

CRIMINAL PROCEEDINGS
AND DEFENCE RIGHTS
IN **SCOTLAND**

This leaflet covers:

- Information about Fair Trials
- Definitions of key legal terms
- Information about criminal proceedings and defence rights in Scotland
- Useful links

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About Fair Trials

Fair Trials is a non-governmental organisation that works for the right to a fair trial according to internationally-recognised standards of justice. Our vision is a world where every person's right to a fair trial is respected.

We believe the right to a fair trial is an essential part of a just society. Each person accused of a crime should have their guilt or innocence determined by a fair and effective legal process. But the right to a fair trial is not just about protecting suspects and defendants; it also makes societies safer and stronger. Without fair trials, trust in justice and in government collapses.

Despite the importance of fair trials being recognised by the international community, this basic human right is being abused day-in-day-out in countries across the globe. We're working to put an end to these abuses, towards realising our vision of a world where every person's right to a fair trial is respected.

If you think an important question is not covered by this note, please let us know. We would appreciate it if you could also take a few moments to give us some feedback about this note. Your comments will help us to improve our services.

"Fair Trials" includes Fair Trials International and Fair Trials Europe. Fair Trials International is a registered charity (no. 1134586) and in 2010 was incorporated with limited liability in England Wales (no. 7135273). Fair Trials Europe is a registered public foundation in Belgium (registered number 0552.688.677). We were initially founded in 1992 with the name "Fair Trials Abroad".

If you require this leaflet in large print, please contact using the details at to the end of this document.

IMPORTANT

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CONTENTS

DEFINITIONS OF KEY LEGAL TERMS	5
INFORMATION ON CRIMINAL PROCEEDINGS AND DEFENCE RIGHTS IN SCOTLAND	5
Q1. WHERE DO THE LAWS OF SCOTLAND APPLY?.....	8
Q2. WHAT ARE MY RIGHTS UPON ARREST?.....	8
Q3. WHEN WILL I KNOW ABOUT THE CASE AGAINST ME?	11
Q4. HOW DO I FIND A LAWYER? WHAT IS THE ROLE OF MY LAWYER?	12
Q5. WILL I HAVE TO STAY IN PRISON UNTIL MY TRIAL STARTS? IF SO, FOR HOW LONG?	14
Q6. HOW LONG BEFORE MY CASE GOES TO TRIAL?	17
Q8. WHAT HAPPENS AT TRIAL?	18
Q9. I AM NOT HAPPY WITH THE DECISION, CAN I APPEAL AGAINST IT? HOW DO I APPEAL? ...	22
Q10. I HAVE EXHAUSTED ALL LEGAL REMEDIES. WHAT OPTIONS DO I HAVE?.....	23
Q11. WHAT RIGHTS DO I HAVE AS A PRISONER? .	23
Q12. CAN I GET MY SENTENCE REDUCED?	24
Q13. CAN I GO BACK TO MY HOME COUNTRY?	25
USEFUL LINKS	27

DEFINITIONS OF KEY LEGAL TERMS

Advocates: Advocates are independent lawyers who represent clients in the courts and plead their case. They have rights of audience (right to address the court as a legal representative) at the High Court.

Appeal: An opportunity to dispute a decision made at trial (either on point of law following conviction or on sentence) by asking a higher court to review it. This can result in the decision being overturned or changed.

Bail: The temporary release from police custody of a person accused of a crime and awaiting trial.

Bar Association: An organisation whose role is to represent lawyers and help people in their dealings with lawyers.

Complaint/Indictment: A written statement accusing a person of carrying out an offence.

Consulate: The section of the embassy whose task is to assist its citizens.

Court of Appeal: A court that is competent to hear appeals (i.e. challenges) made to decisions of the lower courts.

Court of First Instance: A lower court where a trial is initially heard.

Disclosure: The disclosure of pertinent evidence (acts or documents) to the accused by the prosecution.

Embassy: The office of a government official who resides in a foreign country and represents his/her government's interests.

European Court of Human Rights: The Court is based in Strasbourg, France, and hears human rights cases against the 47 countries which make up the Council of Europe (which is different from the European Union).

Judge: A person with authority to hear and decide on cases in a court of law. A judge at the lower court is referred to as a 'Sheriff'.

Jury: A body of people required to give a verdict in a legal case on the basis of evidence submitted to them in court.

