

JUSTICE 1 COMMITTEE AND JUSTICE 2 COMMITTEE (JOINT MEETING)

Wednesday 1 October 2003
(*Morning*)

Session 2

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CONVENER

*Pauline McNeill (Glasgow Kelvin) (Lab)

DEPUTY CONVENER

*Mr Stewart Maxwell (West of Scotland) (SNP)

COMMITTEE MEMBERS

*Bill Butler (Glasgow Anniesland) (Lab)
*Marlyn Glen (North East Scotland) (Lab)
*Michael Matheson (Central Scotland) (SNP)
*Margaret Mitchell (Central Scotland) (Con)
*Mrs Margaret Smith (Edinburgh West) (LD)

COMMITTEE SUBSTITUTES

Roseanna Cunningham (Perth) (SNP)
Helen Eadie (Dunfermline East) (Lab)
Miss Annabel Goldie (West of Scotland) (Con)
Mike Pringle (Edinburgh South) (LD)

*attended

JUSTICE 2 COMMITTEE 9th Meeting 2003, Session 2

CONVENER

*Miss Annabel Goldie (West of Scotland) (Con)

DEPUTY CONVENER

*Karen Whitefield (Airdrie and Shotts) (Lab)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)
*Colin Fox (Lothians) (SSP)
Maureen Macmillan (Highlands and Islands) (Lab)
*Mike Pringle (Edinburgh South) (LD)
*Nicola Sturgeon (Glasgow) (SNP)

COMMITTEE SUBSTITUTES

Ms Rosemary Byrne (South of Scotland) (SSP)
Cathie Craigie (Cumbernauld and Kilsyth) (Lab)
Michael Matheson (Central Scotland) (SNP)
Margaret Mitchell (Central Scotland) (Con)
Mrs Margaret Smith (Edinburgh West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Val Bremner (Procurators Fiscal Society)
Harry Bunch (Association of Scottish Police Superintendents)
Chris Hawkes (Association of Directors of Social Work)
Mark Hodgkinson (Association of Directors of Social Work)
Douglas Keil (Scottish Police Federation)
Susan Matheson (Safeguarding Communities Reducing Offending)
Helen Nisbet (Procurators Fiscal Society)
Chief Constable William Rae (Association of Chief Police Officers in Scotland)
John Service (Procurators Fiscal Society)
Keith Simpson (Safeguarding Communities Reducing Offending)

CLERK TO THE COMMITTEE

Alison Taylor

SENIOR ASSISTANT CLERK

Claire Menzies Smith

ASSISTANT CLERK

Douglas Thornton

LOCATION

The Hub

CLERK TO THE COMMITTEE

Gillian Baxendine

Lynn Tullis

SENIOR ASSISTANT CLERK

Irene Fleming

ASSISTANT CLERK

Richard Hough

Scottish Parliament

Justice 1 Committee and Justice 2 Committee (Joint Meeting)

Wednesday 1 October 2003

(Morning)

[THE CONVENER *opened the meeting at 10:07*]

Budget Process 2004-05

The Convener (Pauline McNeill): Good morning. I welcome everyone to this joint meeting of the Justice 1 Committee and Justice 2 Committee on the budget process. I ask members to do the usual and switch off their phones and so on. That would be helpful. I have received apologies from Maureen Macmillan.

Our only item is consideration of the budget process 2004-05. I formally welcome to the committee our adviser on the budget process, Brian Main. In this first evidence-taking session, we will hear from the Association of Chief Police Officers in Scotland, the Association of Scottish Police Superintendents, the Scottish Police Federation, Safeguarding Communities Reducing Offending, the Association of Directors of Social Work and the Procurators Fiscal Society. We have quite a number of witnesses this morning, but if all goes well, we should conclude the meeting at about 1 o'clock.

I welcome our first set of witnesses and thank them for attending the meeting. We have Mr William Rae, chief constable and honorary secretary of ACPOS; chief superintendent Mr Harry Bunch, the second vice-president of the ASPS; and Carol Forfar, who I believe is attending in a supporting role but is not giving evidence.

We shall go straight to the questions, if that is okay with the witnesses. I know that you have submitted a document that you would like to speak to, but I am sure that you will be able to do so in responding to our questions.

Karen Whitefield (Airdrie and Shotts) (Lab): Over the next three years, the Scottish Executive intends to spend a considerably increased amount of resources on the police through the central services fund, grant-aided expenditure and capital allocation. Will that additional resource be sufficient to allow you to do your job effectively?

Chief Constable William Rae (Association of Chief Police Officers in Scotland): I am here this morning partly because I chair the ACPOS finance standing committee, which includes

representatives not only from every force but from the ASPS and the Scottish Police Federation. As a result, we work collectively with the three staff associations in dealing with financial matters.

We are a mature group and we work closely with the Executive in arguing our corner for resources. I will not say that the police service has enough resources; my colleagues would not give me a good reception if I said that. However, over the past few years, and since the Scottish Parliament's inception, chief constables have been able to engage in good and positive dialogue with the Executive about the range of financial matters.

Chief constables have welcomed the way in which the budget profile has operated in the past few years and is operating in the three years that the current spending review covers. We congratulate the Parliament, and the justice committees in particular, on three-year budgeting, which has made a huge difference to policing in Scotland, and on the ability to carry forward moneys at the end of the year through our revenue budget. That has allowed chief constables to maximise their resources. I am sure that members are aware that one outcome of that is our ability to invest substantially in technology, science and people—in our support staff and police numbers. Our communities welcome that, as it allows the police service to address the priorities that it has agreed in partnership with the Executive and others.

One document that I have presented to the committees contains a set of ACPOS priorities. The document contains 47 targets that chief constables have agreed to pursue in the current year and in the following two financial years. We published the document before the partnership agreement appeared after the Scottish elections, but it supports well the priorities that the Executive has set out for the next few years.

To answer your question, we believe that the police service's structure will allow us to address the priorities that the Executive has set. It is true that demands on the police service are increasing, which always puts pressure on our response to demands. Like every public sector body, we must address the priorities. The investment that we are making in the next three years will help to support that.

Karen Whitefield: On increasing demands, you might be aware that the Justice 2 Committee is taking evidence on the Executive's proposals for vulnerable witnesses. During our evidence taking, we have heard many calls for the police to be the organisation—or one of the organisations—that identifies vulnerable witnesses at an early stage. That would have a resource implication for the police. Have you discussed that with the Executive? What would be the resource

implications of that for the police service throughout Scotland?

Chief Constable Rae: Vulnerable witnesses have been on our agenda and that of the Procurator Fiscal Service for several years. As I am sure members are aware, huge efforts have been made to improve the service from the police service and the Crown Office and Procurator Fiscal Service to vulnerable witnesses, victims and others.

ACPOS has had a witness protection unit for several years, which is funded by the Executive. That was created at the time of the Lockerbie trial and has developed since then. We have developed expertise, and one of our officers was seconded to the United Nations to give advice on how to protect vulnerable witnesses. The matter is important.

Because there is a likelihood that the witness protection unit will expand in the current financial year, the responsibility for it has recently been moved to the Scottish Drug Enforcement Agency. The officers who were based at my headquarters in Glasgow have been transferred to the SDEA, along with the budget. That is a starting point.

We shall watch with considerable interest what emerges from the Justice 2 Committee in relation to vulnerable witnesses. It is true that we can do more and that the police service is best placed to identify those who are in need of support. Members will be aware of concerns about how the criminal process deals with child witnesses. Child protection is high on the Scottish police service's agenda and it will continue to be so in future.

10:15

Karen Whitefield: I understand why the budget for witnesses who are involved in drugs cases has moved to the SDEA, but vulnerable witnesses—particularly women and children—are often the victims of violent crimes or sexual offences. I would not have thought that they would have to have contact with the SDEA. Will the transfer result in a shortfall in the budget or will you be able to access some of that money?

Chief Constable Rae: The SDEA deals with all serious crime; its function is not exclusive to drugs. It is a home for the witness protection unit and it will provide a service throughout Scotland. The devotion of resources to vulnerable witnesses will be dictated not by the nature of the crime but by the identified risk to those individuals.

This year, the high-tech crime unit, which was based at Lothian and Borders police headquarters, and which provides a service throughout Scotland, was colocated under the SDEA structure. That happened because the unit provides services

throughout Scotland and not because it has a drugs label attached to it. I am sure that members will be aware that the high-tech crime unit focuses on paedophilia and internet crime.

Miss Annabel Goldie (West of Scotland)

(Con): I cannot pre-empt what the Justice 2 Committee will say about the Vulnerable Witnesses (Scotland) Bill, but if, as Karen Whitefield indicated, it is acknowledged that the first point of identification of a vulnerable witness in a criminal case will likely be at police level, would not that involve every operating police officer and his local office? If that recommendation is made, could existing police administrative structures cope, or would more resources be needed?

Chief Constable Rae: That depends on what the Justice 2 Committee recommends and how the Executive responds to that. I should make it clear that the witness protection programme is at the upper end of the scale. There are people who feel very vulnerable when they are dealing with routine matters; they feel threatened just by becoming involved in the criminal justice process.

During the past few years, we have tried to ensure that our officers properly assess the victim's needs and that that assessment informs the police's response. As a consequence of some of the justice committees' earlier work, family liaison officers are appointed to cases in which the police have identified particularly vulnerable units. We all spend some resource on that; it is one of those issues.

At the moment, the police service tries to give a high priority to victims, but we cannot provide 24-hour cover for every individual. We cannot give every individual a new identity or move people from one community to another, although those facilities are available at the upper end of the scale.

The Convener: I was not aware that the SDEA deals with all serious crime and not exclusively with drugs crime. Is that commonly known? Why is it called the Scottish Drug Enforcement Agency if it does not deal exclusively with drugs-related crime?

Chief Constable Rae: The SDEA was born out of the Scottish crime squad, which dealt with cross-border and organised crime in Scotland, as did the individual forces to which it provided support. When the SDEA was born out of an expanded Scottish crime squad, it retained responsibility from day one for addressing not only drugs-related crime but cross-border and serious crime.

I am sure that members will be well aware that much of the serious and cross-border crime is drugs-related, but some of it is not. The SDEA is

involved in working with forces and other organisations and law enforcement bodies, including HM Customs and Excise and the immigration service. It deals with a much broader remit than simply drugs, but about 90 per cent of its time is spent dealing with drugs-related matters. Perhaps the title does not give an accurate description.

The Convener: It is helpful to know that. Thank you for that information.

I would like to ask about the balance of the budget. I know that there has been a recent increase—in September—for closed-circuit television and extra police numbers. In your view, is the balance of the budget right?

Chief Constable Rae: There are a couple of aspects to that question—the balance across Scotland and the balance within individual forces. I do not intend to go through the documents that I have submitted to the committee, but I shall use them for reference purposes. I refer members to page 6 of “Financing the Scottish Police Service”, which shows the current spending review’s increase in grant-aided expenditure for policing. In the first table, there is what looks like a substantial increase in the current year of 8.1 per cent, with 5.6 per cent and 6.3 per cent in subsequent years. However, the table underneath illustrates that a large part of that is taken up by the increasing pension burden, particularly in year 3; the proportion of the percentage increase there is 3 per cent.

On page 7, there is a little pie chart that illustrates the fact that police and support staff pay takes up 74 per cent of our budget. Pension costs are currently 14.5 per cent, but they will go up past 15 per cent and will be 17.2 per cent at the end of the three-year period. There is a separate table on page 8, and the blue chart on page 9 indicates that, in considering the balance of the budget, we must recognise that there are a number of peaks in relation to police pensions. We are currently going through a peak because of the regionalisation that took place in 1975. Officers who joined at that time are reaching 30 years’ service and are likely to exit, so in 2005-06 we will see a peak of officers departing the service. There is another peak further downstream, which is an effect of the 1978 Edmund-Davis pay settlement for the police, which resulted in a big recruitment. Those officers will be exiting the organisation in 2009-10, which will result in a huge increase in the proportion of the budget that is required for pension purposes.

I am not sure whether members have been engaged in discussions about police pensions. They are a little time bomb that sits there, not just for policing in Scotland but for UK policing. Although dealing with the matter might be out of

the time frame of the current chief constables, that does not absolve us of our responsibility to look towards the longer term and to see how we can work with the Executive to flatten out the peaks. We must be mindful of a number of issues in the budget, but we are concerned about the growing proportion of our budget that is taken up by pension costs, which is largely due to people living longer and also reflects recruitment 30 years ago.

