

Voices in Justice: Parole Reform in Scotland

Scottish Government Consultation

Social Work Scotland response

11 November 2025

Introduction

Social Work Scotland is the professional body for social work leaders, working closely with our partners to shape policy and practice, and improve the quality and experience for those involved in the criminal justice system, who require a social work service. As an organisation and across our members we are committed to service improvement and ongoing development, based on evidence and research on how we can best meet the needs of those we work with and particularly those who experience the greatest challenges and barriers to their wellbeing and lives.

Social Work Scotland represents social work leaders across Scotland. The profession is based on the principles of human rights, reflecting the value of all individuals and upholding their rights. This is expressed in the SSSC Codes of Practice and in the BASW code of ethics. These underline the inherent worth and dignity of all people, demonstrated in practice through relationships and promotion of self-determination, participation and wellbeing. However, there is a challenge in working with individuals in the criminal justice system, who are often a stigmatised group, hence the need to advocate on their behalf. Contributing to release planning and the parole process is a key element of our work in Justice Social Work (JSW).

Social Work Scotland welcomes the opportunity to respond to this consultation. This response is based on consultation and discussion with our membership which

covers senior leaders in social work, including Chief Social Work Officers and senior members of our Justice Standing Committee.

Consultation Questions

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

A: Yes, a clear definition would support consistency, transparency and alignment of purpose across agencies.

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

A: The definition should encompass principles relating to public protection, support for rehabilitation and desistance, reintegration into the community and consideration of victims' rights and experiences in that context. It should also link to the Scottish Government Vision for Justice¹.

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?

A: No – decision summaries are sufficient.

The need for a careful balance between the openness around decisions and the need to protect the privacy and safety of people including victims, prisoners and professionals attending the hearing is a key issue. However, consideration could be given to enhancing the summaries already provided, to reflect in greater detail the decision-making processes and victim considerations within the hearing.

Consideration of IT options to ensure accuracy of minute would be beneficial given that this role currently sits with the Chair.

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?

A: Anonymised.

¹ <https://www.gov.scot/publications/vision-justice-scotland/>

Information should be anonymised to protect privacy and manage risk. In smaller authorities/high profile cases it was agreed that particular individuals including perpetrators, families and victims could be easily identified leading to the potential for associated service generated risks and public unrest.

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

A: Agreed.

More information to be published to support case summaries and enhance transparency and accountability to victims and the public. This would also enhance induction for staff new to the parole process.

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?

A: other

This should be person led and not a systems process so that it is trauma informed. Victims/survivors should receive information in whatever format they have intimated is the most suitable format to receive this information. There should also be an option to review and change this at a later stage if needed.

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

A: This needs to be led by learning from Victim Support Organisations. Information needs to be accessible and jargon free. It is acknowledged that many victims are already socially isolated and marginalised within society. There is a need to ensure that this support is easily accessible to all, taking into account issues around literacy, neurodiversity, mental health etc. Support services in place need to have a good working knowledge of the parole process.

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

A: Yes there should be automatic rights to attend and observe oral hearings.

This should not be restricted to only indeterminate sentences and also needs to be led by the views of victim support services. Consideration could be given to 'closed' parts of the hearing so that information confidential to the prisoner and central to safe risk management is not shared with the victim.

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?

A: Yes – every victim/survivor should have the right to request to observe an oral hearing relating to the person who committed a crime against them. However, the Chair of the hearing should have the option of closing parts of the hearing without the victim in attendance if it is felt necessary to safeguard key information relating to risk management.

Question 10. Who else, if anyone, do you think should have access to parole hearings?

A: Other professionals for training purposes. Legal Professionals and researchers. Some of this could be managed by enhanced online training materials.

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?

A: Yes every victim should have the right to give oral representation to the Parole Board for Scotland. This would help promote inclusion within the process.

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?

A: It is vital to engage with victim support services to get views of victims to ensure a clear understanding of role and purpose of hearing, timelines and support available for victims.

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?

A: Digital tools could enhance recording of parole hearings, minutes and summaries. Digital tools could provide an opportunity for all to observe mock hearings and get access to victim testimonies.

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

A: Consideration could be given to introducing a centralised Parole Information Hub. However, the caveat being that consideration needs to be given to those who may be experiencing digital poverty in how information is shared and ensuring that it is truly accessible to all.

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?

A: Yes, Social Work Scotland support a single test for all cases. This would better align with principles around risk assessment and management in the community as opposed to being driven by sentence type.

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?

A: The test should combine risk assessment, needs and an individual's readiness to reintegrate into the community. These factors are not mutually exclusive and Social Work Scotland considers that there is a need to retain an emphasis/weighting on assessed risk to public to ensure proportionality around when someone is released or not into the community.

