

EXPLANATORY NOTES

BAIL AND RELEASE FROM CUSTODY (SCOTLAND) ACT 2023

INTRODUCTION

THE ACT: AN OVERVIEW

THE ACT: SECTION BY SECTION

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Section 2—Determination of good reason for refusing bail

Changes to the bail test in section 23B of the 1995 Act

Change in how section 23C(1)(a) of the 1995 Act applies in summary cases

Section 3—Removal of restriction on bail in certain solemn cases

Section 4—Decisions on bail: duty to state and record reasons

Section 5—Time spent on electronically monitored bail

Section 6—Report on bail and remand

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PART 2: RELEASE FROM CUSTODY

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Section 9—Release on licence of long-term prisoners

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These notes relate to the Bail and Release from Custody (Scotland) Act 2023 (asp 4)

PART 3: FINAL PROVISIONS

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PARLIAMENTARY HISTORY