



SACRO RESPONSE TO SCOTTISH EXECUTIVE CONSULTATION ON REDUCING REOFFENDING 24 May 2004

INTRODUCTION

SACRO (Safeguarding Communities-Reducing Offending) works in 28 local authorities across Scotland. SACRO's Mission is to reduce conflict and offending and make communities safer. To this end it provides a range of services at all stages of the community safety/criminal justice continuum. Services include: community mediation to prevent the escalation of conflict; arrest referral; mediation and reparation as diversion from prosecution; youth justice services; bail supervision; throughcare and supported accommodation. Last year SACRO dealt with over 8,000 referrals.

SUMMARY OF KEY POINTS

- The current system of service delivery has a number of strengths as a result of good multi-agency working at local level.
- However, there are inefficiencies and inconsistencies in the availability of community based services and a lack of continuity between prison and community interventions.
- A single agency would have no effect on these issues.
- A single criminal justice agency would not provide solutions to the main challenges and could lead to fragmentation and disarray in the way communities respond to crime.
- A growing prison population reduces the capacity of prisons to do effective work with prisoners.
- Short-term sentences can do more harm than good as far as reducing re-offending is concerned.
- The criminal justice agencies alone cannot be expected to have a major impact on re-offending. A wide range of community based services need to be deployed on a multi-agency basis.
- A National Strategy is required to make clear the aims and objectives of all the key players in criminal justice. These players include Housing, Health and Education as well as those charged with delivering child protection, youth justice, mental health and addiction services.
- The Judiciary should play an important part in influencing and implementing the Strategy.
- There should be a devolved system of regionally managed, community facing prisons working closely with a wide range of community services and community interests including employers.
- The National Strategy should be led by a National Board with membership reflecting the relevant agencies. It should clarify aims, objectives and targets, set standards and monitor and evaluate outcomes.
- Local multi-agency Boards would implement the National Strategy at local level and ensure effective inter-agency working to the shared goals.
- The Executive would be responsible for a Ministerially led public education campaign to raise awareness of the Strategy

ISSUE 1 ROLES AND RESPONSIBILITIES

Strengths and Weaknesses

The **strengths** include:

- Plenty of examples of good practice in service/programme delivery.
- Widespread use of non-criminal justice resources in the community.
- An increasing number of programmes being delivered across the country.
- Plenty of good evidence of collaborative working, particularly in the field of risk assessment and risk management of high-risk offenders where police, social work, voluntary sector and others have a common agenda.
- A better-trained workforce is being developed.
- Recent Scottish Executive investment has enabled the development of new services e.g. drug treatment and testing orders.
- Voluntary Sector can be flexible and innovative in response to approaches from funders.
- Voluntary Sector may be preferred by some offenders because its agencies may seem more approachable.
- Retention of social work in Scottish community criminal justice services fits with this country's social inclusion agenda and links services to other local authority services
- Tri-partite Report on Throughcare is a positive first step towards an interagency strategic approach at national level

The **weaknesses** include:

- Not enough of the above strengths are consistently available across the country.
- There has been insufficient monitoring and evaluation of programmes and services.
- There is a perception on the part of sentencers that too much effort is going into new initiatives and increasing the range of disposals instead of delivering efficiently and effectively on the core services including probation and community service.
- Some of the problems in effecting prompt delivery of probation and community services relate to the shortage of criminal justice social workers and ancillary staff on the ground.
- New SPS initiatives such as the Link Centres are good but threatened by volume overload. That is, the assessment of short-term prisoners at induction can be merely a checklist, due to the high volume of people being imprisoned.
- It is not easy for a corporate national SPS to relate strategically to criminal justice local authorities that are only national at the political level of CoSLA and the professional association level of ADSW. There is a lack of consistency/coherence/continuity between services and programmes provided in prison and the community
- There are failings in the system which hamper effective community justice services e.g. delays in getting cases to court, issue of warrants and breach proceedings.
- While the current criminal justice social work arrangements have brought about some rationalisation, the groupings are not legal entities and therefore SACRO and other providers must deal with several purchasers and service level agreements in each grouping.
- Access to services in community e.g. alcohol services, generally only available to those on statutory supervision
- Lack of even distribution of services across Scotland and even within each grouping area.
- Lack of protocols for information sharing/knowledge/integration of services before prison as well as during sentence and after release, i.e. health, community etc.
- Sometime services are geared to suit the providers rather than the service users and this undermines the needs led/person centred approach which is the most effective.
- Lack of public awareness/knowledge of what community sentences mean.
- Local authorities may prioritise services without adequate consultation with voluntary sector with the result that voluntary sector agency is merely a subcontractor rather than a partner
- Insufficient early intervention services for young people