Judgment: A decision on a case provided by a judge or jury in a court of law.

Lawyer: A person whose profession is to give legal advice and assistance to clients and represent them in court or in other legal matters. In England and Wales, lawyers can be either solicitors or barristers.

Legal Aid: Financial assistance provided to a person who needs a lawyer and who cannot afford to pay for one.

Plea Negotiation: A procedure which allows the accused to plead guilty in exchange for a less severe sentence.

Police Custody: Detention of a suspect by the police after arrest.

Pre-trial Detention: Detention in police custody or in prison during the investigations (and often during the trial itself as well), which happens before the decision on guilt or innocence is made by the court.

Public Interest Immunity: This is information that the prosecution believes should not be disclosed as it would not be in the public interest to do so (e.g. if making the information public could put people in danger).

Procurator Fiscal or Fiscal: A person who conducts a case against a person who is accused of a crime.

Remand: The act of sending a person accused of a crime into police custody.

Sentence: The punishment assigned to a person convicted of a crime as fixed by a court of law.

Solicitor: A lawyer who is qualified to represent clients in certain lower courts and who prepares cases for Advocates to present in higher courts.

Warrant: A document issued by a legal or government official authorising the police to make an arrest, search premises, or carry out some other action relating to the administration of justice.

INFORMATION ON CRIMINAL PROCEEDINGS AND DEFENCE RIGHTS IN SCOTLAND

Q1. WHERE DO THE LAWS OF SCOTLAND APPLY?

The United Kingdom of Great Britain and Northern Ireland consists of three separate legal jurisdictions: England and Wales, Scotland, and Northern Ireland.

Each jurisdiction has its own court system and there are also some significant differences in the laws that apply. The laws of Scotland (called Scots law) only apply in Scotland.

The information here does not deal with the laws of Northern Ireland, or England and Wales.

Q2. WHAT ARE MY RIGHTS UPON ARREST?

If you are arrested, you should be taken to a police station as quickly as is reasonably practicable. At the time of your arrest, the police officer must inform you as to why you have been arrested, and under which laws. On arrival at a police station, you should be informed of your right to consult a solicitor.

(a) Right to information:

(i) Will the police inform me of my rights? Will this be done orally or in writing?

Yes, the police should inform you of your rights. This is normally done orally.

You should be told that you have the right to have a phone call made on your behalf to a solicitor, and the right to consult a solicitor before or during questioning. You do not have a right to make this phone call yourself – the police will make it on your behalf as soon as possible.

(ii) Do I have the right to be informed of the

8

allegations / charges against me?

Yes, you have the right to be informed why you have been arrested, and the general nature of the offence you are suspected of having committed, on arrest.

(b) The right to inform people:

(i) Do I have a right to have the consulate informed of the arrest?

Yes. If you are not a British Citizen, you have the right to tell your High Commission, Embassy or Consulate of your whereabouts. If you are from certain countries with which the United Kingdom has a special agreement, the High Commission, Embassy or Consulate will be told about your arrest automatically.

(ii) Do I have a right to inform my family of the arrest?

Yes, but the police will do this for you.

At the police station, you have the right for one person to be informed about your arrest and location. You should be advised of this right when you arrive at the police station.

You are not entitled to make a telephone call yourself – the police make this for you. Anything communicated in this way is not confidential, and it may be used as evidence against you.

If you do ask for someone to be informed of your arrest, this should happen as soon as possible, unless an officer of the rank of inspector (or above) authorises a delay. In any event, the delay should not exceed 36 hours, unless you are detained in relation to a terrorist offence, in which case the permitted delay is up to 48 hours.

(c) Do I have a right to a lawyer?

Yes, you have a right to a solicitor (lawyer). Asking to see a solicitor does not mean that you have done anything wrong, so you should not hesitate to ask for one. Even if you did not initially ask to see a solicitor, you can change your mind at any time. If the police refuse you access to a solicitor for any reason, this must be recorded.

At the police station, you have the right to talk to a solicitor over the telephone prior to your interview, or depending on the seriousness of the accusations, to see a solicitor in person.

Most police stations have a duty solicitor or police station representative who is available on call 24 hours a day. The duty solicitor should be able to attend the police station promptly at short notice. The duty solicitor is nominated by the Scottish Legal Aid Board ('SLAB'). It is advisable to wait to talk to a solicitor before agreeing to be questioned by the police.

