufficient time for genuine rehabilitation progress to be demonstrated.

Question 41. Which of the following best represents your view on this timescale?

- 24 months seems appropriate; there is no need for change.
- 24 months is too frequent, the length between parole hearings should be extended.
- 24 months is not frequent enough, the length between parole hearings should be shortened.
- The timeframe should be flexible and set based on the individual case.
- Other
- Not sure / No opinion

Answer:

24 months is too frequent, the length between parole hearings should be extended.

Victim Support Scotland

VSS questions the need for reconsideration of parole every two years for prisoners serving a life sentence or an Order for Lifelong Restriction (OLR). Such frequency brings little or no benefit to victims and families, given the severity of the offences that attract these sentences.

> ***Victim Support Scotland – Victims' Lived Experience:*** *The following is a quote from one victim who raised concerns on uncertainty around parole of an offender.*
>
> *'In case of the prisoner in my case it is 'unlikely' he will get out. But 'unlikely' is not good enough when in my shoes. I worry that he will do anyway, or he will do in the future, and my kids will have to deal with him after I am gone. I need guarantees. If it is unlikely he will get out, he should not get a parole hearing every two years.'*

VSS is concerned that asking victims and families to re-engage with the same parole process every 24 months can be retraumatising and undermines confidence in the justice system. Each hearing requires victims to prepare emotionally and practically, often reliving distressing memories.

VSS again recommends that victims be given the option to resubmit previously used representations rather than being required to rewrite their statements for every hearing. Each review should also trigger a renewed offer of support from a victim support organisation to help families cope with the process.

Given the seriousness of the offences covered by life and OLR sentences, extending the interval between parole reviews would reduce unnecessary re-traumatisation, promote stability for victims and families, and maintain the integrity of decision-making.

Question 42. If someone is denied parole, what factors do you think should be considered in determining how long it should be before that person comes before the Parole Board again?

Answer:

VSS believes that the factors determining when an individual should next come before the Parole Board should depend on the reasons why parole was initially denied and on what has changed during the intervening period.

The Board should consider:

- Whether there has been demonstrable progress in the individual's behaviour, attitude, or understanding of the harm caused.
- Engagement with and completion of relevant programmes, as outlined in response to Question 16, such as offence-related or rehabilitative interventions.

- Evidence of reduced risk to victims, families, and the wider community, supported by professional assessments.
- The individual's readiness for reintegration, as shown through consistent good conduct and accountability.
- The length of time before a new hearing should be guided by meaningful change and evidence of rehabilitation rather than by a fixed schedule. This would ensure that the process remains fair while continuing to prioritise public protection and victim safety.

Question 43. What category best describes your situation – please tick all that apply:

- I am the victim or survivor of a crime.
- I am a family member or friend of the victim or survivor of a crime.
- I have served time in prison, but have not served time on parole
- I have served time in prison, including serving part of my sentence on parole in the community.
- I am a family member or friend of someone who has served time in prison, but they did not serve time on parole.
- I am a family member or friend of someone who has served time on parole.
- I am a professional who works in the justice sector.
- I am a solicitor.
- I work with Victim Support Organisations.
- I am a member of the public with an interest in this area

Answer:

Victim Support Scotland.