

**MINUTE OF THE MEETING OF THE
LOTHIAN AND BORDERS COMMUNITY JUSTICE AUTHORITY**

Newbattle Abbey College, Dalkeith, Thursday 23rd April 2009

Present: Councillor John Muir, (WLC) (**Chair**), Councillor Kenny McLeod (ELC), Councillor Margot Russell (MLC), Councillor Sandy Scott (SBC), Councillor Paul Edie (CEC)

In Attendance: Chris Hawkes (CJA), Dr Sue Ross (ELC), Michelle Miller (CEC), Colin Anderson (MLC), Andrew Lowe (SBC), Ian Quigley (WLC), Tim Ward (WLC), Graeme Stenhouse (CEC), Jim Dustan (SPS), ACC Mike McCormick (L&B Police), ACC Iain Livingstone (L&B Police), Phil Mackie (NHS L&B), Morag McLaughlin (Crown Office Procurator), Keith Hastie (SACRO), Josephine Mackenzie (Victim Support), Claire Gibson (Includem), Sally Crighton (CJA)

Apologies: Dr Alan Mordue (NHS Borders), , Angela Ward (Scottish Courts) Janet Fulton (Crown Office Procurator Fiscal) Marjory Frew (APEX). Howie Armstrong (NCH) Greg Barton (Venture Trust), Joe Connelly (Venture Trust), Fiona Allen (Families Outside)

Observers: Martin Bonnar (Turning Point)

Presenters: Dr Nancy Loucks, Families Outside

WELCOME

The Chair welcomed everyone to the meeting with a special welcome to:

- Assistant Chief Constable Iain Livingstone representing Lothian & Borders Police.
- Morag McLaughlin, Lothian & Borders Area Procurator Fiscal.
- Dr Nancy Loucks, Chief Executive of Families Outside who is presenting at today's meeting.
- Martin Bonnar, Turning Point, who is observing today's meeting.

1. APOLOGIES

The Chair advised the meeting of the apologies for absence.

PRESENTATION – Prisoners' Families – A Classic Case for the CJA

The Chair invited Dr Nancy Loucks to present her talk to the meeting.

Families Outside is the only organisation in Scotland that have Prisoners' Families as their sole remit. Originally established by the Scottish Prison Service the organisation has developed from a pressure group to a national organisation which provides a helpline for families and professionals, training, raises awareness, develops policy and has strategic influence on all issues relating to families of prisoners. The National Strategy's Offender and Community outcomes both include families as a key group. Every year 16,500 children are affected by imprisonment and these children in turn have a higher risk of being imprisoned and having mental health problems. Research

shows that prisoners who retain contact with their families are 6 times less likely to re-offend.

The role of the Family Support Worker in Lothian & Borders is to support the work being done through existing organisations as families form a part of every organisation's remit. Dr Loucks advised the Members that Families Outside is working well with Lothian & Borders CJA through the creation of the Family Support Worker post which is based in the HM Prison Edinburgh Visitor's Centre. This Centre facilitates a range of work with prisoners' families and is a valued resource. Through the work of the CJA Families Group which is chaired by Dr Loucks, a wide range of agencies are developing initiatives to support families affected by imprisonment.

The Chair thanked Dr Loucks for her presentation.

1 PREVIOUS MINUTE

The Chair requested that the Minute of 4 December 2008 be noted and the following amendments accepted:

1. List of people observing the meeting to include: Jennifer Hill, Partnership Development Manager.

2. Date of next meeting: 23rd April 2009

It was noted that the previous minute did not include any reference to a point of discussion raised by Councillor Sandy Scott in relation to the high number of prisoners failing drug tests on release from prison and the difficulty this imposes on services and the CJA's ability to reduce re-offending (Reference: Scotsman, Wednesday 18th February 2009, Frank Urquhart article).

Decision

The Members agreed to:

1. Accept the amendments and approve the Minute.
2. The Members agreed that the CJA Meeting Minute should capture the essence of the meeting and all relevant information in respect of future action points.

2 MATTERS ARISING

2.1 Rehabilitation of Housebreakers

The Chief Officer confirmed a meeting has been arranged for 29th April with Lothian & Borders Police to develop a project plan. The project will be chaired by Lothian & Borders Police.

Decision

Members agreed to:

1. Note the contents of the report

2.2 Integrated Case Management (ICM)

3.2.1 Quarter 3 Report

The Chief Officer referred to the presented Report which provides Members with the quarter 3 overall Lothian & Borders CJA attendance percentage of 92.5%. The government target was set at 85% for 2008-09 attendance.