You should be given reasonable time to discuss the allegations against you with your solicitor in private and the police should not normally question you until you have taken advice. Your lawyer may also be present during the police interview.

For less serious offences, (e.g. drink driving) you may be offered legal advice over the telephone by Criminal Defence Service Direct. This is free of charge.

(d) Do I have a right to a translator/interpreter?

Yes, you have a right to a translator/interpreter.

If you have difficulty understanding English, and the interviewing officer cannot speak your language, you will be provided with an interpreter free of charge. The police must not interview you until the interpreter is present, unless a delay would mean an immediate risk that either you or someone else could be harmed, or if there is a risk of serious loss of or damage to property.

(e) Do I have to talk to the police or can I remain silent during police interrogation? Will it work against me if I am silent?

The decision whether or not to speak to the police is very important and can have serious consequences on the outcome of your trial, so you should always seek legal advice before deciding whether or not to remain silent.

After your arrest, and at the police station, you have the right to remain silent. In other words, you do not have to answer any questions, or can answer “no comment.” Your decision to give a “no comment” interview cannot be used against you during your trial.

Q3. WHEN WILL I KNOW ABOUT THE CASE AGAINST ME?

You have a right to be informed of the allegations against you on arrest or as soon as possible afterwards.

Once you have been interviewed by the police at the police station and after a certain amount of time has passed, you have to be either charged or released. This is the point when the prosecution decides whether to take the case against you to court, and whether there is a reasonable chance of obtaining your conviction. If you are charged, you will be informed of all the accusations against you.

Afterwards, which may be some time after you are interviewed, it is your right to be given a copy of the ‘complaint’, which gives details of:

- The crime(s) of which you are accused – these may differ from those you were told about when first arrested;
- Where and when your first court appearance will take place; and
- Your bail conditions (if any).

Q4. HOW DO I FIND A LAWYER? WHAT IS THE ROLE OF MY LAWYER?

(a) How do I find a lawyer?

You can contact the Law Society of Scotland, for assistance in finding a local lawyer ('solicitor').

If you have been arrested and taken to the police station, you should be advised of your right to consult a solicitor. You can use the duty solicitor if you are in custody, which you will not have to pay for. If you exercise your right and ask to see a solicitor, the police will pass your request to the Scottish Legal Aid Board ('SLAB'), who will find you one unless you already have your own solicitor.

(b) I cannot afford to pay for a private lawyer, what should I do?

Initial advice and assistance by the duty solicitor while in custody is free and will not depend on your financial circumstances.

Your eligibility for legal aid thereafter depends on type of criminal procedure under which your case is being handled. There are two types of criminal procedure in Scotland: 'solemn' (for the most serious cases and which are heard in front of a jury) and 'summary' (less serious cases, heard by a Sheriff sitting alone).

For summary cases, you will normally have to apply to SLAB for legal aid, through your solicitor. Firms of solicitors who undertake legal assistance work have to be registered with SLAB on the Criminal Legal Assistance Register. Whether or not you are entitled to criminal legal aid depends on whether it is "in the interests of justice", and on your financial circumstances.

For solemn cases (which include murder, rape, robbery, serious drugs cases, large thefts and serious assault), you are automatically entitled to legal aid while you are in custody, until a decision is made about whether to grant you full legal aid, or until you are released on bail. Whether or not you are granted legal aid after this point will depend on whether it is “in the interests of justice” that you are legally represented, and on your financial circumstances.

(c) What is the role of my lawyer? Will s/he investigate the case?

Your solicitor's role at initial stages after your arrest is to (i) provide you with legal advice and (ii) make sure your legal rights are observed.

If you are charged, your solicitor will continue to advise you on your rights, on the case against you, and on your legal proceedings.

If you plead not guilty, your case will go to trial and your solicitor will help prepare your defence. This will include talking to you, taking your instructions, gathering and assessing the evidence against you and, sometimes, instructing an advocate to present your case in court.

An advocate is a lawyer who specialises in advocacy (i.e. fighting your case in court) and will appear in court on your behalf. Your advocate will work with your solicitor, but is also active in preparing your defence and providing advice.

(d) I am unhappy with my lawyer: How can I change lawyer? How can I complain about my lawyer?

You have a general right to engage the lawyer of your choice.