This year, we have also seen the introduction of a new pay structure for the federated ranks, which takes up 2.1 per cent of the current year’s budget. That has not added any officers on the street; it simply reflects some of the changes that are taking place within the police service and provides additional payment to experienced officers and those who are seen to be in particularly demanding, priority posts. There have been many changes to the police structure that have not necessarily moved us on, other than having allowed us to keep up with the general rate of inflation.

Chief constables are acutely conscious of the best-value regime—we constantly try to squeeze out funding. We are developing that as best we can to ensure that the front line is as strong as we can make it and that we are efficient in our general use of resources.

I would like to make another plug. Chief constables acknowledge that achieving peace and tranquillity in our communities depends not only on the amount of money that is spent on policing. We are conscious that investment in our partner agencies will ease our burden considerably. My commanders—and commanders throughout Scotland—feel that the resourcing of the Crown Office and Procurator Fiscal Service has made a significant difference to our day-to-day working. We have seen a transformation of the way in which the service, which for a long time was under-resourced, is delivered locally. We find that we are much more closely involved with the procurators fiscal. The fact that they have become part of the local problem-solving team is an extremely positive development for our community. The issue is not simply about funding police services; it is about ensuring that other partners have sufficient resources as well.

The Convener: Thank you for all that information. I want to return to what you said about pensions. Are you saying that, because the first peak will be in 2005-06, there needs to be an additional resource in the budget to accommodate that?

Chief Constable Rae: Although the Executive has provided additional funding in the current three-year spending review to accommodate that growth, members must recognise that the problem will not go away. I know that the committee wishes

to look to the longer term. The graph on page 9 of our submission illustrates that another significant peak is coming along. We have to find a means of addressing that now and there are various ways in which we can do so; we cannot wait until that peak comes and washes over us.

The Convener: So you are satisfied in relation to 2005-06, but you want the committee to note what will happen in the 2009-10 era and to take account of that in future budgets.

Chief Constable Rae: Indeed.

The Convener: I know that there is a commitment to considering common services. Will you tell the committee a bit more about what is planned, whether the budget takes account of that change and what its practical effect will be?

10:30

Chief Constable Rae: I realise that the term "common services" probably means nothing to members. Since the 1960s, the police service and those responsible for its governance have acknowledged that there are certain services that it does not make sense for a single force to try to run. Instead, we should try to share those services as best we can. The examples that are given on page 11 of our submission include the Scottish Police College, where all our officers go for their core training; the Scottish Criminal Record Office, which is a central repository of criminal records and fingerprint services; the SDEA, which I mentioned earlier; and the Scottish police information strategy, which is developing the national information technology systems that chief constables are committed to procuring in the years ahead.

Those services are funded through the common police services budget. In the current year, that budget is about £33 million, which is not insubstantial. We have recognised, as a consequence of our demand for modernisation and of the pressure from the Executive to modernise the police service, that there are opportunities for us to bring more services into the centre, and not necessarily have eight forces operating them independently. There will be economies of scale and greater efficiencies, and potential for financial benefits as a consequence.

An example is forensic science. We have four laboratories in Scotland under force management. Work is on-going to examine opportunities to bring them together. There is a range of back-office services, such as financial management, human resources management and the like. Under the direction of the Executive, work is on-going to identify opportunities for better efficiency.

That is a large piece of our best-value agenda in

the current year, and we are pretty close to producing proposals for ministers in that regard. Some consultancy work is still on-going. I am sure that the committee will recognise that in areas such as procurement and IT we can get better value by working collectively rather than as individual forces. We are trying to deliver that as best we can.

The Convener: Do you envisage making savings as a result of sharing those services? What will happen to those savings?

Chief Constable Rae: It would be a wise investment for the future if the savings were reinvested in the common police services structures. Clearly, there are always start-up costs. As I said, one of the chief constables' key goals is to bring forensic science under a single management—

The Convener: May I stop you there? I understand your point, but I am trying to establish whether you believe that there will be savings. I expect that you will say that those savings should be redirected into the police budget.

Chief Constable Rae: I think that there will be savings in the long term, but, as I expect you recognise, there may well be a need to spend to save.

The Convener: I understand.

Nicola Sturgeon (Glasgow) (SNP): I want to move on to a specific item in the budget. The draft budget allocates extra spend to the Scottish Prison Service of, I think, £10 million in 2004-05 and £12 million in 2005-06 to allow for contracting out of prison escort services. The reason given for that is that it will free up police time. First, what impact will it have on police work load? Secondly, do you consider any other areas of police spending to be ripe for similar treatment?

Chief Constable Rae: The police service has been involved with the Scottish Prison Service in preparing for the contract negotiations on contracting out escort services. Down in England, escort services and court security have already been contracted out. We wanted to learn lessons from that to ensure that our business case was well developed if matters proceeded here. A decision was made recently to provide funding to the Prison Service, but I know that the negotiations have not been concluded, so perhaps we should not discuss the issue in great detail. However, the negotiations are on-going and—assuming that a satisfactory outcome is reached—we estimate that the equivalent of about 300 police officers will be released to move from prison escort duty to operational duties.

Big forces, such as mine and Lothian and Borders police, have full-time officers who are

dedicated simply to moving prisoners around the country and between our courts and prisons, so we would gain substantially. The situation is much more clear-cut for us than for some of the smaller forces, for whom providing escort services is part of police officers' time. That part of officers' time will be released and could be used for better purposes. That is much more valuable to us than giving us money for 300 brand new recruits, because it would take two years for us to get a return from them, given their training. It would allow us to return experienced officers to the front line of policing, which we and the public would welcome.

There are other areas in which we hope to see movement. As I said, court security and police presence in courts is an issue that I know the committees have debated. The issue is of concern to those who sit on the bench throughout Scotland, but we have, nonetheless, a significant number of officers tied up in that side of court work. We have been given some room for manoeuvre as a consequence of legislation that was passed in the previous parliamentary session.

Police officers are also tied up in other areas. An example that we are currently trying to develop concerns delivery of court documents such as witness citations, indictments, countermands and the like. If you meet police officers in your constituency, you will often find that they will have a little bundle of papers under their arms because they are acting as postmen for delivery of such documents. The Crown Office has recently introduced a postal citation programme, which was piloted a few years ago. Undoubtedly, that will contribute to a reduction in the amount of police time that is spent on delivery of documents. Such administrative tasks do not necessarily make the best use of police time.

On the operational front, chief constables have for many years been concerned about the amount of time that officers spend dealing with things such as wide loads on our highways. Again, we think that such work does not necessarily require a police presence.

In a number of areas, the greatest gain for the police service will come from trying to find a way in which to remove police officers from tasks that do not require police powers or functions. We welcome the investment in allowing us to civilianise—if I may use that term—such functions by bringing into police organisations people who have skills that allow us to release police officers to the front line. We have been trying to do that. Among our priorities, ACPOS has made the commitment that, in the course of three years we will return 250 police officers to the front line through a programme of civilianisation.

Nicola Sturgeon: I want to follow that up briefly.

There has recently been some comment about the possibility of contracting out management of cells in police stations. Is that worth looking at?

Chief Constable Rae: Care and custody of prisoners consumes a fair amount of resources. The facilities that are available in our cell complexes present a challenge to all chief constables, so a number of chief constables—including me in Strathclyde—are considering trying to find central holding facilities. Many people who are detained in police offices have problems with drink or drugs or have psychiatric problems, which means that they require additional care that is expensive for us to deal with. We are trying to find a way to rationalise. Undoubtedly, the issue could be considered in the longer term, because private prisons provide services such as those that we are required to deliver. Those matters are not on the horizon for chief constables at the moment, but the issue could undoubtedly be examined in the fullness of time.

Margaret Mitchell (Central Scotland) (Con): I was encouraged by what you said about the movement of abnormal loads and the need to weigh up whether police resources are required for escort duties. Is it in the gift of every divisional commander to make such decisions? Is there a need for a national policy, given that such loads travel throughout the country into different divisional areas and into England?

Chief Constable Rae: Such decisions are generally not in the gift of individual divisional commanders; the traffic management services within forces deal with such things. As Margaret Mitchell suggests, many abnormal loads pass through different force areas, so it would seem to be sensible to consider the matter on a national basis—by which I mean a UK basis rather than simply a Scotland-wide basis.

Margaret Mitchell: That is helpful.

Colin Fox (Lothians) (SSP): I want to follow up on contracting out of services. You give the impression that a great deal more has been done in that regard in England and Wales. You spoke about court security officers, and other examples have been mentioned. What savings have been made in England and Wales? To which areas of the service have freed-up officers been sent? Have they all gone on the beat, or have they been absorbed in other areas?

Chief Constable Rae: A difficulty in comparing ourselves with the police south of the border is that we operate within a different legal framework, so we are not comparing like with like. Funding arrangements are different, as well. The Home Office generally goes in for more top-slicing of police budgets before dishing out money under various headings to support various initiatives. In

Scotland, the Executive and the Justice Department asked chief constables some time ago whether they would prefer such a top-slicing approach. We said, "No, give us as much as you can, if you can." That is the way in which we have operated.

It is difficult to say that savings in England have been reinvested in policing. There has been a significant increase in police resources in England and Wales over the past year—we reckon that it has been about 3 per cent across the board. The police forces in England also have the ability to precept their local authorities to pay for more officers. We do not have that power in Scotland, although I stress that we are not seeking it.

The funding regimes are different in England and Wales and that makes it extremely difficult to make comparisons. However, it is true that, in contracting out of services or civilianisation of services, the police service in England and Wales is a little bit further down the road than the police service in Scotland. That has been true for the past 30 or 40 years; it is not a recent development. Forces in England and Wales tend to have a higher ratio of civilians to officers than forces in Scotland.

Colin Fox: Perhaps at another meeting we can ask you about the differences between civilianisation, contracting out and privatisation.

The Convener: We are coming to the end of our time, but I know that members have many more questions to ask. Chief Constable, you will not mind our writing to you for clarification of a few points.

Chief Constable Rae: I had anticipated that time constraints might preclude our discussing issues that members would want to address. On page 4 of "Financing the Scottish Police Service", members will see the address of the secretariat of the Association of Chief Police Officers in Scotland. I will be happy to provide clarification of anything that I have said and any other information that members may wish for.

The Convener: We are not finished quite yet.

Miss Goldie: I have a brief question on the peak in pensions in 2009-10. The estimated extra £130 million that is referred to in your document will be on a continuum, will it not? That money will have to come off every year for as long as those police officers survive.

Chief Constable Rae: It will have a continuing effect. When officers retire they receive a lump sum and a percentage of their salary as pension. As people are now living longer, we expect that the people in that group will have a longer life span than their predecessors. As a result, the burden will continue. I am sure that we are not the

only service that faces difficulties because its pension is paid out of members' contributions and the revenue budget; however, the danger is that that is assuming a larger and larger part of police budgeting. The problem has been recognised, but it is difficult to solve.

10:45

Miss Goldie: The committee needs to understand the potential impact of that issue in considering the budget and projecting future needs. I understand that the peak will come about because police officers who are in their late 40s and early 50s will complete 30 years' service and retire. Is not it foreseeable that those people could survive for 25 or 30 years?

Chief Constable Rae: Indeed. However, the pattern is that people who are in the upper end of their 20s have tended to be recruited as police officers. For example, last year, the average age for police recruitment was about 27. We must also address that issue.

With the Executive's support, we have examined the demands that lie ahead. As members will recognise, demographics show that it will be more difficult to recruit in years to come because there will be more people in the work place and we will have to compete with other employers. We have to tackle that problem now. Because Strathclyde faces the biggest difficulty in that respect, we have restarted a cadet programme. We hope that it will provide part of the solution to the problem of ensuring that we continue to attract good-quality people into the police service during difficult periods when large numbers of experienced and skilled people will leave the organisation.

Miss Goldie: On a completely different tack, the committee has to confront the question of how best to use available resources to reduce crime. Stepping outside the police service for a moment, I notice that you have already mentioned the success of partnership agencies such as the Crown Office and Procurator Fiscal Service which, having been given more resources, have been able to do a more efficient and swifter job. That, in turn, has helped the police service. Could any other areas outside the police force be expanded in order to reduce crime? For example, do measures such as the warden scheme or other forms of fixed-penalty officers help?

Chief Constable Rae: Chief constables would welcome a reduction in bureaucracy in any guise. Our officers throughout Scotland complain that they are required to fill in a wedge of paperwork for every incident that they deal with. However, that paperwork is essential for keeping people informed about what is happening and in allowing incidents to be tracked. However, the fixed-penalty

programme could operate in certain areas, particularly in relation to antisocial behaviour incidents. I know that the committee will debate that issue at another time. Anything that can be done to streamline the general administration of the criminal justice process would be helpful. Police officers are tied up giving evidence in courts and preparing reports for procurators fiscal, but we are all working to ensure that the system is as efficient as possible.

