

Evidence Submission from the City of Edinburgh Council on the Bail and Release from Custody (Scotland) Bill Financial Memorandum

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

We responded to the original consultation in January 2022 but not on funding implications.

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

N/A.

3. Did you have sufficient time to contribute to the consultation exercise?

Yes.

4. If the Bill has any financial implications for you or your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

No, we do not believe the financial implications are accurately reflected.

Section 1 - Enhanced role for justice social work in provision of information to the court

- We are concerned that the data used to forecast the number of bail cases covers the period 2016-2020 and will not accurately reflect current numbers.
- In relation to the additional 2 minutes of court time being necessary per case, we consider this to be a significant underestimation of the information sharing process in terms of the impact on justice social work. When you take into account the time spent locating court staff (in a large busy court), sharing information them, the total time taken could take up to 15 minutes, depending on the complexities of the case.
- In respect of the estimated annual costs of a full-time justice social worker, the estimated costs provided do not reflect the current salaries in The City of Edinburgh Council and do not take into consideration the 22/23 pay award or future pay awards.
- In terms of the estimation that it will take 90 minutes to complete a Bail assessment, currently these assessments are taking on average two hours to complete. The Electronic Monitoring Assessment could add additional time (30mins to 1 hour), depending on the complexities of the case/address being assessed, including speaking to housing colleagues,

adult and children's services (in terms of any Adult or Child Protection issues). There is no specific reference to training for justice social work in relation to the change to practice and assessment, but this has been considered for Court and SPS staff. We suggest that this is required for justice social work staff too.

- Management costs have also not been taken into consideration with the FM.

Section 11 - Release on licence of long-term prisoners

- JSW undertake all of the tasks associated with statutory throughcare pre and post release, including assessments, attending multi-agency meetings, prep for and attendance at Parole Hearings/Tribunals, liaising with partners, developing a relationship with the person and their supports (if there are any), managing compliance including initiating breach proceedings etc and we believe that that the costs based on data from 2016/17, is an underestimation and does not reflect the current challenges and complexities of statutory throughcare work nor does it take into account current/projected staffing costs, particularly now there is an expectation people will be supervised in the community on Licence, earlier therefore for a longer period.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

No, please see question 4.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

No. We have highlighted in Q4 why we believe the costs are an underestimation and if people are being released from custody at an earlier stage, then there should be resource transfer from SPS to Local Authorities, to support these additional costs.

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?

The FM acknowledges the difficulty in accurately identifying assessment numbers and people released from prison. However there is no provision for the impact on inflation on any costs.