If your lawyer was appointed by SLAB, you need to tell SLAB that you want to change your solicitor. You do not have an automatic right to change your lawyer on legal aid, and you will need to show SLAB that you have good reasons for wanting to change.

If you wish to complain about your lawyer, you should send a letter of complaint to your lawyer, the law firm, or the chambers where s/he works first. If that does not resolve the issue, you may have the option of filing a complaint with the Law Society (for solicitors), the Faculty of Advocates (for advocates), and/or the Scottish Legal Complaints Commission.

Q5. WILL I HAVE TO STAY IN PRISON UNTIL MY TRIAL STARTS? IF SO, FOR HOW LONG?

The information given below is specific to Scotland. For general information and tips about how to obtain your release prior to your trial, please refer to our note of advice on *Applying for Release Pending Trial*.

(a) Will I have to stay in prison until my trial starts?

The court can order your detention until the trial starts if there if it believes there are good reasons keep you in custody. If you are a foreign national, it is more likely that the court will order your detention.

(b) How long can I be kept in prison before my trial starts?

Before being charged – police custody

The police will be entitled to hold you for 12 hours from the time of your detention.

You should not normally be kept in police custody before charge, unless the accusations against you are very serious; the police could not verify your name and address; or there is a risk you will abscond, harm someone, or get harmed yourself.

If you are released you can be charged at a later date, you cannot be detained for a second time. There is no police bail in Scotland.

There are strict limits on the amount of time that you can be held by the police before you are charged:

- After your arrest, the police cannot legally detain you for more than 12 hours without charging you (i.e. without formally informing you of the allegations against you).
- An officer of the rank of superintendent (or above) can authorise detention for a further 12 hours (i.e. up to 24 hours in total). The officer may only do this where it is necessary to find further evidence, or if it is necessary to protect evidence from being removed. This could mean interviewing you or continuing investigations outside the police station whilst you are detained there.
- If you are arrested for terrorism-related offences, a different regime applies. Under current legislation you may be held by the police for up to 14 days before a decision is taken about whether or not to charge you.

After being charged

If you are charged, the general rule is that the custody officer at the police station should order your immediate release. If necessary, and with the Court's permission, the police can impose bail conditions. If they do so, you will be required to sign an undertaking (agreement) to attend the Sheriff Court or Justice of the Peace Court at a later date.

In some circumstances, the police will not release you from custody after charging you. If this happens, you should be brought before a court as soon as practicable. The court will decide whether you should be released or kept in detention until your trial. There is a general presumption in favour of bail,

and the prosecution will be asked if they have any objections to bail.

(c) Are there alternatives to detention pending trial?

You could be released on bail, subject to a number of conditions, such as:

- surrendering your passport or other travel documents;
- living at a fixed address, reporting to a local police station;
- obeying a curfew;
- refraining from contacting specified people or going to certain places;
- electronic tagging, or
- providing a financial guarantee for your attendance at court (called security)

It is common for individuals to be released on the condition that they undertake to appear at a particular court at a specified time (this is referred to as 'bail undertaking').

(d) How and when can I apply for release while waiting for trial?

If you have been refused bail, you can apply to the court to review the refusal, and ask the court to allow bail, or alter the conditions. The court will only review the decision in your favour if there has been a significant change in your circumstances, or information is put before the court which was not available at the time of the original decision.

An Application to review Bail can only be made after five days from the original decision and application to review a subsequent decision can only be made after fifteen days. You

can appeal to the High Court and written notice to the Crown must be given immediately of this. You can also make a fresh application for bail at any subsequent diet.

(e) Can I go back to my home country if I have been released pending my trial?

This could be possible. However, if you are not a British citizen, and you do not have community ties in Scotland, it is likely to be a condition of your bail that you do not leave the country.

(f) What will happen if I breach the conditions of my release?

Failure to attend court without reasonable excuse on bail amounts to a separate offence.

It is likely that the court will revoke your bail and place you in custody. You will also not be able to recover the bail money you deposited with the court as a condition of your release.

(g) Do I need a lawyer to apply for release?

You do not need a solicitor/advocate to apply for bail, but you are more likely to be successful with your bail application if you are assisted by a lawyer.

Q6. HOW LONG BEFORE MY CASE GOES TO TRIAL?

The maximum length of time you can spend in custody before your trial starts depends on the nature of the accusations you are facing, and the court that will try your case.