I also want to take this chance to make a little plug for community planning. Some members will know that I chaired the community planning task force; I now chair an implementation group and go round the country promoting such planning. The police service has bought significantly into community planning and the concept of joint working: we work very closely with other partners including the health service, local authorities and the voluntary and private sectors to try to find solutions to local problems.

The message that I give the committee from that perspective is that—as I said at the outset—we are a mature bunch of people who recognise that the issue is not all about funding of the police service. It is important that the health service has sufficient funding to deal with drug problems in our communities, and that social work departments have the capacity to deal with the child abuse, domestic violence and drug abuse referrals that we make. We depend on our partners to play their parts; it is important that they have the resources to do so. If they are not resourced, a backwash will be created that will impact on the quality of service that the police can provide.

The Convener: Do wardens or other local authority employees have a role to play? Are they also partners?

Chief Constable Rae: Yes. You will accept, of course, that the police would prefer to have more police officers rather than have wardens. In the pilot scheme that is being run in my force area, the relationship between police officers and wardens is solid and the wardens are welcomed in the communities in which they operate. It is a good initiative that, like the Executive's investment in CCTV in recent years, helps to address the need for a sense of well-being in our communities.

However, there are many indirect ways in which we can support communities. Without opening the debate up to a wider area, I would say that investment in housing stock requires police input. We provide advice to housing associations and local authorities and try to encourage new developments to comply with best practice in crime prevention in an attempt to design out physical and social crime as best we can. That is intelligent policing and we are determined to do a lot more of it.

Marlyn Glen (North East Scotland) (Lab): My question relates to the portfolio priorities for the police, although I recognise that the document that you have given us contains information on them. How do the priorities on page 28 and 30 of the draft budget document fit into the Executive's cross-cutting initiative relating to closing the opportunity gap? For example, will an even larger amount of police resource be allocated to deprived areas?

Chief Constable Rae: Members will be aware that the police service has been working with local authorities and community groups in relation to the use of funding streams—such as the better neighbourhood funding—to enhance policing of deprived areas and to address the matter of exclusion. That is an important area.

We acknowledge the push from the Executive to try to support better those areas in which people live in situations that are worse than those that are enjoyed by others. Generally, those deprived communities are the ones that require a substantial police presence anyway. We are working with our partners to try to support those initiatives.

Although all police forces in Scotland have tried to invest in community policing and have a locally known police presence in communities, the range of demands on the police service and the fact that that demand comes in peaks means that it is difficult to keep those officers in the community. All members will be aware of the community constables who work in their patch, but the pressures of responding to demand make it difficult to sustain that commitment.

All chief constables are committed to the concept of community policing and to having community officers become involved in problem-solving in communities. We are reaching out to minority communities; in some of our forces' areas, particularly mine, there are substantial numbers of asylum seekers and we have worked closely with other agencies to ensure that that community has its needs addressed properly. Similarly, we work hard with black and ethnic minority communities to improve their lot and the relationship between the police and those communities.

Provision of equity in service delivery, as has been identified as a priority by the Executive, is central to policing today.

Marlyn Glen: I will move on to address improvements in technology. The "Police Central Government" heading contains a reference to the Airwave project. What is the budget increase for that improvement?

Chief Constable Rae: Our capital expenditure programme is set out on page 5 of our

submission. Some members will have heard the term "Airwave" but will not as yet have a clue about what it is. Essentially, it is a UK-wide project, which involves a spend in the region of £2.5 billion. The aim of the project is to move the police and other emergency services away from a radio band into the terrestrial trunked radio—TETRA—band. I hope that members will not ask me to explain what TETRA is.

The Airwave project aims to take the emergency services from one radio frequency to another. It will allow us to use modern digital technology for our radio communication. The project is to start south of the border. From the figures in the box on page 5, members will see that the total police service capital spend over the next three years is roughly £90 million. We have calculated that the capital cost of Airwave throughout Scotland over that period will be £33 million—that money is to be phased over a four-year period. Airwave represents a substantial investment, but it will make a substantial improvement in our radio communications and it will allow our front-line officers access to a greater range of data and to have better communication. Those improvements will lead to efficiency savings in service delivery.

We do not have the system as yet; it will arrive in Scotland next year. The 17 forces in England that have the system report that they are seeing significant improvements in radio communication. At present, there are places where our radio signals will not reach, so the Airwave project is good news for all forces.

Marlyn Glen: You will understand that there is concern about the introduction of Airwave. People are worried about everyone's being dependent on one system and about what will happen if something goes wrong.

Mrs Margaret Smith (Edinburgh West) (LD): I have a couple of questions. Is there tension between the target of having policemen on operational duty—what politicians tend to call "bobbies on the beat"—intelligent, smart policing and the demands that you are being asked to meet in terms of global terrorism, paedophiles on the internet and all of those things. Will you give us your thoughts on the tensions that lie behind decisions on those matters?

You said that, although you try to invest in community policing, it is subject to peak demand and to keeping personnel in the right place. All members will have experienced that in their constituencies. The problem in my constituency is that police get pulled into policing Edinburgh's city centre because of its capital-city nature. There is a certain amount of frustration among senior officers because plans that they have for communities do not come to fruition because personnel are not where they are expected to be at specific times. What are your thoughts on those issues?

The Convener: Before Chief Constable Rae answers that question, does Mr Bunch want to come in? I am conscious that he has not had a chance to reply.

Harry Bunch (Association of Scottish Police Superintendents): Yes. If we look at the issue from the local level, it is the chief superintendent and the regional commander who have to manage those demands. I was a divisional commander for the division that covered the two local authority areas of West Dunbartonshire and Argyll and Bute. Part of the daily business of a divisional commander is to assess and meet the demands and expectations of different communities in the area, using the resources that are available. The very nature of policing means that we are always going to have to do that. Our business covers wide areas and we have to constantly assess and reassess what is and is not possible.

11:00

I found it frustrating—I am sure that my colleagues feel the same—that if a big football match is on at Celtic park or Ibrox or if there is a major event in the city centre, officers have to be abstracted from local areas to cover them. However, we have to recognise that that is a fact of life. We have to work with the resources that are available and try to strike what we believe in our professional opinion to be the right balance while talking on board the views of other partners, the local authority members, officers and the local community.

Mrs Smith: You are talking about what is and is not possible. However, if the situation you describe happens all the time in Glasgow and elsewhere—it certainly happens in Edinburgh—is there some structural or operational way in which community police officers could be ring fenced and not pulled into the city centre? Our major cities could have a dedicated city-centre police force. Extra resources have been put into the Scottish Parliament police service, although probably not enough resources. Edinburgh members think that there should be more resources in Edinburgh. Is there an argument for ring fencing community officers?

Chief Constable Rae: We try desperately to ring fence community officers. The way that we tackle that in Strathclyde—the same is done elsewhere—is to say to commanders that we expect the community officers to spend 80 per cent of their time on their community beat. That recognises that, as Harry Bunch said, many of the demands that must be met by the police service require the collective might of the organisation. A simple example that I hope the committee will take account of when it looks at the recommendations of the Nicholson committee in relation to licensing

is that, in many of our city centres, particularly in Edinburgh and Glasgow, there are thousands of young people on the streets at 3 o'clock and 4 o'clock in the morning. In Glasgow, we have about 30,000 people on the streets at that time. I know that some members are aware of that and perhaps they make up those numbers on occasion.

Mrs Smith: Quite possibly.

Chief Constable Rae: That creates significant pressure at an awkward time for policing. The way in which we respond to that in Glasgow is that, at those peak times we draw officers into the centre and then, as the groups of people disperse out to the suburbs, we try to ensure that that resource follows them into those areas.

We recognise that there are peaks, some of which are predictable although others are not. We have to ensure that we have strategies in place that are flexible enough to respond to those peaks. It would be nice if we could say, "No, we are going to leave the community officers where they are at all times." However, that is a difficult decision to adhere to when it is all hands to the pump and there is a crying need in another area.

One of the first points raised was about the tensions over resources and having officers on the street. I commend the committee and the ministers for focusing on the number of officers who are available for operational duties. It is unfortunate that we can get hooked on the big numbers game and that is an unhelpful approach. We have to focus on what we do with the resources that we have. Earlier, I mentioned the 300 officers who might be made available through the courts initiative. That is a huge gain for the Scottish police service and that type of approach brings us greater benefit than having to grow officers and get them on to the streets over a couple of years.

There are pressures that are caused by having to deal with national issues such as terrorism. If members have read the papers this morning, they will be aware that that is an on-going issue. All chief constables are aware that we must protect the community from such threats. We must simply try to strike a balance between addressing national issues and delivering local services. The police service in Scotland is best delivered locally in its local communities and that is what we try to do.

The Convener: That is an important area for both committees and I wish that we could spend more time on it, but we are running out of time. Nicola Sturgeon has a question; if it is brief and on that theme, she can ask it.

Nicola Sturgeon: It is a brief question, which develops at a tangent the theme of visible policing versus intelligence-driven policing. Money has been allocated for community wardens for the next

two years. I cannot remember how much—I think that it is £20 million. Is that a good use of money, or would it be better spent on the police service?

Chief Constable Rae: I realise that there are pressures from people in ACPOS who say that that money should have been spent on policing rather than on wardens. However, as part of the bigger partnership of which ACPOS is a member, we realise that wardens are not employed as low-cost police officers. They will provide a range of services to communities and, if they are properly deployed, they will often improve the quality of life in those communities. The wardens may be able to do that much better than the police service can.

The decision is for the Executive to make and I am sure that it has been considered properly. Chief constables realise that, as the Executive has made the decision to put money aside for community wardens, it is our duty to support it. That is why all the chief constables have said that we will assist local authorities in the selection, training and deployment of the wardens, as well as in ensuring that the wardens have access to intelligence on where they should focus their efforts.

Scotland will benefit as a consequence of the investment in community wardens. The question whether the investment would have been of greater benefit if it had gone into policing will always remain unanswered. Perhaps our colleagues in the Scottish Police Federation will respond to that.

I included information on police performance in our submission, "Financing the Scottish Police Service". People tend to focus on crime figures and road accident figures. The committees should be aware that overall crime levels in Scotland have been on a downward trend over the past few years. That is demonstrated in the tables in the document.

The other important point is that the clear-up rate in Scotland is now the highest since the second world war. That is no mean achievement, given all the pressures on policing. Questions about intelligence-driven policing have been posed to me. That clear-up rate is the result of intelligence-driven policing. It is about good, smart investment in forensic science, scene-of-crime officers, intelligence analysts, technology and ensuring that the officer on the beat is best informed to respond to the demands that are made on him or her. The payback for that investment is the higher clear-up rate for crime.

The Convener: The committees have noted that point.

Mr Stewart Maxwell (West of Scotland) (SNP): That last answer dovetails nicely with my question, which is about clear-up rates. Crime statistics

show a wide variation in clear-up rates throughout the forces and over different types of crime. I will give you some examples, as we have figures. Strathclyde police's clear-up rate for non-sexual violence is 51 per cent and Northern Constabulary's is 93 per cent. I could go on listing them, but there is a fair range of figures. It also appears that general clear-up rates in certain forces are higher than in others. For instance, the clear-up rates of Central Scotland police and Northern Constabulary are high, as opposed to those of Grampian police and Strathclyde police, which are at the lower end. Given that circumstances differ in rural and urban settings, do the figures suggest that resources should be distributed differently across the different police forces?

Chief Constable Rae: Members will recognise that the clear-up rate depends on the communities in which police officers work. We generally find that it is better in rural areas. That even happens in Strathclyde, which covers 12 local authorities. The clear-up rate in Argyll and Bute and West Dunbartonshire, where Harry Bunch used to be, was much higher than the rate elsewhere in Strathclyde because of the nature of the community in which he was policing. That is true throughout Scotland.

Work is going on to examine the way in which we distribute the GAE across forces. That has been going on for a couple of years. Although forces will try to take a corporate approach to police funding, behind closed doors chief constables will debate their share of resources. Some take the view that the current balance is not right. The current balance stems from the days when HM Inspectorate of Constabulary for Scotland determined the establishment levels of forces. The money followed the establishment levels. However, today, we want to develop a formula that will direct future shares. The Executive is involved in an exercise that is examining matters such as call management, crime management, traffic management, public order and community policing. Those elements will make up a formula for the future.

A major activity analysis is being conducted throughout the Scottish police service and the results of that will inform the new formula. The likely result is that some resources will shift among forces. The Executive has given a commitment that the losers from that exercise will mark time. Resources will not be taken from them; the change will be gradual once we have settled on a formula.

