

Early Release of Prisoners and Prescribed Victim Supporters (Scotland) Regulations 2024- Returns to Custody Analysis

Introduction

Further to the SPS summary report of emergency release data published on 2 September 2024, this paper provides an analysis of returns to custody for those released under the emergency release scheme. In between 26 June and 25 July 2024, 477 individuals were released early in 4 tranches. This analysis includes returns to custody up to and including 11 December 2024.

Further quality checks have been made to the data since the publication in September, leading to some changes in the figures. Convictions for some individuals have changed, leading to alterations in the proportions of index offences.

Analysis

By 11 December 2024, 61 people who left custody as part of the emergency release (ER) programme in June and July 2024 had returned to custody before their original Earliest Date of Liberation (EDL), i.e. the date when they would originally have been liberated. As a proportion of the 477 people released under emergency release, this equates to approximately 13%.

The table below shows the recorded index offence groupings for which people came back into custody.

Note: this table shows information covering people who have been charged and reconvicted, people who are being held for alleged offences, and people who have already been released from custody after being remanded for an alleged offence. The index offence group shown here represents an individual's most serious offence, as defined by the index offence allocation from the Official Prison Population Statistics¹ which gives more weight to convicted offences than alleged offences.

Index offence group	Number of people returning to custody before their original EDL by 11 th December 2024 (proportion of all returning)
Non-sexual crimes of violence	21 (34%)
Crimes of dishonesty	21 (34%)
Damage and reckless behaviour	<5
Crimes against society	6 (10%)
Antisocial offences	8 (13%)
Miscellaneous offences	<5
Other – not classified	<5
Total	61

¹ CellWise Data Construction - Scottish prison population statistics technical manual - gov.scot (www.gov.scot)

Individuals returning to custody prior to their original EDL remained in the community for between 2 and 126 days, with an average time in the community of 30 days.

Time in community	Number of individuals
0-10 days	12
11-20 days	21
21-30 days	7
31-40 days	6
41 days+	15
Total	61

Scottish Prison Service

February 2025