

# PERTH AND KINROSS COUNCIL

## Housing & Communities Committee

3 February 2021

### JUSTICE UPDATE REPORT for 2019-20

Report by Chief Social Work Officer (Report No. 21/18)

#### **PURPOSE OF REPORT**

This report provides an update for Committee on the work of Council services and partners to meet local and national outcomes for Community Justice. It provides an update on the effectiveness of arrangements for the supervision of serious offenders and approaches to help people make positive changes in their lives and tackle the underlying causes of their offending. This report includes highlights for the period 1 April 2019 to 31 March 2020 within the Perth and Kinross Community Justice Partnership Annual Report which shows the progress the Partnership has made in meeting both the national Community Justice outcomes and local priorities. It also sets out an update in relation to Multi Agency Public Protection Arrangements (MAPPA) from the Annual Report for 2019-20 prepared by the Tayside Strategic Oversight Group.

#### **1. BACKGROUND/MAIN ISSUES**

##### **The Perth and Kinross Community Justice Partnership**

- 1.1 The Community Justice (Scotland) Act 2016 (the Act) was passed by the Scottish Parliament in 2017 and established a new model for the governance and delivery of Community Justice in Scotland. The Act established Community Justice Partnerships in each of the 32 local authority areas in Scotland. The partnerships comprise statutory community justice partners with representation from the third sector. The statutory partners are: Police Scotland; Scottish Prison Service (SPS); Scottish Fire and Rescue Service (SFRS); Skills Development Scotland (SDS); NHS Scotland; Health and Social Care Integration Joint Board; Scottish Courts and Tribunals Service and the Local Authority.
- 1.2 The Scottish Government's national strategy for Community Justice was published in 2017. It takes a holistic approach to help people make positive changes in their lives and tackle the underlying causes of their offending. The strategy promotes the use of effective, evidence-based community interventions to support the rehabilitation of those who offend. This approach reflects the evidence that the use of short-term prison sentences has the propensity to exacerbate rather than reduce offending and re-offending.
- 1.3 There is a requirement in the Act for the statutory partners to work together to deliver a Community Justice Outcomes Improvement Plan (CJOIP) for their area.

The partnership is required to report on progress in delivering the outcomes in the CJOIP to Community Justice Scotland (CJS) via an annual report. The Perth and Kinross Community Justice Partnership was formed in 2017, comprising representatives from the eight statutory partners and the third sector, via the Perth and Kinross Community Justice Third Sector Forum, of which Perth and Kinross Association of Voluntary Service (PKAVS) is their representative.

- 1.4 The Perth and Kinross Community Justice Partnership launched its first CJOIP on 1 April 2017. This three-year plan incorporates seven national outcomes and has a focus on seven local priorities. These are:
  - Employment;
  - Housing;
  - Health (including mental health and substance misuse);
  - Victims;
  - Women who offend;
  - Family relationships; and
  - Males who offend.
- 1.5 The first Partnership Annual Report was submitted to CJS in September 2018 using a template provided by CJS and commented on progress in delivering the national outcomes contained in the CJOIP. The report noted that the Partnership had made good progress under all seven of the national outcomes and several of the local priorities which meet these outcomes. Examples of good progress included work in the areas of women who offend and employment.
- 1.6 Following a review of the annual reporting process, CJS concluded that a simpler, focussed annual reporting methodology was required. To assist with this, a revised Annual Report template was designed which all Partnerships were instructed to use for both 2018-19 and 2019-20 Annual Reports.
- 1.7 The second Partnership Annual Report was submitted to CJS in September 2019. The report noted that the Partnership continued to make good progress under the national outcomes and several specific local priorities which meet these outcomes. The report highlighted the excellent work taking place in the One-Stop Women's Learning Service (OWLS) and at the Westbank Project, where the Unpaid Work (UPW) team are based.
- 1.8 The report also noted other areas of work where Council teams have made a significant positive contribution towards achieving the Partnership's outcomes. These included the continued high rate of compliance for offenders involved in MAPPA across Tayside and the development of a data sharing protocol with the SPS which has allowed the sharing of details of those coming in and out of custody.
- 1.9 Since the publication of the second Partnership Annual Report, the Community Justice Partnership has continued to monitor progress of the Perth and Kinross CJOIP.

In preparing the 2019-20 Annual Report, evidence of this progress was gathered from a range of sources including statutory partners and third sector stakeholders. In addition, there were regular updates of progress reported at quarterly partnership meetings.