If you are being accused of a minor offence which is tried by a single judge, the trial must take place within 40 days from the date you were remanded into custody. If it does not, you should be released, and the case against you should be dropped.

For serious cases which are tried by a Sheriff and a jury at the Sheriff Court, the trial must start within 110 days from the date you were remanded into custody. If your trial does not start within this time, you should be released on bail.

If you are being tried for a very serious crime at the High Court, your trial must start within 140 days from the date you were remanded.

(a) There are always delays with my case, does that mean my lawyer is doing a bad job?

Delays can take place for a number of different reasons, so you cannot assume that your lawyer is to blame.

Q7. CAN I PLEAD GUILTY? WHAT ARE THE CONSEQUENCES OF PLEADING GUILTY?

You can plead guilty at any stage even if you have previously entered a not guilty plea.

You should always seek the advice of a lawyer before pleading guilty as this will have important consequences on the outcome of your case.

There can be some advantages if you plead guilty: you could, for example, get the charges against you reduced to something less serious, and/or you could get a less severe sentence. Reduced sentences are available for early pleas. Your legal proceedings will probably take less time, compared to a full trial.

There are also serious negative consequences. Given that you are making an admission of guilt, it may be very difficult to challenge your conviction at a later stage. If you plead guilty before trial, your case will not go to trial.

Q8. WHAT HAPPENS AT TRIAL?

When your trial begins, your lawyer will maintain your plea of not guilty. The prosecution (the 'fiscal') will open its case by calling their witnesses in turn, and present any other evidence against you. Your solicitor/advocate will have the opportunity to cross examine each witness after the fiscal has questioned them.

The prosecution will provide you/your lawyer with copies of any statements or other evidence on which they intend to rely before the trial. If these are not disclosed in advance, your trial could be postponed.

Once the prosecution has closed its case, you/your lawyer can make a 'No Case to Answer' submission to state that the prosecution have not produced sufficient evidence to convict you. If the court decides there is no case to answer, you will be released.

If the court decides that the trial should continue, you will have the opportunity to call your own witnesses. You may call any witnesses in your defence. If you are giving evidence you must be called first. The prosecution will be able to cross-examine your witnesses.

After the prosecution and defence have made their closing arguments, the court (i.e. the judge or a jury) will decide on your guilt or innocence. If you are found guilty, the judge will sentence you.

(a) Do I have to be present?

Yes, you do have to be present. However, your trial may proceed in your absence in exceptional cases.

If you were present at the start of the trial, it may later proceed in your absence, provided that your lawyer is in court.

(b) Can I ask for the trial to take place in my home country?

No.

(c) Is there a jury?

This depends on the seriousness of the charges against you, and the court that hears your case.

If you are charged with a very serious offence (such as rape or murder), your trial will take place before a judge and a jury (consisting of 15 people) at the High Court. Trials for other serious crimes take place before a Sheriff and jury at the Sheriff Court.

If you have been charged with a less serious offence, you will be tried at a Sheriff Court or the Justice of the Peace Court without a jury.

(d) Can my lawyer call and cross-examine witnesses?

You and your lawyer have the right to question all witnesses in your case. If you have a lawyer, s/he will generally ask the questions in court on your behalf.

(e) I don't speak the language of the court, do I have a right to an interpreter? Is it free?

Yes. If you have difficulty communicating in English, ask your lawyer to ensure that you have an interpreter. If you are on legal aid, you do not need to pay for the interpreter.

(f) Will the written evidence be translated for me?

Your lawyer may be able to apply for any evidence to be translated for you. Make sure your lawyer knows that you need translations.

Not all written materials can be translated, but the interpreter should help you understand the content of important documents.

You should receive translated versions of certain key documents like the written charges against you.

(g) Will the interpreter also help me if I need to talk to my lawyer?

If necessary, the interpreter will be present during consultations with your advocate.

If you have been unable to obtain translations of the evidence, you can use this opportunity to have the evidence explained to you orally.

(h) Will I be informed of the decision of the court on the day of the trial?

If your case is decided by a single judge, you will normally be informed of the decision immediately following the end of your trial (usually on the same day).

If your case is being heard by a jury, the jury will be given time to come to its decision at the end of the trial. In some cases, you may not be informed of the decision on the same day.

If you are found guilty of a serious offence, there will be a separate court hearing for sentencing.