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?

A: This is closely linked to progression planning and moving away from a process led system to one that is more individualised with a focus on risk and need. More innovation is required around rehabilitation. For example, there is the potential to start a programme in custody and have this continued and concluded in the community. More work needs to be done around a shared language of risk and need so that this can be applied to context in which the risk is likely to occur.

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?

A: No.

Social work Scotland believes that this could be perceived as undermining the key function of Justice Social work and partner agencies in managing risk in the community. There are already clear routes to return an individual to a parole hearing and putting licence conditions in place. Having additional post release progress hearings would have high resource implications and a cost to the public purse. An evidence- based approach would be required to consider in what way progress hearings would enhance public protection.

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]

A: Other

As above, not supported.

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?

A: Other

Don't support progress hearings being introduced.

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?

A: Other

Don't support progress hearings being introduced.

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

A: yes – specific backgrounds should be legally required on every oral hearing panel. Representatives on the Panel need to be appropriately trained in the understanding and application of risk management tools.

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?

A: Psychology or Social work.

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?

A: Social Work Scotland agrees that outlined factors **must** be considered as opposed to **may** be considered when making a decision to release a prisoner. In the interests of public protection.

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: Other

Social Work Scotland believes that a formal review/appeal process should be available to both prisoners and victims but with clear criteria as to when it should be applied. For example, if there is evidence to support the fact that not all factors were taken into account at the initial hearing in making the decision around release, then in these circumstances, review and appeal may be appropriate.

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

A: Yes

Prisoners have reported difficulties at times in understanding licence conditions so they need to be simplified. A more individualised approach relevant to an individual's risk and need could be adopted. Some licence conditions are restrictive and this is appropriate. However, others may be unrealistic in the context of a person's reintegration into their community. For example, licence conditions stating that a person cannot be in contact with an individual with a known criminal history may in some cases be appropriate but in others it can be difficult to implement and monitor.

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?

A: No.

Language could be simplified to ensure that they are more accessible to all and take account of issues related to neurodivergence, literacy levels, brain injury and mental health.

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

A: No

Licence conditions can at times be too rigid or disproportionate. They need to be clearly linked to assessment around risk and harm. Licence conditions are a tool to assist with rehabilitation and conditions could support more flexibility for professionals supporting individuals in the community.

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

A: Licence conditions must take account of risks and needs as these are interlinked to successful reintegration. The conditions require to be individualised to the prisoner, taking their unique circumstances into account and promoting rehabilitation.

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)?

A: Social Work Scotland considers that the current options are adequate.

If progress reviews were to be introduced then this may be an appropriate juncture for such a process but clear criteria, parameters and timeframes would need to be put in place.

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?

A: Social Work Scotland considers that the current options are adequate but making sure that best use is made of digital approaches.

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?

A: Unsure. There may be some limited merit in this option, but it would have to be time limited. Overall, the group were not in favour of regularly setting progress reviews.

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

A: Intelligence from partner agencies including Police Scotland & SPS.

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

A: The timing of parole hearings can be problematic at 3 times per week when the emergency recall criteria have not been met. The intervening period between the report being submitted and hearing called can be a problematic in terms of risk management.

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

A: Yes – the current system works well ensuring that recalled individuals are subject to a further hearing where all information is made available.

However, depending on timescales there can be an over emphasis on the prison based social work assessment when the individual and circumstances are better known to the community.

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

A: Yes, within four weeks of being recalled to custody. This is a reasonable timescale for all involved in the process.

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

A: All participants at the hearing should have a copy of the full dossier and prisoner's representations.

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

A: There is usually communication as to reason for deferral however this can sometimes be at very short notice and has an impact on day- to -day business.

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

A: Avoid scheduling hearings on dates when key staff have indicated well in advance that they are not available. Provide Social Worker with the dossier to support preparation for the hearing. Ensure that relevant people are cited with appropriate notice.

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

A: The timeframe should be flexible and set based on the individual case with no maximum time between opportunities to be considered for parole.

In practice 12 months is sufficient to demonstrate progress or not in most cases but the timing should be led by the dynamic assessment of risk/need, participation in programmes and custodial plan for the individual involved.

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

A: The timeframe should be flexible and set based on the individual need.

It should be based on the dynamic assessment of risk/need and custodial plan for the individual involved.

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?

A: Factors taken into account should include - attitude, access to programmes in custody, nature of offence, risk assessment, progress in custody and engagement with rehabilitation.

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

A: Professional organisation that works in justice sector.

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