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**Report To:** Inverclyde CHCP Sub Committee      **Date:** 28<sup>th</sup> February 2013

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**Subject:** Inverclyde CHCP Criminal Justice Social Work Services  
Overview

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## 1.0 PURPOSE

1.1 The purpose of the report is to present to Sub Committee an overview of existing supports and services provided by Inverclyde CHCP to people involved in the Criminal Justice System. The supports and services are provided directly by ICHCP or in partnership with our third sector (voluntary or not for profit organisation) provider, Action for Children.

Details of core activity levels and funding provided by Scottish Government via our Community Justice Authority are also provided.

## 2.0 SUMMARY

2.1 Criminal Justice Social Work (CJSW) Services have a responsibility to deliver effective community based supervision that is seen as credible by the Courts and the public. To be credible, interventions must properly reflect the seriousness of the offending behaviour, whilst affording individuals an opportunity to make amends and re-integrate within society. In the event of imprisonment, CJSW Services contribute to effective throughcare in partnership with the Scottish Prison Service and other key agencies.

2.2 There are three key national outcomes for Criminal Justice Social Work (CJSW) Services:

- Community safety and public protection
- The reduction of re-offending
- Social inclusion to support desistance from offending

2.3 To achieve these outcomes CJSW Services currently works within both a legislative and practice framework which includes:

- Management of Offenders etc (Scotland) Act 2005; brought into being the eight Community Justice Authorities (CJAs) and introduced the Multi Agency Protection Arrangements (MAPPAs). Inverclyde is a member of North Strathclyde CJA and it hosts the MAPPAs Unit for the six Local Authority areas which make up this CJA.
- Criminal Justice and Licensing (Scotland) Act 2010; introduced the Community Payback Order (CPO), which is a community based social work disposal available to the Court where an offence(s) has been committed on or after 1<sup>st</sup> February 2011.

- National Outcomes and Standards for Social Work Services in the Criminal Justice System; this prescribes core practices which have been found to be critical to the achievement of CJSW Services outcomes. It sets out both minimum standards for acceptable practice and also outlines principles of best practice.

2.4 There are however a number of proposed and current policy and public sector reforms which will impact on the delivery of criminal justice outcomes. These include:

- Phase 2 of the Reducing Reoffending Programme
- Reducing Reoffending Change Fund
- Consultation on Redesigning the Community Justice System

2.5 Current areas of Inverclyde CHCP Criminal Justice Social Work Service provision are:

- Diversion from Prosecution
- Criminal Justice Social Work Court Reports
- Bail Information
- Supervision of community based social work disposals ordered by the Courts.
- End to end sentence case management for offenders sentenced to over four years or in the case of Registered Sex Offenders (RSOs) six months and over
- Throughcare Addiction and Voluntary Throughcare Services
- Court Services
- Multi Agency Public Protection Arrangements (MAPPA) Unit on behalf of North Strathclyde Community Justice Authority (NSCJA)

2.6 To deliver CJSW Services within Inverclyde in 2012/13 funding of £1,798,000 was provided by the Scottish Government via NSCJA. This does not include funding to deliver the Prison Based Social Work (PBSW) Service provided to HMP Greenock. This service is funded separately by the Scottish Prison Service (SPS) and in 2012/13 the funding amounted to £156,000.

2.7 The funding from NSCJA (via the Scottish Community Justice Division) for the 2013/14 financial year will be reduced by around £16,000 and reflects nationally reduced funding for the Criminal Justice service.

2.8 Inverclyde CJSW Services are committed to improving the outcomes for victims, offenders and their families and the local community and to this end are engaged in activities to improve and develop services within Inverclyde which include:

- Introduction of a local women offenders mentoring service
- Redesign of our Community Service/Unpaid Work arrangements to improve both consultation and visibility
- Participation in discussions to develop Public and Social Partnerships at both a national and local level to address gaps in services.
- Introduction of a new MAPPA document set to support information exchange between responsible and duty to co-operate agencies.
- Actively contributing to the Scottish Government's consultation process on reforming the Community Justice System.