- Current disposals need to be more widely available and properly resourced to avoid postcode lottery effect. New or additional funding is often short-term and/or for new initiatives only
- Widespread duplication of assessments by different agencies in the community and in prison
- Current funding arrangements tend to encourage local authorities and voluntary sector agencies to be territorial/protectionist /competitive in a way that hampers mutual trust, partnerships and interagency collaboration. This is partly due to their short term and fragmented nature.

How To Improve The Services

- Directly tackle the issues outlined above e.g. concentrate on improving the provision and delivery of the existing services
- Concentrate on efficiency and effectiveness of existing services rather than constantly seeking a proliferation of new types of disposal. There is an element of “new project fatigue”, in the eyes of both sentencers and service providers
- Reduce the current high rate of imprisonment that undermines the capacity of prisons to contribute to rehabilitation
- Find ways to develop detailed national strategies that clarify the goals both those for the overall system and those for each of the contributing agencies. This means developing a strategic view of the issues, it means being clear about aims and objectives and how each agency can support other agencies in achieving these and it means including a wide range of non-criminal justice agencies to help deliver the services that can reduce re-offending.
- Establish nationally agreed standards for interagency working that will include directives on service standards, information sharing, working protocols (such as those used in current risk management) and joint training.
- Recognise that prisons and criminal justice social work services cannot help to reduce re-offending without engaging with a wide range of non-criminal justice agencies in the community

Improving Organisation and Structure

- Review the existing groupings structure and possible alternative options. SACRO recommends national and local criminal justice boards that have the powers to develop strategy and budgets to fulfil them. These would require local government representation as well as representation from prison authorities and the whole range of services within local communities. This proposal is developed later in this response.
- Think in terms of rationalisation of SPS with a focus on community facing /local/regionally devolved prisons, with specialist national prisons for special categories of prisoners if necessary.
- Lessons may be learned from the Joint Futures ways of developing strategies for joint working in the health and community care field. There is a growing body of knowledge and practice experience of single shared assessments that could inform future developments in the criminal justice field.

Focussing On Shared Objectives

- Review and clarify existing aims and objectives of all the criminal justice agencies
- While all are likely to subscribe to the goal of reducing re-offending there is a need for clarity about the priorities for each of them and how they fit together.
- The current stated goals of the Scottish Prison Service, for example, are about keeping prisoners in custody, maintaining good order, caring for prisoners with humanity and “providing prisoners with a range of opportunities to exercise personal responsibility and to prepare for release”. Prisons need to determine their priorities explicitly and be realistic about what can be achieved in contributing to rehabilitation.
- Likewise, criminal justice social work services in the community have to meet a variety of expectations, some of which may or may not involve a conflict of interests but priorities still need to be determined. In recent times, protecting the community from a comparatively small number of potentially dangerous offenders has received high priority. What should be their objectives in relation to the much higher volume of persistent but less serious offenders many of whom are repeatedly serving short prison sentences? What is their role in restorative justice?
- It also has to be acknowledged that aims and objectives may be conflicting. The judiciary, in particular, may feel bound to consider matters related to punishment, deterrence and incapacitation as well as rehabilitation and the possibilities of restorative justice.
- Each agency needs to develop plans to achieve their own specific goals but also how they can support the goals of the other agencies and in so doing contribute to the national and local strategies to achieve the nationally agreed goals of reducing offending and the size of the prison population.
- Goals must be realistic – do not set over ambitious numerical targets.

