

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK COMMITTEE - 17 December 2001

REPORT ON: THE REVIEW OF CRIMINAL JUSTICE CASES

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 810-2001

1.0 PURPOSE OF THE REPORT

1.1 To report on the results of the follow-up independent review/audit of Criminal Justice cases as agreed in Report 728-2000.

2.0 RECOMMENDATIONS

It is recommended that the Social Work Committee:-

2.1 Note the results of the review and instruct the Director of Social Work to implement the following recommendations in response to the review:

- The Criminal Justice Service will assess and prioritise potentially dangerous offenders using a new tighter definition. This will be reviewed in six months.
- The Criminal Justice Service will audit adherence to the standards on a six monthly basis.

3.0 FINANCIAL IMPLICATIONS

3.1 There are no financial implications for Dundee City Council arising from this report as the Criminal Justice Social Work Services is 100% funded by the Scottish Executive.

4.0 AGENDA 21

4.1 This report supports key theme 9 which acknowledges "people to live without fear of personal violence or crime or persecution"

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 These proposals meet the Councils Equal Opportunities Policy.

6.0 MAIN TEXT

6.1 The first part of this audit was commissioned in February 2000 and reported to Committee in Report number 728-2000.

Following the initial review, the twelve recommendations were implemented and a rigorous local system of standards was implemented. The local standards only apply to the Criminal Justice Service in Dundee, while the national standards apply to all Scottish Criminal Justice Services. The national standards were satisfied in relation to all audited cases.

6.2 As agreed in report 728-2000 a follow-up audit was undertaken in May 2001.

This follow-up audit covered twenty-one cases of sex offenders and other “potentially dangerous offenders” (PDO) whose orders had started within the previous year. A potentially dangerous offender is someone who has caused serious harm in the past and has been assessed as a medium or high risk of re-offending. For the purposes of the “local standards” this included offenders being released from prison on some types of statutory orders. As before the auditor covered the issues of risk assessment, supervision, case monitoring, risk management as well as case recording and joint working. He was asked to audit both the National Standards and local standards although the original audit only addressed adherence to National Standards

The auditor recorded that he was impressed by the “openness, professionalism and determination to promote the highest quality work in the management of potentially dangerous offenders”.

NATIONAL STANDARDS

He stated that, in terms of the National Standards, these were easily exceeded “in the vast majority of cases”.

He also noted areas of improvements since the last audit:

- The use of assessment methods “to evaluate risk and structure the assessment plan were in place for the majority of offenders evaluated”. These methods clearly featured both factual and clinical data.
- There were improvements in terms of obvious evidence in the case file that the offender had agreed to any prescribed action.
- There was “ample evidence obtained of joint work with other agencies in the majority of cases”
- “In general files were better organised and structured than at the previous audit”

The areas highlighted for improvements were noted as follows:

- Where a specific, targeted groupwork or individual programme is being undertaken (e.g anger management, sex offender programme), within a statutory order, it was not always clearly stated within the case records.

Some of the offenders reviewed are subject to orders where the social worker is unable to work with them in a treatment programme because of their refusal to co-operate. In these cases the task is to ensure, through effective monitoring and close liaison with the police that the opportunity for further offending is reduced. In other cases where the offender is prepared to co-operate in a programme of treatment, the criminal justice service will ensure that the aims and objectives of the programme are clearly described in the case record. This task is greatly assisted by the establishment of a groupwork team (November 2001) which will run a variety of personal change programmes underpinned by effective practice principles.

There is still an issue in some files of information not being recorded in an easily retrievable manner, which obviously affects the audit results (e.g. no clear note of whether a contact made was in the office or at home).

The management of information within case files has already been reviewed and proposals have been made to reduce the reliance on manual records through the more effective use of electronic mentoring and recording systems.

LOCAL STANDARDS

The local “standards” were set up at the end of 2000. They were set at a significantly higher level than the national standards.

For example, where the national standards say two home visits in three months the local standards ask for one every month. Where the contact in the later stages of an order under national standards drops to fortnightly, then to monthly, under local standards the contact rate remains weekly for all PDO cases.

There is still some way to go before we are able to achieve full compliance with the local standards although we are pleased to note that our performance exceeds National Standards. The local standards are ambitious and are very demanding of staff time. The following findings emerged from the audit.

- **Weekly contact in the first three months of a case**
There were nineteen cases out of the twenty-one audited where this local standard was met. In the other two cases the problem was one of unclear case file information which did not confirm that the standard had been met.
Weekly contact for the subsequent period of the order was undertaken in eighteen cases out of the twenty-one audited. This frequency of contact is significantly greater than National Standards.
- **Three monthly reviews.**
There were sixteen cases where this local standard was met for the initial review and nineteen cases for the second and subsequent reviews.

The main area highlighted as requiring improvement is that of home visits. Eighteen cases met National Standards (of two home visits in three months) but only half met the local standard of a home visit per month for the first three months of the order. This improved to fifteen cases for the following months of the orders. The greatest problem with this standard appears to be worker time. Several clients can be seen in the office, in the time it takes to make one home visit. In addition we have a health and safety requirement that home visits to dangerous offenders should be made by two staff or in the company of the police. This places a heavy burden on limited resources.

There are then two main issues around the current local standards:

- 1) The high number of clients designated as PDO's based on the original definition and the resulting resource and time implications
- 2) Staff safety around which all the decisions about home visits must be made.

The definition of a potentially dangerous offender (PDO) was agreed last year which, in retrospect, has been found to be too broad. This has resulted in a higher number of cases being given PDO status, thus falling within the locally agreed standards and requiring the highest level of supervision and monitoring which has been extremely difficult for staff to satisfy. Following a review of the local standards in November 2001, a tighter definition of a potentially dangerous offender has been agreed. This will ensure clearer prioritisation of those offenders most at risk of re-offending and causing significant harm, more appropriately targeted resources and improved adherence to the local standards in these high-risk cases. The Criminal Justice Service will continue to audit adherence to the standards on a six monthly basis.

7.0 CONSULTATION

- 7.1 Consultation has taken place with the Chief Executive, the Director of Support Services and the Director of Corporate Planning.

8.0 BACKGROUND PAPERS

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. However reference has been made to Committee Report No 728-2000.

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9.0 SIGNATURE

Director of Social Work

Date

6 December 2001