

# **COSLA and Social Work Scotland response to Criminal Justice Committee Pre-Budget Scrutiny Call for Views 2026-27**

September 2025

## **Introduction**

**COSLA** is a councillor-led, cross-party organisation, representing all 32 Councils in Scotland, which champions Councils' vital work to secure the resources and powers they need. COSLA works on Councils' behalf to focus on the challenges and opportunities they face, and to engage positively with Governments and others on policy, funding and legislation. We're here to help councils build better and more equal local communities. To do that we want to empower local decision making and enable Councils to do what works locally.

**Social Work Scotland** is the professional body for social work leaders, working closely with our partners to shape policy and practice, and improve the quality and experience of social services. The Justice Standing Committee has member representation across JSW services in Scotland, and we work collectively to help make communities safer. It has been a priority to work with Scottish Government, Scottish Prison Service and partners to address the escalating prison population crisis.

COSLA and Social Work Scotland welcome the opportunity to respond to the Committee's call for views.

## Questions

### 1. What are the main financial pressures facing organisations in the criminal justice sector?

Local authorities play a key role in the delivery of the Scottish Government's Justice Vision and Community Justice Strategy, as well as the joint COSLA-Scottish Government Equally Safe Strategy.

Local Government continues to operate under significant financial pressure as settlements fail to deliver adequate resource to meet substantial rises in demand, increasing complexity of need and an increase in responsibilities through national policy commitments. COSLA's submission to the Finance and Public Administration Committee (FPAC)'s call for views provides an in-depth analysis of the multitude of pressures facing Local Government, and the benefits that can be realised by the entire public sector and population if Scottish Government funding were to increase.

We would urge Committee Members to read our response to FPAC's Pre-Budget Scrutiny as broader context to the specific pressures faced by Justice Social Work and other services that are key to delivering justice outcomes.

#### *Justice Social Work*

Justice Social Work (JSW) services continue to face a number of pressures, both in custody and in the community. These were also identified in [independent research](#) carried out in 2023, commissioned by the Scottish Government. Qualitative research was undertaken by researchers from Ipsos Scotland between April and July 2023 across six case study local authorities: Argyll and Bute, Fife, Glasgow, Highland, South Lanarkshire and West Lothian. In total, the researchers heard from 141 participants across the six case study areas. The research highlighted multiple factors which contribute to resourcing challenges for JSW, including: a perceived increase in expectations, demand and in the complexity of client needs; overall funding levels and sustainability; staff recruitment, absence and retention; availability and organisation of training; suitability of physical resources (including office space); issues around external services' resources; and area-specific issues, including challenges arising from the geography of rural areas.

The implications from changes to legislation has had an impact on the delivery of JSW too, increasing demand for services, such as the Bail and Release from Custody (Scotland) Act and changes to release arrangements for short-term prisoners from 50% to 40% of a sentence. Local authorities worked collaboratively last year with Scottish Prison Service (SPS) and partners in relation to emergency early release arrangements. The paragraphs below explore some of these areas in further detail.

**Workforce** - we understand from engagement with local authorities that a number of them continue to experience ongoing recruitment and retention challenges. Other local authorities have had to re-advertise posts in order to attract suitable candidates. Where new staff is recruited, it will also take time for them to gain the experience and skills necessary to deal with more complex and sensitive cases. In its [Self-evaluation of performance, quality and outcomes for justice social work](#) the Care Inspectorate noted that services are investing in induction and training to upskill new staff but recognised this would take time. Meanwhile, existing staff and managers face heavier workloads, reducing their capacity for broader development work. One local authority noted that the increase in community payback orders alongside the multiple, complex issues with which individuals present can be overwhelming. This has a knock-on

effect whereby there is an increase in the need to undertake risk assessments, devise risk management plans, monitor compliance, deal with breaches and reviews.

