

Cabinet Secretary for Justice  
Neil Gray MSP



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

T: 0300 244 4000  
E: scottish.ministers@gov.scot

Alyn Smith MSP  
Convener  
Criminal Justice Committee  
Scottish Parliament

[criminaljustice.committee@parliament.scot](mailto:criminaljustice.committee@parliament.scot)

25 June 2026

Dear Convener,

## ACHIEVING A SUSTAINABLE PRISON POPULATION

I am writing to advise you that, following my statement to Parliament today during the debate on *Achieving a Sustainable Prison Population*, the Scottish Government has now launched a public consultation on potential reforms intended to support a more sustainable prison population. The consultation will open on 25 June 2026 and will run for eight weeks, closing on 20 August 2026. The consultation will be available following my announcement to Parliament at: <https://consult.gov.scot/justice/prison-population-penal-reform-sustainability/>.

Given the committee's likely interest in this area, particularly in the context of any future legislation, I wanted to ensure that you were made aware of the consultation as it launches today.

As you are aware, we continue to face significant and sustained pressure in relation to the prison population. Despite action taken in recent years, the prison population has reached record levels, and current projections indicate that, without further reform, these pressures will continue. This is placing the justice system in an increasingly unsustainable position and is having a direct impact on the delivery of a safe and effective prison system.

The consultation therefore sets out a package of potential reforms designed to reduce pressure on the prison estate over the medium to longer term, while maintaining public protection at the centre of our approach. The proposals cover a range of issues, including sentencing and release arrangements, community sentencing, bail and remand, and matters relating to long-term prisoners.

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In particular, the consultation seeks views on possible changes to the automatic early release point for long-term prisoners, including those serving extended sentences; changes to prisoner sentence definitions; extension and strengthening of the Presumption Against Short Sentences; reforms intended to strengthen confidence in and use of Community Payback Orders; and changes to the bail test. These proposals have been developed as part of wider work to respond to the prison population challenge and have been informed by the recommendations of the Sentencing and Penal Policy Commission.

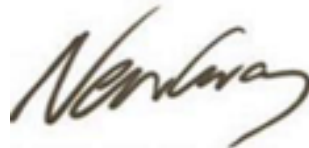
Given the urgency of the prison population challenge, the consultation period is shorter than usual, but this will be supported by targeted engagement and stakeholder workshops to help ensure meaningful input is captured alongside written responses.

I am also conscious of the importance of community justice alternatives to custody and will be holding a separate consultation as part of the statutory review of the National Strategy for Community Justice. This consultation will also launch on 25 June and will be available at: <https://consult.gov.scot/justice/national-strategy-community-justice-2022-review>.

I recognise that these are important and potentially sensitive issues. Public safety will remain paramount as the Scottish Government considers any future reforms. The views of victims and victim support organisations will be instrumental in informing that work, alongside careful consideration of operational impacts across the justice system.

I hope this letter is helpful in making you aware of the consultation launch. Officials will continue to engage with relevant partners as this work progresses, and I will keep you informed of further developments.

Your sincerely,



**NEIL GRAY**

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