

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

Scottish Mining Museum, Newtongrange, Thursday 23<sup>rd</sup> July 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), Michelle Miller (CEC), Colin Anderson (MLC), Andrew Lowe (SBC), Ian Quigley (WLC), Jane Ramsay (ELC), Gordon Miller (ELC), Graeme Stenhouse (CEC), Jim Dustan (SPS), ACC Iain Livingstone (L&B Police), Phil Mackie (NHS L&B), Keith Hastie (SACRO), Alan McCloskey (Victim Support), Fiona Allen (Families Outside), Hildegard Wylezalek (Apex), Angela Gentile (CJA) Sally Crighton (CJA)

**Apologies:** Dr Sue Ross (ELC), Dr Eric Bajjal (NHS Borders), Gordon McKeand & Angela Ward (Scottish Courts), Janet Fulton & Morag McLaughlin (Crown Office Procurator Fiscal) Marjory Frew (Apex), Fiona Steel (Action for Children) Greg Barton & Joe Connelly (Venture Trust), Claire Gibson (Includem)

**Observers:** Willie Manson (National MAPPA Coordinator), Katrina Morrison (Student)

## WELCOME

The Chair thanked Midlothian Council for organising the venue and welcomed everyone to the meeting with a special welcome to:

- Angela Gentile, Lothian & Borders CJA Strategic Development Coordinator who has newly been appointed to post.
- Alan McCloskey, who is the CJA's new Victim Support Scotland representative
- Willie Manson, National MAPPA Coordinator who is observing today's meeting.

## 1. APOLOGIES

The Chair advised the meeting of the apologies for absence.

## 1 PREVIOUS MINUTE

The Chair requested that the Minute of 23 April 2009 be noted and accepted.

### Decision

The Members agreed to:

1. The Minute of the previous meeting, 23 April 2009, was approved and accepted as an accurate record.

### **3. MATTERS ARISING**

#### **3.1 Rehabilitation of Housebreakers**

This initiative was first presented to Members at the CJA meeting on 19<sup>th</sup> February where it was agreed it would be included in the next round of planning of the Area Plan 2011-14. The Chief Officer chaired the first Multi Agency Project Group meeting on Wednesday 15<sup>th</sup> July where each agency in attendance was tasked with obtaining their organisation's support for this project. The project will be led by Lothian & Borders Police and focus initially on reducing housebreaking in A Division and increase the effectiveness of services for both offenders and victims.

##### **Decision**

Members agreed to:

1. Note the contents of the report
2. Seek a further update as part of the quarterly CJA group reporting

#### **3.2 Integrated Case Management (ICM) 2008-09**

The Chief Officer presented the report to Members and highlighted the improvement in ICM attendance which has increased from an average attendance of 89% in 2007-08 to 93% in 2008-09. The government target for 2008-09 was 85%.

##### **Decision**

Members agreed to:

1. Note the contents of the report.

#### **3a & 3b High Risk Offenders**

The Chief Officer provided Members with the latest response from Government in respect of 'non Section 27' high risk offenders. The letter dated 17 June 2009 states that discussions are continuing across Government to review all available options to address the concerns which have been raised by Lothian & Borders CJA.

##### **Decision**

**Members agreed to:**

1. Note the contents of the report.

#### **3.4 Annual Report 2008-09**

The CJA has a statutory requirement to produce an Annual Report and Area Plan. The Annual report has a range of audiences including Members, Government, Co-Professionals and the public.

A formal report has been produced for Members and Government with a limited edition print run to reduce costs. This formal report will be published on the CJA website.

This report has been condensed into a Booklet with CD which includes an interactive version of the full report, providing the reader with access to a range of supporting documentation. It is planned to have this available for distribution by 31 July.

The Chief Officer highlighted the 'Where we need to improve' section of the Annual Report. This section includes several key pieces of work, such as performance, that have commenced but require more input and support from all partner agencies over the next year. This section in particular demonstrates the Annual Report records not just what has been achieved in the last year but highlights the critical work that still needs to be achieved within a demanding agenda.

Andrew Lowe proposed that future reports should also include local achievements and key areas of work that would be of interest to the public and therefore help with the communication process.

