



Coronavirus (Recovery and Reform) (Scotland) Act 2022

2022 asp 8

PART 5

TEMPORARY JUSTICE MEASURES

Supporting provisions

57 Effect of early release from prison or young offenders institution by virtue of regulations

- (1) A person described in the first column of the table below who is released from custody by virtue of regulations under [paragraph 25 of the schedule](#), or paragraph 19(1) of schedule 4 of the Coronavirus (Scotland) Act 2020, is deemed to have been released by virtue of the provision of the 1993 Act mentioned in the corresponding entry in the second column.

Status of person immediately before release	Provision of the 1993 Act by virtue of which the person is deemed to have been released
A short-term prisoner	section 1(1)
A long-term prisoner	section 1(3)
A person serving a term of imprisonment or detention imposed on a basis mentioned in section 5(1)(a) or (b) of the 1993 Act (fine defaulters and persons in contempt of court) and who is, for any purpose, to be treated as a short-term prisoner by virtue of that section	section 1(1), construed as required by section 5(2)
A person serving a term of imprisonment or detention imposed on	section 1(3), construed as required by section 5(2)

Changes to legislation: There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Section 57. (See end of Document for details)

Status of person immediately before release	Provision of the 1993 Act by virtue of which the person is deemed to have been released
a basis mentioned in section 5(1)(a) or (b) of the 1993 Act and who is, for any purpose, to be treated as a long-term prisoner by virtue of that section	
A person detained— <ul style="list-style-type: none"> (a) under section 208 of the Criminal Procedure (Scotland) Act 1995 (detention of children convicted on indictment), or (b) in pursuance of an order under section 7(3) of the 1993 Act (children detained in solemn proceedings) 	section 7(2)

(2) In [this section](#)—

- (a) “1993 Act” means the Prisoners and Criminal Proceedings (Scotland) Act 1993,
- (b) “short-term prisoner” and “long-term prisoner”—
 - (i) have the meanings given in section 27(1) of the 1993 Act, and
 - (ii) include a person treated, for any purpose, as a short-term prisoner or (as the case may be) a long-term prisoner by virtue of section 6(1)(a) or 16(5)(a) of the 1993 Act.

Commencement Information

II [S. 57](#) in force at 1.10.2022, see [s. 59\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Coronavirus (Recovery and Reform) (Scotland) Act 2022, Section 57.