

THE HIGHLAND COUNCIL
EDUCATION, CHILDREN AND ADULT SERVICES COMMITTEE
CRIMINAL JUSTICE SUB COMMITTEE

Minutes of Meeting of the Criminal
Justice Sub-Committee held in Council
Headquarters, Glenurquhart Road,
Inverness on Wednesday 10
December, 2014 at 10.30 am.

PRESENT

Mr A Christie
Mr M Green
Mrs M Paterson

Mrs G Ross (by telephone conference)
Mr G Ross
Ms M Smith

Officials in attendance:-

Ms F Palin, Head of Adult Services, Care and Learning Service
Mr J Maybee, Principal Officer, Criminal Justice, Care and Learning Service
Ms C Thain, Housing Policy Officer, Community Services
Mr R Lyon, MAPPA Co-ordinator
Mr A MacInnes, Administrative Assistant, Corporate Development Service

Interim Chair

In terms of The Highland Council protocol for the use of video conferencing facilities, Mrs G Ross was unable to Chair the meeting remotely and Mr A Christie proceeded to take the Chair.

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mrs M Davidson, Ms J Douglas, Mrs D Mackay, Ms L Munro and Ms J Slater.

2. Declarations of Interest

Mr A Christie declared a non-financial interest in the items to be discussed at the meeting as General Manager and Company Secretary of Inverness, Badenoch and Strathspey CAB as he advises Prisoners after their release of their rights, but having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude him from taking part in the discussion.

3. Performance Report – Quarter 1 2014/15 Northern Community Justice Authority & Quarter 2 The Highland Council 2014/15

There was circulated Report No CJS/10/14 by the Director of Care and Learning which provided the most recently available performance and monitoring information for Criminal Justice Services. This covered Quarter 1 2014/15 as reported to the Northern Community Justice Authority and Quarter 2 2014/15 as reported to the Chief Executive, The Highland Council respectively.

It was advised that at the last meeting, Members requested for comparative purposes,

Scottish national average performance information for Community Justice Authorities. Included in the report was performance information from the other six authorities in the Northern Community Justice Authority, which gave some comparisons for most of the indicators. Performance information for criminal justice social work at a national level was not available and would need to await the development of the national performance framework as a result of the redesign of community justice.

It was advised that performance for the Quarter remained consistent and in particular the indicator for starting unpaid work in less than 7 days continued to improve.

Members welcomed the comparative statistics and for a future meeting it was requested that a performance indicator be developed into a separate theme, i.e. one which could change because of demographics or social circumstances or was causing concern in terms of caseload and activity.

Thereafter, the Sub-Committee **NOTED** the report.

4. Multi-Agency Public Protection Arrangements

There was circulated Report No CJS/11/14 by the Director of Care and Learning which detailed the Multi-Agency Public Protection Arrangements (MAPPA) for the management of sex offenders.

The report detailed the legislative background to MAPPA and that the fundamental purpose was public protection and managing the risk of serious harm and the key principle that offenders are managed at the lowest level commensurate with defensible decision making. It also detailed the principles governing MAPPA and the levels of risk management. MAPPA was also supported by ViSOR which was a national IT system to help manage people who pose a serious risk of harm to the public, and MAPPA was funded by the Scottish Government.

Case studies of MAPPA were included in the report and it was advised that each of the MAPPA areas was required to produce an annual report for submission to the Scottish Government. Reference was also made to the joint thematic review of MAPPA to assess the state, efficiency and effectiveness of the multi-agency public protection arrangements in Scotland, in terms of keeping people safe and reducing the potential risk of serious harm by registered sex offenders in our communities.

Mr R Lyon, MAPPA Co-ordinator and Ms C Thain, Housing Policy Officer, Community Services gave a presentation on the various aspects of MAPPA and how it operated. It was advised that MAPPA provided a statutory function for Local Authorities, Police, Prison Service and Health to establish joint arrangements for the assessment and management of sex offenders, violent offenders and mentally disordered offenders who pose a risk of serious harm to the public. There were three categories for the identification of offenders, namely – registered sex offenders; violent offenders and other offenders. Levels at which risk was assessed and managed were identified and the responsible authorities i.e. Police, Local Authorities, Scottish Prison Service and NHS were detailed. Details of the operation of MAPPA were provided as were the measures to ensure effective risk management of those who posed a risk of harm to the public.

In terms of the housing aspect of managing offenders, this is dealt with under the National Accommodation Strategy for housing sex offenders (NASSO). NASSO aimed to provide public protection; clarified the role of housing providers in MAPPA, and

promoted information sharing between agencies. However, it could not eliminate risk, eliminate re-offending or make communities safe. Finally, Risk management accommodation issues were detailed.

During discussion the comment was made that Councillors did not get prior knowledge of offenders on MAPPA and therefore how could Councillors be protected when they were asked to meet people on official business. It was advised that this matter was very difficult to deal with, but as much information was shared with people as was possible to ensure their safety.

It was also queried how the community find out where sex offenders live as they were being targeted by the Community who did not trust them. It was advised that this was due to the protective factors put in place by MAPPA, where information is shared with people who may be at risk from the offender.

The Sub-Committee **NOTED** the operation of MAPPA in Highland.

5. Managing the Risk of Serious Violent Offenders

There was circulated Report No CJS/12/14 by the Director of Care and Learning which detailed the current local protocol for managing Serious Violent Offenders (SVO) and future national proposals.

The report set out the legislative background to the Multi-Agency Public Protection Arrangements (MAPPA) and the responsibility on responsible authorities for assessing and managing the risk posed by certain categories of offenders. Legislation for violent offenders had not yet been enacted, however it was recognised by criminal justice services that a process for managing serious violent offenders was required. In 2010, and subsequently in 2012 an agreed protocol was implemented setting out how violent offenders would be managed. The report set out the process of managing SVO's and the principles governing SVO's.

The Scottish Government was now committed to extending MAPPA to include violent offenders and the report gave details of this extension project.

The Sub-Committee **NOTED** the development of the current arrangements for managing serious violent offenders and the proposals for extending MAPPA.

6. Meeting Dates – 2015

The Sub-Committee **APPROVED** the following meeting dates for their meetings in 2015:-

Wednesday 4 March – 2.00pm
Wednesday 3 June – 10.30am
Tuesday 8 September – 10.30am
Wednesday 2 December – 10.30am

The meeting ended at 11.10 a.m.