



**CIRCULAR NO: SEJD 12/2002 (Revised May 2004)**

June 2004

Directors of Social Work/Chief Social Work Officers  
Criminal Justice Social Work Managers  
ADSW  
COSLA  
Clerk of Justiciary  
Sheriff Clerks  
Scottish Prison Service  
Scottish Court Service  
Crown Office  
Parole Board for Scotland

Dear Colleague

**THROUGH-CARE PROVISION FOR LONG TERM PRISONERS AND PRISONERS  
SUBJECT TO SUPERVISED RELEASE ORDERS**

**Summary**

1. In 2002 Scottish Ministers endorsed the recommendations of a Tripartite Group, consisting of representatives from the Scottish Executive Justice Department, the Scottish Prison Service and the Association of Directors of Social Work, aimed at strengthening current through-care arrangements whilst developing a broader agenda to manage the transition from prison to community more effectively.

**Background**

2. SEJD Circular 12/2002 was issued to explain changes to the delivery of social work services for all prisoners serving a sentence of 4 years or more (including life sentence prisoners) and those serving less than 4 years who are subject to Supervised Release Orders. In summary, this meant that the arrangements for prisoners subject to Extended Sentences were extended to all prisoners subject to statutory supervision on release, including those prisoners who are subject to a Supervised Release Order.

3. SEJD Circular 12/2002 has now been revised to include some minor amendments which have been agreed by the Tripartite Group. We have included at Annex C of the revised Circular some sample standard letters which might be helpful in designating the Supervising Officer/Authority. Existing National Objectives and Standards for Social Work Services in the Criminal Justice System will continue to apply in relation to post-release arrangements.

4. Local authority criminal justice social work services have now submitted their plans to implement Phase 1 of the enhanced throughcare service. These have been approved and additional funding made available.

5. Phase 2, relating to voluntary assistance, will be commenced in autumn and baseline guidance will issue shortly. In order to make best use of the allocations however, local authorities should be planning ahead for Phase 2 by approaching partners and considering staffing implications. The Scottish Executive is funding two pathway pilot projects working with high risk offenders and young offenders in the voluntary assistance group from April 2004. These will be monitored closely and any lessons learned in terms of best practice will be fed back to local authorities in due course.

### **Contact Point**

6. Any queries or comments on this guidance should be sent to:

Christine Thomson, SEJD Community Justice Services Division,  
Ground West Rear, St Andrew's House, Regent Road, Edinburgh, EH1 3DG

(Tel 0131 244 4250; fax 0131 244 3548 or email [christine.thomson@scotland.gov.uk](mailto:christine.thomson@scotland.gov.uk)).

Yours faithfully

Elizabeth Carmichael

**LONG TERM PRISONERS AND PRISONERS SUBJECT TO SUPERVISED  
RELEASE ORDERS**

**GUIDANCE FOR SOCIAL WORK SERVICES**

**THROUGH-CARE FOR LONG TERM PRISONERS AND PRISONERS SUBJECT TO SUPERVISED RELEASE ORDERS**

**GUIDANCE FOR SOCIAL WORK SERVICES**

**Contents**

1. Introduction.....	3
1.1 Tripartite Group.....	3
1.2 Extended Sentences Model.....	4
2. Implications for social work practice.....	4
2.1 The social work function.....	4
2.2 Allocation of Supervising Officer.....	4
2.3 The Supervising Authority.....	5
2.4 Role of the Supervising Officer.....	5
3. Importance of information exchange.....	5
4. Post Sentence Responsibilities.....	6
4.1 Social Work Staff at Court.....	6
4.2 Clerk of the Court.....	6
4.3 Prison Governor.....	7
4.4 Social Work Unit in Prison.....	8
4.5 The Supervising Authority.....	8
5. Role of the Supervising Officer.....	9
5.1 General.....	9
5.2 Initial Tasks.....	9
5.3 Schedules of Contact During Sentence.....	10
5.4 Pre-release.....	11
5.5 Pre-release Meeting.....	12
5.6 Post Release.....	13
Annex A - Proforma.....	14
Annex B - Purpose and Effect - section 71 of Criminal Justice (Scotland) Act 2003.....	19
Annex C – Sample standard letters-Designation of Supervising Authority/Officer.....	20

