SCOTTISH PRISON SERVICE

Emergency Early Release Reporting February 2026

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Emergency Early Release 2025/2026 Data Analysis Summary Report

Introduction

This paper sets out an operational data analysis of use of the use of powers provided for in the Early Release of (Scotland) Regulations 2025 ("the Regulations")[1] by the Scottish Prison Service (SPS).

The Regulations came into force on 10 November 2025. They were made in exercise of the powers conferred on the Scottish Ministers by Section 3C of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (the 1993 Act) (as introduced by Section 11 of the Bail & Release from Custody (Scotland) Act 2023 (the 2023 Act)).

There are a number of exclusions set out in both Section 3C and the Regulations. The Regulations were limited to short-term prisoners only (those serving less than 4 years).

This paper provides detail on the numbers released under these Regulations. It provides information on the use of the Governor veto. It also sets out releases by sex, sentence length and index offence. It also provides a breakdown of releases by health board, local authority and establishment. This data covers the first three tranches under these Regulations and further reports will cover the later tranches.

In between 11 November and 13 December 2025, 286 individuals on short-term sentences were released early.

Tranche	Number of releases (proportion of all releases)	Percentage
1 (11-13 Nov 2025)	134	47%
2 (25-27 Nov 2025)	82	29%
3 (9-11 Dec 2025)	70	24%
Total	**286**	

[1] The Early Release of Prisoners (Scotland) Regulations 2025

Data Reporting

SPS has committed to being open and transparent about use of the Regulations. Weekly updates of total released were provided on the SPS website following each of the 3 tranches in November and December 2025. Further data will provide information about returns to custody and the subsequent 4 release tranches in 2026.

Use of Governors' vetoes

Governors were able to veto the release of an individual if they considered they would pose an immediate risk of harm to a specific individual or group.

The distribution of vetoes across the tranches is displayed as below:

Tranche	Number of releases	Vetoes (rate)	Percentage
1	134	70	34%
2	82	73	47%
3	70	44	39%
Total	**286**	**187**	**40%**

Veto figures as far as possible exclude those who were initially vetoed and later became ineligible, but due to constant changes to sentences in the eligible population, it is not possible to ascertain that all ineligible individuals have been excluded from these figures.

Note: in previous publications of emergency release data, SPS has provided figures for those deemed to be eligible for release and later becoming ineligible. Due to the length of this programme of emergency release, these figures cannot be reported. Individuals moved in and out of eligibility across the period of assessment for a number of reasons as the courts continue to process remand warrants, and individuals also move between tranches as a result of this.

Demographic of those released:

Releases by sex

Sex	Number released (proportion of all releases)	Percentage
Female	51	18%
Male	235	82%
Total	**286**	

Releases by sentence length

Sentence length	Released (proportion of all releases)	Percentage
0 to 6 months (0-180 days)	35	12%
6+ to 12 months (181-365 days)	114	40%
12+ months to 2 years (366-730 days)	101	35%
2+ years to 3 years (731-1,095 days)	29	10%
3+ to 4 years (1,096-1,460 days)	7	2%
Total	**286**	

Sentence length reported here is the length of the sentence the individual was serving at the point of release. All those released were within 180 days of their original date of liberation.

Releases by index offence grouping

Index offence groupings are shown here in order of sentence tariff carried (i.e. most serious offences first), as delineated in the official prison population statistics[2].

Index offence grouping	Released (proportion)	Percentage
Non-sexual crimes of violence	127	44%
Crimes against society	75	26%
Crimes of dishonesty	52	18%
Road traffic offences	17	6%
Antisocial offences	9	3%
All other offences	6	2%
Total	**286**	

[2] Scottish prison population statistics technical manual - gov.scot

Both local authority and health board are assigned on the basis of the last known address for an individual in custody; they may not necessarily return to the same area. Where there were no individuals returning to a health board or local authority, the health board or local authority is not included in the tables below.

Releases by Health Board

Both health boards and local authorities were assigned based on the last known address of the individual. Please note, <5 denotes 0 to 4.

Health Board	Released
NHS Ayrshire and Arran	26
NHS Borders	<5
NHS Dumfries and Galloway	8
NHS Fife	17
NHS Forth Valley	25
NHS Grampian	28
NHS Greater Glasgow and Clyde	74
NHS Highland	7
NHS Lanarkshire	32
NHS Lothian	31
NHS Shetland	<5
NHS Tayside	23
Outwith Scotland	11
Total	**286**

Releases by Local Authority

Local Authority	Released
Aberdeen City	18
Aberdeenshire	7
Angus	<5
Argyll and Bute	<5
City of Edinburgh	21
Clackmannanshire	9
Dumfries and Galloway	8
Dundee City	17
East Ayrshire	11
East Renfrewshire	<5
Falkirk	8
Fife	17
Glasgow City	46
Highland	6
Inverclyde	6
Midlothian	5
Moray	<5
North Ayrshire	8
North Lanarkshire	16
Outwith Scotland	11
Perth and Kinross	<5
Renfrewshire	14
Scottish Borders	<5
South Ayrshire	7
South Lanarkshire	16
Stirling	8
West Dunbartonshire	5
West Lothian	5
Total	**286**

Releases by establishment

Note: the last held establishment is not necessarily the establishment an individual served their sentence in or that made the decision about their release. Individuals may be transferred so that they are nearer their home upon release.

Establishment	Released
Addiewell	20
Barlinnie	38
Bella	<5
Dumfries	<5
Edinburgh	<5
Glenochil	29
Grampian	13
Greenock	12
Inverness	<5
Kilmarnock	25
Lilias	6
Low Moss	45
Open Estate	<5
Perth	6
Polmont	68
Stirling	9
Total	**286**

Further data on returns to custody will be published in due course.

Scottish Prison Service
February 2026