

MINUTE OF MEETING BETWEEN THE SHERIFF PRINCIPAL AND SHERIFFS OF NORTH STRATHCLYDE SHERIFFDOM AND DIRECTORS OF SOCIAL WORK/COMMUNITY JUSTICE AUTHORITIES HELD ON 21ST NOVEMBER, 2014

PRESENT

Sheriff Principal Murray; Sheriff Pender (Paisley); Sheriff Fraser (Dumbarton); Sheriff McDonald (Kilmarnock); Sheriff Hamilton (Greenock); J Hinds (East Renfrewshire Council); F McKinnon (North Ayrshire Council); N Firth (Argyll, Bute and Dunbartonshire Criminal Justice Partnership); P MacLeod, A Scott and P Shiach (all Renfrewshire Council); J Hunter (North Strathclyde Community Justice Authority); and K Ritchie (Scottish Children's Reporters Administration).

Sheriff Principal D L Murray presided.

APOLOGIES

J Irvine (West Dunbartonshire Council); I Colvin, S Gault and J McCrae (all North Ayrshire Council); C Sneddon (Argyll & Bute Council); K Rocks (East Renfrewshire Council); D Hawthorn (Renfrewshire Council); S Taylor (East Ayrshire Council); and J Murray (South West Scotland Community Justice Authority).

1. MINUTE OF PREVIOUS MEETING

There was submitted the Minute of meeting between the Sheriff Principal, Sheriffs of North Strathclyde Sheriffdom and Directors of Social Work/Community Justice Authorities held on 9th May, 2014.

DECIDED: That the Minute be approved.

2. MATTERS ARISING

DECIDED: That it be noted that there were no matters arising.

3. STANDING ITEM: COMMUNITY JUSTICE AUTHORITIES

There was submitted a joint report by the Chief Officers, North Strathclyde Community Justice Authority and Southwest Scotland Community Justice Authority providing an update of the work of the Authorities.

The report provided information in relation to the redesign of community justice; HMP Inverclyde; Justice Sector Public Social Partnerships (PSPs); and 'Out of the Shadows', a pilot in partnership with Southwest Scotland Community Justice Authority.

DECIDED: That the report be noted.

4. UPDATE ON SUMMARIES OF EVIDENCE ARRANGEMENTS AT KILMARNOCK AND AYR SHERIFF COURTS

Fiona MacKinnon gave a verbal update to the group on the summaries of evidence arrangements at Kilmarnock and Ayr Sheriff Courts. In relation to the report provided to the Fiscal by Police Scotland in which the Fiscal deleted the charges which were not proven, Fiona advised that a more robust risk assessment had been positively evaluated however changes in personnel had meant that the system had collapsed. It was hoped that a new pilot programme would be introduced.

She further indicated that the summaries of evidence arrangements were heavily reliant on information from the fiscals. A lot of preparation work had been done in Ayrshire and she considered it would be preferable for any new pilot scheme to be undertaken in that area.

DECIDED: That the update be noted.

5. CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

There was submitted the practice note issued by the Sheriffdom of Glasgow and Strathkelvin in relation to children's referrals under the Children's Hearing (Scotland) Act 2011. Kenneth Ritchie referred to Part 4 of the protocol in relation to complex cases and indicated that he was seeking to canvass opinion on this aspect of the practice note.

Sheriff Principal Murray indicated that Sheriff Principals had differing views on the matter and that he intended to canvass those opinions to improve protocols.

DECIDED: That this matter be further considered at the next meeting.

6. FUTURE PROVISION OF DRUG TREATMENT AND TESTING ORDERS

There was submitted a report by the Criminal Justice Service Manager, East Renfrewshire Community Health and Care Partnership, relative to redesigning Drug Treatment and Testing Order (DTTO) services for East Renfrewshire, Inverclyde and Renfrewshire. Shared services had offered advantages to criminal justice provision across the three local authorities and new arrangements would seek to retain these benefits where possible, particularly in recognition of the considerable staff knowledge of DTTO service delivery that directly contributed to public safety.

The report intimated that since changes to national DTTO funding were introduced in 2011/12 local funding had reduced by £178,428 (26.8%). Although a range of savings had been achieved, new DTTO workload continued to reduce with a further 37.5% reduction in new business projected for 2015/16. Further reductions to the criminal justice grant were expected from 2015/16 onwards.

Criminal Justice Managers had undertaken an option appraisal within a benefit/risk analysis of three options being, continue to operate DTTO without change; shared DTTO arrangements with East Renfrewshire and Renfrewshire with separate arrangements for Inverclyde; and disaggregate DTTO provision to individual local authorities. Managers identified disaggregation as the preferred model in response to ongoing reductions in criminal justice funding whilst also enabling a realignment of local services to anticipate the impact of national community justice and financial redesign. It was anticipated that the new arrangements would be in place by 31st March, 2015 and for sentencers the delivery of DTTOs would remain largely unchanged.

Discussions had commenced with key partners and would include consultation with NHS Greater Glasgow and Clyde, local addiction services, Scottish Prison Service, the Crown Office and Procurator Fiscal Service and the Scottish Court Service.