## 1. INTRODUCTION

### 1.1 Tripartite Group

- 1.1.1 At a meeting with the Deputy Minister for Justice on 26 June 2001 it was agreed that a Tripartite Group should be set up to consider ways of strengthening partnership working between the Scottish Executive, the Scottish Prison Service and local authorities to improve the current arrangements for the transition of prisoners from prison to the community. Ministers have agreed that a throughcare strategy should be developed based on the key points in the Tripartite Group Report.
- 1.1.2 Throughcare is the provision of a range of social work and associated services to prisoners and their families from the point of sentence or remand, during the period of imprisonment and following release into the community. It comprises 2 elements - work in prison and work in the community. The provisions of Section 71 of the Criminal Justice (Scotland) Act 2003 which came into effect on 27 June 2003 amend Section 27(1) of the Social Work (Scotland) Act 1968 to strengthen the existing throughcare arrangements as recommended by the Tripartite Group. The Purpose and Effect of the provision is attached as Annex B for further information.
- 1.1.3 Prisoners sentenced to 4 years or more in custody are released with a statutory obligation that they be supervised. For those sentenced to less than 4 years, statutory supervision only applies to those who are subject to an Extended Sentence or a Supervised Release Order.

**This guidance relates to all prisoners who are released from prison in Scotland on any form of statutory supervision except those who are currently subject to Extended Sentence, for whom the procedures detailed in Circular No: SWSG 14/1998 continue to apply.**

- 1.1.4 When an offender is sentenced to custody, current practice may be to close the community-based social work casefile. This means that there is no reliable and consistent mechanism to ensure that community based social workers build and maintain contact with offenders while they serve their sentences. The effect of this is to limit opportunity for pre-release assessment and planning, aimed at maximising public safety and successful rehabilitation.
- 1.1.5 The Tripartite Group recommendation is to extend the current arrangements for prisoners subject to Extended Sentences to all prisoners subject to statutory post-release supervision, bringing a number of clear practice advantages including -
- (a) Prisoners, prison staff, supervising authority and all involved in the process including voluntary agencies, operating within a clear and unitary system;
  - (b) Improved assessments and supervision plans for the Parole Board and the Risk Management Authority when it is established;
  - (c) Increased understanding for prisoners and families of the requirements of, and potential benefits from, post-release supervision;

(d) Improved continuity in sharing of information and risk assessments between authorities and SPS; and

(e) A reduction in late notification of arrangements for release and improved coherence of supervisory arrangements in the first weeks of release.

## 1.2 **Applying the Extended Sentence model to all statutory throughcare prisoners**

1.2.1 Arrangements for Extended Sentence prisoners introduced important differences. Key practice differences include:

(a) designation of both the supervising authority and a supervising officer **from the point of sentence**;

(b) an enhanced role for the supervising officer throughout the sentence including prison visits, family contact work, an increased emphasis on co-ordination and case management; and

(c) greater attention to the importance of information and assessment exchange between the prison and the supervising authority.

1.2.2 Guidance on the arrangements for prisoners subject to Extended Sentences can be found in Scottish Office Circular No: SWSG 14/1998.

## 2. **Implications for social work practice**

Rolling out a model for general throughcare that is based on the type of service currently provided for extended sentence prisoners involves some necessary changes to certain sections of the national standards. Where there are differences, this circular supersedes the relevant parts of National Standards. All other provisions within National Standards remain unchanged.

### 2.1 **The social work function**

2.1.1 Applying the extended sentence model to all statutory throughcare prisoners requires an increased emphasis on continuity of risk and needs assessment, sharing of relevant information between prison and the community and across disciplines and agencies. As with Extended Sentence prisoners, allocation of a supervising officer at the start of the custodial sentence and early identification of the supervising authority are important features.

### 2.2 **Allocation of Supervising Officer:**

2.2.1 The allocation of a Supervising Officer from the **outset of the prison sentence** is important in establishing and maintaining contact with the prisoner over the prison sentence and beyond. For that reason the initial tasks following sentence are as described later in this guidance. There will inevitably be changes of Supervising Officer due to staff turnover or workload management issues, particularly in relation to prisoners with long sentences. Where there are such changes of personnel, it must

be ensured that there is continuity of involvement from the local authority and that planned schedules of contact with the prisoner and his/her family are maintained.