Accountability For Reducing Re-offending Rates

- It would be very difficult to allocate accountability in a rational way because of the many variables and agencies involved. Some of these variables are totally outwith the control of agencies in the criminal justice system e.g. availability of health services, housing etc.
- No single agency should therefore be held accountable. Agencies should be set targets in relation to their own functions e.g. if strategic plans stipulate the accurate assessment and targeting of individuals for specific programmes, it should be their success in achieving these goals that should be measured. Process is important as well as outcomes because process involves the quality of the service delivered. Both process and outcomes do need to be monitored and evaluated and reconviction rates should be one part of that multi-faceted evaluation. The risk of simply setting numerical targets is that there will be pressures on managers and workers, be they in the community or in prison, to meet these targets rather than deliver quality services. There is evidence in England and Wales that there have been inappropriate referrals of offenders to programmes simply to meet the numerical targets. Such targets can be blunt instruments and deny the complexity of factors underlying offending.
- Individual agency targets need to fit into a few broad general targets for the system as a whole to avoid individual agencies pursuing their targets at the expense of another agency.
- Accountability should be through ongoing monitoring and evaluation of the extent to which the various agencies are meeting the goals in their strategic plans. It should be recognised that reconviction rates do not equate with re-offending rates or, indeed overall crime rates.
- It should be within the remit of the local and national Boards proposed in this response to monitor and evaluate the extent to which strategies for reducing re-offending were being achieved.

ISSUE 2 THE PURPOSE OF PRISON

SACRO shares the view expressed in the Scottish Executive's stated goal *for prison to be viewed as the ultimate sanction and deterrent for the punishment of the most serious offenders and for the protection of the community from those who present an unacceptable risk to society.*

It is, of course, the judiciary, within the parameters laid down by statute, who decide who goes to prison and for how long. As indicated in the preceding section, they consider some factors that are not related to rehabilitation or reducing offending. Notably, they acknowledge their repeated (unsuccessful) use of prison for persistent petty offenders arises from frustration rather than any practical purpose. While current sentencing practice may be partly attributable to the judiciary's perceptions of community disposals, increasing use of a broadened range of the latter over the past decade has not prevented an escalating prison population.

The Executive must therefore address the use of prison through other avenues in addition to the current consultation on managing prison and community disposals.

Improving The Rehabilitation Of Short-Term Prisoners

- Early identification of needs through thorough assessments and the involvement of community resource.
- Target those who want help.
- Concentrate on providing practical help with issues such as housing and debt and criminogenic issues e.g. drugs and alcohol, rather than seeking to put large numbers through unsuitable programmes from which they are not equipped to benefit.
- Links Centres have great potential but will only work if the volume of throughput is smaller than today and if community based resources, many of which are not criminal justice ones, are adequate.
- Utilise the voluntary sector and non-criminal justice agencies as far as is possible. The latter should include looking to fund some non-criminal justice services where they have a particular contribution to make towards reducing re-offending, e.g. drug rehabilitation.
- Services within prisons should be provided as far as possible by community-based agencies (as opposed to prison-based) in order to provide continuity from prison to the community.
- This will involve simple but resource-demanding contributions like meeting prisoners at the gate and mentoring them through the high-risk transition days from prison to the community.
- Consider increased use of volunteers in immediate post-release mentoring and follow-up supports in the community.
- Local prisons to improve links with local community services.

Addressing The Issue Of Persistence

- Look to restorative justice responses as opposed to repeated punitive ones. The former provide opportunities for pro-social modelling and positive experiences for both victim and offender.
- Take a holistic approach and look to the use of relationships between professionals and volunteers and offenders as a key vehicle for change.
- Focus on what prisoners perceive to be their needs, otherwise they will be unlikely to co-operate with any formal interventions.
- Research and report on sentencing of persistent offenders. Sheriffs frequently assert that they only use imprisonment for more minor offences because of repeated breaches of non-custodial disposals. Is this in fact the case?
- Explore with sheriffs and judges how they might use community disposals repeatedly as in fact they use prison disposals, to no useful purpose.

- Build on positive experience of active involvement of sheriffs in Youth and Drugs Courts in developing a problem-solving approach to sentencing. This appears to indicate that their active oversight of offenders on supervision increases the sheriffs' understanding of the causes of re-offending and their appreciation of relapse factors. This, in turn, enables them to make decisions other than custody where they see some progress towards a reduction in gravity and/or frequency of offending. A similar approach might be taken to adult offenders identified as frequent recidivists.

