Justice Committee

Management of Offenders (Scotland) Bill

Written submission from Inverclyde Council

2. The Scottish Government wishes electronic monitoring to play a greater role within the criminal justice system. Will the reforms in Part 1 of the Bill help enable this? If not, what further changes (legislative or non-legislative) are required?

In some regards only – greater recognition of the importance of the principle of the provision of support sitting alongside EM would have been helpful. This is particularly significant in terms of shifting the balance between custody and community sentences. Many of those serving short sentences have well documented needs relating to chronic physical, mental health, addiction, homelessness and other personal needs. They have often been subject to, and may have breached, a variety of community disposals in the past. Thus it is likely they will require a range of supervisory and support input and at a more intense level if positives outcomes are to be achieved and breach of any new order avoided.

8. Do you have any further views on the role, purpose and functions of the Parole Board?

Inverclyde Council would have welcomed introduction of a common test being applied in all release, re-release and recall cases considered by the Parole Board. This would have assisted in improving clarity, accountability and equity in this critical area of decision making.

Inverclyde Council commented in its original submission that it believed the golden thread running through such decision making should focus on the risk of serious harm that the individual prisoner presents and whether or not this can be safely managed in the community. This would complement a policy journey which is aiming to remove the ‘churn’ from prisons to enable them to have the capacity to focus on interventions aimed at reducing risk, particularly that associated with harm and promoting re-integration and desistance.

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