### **Decision**

#### **Members agreed to:**

1. Note the contents of the report.
2. Support the recommendation for future reports to include areas of local interest

### **3.5 East & Midlothian 'Agenda for Change'**

The Chief Officer confirmed the appointment of Tim Chapman, CTC Associates as the Project Manager for this new project. The project commenced in July and a recommendations report will be produced by December 2009.

### **Decision**

#### **Members agreed to:**

1. Note the contents of the report.
2. Seek an update report at 22<sup>nd</sup> October meeting
3. Support the recommendation that the Project Plan is distributed to all local authorities in Lothian & Borders for their information

## **4. FINANCE**

### **4.1a 2008-09 Section 27 Outturn (subject to audit)**

Graeme Stenhouse presented his report which provided a summary of the key areas of expenditure in 2008-09. Subject to audit the CJA wide position indicates an outturn position of £252,000 under-spend which is mainly attributable to a lower than anticipated uptake in specific government initiated pilot projects, mainly Mandatory Drug Testing and Treatment Orders (MDTT) and Drug Testing and Treatment Orders, Lower Tariff.

The MDTT pilot receives distinct funding and is subject to a full review across all of the pilot areas in Scotland. The funding is due to terminate in June but may be extended to September at the latest. The other pilot which reported an under-spend relates to the Drug Testing and Treatment Orders Lower Tariff which is a longer term pilot with an end date of June 2011. This pilot is now reporting an increase in Orders with additional staff being employed.

Any under-spend of government (centrally) initiated projects cannot be used to support core services from 2009 onwards. This will therefore result in there being less flexibility to vire money from non-core to core services in this and future financial years.

Ian Quigley confirmed West Lothian Council will continue to subsidise their Criminal Justice allocation in 2009-10 with the expectation this will not be required following the outcome of the service review work.

### **Decision**

#### **Members agreed to:**

1. Note the report
2. Receive a detailed report on DTTO Lower Tariff from City of Edinburgh Council to include level of uptake and any constraints around the delivery of this pilot Order
3. Receive an updated outturn position once the accounts are audited

#### **4.1b CJA Administration Budget 2008-09**

The Chief Officer reported the 2008-09 CJA Administration account outturn position indicates a surplus of £1,588, which is subject to audit.

##### **Decision**

##### **Members agreed to:**

1. Note the report.

#### **4.2 Growth Bid Funding**

The Chief Officer presented his report which included a proposal from West Lothian Council for £20,000 to fund literacy work for offenders in prison and in the community and to provide continuity of support. This funding applies to the financial year 2009-10.

##### **Decision**

##### **Members agreed to:**

1. Note the report.
2. Approve the allocation of £20,000 to West Lothian Council
3. Seek a quarterly progress report through the CJA Group reporting structure

#### **4.3a/b Finance Diagram**

The Chief Officer presented his report which introduced the Finance Diagram to the Members and attendees providing an overview of the main funding streams from Government and the movement of money between various priority areas that have taken place following approval by the CJA.

It was noted that this diagram was helpful in explaining the complexities behind the transfer of money between the various funding streams.

##### **Decision**

##### **Members agreed to:**

1. Note the report.

#### **5. NEW CJA POST – STRATEGIC DEVELOPMENT COORDINATOR**

The Chief Officer presented his report and formally introduced Angela Gentile to the meeting. The two key areas which are addressed through this new post are providing continuity of service in the absence of the Chief Officer and ensuring the CJA planning process is integrated with the Community Planning Partnership framework including Community Health Partnerships and Alcohol and Drug Partnerships.

Phil Mackie raised the key role of the five Community Health Partnerships in Lothian & Borders in respect of their assimilation with the Single Outcome Agreement.

##### **Members agreed to:**

1. Note the report.

#### **6. AREA PLAN 2011-14**

##### **6.1 Area Plan 2011-14 – Planning Framework & Timetable**

The Chief Officer presented his report which highlighted the Government's aim to reduce the number of outcomes significantly for the next round of three year planning. It is anticipated the work streams will reduce to five and they will be closely aligned to Fair Fast and Flexible, Community Payback, Public Confidence, Improved delivery

of community sentences and Outcome Work including health, employment, accommodation, literacies and addictions.

