

Alyn Smith MSP
Convener
Criminal Justice Committee
The Scottish Parliament
Edinburgh
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Via criminaljustice.committee@parliament.scot

Date: 23 July 2026
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Dear Convener,

Human Rights and Criminal Justice

I write to congratulate you on your appointment as Convener of the Criminal Justice Committee. I look forward to working with you in your new role and engaging with the Committee over the session ahead.

As a National Human Rights Institution (NHRI), the Scottish Human Rights Commission (SHRC) is Scotland's human rights watchdog. We are the independent human rights advisory and accountability body, responsible for monitoring and reporting on the legislature's obligations under domestic and international human rights law. Established by the Scottish Commission for Human Rights Act 2006, we

are an officeholder of the Scottish Parliament and thereby part of the Parliament's supported body landscape.

As such, the Parliament holds us to account for our delivery, and we work through the officeholder services of the Scottish Parliament Corporate Body and its associated governance framework to deliver our mandate. The SHRC and the Scottish Parliament also share the objective of holding the Scottish Government to account for its own compliance with its human rights obligations. We are here to help the Scottish Parliament to do that well.

Given the important issues at the intersection between the criminal justice system and human rights, I would welcome an early meeting with you to discuss areas of mutual concern. The SHRC has identified access to justice and places of detention as strategic priorities for 2024-2028.

Our work in this area has included human rights-based analysis and parliamentary engagement [on legal aid](#), [Orders for Lifelong Restriction](#), [Fatal Accident Inquiries](#) and deaths in detention and custody, in addition to [consideration of the legal framework for the protection and promotion of human rights in Scotland](#).

We have expressed concerns about the failure to implement longstanding recommendations from international human rights bodies relating to Scottish prisons ([Review, recommend, repeat: An assessment of where human rights have stalled in places of detention](#)). We also have an ongoing priority interest in monitoring the implementation of recommendations to respond to the high number of deaths in Scotland's places of detention.

We were pleased to work with members of the previous Committee to explore the human rights issues raised by Orders for Lifelong Restriction. This includes publication of [A Human Rights Analysis of Orders for Lifelong Restriction: A Discussion Paper](#), which was considered as part of [a roundtable hosted by your predecessor Committee](#) and chaired by Commission Member Rosemary Agnew on 19 March 2026. As noted in [the legacy report](#), this discussion raised concerns relating to access to rehabilitation programmes and progression opportunities for those serving OLRs. We would welcome the opportunity to continue working with the Committee on this issue.

The SHRC is also a member of the United Kingdom's National Preventive Mechanism. This was established in March 2009 as part of the UK's commitment under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). NPM membership is designated by the UK Government. The SHRC chairs the [Scotland Subgroup of the NPM](#). The NPM examines the treatment of persons deprived of their liberty in all

places of detention in the UK and makes recommendations to relevant authorities with the aim of improving treatment and conditions.

The SHRC office would be happy to liaise with your team to explore possible dates for us to meet.

I look forward to discussing these matters with you in due course, and to working with you over the coming years.

Yours sincerely,

A handwritten signature in purple ink, appearing to read 'A. O'Hagan', with a stylized flourish at the end.

Professor Angela O'Hagan
Chair