

Introduction

This report summarises the findings from a collaborative workshop aimed at sharing views and experiences of risk-assessment in Scotland. It is based on an event that was organised and facilitated by NOLR and Next Chapter Scotland, in collaboration with academics from the Universities of Glasgow and Stirling. NOLR is a campaign group that aims to reform the Order for Lifelong Restriction (OLR), an indefinite prison sentence in use in Scotland. NOLR was set up by families and loved ones of people serving an OLR and campaigns to replace indefinite sentences with fixed, proportionate punishment. Next Chapter Scotland (NCS) provides support for individuals or their family members where they face challenges resulting from a criminal record or while under investigation for a crime. The workshop event resulted from concerns about the use of risk-assessment in general, and specifically in relation to the OLR.

Order of Lifelong Restriction

Scotland's Order for Lifelong Restriction (OLR) was introduced in 2006 following the recommendations of the MacLean Committee's Report of the Committee review on Serious Violent and Sexual Offenders (Scottish Government, 2000). The OLR is an indeterminate risk-based sentence designed to protect the public from individuals assessed as posing a continuing risk of serious harm. Unlike a determinate prison sentence, the OLR combines a punishment part, reflecting the seriousness of the offence, with a lifelong period of risk management. Release is not automatic at the end of the punishment part; individuals remain in custody until the Parole Board for Scotland is satisfied that any continuing risk can be safely managed in the community. Those who are released remain subject to lifelong license conditions and supervision. To date there have been 306 OLRs imposed by the Scottish Courts (NOLR, 2026). A defining feature of the OLR is its statutory framework for risk assessment and management, overseen by the Risk Management Authority (RMA). This includes structured risk assessments, risk management plans and ongoing review processes involving multiple criminal justice agencies. While the sentence aims to enhance public protection, it has also generated concerns regarding progression, rehabilitation and prolonged detention beyond tariff. As 92% of those subject to the OLR remain imprisoned beyond the punishment part of their sentence (SHRC, 2025), questions have emerged about the operation of the sentence, the management of risk, and the balance between public protection, proportionality and human rights.

The workshop

The Co-Navigator workshop aimed to bring key people together for an interdisciplinary examination of risk-assessment in relation to criminal justice and its significance on the lives of people subjected to it. It involved participation in a small group exercise (using Co-Navigator Participation techniques) which explored views and experiences of risk assessment tools and their impact. Co-Navigator is a guided collaborative process that uses a physical toolkit (tiles, cubes, pegs, and strings) intended to produce a shared, three-dimensional map of participants' ideas, experiences, and relationships around a

specific topic (see Winder et al. 2025). The question that this Co-Navigation workshop was structured around was: *‘Does risk assessment work for everyone?’*

The workshop took place in Glasgow in June 2026 with one facilitator and seven participants. Participants included practitioners with expertise in conducting risk assessment (criminal justice social workers), advocacy workers with experience of supporting individuals subject to risk assessment, family members, a representative of the Risk Management Authority, and academics. The workshop was observed, with notes taken to support the production of this report. The workshop lasted for two hours and involved individual reflections, a process of shared mapping of these reflections, discussion and negotiation where participants worked together to discuss relationships and a final stage of identifying connections between individual priorities. Below, we set out the main themes to emerge from the workshop. Where we include quotes, these have been taken from the written statements the participants produced and mapped during the workshop.

What is risk?

A foundational question raised by participants related to what level of risk might be considered acceptable. There was considerable agreement with the statement from one participant that: “You can never eliminate risk”, with other participants highlighting that risk is a fact of life and to some extent, tolerated. In relation to the OLR population, risk is used to maintain ongoing restrictions and further punishment for OLR prisoners (see below).

Participants questioned the purpose of risk assessment, asking who it is for, what decisions it is intended to support, and whether its primary function is prediction, public protection, rehabilitation, resource allocation, or defensible decision-making. Participants highlighted concerns about the dynamic nature of risk, the difficulty of predicting future behaviour from a snapshot in time, the limitations of actuarial and structured tools, and the challenge of establishing acceptable risk thresholds. Participants noted that risk can never be eliminated and that decisions about acceptable levels of risk are ultimately value-based.

Risk assessment and professional involvement

A central theme concerned the role of human judgement in the risk assessment process. Participants highlighted the unavoidable influence of assessor subjectivity. While professional discretion and judgement may be useful, it could also be subject to individual bias. Mechanisms to gather data during the assessment process could have a negative impact, summed up by one tile as “rubbish in, rubbish out”. At the same time, there was some acknowledgement that structured consistency, while imperfect, might be preferable to unstructured assessment. Questions were raised by participants about who assesses risk, the point at which risk is assessed, how professionals are trained and supported, and whether genuine objectivity is achievable within systems that are themselves shaped by institutional priorities and organisational pressures. One participant asked if assessment

tools were ‘better than nothing? Is it better than the alternative?’ While another responded: that tools were “often no better than chance...Designed for a moment in time but used to predict the future”. Several participants acknowledged the comment: “Are the tools fit for purpose? (if they’re even used)”.

