

scottish justice ' matters

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REIMAGINING PUNISHMENT AND JUSTICE

Take Five

Scottish Justice Matters asks our politicians to respond to questions about crime and justice. We asked:

“As we head towards the Scottish Parliamentary elections in May 2016, what do you think should be the important criminal justice issue that voters should focus on and why?”

Christine Grahame MSP, Scottish National Party



THE KEY question in criminal justice is how we deliver justice for victims while effectively reducing crime and reoffending.

As was announced last June, work is underway on plans for a new, smaller national prison for women, and for

small community custody units. Women's imprisonment is an important test due to the high number of short sentences given to women offenders. The smaller community-based custodial units will provide accommodation as women serve out their sentence, with access to intensive support to help overcome issues such as alcohol, drugs, mental health and domestic abuse trauma which evidence shows can often be a driver of offending behaviour. The units will be located in areas close to the communities of female offenders so that family contact can be maintained.

There will also be more use of community-based alternatives to short-term prison sentences, including restricting liberty through the increased use of electronic monitoring, combined with support in the community, and more funding will be made available for community-based services which provide robust and effective alternatives to custody.

The Scottish Government is looking critically at the presumption against short sentences, which would affect both men and women if changed.

We are supporting new efforts to deliver effective alternatives to custody: the national roll out of Fiscal Work Orders provides an efficient response to more minor offending, while Community Payback Orders providing the court with a robust and flexible community sentencing tool.

Simply locking women up in a large facility doesn't work. We've seen the damaging impact that going in and out of prison has for the women, for their families and for their communities.

Rather than being pre-occupied with old arguments over "tough" or "soft" options, the SNP's aim is to develop a smarter, progressive approach to criminal justice that tackles the underlying causes of crime.

John Finnie MSP, Scottish Green Party



AS a former police officer, watching politicians compete in displays of macho posturing on justice policy can be a painful experience.

Westminster politics in particular has long been locked in an arms race about who can be toughest on criminals.

This all goes down well with certain tabloids of course, but it doesn't reduce crime.

I'm proud that Greens don't care about looking tough on criminals; instead in the coming election we'll be arguing for what is proven to genuinely reduce crime - accountable local policing, serious crime prevention, constructive sentencing and rehabilitation. I want to show how the Scottish Greens will tackle justice matters in the next Parliament.

The single national police force doesn't have to be the unaccountable monolith it has become. By devolving more spending power and decision-making to local level, overseen by democratically controlled police authorities, we would be able to make the police accountable to the people they are supposed to serve.

Poverty, homelessness, addiction and mental illness continue to be factors which all contribute to offending; creating victims, damaging our communities and wasting our potential. The Scottish Greens will invest in addressing the underlying causes of offending.

In 2014/2015, 6% of all statutory homeless applications to our local authorities were from those leaving prison and a startling 30% of those released from prison will be unsure of where they will stay following their release. We must ensure that those leaving our prisons have a place that they can call home.

Since 1999 the Scottish Greens have shown leadership on tackling crimes motivated by prejudice based on: race, religion, sexual orientation, gender identity or disability and this is something that we will continue to press on such crimes.

We must and increase support for victim support, including sustainable and long-term funding for violence against women support AND advice services.

Margaret Mitchell MSP, Scottish Conservatives



THE ISSUE of support for vulnerable children and young people is not often explicitly mentioned as a criminal justice priority, despite the fact that it significantly impacts the

criminal justice system.

If vulnerable children and young people aren't supported, crimes considered 'low-level,' such as vandalism, can escalate to more serious offending behaviour.

Furthermore the statistics on 'looked after' children provide sobering evidence of the need for care and support for these children. Fifty percent of the Scottish adult prison population and one third of young offenders are 'care experienced.'

In addition to this young people who are 'looked after' are seven times more likely to be excluded from school than their peers and nearly half of 5-17 year olds in care were diagnosed with a mental health disorder.

If support is not available for these children then there is a temptation to self-medicate using alcohol or drugs which then can become a gateway to the criminal justice system.

Fast evolving criminal justice issues include cyber-crime and internet bullying, which can be addressed if young people are made aware of what constitutes unacceptable behaviour. Education is also a tool to tackle issues such as knife crime. Here, organisations such as 'No Knives Better Lives' and 'Ditch the Knife Cherish Life,' hold effective and successful school campaigns which are credited with the reduction in knife crime in Scotland.

Finally, road crime affects families across Scotland when teenagers are tragically killed every year in car collisions or accidents. Again, similar school seminars making young people aware of the potentially horrendous consequences of speeding and driving recklessly is a powerful and non-legislative way to address this issue.

Clearly, a holistic approach is required to tackling the complex challenges and potential hazards children and young people may encounter, in order to facilitate a reduction in crime and reoffending

Alison McInnes MSP, Scottish Liberal Democrats



VOTERS are right to expect that their government will use the powers it has at its disposal to keep communities safe, tackle inequality and promote social cohesion.

Scottish Liberal Democrats will do just that because we want everyone to achieve their potential. That means people need to feel safe in their communities, and victims must be supported, but it also means we need to help those who have offended get back on track.

Prison has proven to be hugely ineffective, even destructive for people given short-term sentences. It causes untold collateral damage to prisoners' families. More children in Scotland each year experience a parent's imprisonment that experience divorce. Yet Scotland continues to have one of the highest prison populations per capita in Western Europe, and reoffending rates remain stubbornly high.

We want to change that.

Too many people still find themselves in the criminal justice system because of poverty, addiction and mental health issues. We support intensive intervention with those at high risk of first-time offending and we will support the transfer of resources from ineffective short prison sentences to robust and effective community justice options to improve reoffending rates. A presumption against prison sentences of less than 12 months would be a catalyst for the sort of radical reform that is needed.

For those who require a custodial sentence, meaningful rehabilitation, education and support is essential so they are able to leave prison with the skills needed to be active and constructive members of society.

Taking that kind of concerted action will benefit everyone. Communities will be safer, victims protected from further criminality and those who have offended will have a chance to set out on a different path rather than be caught in the revolving door of the criminal justice system.

Graeme Pearson MSP, Scottish Labour Party



THE NEXT election will decide whether an SNP Government that has held power for almost a decade will continue in power. Though the Justice

Secretary has maintained a consistent rhetoric alleging a fairer and safer community, the Scottish Government's commitment to carry through effective reforms in this regard has been chaotic.

Scottish Labour will commit to ensuring victims will truly sit at the heart of the criminal justice system. We will deliver a system designed to support victims and witnesses from the time of reporting of crime until their reasonable needs have been provided for as they experience the system and beyond. We will also seek to ensure with the new Lord President, the culture of courts is modernised to enable those providing evidence to the courts are given every opportunity to provide it effectively by offering protection from threat and ensuring technology is used to allow evidence to be given via CCTV and other means.

It's clear the link between their communities and our police officers has been lost, despite the hard work and dedication of frontline officers. That's down to the SNP's drive to centralise and the failure of ministers to put in place proper structures to hold the police service to account and the drive for a 'one-size-fits-all' policing model. Police Scotland needs a shake up so that power once again lies with local decision makers and we get back to the kind of community policing that made Scotland the envy of the world at one time, along with improving the relationship between the Scottish Police Authority (SPA) and local communities.

We will also remove the Offensive Behaviour at Football Grounds legislation that has unfairly criminalised Scottish football fans across the country. We believe there is a sufficiency of law to deal with offensive, threatening and violent behaviours. The promises made by the Cabinet Secretary that a new law would clarify the situation and be beyond challenge in the courts have proved unfulfilled.