### **2.3 The Supervising Authority**

2.3.1 The supervising authority will be designated, by the Prison Governor, according to “ordinary residence” principles. Where the issue is unclear or in dispute, the relevant authority will be designated on reception, as that which carried out the SER to which the sentence relates (where such a report was prepared). It may be appropriate to change the supervising authority during the period of the sentence (see 4.3.3 below).

2.3.2 In practice however, where there is clear agreement that the offender will reside in another authority post-release, for example in a hostel, it may prove more effective to *voluntarily transfer responsibility* for much of the detailed activity to that other authority. Where agreement to this effect is reached, this must be communicated in writing to the prisoner and prison governor, together with the reasons why.

2.3.3 The ordinary residence of an offender has to be assessed according to the circumstances of that offender but is generally the place to which s/he has ties, either through family or because s/he has made his/her home there and lived in that area for some time.

### **2.4 Role of the Supervising Officer**

2.4.1 There are several distinctive components to the role of the Supervising Officer. These include:

- Scheduled visits with the prisoner
- Home Background Report for parole purposes to be informed by such an assessment visit
- Increased contact where appropriate with the offender’s family
- Community based social work participation in the sentence management of the prisoner. This is aimed at ensuring that work done following release is built more solidly upon work already undertaken with the offender while he/she is in custody. (This should be a reciprocal arrangement with work in prison building on work which may have already been started in the community prior to sentence.)

### **3. Importance of information exchange**

3.1.1 In order for these new throughcare arrangements to be effective, all agencies and professionals involved will need to communicate effectively with each other. These will include:

- Social workers in the community (supervising officers)
- Prison-based social workers
- Prison psychologists

- Personal officers
- Other prison-based specialist staff

This communication will be a particularly important feature at the following stages:

- following admission and during the initial stages of the custodial sentence
- in the context of visits of Supervising Officers
- at points of significant change in the prisoner's circumstances, including completion of prison programmes or risk assessments
- in preparation of reports for referral to the Parole Board or other pre-release planning
- on recall or other return to custody while on post-release supervision

#### **4. Post Sentence Responsibilities**

##### **4.1 Social Work Staff at Court**

4.1.1 Offenders should unless there are exceptional reasons to prevent it, be interviewed following sentence by social work staff at the courts. The importance of this interview is recognised in both the existing Throughcare National Standards (paragraphs 29-30) and in more detail in the draft National Standards for Social Enquiry Reports (July 1998) (paragraphs 8.5-8.6 & 8.11) and section 403 for SROs. Offenders sentenced to a period of Extended Sentence, long-term sex offenders and those subject to SRO should be afforded priority for this service.

4.1.2 The purpose of this interview is to:

- explain the sentence of the court to the offender
- establish whether there are any immediate problems to be dealt with
- inform the offender of the availability of social work services in prison and what contact to expect.

4.1.3 Court social work staff should be aware of the possibility of self-harm, in the light of the information in the pre-sentence reports, when conducting the post-sentence interview and ensure that this information is passed on to community and prison social workers. For more detailed procedures relating to the assessment of self-harm see paragraph 2.19 of the National Standards for Social Enquiry Reports and Associated Court Services.

##### **4.2 Clerk of the Court**

4.2.1 The role of the Clerk of Court are as detailed in paragraphs 31 - 32 of the National Standards for Throughcare for long term prisoners and paragraphs 375 - 377 for SROs.



4.2.2 As soon as the Judge's or Sheriff's report becomes available it should be sent by the Clerk of the Court to:

- The Scottish Executive Justice Department, Parole and Life Sentence Review Division, 2W.01, St Andrew's House, Regent Road, Edinburgh EH1 3DG (in the case of those subject to a life sentence); or
- The Scottish Prison Service, Operations Directorate, Calton House, 5 Redheughs Rigg, Edinburgh, EH12 9HW (for all other prisoners).

PLSRD and SPS will ensure that the Governor of the receiving prison receives a copy of the report.

