

National Objectives for Social Work Services in the Criminal Justice System: Standards - Throughcare

CHAPTER 2: COMMENCEMENT OF THROUGH CARE: RESPONSIBILITIES

Commencement of Throughcare

29. The responsibility of the social work department for the provision of throughcare services to prisoners and their families commences from the moment when the court imposes:

29.1 any remand in custody prior to sentence;

29.2 custody as an alternative to non-payment of a financial penalty; or

29.3 a custodial sentence.

Responsibilities of the Social Work Department in the Court

30. 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. For many people this will occur at the point of sentence and it is essential that local authority court-based services facilitate this. Detailed guidance on the provision of post-sentence interviews, which will often constitute the start of a throughcare service to an individual, is provided at paragraph 127 of the National Standards for Court Services.

Responsibilities of the Clerk of the Court

31. It is the responsibility of the Clerk of the Court to forward to the Governor of the receiving prison a copy of:

31.1 the complaint or indictment (for Schedule 1 offenders and cases which will result in release subject to supervision);

31.2 the previous convictions libelled in court;

31.3 the social enquiry report where prepared, and other reports (including medical reports) where appropriate; and

31.4 notification of imposition of a supervised release order or recall under Section 16 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (where relevant).

In cases where a sentence of over 4 years is imposed, the Judge's report will be sent by the Justiciary Office to the Parole and Lifer Review Branch. Two copies of the report will then be sent to the prison establishment. The Governor should ensure that one of the copies is forwarded to the social work unit on receipt.

32. These documents should be copied on receipt by the Governor to the social work unit, in relation to all prisoners subject to mandatory supervision on release. The specific procedures relating to Schedule 1 offences are detailed in Chapter

11. In all Schedule 1 cases such notification shall be within one day.

33. These documents should be made available to the social work unit, on a need to know basis, in relation to all other prisoners.