



# Criminal Justice (Scotland) Act 2003

## 2003 asp 7

### PART 4

#### PRISONERS ETC.

##### *Release of prisoners*

#### **38 Special provision in relation to children**

- (1) The 1993 Act is amended as follows.
- (2) In section 7 (which among other things enables the Scottish Ministers to release on licence certain children if recommended to do so by the Parole Board, and which provides that a court order that a child released on licence be returned to detention has the effect of automatically revoking the licence)—
  - (a) in subsection (2), for the word “may” there is substituted “shall”;
  - (b) subsection (4A) is repealed;
  - (c) for subsection (5), there is substituted—
    - “(5) Without prejudice to section 6(1)(b)(ii) of this Act—
      - (a) sections 3, 11(1), 12, 12A, 12B, 17 and 20(2) of this Act apply to children detained under section 208 of the 1995 Act as they apply to long-term prisoners; and
      - (b) in those sections of this Act, references to prisoners, or to prison, imprisonment or sentences of imprisonment shall be construed, and sections 1A and 27 shall apply, accordingly.”;
      - and
    - (d) subsection (6) is repealed.