Addressing Isolation Caused By Imprisonment

- Prisons can make a significant contribution in preparing long-term prisoners for release, not least by working to maintain family and community links. When the prisoner is motivated, plans can be implemented to engage the prisoner in programmes which address offending behaviour and equip the prisoner with appropriate skills for release including employability.
- For short-term prisoners the role should be restricted to a focus on prisoners' future needs in the community rather than programmes. That is, work that involves joint assessment with community agencies and assisting prisoners to be ready to tap into community resources. This work should enable the forming of relationships with community-based workers that will encourage continuity of service after release.
- Long-term prisoners often spend part of their sentence in the community on home leave from the open establishments. SPS should budget to ensure there are adequate funds to purchase accommodation and support for prisoners on home leaves. This will make the leave more constructive and also contribute towards community safety.

Effective Management Of Long And Short term Prisoners

- Apart from a tiny number the focus should always be the return of the prisoner to the community, sooner or later. Prisons will best be able to manage sentences where prisons are part of the community and there is local ownership.
- This will involve reviewing the prison estate and making long-term plans for more local, community facing prisons.
- This strategy will enable maximum use to be made of non-criminal justice community resources and provide local agencies with motivation to provide services to prisoners.
- Prison management arrangements would include representatives of all the main local interests in the community.
- There are lessons to be learned from models of service employed in the Community Care of people with mental health difficulties. There is a need for planning for prisoners' return to the community and for the provision of "packages" of care for those who are likely to experience the most difficulty.

ISSUE 3 ADDRESSING RE-OFFENDING

Effective Interventions

- The most successful interventions are those which take a holistic approach and look at the offender as a person with the same needs as other members of society in respect of housing, education, health, personal and emotional needs.
- Interventions of a purely correctional nature e.g. requiring the ritual progression through a programme are not effective. Programmes that are successful are those that are utilised alongside the provision of services that engage offenders in changing their own lives.
- Utilise knowledge from “desistance” research (refer, for example to *Desistance, Rehabilitation and Correctionalism*, forthcoming paper in the Howard Journal of Criminal Justice by Fergus McNeill of Glasgow University.). The lessons from this research emphasise the need to promote the social inclusion of offenders through rehabilitation to reduce the level of offending. This means more focus on the factors that help people to stop offending than on the offending behaviour itself. There is evidence that success is dependant on the ability of social workers to motivate offenders and help them discover a sense of self-control and that this is may be more important than the content of specific programmes. Desistance seems more related to offenders’ motivation and their social and personal contexts (especially family relationships) than to formal interventions.
- Interventions in the form of the provision of services (e.g. drug rehabilitation, supported accommodation) may be much more effective in achieving lasting change. This is because they address the underlying causes and relate to the lifestyle of the offender rather than to a short period of programme intervention. It is important, therefore, that the application of “programmes” is not seen as a panacea or the primary way to address re-offending.
- There is a growing body of evidence to support the view that programmes designed to address offending behaviour are more effective if delivered in the community rather than in prison.
- Early interventions can be preventative, if appropriately targeted. Police warnings, diversion from prosecution, restorative justice including mediation and reparation, arrest referral schemes and deferred sentence opportunities can work to prevent further offending and premature compulsory orders.
- Resources and funding need to be improved and better directed.
- The first intervention/contact with the system is very important.
- Breaking a pattern of behaviour/links with peer groups is useful.

Making Offender Programmes More Effective and Consistent

- Programmes require to be based on evidence of what works. A number of programmes have been evaluated in the past and successful programmes can provide models for development in Scotland.
- It is unrealistic to rely on practitioners to reinvent the wheel in different parts of Scotland. Central guidance and leadership is needed.
- As well as rolling out programmes that have been seen to work and resourcing these adequately, there should be some scope for new initiatives based on good research. Effective programmes are expensive to develop and deliver and it is likely that only a small proportion of offenders in prison and in the community will ever complete the longer intensive programmes. This means that the assessment for these programmes needs to be extremely rigorous so that the resources can be targeted effectively.
- Targets for large numbers of people going through programmes will be counter-productive.