Pressures are also increasing for prison-based social work staff (PBSW), as noted in another recent [Care Inspectorate report](#) highlighting the view from prisoners that there are not sufficient social workers in custody to assist with their issues. Growing duties around managing serious harm and involvement in multi-agency public protection arrangements (MAPPA) were key factors. Added to this were shifts in the prison population, with more people presenting complex needs, alongside a rise in oral hearings, all of which intensified demands on services. Over the course of next year there is extensive work planned to review the role of prison-based social work, prisoner progression and pathways as well as phase two of the Care Inspectorate's thematic review on prison-based social work. The funding arrangements for PBSW differs from community JSW, which is funded from section 27 ring-fenced allocations. PBSW is a commissioned service, procured by SPS and underpinned by a Memorandum of Understanding. There has been no uplift to these budgets for many years. These arrangements will also be under review and consideration given the question of whether PBSW should also be part of the ring-fenced Section 27 grant.

**Demand** - JSW services continue to face high levels of demand. A look at 2023-24 JSW statistics shows a growing use of diversion, deferred structured deferred sentence, and bail supervision—all reaching decade highs. While the number of new CPOs remains below pre-COVID levels, the average unpaid work hours have increased, suggesting heavier or more demanding orders. It is also important to note that the unpaid work service, not only supervises completion of work in local communities but also supports individuals with addiction, mental health and trauma issues, to get through their order successfully. A breakdown of the latest available statistics, covering 2023-24, is provided below. These were published by the Scottish Government in January 2025: [part 1](#) and [part 2](#).

- **Justice Social Work Reports (JSWRs)** rose by 5% between 2022-23 and 2023-24 to 27,900, reaching pre-pandemic levels.
- **Community Payback Orders (CPOs)** commenced at 15,100, up 3% on 2022-23. Increased numbers of CPOs require a higher level of staffing, tailored interventions and careful monitoring of compliance with requirements.
- **Diversion from Prosecution** cases increased by 28% (from 2,600 to 3,400), marking the highest volume in a decade. New guidance is due to be published later in 2025, which will assist JSW with higher numbers of referrals and greater complexity.
- **Bail Supervision** cases saw a 17% increase to 1,300 between 2022-23 and 2023-24, also a 10-year high, with higher numbers expected as a result of the implementation of the Bail and release from Custody(S) Act.
- **Structured Deferred Sentences** rose 8% to 1,400, the highest in six years.
- **Statutory Custody-Based Throughcare** increased to 1,100 (up 18%), a 10-year high. However, Community-Based Throughcare dropped to 870—the second lowest in a decade.
- **Home Leave Reports** increased from 1,100 to 1,200 (+5%) between 2022-23 and 2023-24, and Parole/Non-Parole Reports rose from 2,400 to 2,500 (+3%). Home Detention Curfew Assessments are increasing, with some cases being more complex when accompanied by GPS tracking. From October 2025, short-term prisoners can be considered for release on HDC, at 15% of sentence (some exemptions apply to this rule). This is likely to further increase the demand for assessments.

The Care Inspectorate has also highlighted that many services have little or no access to digital tools and platforms to support innovation and efficiency, and “most services were resigned to pursuing ‘workarounds’ due to these digital and technological barriers. Most services reflected that a re-balancing of resources was required to support a focus on quality and outcomes”. Social Work Scotland is working with members to improve consistency of outcomes analysis and considering how the role of AI may support the service more widely in order to achieve positive outcomes.

The implementation of the Bail and Release from Custody Act 2023, currently underway, is also likely to lead to increased numbers of bail assessments, bail support and supervision and earlier release on licence. Sections 1 (enhanced role of Justice Social Work) and section 2 (new bail test) came into force on 14 May 2025. Other aspects of the Act have yet to be enacted and will create further demand for JSW.

**Complexity** - local authorities continue to highlight challenges arising from the growing complexity of their work, shaped both by the diverse needs of the people they support and the changing requirements of justice policy and practice. Many local authorities are also reporting an increase in cases involving neurodiversity, sexual offending and domestic abuse. This in turn increases the level of responsibility on the service to provide risk assessment, risk management and public protection. Drug related deaths remain stubbornly high, with JSW working with many of the individuals and their families. This [case study](#) outlines the impact which the dedicated drugs and alcohol problem-solving court in South Lanarkshire is having, alongside examples of the complex nature of the work undertaken by JSW in services such as bail supervision and diversion from prosecution.

**Prison population pressures** - as the Committee is very well aware, the prison population continues to be extremely elevated, despite the emergency early-release scheme in mid-2024. As of the time of writing this report, figures show the prison population hovering around 8,200 – specifically 8,252 on 15 August 2025, composed of approximately 1,828 on remand and 6,154 serving sentences, with 270 convicted and awaiting sentence.

