

CONSULTATION QUESTIONS

Progress and Challenges

**Q.1 Do the findings of the evaluation broadly reflect your views about services for people with learning disabilities/carer?**

Yes X No

Please provide any comments, evidence and/or examples here

*We welcome the recommendation to 'Continue work...to ensure that people with learning disabilities do not experience discrimination in the criminal justice system and that appropriate support is in place on leaving the criminal justice system'*

**Q. 2 Can you give examples, either locally or nationally, of what you think has worked well over the last 10 years of *The same as you?***

Please provide any comments and/or examples here

**Q. 3 Can you give examples of issues in current work and/or policies that still need to be addressed?**

Please provide any comments and/or examples here

As the SAY consultation report (p38) indicates, it is difficult to get accurate figures of the number of people with learning disabilities that are in Scottish prisons. It is therefore evident that SAY recommendation 28 to '*commission research into the number of people in prison..*' has not been realised.

Conservative estimates are that there are approximately 1,000 prisoners who have a learning disability, or borderline learning disability in Scottish prisons. HMP Barlinnie has over 80 prisoners with a diagnosed learning disability. It is our understanding that the number of learning disabled prisoners has increased over the past 10 years. Learning-disabled prisoners are more likely to be placed in segregation, bullied and be subject to Control & Restraint procedures. Only 3 of the 17 Scottish Prisons have a specialist learning disability service.

*It appears that an unintended consequence of the SAY and resulting closure of institutionalised care settings is that more people with learning disabilities are going to prison.*

ARS Scotland organised a meeting of 24 professionals on 5 /9/12 who have a lead role in planning and delivering support for learning disabled offenders. They identified the following key challenges:

1. Poor inter-agency working, protocols and information sharing
2. Lack of services. In particular:
  - Lack of person-centred support upon leaving prison
  - Poor early intervention strategies
3. Lack of awareness at national and local level
4. Inconsistencies with diagnosis and referral procedures

Most organisations who attended the event support of learning disabled offenders who are low end tariff and / or repeat offenders. This response therefore relates to issues experienced by this group and may therefore not be representative of higher tariff offenders.

## Good Practice – Organisations

**Q. 4 Can you provide examples of what you have done over the last 10 years, within your organisation, to improve services and access to services within your local area?**

Please provide any comments and/or examples here

In partnership with Turning Point Scotland, NHS and Cornerstone, ARC Scotland organised a networking event on 5/9/12 for professionals that have a lead role in planning and delivering support for learning disabled offenders. 24 delegates attended this. Feedback was gathered in a systematic way and will result in a report that will be widely circulated, including to Scottish Government.

Delegates indicated a strong desire to develop a network for professional that work in this field. This network would seek to:

- 1 Improve early intervention to prevent offending behaviour
- 2 Improve support and life chances for ex offenders
3. Improve equality in criminal justice processes for offenders
4. Reduce rates of re-offending

It will seek to achieve this by:

1. Improving networking between agencies
2. Identifying gaps in service
3. Influencing change at a national level
2. Providing information for providers

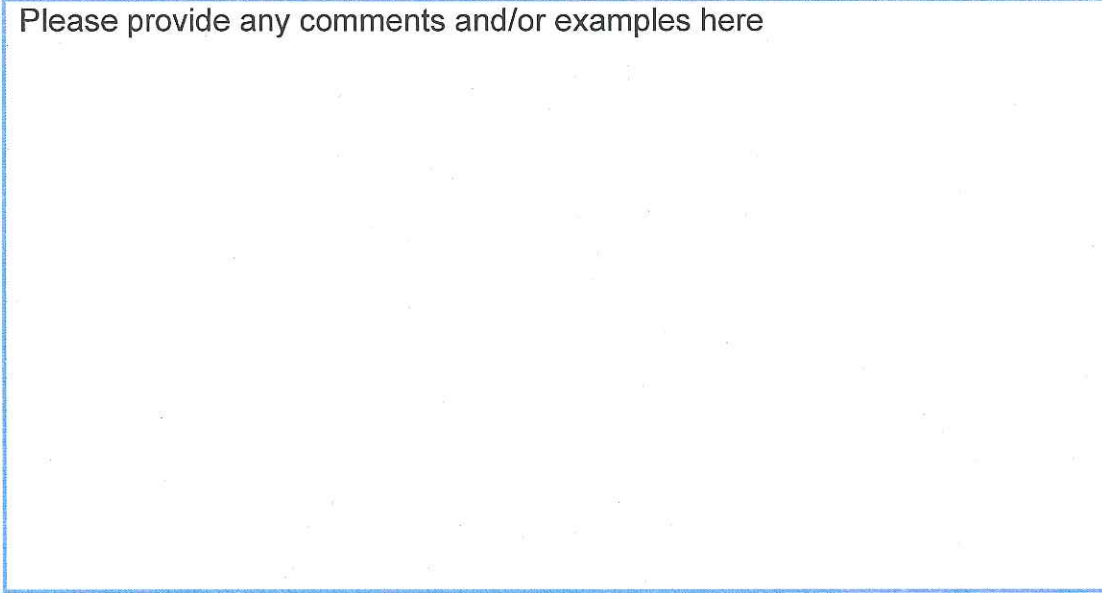
We are currently working with partners to develop next steps in this work. We plan to hold a follow-up event in early 2013 that will focus on solutions to the challenges identified.