Mr Maxwell: What is the time frame for that change? If the losers—as we are going to call them—do not lose per se but stand still for a short while, that has implications for future budgets.

Chief Constable Rae: In the current three-year settlement, we have made adjustments to assist Grampian police, Fife Constabulary and Central Scotland police. That was done in recognition of a gap that exists. We intend to have the formula concluded by the end of this fiscal year—by 31 March 2004. To reach that target date, much agreement between stakeholders will be required. The intention is to use that to inform the distribution formula beyond the current spending review period. The formula will be phased in thereafter. We hope to have a formula by the end of this financial year.

The Convener: I am afraid that the next question must be the last to Chief Constable Rae, because we are about half an hour over time.

Michael Matheson (Central Scotland) (SNP): I will be brief and stick with the theme of demands that have been placed on police forces throughout Scotland. You will be aware that the partnership agreement contains a range of commitments that politicians have chosen to make for police forces, which include increasing the number of special constables by 500 and continuing to expand the Scottish Drug Enforcement Agency. Is the draft budget sufficient to meet those extra commitments?

Chief Constable Rae: Increasing the number of special constables has been an aim of chief constables for some time. We have given a commitment to increase by 500 the number of special constables and work is being undertaken on that with the Executive.

That raises the question whether some form of payment should be made to special constables, as with retained firemen and reserve military personnel. A pilot is being conducted in England under which six forces are paying a bounty—that may well not be the term that is used—of £1,000 or £2,000 to encourage people to become involved in the special constabulary. The Executive has agreed to consider piloting a similar programme in Scotland. If that pilot is launched, it will be operated by Grampian police and Central Scotland police. Its cost will be marginal, given the sums of money to which I referred.

We all—but particularly rural forces—depend on special constables. One challenge of complying with health and safety requirements is that we must train special constables to a high degree. We must provide them with the same level of equipment as regular officers have, so the special constabulary has a significant cost.

It is important to have a return on that investment. In the past couple of years, we have tried to ensure that the special constables who are on our books are working special constables who are contributing. The result is that the number of

special constables has reduced. We are all looking for ways to increase that number again. Those individuals make a contribution to our communities. They are important to and valued by us. We will follow that pilot with interest to see whether it provides a solution.

I have already mentioned that, in the current financial year, we have moved witness protection and the high-tech crime unit into the SDEA. The SDEA has also taken on responsibility for examining the legislation on asset confiscation—it has a unit that is dealing with that. The cost of that investment is already built into the current year's budget.

The SDEA is facing the challenge of looking for very experienced police officers to join its ranks. The movement of people into that specialist area has to be managed carefully, because we cannot strip out skills and experience from individual forces. There has been a sensible arrangement for bringing the number of officers in the SDEA up to establishment. Members will know about yesterday's announcement about moving some money, which was made because the SDEA had underspent some of its budget last year. That underspend related largely to the phased moving in of people to the SDEA. It is always difficult to predict when such a journey will be completed.

11:15

The Convener: I am afraid that we have to leave things there. I thank William Rae, Harry Bunch and Carol Forfar for coming along and giving evidence. You gave us useful information on a number of areas, especially the budget process.

Chief Constable Rae: Thank you, convener. We feel that we have had a wonderful opportunity to get across the police staff associations' views to the committees. We welcome today's involvement and any future involvement in your deliberations.

The Convener: It might well be the case that there were questions that we did not get the chance to ask, but we can deal with those through correspondence.

Our next set of witnesses is from the Scottish Police Federation. Douglas Keil is the general secretary, Joe Grant is from the Strathclyde branch and James McDonald is the research officer. I welcome you to consideration of the budget process by the Justice 1 Committee and the Justice 2 Committee. I apologise for keeping you waiting. We are a wee bit behind time. As you have probably had the chance to hear most of the evidence so far, I wonder whether you could tell us where your views vary with what you have heard.

Douglas Keil (Scottish Police Federation): First, I would like to say thanks very much for inviting us along. The federation does not have a

specific role in making financial bids, or in setting or spending police budgets, but we have a view on how those things are done. We would not take issue in any way with the evidence that the committees have heard, although some of the points that were raised brought certain issues to mind.

For example, when we considered our work load in relation to vulnerable witnesses, we estimated conservatively that having to take just one statement on a witness's vulnerability in addition to the sets of statements that normally go to court for each case would cost £1 million per annum. The question on vulnerable witnesses was about whether there would be an impact on resources; we would certainly say that there would be such an impact, because each 20 minutes or half hour that it takes a police officer to note a statement obviously has a cost. We regard that as significant.

The area of vulnerable witnesses was one that we had considered and had something to say about. We are also interested in officer numbers, principally because our members tell us that that issue concerns them. Several questions were asked about that. It might be better if members ask those questions again and I try to keep my answers short.

The Convener: Okay. Who wants to kick off?

Karen Whitefield: I want to follow on from the point that you made about the issue of vulnerable witnesses, which the Justice 2 Committee is considering. The early identification of potentially vulnerable witnesses is an issue that has been raised. The fact that a person has been identified as a vulnerable witness needs to be flagged up with the appropriate people. Would it be reasonably easy for you to do that in the normal course of your duties as a serving police officer? It is not just about taking a statement; it is about recognising that someone is vulnerable. How could that be done effectively and what would be the cost of doing so?

Douglas Keil: It is extremely difficult to put a cost on that. When a police officer attends any incident, he or she will be thinking about whether that person requires victim support. If additional resources were to be available in Scotland for vulnerable witnesses, we would need quite clear guidelines as to the circumstances in which or the categories of individual to which that would apply.

Miss Goldie: The bill says that all children under 16 will be considered to be vulnerable witnesses. As Karen Whitefield has indicated, that means that, in any incident investigated by a police officer to which a child of under 16 is a witness, the police could be required to take some steps toward noting that, for the purposes of the

investigation, that person was a vulnerable witness. Does that represent a dimension of resource for you?

Douglas Keil: The vast majority of witnesses of that age will already be treated as vulnerable witnesses, to some extent. The issue relates to what will be required of police. We estimated how much time would be involved in taking an additional vulnerable witness statement, which I understand was the proposal some months ago, and arrived at the figure of which you are aware.

Miss Goldie: The question of external or additional help for the police arose in previous questions to the chief constable. What does the Scottish Police Federation think about community wardens? The issue relates to the best way of resourcing the reduction of crime in our community.

Douglas Keil: We share the Executive's desire to have strong and safe communities. However, we would have preferred it if the money that was identified for wardens had been spent on police officers. We have no difficulty with the idea of having civic wardens carrying out civic functions such as reporting on environmental questions, but we think that there is the potential for confusion and that the functions of a warden might stray into the area of dealing with crime and the fear of crime. Further, we think that wardens might be placed in danger if they were to be given any form of enforcement role because that might bring them into conflict with members of the public. If they were to be given such a role, thought would have to be given to equipping them in the same way as the police are equipped. However, it would not be long before we ended up with people who were not much different from police officers. As it is, there is not that much difference in the starting salaries.

It would be nice to get to a point at which we all agree on the role of community wardens. When we reach that point, we will be better able to judge where they will fit in alongside the police.

However, as I said, our view is that police officers are required, not community wardens. A couple of years ago, when HM inspectorate of constabulary was working on the "Narrowing the Gap" report, a number of public focus group meetings were arranged. The message from those groups was that they would rather have police officers than non-police uniformed patrols, as they were called then.

Michael Matheson: I was interested in what you were saying about vulnerable witnesses as the issue illustrates the way in which legislation that we pass and policy objectives that the Government announces can have a direct impact on your members on the coalface. Are you

satisfied with the process that the Executive goes through in its attempt to quantify the resource implications of such an initiative before the legislation is passed or the initiative is announced?

Douglas Keil: Even in the run-up to the Scottish Parliament's establishment, we looked forward to a more open and accessible Parliament for the Scottish Police Federation. It was difficult for us to address committees such as this at Westminster, so we looked forward to having such an experience in Edinburgh. We thought that the pre-legislative scrutiny mechanisms and the requirement to attach a financial memorandum to each bill would be extremely helpful.

Our experience is that those features may not have been as valuable as we had hoped. It is difficult to quantify precisely the impact of a new piece of legislation, whether it is Scottish Parliament, UK or European legislation. In the past few years, the European convention on human rights, the Macpherson report, asylum seekers and the Sex Offenders Act 1997 have had an impact on the police. Each police force has had to dedicate police officers to related tasks. It is inevitable that that has a knock-on effect on the street, because each place is filled up until officers are released to concentrate on such matters. It would be valuable to exert more effort to establish what enacting new legislation means for staff hours—whether those of police or support staff—because only then would we know the true cost of any new initiative.

Nicola Sturgeon: I will return to the subject of community wardens. That debate is relevant to the budget process, because funds are allocated to community wardens for the next couple of years. You expressed concerns about community wardens. The proposal that community wardens should have the right to issue fixed-penalty notices is out to consultation. Do you extend your concerns to that?

I will also put to you a question that I asked the previous witnesses about contracting out services such as the prison escort service. It is clear that police time needs to be freed up, but are you comfortable with some of the ways that have been chosen to try to do that?

Douglas Keil: The community warden proposals that are out for consultation cause us concern, because they would move wardens into potentially confrontational situations. If community wardens are intended to assist the community, report on environmental issues and make everyone's lives better as a result, that is a clear role. If community wardens issued fixed penalties and, in effect, imposed fines on people, members of the public would view them differently. That raises a real question.

I agree with what Mr Rae said about police custody and security officers. If we could release 300 experienced officers on to Scotland's streets, that would be of fantastic assistance. Initially, we had two concerns about the proposal. It is a fact of life that our criminal courts attract criminal elements and their friends. Courts can be extremely intimidating places for witnesses, court staff and even police witnesses. Often, it is only the presence of a uniformed police officer that keeps the lid on some situations. I am certain that the police officers who do that job will not all be put back on the street in one day and replaced by police custody and security officers. There will be a lead-over. I am certain that a requirement will remain for uniformed police officers to be on court security duty. Many of our sheriffs and court staff would welcome that.

The figure of 300 is new to me. I understood that the figure was 250, but we will not argue about the numbers. I am concerned about on-going good order in our courts but, nevertheless, I welcome the freeing up of experienced officers to return to force duties.

Colin Fox: Chief Constable Rae alerted us to the pensions time bomb. I imagine that the vast bulk of retirees will be your members, rather than his. How do you and your members feel about that financial time bomb? For example, do you feel that it has something to do with the development of contracted-out services, which it might be fair to say is a cheaper alternative to getting policemen to carry out the relevant duties? What are your anxieties about the pension fund?

11:30

Douglas Keil: Not many people know a lot about police pensions; in fact, not many police officers know a lot about police pensions, other than that they hope that they live long enough to get one.

Police officers pay 11 per cent of their salary towards their pension, which I think is more than any other workers do, apart from firefighters, who pay the same percentage. It is acknowledged that there is a lot of physical danger in those two jobs, which are stressful occupations. I would not say that the pension scheme is any better than good and it is certainly one for which we pay dearly.

Another thing that people do not realise is that, because police officers are office holders rather than employees, neither the police authority nor anyone else insures their lives, so police officers pay for their own life insurance, as well as for their own accident and injury insurance. They also pay out of their own pockets for convalescent homes, so that they can get back to work quickly after they have been injured.

Although I understand the financial concern about police pensions, that concern is often easily converted into the view that it is time that something is done about the police service's fantastic pension scheme. The police pension scheme has been under review by the Home Office since 1994—for almost 10 years. My view is that, if that review comes up with alternative proposals, it must recognise that the police service, like the fire service, performs a peculiarly difficult and dangerous job, which the pension scheme must reflect.

Historically, our contributions more than paid for the cost of the pension scheme. I admit that that changed some years ago, with the result that the contributions that we make as serving officers no longer meet the cost of the pension scheme. I do not know what was done with the extra money in the past, but I know that police authorities are having to pay to make up the shortfall in the cost of the scheme.

Many years ago, the Police Federation said to the UK Government that it should create a police pension fund. If that had been done at the time, we would not be facing the present difficulty. It would apparently cost about £25 billion to create a police pension fund now, so that simply will not happen. However, I find it difficult to countenance any reduction in our pensions benefit because there is a difficulty. That difficulty will have to be coped with in another way.

Chief Constable Rae was absolutely right to flag up the fact that many police officers are due to retire in 2005 and that even more of them will retire in 2009-10. Everyone who has responsibility for budgets will have to pay close attention to that.

