

ANGUS COUNCIL

POLICY AND RESOURCES COMMITTEE – 27 AUGUST 2019

PRESUMPTION AGAINST SHORT PERIODS OF IMPRISONMENT (SCOTLAND) ORDER 2019

The order extends the presumption against short sentences from 3 months or less to 12 months or less and came into effect on 4 July 2019. The presumption applies to offences committed after that date, and the impact will be gradual.

The level of impact of the extension of the presumption to 12 months will be dependent on judicial decision making. The presumption is not a ban and the judiciary will still impose custodial sentences where they have considered the alternatives and decided these are not appropriate in the circumstances.

Workload data and related evidence will inform future budget considerations and discussions with COSLA around the distribution methodology for criminal justice social work funding.