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News release

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Inefficiency in Scotland's justice system costs time and money

Inefficiency in Scotland's criminal justice system causes delays for everyone involved, including victims and witnesses, and cost at least £10 million in 2009/10.

An Audit Scotland report published today, *An overview of Scotland's criminal justice system*, finds that the criminal justice system cost an estimated £857 million in 2009/10. While cases are now processed through the courts quicker, many cases still have to repeat stages, costing around £10 million in 2009/10, others are subject to late decisions not to proceed, costing an additional £30 million. Much of this inefficiency is avoidable.

The report also finds that reoffending is a continuing problem in Scotland. Most prisoners are reoffenders; over two-thirds of those sent to prison in 2009/10 had five or more previous convictions. Less than 10 per cent of estimated criminal justice spend - around £81 million in 2009/10 - is spent directly on services to reduce reoffending.

The report warns there are risks to the long-term sustainability of criminal justice services because of falling budgets, rising costs and limited control over demand. New legislation, case law and the increasing complexity of cases are driving up some costs.

Auditor General for Scotland, Robert Black, said:

"Scotland's criminal justice system is very complex, involving many different public, private and voluntary organisations each with different roles and accountabilities. While this ensures justice is impartial and transparent, it means it is difficult to manage the system as a whole. However, it is good to see that joint working has improved in recent years. Despite improvements, there is still a significant amount of inefficiency in the system which results in delays, repeated processes and unnecessary costs. Much of this can be avoided and money could be saved. All the different bodies need to continue to work together to further improve the processes for the benefit of everyone involved."

Chair of the Accounts Commission for Scotland, John Baillie, said:

"The problem of reoffending needs to be addressed. Over two-thirds of those sent to prison in 2009/10 had five or more previous convictions. Reducing reoffending would have many benefits – fewer crimes, fewer victims, fewer cases to process and costs to pay. However, services to reduce reoffending vary across the country and the lack of consistent performance information makes it difficult to compare the effectiveness of different services."

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Notes to Editors:

1. For the purposes of this report, Audit Scotland has defined the criminal justice system as from when police identify someone they consider has committed some criminal activity until that person leaves the criminal justice system. For example, when they are found not guilty by a court, pay a fine or complete a prison or community sentence. This audit only considers the adult criminal justice system and does not include offenders in The State Hospital. Individual prosecutorial and sentencing decisions are independent of government and were also not considered in this audit.
2. The estimated £81 million spent on reducing reoffending is likely to be an underestimate of total public sector spend. Considerable police activity is directed towards preventing offending, some of which will be focussed on existing offenders and this expenditure is not included in our estimate. In addition, offenders may receive support from a wide range of public services, which are not specifically offender services but may help reduce reoffending, such as NHS drug treatment services. However, the total expenditure on such services for offenders is not known.

3. Calculating the costs involved in processing cases through the summary court system is not straightforward. For the purposes of this report, Audit Scotland estimated the unit costs involved by applying average staff costs, the average costs of legal aid and an estimate of witness costs and court running costs. However, there will be significant variation in these costs. Audit Scotland applied these unit costs to 2009/10 court activity statistics to calculate the costs of cases repeating stages (court churn); and the costs of late decisions not to proceed.
4. The most recent information on reconviction rates in Scotland was published after this report went to print. It is available at <http://www.scotland.gov.uk/Publications/2011/08/29151240/0>
5. All Audit Scotland reports published since 2000 can be found on Audit Scotland's website www.audit-scotland.gov.uk
6. Audit Scotland is a statutory body set up in April 2000, under the Public Finance and Accountability (Scotland) Act, 2000. Audit Scotland has prepared this report jointly for the Auditor General for Scotland and the Accounts Commission for Scotland:
 - The Auditor General is responsible for securing the audit of the Scottish Government and most other public bodies in Scotland, except local authorities. The Auditor General is independent and is not subject to the control of the Scottish Executive or the Scottish Parliament.
 - The Accounts Commission looks at whether local authorities, fire and police boards spend public money properly and effectively. It is independent of both central and local government. Commission members are appointed by Scottish ministers.