

## **DUNDEE CITY COUNCIL**

**REPORT TO:** SOCIAL WORK COMMITTEE - 17TH JANUARY 2005

**REPORT ON:** SUPPORTING SAFER, STRONGER COMMUNITIES: SCOTLAND'S CRIMINAL JUSTICE PLAN

**REPORT BY:** DIRECTOR OF SOCIAL WORK

**REPORT NO:** 24 - 2005

### **1.0 PURPOSE OF THE REPORT**

1.1 The purpose of this report is to brief members on the launch of the Scottish Executive's Criminal Justice Plan - Supporting Safer, Stronger Communities. This document includes proposals for the re-organisation of local authority Criminal Justice services in response to the Reducing Re-offending Consultation undertaken in 2004. A copy of the document has been passed to each of the group secretaries and is available for inspection in the member's lounge.

### **2.0 RECOMMENDATIONS**

It is recommended that:

- 2.1 Members note the proposals and their significance in shaping arrangements for future Criminal Justice Social Work Service delivery in Scotland.
- 2.2 Members require the involvement of the Director of Social Work in the negotiations around these proposals.
- 2.3 Members require the Director of Social Work to provide further updates to the Committee as work progresses.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 There will be financial implications for Council and for the Scottish Executive. However, the details are yet to be clarified. The level of resources currently provided to the Tayside Criminal Justice Partnership as ring-fenced funding from the Scottish Executive is £6,293,217. Extra resources of £6m in 2006-07 and £12m in 2007-08 have been put in place to support the modernisation and reform of the Criminal Justice System in particular, reducing re-offending and court reform.

### **4.0 LOCAL AGENDA 21 IMPLICATIONS**

4.1 The policy objective of meeting local needs locally is reflected in proposals.

### **5.0 EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 There may be human resource implications for the Council, although it has been agreed that there will be no compulsory transfer of staff to the proposed Criminal Justice Authorities. The Council currently employs 99 FTE (full time equivalent) staff in the Criminal Justice Social Work Services.

## 6.0 MAIN TEXT

- 6.1 In recent years, members of the Social Work Committee have been actively involved in influencing national policy relating to the delivery of Criminal Justice Social Work Services. When the consultation paper "Community Sentencing - The Tough Option" was published in 1998, the Social Work Committee argued in favour of retaining Criminal Justice Social Work Services within local authorities and offered support for the proposal that groups of local authorities could form partnerships to strengthen services whilst preserving local accountability (Committee Report 970-1998). In 1999 the Committee approved, in principle, the establishment of a partnership with Angus and Perth and Kinross Councils (Committee Report 822-1999), known as the Tayside Criminal Justice Partnership. The newly formed partnerships commenced their first full year of operation in April 2002.
- 6.2 Following the Scottish Parliament Elections in 2003, the Scottish Executive's partnership agreement – "A Partnership For A Better Scotland" signalled the intention to embark on a major policy shift, which could remove Criminal Justice Social Work Services from local democratic control, placing that control in a new arms length agency incorporating the Scottish Prison Service. The partnership agreement announced the intention to "publish proposals for consultation for a single agency to deliver custodial and non-custodial sentences in Scotland, with the aim of reducing reoffending rates". Consultation on these proposals took place in March 2004 and the Committee approved the Partnership response in April 2004. The response argued forcefully for the retention of local authority control of Criminal Justice Social Work.
- 6.3 On 6 December 2004 the Scottish Executive published "Supporting Safer, Stronger Communities: Scotland's Criminal Justice Plan. This document, which is available in the Members' Lounge, represents a comprehensive account of the Executive's proposals for the wider Criminal Justice System. It deals with crime prevention and the protection of community; the drugs issue; the reform of Scotland's Courts and related improvements to support witnesses and victims and the range of sentences available to the courts including the introduction of Home Detention Curfews for those released early from prison. Chapter 5 deals in detail with how Criminal Justice services might deal more effectively with the rehabilitation of offenders and includes proposals for the re-organisation of local authority services to promote closer working with the Scottish Prison Services.
- 6.4 The proposals are for the Executive to:
- 6.4.1 Legislate to introduce a National Offender Management Advisory Body, chaired by the Minister for Justice to advise on national strategy for offender management and to ensure a clear, shared focus on reducing re-offending
  - 6.4.2 Legislate to introduce a new statutory framework to place the Scottish Prison Service and Local Authorities under specific new obligations to work closely together to manage offenders seamlessly and reduce re-offending
  - 6.4.3 Legislate to bring groups of local authorities together in new joint Community Justice Authorities, responsible for ensuring the consistent and effective delivery of Criminal Justice Social Work across the area.
  - 6.4.4 Require the Scottish Prison Service (SPS) and the Community Justice Authority to prepare and deliver an area offender management plan to reduce re-offending.
  - 6.4.5 Legislate to support the work done by the police, Criminal Justice Social Work and the Scottish Prison Service, assisted by a range of other agencies, in assessing and managing the risk from sex offenders and to support better systems for sharing information.
  - 6.4.6 Reform the SPS framework of governance to improve transparency and accountability.
  - 6.4.7 Merge the Community Justice and SPS Accreditation panels in spring 2005 to promote consistency in programmes for offenders in prisons and the community

6.5 The primary legislation to progress these reforms is expected in February 2005. There will of course be significant work to be undertaken to develop the detail of these proposals as they impact on Local Authority services. It is expected that the Director of Social Work will be heavily involved in these discussions.

6.6 Secondary legislation is likely in November/December 2005 although the timescale for the introduction of the new arrangements is not clear.

## **7.0 CONSULTATION**

7.1 The Chief Executive, The Depute Chief Executive (Finance) and Depute Chief Executive (Support Services) have been consulted in the preparation of this report.

## **8.0 BACKGROUND PAPERS**

8.1 The following background papers were used in the preparation of this report:

Committee Report 970-1998

Committee Report 822-1999

Committee Report 542-2003

Reducing Reoffending Consultation document

Report by Professor Andrew Coyle CMG PhD, International Centre for Prison Studies, Kings College, University of London

Committee Report 343-2004

Supporting Safer, Stronger Communities: Scotland's Criminal Justice Plan

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