4.2.3 The above information is needed to enable the prison to comply with its duties in relation to the parole review; to provide the prison and the Supervising Officer with the information they need for sentence planning and intervention programmes; and to ensure that the suitability of this group of higher risk offenders for home leave etc can be properly assessed in the light of all the relevant information.

#### 4.3 Prison Governor

4.3.1 The National Standards for Throughcare (at paragraph 32) require the Governor, for all prisoners subject to mandatory supervision on release, to copy on receipt from the Clerk of Court, all relevant information to the social work unit at the prison. Additionally specific requirements for the serving of SROs are detailed in paragraphs 376-377 of National Standards.

4.3.2 As with Extended Sentence cases, the Governor must further notify the relevant local authority of the following:

- the full name, date of birth and last known address of the prisoner
- the court, date of sentence, offence(s) for which the prisoner was sentenced
- the length of sentence
- the prison held

4.3.3 As mentioned in paragraph 2.3.1, the supervising authority is that of **ordinary residence** of the offender. In cases where that is unclear or in dispute, the relevant authority shall be designated on reception by the Governor as that which carried out the SER to which the sentence relates (where such a report was obtained prior to the custodial term being imposed). Where, in the course of pre-release planning it becomes clear that the sentence prisoner will not be released to the designated supervising authority, it is for that authority to negotiate any change in supervising authority with the other relevant local authority. The Governor may then change the designation. **Paragraph 380 of the National Standards in Throughcare, states that it is for Scottish Ministers, on application from the person subject to the SRO, to agree to any changes in the designation of the supervising authority. The procedures for changing the designation of the supervising authority as laid**

**down in the National Standards should therefore be followed for prisoners subject to an SRO.**

4.3.4 The initial notification to the local authority must be accompanied by a request to appoint a **Supervising Officer** to the case. The notification, together with the request to assign a Supervising Officer, must be made within 7 days of receipt of the relevant information from court. In practice, the Governor will generally discharge the above responsibilities through the social work unit in the prison.

#### 4.4 **Social Work Unit in Prison**

4.4.1 All prisoners subject to mandatory supervision on release must be interviewed by prison social work staff. These interviews should take **within 7 days** of receipt of the relevant information from the court.

The purpose of this interview is to:

- establish whether there are any immediate problems of a personal or family nature to be dealt with;
- inform the prisoner of the social work services available in the prison, together with an indication of what contact to expect from the unit and the community based Supervising Officer, including his / her liability to mandatory supervision on release, irrespective of early release on parole; and
- inform the prisoner of the parole / SRO system and process.

4.4.2 For Schedule 1 offenders, this interview must also combine the purposes outlined at paragraph 324 of Throughcare National Standards and SEJD Circular 18/2003.

4.4.3 On receipt of notification of the Supervising Officer, social work staff in the prison unit will wish to ensure that s/he has copies of the relevant information they have received from the sentencing court. That information should include:

- the indictment;
- the previous convictions libelled in court;
- the social enquiry report, psychologist/psychiatric and medical reports etc; and
- the trial judge's report

4.4.4 Prison social work staff should liaise with community social workers to ensure that any work already undertaken with the prisoner in the community prior to sentence is built into the sentence planning for the prisoner.

#### 4.5 **The Supervising Authority**

4.5.1 On receipt of the initial notification and request from the prison Governor, the local authority must assign a Supervising Officer to the case and inform the Governor within 7 days. Where the request has not been made direct from the social work unit

in prison, the reply to the Governor should be copied to the social work unit in the prison at the same time.

## 5. Role of the Supervising Officer

### 5.1 General

5.1.1 National Standards for Throughcare state, at paragraph 30, that “effective throughcare for prisoners and their families requires contact to be established between the prospective client(s) and the local authority as soon as possible”. Supervising Officers have an important early role to play in establishing that contact and sustaining productive links, wherever possible, throughout the custodial term and period of extended supervision.

5.1.2 The overall aims and objectives of the work of the Supervising Officer throughout the period of custody and after release are:

- the rehabilitation and re-settlement of the offender
- the prevention or reduction of further offending
- the protection of the public from harm from the offender

5.1.3 During the custodial term, contact by the Supervising Officer with the offender’s family may provide them with access to relevant services (including practical assistance), a clearer understanding of the nature and consequence of the sentence and supervision period and assist in developing a more receptive attitude towards the value of supervision on the part of the prisoner. This activity has clear and positive potential in promoting the social inclusion of the offender, assisting the achievement of the above aims and objectives.

