

<p>READERSHIP</p> <p>Governors in Charge Deputy Governors Controller Private Prisons Director HMP Addiewell Director HMP Kilmarnock Heads of Operations Heads of Offender Outcomes</p>	<p>REFERENCE NO</p> <p>065a/18</p> <p>DATE</p> <p>26/10/2018</p>
<p>SUBJECT</p> <p>Home Detention Curfew (HDC)</p>	<p>CONTACT</p>

Purpose

The purpose of this GMA is to inform managers and staff of some immediate changes to Home Detention Curfew (HDC) arrangements that will be live from Monday 29th October 2018. The changes have been reflected in updated HDC Guidance and Form HDC2 (SPS Risk Assessment) and will be uploaded onto the HDC PRL Site.

Background

HM Inspectorate of Prisons for Scotland (HMIPS) have provided the Cabinet Secretary for Justice with the final Report on the Review of the arrangements for HDC within the Scottish Prison Service (SPS). The review makes 21 recommendations that will result in changes to HDC Guidance for all agencies. While a number of improvements have been put in place by a Short Life Working Group (SLWG) further and more significant changes will need to be taken forward to meet the full range of recommendations. These changes are likely to include additional statutory exclusions and changes to SPS Risk Factors for the purpose of risk assessment. The overall work package will be progressed under a Strategic Oversight Group comprising of SPS, Scottish Government Officials, Police Scotland and other key stakeholders.

SPS will be responding positively to the HMIPS Report and will be introducing a number of measures to improve risk assessment, consistency of practice and defensibility of decision making in relation to HDC. Consequently, we will be making some immediate changes to HDC processes and procedures as well as carrying out a fuller and more detailed review to be completed by 9th November 2018. It is anticipated that this review will focus on the use of standard HDC documentation, steps to improve risk assessment and consistency of decision making and strengthened assurance and records management. OD will also be looking to develop training and awareness sessions for staff involved in the HDC process.

Immediate Changes

SPS has agreed to some immediate changes from **Monday 29th October 2018**.

- 1) The formal decision and confirmation of the recommendation to release will be taken by the Governor in Charge or, in their absence, the Deputy Governor. This will include assuring that the quality and procedural compliance of the documentation as well as recording the reason for the decision. Operations Directorate will provide the necessary revision to the documentation.

2) There will be a presumption that individuals whose current offence involves violence or knife crime will not, in normal circumstances, be released under HDC arrangements.

3) There will be a presumption that individuals who have known links to Serious and Organised Crime will not, in normal circumstances, be released under HDC arrangements.

OD will provide additional guidance and support to local teams where required. The following points of contact should be utilised in the first instance.

GIC Action

Governors in Charge are asked to ensure that all staff, but especially those tasked with managing the HDC process, are aware of these immediate changes and the fact that there will be an ongoing review in the coming weeks which may lead to further changes and necessary action.

Establishments are further advised that all previous versions of the HDC Guidance and Form HDC2 should now be removed from use. The new documents will be uploaded onto PRL.

Current HDC applications in process should be completed using the new Guidance.

In due course, OD will seek assurances from GICs that the new arrangements are fully embedded into daily operations.