

**AGENDA ITEM No. 1****NORTH LANARKSHIRE COUNCIL****SOCIAL WORK DEPARTMENT**

<b>Social Work Committee : Operations and Services Sub Committee August 1998</b>	<b>Subject :</b>  <b>The Introduction of Restriction of Liberty Orders / Electronic Monitoring</b>
<b>From :</b> <b>Jim Dickie, Director of Social Work</b> <b>Prepared by :</b> <b>John S Scott, Principal Officer, Criminal Justice</b>	

**1. PURPOSE OF REPORT**

The purpose of this report is to:

- Inform the Committee of the introduction of Restriction of Liberty Orders to part of North Lanarkshire.

**2. BACKGROUND**

Restriction of Liberty Orders are to be introduced in Scotland in three pilot areas from August 24th. Hamilton Sheriff Court has been chosen as one of the pilot sites for the orders, along with Aberdeen and Peterhead Sheriff Courts.

Electronic Monitoring has been used in a number of countries for some years, and were introduced three years ago to the United Kingdom, in England on a pilot basis. The Crime and Punishment Act 1997 included proposals to extend their use in Scotland, and the present Government have decided to do so on a pilot basis.

The Scottish Office anticipates that between 50 and 200 orders will be made, across all three courts, in the first year. It is not known whether this will be a realistic estimate.

**3. USE OF THE ORDER**

The Court will be able to make a Restriction of Liberty Order up to a maximum 12 hours per day for 12 months. The Court may also make a Probation Order at the same time, for the same offence.

There can be 2 uses for the order - to restrict an offender to his / her home, or to restrict an offender from a place. Currently, however, limitations to the technology will make it unlikely that many orders will be made which restrict an offender from a place.

The offender will have an electronic tag fixed to his / her wrist or ankle. The tag will send a signal to a receiving unit located in the offender's home. The unit records exits and entries by the offender to the home, and transmits information to a control centre. The control centre will monitor any transgressions and will respond as required.

Assessment for suitability of an individual will concern social workers providing reports to the Court. The assessment will consider the impact of electronic monitoring as one of the interventions possible. If electronic monitoring is being considered, the impact on others - parents / partners / children - will also be taken into account and information presented to the Court.

Research has demonstrated that the orders are most effective when used in conjunction with intervention which tackles offending behaviour. The Social Work Department views the introduction of these orders as positive, as they will provide the Court with a credible alternative for a range of offenders who currently are sentenced to periods of imprisonment of a few months. Restriction of Liberty Orders associated with the intervention possible through a Probation Order will be of greater benefit to the community, by challenging the individual about his / her behaviour, than a short period of imprisonment which offers no intervention.

#### **4. MANAGEMENT OF THE ORDER**

The contract for Hamilton Sheriff Court has been awarded to General Security Services Corporation, an American company based in Minneapolis, with a history of involvement in electronic monitoring. An English company has been awarded the contract in Aberdeen and Peterhead.

The company are in the process of establishing a base in the West of Scotland, and appointing staff for the posts of Manager, Depute Manager, and field operatives.

National and local Steering Groups have been set up to oversee the implementation and evaluation of the pilot

A press announcement was made by the Scottish Office in July regarding the appointment of the contractors. A more detailed announcement will be made in early August.

#### **5. FUNDING**

The Scottish Office have acknowledged that additional funding should be made available to implement the pilot, £11,000 being provided to North Lanarkshire in the current financial year. The funding required can only be an estimate at this stage, as the volume of orders which will be imposed by the Court is not known. This sum will cover the cost of training for staff preparing Social Enquiry Reports, the additional work involved in preparing existing Social Enquiry Reports, and an estimate of additional reports which the Court is likely to request.

The volume of work accruing from this new disposal will be carefully monitored to ensure that the financial implications for North Lanarkshire are reflected in future negotiations with the Scottish Office.

#### **6. BRIEFINGS**

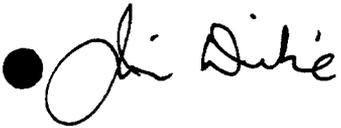
Briefings will be provided to relevant Social Work staff prior to the proposed start date. Further briefings will be provided to other interested organisations such as Victim Support Scotland, APEX, and SACRO.

It is proposed that a briefing be given to members of the Social Work Committee. Arrangements for this will be discussed with the Convener prior to the start date.

**7. RECOMMENDATION**

The Committee is asked to :

- Note the introduction of Restriction of Liberty Orders in North Lanarkshire.
- Approve that a report be provided to the Committee at a later date to inform it of progress in this area of work.



**J Dickie**  
**Director of Social Work**

**July 18th 1998**

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