### 5.2 Initial Tasks

5.2.1 On allocation of a case, the Supervising Officer must:

- Notify the prison Governor, **within 7 days**, of the identity and location of the Supervising Officer, with copy to the prison social work unit:
- Liase, **within 14 days**, with the social work unit in prison to obtain relevant information passed from the sentencing court

5.2.2 Initial visit to family

With agreement from the family the initial visit to the prisoner should be preceded by a visit to the prisoner’s family, other than where the SER or other information indicates that this would be inappropriate. This should take place **within 28 days** of the allocation of the case wherever possible. Where such a visit is judged to be inappropriate, the reasons for this must be recorded in the community based case record and countersigned by a line manager.

The purpose of this initial family visit is for the Supervising Officer to:

- introduce him/herself, explaining his/her role;
- outline the nature and implications of the sentence and supervision;
- explain the possible nature of future contact, including preparation of Home Background Reports, pre-release planning etc.;
- assess the impact on the family of, and their reaction to, the prison sentence; and
- extend an offer of appropriate assistance to the family in dealing with the consequences of the prison term (including access to housing or money advice, childcare supports, voluntary organisations and prison visiting assistance etc.)

### 5.2.3 Initial visit to prison/prisoner

The initial visit to the prisoner must take place **within the first 6 weeks** of sentence and should involve an interview with the prisoner and a meeting with the social worker in the prison, personal officer and any other relevant staff. The purpose of the visit with the prisoner is to underline the role of the supervising officer during sentence, the nature of obligations placed upon them following release, and to extend an offer of appropriate assistance from community based-throughcare services. The purpose of the initial meeting with the prison based social worker and other relevant staff at the establishment is to gain first hand knowledge of sentence planning for the prisoner. Where a visit cannot be made due to a refusal by the prisoner, details should be logged in the casefile and countersigned by a line manager. A schedule of visits should still be prepared and annual contact (or more frequent for high risk offenders) attempted thereafter. **The timescale for the initial visit to the prisoner also applies in relation to Extended Sentence prisoners.**

## 5.3 Schedules of Contact During Sentence

5.3.1 After the initial visit to the prisoner / meeting with prison based staff, the supervising authority, (the supervising officer in consultation with the first line manager) should draw up a schedule of visits which should comprise at least one visit to the prisoner per year where the proforma attached at Annex A should be completed. More frequent contact may be warranted and decisions on the number of visits may be influenced by various factors including but not exclusively, the attitude of the prisoner towards supervision, overall length of sentence, outcomes from prison based work or programmes, changes in personal or family circumstances, expected difficulties in securing compliance and demands on operational resources.

- **Note:** Contact for those subject to an Extended Sentence should be undertaken within the guidelines in SWSG Circular 14/98.
- In cases where the prisoner refuses a visit, details should be recorded in the casefile and countersigned by a line manager. In such cases the supervising officer should liaise with prison social work colleagues to ascertain if the prisoner will accept contact at the next scheduled visit. Where this is negative, a letter must be sent to the prisoner offering contact in the year until the next scheduled visit, at which time the prison based social worker should again attempt to secure the compliance of the prisoner. In every case where contact with the supervising social worker is refused, this must be recorded explicitly in the community based

and prison based case record. **This procedure should also apply to Extended Sentence prisoners.**

- The (minimum) annual scheduled contact involves a meeting with both the prisoner, and a meeting between the community based supervisor and prison based social worker. Other relevant staff from the prison should also be invited to attend. Even where the prisoner refuses to attend for a meeting with the supervising officer, the latter meeting should go ahead in order that the supervising officer is kept up-to-date on the progress of the prisoner. Where such a meeting is unnecessary, this decision should be taken jointly with the prison based social work unit and other prison colleagues, and recorded in the prison based and community based social work casefiles. **This procedure should also apply to Extended Sentence prisoners.**

5.3.2 Unless otherwise assessed as inappropriate due to a breakdown in family relationships, each scheduled visit to the prisoner should be preceded by a home visit to the prisoner's family, to keep up to date with the family situation and to foster positive family support. Other than in exceptional circumstances, any Home Background Report on the prisoner, either for temporary leave or parole purposes, should be allocated to the Supervising Officer.

