

# **VICTIMS AND WITNESSES (SCOTLAND) ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Release of offender: victim's rights***

#### ***Section 28 – Life prisoners: victim's right to make oral representations before release on licence***

79. This section amends section 17 of the 2003 Act to enable victims to make oral representations to the Parole Board, as well as written representations, when a prisoner becomes eligible for release on licence. This will only apply to life prisoners initially, but an order making power is also inserted to allow the Scottish Ministers to extend this ability in relation to other categories of prisoner.
80. Subsection (b) amends section 17 of the 2003 Act to provide that the Scottish Ministers can set out, in guidance, how both written and oral representations should be made (previously this power to issue guidance only related to written representations). Subsection (c) inserts new subsection 10A into section 17 of the 2003 Act. This allows the Scottish Ministers, when setting a time limit for representations to be made, to set different time limits for written and oral representations.