(i) Can I receive a copy of the judgment in my mother tongue?

The decisions of the court are made in English but your solicitor/advocate may be able to arrange a translation for you.

(k) I was tried in my absence and was not informed of this, what can I do?

Under certain circumstances, your trial may proceed without you, if you fail to attend court without giving a good excuse.

If you think that you may have been tried in your absence, you should consult a lawyer at the earliest opportunity to see whether you can challenge the decision or obtain a re-trial.

Q9. I AM NOT HAPPY WITH THE DECISION, CAN I APPEAL AGAINST IT? HOW DO I APPEAL?

You can appeal against the verdict and/or sentence in your case.

If you were tried by a judge without a jury, your appeal must be lodged within one week of the date of the decision with the court where you were tried.

If you were tried by a jury, your appeal needs to be filed with the appeal court within 2 weeks of the end of your trial.

If possible, it is advisable that you get legal advice, as appeals are very technical and you have better chances of obtaining a successful outcome, if you are represented by a lawyer.

(a) Do I need to pay my lawyer more money if there is an appeal?

If you are paying for your own lawyer privately, you will have to pay them for time spent on the appeal. If you are receiving legal aid, you could be ordered to contribute towards the costs of your lawyer, if your appeal is eventually refused.

(b) Could things get worse during the appeal? If I am acquitted, can the prosecution appeal?

The prosecution can appeal against:

- a ruling of no case to answer i.e. where the judge has ruled that the prosecution have not provided enough evidence to justify a prosecution;

- a direction that the jury should not convict on a particular charge, or just consider only a reduced charge;
- a ruling during a trial that an important item of prosecution evidence is inadmissible, which has then left the prosecution with no choice but to abandon the case; and
- the sentence

If your appeal is refused, the court will review the sentence. If the prosecution have also appealed, there is a risk that your sentence could be increased.

Q10. I HAVE EXHAUSTED ALL LEGAL REMEDIES. WHAT OPTIONS DO I HAVE?

(a) Is it possible to get my case reviewed?

It may be possible for you to apply to the Scottish Criminal Cases Review Commission, which may make investigations to assess whether or not there has been a miscarriage of justice in your case. It may then refer your case to the appeal court.

(b) Can I apply for a pardon?

Pardons can be granted by the Crown (i.e. in the name of the Queen) on the advice of the First Minister of Scotland. Your application must be submitted in writing (by way of a letter).

Pardons are only granted very rarely.

Q11. WHAT RIGHTS DO I HAVE AS A PRISONER?

(a) Do I have rights as a prisoner? Where can I find out about my rights?

You are given basic rights, and are for example entitled to free food, to receive medical treatment, to send and receive mail,

conduct telephone conversations and be visited for 30 minutes every week day.

The rules applicable in each prison are written down and should be available in the prison library.

A guide to your rights should be given to you when you arrive in prison.

Information is also available from Citizens Advice Scotland, which runs clinics in some prisons, and you may be able to ask questions about your rights directly to them. Alternatively, if they do not hold clinics in the prison where you are detained, you can ask a member of the prison staff to give you the contact details of the local bureau, and you can write to them.

(b) What can I do if my rights are violated? Where can I get assistance regarding my welfare issues, regarding abuse and mistreatment?

If you are in prison, and you think your rights may have been violated you can make a complaint. You can either use the prison complaint procedure the Scottish Public Services Ombudsman, or to your solicitor, in case s/he can help in any way.

If you are not a British citizen, your local embassy or consulate may be able to help.

Some local organisations including the Citizens Advice Bureau may also be able to assist.

Q12. CAN I GET MY SENTENCE REDUCED?

You can appeal against your sentence to get it reduced.

It is likely that you may only serve half of your sentence in prison. You should seek legal advice to find out how much you are likely to serve, as there are many exceptions to this rule (in particular for sexual offences).

If you are serving a standard sentence, you may also be eligible for earlier release on a Home Detention Curfew (HDC). This means that, instead of serving your time in prison, you will spend up to one quarter of your sentence confined to your home wearing an electronic monitoring device (i.e. a tag). Some prisoners are ineligible for HDC, so it is important that you seek advice specific to your case.

If you are a foreign national, you may be released early if you agree to be deported from the United Kingdom on release.

(a) What would help me get an early release?

Good behaviour in prison and involvement in activities (such as classes or a job) may help you get an early release.