The Convener: We have in the past had evidence from the fire service, which I think is in a similar position in that it should perhaps have set up a fund, but its pensions now come directly out of revenue. Chief Constable Rae said that he was satisfied that the budget for 2004-05 took account of the number of retirements. Are you satisfied?

Douglas Keil: You are right—he did say that. Although I do not have access to that level of detailed information on the budget, I am certain that that is correct.

The Convener: I have a final question. We are trying to establish whether the Executive's priorities match up with the allocations that it has made. We have had much discussion recently about where to put resources and whether they should they be allocated to bobbies on the beat or to intelligence-led policing. Chief Constable Rae reminded us that clear-up rates are as good as they were before the second world war. Do you have a view on whether there are choices to be made between bobbies on the beat and

intelligence-led policing? Do you think that the balance of the budget is right and, if not, how would you change it?

Douglas Keil: I have to say that I hate that question, because bobbies on the beat are intelligence led. Many moons ago, it might have been the case that a police officer was released on to the street and that he or she wandered about for their eight-hour shift and did whatever they pleased, but I am afraid that those days are long gone. Every beat police officer—whether they are on foot or in a local patrol car—is directed and targeted. In effect, that means that they are intelligence led.

Choices have to be made all along the line. Each police officer—down to the newest constable—must prioritise and decide what he or she does at any given time. We argue that bobbies on the beat represent one of the most effective methods of policing. When what is known as the broken-windows or zero-tolerance policy was applied in New York, it was successful because large numbers of police officers were put on the streets. That was also done under the recent street-crime initiative of our near neighbours in England and Wales and there were successes as a result. Over the years in Scotland, the best way of handling a particular policing problem has been to get police officers out there to deal with it.

We acknowledge that chief constables have a fantastically difficult job in deciding how to use the budget. There is no question about that. However, beat work is a core part of police work. It provides high visibility, reassures the public and acts as a deterrent. One of its most important functions is to provide an interface between the police and the public. That is fundamental to policing, because it develops trust and understanding between the police and the public.

We have some concerns about the Government targets. Nobody would argue that the targets on serious violent crime, vehicle crime, drugs, housebreaking, racially aggravated crime and road policing and safety are not important, but they are not the whole story. They are not necessarily what affects individual members of the public. We must be careful not to direct too much of our time and resources into meeting targets to the exclusion of important issues for the public.

Some controversy was raised over who set the targets. There are clearly—

The Convener: Can I stop you there? I am interested in what you mean by that. If the Scottish Police Federation is concerned about some of the targets, what would it change? If it were down to you to change the balance of the budget, how would you do it?

Douglas Keil: I am sorry if I have misled you. I have insufficient information to say that X is being spent on one priority when it should be Y. We have concerns about the process of setting targets and what we call the performance culture, which involves the use of much time and effort to ensure that we meet our targets, to the potential exclusion of other important functions.

The Convener: I understand.

Mr Maxwell: We have heard evidence about common services. What is the federation's view on cross-service facilities? For example, joint control rooms for police and fire services and possibly ambulance services have been the subject of much discussion. I declare an interest, as I worked for the fire service for 10 years before I joined the Parliament. People in the fire service, particularly members of the Fire Brigades Union, are concerned about joint control rooms and other cross-service possibilities, but the theory is that a great saving could be made. Could a saving be made from shared resources? What is your view on the proposal in theory?

Douglas Keil: The Scottish Police Federation has not discussed the matter in great detail, but the issue has not been drawn to my attention as a concern. Quite a lot of activity continues in the police service on call centres and points of first contact with the public. We have no concerns about any of that. We feel that when a member of the public phones the police, he or she would probably like to speak to a police officer, but provided that that can happen quickly—I am assured that call centres provide a way for that to happen—we have no difficulties with the proposal. No difficulties have been reported to us with the prospect of joint service control rooms.

The Convener: We noted with interest what you said, particularly on pensions, targets and wardens, which are important subjects to all members. I thank the witnesses for spending time with us this morning. You have given valuable evidence.

Do members agree to a suspension so that we can get coffees?

Members indicated agreement.

11:39

Meeting suspended.

11:47

On resuming—

The Convener: I welcome our next panel of witnesses. We have with us representatives from Safeguarding Communities—Reducing Offending, otherwise known as SACRO. Sue Matheson is the

chief executive, Keith Simpson is the head of service development and Sue Hounsell is the head of support services. I apologise for the delay in taking your evidence. We have had a busy session this morning.

Members have a number of questions to put to you. I know that you have just given us two new papers, which members will not have had a chance to see, but I would like to make members aware that there is something to look at. It would be helpful if you could be focused in your answers. We have a difficult job—we are examining budget and resource issues and, although that unavoidably crosses over into policy areas, it would help if you could assist us in identifying the budget implications of our questions.

Nicola Sturgeon: Criminal justice social work is one area in which a significant shortfall in resources has been identified in the past, but it is also one area of the Justice Department budget that has increased over the past couple of years. In light of that, and having taken account of all the various aspects of criminal justice social work, do you think that the funding is adequate for the services?

Susan Matheson (Safeguarding Communities—Reducing Offending): First, I thank the committee for giving SACRO this opportunity to speak and to address your questions directly.

SACRO welcomes the huge increase in resources for community justice and youth justice in recent years. It is widely recognised, and has been reported by the Auditor General and many academics, that community sentences are more effective than prison sentences overall. We are pleased that the budget has grown in the way that it has, but more always needs to be done and more money is always required.

We would like a redistribution of resources and more investment in the key areas of bail supervision, diversion, mediation and reparation, throughcare and community service as an alternative to very short-term prison sentences. The redistribution could come from savings that could be achieved fairly immediately by reducing the size of the remand population and the fine-default population. By ensuring that only those who are a danger to the public are in prison, we could reduce the number of prisoners to a level that would result in savings in prison building and refurbishment programmes.

Savings could also be made by the use of social inquiry reports. I should say that we limited ourselves to looking at the budget priorities in our particular area, as outlined on page 17 of the draft budget, and at some of the partnership agreement priorities. Approximately £9 million or £10 million is

spent on social inquiry reports, but we must ensure that those are properly targeted and are making a difference to decision making, because they are detracting from service provision. In addition, if we increased the use of diversion, particularly to adult mediation and reparation, there would be immediate savings to legal aid and the court services

Nicola Sturgeon: Thank you. That is helpful.

Colin Fox: You will have heard Chief Constable Rae welcome the extra resources for what he considers to be the partnership agencies that he works alongside, which include yours. The latest increases in spending aim to cover a wide range of objectives, including victim support, community disposals and the ones that you have mentioned. Is the extra spending sufficient for that wide range of objectives? Will all the objectives get adequate resources?

Susan Matheson: I am in danger of repeating myself. We support the budget priorities in the small area that we have examined, which relates to extending the range and quality of community services, dealing with youth crime, drug-related crime and women offenders, supervising prisoners on release and providing support for victims and witnesses. We also support the priorities in one or two other areas, such as reparation, restorative justice and the establishment of a single agency for custodial and non-custodial sentences. We support those budget priorities, except for antisocial behaviour orders for young people.

We are concerned that, if there is to be a single agency, the set-up and running costs should be kept to an absolute minimum, so that it is not established at the expense of service provision. However, we have not examined the budget as a whole to be able to say whether it is adequate for police or victims. We have concentrated on the areas that are particularly relevant to us and about which we know something. We feel that there could be some redistribution within those priorities towards the key areas that I mentioned.

Michael Matheson: Concern was expressed in our consideration of the budget last year and in the Justice 1 Committee inquiry into alternatives to custody about funding within criminal justice social work and the way in which resources have been allocated to it. From your experience, what could be done to improve the utilisation of the present resources to make criminal justice social work more effective?

Keith Simpson (Safeguarding Communities—Reducing Offending): A major contribution would be to ensure that the required services are available wherever and whenever they are needed. Our perception is that those services are fairly stretched. As Sue Matheson said, we are

concerned that the provision in the budget for them seems to remain at the present level, with allowances for inflation. There does not seem to be evidence of a strategy to reduce the prison population, for example, and to divert more remand and convicted prisoners to community sentences.

The budget does not seem to allow for an increase. That is why we are concentrating on suggesting that there should be increases in provision for bail supervision as an alternative to remand, for diversion from prosecution as an alternative to putting cases through the court and for community disposals, such as probation, community service and supervised attendance orders. That should be part of a strategy to reduce the number of prisoners who are serving sentences of six months or less or six months to two years.

The Executive should have a strategy to do away with sentences of less than six months, because the evidence is that such sentences are ineffective and expensive and cause a lot of problems to the Scottish Prison Service. It would be better if those sentences were replaced with sentences in the community. There should be a strategy to replace the prison sentences of those 50 per cent of prisoners who serve less than two years with community sentences. We see no evidence in the budget of a strategy to achieve that.

Similarly, although provision is being made for statutory throughcare at the end of a prison sentence, we have not seen evidence of a substantial contribution towards voluntary throughcare. A number of people leaving prison are in great need of voluntary throughcare, including young prisoners and high-risk prisoners who are not subject to licence.

My understanding is that the Executive's intention is to develop two small pilots to deal with those issues, but nothing substantial. Indeed, those pilots may simply be changes to the funding basis for existing services, rather than the provision of new services.

Michael Matheson: I understand what you say about reallocation towards community disposals in the general justice budget. I will rephrase my original question. I am trying to focus on what changes could take place within criminal justice social work to make better use of the funding that is already provided to it. Are there particular problems with the courts and relationships with the police that cause resources to be wasted because staff are spending more time doing one thing or another? What could change in criminal justice social work to make more efficient use of resources?

Keith Simpson: One possibility would be a greater involvement of the voluntary sector in the development of strategy and planning in relation to the use of resources. At the moment, the involvement of the voluntary sector in the planning of local services is variable across the country and, in some respects, limited. The possibilities for examining who is best placed to provide what services most effectively and how services dovetail into one another could be better planned with greater involvement of the voluntary sector.

That might only be one small contribution to what you asked about, but, from SACRO's perspective, it is an important one. It is not an exaggeration to say that some local authorities consider the voluntary sector useful only for those things that they do not want to do, rather than considering who is best placed to deliver what services.

Susan Matheson: Another problem with the system is that, because the provision of probation programmes such as community service orders is patchier than that of probation programmes such as supervised attendance orders, it is difficult for the courts always to use the statutory powers that are available to them. That is one reason why we want a redistribution of resources, which would enable the provision of programmes and services to be spread more evenly over the country.

Karen Whitefield: You have already indicated that you believe that it would be appropriate for the Executive to reorganise the money that it has provided for community justice services. Putting your personal views to one side, does SACRO believe that the money that the Executive has allocated for community justice services will properly reflect its priorities and allow it to deliver on them as it has outlined, for example, on vulnerable witnesses?

Susan Matheson: We have not addressed the issue of vulnerable witnesses; that is more an issue for Victim Support Scotland.

As Keith Simpson indicated, it is disappointing that target 6 of the justice budget is to provide 6,300 prisoner places. The Minister for Justice has said that Scotland is imprisoning too many people. It would have been good to have seen a target in the budget for fewer prisoner places, with the money going into community sentences. We are not being unrealistic; we do not believe that a huge amount of extra money will suddenly be available from somewhere. That is why we keep talking about redistribution. I am not sure whether that answers your question.

Karen Whitefield: Is it your opinion that there is insufficient funding to provide the community sentences that the Executive has outlined in its priorities?

Susan Matheson: I would like more to be shifted from the Scottish Prison Service to the specific areas that we have mentioned, particularly bail supervision, probation and other services to remove from prison people who are sentenced to less than six months, serve a very small number of days and are more likely to reoffend because they have had such a sentence. Such people should be on programmes in the community so that they address their behaviour and attitudes from an early point and will be more likely to stop reoffending.

The Convener: What would bring about that change? If the Executive has a policy of moving away from prison to alternatives to custody and it has put in the resources, what is the driving force that would change the culture in the system?

12:00

Susan Matheson: You are right—there has to be a change of culture. We need to approach that in a number of ways. First of all, we must have the investment, so that the programmes are available to the courts. The courts must know what is available in their local area, how effective the programmes are and what they cost. Courts need to get feedback on the outcome. We perhaps also need to consider which crimes are crimes, and which crimes should be subject to a prison sentence. We have to do a lot of work to give the sentencers confidence in alternative-to-custody programmes, to ensure that they are available, that they will be used immediately, and that if they are breached, that will be dealt with immediately. All of that takes resources.

