

These notes relate to the Management of Offenders (Scotland) Act 2019 (asp 14) which received Royal Assent on 30 July 2019

MANAGEMENT OF OFFENDERS (SCOTLAND) ACT 2019

EXPLANATORY NOTES

THE STRUCTURE AND A SUMMARY OF THE ACT

Part 4 – Prisoners: Control of Release, Being Unlawfully at Large Etc.

Section 50 – Representations by certain recalled prisoners

178. Section 50(2) amends section 17A of the 1993 Act to remove the previous grounds for recall from HDC and instead makes provision that a licence can be revoked and a person recalled if it is expedient to do so in the public interest.
179. Section 50(3) amends section 17A of the 1993 Act in relation to the recall of prisoners released on HDC. Section 50(3) inserts a new subsection (2A) into section 17A to provide that a person must make any written representations to the Parole Board, concerning the revocation of their licence and recall to prison, within six months of being informed of the decision, or later if allowed by the Parole Board on cause shown by the person.
180. Section 50(4) amends section 17A of the 1993 Act to make it clear that if the Parole Board cancel the revocation of a person's licence, the recall remains effective and Scottish Ministers must consider whether the person should again be released under section 3AA.