## **2. The Perth and Kinross Community Justice Partnership Annual Report 2019-2020**

2.1 The Perth and Kinross Community Justice Partnership Annual Report 2019-20 is attached as Appendix 1. A glossary of terms used in the report is attached as Appendix 2. The report contains contributions from three statutory partners and two members of the Third Sector Forum. These contributions highlight the excellent work undertaken by both statutory and third sector organisations, often in partnership, in a variety of settings across Perth and Kinross.

2.2 From a Perth and Kinross Council perspective, the report highlights examples of very positive work that is being carried out in the area of justice by a range of Council teams, often in partnership with other justice stakeholders. Key examples that highlight this multi-agency approach are the prisoner health and social care test of change, and, the implementation of the Caledonian System for perpetrators and victims of domestic abuse.

### **2.3 Prisoner Health and Social Care Test of Change**

2.3.1 In 2019, a report by the University of Dundee 'A new vision for social care in prisons' reviewed existing arrangements for delivering health and social care in Scottish prisons, in order to provide a clear basis for developing new approaches. Admission to prison, moving across the prison estate and release from prison are all significant events and points of transition that can present a risk for people with support needs (particularly those that are not physical) if these needs are not identified early on and where continuity of care and support is jeopardised.

2.3.2 In response to the recommendations in the University of Dundee report, the Health and Social Care Integration in Prisons Workstream, of the Scottish Government's Health and Social Care in Prisons Programme, led a range of work to develop a model of integrated health and social care provision which could be delivered in Scotland's prisons.

2.3.3 Seven individual prison sites, across five health and social care partnerships, sought to undertake tests of change for six months, working with the SPS, Scottish Government, Social Work Scotland and other stakeholders to provide evidence and learning about what is required for the future. HMP Perth and HMP Castle Huntly were chosen to be one of the tests of change sites with the healthcare service for the prisons hosted by the Perth and Kinross Integrated Joint Board and provided by the Perth and Kinross Health and Social Care Partnership.

2.3.4 The test of change teams, which included colleagues from the SPS and health and social work, sought to deliver an integrated service across not only health and social care but the prison service and justice social work.

They did this within a six-month timeframe as designated within the test of change timeframe. The positive findings highlighted the strength of partnerships and collaborative working. For example, co-locating the test of change team within the Health Suite at HMP Perth afforded the team access to all relevant information regarding the people they were working with and the most up-to-date information due to the regular contact NHS staff had with people and their daily communication with SPS staff.

- 2.3.5 While there is still some data outstanding, owing to the impact of the COVID-19 pandemic, the main recommendation to date is that a whole system approach to transitions in and out of prison should be adopted. This includes a throughcare approach that is based on a release plan for each person in prison, in line with the Sustainable Housing on Release for Everyone (SHORE) standards, to ensure that basic needs are met on their return to the community and the responsibility for reintegration is shared across a range of partners, including housing. Providing this approach thereby reduces the crisis that often results in a return into the justice system following release and helps build a safer more inclusive community for all.

## **2.4 The Caledonian System**

- 2.4.1 The Caledonian System is an integrated way of working to address men's domestic abuse and improve the lives of women and children. It is delivered by Perth and Kinross in partnership with Dundee City Council and has been operational in both areas since April 2019.
- 2.4.2 The partnership approach with Dundee colleagues is evident throughout the process. For example, each man has been screened for their suitability for inclusion in the Caledonian Programme in conjunction with the Caledonian Groupwork Delivery Team. Pre-sentence assessments are jointly prepared and there is joint delivery of 2:1 work with male perpetrators enabling a productive exchange of vital information, assessment of risk and decision making. This is particularly beneficial given that the women's worker, who is employed by Perthshire Women's Aid (PWA), is now based in the Criminal Justice Social Work office.
- 2.4.3 The Caledonian System offers a direct service to the women who are cited as victims of domestic offences and are offered not only support, but the opportunity to give their views at the pre-sentence stage of the perpetrator. This service is a new development for Perth and Kinross as it is the first-time social workers have had the opportunity to work directly with victims of crime. Up until 31 March 2020, over 70 women have engaged with the Caledonian Women's Service whether their partner's charges have led to a conviction or they have not been accepted on the programme. This has been an important source of support for women and a recognition that they have been heard and are not isolated.
- 2.4.4 Relevant information sharing protocols are also in place and have allowed Police Scotland to share perpetrator information when a man has been convicted of a domestic offence. This is crucial when social workers are assessing levels of risk of re-offending and harm as well as ascertaining suitability for inclusion in the Caledonian Programme.