3.2.2 Kilmarnock Prison

The Chief Officer advised Members that Kilmarnock Prison has now installed the necessary software to provide video conferencing facilities for ICM meetings although the screens have not yet been installed. The system is expected to be operational within 4 weeks.

3.2 cont./

Decision

Members agreed to:

1. Note the contents of the report.
2. Receive the end of year ICM report at the 23rd July meeting

3.3 High Risk Offenders

Following the CJA meeting held on 19th February 09, the Convenor wrote to Government to highlight the concerns of the CJA in relation to the provision of funding for non-statutory high risk offenders. The Chief Officer presented his paper which provides Members with the Government's response. The Chief Officer further advised that this matter had been raised at the CJA Chief Officer/Criminal Justice Directorate meeting on 7th April and was advised that discussions are ongoing within the Justice Division.

ACC McCormick also confirmed he had raised this issue through ACPOS.

Decision

Members agreed to:

1. Note the contents of the report.

3.4 End of Year report / Annual Report

The Chief Officer advised Members that he was now in receipt of the 'end of year' reports from the CJA work groups and these will form a significant element of the Annual Report which is due to be submitted to Government on 12th June '09.

Decision

Members agreed to:

1. Note the contents of the report.
2. Receive the draft Annual Report by mid-May for their consideration prior to submission to Government.

3.5 East & Midlothian 'Agenda for Change'

Colin Anderson advised Members he had held a meeting with the Chief Officer and Dr Sue Ross where agreement in principle had been reached to move forward in developing a joint service.

Decision

Members agreed to:

1. Note the verbal report and review this item further in the private session.

4. FINANCE

4.1 City of Edinburgh – Purchasing Policy Review

Michelle Miller presented her report to Members which detailed the approach City of Edinburgh Council wish to adopt to carry out a thorough review of their purchased services. The report provided key dates extracted from the City of Edinburgh Council project plan which would result in new contracts being commenced from 1 April 2010.

Decision

Members agreed to:

1. Note the report
2. Approve the timescales as laid out in the report
3. Receive a progress report in September 2009

4.1 cont./

4. Amend decisions 9.3 & 9.4 of the CJA extraordinary meeting held on 29th January to reflect the decision to approve the allocation of budget for all non-core services, for a period of twelve months to accommodate the purchasing policy review timetable (previously agreed for a period of six months).

4.2 Management of CJA-NHS funding

Phil Mackie updated Members on the Government announcement on Monday 20th April '09 that there will be a new Drug & Alcohol framework brought into the community planning process. Performance measurement will be through the Heat Targeting system in NHS and Single Outcome Agreements in local authorities.

Mr Mackie recommended no action is taken until the final guidance is issued to establish how the CJA can be included within the new framework.

Decision

Members agreed to:

1. Note the verbal report.

4.3 Finance Service Level Agreement

The Members approved the withdrawal of this item from the main part of the meeting and for it to be taken under separate cover in the private session.

4.4 CJA Growth Funding

The Chief Officer presented his report which detailed the range of projects funded through the £190,000 growth bid funding in 2008-09 and the proposals for 2009-10 funded work.

It is proposed to continue the same level of funding for Opportunities for Change, CLAN and Families Outside and introduce £2000 funding for the Life/Time Schools Outreach project to cover the cost of materials. This project delivers themed multi agency workshops on a wide range of criminal justice issues to young people in secondary schools.

The remaining £20,000 growth bid funding is currently being considered for two projects which require further costing before a full proposal can be submitted.

Decision

Members agreed to:

1. Approve the allocation for Opportunities for Change, CLAN, Families Outside and Life/Time, totaling £170,000.
2. Note the uncommitted element of £20,000 and request a further report at the July 23rd '09 meeting.

4.5 Opportunities for Change

The Chief Officer presented his report on Opportunities for Change pilot providing the Members with an update on the current status of the financial negotiations for year two.

In 2008-09 £123,000 of growth bid funding was allocated to Includem and Venture Trust for the joint service called 'Opportunities for Change' targeted at 16-18 year olds who were being considered for a custodial sentence. The pilot started on 1st October '08 and the actual costs following 6 months operation of the service demonstrates the organisations have been running the project as a 'loss leader'. Negotiations are ongoing with both organisations to continue this project in 2009-10

4.5 cont./

for 20 young people but it has not been possible to agree a cost within the allocated budget.

The Chief Officer presented his proposals to the Members on how this project can be taken forward into 2009-10 with a full evaluation of the project in October '09 followed by a further review to determine the future of the project.

To provide clarity on the various finance streams and the decisions that have been taken over the course of CJA meetings a proposal was submitted for a one-off report to be compiled to clearly show all streams of funding, how they are allocated and the decisions taken. This report will include Section 27 funding, CJA Administration budget and Growth Bid projects.