Margaret Mitchell: There are two categories of fine defaulters: the small percentage who are wilful fine defaulters and want a prison sentence, and the ones who cannot pay and who are usually quite happy to take advantage of community service. If a community service or supervised attendance order is given to the wilful ones and they default, they end up being in prison for longer. In those circumstances, do you favour considering recovering the debt in another manner, through civil diligence or benefits?

Susan Matheson: A number of things will be done on fines. We have to remember that about 90 per cent or 95 per cent of people who are fined are on benefits, and they include few of the people who are wilful. We should perhaps consider whether some fines should be a lot bigger. Should the maximum be, say, £10,000 rather than £5,000, so that those who can afford to pay and will not pay are made to pay a reasonable amount? I understand that there will be pilots in two courts, which will not be able to imprison fine defaulters. To enable those pilots to be effective, recent legislation has amended supervised attendance

orders so that, although when people default they will still get a prison sentence, it will not be as long as it used to be. I think that it used to be three months; now it will be more or less what the original prison sentence would have been, with something slightly extra because the person who has defaulted also has not paid a fine.

We will also consider ways of revamping—if you like—fine enforcement officers, and we will consider easier ways to pay, so that people who really are on benefit, and who cannot afford to pay a £2 bus fare to go into town just to pay a fine, can pay locally. There are a number of things in the air, but I would like to see them put into place a lot more quickly. The average fine is less than £300, and the measures that we have at present to enforce that are costing us far more than the fine itself.

Margaret Mitchell: But for the small minority who have the means to pay and who default wilfully, the quick and easy way is to use civil diligence. Such people have the resources; they are just making a point.

Susan Matheson: Yes.

Miss Goldie: Is adequate use being made of existing facilities to recover unpaid fines by civil diligence?

Susan Matheson: I do not know the answer to that.

Keith Simpson: I do not know the answer either, but I would speculate that it is not. I do not see much evidence of the use of those facilities.

The Convener: We have heard evidence in the past about the success of drug treatment and testing orders and the drugs courts.

Susan Matheson: Drug treatment and testing orders have been said by the Scottish Consortium on Crime and Criminal Justice, in a recent report called “Making Sense of Drugs and Crime”, to be significantly cheaper than imprisonment. They are very effective in reducing drugs-related crime. It is not clear to us from the budget how much it is proposed to spend on drug users, although they are identified as a target group. It is difficult for us to comment. If we had more specific information it would be easier to do so.

The Convener: If we were to extend that disposal, women’s offending would be of particular interest to me. I know that the investment in the time-out centre will reduce the female prison population because, in my experience, many prostitutes end up in Cornton Vale prison and there is often an underlying drugs issue. I have never been able to get to the bottom of why that group might be directed to a drugs court. Do you think that there is a case for that?

Susan Matheson: I do not want to pre-empt the findings of the expert panel on prostitution, which will consider all the points that you make. One of the things that we said in our submission is that, no doubt resources will be required to implement whatever recommendations the panel comes up with. I would be surprised if one of the recommendations was not that there must be more drugs treatment facilities throughout the country. The provision of community facilities is patchy and more resources must be fed into that area. It is not clear from the budget whether it is intended that more resources will be fed in.

In the recent survey of public attitudes that the Parliament undertook, there was widespread support for sentencing drugs offenders to treatment services. Therefore, we would like a greater proliferation of those services throughout the country, particularly for women because we know that a large proportion of the women in Cornton Vale are damaged, vulnerable women. The vast majority of prisoners, whether they are male or female, use drugs, but the problem is greater for women generally and for prostitutes in Glasgow in particular.

Mr Maxwell: Although I do not want to take away from the importance of the work on drugs, for most people the drug of choice seems to be alcohol, and statistics demonstrate the involvement of alcohol in crime, particularly in crimes of violence. Do you think that the resources allocated to dealing with that particular drug are sufficient and are they being properly used?

Susan Matheson: You are right to draw attention to that. We are all guilty of talking about drugs and forgetting that alcohol is as big a problem, especially in relation to violent crime. It is not clear to me from the breakdown of the budget how much is to be spent on alcohol programmes. However, there is a great need for them.

Marlyn Glen: You have covered a lot of what I was going to ask already because you are concentrating on the portfolio priorities. In view of the Executive's cross-cutting initiative of closing the opportunity gap, is there a mechanism to give priority to women and young people in community disposals?

Susan Matheson: That is a good question. At SACRO we have found that it is difficult to get enough people together for group work. We have had to tailor one of our group work programmes specifically to allow two women to participate at the same time. The situation is not made clear in the budget.

Keith Simpson: I hope that my remarks will be relevant to the previous two questions. For about 10 or 11 years, SACRO has run an alcohol education probation programme in Edinburgh that

is funded through the criminal justice department in Edinburgh and, ultimately, the Scottish Executive. The programme has been effective in reducing reoffending. With the co-operation of the police, we recently tracked the people who have gone through the programme and discovered that more than 71 per cent of them have not subsequently reoffended. The offending of those people was linked to their serious misuse of alcohol. As a result of the programme, they have changed their behaviour considerably.

Together with the City of Edinburgh Council—this predates the Scottish Parliament—we made requests for further funding to extend that service to meet demand, because we have to turn people down, particularly women. Sometimes it is necessary to deal with women individually rather than in groups, as Susan Matheson has said. We also want to extend the programme to parolees to whom the Parole Board for Scotland has indicated that it would like such a programme to be made available. That money has not been made available, nor has any money been made available to develop similar programmes in other parts of the country.

Provisions for arrest referral and deferred sentence schemes in the Executive's spending plans are relevant to drugs and alcohol issues, and particularly how they affect young people and women. Such schemes would provide the opportunity to intervene as early as possible and to make available alternative sentences to custodial sentences. We welcome plans to fund and develop such schemes but are sorry to see that, contrary to our expectations, they seem to have been deferred until 2005. After discussions with Scottish Executive officials, we expected that funding would be made available certainly by the coming fiscal year—that is, by 1 April 2004—if not earlier. However, it seems that the extension will not happen until 2005. We draw that particular aspect to the committee's attention.

Mike Pringle (Edinburgh South) (LD): I thank the witnesses for the submission that we received today, which says:

"SACRO supports the Budget priorities"

with the

"exception of ASBOs for young people".

Will you comment on that statement?

Keith Simpson: We certainly share the Executive's concerns about dealing with antisocial behaviour, particularly among young people, and have participated in its consultation by sending in our views on the matter. However, we feel that antisocial behaviour orders are unlikely to be effective in achieving the Executive's objectives and have suggested alternative ways of

approaching the problem. In a nutshell, we think that too much is being invested in the hope that court orders will effect the necessary change in behaviour in our communities rather than in finding out what work needs to be undertaken in communities to tackle such problems. Too much reliance on court orders, including ASBOs for the under-16s, will prove to be unfounded.

The Convener: I thank the witnesses for their evidence. We will take note of your submission, particularly your comments about the redistribution of resources and investment in bail supervision, diversionary mediation and reparation, throughcare and so on. All those points will not be lost.

I now welcome to the meeting Chris Hawkes, group manager of criminal justice social work for Scottish Borders Council, and Mark Hodgkinson, service manager at Angus Council, who are representing the Association of Directors of Social Work. I think that the lines of questioning will be almost the same as those for our previous witnesses.

Nicola Sturgeon: I will ask the witnesses the same question that I posed to SACRO. Although criminal justice social work has been under-resourced for many years, it has had quite a significant uplift in resources in the past couple of years. Given that, is the funding now sufficient to allow you to do your job properly?

12:15

Chris Hawkes (Association of Directors of Social Work): First, I thank the committee for the opportunity to give evidence on behalf of the ADSW.

In direct response to the question, I say that we recognise that there has been a significant uplift in the overall allocation to the criminal justice social work budget in general and to the community disposals element of it in particular. However, we are not convinced that there has been sufficient recognition of what we would regard as the core components of that service. By that, we mean the range of services that are provided directly to the sheriff courts and the High Court. Those comprise the preparation of social inquiry reports and the undertaking of risk assessments that lead to the range of sentencing options that we give to the sentencing court and upon which the judiciary makes its decisions. Consequent to that, we provide probation orders, community service orders and supervised attendance orders. We also provide services for people coming out of prison through intensive supervision of parole licences and life licences.

Our argument is that, while we recognise the overall uplift, we do not think that enough of the

allocation has been targeted at the elements that I have just described, which we would refer to as the core services.

Nicola Sturgeon: Obviously, we are scrutinising a limited pot of money.

Chris Hawkes: It is important to recognise that, according to the statistics for 2002, the daily prison population is 6,400 and there are approximately 16,000 community supervision orders, the majority of which have been issued as an alternative to custody. That means that two and a half times the number of people who are serving custodial sentences are under supervision in the community.

Of those disposals, custody has the worst reconviction rate. The cost of six months' custody is 10 times more than that of a 12-month community order. Those figures come from paragraph 2.4 of the Executive's report, "Costs, Sentencing Profiles and the Scottish Criminal Justice System 2001", which was published in March 2003.

The Association of Directors of Social Work welcomes the opportunity to give evidence today because we believe that the provision of additional money to the prison estate is not the most effective means of achieving the desired outcome of reducing the rate of reoffending. We believe that there is evidence to support the view that the use of community-based disposals will better help us to achieve that outcome.

Michael Matheson: In last year's budget report, we highlighted concern about the funding of criminal justice social work, as did the Justice 1 Committee in its report on alternatives to custody. What could be done within criminal justice social work to use the budget more effectively? What is happening outwith criminal justice social work that impacts on your day-to-day work and causes a waste of resources?

Chris Hawkes: I would contest any suggestion that the wish of the previous Justice 1 Committee for an increase in the allocation to community-based social work provision has been achieved. That is not obvious within the allocations that we have received. Last year's increase in allocation was accompanied by a range of on-costs associated with inflation and employment, which completely absorbed any growth in the allocation for community services. I contest fundamentally the basis of the first part of the member's question.

Michael Matheson: I was not saying that the Justice 1 Committee's recommendation had led to an increase in funding of criminal justice social work. I was highlighting the fact that the committee had made such a recommendation.

Chris Hawkes: Absolutely. However, I am not sure that the money has had the necessary impact. It is important to recognise that there has been growth—there is no doubt about that—but, as I have indicated, the growth appears to us not to be focused on what we regard as the essential element of community-based supervision. We see money being spent on the development of drug treatment and testing orders, which are critical, but they are incredibly expensive because of the health component that is integral to such orders. They require clinical personnel and the clinical conditions in which they can be administered. A significantly disproportionate amount has been allocated to DTTOs.

There has also been significant growth in the amount of money that is spent on restriction of liberty orders, which are administered by Reliance Monitoring Services. That money has made no impact on what we regard as core services. Although we see that there has been a general uplift in overall allocation, it is not making an impact where we believe that to be necessary.

Mark Hodgkinson (Association of Directors of Social Work): As well as an uplift in funding of what we call non-core or new responsibilities, there has been a significant rise in demand for criminal justice social work services. Besides that general increase, demand for the preparation of reports or for supervised attendance orders, which are an alternative to custody for fine defaulters, has doubled in some authorities in Scotland over the past six or seven years. Funding has not kept pace with that increase. As a result, the effective administration of new initiatives can be compromised by the statutory responsibilities that criminal justice social work has to service orders made by the court. Informing a local sheriff that one is unable to write a report is not an option.

Over the past eight years, there has been a significant change in the role of criminal justice social work. We have become a key component in a strategy of public safety, working extremely closely with the police to risk assess, monitor and take action to protect communities from sex offenders and dangerous offenders. That is a high priority.

Miss Goldie: I will follow Michael Matheson's line of questioning and return to your earlier suggestion that there could be better redeployment of resources within the overall package. If I understood you correctly, you were saying that a non-custodial approach, for example, would represent a far better bet in terms of value for money. A cynic might say that it suits you to argue that position. Is that an unfair charge?

Chris Hawkes: It is unfair. The overriding principle of the service that we deliver is to create safer communities. It is demonstrable that sending

to prison the majority of people who currently go there makes our communities not safer, but less safe. That can be demonstrated by examining reconviction rates for a range of sentences. For example, there is a 20 to 25 per cent difference in reconviction rates between those people who serve a custodial sentence and those who are given community service. The latter group reoffends 25 per cent less than those who are placed in custody. That demonstrates why we would not make a purely self-serving argument. We are trying to think of the bigger picture, particularly community safety.

Mark Hodgkinson: About 80 per cent of prison sentences are for six months or less and there is a growing population of remand prisoners. Criminal justice social work could impact on that through a rise in the funding of core services, particularly bail information and bail supervision schemes, in which courts throughout Scotland have confidence. Increasing funding would be a spend-to-save policy, given the respective costs of bail supervision and custodial remands.