DECIDED: That the report be noted.

7. CONSULTATION REPORT: UNPAID WORK AND OTHER ACTIVITY 2013/14

There was submitted a report by the Criminal Justice Service Manager, East Renfrewshire Community Health and Care Partnership, relative to unpaid work and other activity undertaken by offenders in East Renfrewshire.

The report advised that the Criminal Justice and Licensing (Scotland) Act 2010, which introduced Community Payback Orders, had also introduced a requirement for each local authority to consult 'prescribed persons', one of whom was the Sheriff Principal, on an annual basis, concerning the nature of unpaid work and other activities being undertaken by offenders. The report detailed

information on unpaid work; other activity; and the provision of placements and performance information.

DECIDED: That the report be noted.

8. WOMEN'S UNPAID WORK SQUAD

There was submitted a report by the Criminal Justice Services Manager, Renfrewshire Council, relative to the women's unpaid work squad pilot which commenced on Friday, 7th November, 2014 in Renfrewshire.

The report intimated that the Justice Division of the Scottish Government had sought bids for up to 18 months funding for the provision of Women's Community Justice Centres and that Renfrewshire Council had been successful in gaining funding and had established a service in January 2014.

The development of the unpaid work squad for female offenders was an extension of this service and the unpaid work service. The women's work squad would ensure that female staff supervised service users undertaking a range of activities for the benefit of the community. The work squad would be based within the women's service and it was noted that this would not be available to all females, but would be targeted to those females with complex needs who were considered unsuitable for individual or squad placements. All supervising staff would be female, groupwork trained and experienced in working with women to ensure that there was appropriate pro-social modelling and mentoring.

The service would be evaluated to assess the impact on compliance of females who took part in the squad.

DECIDED: That a report updating the position be submitted to the next meeting.

9. AOCB

(i) Short Notice Reports

Sheriff McDonald referred to short notice reports which were provided in Kilmarnock and found to be very useful. These were reports which could be requested in relation to hearings currently in Kilmarnock, where cases were adjourned for a short period to allow relevant information to be submitted to the Court at short notice. She indicated that initial issues with these reports had subsequently been resolved and individuals could be dealt with on the day of their appearance. She advised that short notice reports were not used in cases relating to sexual offences, young people with complex needs, and some women with complex needs.

Peter MacLeod indicated that the matter could be considered and a feasibility report submitted to a future meeting. In response to a suggestion from Peter MacLeod that the feasibility study consider all areas in the Sheriffdom of North Strathclyde, Norman Firth requested that Argyll and Bute be exempt. This was agreed

DECIDED: That a report be submitted to a future meeting of the Group, to consider the feasibility of short notice reports to Courts in all areas of the Sheriffdom, with the exception of Argyll and Bute, where such reports were not considered to be feasible.

(ii) Restriction of Liberty Assessments

Fiona McKinnon referred to restriction of liberty assessments and indicated that these varied considerably across the country. In Kilmarnock they were automatically included in assessments, however in other areas they required to be specifically requested.

Sheriff Hamilton indicated that he had attended a G4S meeting where that organisation had expressed surprise that such assessments were not mandatory.

DECIDED: That Restriction of Liberty Assessments be piloted in all reports submitted to NSCJA courts and that a report be submitted to the next meeting of this Committee to establish if this practice should be continued.

(iii) **ASSIST Reports**

Sheriff McDonald referred to ASSIST reports which had been introduced in dealing with cases involving vulnerable women. Such reports were provided by Police Scotland and supplied information on the offender, which was not supplied by Social Work departments.

The Group was advised that the reports were funded by Police Scotland and that Assist worked closely with the Police in this regard. Sheriff McDonald indicated that the reports were made available at the bail stage in a hearing.

Norman Firth advised that Assist reports identified perpetrators with multiple cases of domestic abuse with various partners.

Fiona McKinnon indicated that a scheme entitled 'Disclosure Scheme for Domestic Abuse Scotland (DSDAS)' was being piloted in Ayrshire and Aberdeen. This pilot proposed a mechanism for the better management of risk through the sharing of relevant information about one person's history of domestic abuse with another person who was in a relationship with the former, or to a third party deemed the best placed to safeguard that person. It was proposed that through the sharing of relevant information, persons who might be at risk of domestic abuse were better able to make an informed decision on whether to continue in the relationship.

DECIDED: That a report on the evaluation scheme be submitted to the next meeting.

10. **VALEDICTORY**

Sheriff Fraser indicated that this was his last meeting prior to his retirement early in 2015. Sheriff Fraser was thanked for his contribution to the Group.

11. **DATE OF NEXT MEETING**

The group considered arrangements for the next meeting of the group to be held in May 2015.

DECIDED:

- (a) That the next meeting of this group be held on Friday, 8th May, 2015 at 2.00 p.m. within Paisley Sheriff Court, St James Street, Paisley; and
- (b) That any further items to be considered be notified to Committee Services, Renfrewshire Council.