Decision

Members agreed to:

1. Note the contents of the report.
2. Approve the extension of the project for a period of 6 months based on the funding proposals submitted by the Chief Officer.
3. Receive a report following the full evaluation of the project to allow for Members to consider the future of the project.
4. Receive a one-off financial report at the July 23rd '09 CJA meeting, detailing all funding streams, allocation of funds and decisions taken.

5. **NEW CJA POST**

The Chief Officer presented his report to Members. This new post was set up at the request of the Convenor to mitigate the risk of there being no immediate cover for the Chief Officer should he be unavailable through ill-health or otherwise.

Andrew Lowe highlighted the concern that Members had not been fully included in the process to establish the new post, either to consider if it is the right type of post or to have involvement in determining the level of expenditure and financial pressure such a new post will have on the CJA Admin budget. Councillor Edie noted this new post will increase the CJA staffing level by 50% and raised concerns that no financial information had been made available for Members to consider at the meeting.

The Chief Officer noted that his delegated powers empowered him to deploy resources and manage those resources and with the consent of the Convenor had moved to advertise the position expeditiously. The Chief Officer acknowledged the lack of governance that had taken place in this specific piece of business.

The Convenor noted the Scottish Government had recently commended the CJA for taking the action to create this new post which they see is critical to integrating the complex planning of Community Health Partnerships, Community Planning Partnerships, Single Outcome Agreements and CJA Area Plans.

Decision

Members agreed to:

1. Note the contents of the report.
2. Receive an update report at the CJA meeting on 23rd July '09.

6. 2011/14 Area Planning Framework

The Chief Officer presented his report which laid out the Government's timetable for preparing and submitting the 2011-2014 Area Plan and the key priorities that should be included.

Phil Mackie welcomed the support of the Chief Officer to have NHS Lothian and NHS Borders included in the local planning but regretted their exclusion from the national planning forum. The exclusion of the Police from the national planning framework was also noted.

Decision

Members agreed to:

1. Note the content of this report
2. Request the Chief Officer and Convenor to make representation to Government to request the NHS & Police are invited to join the national planning framework.

7. MEMORANDUM OF UNDERSTANDING (MoU)

The Convenor updated Members of a recent meeting he had with Willie Manson, National MAPPA Coordinator and ACC McCormick where Mr Manson advised Lothian & Borders CJA had a legal requirement to establish an MoU.

The Chief Officer advised Members the CJA had no statutory authority for MAPPA other than to receive the MAPPA Annual Report and include any actions from that report into the CJA Action Plans & Area Plan. The Chief Officer further advised Members that this item was included in this meeting to facilitate the process and ensure the legal duty of the Responsible Authorities to have an MoU in place, was achieved. The earlier work to achieve this had been delayed due to changes in legislation resulting in Health being given 'Responsible Authority' status in respect of restricted patients.

The Convenor invited ACC McCormick to introduce the MoU document which he had prepared and circulated for the Responsible Authorities, present at the meeting, to consider and adopt as a Lothian & Borders overarching MoU for signing by each individual local authority, the Police, NHS Lothian and NHS Borders. Mr Mackie confirmed he was happy to adopt the MoU and recommend it to his colleagues in NHS Borders. Mr Dustan confirmed the Scottish Prison Service were happy to adopt the MoU document.

ACC McCormick will arrange for the finalised MoU to be circulated for signature and will also re-circulate the Roles & Responsibility document for consideration.

Decision

Members agreed to:

1. Receive an update at the CJA meeting on 23rd July '09.

8. AOCB

8.1 Community Links Centre (CLC)

Mr Keith Hastie tabled a report providing Members with an update on the development of the Community Links Centre. Mr Hastie highlighted the difficulty of securing the commitment of the three primary services of Benefits, Housing and

NHS. This severely impacts on the CLC's ability to be a one-stop-shop for providing services for ex-offenders.

Several actions have been put in place to rectify this situation with SACRO's Chief Executive writing to JobCentrePlus and City of Edinburgh Council's Housing department. Councillor Edie requested sight of this correspondence so that he could look into the matter.

It was noted that as the report was tabled on the day of the meeting it was not possible to discuss the matter in full and all future reports to be discussed will be circulated in advance of the CJA meeting.

Decision

Members agreed to:

1. Note the content of the report
2. Councillor Edie is to receive a copy of the correspondence that was sent to City of Edinburgh Council Housing department.
3. All future reports must be included with the Agenda and circulated a minimum of one week and one working day prior to the CJA meeting.

9. DATE OF NEXT MEETING

The Chair confirmed the next meeting will be held on Thursday 23rd July at 2pm at Newtongrange Mining Museum, Newtongrange.