(b) I have been sentenced to pay a fine, what will happen if I don't pay it?

You can be imprisoned for failing to pay a fine imposed by court.

Q13. CAN I GO BACK TO MY HOME COUNTRY?

(a) Can I serve my prison sentence in my home country?

You may be transferred to a prison in your home country if a prisoner transfer agreement exists between the United Kingdom and your country.

For more information about prisoner transfers, please refer to our note on "Prisoner Transfers".

(b) Can I be expelled instead of serving my sentence?

You cannot be expelled instead of serving your sentence in the UK, but you may request to be transferred to a prison in your home country to serve your sentence.

(c) **Is there a risk that I will be deported after serving my sentence?**

Yes. If you are not a British citizen, you may be deported after serving your sentence, depending on a number of factors, including the seriousness of your crime, the length of your sentence, your personal circumstances and your nationality.

You can appeal against the decision to deport you. If you wish to do this, you should engage the services of a specialist immigration lawyer.

USEFUL LINKS

ORGANISATION	MANDATE	CONTACT DETAILS
LAW GOVERNING BODIES		
The Faculty of Advocates	<p>The Faculty of Advocates is a body of independent lawyers who have been admitted to practise as Advocates in Scottish Courts.</p> <p>The Faculty can consider conduct complaints against its members.</p> <p><u>Languages:</u> English</p>	<p>Website: www.advocates.org.uk</p> <p>E: clerkoffaculty@advocates.org.uk</p> <p>T: +44 (0)131 226 5071</p> <p>Parliament House, Edinburgh, EH1 1RF</p>
The Law Society of Scotland	<p>The Law Society of Scotland is the professional body for Scottish solicitors. They regulate and represent all practising solicitors across Scotland, as well as dealing with any complaints.</p> <p>The website of the Law Society has a search tool that can be used to find solicitors.</p> <p><u>Languages:</u> English</p>	<p>Website: www.lawscot.org.uk</p> <p>E: lawscot@lawscot.org.uk</p> <p>T: +44(0) 131 226 7411 F: +44(0) 131 225 2934</p> <p>26 Drumsheugh Gardens, Edinburgh, EH3 7YR</p>
OMBUDSMEN and COMPLAINTS BODIES		
Scottish Public Services Ombudsman ('SPSO')	<p>The SPSO is the Ombudsman for Scotland, and it handles complaints about most public services in Scotland, including its prisons, and government agencies.</p> <p>The SPSO will not usually consider a complaint unless you have tried to resolve the problem by using the internal complaints procedure of the</p>	<p>Website: www.spsos.org.uk</p> <p>T: 0800 377 7330 +44 (0)131 255 5300 (from outside the UK)</p> <p>4 Melville Street Edinburgh EH3 7NS</p>

ORGANISATION	MANDATE	CONTACTDETAILS
	<p>relevant public authority.</p> <p><u>Languages:</u> English. The SPSO can also provide information about its work in Polish, Scottish Gaelic, Chinese, Urdu, Bengali, and Arabic.</p>	<p>Freepost EH641 Edinburgh EH3 0BR</p>
<p>Police Investigations and Review Commissioner ('PIRC')</p>	<p>The PIRC is independent from the police, and carries out investigations into serious allegations of misconduct by the Scottish Police, and reviews the way the handle complaints from the public.</p> <p><u>Languages:</u> Website in English. Information also available in Scottish Gaelic.</p>	<p><u>Website:</u> www.pirc.scotland.gov.uk</p> <p>E: enquiries@pirc.gsi.gov.uk</p> <p>T: 0808 178 5577 (Freephone)</p> <p>T: +44 (0)1698 542 900(Main switchboard)</p> <p>Hamilton House Hamilton Business Park Caird Park Hamilton ML3 0QA</p>

