Written Submission from the Justice Committee

The Committee focused its budget scrutiny on two particular areas: (a) prisons and (b) the courts and legal aid. I enclose a copy of the Committee’s report to the Finance Committee and draw your attention to the following paragraphs which relate to three of the stated areas of interest of the Equal Opportunities Committee: socio-economic status, age and sex.

**Prisons**

Prisoners in Scotland are primarily young, white males, originating from the more deprived areas of Scotland. Almost 50% of prisoners are under 30.¹

During the Committee’s budget scrutiny, concerns were raised that overcrowding not only led to unsuitable accommodation for prisoners, it also reduced the ability to provide purposeful activity and throughcare for prisoners, thereby missing opportunities to tackle reoffending (paragraphs 14-22 and 28-31). The Committee was unclear as to how overcrowding is to be tackled in the long term and has urged the Scottish Government to clarify exactly what action it intends to take to address the issue (paragraph 35).

The Committee heard that community penalties were more effective in preventing reoffending. We were therefore concerned that funding for community penalties appears to flatline over the Spending Review period. We have recommended that the Scottish Government works with community penalty providers to assess the cost and effectiveness of such schemes, so as to better inform plans for the punishment and rehabilitation of offenders (paragraph 36).

**Legal aid**

Legal aid is designed to help individuals on low and modest incomes gain access to the legal system.²

The Committee heard that cuts to the legal aid budget (of 7% over the Spending Review period) could discourage people without the means to obtain or pay for legal representation from bringing their cases to court, or increase the number of party litigants (paragraph 48).

We were also told that reduced budgets for the advice sector (Citizens Advice Bureaux) would be likely to result in fewer people being able to access advice on legal matters (paragraphs 46-47).

**Female offenders**


² Scottish Legal Aid Board website. Available at: [http://www.slab.org.uk/about_us/what_we_do/legal_assistance.htm](http://www.slab.org.uk/about_us/what_we_do/legal_assistance.htm) [accessed on 16 November 2011]
Several studies about female offenders have reported that most female offenders are mothers, with poor educational backgrounds and many are unemployed.3

Concerns were raised as to the conditions at Cornton Vale prison for female prisoners (paragraphs 15-18). The Committee has on-going concerns regarding the progress made in implementing the findings of the HM Chief Inspector of Prisons Scotland's latest inspection reports on Cornton Vale and has arranged visits to Cornton Vale, Saughton prison and the 218 Centre, to examine this issue further.

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3 Criminal Justice Social Work Development Centre for Scotland website. Available at: http://www.cjsw.ac.uk/cjsw/120.html [accessed on 16 November 2011]