### **3.0 RECOMMENDATION**

- 3.1 To note the legislative and practice framework underpinning Criminal Justice Social Work Service provision and the potential impact of current and proposed reforms.
- 3.2 To note the Service's activities at both a local and national level to improve outcomes for victims, offenders and their families, and the local community.
- 3.3 To note the anticipated £16,000 funding reduction in 2013/14.

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## 4.0 BACKGROUND

- 4.1 The modern practice and values applied within Social Work Services in the Criminal Justice System in Scotland have been underpinned by the historical integration of the Scottish probation services into generic social work departments through the Social Work (Scotland) Act 1968. Since that time Scotland has experienced criminal justice policy trends similar to the rest of the United Kingdom resulting in an increased emphasis on public protection through risk management and on reducing reoffending. Nevertheless, practice has remained firmly rooted within social work principles and values with a strong commitment to social inclusion.
- 4.2 The location of Inverclyde Criminal Justice Social Work Services within the CHCP has provided CJSW staff with knowledge and understanding of appropriate pathways to services that helps to support offenders who have issues related to housing, welfare rights, employability, addiction and mental health. This supports the established consensus that reducing reoffending generally will rely on many other Council services as well as Criminal Justice Social Work. In addition, it facilitates joined up working with other CHCP colleagues in addressing identified adult and child protection concerns.
- 4.3 As noted previously the policy and structural framework within which Criminal Justice Social Work Services are delivered is changing.
- 4.4 Phase 2 of the Scottish Government's Reducing Reoffending Programme has begun with an emphasis on making sure that the right services are available to help offenders tackle their re-offending. The programme includes five areas of work:
- A comprehensive review of funding
  - Overhauling performance management
  - A national review of throughcare services
  - A cross-cutting work stream on Community Justice structures, and
  - Reforms to improve responses to women who offend
- 4.5 The Reducing Reoffending Change Fund has promoted the use of Public Social Partnerships, where public and third sector bodies co-design services or interventions to deliver outcomes within the justice sector. This approach places the third sector at the heart of service design and delivery and explicitly emphasises outcomes rather than activity while encouraging working across agencies, sectors and geographical boundaries.
- 4.6 In July 2012 the Scottish Government confirmed in its response to the recommendations of the Commission on Women Offenders, that they would be having a consultation on Community Justice Structures. The consultation proposals are now out for comment, they specify:
- An enhanced CJA model, within which CJAs would be given a significantly enhanced strategic and commissioning role with service providers accountable to the CJA. This model would widen the CJA Board membership and involve the appointment of a chair by Scottish Ministers. At present the CJA does not have commissioning powers and Board members are drawn from elected members of constituent local authorities.
  - A Local Authority model, whereby CJAs are abolished and the statutory responsibilities for the strategic planning, commissioning and delivery of services are wholly assumed by the local authority. These arrangements would be delivered within the context of local planning frameworks (e.g. community planning partnerships, alcohol and drug partnerships etc) and therefore be subject to local accountability.

- A single service model, which would have strategic and operational responsibility for the delivery of offender services and sit along side the Scottish Prison Service. Essentially this would 'nationalise' Criminal Justice Social Work with relevant staff transferring from the local authority to the new service and the service becoming directly accountable to the Cabinet Secretary.

The Cabinet Secretary has made it clear that the status quo is not an option. Beyond that he is willing to be pragmatic and to listen to all partners about the best solution.

The consultation period will last until 30<sup>th</sup> April 2013 with a view to the Scottish Government making an announcement on the way forward in late 2013, and subject to parliamentary approval implementation from 2016 onwards.

