

*These notes relate to the Custodial Sentences and Weapons (Scotland) Act 2007 (asp 17) which received Royal Assent on 19 April 2007*

# **CUSTODIAL SENTENCES AND WEAPONS (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON PARTS**

#### **Part 2 - Confinement and Release of Prisoners** *Schedule 2 (introduced by section 52)*

#### ***Prisoners Serving More Than One Sentence: Application of Part 2***

##### **Multiple custody and community sentences**

102. [Paragraph 2\(1\)](#) provides that paragraph 2 applies where a prisoner is serving, or is likely to serve, two or more custody and community sentences and is not serving, or is not likely to serve, any other custodial sentence.
103. Where a prisoner is serving two or more custody and community sentences, references in Part 2 to the expiry of the custody part will be to the latest expiry date. This prevents the case being referred to the Parole Board until shortly before the expiry of all custody parts. The prisoner will only be released on licence on expiry of the latest custody part.
104. [Paragraph 2\(5\)](#) provides that the prisoner can, following review by the Parole Board, be detained on the grounds of risk until he or she has served at least three-quarters of each of the sentences. [Paragraph 2\(6\)](#) provides that the sentence end date is the latest expiry date of the sentences.