



# Criminal Justice (Scotland) Act 1949

## 1949 CHAPTER 94

### PART II

#### ADMINISTRATIVE PROVISIONS AND PROVISIONS AS TO TREATMENT OF PRISONERS, ETC.

##### *Remission for good conduct and release on licence, etc.*

#### **56 Remission for good conduct and release on licence of young prisoners**

- (1) Rules made under section fifty-three of this Act may make provision whereby, in such circumstances as may be prescribed by the rules, a person serving a sentence of imprisonment or ordered to be detained in a detention centre for such a term as may be so prescribed, may be granted remission of such part of that sentence or term as may be so prescribed on the ground of his industry and good conduct; and on the discharge of a person from a prison or detention centre in pursuance of any such remission as aforesaid his sentence, or as the case may be his term of detention, shall expire.
- (2) If it appears to the Secretary of State that a person serving a sentence of imprisonment was under the age of twenty-one years at the commencement of his sentence, he may direct that instead of being granted remission of his sentence under the rules such person shall, at any time on or after the day on which he could have been discharged if the remission had been granted, be released on licence under the provisions of the Eighth Schedule to this Act.
- (3) For the purposes of this section, consecutive terms of imprisonment shall be treated as one term.

#### **57 Release on licence of persons serving imprisonment for life**

- (1) The Secretary of State may at any time if he thinks fit release on licence a person serving a term of imprisonment for life subject to compliance with such conditions, if any, as the Secretary of State may from time to time determine.

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*Status: This is the original version (as it was originally enacted). This  
item of legislation is currently only available in its original format.*

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- (2) The Secretary of State may at any time by order recall to prison a person released on licence under this section, but without prejudice to the power of the Secretary of State to release him on licence again; and where any person is so recalled his licence shall cease to have effect and he shall, if at large, be deemed to be unlawfully at large.

## **58 After Care Council**

- (1) It shall be lawful for the Secretary of State to appoint a Council to be known as the After Care Council and consisting of such number of members as the Secretary of State may determine, being persons interested in the moral and social welfare of offenders, and the Secretary of State may appoint a Chairman and a Secretary of the Council and such other officers as he may deem necessary.
- (2) The After Care Council—
- (a) may be appointed or specified as the society for the purposes of any of the following provisions of this Act, namely:—section twenty-two, paragraph 2 of the Fourth Schedule, paragraph 2 of the Fifth Schedule and paragraph 1 of the Eighth Schedule ; and
  - (b) may undertake such other duties in connection with the after care of offenders as the Secretary of State may require.
- (3) The Secretary of State may pay—
- (a) to the members of the After Care Council such allowances in respect of loss of earnings or travelling or subsistence or other expenses necessarily suffered or incurred in the performance of their duties; and
  - (b) to the officers of the said Council such remuneration (whether by way of salary or fees) and such allowances in respect of travelling or subsistence,
- as the Secretary of State may with the approval of the Treasury determine.