## 5.0 PROPOSALS

5.1 Criminal Justice Social Work Services provided by Inverclyde CHCP are committed to delivering improved outcomes and in doing so in a way which recognises the broader policy context and debate. Thus we are currently engaged in a number of activities to improve and develop services. These include:

- **Women's Mentoring:** along with our third sector partners, Action for Children, we are currently working towards extending our women's groupwork service to include a mentoring component. The aim of which will be to build relationships with women on statutory orders, such as the CPO, and in doing so attempt to overcome any barriers, perceived or real, which may be preventing their full engagement with services. We believe such a development is also in keeping with the recommendations of the Commission on Women Offenders.
- **Consultation/Visibility:** following a redesign of our Community Service/Unpaid Work arrangements we appointed a new Unpaid Work Manager who came into post in July 2012. He has responsibility for taking forward a number of developments which include a review of our referral process for unpaid work. The aim is to make this more robust and transparent in key areas such as the eligibility criteria, timescales around acknowledgement and feedback on outcomes. We are also keen to improve the accessibility of the referral process and to this end are exploring the opportunities presented by e-technology. There are also plans to develop a more structured approach to community consultation regarding the types of unpaid work undertaken, which should not only see us reach a wider audience but importantly to do so in a more effective and efficient manner.
- **Public Social Partnerships (PSPs):** the Service has been involved in discussions with a range of third sector providers to assist with the development of local and national arrangements to support the re-integration of women and young male offenders who leave custody after serving short term sentences.
- **New MAPPA document set:** The MAPPA unit has been at the forefront of devising a new document set with associated staff guidance. This has been a significant undertaking. The document set is designed to ensure as much information is shared before the actual MAPPA takes place, thus facilitating a greater focus on risk assessment and planning within the meeting itself. We believe this will make for more defensible decision making in this key area of practice. Use of the document set began last month (December 2012).

- National consultation on the redesign of the community justice system: the Service is actively contributing to this process through ensuring staff and colleagues within the wider CHCP fully understand the options that are being proposed and contribute their views. A consultation event for our staff, organised by the Inverclyde CJSW management team, is due to take place on 1<sup>st</sup> February 2013.

## **6.0 SERVICE OVERVIEW: EARLY INTERVENTION**

6.1 Diversion from prosecution is available to the Procurator Fiscal Service where there are grounds to prosecute but it is not felt it in the public interest to do so. Prosecution is deferred to enable a short period of social work intervention to address identified underlying issues and if the level of engagement is satisfactory the Fiscal will conclude the matter by marking the charge(s) no proceedings.

## **7.0 PRE-SENTENCE**

7.1 CJSW Reports offer the Courts both background information on offenders; an analysis of their offending behaviour and; an assessment of the likely risk of re-offending including where appropriate the risk of (serious) harm. It will also comment on the availability and appropriateness of community social work disposals and as such is seen as an aid to sentencing.

7.2 Bail Information provides verified background information to Greenock Sheriff Court on both accused and sentenced persons to support the efficient use of remands in custody.

## **8.0 POST SENTENCE**

8.1 Supervision of community based social work sentences such as CPO, Probation, Community Service and Supervised Attendance. This will also include supporting offenders' attendance on accredited cognitive behavioural change programmes such as Constructs PSSO and Community Sex Offenders Groupwork Programme.

8.2 End to end sentence case management for offenders given a custodial sentence of over 4 years or in case of Registered Sex Offenders (RSOs) six months and over. This includes attendance at SPS hosted sentence planning meetings and the provision of Home Leave and Home Background reports for prisoners being considered for early release by the Parole Board for Scotland. All such prisoners will be subject to statutory supervision on release, the aim of which is to facilitate community re-integration and to reduce the risk of re-offending and where applicable (serious) harm.

8.3 Throughcare Addiction and Voluntary Throughcare Services, these are available to all prisoners serving a sentence of less than 4 years and focuses on re-integration through signposting to universal community support services.