A high prison population has a direct impact on JSW, particularly in relation to:

- Statutory throughcare for long-term prisoners and prisoners leaving prison on licence
- Increased demand for Justice Social Work Reports
- Increased demand for parole reports, risk assessments, release supervision and in turn less capacity for preventative, early intervention and rehabilitative work
- Individuals may have more complex needs after serving their sentence in an overcrowded prison with limited opportunities for rehabilitative work
- The need for support and tailored programmes on release to help prevent reoffending

During 2024, JSW worked collaboratively with SPS and other partners to support the emergency early release of short-term prisoners. This involved screening eligible prisoners, identifying single points of contact, attending pre-release meetings, designing liberation packs for individuals and provision of support for those with accommodation, addiction and mental health needs.

There are active discussions with Scottish Government in relation to potential changes to plans for automatic early release of long-term prisoners. This group can be more challenging to work with and may require more intensive supervision from experienced social workers.

**Public protection** – The Home Office is currently developing MAPPS – described as a transformative, offender management solution where multi-agency users can collaborate securely, efficiently and effectively to better protect the public from people who pose the

highest risk. As the upcoming replacement for the Violent and Sex Offender System (ViSOR), MAPPS will be the only UK wide system which can be accessed by any of the Responsible Authorities (local authorities, Police Scotland, health boards and the Prison Service) for all Multi-Agency Public Protection Arrangements (MAPPA) individuals, i.e. Registered Sex Offenders, restricted patients, and other risk of serious harm individuals. It is likely that accessing MAPPS will lead to additional pressures for Justice Social Work. The introduction and implementation of MAPPS in Scotland will involve the vetting of staff to an enhanced level than is currently required of qualified social workers, a national training programme to be established, accessibility and functionality of the system will be improved, IT security arrangements will need to be in place and data sharing agreements approved. There are also implications for JSW who will be responsible for increased numbers of Category 1 (Registered Sex Offender) cases while continuing to manage Category 3 (Other Risk of Serious Harm) cases through MAPPS.

## 2. What should be the main priorities for 2026/27 in terms of spending in the criminal justice sector?

We believe it is critical to ensure that spending decisions can help support a sustained reduction in the prison population. From a COSLA, SWS and broader Local Government perspective this can be done through investment in local authorities, which will in turn also support critical local third sector services.

### *Ongoing and increased support for Justice Social Work services*

We acknowledge that funding for Justice Social Work has been increased by Scottish Government by approximately £5m in the last financial year. However as set out in previous years' responses to this submission, services continue to feel the pressure of increasing demand and complex needs. Increases to national insurance contributions and inflation are also compounding factors. Moreover, in order for JSW to operate within a Local Authority, an overhead contribution is used locally to cover essential corporate service costs, including legal advice, payroll, HR and more. In practical terms this means that the total budget allocation is not fully available for frontline delivery, but a proportion of it is allocated to these other necessary costs. Many local authorities must therefore decide which priorities can realistically be delivered within their current funding.

Increasing demand highlights the importance of a skilled workforce, yet the time required for training reduces frontline capacity, leading to resource pressures.

The most recent [local authority financial returns](#) (LFR03) also show that councils have a net revenue expenditure on justice social work services, as shown in the table below.

<b>Table 3: 2023-24 Scottish local authority income and expenditure on CJSW Services</b>	
	<b>2023-24</b>
	<b>£thousands</b>
Gross Expenditure adjusted for LFR Purposes	162,825
Gross Income adjusted for LFR Purposes	-148,823
Net Revenue Expenditure on a funding basis	14,002

This in turn suggests that there is a potential funding pressure within the system and that councils are having to meet an element of the costs of providing JSW services locally.

JSW is central to easing pressures on prisons. It helps reduce offending by addressing underlying causes, providing effective alternatives to custody, and supporting rehabilitation and reintegration, enabling people to build more stable and positive lives. The Care Inspectorate also found that people using justice services consistently report that the support and supervision they receive is having a positive impact on their lives. Any reduction in the prison population is also expected to increase the number of people on community orders, adding further costs for JSW.

