



Terrorist Offenders (Restriction of Early Release) Act 2020

2020 CHAPTER 3

Consequential and transitional provision

8 Transitional provision for terrorist prisoners subject to supervised release orders: Scotland

- (1) This section applies where—
 - (a) a terrorist prisoner was sentenced before the coming into force of section 1AB of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (the “1993 Act”) (inserted by section 3), and
 - (b) the court, on passing sentence, made a supervised release order under section 209 of the Criminal Procedure (Scotland) Act 1995 (the “1995 Act”) in respect of the prisoner.
- (2) If the terrorist prisoner is not released under section 1AB of the 1993 Act until the end of the prisoner’s sentence, the supervised release order is revoked on the prisoner’s release.
- (3) If the Parole Board for Scotland recommends the release of the terrorist prisoner under section 1AB of the 1993 Act before the end of the prisoner’s sentence—
 - (a) the Scottish Ministers must release the prisoner unconditionally (despite section 1AB(4)), and
 - (b) the supervised release order applies in relation to the prisoner subject to the modifications in subsection (4).
- (4) Where the terrorist prisoner is released under subsection (3), the supervised release order has effect during the period—
 - (a) beginning with the day on which the terrorist prisoner is released, and
 - (b) ending with whichever of the following is the earlier—
 - (i) the day on which the supervised release order would, but for section 3 and this section, have ceased to have effect, and
 - (ii) the end of the prisoner’s sentence,

Status: This is the original version (as it was originally enacted).

and section 209 of the 1995 Act and the supervised release order are to be read accordingly.

- (5) Terms used in this section and defined for the purposes of section 1AB of the 1993 Act have the same meaning in this section as in that section.