

Information for families and loved ones.

Early Release

28th January 2025

A new law has come in into force which will change release dates of some of those in our care who are serving short term sentences (less than four years). We understand you may have many questions, and we have tried to answer some of these below.

What does this change to the law mean?

The Emergency Bill was passed in November which means some Short-Term Prisoners will be released at the 40% point of their sentence instead of at the 50% point.

Why has this law come into force?

This new law is designed to reduce the number of people in custody from the extremely high levels we have seen this year. It will therefore benefit everyone living or working in Scotland's prisons.

Who is excluded from this early release?

- Those serving sentences for sexual offences
- Those serving sentences for domestic abuse offences.
- Those serving sentences for offences which include a domestic aggravator.

When will these releases take place?

The plan is to release groups of people, called tranches in February and March. They will be released on Tuesdays, Wednesdays and Thursdays.

When will my loved one be told?

Your loved one will receive a letter informing them of any changes to their release date, including the new date if applicable.

What if their new date has passed?

Those who are at or beyond their new release date will be released in groups in February and March.

What if they also have a remand warrant?

If they pass their new release date for their current sentence they will remain in custody and be held on remand following the current process.

What support will be in place for individuals being released early?

- 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 contact you about these changes if they would like them to.
- **Liberation Packs**

Everyone leaving our care will receive liberation packs with key community contacts for support including, but not limited to:

- Arranged appointment details
- GP registration card
- Proof of ID letter
- Benefits information
- Naloxone kit, where training has been provided.

I think my loved one should be eligible, but their date hasn't changed.

Some people's original date of release (at 50% 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.

My loved one is due for release on Home Detention Curfew (HDC) what will happen?

If they are eligible for a new release date this will be updated on their HDC licence

My loved one transferred to a Scottish establishment from another jurisdiction will these changes apply.

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.

My loved one is a foreign national will this affect them.

The immigration service has been provided with a list of all foreign national people in our care whose release dates have changed. It will be a matter for the Immigration Services to decide what action they intend to take. Their 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.

I am worried about an individual being released early.

We understand you may have concerns about someone's early release from custody, there are organisations available that can support and guide you and your family ([Support for you](#))

Should you wish to speak to SPS Victim Notification Scheme (VNS) team contact details are available [here](#):

Main Switchboard 0131 330 3500

Direct to VNS team 0131 330 3664