The Convener: I do not doubt that. You said that those who have been in custody have the worst reconviction rates. How is that measured and can you point the committee to the source of your evidence?

Chris Hawkes: Yes, I can, but I would need to refer to my notes. I can do that now or I can supply the information at the end. Certainly, our information is well sourced, but to turn up the appropriate reference at this point would just take up the committee's time.

The Convener: I would like you to back up what you said. For example, who evaluates schemes such as community service orders?

Chris Hawkes: The figures come from a document called "Reconvictions Of Offenders Discharged From Custody Or Given Noncustodial Sentences In 1997, Scotland", which was published in March 2003. That document shows that the reconviction rate for those serving periods of custody is, as I recall, approximately 60 per cent, whereas the rate for those given community service orders is between 40 and 45 per cent.

The Convener: I would be grateful for a copy of that document.

Chris Hawkes: Certainly.

Karen Whitefield: The Executive has outlined a number of priorities for delivering effective community justice services, from improving support for vulnerable witnesses and the victims of crime to supporting initiatives that deal with youth crime and women's offending. Does the budget that has been allocated for those services truly reflect the Executive's priorities?

Chris Hawkes: As an association, we recognise the importance of that range of new and necessary initiatives. From the paperwork that was sent to us in preparation for the meeting, I noted an allocation increase of £3.5 million for the range of additional services to which you referred. However, that money is also to be used for the preparation of a single agency and the development of drugs courts. I find it difficult to understand how such a range of objectives can be realistically achieved from £3.5 million. Without knowing the exact costing of proposals item by item, it is difficult to give more than a generalised statement. However, from where I sit, it is difficult to envisage how £3.5 million can pick up all the new priorities.

12:30

Marlyn Glen: I have a question that I asked previously. How do the portfolio priorities, as given on page 17 of the draft budget 2004-05, fit into the Executive's cross-cutting initiative of closing the opportunity gap? For example, are there mechanisms to give priority to women and young people in community disposals?

Chris Hawkes: We recognise and are committed to the development of appropriate services for women and young people. Women offenders require a level of specialist and specially-designed resource to which we do not pay sufficient attention at present. The reason for that is the same reason that I gave before: core provision is funded insufficiently.

Groups of offenders are often placed on community service orders that require them to undertake a variety of unpaid work within the community, working on schemes such as conservation or development schemes—in my authority area we do a lot of coastal footpath development. Given that no more than 15 per cent of any community service group is made up of women, it is very difficult for us to organise ourselves in such a way that we can take out mixed gender groups of offenders into isolated parts of the countryside and meet their necessary personal requirements as well as health and safety requirements. Ideally, we would like to develop schemes that are specifically for women offenders and which would recognise their personal needs as well as their family needs. We cannot do that at present.

We recognise that additional money has been committed to developing fast-track children's hearing systems and youth justice services. However, the same level of provision has not been made for offenders who are 16-plus, who fall within adult provision and appear before adult sheriff courts. They come within the core element, which I regard as underfunded.

Mr Maxwell: I asked the SACRO representatives this question. Do you support the belief that there is insufficient funding in alcohol treatment and education programmes?

Mark Hodgkinson: Although the drug treatment and testing orders are expensive, there are signs that they are going to be effective. I could recite stories of sheriffs in Tayside who are expressing great satisfaction that people who appeared before them regularly have stopped appearing so often as a result of the orders. I return to the main theme of our evidence. A lot of programme-based work with people who abuse alcohol and drugs comes within the core service that we provide. Someone who is subject to a straightforward probation order could receive so much more if core service funding were increased to an appropriate level.

Mike Pringle: I do not know whether you heard SACRO's comments on ASBOs for young people. I am interested in your opinion of ASBOs and whether you think that they are effective in the community.

Chris Hawkes: We have not prepared a response to that question as we thought that we were addressing financial issues.

Mike Pringle: The question is to do with whether it is worth while spending money in that area.

Chris Hawkes: This is a general view on which we have not canvassed an association opinion, but we believe—this is similar to SACRO's argument—that a range of mechanisms can be used more effectively within communities. That is more to do with enabling communities to police themselves than it is to do with the establishment of external policing, which is implicit in ASBOs and the development of community wardens. We believe that communities can take on that role and that we should concentrate on enabling communities to provide their own support and manage their own behaviour rather than employ an external policing function.

Margaret Mitchell: Do you accept that, to a large extent, many alternatives to custody, such as supervised attendance orders and other community-based disposals, require the person to be willing to undertake them and go through the programme? Do you believe that, if the person is not willing to undertake such a disposal—now and again, we come across a person who has no regard for the justice system generally—prison is the only alternative, as it safeguards the community and gets the problem off the streets?

Mark Hodgkinson: I do not think that the association would argue that, in the case that you describe, the use of custody would be inappropriate and that custody should not be used

to protect the community and promote community safety. However, we would say that the use of custody and the resources that are devoted to it are not in balance at the moment and do not provide value for money or effectiveness.

The Convener: I would like to clarify what you said about restriction of liberty orders. You said that they do not have an impact on core services. Is that because they are run by Reliance Monitoring?

Chris Hawkes: Yes, just that. A significant allocation is going to that disposal. However, no element of that allocation leads to any benefit for local authorities, in terms of provision for their core services.

The Convener: Nevertheless, you accept that restriction of liberty orders are an alternative to custody, albeit run by a different organisation. They could be an alternative to community service orders. Judges have wide discretion in sentencing. If they impose a restriction of liberty order—a tagging order—we do not know whether they do so as a substitute for imposing a community sentence order.

Chris Hawkes: Our concern is more with the disproportionate cost of such orders, compared with the cost of the range of other orders that we have described. Out of the total allocation of £80.4 million for this financial year—together with the £3.5 million uplift—the amount that has come to local authorities for the 16,000 to 17,000 orders that we currently provide is £40.5 million. We are concerned that, although there has been an uplift in allocation, year on year, for several years—which we welcome—it has not necessarily made an impact on core services and provision for those 16,000 to 17,000 orders, in comparison with the provision that is being made for a relatively small number of people who are currently under restriction through electronic monitoring.

The Convener: I understand your point. Were you making a separate point about restriction of liberty orders, which you think are very expensive? Do you think that there should be a redirection of money from restriction of liberty orders to core services? I presume that you acknowledge that restriction of liberty orders show a high level of effectiveness.

Chris Hawkes: Although there certainly have been good completion rates for restriction of liberty orders, we do not yet know what the reoffending rates are following the completion of those orders, using the two-year longitudinal studies that would be applied to any other disposal. However, we would not for a minute seek to undermine electronic monitoring, which is an important tool in the range of tools available. What we question is the level of funding that is required to support such

orders. I would argue that, if a similar level of funding were made available for the broader range of community disposals, we could demonstrate the effectiveness of such disposals even more than we can at present.

The Convener: I thank you for your evidence, which has been very helpful. We will certainly use it when we draw up our final report on the budget process.

Last but not least, I welcome the witnesses from the Procurators Fiscal Society. John Service is the society's vice-president, Val Bremner is the society's secretary and Helen Nisbet is a member of the society's council. Thank you for coming along. We will move straight to questions.

We know that the Procurator Fiscal Service has had a recent injection of resources but we note that, in coming years, the resources will tail off a bit. Are you concerned about your budget for the coming years? Has the past under-resourcing of the service been acknowledged?

John Service (Procurators Fiscal Society): We are glad that the past under-resourcing has been acknowledged in the increase in our budget for 2003-04. A difficulty in the Procurator Fiscal Service in the past was the refusal to admit that we needed more resources to do our job properly. We are in the middle of a year in which the budget has increased by £24 million and it is hard for us to evaluate how much progress has been made. We hope that, by the end of this year, and in years to come, we will see progress. However, our problems were huge and it will take a lot of hard work and a lot of resources to solve them. In a submission to the Justice 2 Committee, the Lord Advocate acknowledged that there had been chronic underfunding in the past. This year, steps are being taken to deal with that historical underfunding. We hope that more steps will be taken in future. However, the projected figures for the next two years show that not much additional funding will come our way. This year is crucial for the Crown Office and Procurator Fiscal Service.

The Convener: Are you concerned that the funding seems to taper off, or are you satisfied that all changes and reforms are accommodated by the increase in the budget?

John Service: A lot will depend on what has been achieved by the end of the current budget year. We are in a period of huge transition. Many of the issues that we have raised in the past are being addressed but there is a lot of work to be done. Until we see what we have achieved this year, it will be difficult to predict what will be required in future.

The Convener: I appreciate that it is difficult to assess things right now, but are you worried about resources for the front-line service? I have a

special interest in that subject, which has always been my concern. Although I am pleased to see an increase in the budget, I would like a lot of that resource to be spent on the front line, in an area which, I think, has been under-resourced—the employment of procurator fiscal deputes. Do you share that concern or have any other comment to make?

John Service: Before I hand over to Helen Nisbet, I will introduce her. Helen was the Procurators Fiscal Society's secretary until June this year; Val Bremner has taken over that post. As Helen was involved in many of our negotiations with the Crown Office and Procurator Fiscal Service, she might be able to give you an idea of the need for resources at the sharp end of things, which was highlighted in the Justice 2 Committee's report on its inquiry into the Crown Office and Procurator Fiscal Service.

12:45

Helen Nisbet (Procurators Fiscal Society): Last year's Justice 2 Committee report highlighted one of our difficulties, which is that, to some extent, we suffer from a lack of information about how the allocation of resources is arrived at. That makes it difficult for us to work out how resources will be deployed in the forthcoming period.

The anecdotal information that our members provide indicates that things still seem pretty tight on the front line. We have the impression that there are still posts that are not filled. Although the fiscal service has had a succession of recruitment exercises that have been aimed at lawyers during the past few months, we are not convinced that that has been translated into increased resources on the front line in a way that is tangible and easy to see.

There could be several reasons for that, not least the experience profile that exists in the service. Anyone would acknowledge that we had allowed our resource levels in some areas to drop very low. Although there has been a period of constant recruitment of staff, the skilled and specialist work that is involved in being a procurator fiscal depute means that, because of training, there will be a long lead-in time before we start to reap the benefits of that recruitment. We fully appreciate that there has been some recognition of that under-resourcing, but the improvements that have been made will need to bed in before we can say with confidence that resourcing for front-line services is at an appropriate level.

John Service: Although it is clear that lawyers have been recruited to the service, many of the lawyers who are coming in are freshly qualified and inexperienced. As Helen Nisbet said, they will

have to be trained up to do the job properly, because it involves a considerable amount of expertise.

We accept that expectations of the fiscal service have increased. There are crucial areas in which our members accept that those expectations are quite reasonable. The quality of service that is provided to victims and witnesses is improving, but we accept on behalf of our members that the prosecution service in Scotland had failed in that area in the past. It will take time, experience and resources to remedy that problem, but a valuable start has been made.

There is a concentration on dealing with serious crime, particularly—as my colleague Richard Stott mentioned in his evidence to the Justice 2 Committee—drug-related crime. If we are to rise to the challenge of tackling drug-related crime, we will need resources and experience.

Miss Goldie: Does the Law Society of Scotland permit law graduates to do a traineeship with the fiscal service?

John Service: Yes. During the past two or three years, the fiscal service has increased considerably the number of trainees. We now have about 30 first-year trainees. The Procurators Fiscal Society welcomes that.

Michael Matheson: I want to follow on from Pauline McNeill's line of questioning. You mentioned that there has been a substantial increase in the budget in the past year or so. However, there will be a considerable tailing off of that increase in the next two years. For example, the increase in the budget of the Crown Office and Procurator Fiscal Service is only £0.43 million in 2004-05 and £0.65 million in the following year. That extra funding is for a specific purpose—to provide new IT equipment for the High Court to implement the Bonomy recommendations. You may not be IT experts but, from your experience, will the additional funding be sufficient for the changes required in the High Court?

You spoke about drugs. Are there other areas for which extra funding is required by the Crown Office and Procurator Fiscal Service so that it can continue its development?

John Service: As I suggested earlier, a difficulty for us is that we are in mid-term in 2003-04, a year in which our budget has increased substantially. The increase is coming through but we are not yet in a position to analyse its success. Until we can do that, it will be difficult for us to predict what the future holds and what our future needs will be. Historical underfunding created major difficulties for us in rising to our challenges. The extra funding this year will be of huge assistance but, until we see its results, it will be difficult to predict our future needs.