It is also anticipated that there will be increasing numbers of individuals subject to diversion from prosecution, bail supervision orders and community payback orders in response to the prison population crisis. These orders provide a credible alternative to remand and custodial sentences, with outcomes much more likely to be positive. The case study at appendix A demonstrates the complexity of some of the diversion from prosecution cases but also the benefits of having a preventive service in place, keeping young people and others out of the criminal justice system where appropriate and safe to do so. The case study provided in Appendix B illustrates the multifaceted nature of a bail supervision order, highlighting the range of factors that must be considered in its implementation, the level of support and monitoring required, and the challenges involved in balancing risks with the individual's needs.

### *Violence Against Women and Girls*

Violence Against Women and Girls (VAWG) continues to place profound and often unaccounted for pressures on community justice services. Despite the national ambition of the Equally Safe Strategy, co-owned by the Scottish Government and COSLA, the chronic underfunding of Local Government significantly limits the capacity of councils and their partners to deliver the preventative, trauma-informed, and coordinated responses that are essential to tackling VAWG effectively.

As the findings of the [Independent Review of Funding and Commissioning of VAWG Services](#) highlight, *“the disproportionate level of presentations related to VAWG in Child Protection and Adult Support & Protection systems, Alcohol and Drug Support Services, Housing and Homelessness Support Services, Mental Health Services and Community Justice Services demands a more coherent approach to early identification and intervention that recognises the complexity of support required”*.

JSW services are a critical part of this landscape. They play a vital role in prevention, early intervention, victim-survivor support, and the management of perpetrators — both in terms of managing risk and in supporting change. However, the scale and complexity of VAWG related need is growing, while the resources to meet that need are not.

Without sustained and adequate investment, the ability of JSW to contribute meaningfully to prevention and rehabilitation of perpetrators is compromised. This not only increases risk to victim-survivors but also undermines efforts to reduce reoffending and support long-term behaviour change in perpetrators. The result is a system that remains reactive, crisis-driven, and ultimately more costly—both socially and financially.

A shift toward upstream investment is essential. Local services, particularly those in justice and social work, must be resourced to intervene earlier, respond more holistically, and deliver on the promise of Equally Safe.

### **3. In particular, what are the pressures on capital spend and what should be prioritised?**



We refer to COSLA's submission to the Finance and Public Administration Committee Pre-Budget Scrutiny 2026-27 Call for Views for a detailed response on pressures on capital spend for Local Government.

#### **4. What opportunities are there for further efficiency savings and/or further investment on a 'spend to save' basis within the sector?**

Ongoing and additional investment in community justice represents in and of itself a form of efficiency saving given its role in promoting reintegration and desistance from reoffending. The financial burden of imprisonment is substantially higher than that of a community sentence.

Further investment in digital technologies such as Near Me and use of AI to allow more time for social workers to meet people face to face would also be helpful. The joint Social Work Scotland and SPS Near Me pilot launched in July 2024 at HMP Stirling demonstrated early promising results, with an average saving of **502 travel miles** and **8.2 hours of travel time** for **every 12 calls** made via this platform by a social worker or other professionals.

There is also the potential for the sharing and pooling of resources across different local authority areas in order to assist smaller local authorities to deliver to scale on Justice priorities. For example, in some areas group-work is delivered across local authority boundaries in order to build in resilience and achieve better outcomes.

In our response to FPAC's call for views, we have also detailed how bold decisions need to be made to shift the fiscal priorities from reactionary spend to preventative spend. We would again urge members to read our FPAC response for the full context.

#### **5. Any other views you have on the 2026/27 budget process which you wish to comment on?**

##### *Broader Challenges for Community Justice*

Adequate funding is crucial for services that support those at risk of offending or who have offended, primarily housing, mental health, drugs & alcohol. We cannot forget the clear link between deprivation and offending which these services aim to tackle, given clear [SPS data](#) from 2024 highlighting that 42% of the prison population come from the 20% most deprived areas of Scotland. Key services include:

