

**ANGUS COUNCIL**

**SOCIAL WORK COMMITTEE .....14 January 1997**

**CRIME AND PUNISHMENT (SCOTLAND) BILL  
RESTRICTION OF LIBERTY AND ELECTRONIC MONITORING OF YOUNG  
OFFENDERS**

**REPORT BY THE DIRECTOR OF SOCIAL WORK**

**ABSTRACT**

This report outlines the Director of Social Work's response to the Scottish Office consultation paper on the proposed introduction of electronic tagging of young offenders under the age of 16. A copy of the Director's response is attached.

**1. RECOMMENDATION**

That the Social Work Committee approves the Director of Social Work's response to the consultation paper.

**2. INTRODUCTION**

The Crime and Punishment (Scotland) Bill implements proposals contained in the White Paper Crime and Punishment (Report No 657/96 Social Work Committee 20 August 1996) and makes other minor changes to improve the administration and effectiveness of criminal justice in Scotland.

Part 1, Clause 4 of the Bill refers to 'Restriction of Liberty Orders' or Electronic Tagging. In November the Secretary of State issued a consultation document seeking views on a proposal to extend electronic tagging to young people under the age of 16 years. The consultation period ended on 4 January 1997 allowing only six weeks to establish a wide range of views on a matter which if it becomes law will have a major impact on the way in which we deal with young offenders under the age of 16 in Scotland.

**3. ELECTRONIC TAGGING**

The Director of Social Work's response outlines major concerns regarding the proposed introduction of electronic tagging for young people. The major concerns include:

- \* The swing from a 'welfare' model to one of control and punishment
- \* It contradicts several articles contained within the United Nations Convention on the Rights of the Child
- \* It undermines the importance of parental responsibilities as outlined in Part 1 of The Children (Scotland) Act 1995
- \* For some young people the tag maybe a stigma, whilst for others it may attract increased status within peer groups
- \* Breach of the tagging order may result in more young people being admitted to residential schools or secure accommodation
- \* Tagging is a highly expensive scheme to establish and maintain with little or no evidence to suggest it reduces offending

#### **4. FINANCIAL IMPLICATIONS**

There are no financial implications arising directly from this report

#### **5. CONSULTATION**

The Chief Executive, The Director of Law and Administration and the Director of Education have been consulted in the preparation of this report

#### **6. CONCLUSION**

This report highlights major concerns regarding the proposed introduction of electronic tagging of young people and encloses a copy of the Director of Social Work's response to the Scottish Office.

24 December 1996

W.B. Robertson  
Director of Social Work

Note

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.