Major changes are under way in our own IT system—apart from what will happen in the High Court. If we can harness IT in many of our processes, we will create a more efficient service and free up time that we will be able to devote to the service's key areas of concern, such as providing services for victims and witnesses in serious crime cases. Such services have been lacking in the past.

Michael Matheson: If you will pardon the pun, it sounds as if the jury is out on whether the money will lead to the changes in the service that you want. Given that the increase in coming years is so modest, will we have to keep a close watch on whether the changes that were expected because of new funding are actually happening?

John Service: It is true that the jury is out. However, on behalf of our members we will keep a close eye on things to see whether the improvements that our members want actually come through.

The Convener: That may well be your answer to many of our questions but we want to have on record the things that we should be watching out for.

Mrs Smith: Some of my questions have already been answered—or not answered, as the case may be.

Much of the extra money for the Crown Office and Procurator Fiscal Service was aimed at implementing the recommendations of the Pryce-Dyer report. Concerns have been raised over whether the reforms and the extra money will achieve real differences in front-line legal services. Ms Nisbet said that she thought that things were still pretty tight on the front line, and Mr Service has said on a number of occasions that it is too early to say what the extra money will achieve. How long will it be before you can quantify the results? How will you do so? How will you monitor the results? Will you set yourself targets?

Helen Nisbet: Over the past few years, one manifestation of the functioning of the department—that is, the Crown Office and Procurator Fiscal Service—that precipitated many things, not least of which was the Pryce-Dyer review, was the fact that industrial relations between the trade unions and the department were not particularly good. Those relations are slowly but steadily improving. Part of our aim is to continue that process so that we become more engaged with the department in planning and the allocation of resources. Obviously, at the end of the day, it is the department's process and all that we can do is to try to influence it as best we can.

However, we regard it as part of our role to do all that we can to build communication channels with the department that allow us to be at the heart

of the decision-making process, at least from the point of view of monitoring and reviewing, in order to influence decisions as early as possible. That process has been underway, with reasonable success, for the past year and a half to two years. I hope that in six or nine months, if we continue to make the progress that we have made up until now, we will be able to comment in a more informed way. Members will appreciate that there are two sides to the process, because we need the department's co-operation.

Mrs Smith: In passing, you touched on how victims are treated, which is an area of the service that you are trying to improve. Can you give more information about that?

John Service: The victim information and advice service, which our society welcomes, is now present throughout the justice service. Val Bremner can perhaps bring you up to date on the VIA service because she worked in the Aberdeen office, where the first VIA scheme was introduced.

Val Bremner (Procurators Fiscal Society): I certainly can assist with that. It is now three years exactly since the victim liaison office—which became the VIA service—opened in Aberdeen. By the end of the year, the VIA service will have been rolled out to every fiscal area in Scotland. The society welcomes the development of the VIA service, but it does not cover every category of case; it covers victims in all serious cases, domestic abuse cases, asylum seeker cases and cases involving children, who are involved in a large number of cases, both as witnesses and victims.

We are aware anecdotally from our members that much of the work that they did to liaise with victims and give them case-specific information is now done by the VIA service. Clearly, we welcome that because it removes some of our members' work load. However, because the VIA service does not cover every case there are areas in which our members must fill the information gap. In addition, the VIA service does not impart sensitive information about legal decisions to victims, so our members are still required to do that. There is an additional area of work for our members because procurators fiscal are required to liaise directly with the VIA service. However, in general, the VIA service has been a welcome development. I believe that there are to be studies on it and that customer feedback from victims is being sought. I certainly believe that the feedback will prove to be positive.

Karen Whitefield: The draft budget for 2004-05 provides a long list of priorities for the COPFS, which range from delivering better services for victims of crime to ensuring public confidence in the service by dealing efficiently with cases. Will the budget allocation for 2004-05 be sufficient to allow you to deliver on that list?

John Service: I do not want to keep returning to the current year's budget, but we are in uncharted territory because of past underfunding and failure to deal with areas such as victim and witness advice and support. Therefore, it is difficult for us to look as far ahead as 2004-05. We appreciate that we face a constant challenge to deliver certain services within budget. That is particularly the case for serious crime, because the investigation and prosecution of such crime has become more complex over the years. More is involved in preparing a case for court now than was the case when I joined the Procurator Fiscal Service the best part of 20 years ago. We have the ECHR and we have improvements in forensic services, along with the introduction of DNA techniques. All those advances create more work for our members in preparing cases, in particular serious cases, for court.

13:00

It is inevitable that cases become more expensive, because more work has to be done. We cannot foretell the growth in certain areas of crime. In recent years, we have seen the mushrooming of drug-related crime. We have also seen—the committee has probably seen some of the background material on this—an increase in the police clear-up rate, which creates more work for our members and more challenges for the budget in the future.

It is difficult for us to look to the future with certainty, because of the uncertainty of the present. We welcome the increased resources that have been made available for the current year, but as far as the future goes, we will have to wait and review what has been achieved in 2003-04. As the convener said, we would welcome an on-going review. Because of the nature of crime, and the nature of the investigation and prosecution of crime, the budget should be examined on a year-by-year basis. It does not always fit into the usual budgetary rules.

Helen Nisbet: Our members' perception is that the increased budget—welcome though it was—was immediately matched by a refocusing on targets and objectives for the Crown Office and Procurator Fiscal Service as a whole, in a way that has not happened in the past.

I think that I said earlier that a large number of our members on the front line still feel the pinch. That manifests itself in their perception that they are being asked to deliver ever-higher expectations slightly ahead of the resources kicking in. Many of our members would acknowledge the significant increase in budget but, as the budget flattens out in the subsequent two years, many of them will ask, given the ever-increasing demands that they face daily, whether

there are sufficient staff and other resources to deliver on those demands without them facing significant pressure as individuals.

Karen Whitefield: On the subject of ever-increasing demands, you will know that the Executive has introduced the Vulnerable Witnesses (Scotland) Bill, on which the Justice 2 Committee is taking evidence. What is the Procurators Fiscal Society's view of those proposals? Will there be an impact on the resources that are required to deliver the bill's objectives?

Helen Nisbet: As a society, we have not had an opportunity to consider fully the ramifications of the bill. Our experience in recent years has been that while all the initiatives have been extremely welcome—one can see the benefits that are conferred on confidence in the criminal justice system as a whole—they have all come at a cost.

Our concern is that there should be a realistic appreciation of the demands, such as labour intensiveness, that will be created for our members. All that we can do is to encourage the Crown Office and Procurator Fiscal Service and participate in any consultation sessions that it sets up in connection with the bill to ensure that as realistic a view as possible is taken.

The dilemma in which we found ourselves in recent years was that the demands on the service were going up, but the funding to resource those demands was not necessarily going up. We have taken a huge leap forward in the past year, which will start to rectify some of that situation, but we should not allow a situation to emerge in which that funding gap starts to open up in forthcoming years.

Miss Goldie: The Vulnerable Witnesses (Scotland) Bill, as currently structured, will require practitioners in the courts to engage in further procedure where there is a vulnerable witness. Has there been any discussion in the fiscal service about the bill and its foreseeable impact on the service?

John Service: That is a matter that should be dealt with by Crown Office staff in our policy unit. The Procurators Fiscal Society has not engaged in any discussion on the general policy issues. As Helen Nisbet said, our members wish to provide the public with the best-quality service that they can. A lot of work has been done over the years with vulnerable and child witnesses. Major issues are involved, and areas that are of professional concern to our members, but as far as policy matters are concerned, that is something for the Crown Office to deal with.

Margaret Mitchell: Some of the questions that you have been asked overlap one another. I ask you to look to the forthcoming four-year period and

the commitments that the Executive makes in "Building a Better Scotland". In that document, there are commitments to more youth courts and to a review of summary justice and the operation of the High Court. Will your current budget be adequate to deliver those commitments?

John Service: A lot of the changes are still to come in and that will affect resources throughout the service. Since the publication of the Justice 2 Committee's report, progress has been made on prosecution in the High Court, where four members of the Procurator Fiscal Service have prosecuted as ad hoc advocates depute. We supported that development for several years, but we recognise that it has a knock-on effect on resources and resilience in the offices from which those people have been taken.

The Justice 2 Committee's report identified the question of resilience throughout the Crown Office and Procurator Fiscal Service. If our members are taken away from what might be seen as their normal duties to focus on, for example, prosecuting in the High Court and preparing cases that involve vulnerable witnesses, cover must be provided for them. That is a resource issue and we are concerned about it. For example, if one is the procurator fiscal in one of the far-flung offices and one has to prepare a case from Stornoway that involves a child witness for the High Court, one must be allowed the time, the opportunity and the back-up resources to prepare that case properly.

A number of the proposals in the Vulnerable Witnesses (Scotland) Bill could have a direct impact. Not all crimes take place in urban areas; many take place in the areas where we have distant offices and we are concerned whether sufficient cover will be provided for our local members to provide the service when required. The Justice 2 Committee report and the Pryce-Dyer report highlighted the fact that we need a flying squad of staff to go out to offices that are under particular pressure at a particular time. We have seen no sign of that happening yet.

Val Bremner: One of the reasons why we have been unable to be precise in answer to some of your questions about future budgets is that, at present, we have not been invited to be party to the way in which resources are sought, or to their subsequent allocation and planned use in the department. In the context of improving industrial relations, we hope to engage the department in that area with a view to being party to the way in which those resources are sought, planned and allocated in the future.

The Convener: It is helpful to know that. It is no secret that, in the past, Crown Office management has been slow to argue its corner about the resources that are required, but that has changed. It is of great interest to the committee whether the

additional resources are hitting the areas that they should be hitting. At some point, we will need to make sense of that and get a feel for what your members are saying about whether the new management structures have made a difference or whether they have been a waste of resources. We need to find a way of quantifying inadequacies in the system if possible.

We have asked the Crown Office management for the official number of staff within the Crown Office to see whether that will tell us anything about how the front line is being resourced.

We called the Procurators Fiscal Society to give evidence because we thought that you would give us a feel for whether the changes were beginning to be felt throughout the service. This is your opportunity to tell us whether you feel that the resources are beginning to kick in. We get only one chance in the year to say, by drawing up a report, whether the resource allocation is right or wrong. If you are not telling us that you think there is a problem with the budget, we certainly cannot report that. Having won the resources and achieved consensus, I would not want us, in years to come, to go back to where we started. That is my worry. Can you help us in any way on that?

Helen Nisbet: That is our concern as well. However, we feel that we cannot give evidence on a particular area if we are not confident of our ground. As Val Bremner said, that is where our not being party to the intricacies of the finance creates difficulty for us. I can only repeat what I said earlier: our members certainly still feel the pinch. Staff are coming in, but it is difficult to gauge numbers; what you said about staff figures illustrates the point. Even managers in an office are hard placed to say whether members of staff are replacing staff who have gone elsewhere or whether they are additional.

For some time, we have tried to establish the complement for the offices. The Crown Office and Procurator Fiscal Service tells us that it has now reached fixed complements for the offices. Although the figures might be published in individual local plans, they are not promulgated widely to staff. That would provide an easy indicator of whether the new staff who have joined the Crown Office and Procurator Fiscal Service are being deployed at the front line. Our members are telling us that those staff are not all being deployed at the front line. Having access to the complements would allow us to ascertain that.

Miss Goldie: Are the majority of fiscals members of the Procurators Fiscal Society?

John Service: Yes. About 75 per cent are members.

Helen Nisbet: We have healthy levels of membership among the legal members of staff in

the Crown Office and Procurator Fiscal Service. Membership tends to be between 75 and 80 per cent.

Marlyn Glen: The draft budget provides a detailed statement of how spending in the Crown Office and Procurator Fiscal Service contributes to the Executive's cross-cutting initiatives of closing the opportunity gap, which includes a faster clear-up rate for persistent criminals. Do you know of mechanisms in the Procurator Fiscal Service that facilitate such clear-up rates?

John Service: There are mechanisms in place involving our IT. Cases against individuals are not dealt with in isolation and, if individuals are reported to offices, a check can be done to see whether there are outstanding cases. Those cases can be gathered together, but they are only cases that have already been reported by the police. There are local initiatives to find ways of identifying persistent offenders. At present, by using our IT, we have ways and means of gathering together cases, instead of an individual having four or five different cases proceeding separately. That is a concrete way of addressing the issue.

The Convener: Thank you very much for your time and the evidence that you have given us. We will certainly use it in the course of drawing up our report. I also thank members of the committee; I know that it has been a long meeting, but we have lots of valuable information that we can use to compile our budget report.

Our next meeting on the budget is on Tuesday 7 October, in the chamber. We will question the Lord Advocate and the Minister for Justice on the draft budget 2004-05.

Meeting closed at 13:16.

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