5.3.3 Arrangements to visit the prisoner should be made in conjunction with the social work unit in prison and include a subsequent two way meeting between the Supervising Officer and social worker in the prison. Before this meeting the views of the prison personal officer should be sought either by the prison social worker on behalf of the Supervising Officer or by the Supervising Officer. It may be appropriate for the prison personal officer to be invited to attend. The purpose of this meeting is to:

- update one another as to current circumstances relating to the prisoner or his family;
- agree action points as necessary following the visit; and
- facilitate eventual pre-release planning.

#### 5.4 **Pre-release**

##### 5.4.1 Preparation of Home Background Reports for referral to the Parole Board

The objectives, steps involved in preparation, and content of these reports is covered in detail in the Throughcare National Standards (paragraphs 140-156). In addition, the Supervising Officer must:

- Consider the assessed risk of harm posed by and to the prisoner, and relate this to any proposals regarding the suitability of a particular address or area.
- Ensure that the HBR is informed by a visit to the prisoner unless one has been made within the preceding 3 months.

5.4.2 It should be remembered that, in the light of changed circumstances and / or increased assessment of risk, the Supervising Officer might apply subsequently to Scottish

Ministers, in accordance with a recommendation of the Parole Board, to introduce an additional requirement as appropriate, in all cases other than where the offender is subject to a Supervised Release Order. Note that all applications go to the Parole and Life Sentence Review Division of the Scottish Executive Justice Department - there is no court role. In the case of Supervised Release Orders the procedures laid down in paragraphs 381 to 383 of the National Standards should be followed. It is important that supervising officers should apply for additional conditions where public protection considerations require this. However any such applications will normally be supported by comprehensive risk assessment and other relevant evidence. This will minimise the possibility of the new condition(s) being successfully challenged via judicial review.

### **Supervised Release Orders**

- 5.4.3 For those prisoners subject to a SRO on release sections 419 to 427 of National Standards continue to apply.

### **Home Leave / Temporary Release**

- 5.4.4 The procedures relating to home leave and temporary release are detailed in paragraphs 461 to 471 of Annex A of the National Standards on Throughcare. Supervising Officers should be alive to the significance of home leave for prisoners and their families. Although only pre-parole home leave will require to be supervised, home leave can be a stressful time for prisoners and their families who may have to go through a process of re-integration. Support for the prisoner and his / her family members may be required to deal with this. Supervising Officers and prison social work staff should consider how best to provide this support taking account of the individual circumstances of each case.

### **5.5 Pre-release Meeting**

- 5.5.1 The arrangements for pre-release planning of prisoners who are subject to statutory throughcare should follow the general principles and procedures in National Throughcare Standards for Parole and Statutory Supervision Cases (paragraphs 109-118). In all cases, the process must accelerate in the final 3 months of the custodial term following confirmation of the prisoner's release date. Similarly, the formal pre-release meeting, convened by the social work unit in prison, must take place at least 2 weeks prior to release.
- 5.5.2 Where possible, a meeting should take place between the prisoner's family and social workers to feed in to the pre-release plans. This should take place prior to the formal pre-release meeting referred to in paragraph 5.5.1 above. If this meeting does not take place, the reasons for this should be noted in the casefile.
- 5.5.3 In recall cases the allocated supervising officer should continue the supervising officer role while the prisoner is recalled and either released or kept in custody.

## 5.6 Post Release

- 5.6.1 The role of the Supervising Officer becomes central following the release of the prisoner. In many instances this will be the culmination of many years of preparation and repeated assessment of risks and needs. Whatever the circumstances, the initial period following release will be a testing one for the offender. It will be important to ensure that sufficient attention is paid to the practical needs of the offender at this time. Those needs will often be particularly acute following lengthy periods in custody or where the offender is returning to particularly isolated or vulnerable circumstances. Guidance on post-release supervision can be found in Chapter 6 of the National Standards on Throughcare (paragraph 430 et seq. in Chapter 12 for SROs).