- **Housing** – we know that stable housing can make the difference when it comes to being granted bail, a community sentence or completing a period on licence. However, housing does remain a difficult issue. Between 2012-13 and 2022-23 the proportion of people entering prison who reported as having no fixed above rose from 2.9% to 9.1%. In a 2019 survey by SPS over half of prisoners surveyed (56%) said that they lost their tenancy/accommodation when they went to prison, and over a third (37%) said they did not know where they would be staying upon their release. The implementation of the [Sustainable Housing on Release for Everyone Standards](#) (SHORE), whose aim is that 'everyone should have suitable accommodation to go to on the day they are released from custody', remains a challenge, particularly due to lack of permanent accommodation stock locally. This also leads to increased use of temporary accommodation, such as hostels and B&Bs. We know that being released into unstable or temporary accommodation increases the likelihood of reoffending. Homelessness and appropriate housing are a key issue for many on release and has

a knock-on effect as other services are difficult to access without an address. Access to GP appointments, prescribing services, other specialist care and accessing benefits can be a challenge which can lead to further offending.

- **Children and Young People** – the impact of poverty remains a fundamental challenge and the Scottish Government's child poverty statistics 23-24 show 23% of children live in relative poverty after housing costs. Local authorities continue to provide a range of key services to combat child poverty, including early learning and childcare, free school meals, support with cost of the school day, school clothing grants, education maintenance allowance, youth work, employability support and money advice. These services are impacted disproportionately when overall funding is reduced and the need to divert existing resource to statutory provision is heightened.
- **Mental Health** – since 2021, an increase in the mental health budget has been welcome, however, it has not kept pace with a significant rise in demand for services, with many still facing challenges accessing timely services that meet their needs. Local Government's role in providing mental health services is critical, with services such as school counselling, suicide prevention campaigns and Talk Mental Health campaigns. Lack of support services can be a barrier to compliance and lead to reoffending. Demand and associated waiting lists for formal mental health and wellbeing supports are high. Community-based supports and services exist for the general population though these are also subject to high demand and limited resource.
- **Employability** – multi-year commitments to employability support holds the potential to help reduce the burden on community justice services. Whilst we touch on this in our FPAC response, economic inactivity rates are of an increasing concern, particularly in young people, [where the rate was 38.6% in 2024 for 16-24 year olds](#). Research consistently shows that finding employment, or taking part in education or training, plays a key role in helping people reintegrate successfully after prison and move away from offending, as highlighted in this [briefing](#) from the Edinburgh Study of Youth Transitions and Crime.
- **Drugs and alcohol** – working with people where drugs and alcohol are significant issues continues to take up resources from both JSW and other support services. Support after release from prison (throughcare and aftercare) is particularly challenging for those with addiction and mental health concerns, including unplanned release from remand, with the risk of relapse and inability to get services in place at short notice, near fatal overdoses and overall risky behaviour and instability upon release.

### *Violence Against Women and Girls*

[COSLA's 2023 Landscape Report](#) as part of the Strategic Review of Funding for Specialist Violence Against Women and Girls Services offers LG's position and perspectives on how the Scottish Government's investment in preventing and eradicating VAWG in local areas might be improved, empowering local authorities working with strategic community planning partners to deliver better outcomes for victim-survivors, reduce the risk of further harm, and—where possible—challenge and change the behaviours and attitudes of perpetrators.

In line with the recommendations from the SG commissioned Independent Strategic Review of Funding and Commissioning of Violence Against Women and Girls (VAWG) Services, increasing the quantum invested in prevention and tackling of VAWG to ensure that local



authority *and* specialist services are adequately and sustainably funded will empower LAs to commission specialist services. It will also enable them to support victim-survivors to be robustly supported through mainstream services, particularly those subsuming the greatest burdens of VAWG including (but not limited to) SG CJ Services. It is key that all LG funding related to preventing and tackling VAWG, including sustainable and adequate funding for perpetrator programmes, throughcare, youth justice and community disposal management where domestic abuse or other forms of male violence against women and girls (and children and young people) are factors, should allow local authorities discretion to deliver and allocate resources as needed, depending on local demand. This will reduce the incidence of VAWG and associated costs—aligning with broader public service reform and fiscal sustainability goals.

## Appendix A – Diversion from Prosecution Case Study

The diversion report written by Justice Social Work suggested that the client (Mr JL), a young person who had committed an alleged offence involving domestic abuse, would benefit from support in the following areas: healthy intimate relationships, mental health, housing, and careers advice.

