

Scottish Court Service recommendations on a future court service

Association of Directors of Social Work response to Scottish Parliament call for evidence

The Association of Directors of Social Work, through its members in local authority social work departments provides the courts with information to inform the sentencing process and supervision of offenders on whom a community sentence is imposed.

- 1. What will be the local impact of the SCS's recommendations on access to justice?**
- 2. What will the local impact be on court users of the SCS's recommendations?**

ADSW's response to both questions is set out below:

- The transfer of court business out of local authority areas will have implications for the delivery of court social work services and may impact on the ability of social workers to attend court at short notice to provide assistance. The re-organisation may also cause additional demands on the local authority in which the court is located. There are certain groups that ADSW feels these changes may disproportionately affect, if steps to mitigate against this impact are not taken, including children, young offenders and women.
- The transfer of criminal and civil business away from a local court, where the judiciary, court staff and legal profession have a knowledge about local circumstances, needs and vulnerable groups (information that is considered critical in the decision making and sentencing process) could have unintended consequences that would create additional demands for justice organisations.
- The transfer of court business, either to specialist courts or following court closure, would give rise to increased travelling and associated costs for all involved. The Association is concerned about the impact this may have on those involved in the justice process as accused persons, and for social work departments having to deal with those who may have insufficient means to return to their home area.
- The impact of the welfare reform changes are now a bit clearer and ADSW is concerned that access to crisis loans from the Scottish Welfare Fund or from individual Social Work Departments, which previously may have been able to support people to get to and from court, may be reduced as budgets becomes stretched and demand from people who require to attend court in further away locations is increased.

Additional points

- The merits of specialist courts are recognised and it is acknowledged that many court building have less than adequate facilities to manage the complexities of such business especially offering appropriate services to victims and witnesses. However there is concern that transfer of business and creating specialist centres could deskill staff and impact on career opportunities.
- The Association welcomes recent pilot initiatives that have demonstrated positive outcomes in reducing non attendance of witnesses and accused persons, and believes there are further opportunities to maximise the use of technology, including where appropriate video conferencing.

ADSW
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