

Lucy Miller
Senior Clerk
Criminal Justice Committee
The Scottish Parliament

Via email:

Date: 10 September 2025
Our Reference: SHRC202560

Dear Lucy,

Access to Justice for Prisoners: The Complaints System A Human Rights Analysis of Orders for Lifelong Restriction: A Discussion Paper

I am writing to share with you a discussion paper providing a [human rights analysis of Orders for Lifelong Restriction](#), published today by the Scottish Human Rights Commission.

The report finds:

- We are concerned that some OLR prisoners are at risk of experiencing violations of their rights to liberty and to private and family life under the European Convention on Human Rights.
- The psychological distress caused by the uncertainty of release on an OLR sentence could result in inhuman or degrading treatment or breaches of the right to private and family life under the ECHR.
- Scotland is failing to fully meet its obligations under the International Covenant on Civil and Political Rights.

The Scottish Human Rights Commission is not calling for the abolition of OLRs at this stage, but for urgent consideration by the Scottish Government and Scottish

Parliament of whether the administration of OLRs meets Scotland's human rights obligations.

The paper sets out specific questions that require attention. This includes the introduction of safeguards such as:

- Regular review to ensure continued detention is justified.
- Better access to rehabilitation and progression opportunities.
- Examination of disproportionate impacts on specific groups including people with autism and neurodivergence.

I look forward to hearing your reflections on our analysis.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'A. O'Hagan', with a horizontal line extending to the right.

Professor Angela O'Hagan
Chair, Scottish Human Rights Commission