2.4.5 Where domestic abuse has been a concern, Criminal Justice Social Work has been able to offer some non-court mandated input to children and families social work teams. Criminal Justice Social Work is keen to expand this area and are aware that there are currently pilot projects in three local authority areas which are looking to deliver non-court mandated work jointly between Criminal Justice Social Work and children and families services.

## 2.5 Other Highlights

2.5.1 The report highlights other areas of work where Council teams have made a significant positive contribution towards achieving the Partnership's outcomes.

These include:

- The work of the Housing Service in ensuring that appropriate accommodation and support is identified and provided on release from prison for MAPPA clients and other high-risk offenders. The Housing Service, through their Home First model, also works closely with the Criminal Justice Social Work Service to rehouse, where appropriate, the perpetrator of domestic abuse to avoid the need to rehouse the family affected by the abuse.
- OWLS, the one-stop shop for women in the justice system, has worked in partnership with Perth Citizen's Advice Bureau to participate in the Community Advice Project (CAP). This provides holistic advice and support to people who are experiencing poverty, financial hardship or poor mental and/or physical health concerning benefits and support to all aspects of the claiming process.
- The Westbank Project, where the Unpaid Work Team are based, has received accreditation to deliver internationally recognised forklift and telehandler training. This is available to those furthest from the workplace via a variety of partnerships which include HMP Castle Huntly, Employability Network and the Hub (Outreach) DWP.
- The continued success of the Diversion from Prosecution Scheme offered by the Criminal Justice Social Work Service. This sees one to one support provided to the individual that is tailored to their specific needs and will seek to address any issues that may put them at risk of committing further offences.
- The development of a Men's Service. This will provide a one-stop shop approach where agencies can co-ordinate and support men more effectively in one dedicated location. It aims to provide a sustainable alternative to males who offend in order that they can reduce or cease their offending through not only challenging their offending behaviour but improving their self-confidence, health and wellbeing. The approach also aims to assist men to recognise that they have something valuable to contribute, not only in their own families and significant relationships but their communities.

- The continued success of the Right Track service (Structured Deferred Sentence) which provides a service for young people aged 16 to 26 years old where the persistence and/or seriousness of their offending places them at risk of custody.

### **3. Multi Agency Public Protection Arrangements (MAPPA)**

- 3.1 MAPPA are a set of statutory partnership working arrangements as set out in Sections 10 and 11 of The Management of Offenders etc. (Scotland) Act 2005 (the 2005 Act). This places a statutory duty on the responsible authorities in a local authority area to jointly establish arrangements for assessing and managing the risk posed by certain categories of offenders. The responsible authorities are legally charged with monitoring the operation of MAPPA and making changes to improve effectiveness where required. The responsible authorities across Tayside are Perth and Kinross Council, Dundee City Council, Angus Council, Police Scotland, Scottish Prison Service and NHS Tayside.
- 3.2 The Tayside MAPPA Strategic Oversight Group (MAPPA SOG) provides local leadership and is responsible for performance monitoring and quality assurance of MAPPA. This includes business planning, resource allocation and the coordination and submission of an annual report.
- 3.3 The Perth and Kinross Chief Officers Group (COG) reviewed its Terms of Reference in October 2020 and strengthened the reporting and governance for MAPPA in Perth and Kinross thereby ensuring a clear strategic link between the Independent Chair of the MAPPA SOG and the MAPPA Coordinator with the COG. In addition, the COG agreed to establish a new Protecting People Coordinating Group for Perth and Kinross from January 2021 and has included MAPPA within its remit.
- 3.4 The Tayside MAPPA SOG published its annual report for 2019-20 on 13 November 2020 and the report is attached at Appendix 3. This annual report provides information on the progress made against a plan for the year, data on the numbers of offenders being managed via MAPPA across Tayside and highlights the findings of two Significant Case Reviews which were completed and published within the year.
- 3.5 As of 31 March 2020, there were 407 Registered Sex Offenders managed in the community in Tayside, an increase of 27 offenders on the previous year and just over one third were subject to a statutory supervision requirement with Criminal Justice Social Work and managed jointly with Police Scotland Offender Management officers. Within Perth and Kinross, the number stood at 124 which represented an increase of 2 from 31 March 2019.
- 3.6 In 2019-20, the Tayside MAPPA SOG oversaw the completion of two Significant Case Reviews (SCR):
- A report of the SCR into Person X was published in May 2019 and made five recommendations for improvement for the MAPPA SOG as well as other recommendations for Police Scotland and NHS Tayside.