Participants reflected on the need for individualisation, transparency and participation. It was suggested by one participant that effective risk assessment may be possible “if it is regularly reviewed and updated”. Questions were raised about whether assessments are done *to* people or *with* them, whether reasonable adjustments are consistently made, whether individuals understand the assessment process and its implications, and how risk assessment might better recognise personal circumstances, strengths, needs, hope, motivation and opportunities for change.

Another theme concerned the quality, validity and communication of risk assessment tools. Participants discussed the importance of robust development and validation processes, calibration, updating tools in light of new evidence, and ensuring that outcomes are communicated accurately and understood by practitioners and those being assessed. One participant highlighted that “the person and decision-makers need to properly understand RA outcomes and what they mean. RA is complex”.

Diversity

Diversity, equality and inclusion featured prominently, revolving around two central statements: “Diversity – how different groups experience RA” and “Subsamples difficult (e.g. neurodiversity, gender, etc.)”. Participants highlighted that risk assessment reliance on large samples for their development and validation undermined their capacity to address low occurring offences and diversity, leaving them unvalidated at best and systematically biased at worst. Some participants noted that existing tools were therefore unable to adequately reflect different experiences associated with gender, neurodiversity, mental health, adverse childhood experiences and other protected characteristics. One participant noted: “If communication support needs are identified and supported [risk assessments can] possibly [work for everyone]. If they aren’t, the assessment can’t work”. Another participant noted the “mixed findings around areas like cross-cultural fairness”. Concerns were raised about structural inequalities and the possibility that risk assessment reproduces existing forms of disadvantage and oppression. Other issues highlighted included a lack of training and understanding of these issues among criminal justice professionals and how diversity was managed throughout the system.

Resources

Participants reflected on the relationship between risk assessment, resources and service provision. It was noted that risks are frequently judged to be unmanageable because of limited access to institutional or structural resources that might serve to reduce risks (when featured in risk assessment processes, for example housing, treatment, support services or community resources). The discussion centred around this theme highlighted the role of risk assessment in determining access to services and opportunities and

questioned how people can demonstrate reduced risk if appropriate support and pathways are unavailable. A central statement read ‘If [risk assessment is] to manage risk then it has to be resourced’. This linked to the Diversity theme, with a common obstacle being a particular lack of resources for ‘niche’ groups and a commitment to funding needed to address both issues.

Accountability & lack of transparency

Questions about accountability and governance were prominent in discussions within the participant group. There was support among several participants for the view that “weak accountability for how process works (leads to) poor implementation”. One participant asked: “Who decided what the process of RA looks like and is it a good practice approach? When do we review this?” Responsibility for decision-making, and subsequent accountability mechanisms were highlighted as not always transparent. One participant commented “people are spending decades in prison – poor assessments are not being connected/no one being held accountable and no process to change this”.

Similarly, review procedures and the tendency for organisations and practitioners to become risk-averse when adverse outcomes occur, was noted. Concerns were expressed about the balance between accountability and professional confidence and whether systems inadvertently encourage defensive decision-making, especially where decisions can result in the attribution of blame when unanticipated outcomes occur. This was best captured by the tile ‘If the system/practitioner always get blame when things go wrong, it is possible to avoid a risk averse approach?’. Weak accountability was linked to the idea that risk assessment cannot work for people if they do not understand the process, which in turn links back to diversity.

Punishment as way of managing risk

Broader critiques that were noted by participants, although with less shared attention, addressed the relationship between risk assessment and ‘punishment’. Some participants questioned whether assessments sometimes become punitive in practice, particularly when risk is used to justify ongoing restrictions, delayed progression or continued supervision. Linking this to issues of accountability, one participant noted: “You cannot meaningfully participate in a secret process”. It was noted that risk assessment can become dehumanising when individuals are reduced to scores, categories or thresholds and when broader social contexts are overlooked.

Conclusion

Bringing together perspectives from policy, practice, advocacy, lived experience and research created a valuable opportunity to critically examine the question “Does risk assessment work for everyone” from multiple viewpoints.

The discussions indicate that risk assessment cannot be understood solely as a technical/scientific exercise. Participants emphasised the influence of professional

judgement, organisational accountability, resource availability, subjectivity and the broader structural context in which decisions are made.

The issues raised during the workshop are situated within an increasingly active national conversation about the future operation of the Order for Lifelong Restriction. They reflect themes currently being explored by the Scottish Human Rights Commission through its recent roundtable discussion held at the Scottish Parliament in March 2026 and paper on the OLR (SHRC, 2025), alongside the ongoing work of the (NOLR) campaign group. Questions surrounding risk assessment, progression, public protection, fairness, accountability and the human rights implications of the OLR (Ceesay, 2026) are becoming increasingly prominent, and the themes emerging from this workshop contribute meaningfully to these wider discussions.

The workshop created a space in which areas of agreement, disagreement and uncertainty could be explored constructively, recognising the legitimacy of different forms of knowledge, while leaving existing tensions unresolved. The workshop reinforced the view that improving risk assessment is unlikely to be achieved through technical refinement alone.

References:

NOLR Campaign (2026) What is the OLR? Available at: What is the OLR? - OLR Campaign (Accessed: 22 July 2026).

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