

To: SOCIAL WORK COMMITTEE	Subject: JUSTICE SERVICE DEVELOPMENT "DIVERT INITIATIVE" (APEX) AND ARREST REFERRAL SCHEME (SACRO)	
From: DIRECTOR OF SOCIAL WORK		
Date: 20 MAY 2004	Ref: JS/MM	

## 1. PURPOSE OF REPORT / INTRODUCTION

- 1.1 To inform Committee of recent developments in Justice services following successful bids to the Scottish Executive and the New Opportunities Fund (NOF) for a Diversion Initiative in North Lanarkshire, and a pilot Arrest Referral Scheme for the Lanarkshire Criminal Justice Grouping managed by North Lanarkshire.

## 2. BACKGROUND

- 2.1 In April 2003 the Scottish Executive invited Criminal Justice Social Work Groupings to apply for funding of pilot Arrest Referral Schemes, indicated funding available was £500,000, nationally.
- 2.2 The Scottish Executive received bids from 13 of the 14 groupings. These bids were significantly greater than available funding. At the end of October 2003 it was announced that the Lanarkshire bid was successful. The pilot, which will run to January 2006, received total funding of £128,000. It is proposed to use this funding for an Arrest Referral Scheme.
- 2.3 The New Opportunities Fund was created in 1998 to distribute grants for education, health and environment initiatives. The "Better Off" grant programme was set up with the aim of involving those who misuse or who have misused drugs into community based rehabilitation services. The Fund is allocated to the twenty-two Alcohol and Drug Action Teams (ADAT) in Scotland.
- 2.4 Early in 2003 the Lanarkshire ADAT announced that "Better Off" funding was available in Lanarkshire and invited bids. The Criminal Justice Social Work service in North Lanarkshire, along with the Procurator Fiscal's Service at Airdrie Sheriff Court and Apex Scotland, made an application for the funding of a Diversion Programme.
- 2.5 In March 2004, North Lanarkshire Council was informed that the application for funding was successful and that a total grant of £334,473 was being made for the period up to 31<sup>st</sup> March 2008. It is proposed to use this funding to develop a Divert Initiative.

### 3. PROPOSALS/CONSIDERATIONS

- 3.1 Arrest Referral is aimed at people who have been arrested and whose offending may be linked to drug use. This means of early intervention offers drug using accused, at the point of arrest, an opportunity to engage with drug treatment and related services. This is with a view to reducing their drug misuse. Although this scheme allows an opportunity to access services from a Criminal Justice setting it has no formal link with the due process of law. It is entirely voluntary on the part of the offender and has no impact on whether or not their case continues to Court. In practice an accused person will be visited in custody at the holding police station by an Arrest Referral worker. The accused will be offered advice and information and they may be referred to appropriate addiction services.
- 3.2 As the criteria for the application required multi-agency commitment, a short-term working party was assembled to consider making a bid on behalf of the Lanarkshire Grouping. This consisted of representatives from both North and South Lanarkshire Criminal Justice Services, the Police, the ADAT, Procurator Fiscal, Addiction Services and SACRO.
- 3.3 Due to the limited funding available it was agreed the Lanarkshire bid would focus on delivering a service in 3 locations -Hamilton, Cumbernauld and Bellshill. Bellshill is a holding station for all female offenders in Lanarkshire who are detained in custody and it was deemed important to offer a service to female offenders during this pilot.
- 3.4 The work and direction of the service will be overseen by a steering group of key personnel from Social Work Justice Services, Police, ADAT, Social Work Addiction Services and SACRO.
- 3.5 Building work in Police Stations to allow appropriate interviewing facilities has been completed.
- 3.6 SACRO have started the recruitment process, and joint training with the Police will form part of the induction.
- 3.7 Diversion of prosecution is the referral of an accused person to Social Work or to other agencies where it is believed that formal criminal proceedings are not necessary, and where there is no overriding public interest for a prosecution. The accused is then dealt with through a diversion scheme which aims to address underlying causes of offending. In relation to the North Lanarkshire Divert Initiative this will be aimed at young offenders who are involved in drug usage. Diversion is designed to prevent individuals from being prematurely "up-tariffed" into a custodial sentence and halt the cycle of offending/punishment before it starts. The Procurator Fiscal takes the decision whether or not the accused should be considered for Diversion.
- 3.8 The application from North Lanarkshire Council identified a partnership approach involving Social Work, the Procurator Fiscal and APEX (a voluntary organisation involved in work with offenders) which would be responsible for developing and delivering an early intervention/community rehabilitation initiative. The approach is to identify at an early stage young people at risk of becoming involved in an "offending career", in the initial stages of drugs misuse and involvement with the Courts. Once identified they will be offered a programme of diversionary activities and services focussing on their social skills, employability and advice needs.
- 3.9 An inter agency steering group chaired by Social Work will be set up to oversee the service.
- 3.10 North Lanarkshire Social Work will be the lead partner taking on an overall co-ordinating, monitoring and link role with the other partners, ensuring that all the elements of the programme are in place. The responsibility for enabling the partnership to deliver the grant scheme will be undertaken by the Social Work Service Manager (Justice Services) who will have the overall responsibility for the allocation of the budget. This will involve chairing and providing administrative support to the Management Group. The Department will also carry out the assessment function in respect of referrals made to the project. If recruitment is successful it is hoped that this project will be fully operational by September 2004.

#### **4. FINANCIAL/PERSONNEL/POLICY IMPLICATIONS**

- 4.1 Contractual frameworks in line with Council Standing Orders will be developed with both service providers. This will include service specifications, with explicit performance monitoring, evaluation and review requirements.
- 4.2 There are no personnel implications for the Department.
- 4.3 The proposals are consistent with policy guidance from the Scottish Executive.
- 4.4 Funding for the initiatives have been provided by the Scottish Executive and a successful bid to the New Opportunities Fund.

#### **5. RECOMMENDATIONS**

- 5.1 Committee is asked to :-
  - (i) Note the content of this report.



**Jim Dickie**  
**Director of Social Work**  
26 April 2004

*For further information on this report please contact Jim Scullion, Service Manager, Justice 01698 332040*