

Change to Release Point for some Short- Term Prisoners

Information
for Families
and Friends

A new law has been passed that changes when people serving short-term sentences (four years or less) are released from custody.

What does this change to the law mean?

Some Short-Term Prisoners will be released after serving 30% of their sentence, instead of 40%.

Who is not eligible?

This change does not apply to those serving a sentence, for sexual offences or domestic abuse. They will be released after completing 50% of their sentence.

When is this happening?

The law will come into effect on 12 May.

How will my loved one be informed if their Earliest Date of Liberation (EDL) has been changed?

They be given a letter from the establishment that will tell them if their release date has been changed.

What if my loved one's new EDL is in the past?

Some people will become eligible for immediate release due to having already served over 30% of their sentence. To manage this process, we will be releasing people from custody in May and June in groups that we call 'tranches'.

Emergency Early Release

How will my loved one know which tranche they are in?

The date on the letter they are given will be their new release date.

My loved one thinks they are eligible, but their date hasn't changed?

Some people's original date of release (at 40% of their sentence) is before their allocated tranche date. Therefore, they will keep their original release date so they are not kept in custody any longer than necessary.

What if my loved one has a remand warrant?

If someone has already passed their new release date for their current sentence, they will stay in custody but move to remand status. This is the same process that is used now.

My loved one transferred to Scotland from another area, will these changes apply to them?

In most cases if they were sentenced out with Scotland, their sentence will remain the same. If their release date has changed, we will let them know.

Emergency Early Release

My loved one is due for release on Home Detention Curfew (HDC), will this affect them?

If your loved one is eligible for a new release date this will be updated on their HDC licence.

Will there be pre-release support?

Everyone will be offered a meeting with a pre-release officer to talk through arrangements and ensure support, accommodation, benefit applications etc, are in place. The officer can also support your loved one to stay in contact with you about these changes if they wish to.

My loved one is a foreign national, how will this change affect them?

The immigration service has been provided with a list of all foreign national individuals in custody whose release dates have changed.

It will be a matter for the Immigration Services to decide what action they intend to take. Your loved one's sentence will end on the date they have been provided with, and it will be for other agencies to decide if they are to be detained further.

If you have concerns about the release of an individual from custody, there are organisations available that can support and guide you and your family further. See the SPS website for more details.