**Decision**

**Members agreed to:**

1. Note the contents of the report.

**6.2 Area Plan 2011-14 – Local Area Planning Event**

The Chief Officer presented his report which provided detail on the forthcoming local planning event on 26<sup>th</sup> August. The Chief Officer highlighted the need for attendees to be able to reflect the strategic direction of the organisation they are representing within the new Government planning structure.

**Members agreed to:**

1. Note the contents of the report.

**7. MEMORANDUM OF UNDERSTANDING**

ACC Livingstone advised Members that subsequent to the submission of his report it has been identified that the State Hospital now need to be included as a signatory. In addition, Scottish Borders Council have raised some queries regarding the mechanism for resolving disputes and the Memorandum is currently being reworded to accommodate these changes.

**Decision**

**Members agreed to:**

1. Note the content of this report
2. Seek a further update at the October CJA meeting.

**8. RISK REGISTER**

The Chief Officer presented the updated Risk Register and highlighted the key changes that have been incorporated following the six month review.

Work is ongoing to appoint a Finance Director. This post will provide financial oversight of the CJA budget and audit process and will be similar to the Police and Fire Boards Finance Directors. The Chief Officer advised he has approached Audit Scotland for assistance in defining this role and once received an approach will be made to each Local Authority's Finance Director.

**Decision**

**Members agreed to:**

1. Note the content of the report
2. Seek a 6 monthly update

**9. CJA GROUPS – QUARTER 1 UPDATE**

The Chief Officer presented the quarter 1 group update to Members and provided an update on the groups that have indicated they are 'Task not commenced / off track'.

Accommodation – The Chief Officer will set up a multi agency group to consider the adoption of the accommodation model which has been introduced by Tayside CJA. The objective is to ensure no individual is homeless on release from custody.

Women Offenders – Short term funding has been made available to develop women offender services. The Group and in particular East Lothian Council have done a significant amount of work to create a temporary development post. Once this person is recruited the status of the group will change to 'Task Commenced and on track'.

MAPPA Governance and Oversight Group – The High Risk Offenders Inspection Report states there is a clear expectation for an oversight group to ensure there is consistent delivery. ACC Livingston confirmed the oversight group is not aimed at controlling service delivery but to ensure there is a consistent application of criterion.

Andrew Lowe commented that accountability needs to be local and there are Chief Officer structures for local governance currently in place which can support MAPPA. ACC Livingstone has carried out a review of best practice from across Scotland. The Police will, as the sole pan-Lothian agency, lead the discussions with all Responsible Authorities on this matter.

Victims - The Chief Officer advised Members that due to a change in personnel the progress of the Victims group had stalled. Alan McCloskey, the new CJA Victim Support representative is committed to delivering the work of the group and recognises victims need to take a higher profile in CJA planning and will be actively involved in the Rehabilitation of Housebreakers project (ref. Item 3.1)

**Decision**

**Members agreed to:**

1. Note the content of the report

**10. AOCB**

**10.1 Community Links Centre Update**

Keith Hastie presented his update report to Members. He highlighted the development with JobCentre Plus who will be providing permanent advice in the Community Links Centre from October 2009 and the increase in the number of groups that are using the Centre, demonstrating the links from prison into the community.

The Chief Officer noted the encouraging increase in use and recommended the collation of quality data to demonstrate the upturn in use.

**Decision**

**Members agreed to:**

2. Note the content of the report

**10.2 CJA Meeting Papers**

Councillor Scott proposed the meeting papers are circulated to Members 2 weeks and one day prior to each CJA meeting to provide the Members with an additional week to review their papers.

**Decision**

**Members agreed to:**

1. With immediate effect, the CJA meeting papers will be circulated 2 weeks plus one day prior to each CJA meeting
2. The Standing Orders will be amended and submitted to the October CJA meeting for ratification

**11. DATE OF NEXT MEETING**

The next meeting will be held on Thursday 22<sup>nd</sup> October at 2pm, at Newbattle Abbey College, Dalkeith