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AGREED NOTE OF MEETING OF 17 JULY

Purpose

1. The meeting was arranged to discuss the arrangements for the temporary release of temporarily transferred prisoners.

Options

2. The meeting considered four options:
 - a) the status quo continue (decisions in relation to the temporary release of temporarily transferred prisoners are made by the sending jurisdiction);
 - b) responsibility for decisions on compassionate temporary release and other forms of temporary release in cases where a prisoner would be eligible for leave both in the sending and receiving jurisdiction be transferred with the prisoner;
 - c) temporarily transferred prisoners to be considered for all kinds of temporary release by the receiving jurisdiction on the basis of its existing schemes;
 - d) temporary release arrangements in three jurisdictions to be harmonised.

Discussion

3. Subject to the views of Ministers it was agreed that option d) was not practical and could be discounted.
4. Option a) had proved extremely difficult to operate in practice particularly in relation to applications for compassionate release which both required an immediate response and were politically sensitive. It was noted that requests for compassionate release could more readily be handled by the receiving jurisdiction under local arrangements.

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5. Different considerations applied to other forms of temporary release, but on balance it was agreed that the arrangements in place in the receiving jurisdiction should apply on the grounds that they were appropriate for the community into which prisoners would ultimately be released. The meeting agreed that option c) rather than option b) (under which access to some forms of temporary release available in the receiving jurisdiction would be denied) offered the best way forward.

6. It was agreed that further consideration would be given to safeguards, in particular notification of temporary releases to the sending jurisdiction and restrictions on leaving the jurisdiction.