



The Scottish Parliament
Pàrlamaid na h-Alba

JUSTICE COMMITTEE

AGENDA

4th Meeting, 2015 (Session 4)

Tuesday 27 January 2015

The Committee will meet at 10.00 am in the Mary Fairfax Somerville Room (CR2).

1. **Decisions on taking business in private:** The Committee will decide whether to take items 3 and 4 in private.
2. **Prisoners (Control of Release) (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Michael Matheson, Cabinet Secretary for Justice, Philip Lamont, Head of Criminal Justice and Sentencing Unit, Jane Moffat, Head of Rehabilitation and Reintegration Unit, and Ann Davies, Directorate for Legal Services, Scottish Government.

3. **Serious Crime Bill (UK Parliament legislation):** The Committee will consider a draft report on the supplementary legislative consent memorandum LCM(S4) 33.2.
4. **Work programme:** The Committee will consider its work programme.

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The papers for this meeting are as follows—

Agenda item 2

Paper by the clerk

J/S4/15/4/1

Private paper

J/S4/15/4/2 (P)

[Prisoners \(Control of Release\) \(Scotland\) Bill, accompanying documents and SPICe briefing](#)

[Written submissions received on the Bill](#)

Agenda item 3

Private paper

J/S4/15/4/3 (P)

Agenda item 4

Private paper

J/S4/15/4/4 (P)

Justice Committee

4th Meeting, 2015 (Session 4), Tuesday 27 January 2015

Prisoners (Control of Release) (Scotland) Bill

Note by the clerk

Introduction

1. The Justice Committee will complete its evidence taking on the general principles of the Prisoners (Control of Release) (Scotland) Bill with a session with the Cabinet Secretary.

Provisions of the Bill

2. The Bill was introduced in the Parliament on 14 August 2014 and contains the following provisions relating to the release of offenders serving custodial sentences:

- **restriction of automatic early release** – seeking to end automatic early release for sex offenders receiving determinate custodial sentences of four years or more and other offenders receiving determinate custodial sentences of ten years or more; and
- **early release for community reintegration** – allowing the Scottish Prison Service to release sentenced prisoners up to two days early where this would help facilitate community reintegration (eg by allowing for early access to key public services).¹

3. Further information on the Bill's provisions is available in SPICe briefing 14/60, *Prisoners (Control of Release) (Scotland) Bill*, published on 24 September 2014.²

Written submissions

4. The Committee has received a number of responses to its call for evidence³ on the Bill. These are available on the Committee's webpage⁴. Prior to the introduction of the Bill, the Committee issued a call for evidence on automatic early release⁵. Submissions to that call for evidence are also available on the Committee's webpage⁶.

¹ Copies of the Bill and accompanying documents are available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/80130.aspx>.

² SPICe briefing 14/60, Prisoners (Control of Release) (Scotland) Bill. Available at:

http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_14-60.pdf.

³ Justice Committee, Call for evidence on the Prisoners (Control of Release) (Scotland) Bill. Available at: <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/83915.aspx>.

⁴ Responses to the Justice Committee's call for evidence on the Prisoners (Control of Release) (Scotland) Bill. Available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/85283.aspx>.

⁵ The Bill's provisions on automatic early release were originally due to be taken forward by means of an amendment to the Criminal Justice (Scotland) Bill at Stage 2. The Committee will not commence Stage 2 consideration of that Bill until after a review headed by Lord Bonomy reports on potential further reforms in light of the proposed abolition of the requirement for corroboration.

⁶ Responses to the Justice Committee's call for evidence on automatic early release. Available at: <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/75273.aspx>.

Oral evidence

5. On 13 January, the Committee took evidence from Dr Monica Barry from the University of Strathclyde, Howard League Scotland, Positive Prison? Positive Futures, the Scottish Human Rights Commission and Victim Support Scotland.⁷

6. On 20 January, the Committee took evidence from the Convener of the Risk Management Authority, Professor Cyrus Tata, the Chief Executive of the Scottish Prison Service, the Chair of the Parole Board for Scotland and a member of the Scottish National Committee of the Prison Officers' Association (Scotland)⁸.

Next Steps

7. The Committee will consider a summary of evidence paper at its meeting on 3 February and a draft report after February recess.

⁷ The Official Report of the meeting on 13 January 2015 is available at:
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9715&mode=pdf>. The meeting papers are available at:
http://www.scottish.parliament.uk/S4_JusticeCommittee/Meeting%20Papers/Papers20150113.pdf.

⁸ The Official Report of the meeting on 20 January 2015 is available at:
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9738&mode=pdf>.