



Victims and Witnesses (Scotland) Act 2014 2014 asp 1

Release of offender: victim's rights

29 Temporary release: victim's right to make representations

After section 17 of the 2003 Act, insert—

“17A Temporary release: victim's right to make representations about conditions

- (1) This section applies where by virtue of subsection (1) or (5) of section 16 a person (the “victim”) is given the information mentioned in subsection (3)(d) of that section as respects a convicted person.
- (2) On the first occasion on which the convicted person is entitled to be considered for temporary release by virtue of rules under section 39(6) of the 1989 Act, the Scottish Ministers must give the victim an opportunity to make written representations to them about any conditions that the victim considers should be imposed in relation to the temporary release.
- (3) Subsection (2) applies only if the victim has notified the Scottish Ministers that the victim wishes to be given the opportunity to make representations under that subsection.
- (4) The Scottish Ministers must—
 - (a) fix a time within which any written representations under subsection (2) require to be made to them if they are to be considered by them, and
 - (b) notify the victim of the time fixed.”.