Prisoners (Control of Release) (Scotland) Bill

Marshalled List of Amendments for Stage 2

The Bill will be considered in the following order—

Sections 1 to 4

Long Title

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 1

Michael Matheson

1 In section 1, page 1, line 8, leave out subsection (2) and insert—

<(2) In section 1—

(a) after subsection (1) there is inserted—

“(1A) Subsections (2) and (2A) apply as follows—

(a) subsection (2) applies in relation to a long-term prisoner who is serving a sentence imposed before the day on which section 1 of the Prisoners (Control of Release) Scotland Act 2015 comes into force,

(b) subsection (2A) applies in relation to a long-term prisoner who is—

(i) serving a sentence imposed on or after the day on which section 1 of the Prisoners (Control of Release) Scotland Act 2015 comes into force, and

(ii) not subject to an extended sentence within the meaning of section 210A of the 1995 Act.

(1B) For the purpose of subsection (1A), a sentence specified on appeal in substitution for a sentence imposed earlier is to be regarded as imposed when the earlier sentence was imposed.”,

(b) after subsection (2) there is inserted—

“(2A) As soon as a long-term prisoner has only 6 months of the prisoner’s sentence left to serve, the Scottish Ministers must release the prisoner on licence unless the prisoner has previously been so released in relation to that sentence under any provision of this Act.”.>

Elaine Murray

1A As an amendment to amendment 1, line 18, leave out <6 months> and insert <12.5%>
Section 3

Margaret Mitchell

5* In section 3, page 2, line 16, at end insert—
   <( ) The day appointed for section 1 to come into force must be a day after the day on which the Criminal Justice (Scotland) Act 2015 received Royal Assent.>

Michael Matheson

2 In section 3, page 2, line 17, leave out subsection (3)

Michael Matheson

3 In section 3, page 2, line 17, at end insert—
   <( ) An order under subsection (2) bringing section 1 into force may amend section 1(1A) of the Prisoners and Criminal Proceedings (Scotland) Act 1993 Act so that, instead of referring to the day on which section 1 comes into force, it specifies the date on which section 1 actually comes into force.>

Long Title

Michael Matheson

4 In the long title, page 1, line 1, leave out from <end> to <sentences> in line 2 and insert <amend the rules as to automatic early release of long-term prisoners from prison on licence>