This resulted in a review of MAPPA Level 1 processes and training for staff who chair these risk management meetings. This report can be found on the Dundee public protection website [www.dundeeprotects.co.uk](http://www.dundeeprotects.co.uk).

- A report of the SCR into Prisoner Z was published in November 2019 which made one recommendation for the MAPPA SOG alongside nine others of both national and local importance. Notably, the Scottish Prison Service has implemented new guidance for the Risk Management of prisoners progressing through the service together with Temporary Release Guidance which includes a revised community access risk assessment. This is particularly important for Perth and Kinross which has two prisons within its geographical boundary and provides the social work service to both HMP Perth and HMP Castle Huntly. This report can be found on the Angus Council website [www.angus.gov.uk](http://www.angus.gov.uk).

#### **4. CONCLUSION AND RECOMMENDATIONS**

- 4.1 The Perth and Kinross Community Justice Partnership Annual Report 2019-20 illustrates the positive work being undertaken by both the statutory partners and third sector organisations. This is the third annual report and it evidences partners' collaborative approach and the strength of the working relationships that have been developed. Partners and third sector organisations are committed to the shared aim, echoed in the CJOIP, to work in partnership to reduce re-offending and support those who have committed offences. It is the intention of the partnership to build on this progress, thereby ensuring the communities in Perth and Kinross remain safe places to live.
- 4.2 The annual report of the Tayside MAPPA SOG serves to demonstrate that the protection of people within our communities remains the highest of priorities. Responsible authorities continue to work together proactively, seeking to continuously improve the arrangements for the management of serious offenders and the protection of people. A new independent Chair of the MAPPA SOG has been appointed and Alan Small brings significant leadership experience to this work. He took up post at the end of 2020 and is committed to working closely within the new and strengthened public protection arrangements within Perth and Kinross.
- 4.3 It is recommended that the Committee:
- (i) Approves the approach being undertaken by Perth and Kinross Council in respect of the Perth and Kinross Community Justice Partnership and the content of the 2019-20 Annual Report; and
  - (ii) Approves the annual report for 2019-2020 prepared by the Tayside Strategic Oversight Group for Multi Agency Public Protection Arrangements (MAPPA).

**Authors**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Charlie Cranmer	Community Justice Partnership Co-ordinator	<a href="mailto:ECSCCommittee@pkc.gov.uk">ECSCCommittee@pkc.gov.uk</a> 01738 475000
Nicola Rogerson	Service Manager Criminal Justice Services	

**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
<b>Jacquie Pepper</b>	<b>Chief Social Work Officer</b>	<b>20 January 2021</b>

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>None</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>None</b>
Strategic Environmental Assessment	<b>None</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>None</b>
External	<b>None</b>
<b>Communication</b>	
Communications Plan	<b>None</b>

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 This section sets out how the proposals relate to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to Objective No. ii, iii, iv and v.

#### Corporate Plan

1.2 This section sets out how the proposals relate to the achievement of the Council's Corporate Plan Objectives.

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to Objective No. ii, iii, iv and v.

1.3 The report also links to the Education & Children's Services Policy Framework in respect of the following key policy area:

- Learning: Developing Communities

## 2. Resource Implications

### Financial

2.1 This report contains no proposals which would have a financial impact on the Council. All relevant areas of work pertinent to Criminal Justice Social Work will be taken forward within budget.

### Workforce

2.2 There are no workforce implications arising from this report.

### Asset Management (land, property, IT)

2.3 There are no asset management implications arising from this report.

## 3. Assessments

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of EqIA

### Strategic Environmental Assessment

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. However, no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

3.3 There are no issues in respect of sustainability from the proposals in this report.

Legal and Governance

3.4 This report contains no proposals which would have a legal or governance impact on the Council.

3.5 N/A

Risk

3.6 There are no issues in respect of risk from the proposals in this report.

**4. Consultation**

Internal

4.1 None.

External

4.2 None.

**5. Communication**

5.1 There are no communication issues in respect of the proposals in this report.

**2. BACKGROUND PAPERS**

2.1 None.

**3. APPENDICES**

3.1 Appendix 1 - Perth and Kinross Community Justice Partnership Annual Report 2019-20

Appendix 2 - Glossary of Terms

Appendix 3 – MAPPA Annual Report 2019-2020