This diversion suitability assessment and plan was agreed by the Procurator Fiscal and diversion intervention commenced on the 5th of September 2024. The overview below provides information on the specific elements that made up the support received by Mr L.

- **Progress** - Mr JL completed diversion work with their social worker over a period of around 12 weeks. He undertook general relationship counselling, improved stress management/ emotional regulation/coping skills work, domestic abuse understanding of changing abusive behaviours and successful co-parenting techniques. This support was provided by a range of professionals. JL was able to remain within his employment in the armed forces, albeit in a varied role. The client also resided at his work accommodation in Inverness during the week. A flexible approach was taken with regards diversion management to suit JL's schedule – utilising Teams/ telephone contact and office appointments along with interventions by army welfare services.
- **Joint working** – JSW worked successfully with Mr JL but also with victim services to ensure ongoing support and monitoring of co-parenting scenarios with victim (ex-partner). This ensured that the social worker had feedback with regards evidence of successful interventions by Mr JL about whether he was putting his new skills in place, instead of solely relying on self-reporting from him. A joined-up approach was taken by all involved in supporting JL to address his attitudes, ensuring he received a consistent message about his offending behaviour and the need to make changes.
- **Complexity** – around role/employment psychology and employee welfare highlighted different approaches as there were differing assessments of need. Despite this – the team managed to fully wrap a care plan around him – supporting his progress, employment and life out with the forces while keeping his ex-partner and children at the focus of safety planning.
- **Communication** - good communication was maintained with JL's employee services through regular email and phone contact, which allowed JSW to evidence the new learning he was putting into practice. When the victim made a further disclosure, this was reported promptly and managed appropriately, preventing the need for further charges or social work/army intervention. JL's welfare worker also commented on his ability to self-reflect throughout this process, indicating personal growth.

It was expected that JL would require a longer period of diversion, but his case was able to be closed at 12-week stage – with army welfare services continuing support for him.

JL has been in touch a couple of times with his social worker since his diversion was completed, primarily for low level support.

## **Appendix B – Bail Supervision Case Study**

SH was made subject to a Bail Supervision Order on in August 2024 for charges in relation to Criminal Justice and Licensing Act 201 S.38 S. (1) and Police and Fire Reform (Scotland) Act 2012 S90(1)(A).

Following her court appearance and initial appointment with her bail officer, a referral was made to the SACRO AYE Service through the Bail Supervision pathway. SH appeared keen to adhere to her Bail Order and engage with any support provided to address

- Addiction issues
- Mental health
- Housing difficulties
- Family support
- Financial advice and guidance
- Court dates

SH had a history of problematic substance misuse. She had received support for this via her GP in the past and her Bail Officer supported her to re-establish contact with her GP. This resulted in a change to her prescribed medication, and it was evident when comparing her first interactions with social work staff members that this new prescription and appropriate use of such medication was having a positive impact on her general health and wellbeing and abstinence from substances.

To address problems with managing her tenancy and how she engaged with housing services, her bail officer and SACRO workers liaised with her housing officer. Housing services provided a high level of support to SH and problems with her gas/electric were rectified and her ability to maintain all aspects of her tenancy improved.

SH had two children; however, they were not in her care. This was area of SH's life which caused her stress and worry. It was assessed as important that her relationship with children and family services could be improved and with support and encouragement from her SACRO worker she took responsibility for addressing this area appropriately.

SH experienced poor mental health and as well as support to engage with her GP she was also provided with a gym pass which allowed her to attend the gym and local swimming pool in recognition of the benefits daily routine, exercise and inclusion within the local community can have on mental health and wellbeing. SH reported improved mental and physical health because of this action. SACRO workers continued to offer advice and guidance on healthy coping strategies and ways to maintain her sense of wellbeing.

A referral was made to Money Matters to maximise her income. SH is a German national had been relying on financial support from family in Germany. With assistance from Money Matters, SH was assigned a habitual residence worker to progress her applications for rights to benefits here.

SH remained subject to a Bail Supervision Order for 9 months and fully engaged with all aspects of her action plan with social work and multi-agency partners to address some of the root causes for her offending behaviour. She was supported to her final court date where she was admonished and dismissed. This was a successful completion of her bail order, with no pending cases or further involvement with the justice system.