



# Victims and Witnesses (Scotland) Act 2014 2014 asp 1

## *Release of offender: victim's rights*

### **[<sup>F1</sup>27A. Notification of victims in relation to release etc. of short term prisoners**

- (1) Where a person (“A”) is sentenced to imprisonment or detention for a period of less than 18 months in respect of an offence, the Scottish Ministers must, if any person who is or appears to be a victim in relation to the offence (“V”) so requests, notify V of A’s—
  - (a) lawful release, or
  - (b) escape from prison.
- (2) Subsection (1) does not apply where the Scottish Ministers consider that there is an identified risk of harm to A if notification occurs.
- (3) Notification for the purposes of subsection (1)—
  - (a) must include—
    - (i) the date of the release or escape, and
    - (ii) in the case of release, any licence conditions which have been imposed on A under the 1989 Act or the 1993 Act for the protection of V,
  - (b) must be given—
    - (i) where the request is made before release or escape, as soon as reasonably practicable after the release or escape occurs,
    - (ii) where the request is made after the release or escape, as soon as reasonably practicable after the request is made.
- (4) In this section—

“the 1989 Act ” means the Prisons (Scotland) Act 1989 ,

“the 1993 Act ” means the Prisoners and Criminal Proceedings (Scotland) Act 1993 ,

[<sup>F2</sup>“lawful release” means release under or by virtue of—

  - (a) the 1989 Act (other than temporary release),

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**Status:** Point in time view as at 04/05/2020.

**Changes to legislation:** There are currently no known outstanding effects for the Victims and Witnesses (Scotland) Act 2014, Section 27A. (See end of Document for details)

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(b) the 1993 Act, or  
(c) regulations made under paragraph 19(1) of schedule 4 of the Coronavirus (Scotland) Act 2020,]  
“prison” includes a young offenders institution. ]

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**Textual Amendments**

- F1** S. 27A inserted (23.12.2015) by [The Victims' Rights \(Scotland\) Regulations 2015 \(S.S.I. 2015/444\)](#), regs. 1(2), **15**
- F2** Words in s. 27A(4) substituted (temp.) (4.5.2020 at 10.15 a.m.) by virtue of [The Criminal Justice \(Miscellaneous Temporary Modifications\) \(Coronavirus\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/137\)](#), regs. 1(1), **3**

**Status:**

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