The Links Between Prison and Community Programmes

- Programmes need to be planned jointly between those delivering community based services and their colleagues delivering programmes within prison, with a common approach to assessment and targeting.
- Reports on the outcomes of prisoner participation in programmes in prison must be relayed to those in the community and these reports should include an assessment of the progress made and the stage reached in changing attitudes.
- There is a danger that over-complex accredited programmes and unreal expectations will undermine good work. Expensive programmes might divert resources from shorter-term effective interventions, e.g. alcohol education programmes.
- There needs to be clarity about the skills needed to deliver programmes and which personnel are best equipped to do this. This may mean joint delivery from people from different disciplines and services or it might mean some contributions from different services at different stages in the process:
 - Joint training
 - Allocation of resources in a way that does not foster competition between prison and community-based services

ISSUE 4 AN INTEGRATED APPROACH

Current Barriers To Seamless Management Of Sentenced Offenders

- As mentioned previously, much work needs to be done to identify aims, objectives and specific goals for the various agencies involved.
- Different agencies have different cultures and this makes it difficult for them to communicate with each other meaningfully and in a way that involves mutual trust in professional judgement. Creating a single agency would not change the two cultures because each is based on different primary purposes.
- There is a lack of common agreement about the communication of information and a lack of resources to do this efficiently using modern technology.
- There are relatively few national objectives and standards that are detailed and applied to all the agencies involved.

Challenging Offenders To Stop Offending

- There needs to be a national strategy to provide direction for a multi-agency approach to providing services that will enable offenders to stop offending. It is not simply a matter of improving programmes and making them more effective and efficient. If offenders are not motivated to engage in these programmes they are doomed to failure (offenders and programmes). Offenders are motivated to change if they think the workers are listening to their expressed needs.
- There is plenty of evidence that the factors that are associated with reduction in re-offending include proper housing, health and education and training services as well as employment and the fostering of supportive family relationships. Lifestyles that revolve around drug misuse and acquisitive crime to fund it, for example, need to be replaced by work, family and social relationships and the constructive use of leisure time.

Information Sharing and Communication

- A national strategy and local implementation of it should include agreed protocols and standards. In recent years, the development of such protocols for the assessment and management of high-risk offenders has demonstrated that police, social work and other agencies can share information when they have a common agenda. It is hoped that the Solicitor General's Information Sharing Steering Group for sex offenders (ISSG) will provide guidance on how this could be developed in other areas too.
- There also needs to be agreed interpretation of the implications of data protection and human rights legislation so that all the agencies involved can share information as appropriate. A common current complaint is that the data protection legislation is used as a pretext for not sharing intelligence required by those working with offenders to reduce the risk of re-offending.

The Key Agencies That Prison And Community Based Services Need To Work With

- Voluntary Sector Criminal Justice Agencies
- Housing
- Mental Health
- Education, including tertiary
- Community Care
- Child Protection
- Benefits Agencies
- Police
- COPFS

- Judiciary
- Community Safety Forums
- Employment Services (statutory and voluntary)
- Addiction Services (statutory and voluntary)
- Victims' organisations
- Ethnic minority organisations
- A wide range of community bodies e.g. for restorative justice purposes
- Employers
- Recreation and Leisure

Organisational Structures

Response to Questions 4.6, 4.7 and 4.8 are in following section.

ISSUE 5 EFFECTIVENESS AND VALUE FOR MONEY

SACRO shares the view expressed in the Executive's stated goal that there should be *an efficient system of offender management which focuses on what is effective in reducing re-offending and delivers lower re-conviction rates.*

If it is to be achieved, this goal needs to be placed in the context of wider penal and social policy aims and objectives. Community disposals managed by criminal justice social workers and prison sentences must be seen as parts of systems that include other responses to offending not addressed fully in this consultation. We need to decide overall objectives for Scottish criminal justice policies.

It is important, too, that any changes to the way these disposals are arranged and implemented should take account of what is known about why people offend and re-offend and what interventions and services are likely to make a difference.

We should also learn from other jurisdictions but not attempt wholesale importing of their models – solutions must be tailored for Scotland and take account of its culture and values.

