

## **Justice Committee**

### **Prisoners (Control of Release) (Scotland) Bill**

#### **Written submission from the Scottish Human Rights Commission**

Please see below some general views on the Bill, which we hope they help the Committee to consider the human rights perspective:

We would like to note that there clearly are a level of human rights impacts for offenders in relation to Articles 5 and 8 of the Convention and for the public in Articles 2, 3 and 8 of the Convention.

We are concerned as to whether the Bill really achieves the aim of greater public protection because it effectively ends compulsory non-parole supervision in the community, which is an important aspect of re-integration and non-recidivism (others have made similar comments).

There are real issues being raised with the Parole Board and in JRs at the moment about whether resources are available for programmes in custody to give people a proper opportunity to reduce their level of risk.

We also have a concern about extending the use of civil orders to control risk as these are extremely restrictive and are a significant interference with private life. This measure, as the Committee is aware, has to pass the test of legality, proportionality and necessity (Convention).

Diego Quiroz  
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