**See Q10** for future priorities in this field.

**Good Practice - Individuals**

**Q.5 What have you done, as an individual, to make positive changes within your local area?**

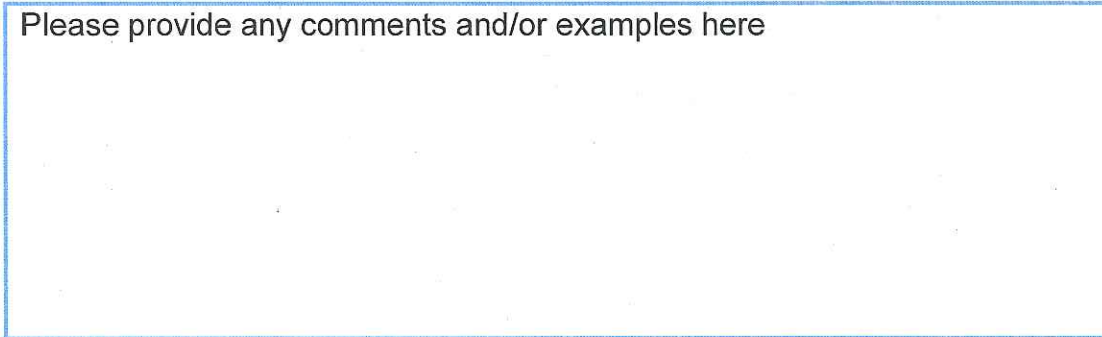
Please provide any comments and/or examples here



**Future Priorities - Healthcare**

**Q.6 What still needs to be done to ensure that people with learning disabilities have access to better and more appropriate healthcare?**

Please provide any comments and/or examples here



### Future Priorities - Education

**Q.7 What still needs to be done to ensure that people with learning disabilities have access to better educational opportunities?**

Please provide any comments and/or examples here

### Future Priorities – Independent Living

**Q.8 What still needs to be done to ensure that people with learning disabilities are able to live independently?**

Please provide any comments and/or examples here

## Future Priorities – Employment

**Q.9 What still needs to be done to ensure that people with learning disabilities have access to better employment opportunities?**

Please provide any comments and/or examples here

## Future Priorities

**Q.10 What other future priorities do we need to focus on?  
(Please list these in order of importance with the most important first)**

Please provide any comments and/or examples here

In relation to learning disabled offenders, we propose the following priorities:

**Identify** those with a learning disability who are currently in Scottish prisons, in line with original SAY recommendation 28. These individuals may be in need of immediate support in prison and with transition planning.

**Specialist Learning Disability Nurses** should be available in all Scottish prisons to ensure that people receive appropriate support while detained and to aid the through-care process once released.

**Improved inter-agency working** between professionals in this field is required. ARC Scotland intend to work with others in our network to discuss further how this can best be achieved. The following has been suggested:

- Improved protocols between agencies (Police / PF / prison / Social Work) to ensure that offenders with a learning disability are identified and properly supported (for example there is currently no protocol whereby police reports to the Procurator Fiscal identify that alleged offenders have a learning disability)
- Use of person centred plans and assessments and for these to transfer between organisations
- Improved and increased use of multi –disciplinary teams and ‘key-worker’ model

Approaches to **improve networking and information sharing** amongst professionals are required and should be supported by the Scottish Government. Views of professionals and people with learning disabilities should be sought to further develop policy in this area.

**Improved diagnosis and referral procedures.** There is concern that some people with learning disabilities are not being identified in the criminal justice process. This could be because police and others have not carried out checks with the local authority, or that the individual has never been identified as having a disability. Again, further work is required. Delegates that attended the network event were generally supportive of adoption of the 'HASI' diagnosis tool, however there were concerns that this could lead to over-diagnosis and unnecessary labelling.

**Greater awareness of this issue.** We propose that future policy should recommend increased training on learning disability awareness within police and prison services. There should be a joined-up approach to the issue at a Scottish Government level and we welcome the work within the Rehabilitation & Reintegration Unit to promote this.

**Service provision** for learning disabled offenders across Scotland should be reviewed with a view to establishing which approaches are most successful and where gaps exist. We propose increased application of **person-centred approaches** as a route to reducing re-offending by supporting people upon release in a holistic way.

There should also be a greater focus on **early intervention and greater support** to prevent offending behaviours, particularly amongst the most vulnerable young people with learning disabilities.