

## Parliamentary briefing

### Scottish Government debate: Protecting Scotland's Communities – the Scottish Government's Offender Management Plan.

ADSW is supportive of the Scottish Governments approach to managing offenders. The Government have set a challenging agenda, but it is the right agenda. However, we must go into this with our eyes open so that we can overcome the challenges it sets us. At this time ADSW feels that there are a number of issues which require further debate to ensure that they can be properly implemented and achieve the outcomes they are intended to:

- Up to 300 hours of community service in 6 months is difficult if the offender is working – we need to ensure that the compliance with a community disposal is achievable and doesn't have a negative impact on other aspects of the person's life for example, employment or child care responsibilities. There is no point in courts opting for a community based sentence in order to keep the offender in their community, if the tariff of unpaid work is too much to complete whilst maintaining paid work or family/carer responsibilities. This could lead to a breach of the order which in turn could lead to the offender going into custody and then we are no further forward.
- Crucial to this agenda working is the support of judges. Without that, this plan will be difficult to implement. If offenders are to be processed, matched to placements and supervised to complete their orders within the set timescale, they must leave court with the order in their hand. Prisons don't accept prisoners without a sentence and social work departments need to know what they're dealing with in order that they can make this new system work.
- One council in Scotland has estimated a 30% increase in their workload if all current custodial sentences under 6 months were to be dealt with in the community. This is the right way to go, but it has to be properly resourced. There will be savings with a decrease in the prison population, but as we know, our prisons are overcrowded and initially these savings could be swallowed up by helping prisons run themselves properly. In any event the savings will not be recognised instantly and therefore, in order to move this agenda forward as positively as possible ADSW would like to see bridge funding. This, along with work that social work recognises it has to do to become more efficient and effective, such as examining capacity within our services to ensure the correct skills mix in working with many more offenders who would have gone to prison, will allow us to do more in the community faster.
- We have to ensure that we do not lose sight of the probation element of a community sentence. This is not all about alternatives to custody; there is still a need to address the risks and needs of an offender and to help them to change their behaviour.
- It is important that communities are aware of the implications of this plan and that they don't think that offenders are getting off lightly. However, there is a difference between highlighting individuals at work and highlighting the work that they have done. Councils across Scotland are working hard to ensure that the public know of the work that offenders have done which is of benefit to the community.
- ADSW welcomes the recognition that the successful reintegration of offenders cannot be achieved through criminal justice alone. Community Justice Authorities, for example, will require to link in with the wider joint action achievable through Community Planning Partnerships in order that effective, joined-up solutions are delivered at a local level.

- We need to ensure that the needs of young offenders are not lost. This review is about adult criminal justice and while it refers to the youth justice system we need to ensure that the systems work well together to prevent young people being dealt with inappropriately. This plan must link into the review of the youth justice system.
- ADSW welcomes the current debate about the age of criminal responsibility and has called for this to be raised.

The plan presents many challenges but 'to do nothing' will present more. ADSW is committed to working with the Scottish Government and others to reduce reoffending and make Scotland safer.