**LONG TERM PRISONERS AND PRISONERS SUBJECT TO SUPERVISED  
RELEASE ORDER**

**RECORD OF INTERVIEW**

Date of Meeting \_\_\_\_\_

1. Section 1 Prisoners Details

<b>Name</b>	
<b>Prison Number</b>	
<b>Date of Birth</b>	
<b>Social Work IT System Number</b>	
<b>Current Release Address</b>	
<b>POST CODE</b>	
<b>Current Next of Kin</b>	
<b>Current Prison Location</b>	House block                      Wing      Cell
<b>Name of Establishment</b>	HMP
<b>Designated L.A. / Grouping</b>	

2. Section 2 Participants at Meeting

<b>Name</b>	<b>Job Title / Role</b>	<b>Organisation</b>

3. Section 3 Prisoner Personal Information / Update

<b>Index Offence Detail(s)</b>	
<b>Cumulative Sentence Length</b>	
<b>Sentence Start Date</b>	
<b>Sentencing Court</b>	
<b>PQD</b>	
<b>EDL</b>	
<b>Schedule 1?</b>	YES/NO
<b>Sex Offender?</b>	YES /NO
<b>Last Risk Reoffending Assessment Date</b>	



<b>Last Risk Reoffending Tool Used</b>	
<b>Last Risk Reoffending Classification (H/M/L)</b>	
<b>Last Risk Harm Assessment Date</b>	
<b>Last Risk Harm Tool Used</b>	
<b>Last Risk Harm Classification (H/M/L)</b>	

<b>Date of last meeting between prisoner and supervising officer</b>

<b>Please record any information / updated information on identified risk of harm and measures taken or planned to manage identified risk</b>

<b>Please indicate the current views of the prisoner to contact with the community based social worker, prison social work team, the sentence management process (including programmes) or specialist service provision such as psychology.</b>

**What is nature of any contact with prison social worker and/or prison psychologist or other specialist service?**

--

**Please record any information / updated information on prison-based offence-focused programmes planned, undertaken or completed since the last contact between community based social worker and prisoner / prison based staff.**

--

**What has been the response to any programmed intervention undertaken since last meeting?**

--

**Please record any information / updated information on frequency of family visits to the prisoner, identity of visitors, issues regarding family contact, necessary tasks etc.**

--

**Please detail any current release plans and any action required to take these forward.**

--

**Please record decisions reached at this meeting**

--

<b>Date of next scheduled supervising officer's visit to the prisoner.</b>

Name of supervising officer \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **Purpose and Effect**

Section 27 (1) of the Social Work (Scotland) Act 1968 was amended by section 71 of the Criminal Justice (Scotland) Act 2003 making provision to provide advice, guidance and assistance to

- (ac) prisoners during their period of imprisonment and who will be subject to supervision following release. Responsibility for the provision of this service will fall to the local authority area the offender resided in prior to imprisonment or the local authority area the offender will reside in following release.
- (1A) to prisoners during their period of imprisonment who would not be subject to supervision on release and who request such services. Responsibility for the provision of this service will fall to the local authority area the offender resided in prior to imprisonment or the local authority area the offender will reside in following release.
- (1B) provides that where there is more than one local authority involved in the provision of the advice, guidance and assistance to prisoners who require to be under supervision following release in (ac) the local authorities may agree between themselves which one is to provide the service.

The effect of section 71 of the Criminal Justice (Scotland) Act 2003 is to strengthen existing throughcare arrangements to provide the local authority with the power to appoint supervising officers for those prisoners who will be subject to supervision on release at the start of imprisonment with the aim of making links with offenders and families during the sentence and ensuring smoother transition from prison to the community. For those prisoners not subject to supervision on release the local authority will be able to be proactive in the provision of advice, guidance and assistance prior to release. For example, it is envisaged that local authorities might explain the range of services available to certain categories of offender, e.g. sex offenders, young offenders and women and the offender can then request it if he/she so wishes. The category of offender will be defined through guidance to local authorities. The provision will not prevent local authorities providing services to any other category of prisoner who requests it.