Facts That Should Underpin A New National Strategy

- Socio-economic and cultural factors have a much bigger effect on overall crime rates than does the criminal justice system. Poverty, housing, education and health issues (not least substance abuse) impact on offending rates in a major way.
- It follows that non-criminal justice agencies will have a major part to play in tackling the factors that lead to re-offending.
- If the custodial and non-custodial criminal justice services are to have any success with individual offenders they are charged to manage, then they must collaborate closely with the non-criminal justice agencies in the communities the offenders come from, in a problem-solving rather than penal approach.
- Fines remain the most used court disposal in Scotland, although its use has fallen in recent years. Their use will remain problematic as long as they are not properly income related and collection/enforcement is poor.
- Placing low risk offenders on community service and intensive programmes runs the risk of increasing the likelihood of re-offending rather reducing it.
- There is evidence that well targeted and delivered cognitive behavioural programmes can reduce re-offending rates for certain types of offender.
- It is more difficult to rehabilitate offenders in prison than in the community.
- Short-term prison sentences are more likely to increase than reduce the risk of re-offending.
- The public are not as punitive as often portrayed and their main concern is that the risk of them being victimised or re-victimised is reduced.
- The public are not well informed about sentencing and community disposals.
- Halting the rise in the prison population will not be achieved simply by making existing services more efficient and effective. Executive policy initiatives and legislation that enable sentencers to depart from existing practice will be essential.
- The Scottish Executive needs to take a lead in promoting public confidence in community sentences rather than relying on increasing penal severity as the only answer.

Rebalancing Penal Policy

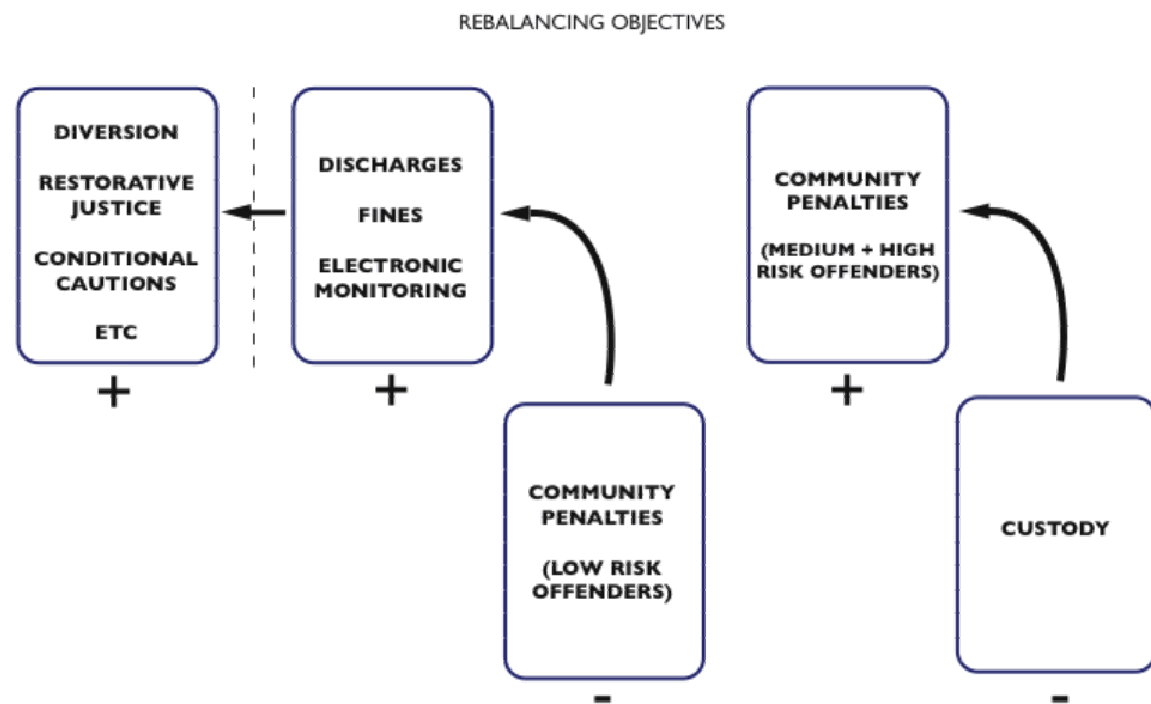
SACRO proposes that the Scottish Executive consider an approach to penal policy contained in a paper given in December 2003 by Rod Morgan, former HM Chief Inspector of Probation for England and Wales and now Chair of the Youth Justice Board. (Ref: www.kcl.ac.uk/depsta/rel/ccjs/). It is suggested that the general approach, rather than the details as they apply in England and Wales, provides a model that Scotland should explore.

The approach “signals the direction in which we wish to go” and we need “to motivate decision makers accordingly”. The direction is one that would result in reducing the prison population through the use of community penalties for medium and higher-risk offenders, retaining the custodial option for the most serious offenders whom the courts require to punish and those requiring incarceration for the protection of the community.

