

Bail and Release from Custody (Scotland) Bill — Stage 3

Section 4

Russell Findlay

5 In section 4, page 3, line 33, at end insert—

- <() Where the court grants bail in any proceedings in which a person is accused of an offence, it must—
- (a) state in particular the grounds on which it determines, in accordance with section 23B(1A), that there is no good reason for refusing bail,
 - (b) have the grounds mentioned in paragraph (a) entered in the record of the proceedings.”.>

Russell Findlay

6 In section 4, page 3, line 33, at end insert—

- <() The grounds that are entered in the record of the proceedings under this section must be published by the court in such manner as it may determine.”.>

Section 7

Russell Findlay

7 In section 7, page 7, line 36, at end insert—

- <() protecting any specific victim or victims of the prisoner, or identified group of people, to whom the prisoner may pose a risk on release,>

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8 In section 7, page 8, line 24, at end insert—

- <() the prisoner is subject to the notification requirements of Part 2 of the Sexual Offences Act 2003.>

After section 8

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9 After section 8, insert—

<Public access to date of release

- (1) The 1993 Act is amended as follows.
- (2) After section 26C (Release timed to benefit re-integration) insert—

“Public access to date of release

- (1) The Scottish Ministers must establish a database containing the date on which each person held in custody will be released or is expected to be released.

- (2) The database established under subsection (1) must be made publicly available.
- (3) The Scottish Ministers may, by regulations, make further provision in connection with establishing the database under subsection (1).
- (4) Regulations under subsection (3) are subject to the affirmative procedure.”>