

## Justice Committee

### Management of Offenders (Scotland) Bill

#### Written submission from Community Justice Glasgow

Below outlines the questions asked in the request for responses to the Bill, and the combined response from Community Justice Glasgow partners.

**1. Overall, do you support Part 1 of the Bill concerning the electronic monitoring of offenders?**

Community Justice Glasgow is supportive of Part 1 of this Bill. Part 1 is positive overall, and we welcome any progress towards strengthening community alternatives to prison and the strengthening of the support available for those undergoing electronic monitoring.

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

Part 1 of this Bill is a positive step in increasing the role of electronic monitoring, however in order to make this effective it would require strengthening of the support services in the community. This would require non-legislative changes to invest in existing and new services to meet the needs of people who are electronically monitored and support them to meet monitoring requirements. Any increase in the use of electronic monitoring will require additional capacity in the community and this will have resource implications. If the legislation is successful in its aims, it will lead to more people who would have been sentenced to prison instead receiving a community disposal, and this will lead to people with more complex needs being subject to electronic monitoring. This will have an impact on community based services and it is important that this is acknowledged and provision is made to meet these needs in the community.

Alongside the practical requirements and investment to ensure our community response to support EM is in place, there is a need to build judicial and community confidence in the approach. This will require good communications at a local and at a national level.

**3. Do you have any views on any specific aspects of Part 1? – for instance, revisions to the list of circumstances in which electronic monitoring may be imposed or the creation of a power to enable future monitoring devices to contain GPS technology or technology that can measure alcohol or drug ingestion.**

The use of technology other than radio frequency will allow more varied and responsive use of electronic monitoring, and the creation of the power to enable future technologies

has the potential to balance safer communities with a reduction in the use of custody. While there may potentially be human rights issues in relation to imposing transdermal alcohol monitoring (which are not considered in the Human Rights section of the Bill), it is reassuring that the establishment of demonstration projects, which have been recommended both during the consultation and the Bill's Working Group, will be taken forward before rolling this out nationally.

**4. Overall, do you support Part 2 of the Bill? The Scottish Government's view is that it will provide a more appropriate balance between the public's right to protection and a former offender's right to "move on" with their life, by, overall, reducing the legal need for disclosure. Do you agree?**

CGJ is supportive of Part 2 of the Bill, and agrees that will help support people to move on with their lives and reintegrate in the community, while recognising the need to protect the public.

**5. Do you agree with the Scottish Government that other reforms in Part 2 will make the law on disclosure of convictions more intelligible, clear and coherent?**

CJG agrees that these proposed changes will simplify the law on disclosure, making it easier to understand for those who have offended and victims. The tables outlining the disclosure periods are clear.

**6. Do you have any further views on law and policy around disclosure of convictions?**

No

**7. Do you support Part 3 of the Bill, which makes provision for the Parole Board for Scotland, in terms of its membership and appointment system; its functions and requirements in relation to prisoners, its independence, and its administration?**

CJG are supportive of the intention to modernise and improve the Parole Board for Scotland. Amendment of the legislation to provide clarity on entitlement to review, and the decision making functions of the parole board. The intention to restate the independence, and enhance the accountability and transparency of the Parole Board is also considered as a positive development.

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

No.

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