**SAMPLE STANDARD LETTERS:  
DESIGNATION OF SUPERVISING AUTHORITY/OFFICER**

**Sample Letter A**

**(From Prison Social Work Department – new prisoner notification.)**

Ref:  
Date:

Dear Colleague

**THROUGH-CARE SERVICES:  
DESIGNATION OF SUPERVISING OFFICER/AUTHORITY**

The prisoner named below has been admitted to HMP XXX. I understand that this prisoner will be supervised on release by an authority within your grouping or authority.

The prisoner is subject to statutory supervision on release and is (please circle as appropriate)

Serving more than 4 years	(Circular SEJD12/2002 refers)
Subject to a Supervised Release Order	(Circular SEJD 12/2002 refers)
Subject to an Extended Sentence	(Circular SWSG 14/1998 refers)

In **addition** the prisoner is (circle if appropriate)

A registered sex offender	
A schedule 1 offender	(Circular 18/2003 refers)

Please confirm/decline acceptance of Throughcare responsibility in writing to me by XX/XX/XX.

**NAME:**

**ADDRESS:**

**DOB:**

**PRISON NUMBER:**

Please do not hesitate to contact me if you have any queries.

Yours sincerely

**Sample Letter B**  
**(from Local Authority Social Work – Acceptance)**

Your Ref: Circular SEJD 12/2002

Date:

**Prison - HMP**

Dear Colleague

**THROUGH-CARE SERVICES –  
CONFIRMATION OF SUPERVISING AUTHORITY/OFFICER**

Further to recent correspondence I can confirm as required by Circular No: **SEJD 12/2002** that XXX Council will be the responsible authority for the prisoner detailed below. The individual supervising officer will be identified as soon as possible and you will be notified accordingly. Please ensure that the supervising officer is advised as quickly as possible should the prisoner be transferred to another establishment.

**PRISON NUMBER:**

**NAME:**

**DOB:**

**ADDRESS:**

**THE SUPERVISING OFFICER IN THIS INSTANCE WILL BE:**

**TEL:**

Please do not hesitate to contact the Throughcare Team at the above address if you have any queries.

Yours sincerely

**Sample Letter C**  
**(from Local Authority Social Work – Rejection)**

To: Prison Social Work Unit - **HMP**

Ref: **Circular SEJD 12/2002**

Date:

Dear Colleague

**THROUGH-CARE SERVICES – SUPERVISING OFFICER/AUTHORITY**

Further to recent correspondence I must advise as per Circular No: **SEJD 12/2002** that XXX Council does not accept that it is the responsible authority for the prisoner detailed below.

Departmental records have been checked and there is no evidence to suggest that the prisoner has any connection with XXX Council. In the event that we have been able to identify a connection with another grouping this is listed below and a copy has been sent to the lead officer for their consideration.

Should you have other information which would confirm a connection with this authority please get in touch to allow a review of this decision.

**Prison Number:**

**Name:**

**DOB:**

**Address:**

**Possible responsible authority:**

Please do not hesitate to contact the team at the above address if you have any queries.

Yours sincerely



**Sample Letter D**  
**(from Receiving Prison Social Work Department in transfer cases)**

Ref:  
Date:

Dear Colleague

**THROUGH-CARE SERVICES – DESIGNATED AUTHORITY**

**Re:**  
**PRISONER'S NAME**  
**DOB**

I understand that the above prisoner is already allocated to your Throughcare Partnership as required by Circular No: **SEJD 12/2002**.

I am writing to advise that he has now been **transferred** to HMP XXX from HMP XXX

Please do not hesitate to contact me if you have any queries.

Yours sincerely

**Sample Letter E**  
**(from Prison Social Work Department - recall cases)**

Ref:  
Date:

Dear Colleague

**THROUGH-CARE SERVICES:  
DESIGNATION OF SUPERVISING OFFICER/AUTHORITY**

I write to advise you that the prisoner listed below has been recalled to HMP XXX. I understand this prisoner is currently supervised by an authority within your grouping.

Please confirm\decline Throughcare responsibility as required by Circular No: **SEJD 12/2002** by writing to me by XX/XX/XX.

**Name:**

**Address:**

**DOB**

**Prison No:**

**The prison based social worker is:**

Please do not hesitate to contact this team at the above address if you have any queries.

Yours sincerely