ORGANISATION	MANDATE	CONTACTDETAILS
Scottish Legal Complaints Commission ('SLCC')	<p>The SLCC handles complaints against about the <i>service</i> received from lawyers in Scotland, including solicitors and advocates, and also overseas how complaints are handled by the Law Society and the Faculty of Advocates.</p> <p>The SLCC does not investigate complaints about the <i>conduct</i> of lawyers.</p> <p><u>Cost:</u> Free</p> <p><u>Languages:</u> Website in English. Information also available in Scottish Gaelic.</p>	<p>Website: www.scottishlegalcomplaints.com</p> <p>E: enquiries@scottishlegalcomplaints.org.uk</p> <p>T: +44 (0)131 201 2130 F: +44(0)131 201 2131</p> <p>The Stamp Office 10 - 14 Waterloo Place Edinburgh EH1 3EG</p>
GOVERNMENT BODIES		
Her Majesty's Inspectorate of Prisons for Scotland ('HMIP')	<p>The HMIP's role is to ensure independent inspection of places of detention, and to report on conditions and treatment, and promote positive outcomes for those detained and the public.</p>	<p>T: +44(0)131 244 8482</p> <p>Saughton House Broomhouse Drive Edinburgh EH11 3XD</p>
LEGAL ADVICE		
Citizens Advice Scotland	<p>The Citizens Advice Scotland helps people resolve their legal, money and other problems by providing free, independent and confidential advice to everyone on their rights and responsibilities.</p> <p><u>Languages:</u> English</p>	<p>Website: www.cas.org.uk www.adviceguide.org.uk/scotland</p> <p>T: 0808 800 9060</p> <p>There are many local bureaux. You should call the number above to find your local one.</p>

ORGANISATION	MANDATE	CONTACTDETAILS
Innocence Network UK (INUK)	<p>The INUK is a practical response to the needs of alleged victims of wrongful conviction that have been identified in academic research.</p> <p>INUK undertakes investigations into alleged wrongful convictions through the innocence project that it established at the University of Bristol.</p> <p><u>Languages:</u> English</p>	<p><u>Website:</u> www.innocencenetwork.org.uk</p> <p>Innocence Network UK (INUK) School of Law, University of Bristol Wills Memorial Building, Queens Rd Bristol BS8 1RJ</p>
HUMAN RIGHTS		
Amnesty International UK: Scotland	<p>Amnesty International is a campaigning organisation. Its aim is to protect people wherever justice, fairness, freedom and truth are denied.</p> <p><u>Languages:</u> English</p>	<p><u>Website:</u> www.amnesty.org.uk</p> <p><u>E:</u> scotland@amnesty.org.uk</p> <p><u>T:</u> +44 (0)131 718 6076</p> <p>MWB Business Exchange 9-10 St Andrew's Square Edinburgh EH2 2AF</p>
GENERAL ADVICE FOR PRISONERS		
First Time In Prison	<p>First Time in Prison offers practical advice for those who may be facing their first prison sentence, without anyone to turn to for advice.</p> <p><u>Languages:</u> English</p>	<p><u>Website:</u> www.firsttimeinprison.co.uk</p>

ORGANISATION	MANDATE	CONTACTDETAILS
Women in Prison ('WIP)	<p>Women in Prison is dedicated to making a difference to women at risk of, in or leaving custody by working to promote their resettlement, personal development, education and training, educating the public and policy makers about women in the criminal justice system and promoting alternatives to custody.</p> <p><u>Languages:</u> English</p>	<p>Website: www.womeninprison.org.uk</p> <p>T: 0800 953 0125 (Freephone) T: +44 (0)20 7359 6674</p> <p>Unit 10, The Ivories, 6 Northampton Street, London, N1 2HY</p>
Hibiscus Initiatives	<p>Hibiscus provides support to foreign national, BMER (Black, Ethnic Minority, and Refugee) women in prison or in detention. They can provide welfare and social support, as well as some criminal justice and legal advocacy.</p> <p><u>Languages:</u> English</p>	<p>Website: hibiscusinitiatives.org.uk</p> <p>T: +44 (0)20 7697 4120 F: +44 (0)20 7697 4272</p> <p>Hibiscus Initiatives Resource for London 356 Holloway Road London N7 6PA</p>
PRISONERS' FAMILIES / WELFARE		
Families Outside	<p>Families Outside works to support family members of those in prison. They work to mitigate the effects of imprisonment on families and children, and to reduce the risk of reoffending.</p> <p>Families Outside runs an information helpline, and they also have support workers who work directly with families and children.</p> <p><u>Languages:</u> English</p>	<p>Website: www.familiesoutside.org.uk</p> <p>E: support@familiesoutside.org.uk</p> <p>T: 0500 83 93 83</p>

FAIR TRIALS

Our vision: A world where every person's right to a fair trial is respected.

THANK YOU

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