## **9.0 OVER-ARCHING SERVICES**

9.1 Court Service, our staff at Greenock Sheriff Court in addition to being available to answer any queries Sheriffs may have about community social work disposals and their applicability to individual cases will also interview all offenders who have been sentenced particularly those going to custody for the first time. The latter includes screening for any potential suicide risk.

9.2 The MAPPA Unit for NSCJA is hosted by Inverclyde CHCP and supports the risk assessment and risk management of Registered Sex Offenders (RSOs) through facilitating the sharing of information between responsible authorities which include Local Authorities, Police, Scottish Prison Service and in the case of restricted patients Health.

**10.0 CORE ACTIVITIES** - With regard to our core business, Inverclyde CJSW Services reported the following activity levels to the Scottish Government for the last financial year, 2011/12.

10.1 Supervision; our staff were involved in supervising 209 new community social work orders made by Scottish Courts. This figure includes combined orders, that is those which include both a supervision and unpaid work component. Of those Court orders which terminated in 2011/12, 65% were completed successfully. The national figure is 69%.

10.2 Unpaid Work: our staff assisted offenders to payback to their communities 15,535 hours of unpaid work in 2011/12. This resulted in offenders engaging in over 47 individual community projects ranging from painting and decorating homes of frail elderly and disabled residents on low incomes within Inverclyde to larger scale projects such as carrying out a range of improvements at Everton Scout Camp.

10.3 End to end sentence case management: our staff contributed to the sentence planning and management of 253 prisoners in custody. As Inverclyde also hosts the Enhanced Throughcare Service for Renfrewshire and East Renfrewshire, this figure includes prisoners from these authorities too. Within Inverclyde our staff are involved in supervising 48 prisoners on licence. Such prisoners, whether in custody or in the community, often require rigorous and detailed assessments along with comprehensive risk management plans to identify and address the risks that they pose to potential victims.

## **11.0 INVERCLYDE CRIMINAL JUSTICE SOCIAL WORK SERVICES**

Inverclyde CJSW is made up four discrete services; Court and Fieldwork Service, which includes Unpaid Work; Enhanced Throughcare Service; Prison Based Social Work Service and; the MAPPA Unit. The Services operate out of six different locations. The Court and Fieldwork Services have offices at; 99 Dalrymple Street, Greenock; Greenock Sheriff Court and; the Unpaid Work element is based at Unit 6 Kingston Business Park, Port Glasgow.

The Enhanced Throughcare Service, as it also covers the authorities of East Renfrewshire and Renfrewshire, has offices both in Greenock (99 Dalrymple Street) and Paisley (Community Alternatives Unit).

The Prison Based Social Work Unit is based in HMP Greenock and the MAPPA Unit in Greenock Police Station.

### **11.1 Staffing Structure**

Management Team:

1 x Service Manager

2 x Senior Social Workers

1 x Throughcare Co-ordinator

1 x Unpaid Work Manager

1x MAPPA Co-ordinator

1 x PBSW Manager

## 11.2 Operational Staff

18 (WTE) X Social Workers  
4 x Unpaid Work Supervisors  
6 x CJ non social work qualified staff

11.2 8.5 (WTE) x Business Support staff.

## 12.0 IMPLICATIONS

### 12.1 Finance:

The Criminal Justice service is funded by a grant from the Scottish Community Justice Division and the 2012/13 grant amounted to £1,798,000. NSCJA has advised that the 2013/14 grant will be reduced by around £16,000 which reflects the reduced funding it is receiving from the Scottish Government.

Senior management are currently considering how best to mitigate the impact upon the service of this funding reduction.

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
Various	Criminal Justice	2012/13	£1,798,000	N/A	Annual budget for information
Various	Criminal Justice	2013/14	£1,782,000	N/A	Indicative budget for information

12.2 Personnel: Human Resource

12.3 Equalities: None

12.4 Repopulation: None

## 13.0 CONSULTATION

13.1 None.

## 14.0 BACKGROUND PAPERS

14.1 Redesigning the Community Justice System.