

NORTH LANARKSHIRE COUNCIL
 SOCIAL WORK DEPARTMENT

<p>Social Work Committee : Operations and Services Sub Committee 9th November, 1999.</p>	<p>Subject : Scottish Office Guidance: Health, Social Work and Related Services for Mentally Disordered Offenders in Scotland</p>
<p>From : Jim Dickie, Director of Social Work</p> <p>Prepared by : Tom Keenan, Health Social Work Manager and Jim Scullion, Co-ordinator, Criminal Justice</p>	

1. PURPOSE OF REPORT

The purpose of this report is to :

- advise Committee of a new strategy to improve the care of mentally disordered offenders, and to advise on requirements for implementation.

2. BACKGROUND

The guidance paper was the subject of consultation between April and August, 1998, North Lanarkshire Council comments being approved by Committee.

The definition of mentally disordered offenders covers those who are considered to suffer from a mental disorder as defined in the Mental Health (Scotland) Act, 1994 whether or not they are managed under its provisions or have come to attention through the Criminal Justice system. Mental disorder refers to those people with a mental illness or learning disability. Issues relating to people with a personality disorder who do not come under this heading are also considered.

The paper examines the interface between the criminal justice process, health, and social work services.

The guidance is set in the context of three reviews which may affect legislation and practice governing the detention, treatment and supervision of mentally disordered offenders. These are :

- The Review of the Mental Health (Scotland) Act, 1984 under the chairmanship of the Right Honourable Bruce Millan.
- The Review of Sentencing and Treatment of Serious Violent and Sexual Offenders including those with personality disorders.

- The Expert Panel on Sex Offending, chaired by Lady Cosgrove.

3. CONTENT

The paper sets out steps that will improve multi- agency and multi disciplinary working between services. This includes :

- Provision of care under conditions of appropriate security with due regard for public safety, with a focus on rehabilitation and eventual independent living. This will include the structured development of local forensic psychiatric facilities and services for those who require treatment in conditions of security other than in the State Hospital at Carstairs
- Where possible, the provision of care in the community rather than in institutional settings.
- Improved co-ordination between Courts, Prisons, Police, Social Work Departments, Health Boards and NHS Trusts, and the development of a range of community based services with special attention to public safety.

Each agency is requested to take the necessary steps to implement the recommendations contained within the guidance.

4. IMPLEMENTATION

The following steps are to be taken in relation to implementation :

- Health and Social Work Services for mentally disordered offenders should be planned and developed parallel to, and linked with, the general community based mental health service, with special attention to supervision and monitoring where this is needed for safety reasons.
- Health Boards and Local Authorities should ensure that an individual care plan is prepared for each person receiving a service which takes a risk assessment into consideration.
- An appropriate adult service should also be established, to be implemented in line with these proposals. This scheme has already been developed and reported to Committee.
- The State Hospital, Carstairs, will continue to act as a national centre providing high security services for patients with a mental disorder, including learning disabilities, who are likely to seriously threaten others on account of their dangerous, violent or criminal propensity. A national needs assessment will be conducted in relation to the demand for high security care. This will involve representations from all relevant agencies.
- Health Boards should investigate the need for structured development of local facilities and services to provide for mentally disordered offenders identified at court. This will call for consideration of the development of local forensic psychiatric units. Plans for treating mentally disordered offenders should be prepared in the context of the framework for Mental Health Services in Scotland.

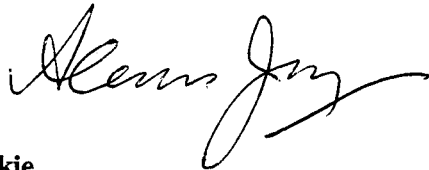
To pursue the issues noted above, a joint group is being established, chaired by the Health Board and including social work representatives from North Lanarkshire Council and South

Lanarkshire Council to focus on the development of services for mentally disordered offenders within the Health Board and Local Authority areas.

5. RECOMMENDATIONS

The Committee is asked to :

- note the content of this report and the Scottish Officer paper on mentally disordered offenders.
- approve the involvement of senior staff in the setting up of a joint working group to progress the implementation of the paper.
- note that the Director of Social Work will provide a further report on the progress of implementation of the proposals.



JP
Jim Dickie
Director of Social Work

20th October, 1999.

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