The rebalancing would see low risk offenders receiving fines or being electronically monitored instead of being subject to the more interventionist probation and community service type disposals. The shifting scenario would include an increasing number of people engaged in diversionary and restorative justice measures instead of going to court for disposal.

This approach would represent value for money in that there would be reducing use of the least effective but most expensive disposal, prison, and better targeting of those community disposals that are best used with persistent offenders who are the source of much public concern but do not present major risk in terms of harm.

This approach is illustrated in the following diagram copied from Rod Morgan’s paper.



Organisational Arrangements – A Possible Way Forward

To implement an approach of this kind would require political will, preferably with some cross party political consensus, and a National Strategy supported by the Judiciary. Again following the suggestions put forward by Professor Morgan, such a strategy would involve an over-arching agency responsible for developing policy in relation to what we do with offenders.

For Scotland there would be a National Board with representatives of **all** the agencies whose work impacts on offending and re-offending. The Board could be a development from the current Ministerially led Criminal Justice Forum. This would provide a strategy for implementation at local level where Local Boards, reflecting the same broad range of interests together with elected member representation would determine local priorities within the parameters of the National Strategy. The Chief Executive of a Local Authority might be a suitable chair of the Local Board because of that post holder's remit in relation to a wide range of community-based services. There are some parallels with the Youth Justice Board for England and Wales and the Youth Justice Strategy Groups in Scotland.

Consideration would have to be given to how National and Local Boards managed budgets and ensured proper co-ordination and commissioning of resources across all the services contributing to the implementation of the strategy. Local authorities and other statutory bodies such as health boards, and also the voluntary sector would provide the services.

The choice of mechanisms that might be employed to determine resource allocation includes models of joint funding similar to those employed in the Joint Futures initiatives; Community Care resource transfers; the tracking fund model proposed by Rod Morgan; and the commissioning approach adopted by the Youth Justice Board in England and Wales.

As previously indicated, a key element of the strategy would be the development of community facing prisons, regionally located and managed in a way that would enable the maintenance of family and community contacts. This would facilitate resettlement in the community by enabling continuity of contact with the services that tackle offending related issues such as drug abuse. It would also encourage links with local employers and housing providers.

It is recognised that there may still be a need for a small number of special prisons where a high degree of security is necessary, and that some parts of the current prison estate would present obstacles to this proposal. However, a devolved prison system would make a real contribution to reducing re-offending and should be planned for in the National Strategy.

Why A Single Agency Is Not The Way Forward

The Consultation document asks whether a single agency to deliver custodial and non-custodial sentences would provide the most effective solution to reducing re-offending.

The core argument from SACRO's point of view is that there should be a National Strategy but that it should be delivered locally by a wide range of agencies, not just criminal justice social work staff and prison staff. Removing community based social work services from their current place in local authorities would fragment efforts at multi-agency working rather than enhance them. Structural change to a single agency would not be beneficial. Any change of this kind would be highly disruptive and deflect attention from all the other action that needs to be taken. Local links and initiatives would suffer in a centrally directed single agency. Any such agency would be prison dominated and would reduce local innovation and initiative. It would inappropriately involve SPS in managing contracts for services in the community. Addressing offending behaviour requires offenders to be seen as members of local communities in an inclusive way. A single agency would suggest an exclusive approach, marking offenders out as a group or category for whom local communities and their services have no responsibility. This would be counterproductive as far as reducing re-offending is concerned.

The Sentencing Commission

The findings of this consultation need to be considered alongside the work of the Commission whose remit includes consistency in sentencing, effectiveness of sentencing in reducing re-offending, fines, early release from prison and the possibility of supervision of short-term offenders. These matters should all be closely interlinked with decisions about the aims and objectives of managing sentenced offenders.

National and Local Criminal Justice System Boards

These recently established Boards follow from the Normand Report. Their remit is not the same as envisaged for the Boards suggested in this response. The existing Boards are intended to produce better operational working in the administration of the criminal justice system. That is, they will focus primarily on how the Crown Office and Procurator Fiscal Service, The Scottish Courts Service, The Scottish Prison service, the District Courts, the Police, The Reporters Administration and Social Work communicate effectively and efficiently. They are about the criminal justice process rather than about penal policy and what we do with offenders.