JUSTICE COMMITTEE

PRE-BUDGET SCRUTINY OF THE SCOTTISH GOVERNMENT’S DRAFT BUDGET 2019-20

SUBMISSION FROM TURNING POINT SCOTLAND

1. What is your view on the current trends in funding in the justice portfolio and the Scottish Government’s rationale for these?

We welcome the continued emphasis on shifting away from the use of (short-term) custody towards evidence based community disposals which are proven to be more effective in reducing reoffending and are more cost effective.

We support Scottish Government plans to extend the presumption against short sentences to 12 months however we recognise that new, additional community interventions will be required to meet the needs of this group of people – in turn placing a significant demand on already stretched local authority CJSW resources (Section 27 monies).

The use of remand is a particular concern given the numbers of people remanded who do not subsequently receive a custodial sentence. Remand is therefore a costly and disruptive intervention. We welcome proposals to develop and resource supported bail services but emphasise the need for that resource to be sustained rather than short-term.

2. What is your view, in particular, on the Scottish Government’s proposals for spending on the Crown Office and Procurator Fiscal Service? This includes recent announcement of an additional in-year budget of £3.6million to fund the recruitment up to 140 permanent staff.

No response

3. What is your view on the level of current funding and planned spend on the rollout of electronic monitoring to ensure that the courts, prisons and Police Scotland have sufficient resources to provide for an enhanced service in all parts of Scotland? Additionally, is sufficient funding provided to third-sector and voluntary groups who provide services in relation to people who have such a device fitted as well as helping people with prior convictions or who have been accused of a crime?

The Management of Offenders Bill offers an opportunity to use electronic monitoring more widely e.g. as part of a Community Payback Order. It seems likely therefore that there will a significant additional demand placed on local authority CJSW teams (and their commissioned services) – it is surprising that the question does not seem to anticipate this.

The Working Group on Electronic Monitoring clearly identified the need for an element of support alongside the requirements of the order. As yet there has been only limited discussion about how this could be delivered and appropriately resourced. Getting this element right would undoubtedly reduce the ‘failure demand’ on courts, prisons and police.

A partnership approach between CJSW statutory supervision, electronic monitoring service provider and support from third sector organisations would deliver an enhanced service in local authority areas across Scotland if sufficient investment is made available.
Current use of electronic monitoring for HDC has produced little insight as the numbers being granted HDCs are extremely low.

We are not aware of any examples where third-sector and voluntary groups have been funded/commissioned specifically to provide support people subject to electronic monitoring.

In terms of the wider question of supporting people with prior convictions or who have been accused of a crime the funding environment for third sector organisations remains challenging. Short-term, pilot funding approaches means that successful services cannot be mainstreamed and sustained.

4. What funding issues arise more generally from the work of third-sector and voluntary groups who operate in the civil and criminal justice systems, especially in terms of preventative spend?

With the introduction of the new model for community justice and the associated changes to the funding formula for the allocation of Section 27 monies local authorities’ resources have become increasingly stretched and funding has been withdrawn from a number of third sector organisations.

We welcome Community Justice Scotland’s work on strategic commissioning however we also recognise there will be a time lag before this begins to impact on the commissioning landscape.

Much of the current service delivery in community justice can be perceived as downstream and reactive however the value in reducing and preventing future offending at any stage is important. Desistance from offending, like recovery, is not a straightforward linear process.

There can be a disconnect between local authority justice and funding priorities and Scottish Government priorities e.g. in relation to supervised and supported bail to reduce use of remand. Diversion from Prosecution is also underused with a particular focus on statutory interventions even when third sector organisations can offer more imaginative and effective options.

There is also an opportunity for greater alignment of, for example, justice, addiction and homelessness resources and service provision to meet the needs of complex and vulnerable individuals who do not fall neatly into service silos.