



CRIMINAL JUSTICE SOCIAL WORK
DEVELOPMENT CENTRE *for* SCOTLAND



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Briefing paper

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Integrated Case Management: the Views of Social Workers

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Summary

- Access to the Community Integration Plan (CIPs) before the case conference is variable.
- There was substantial criticism of the large volume of information contained in CIPs noting that much of it was repeated elsewhere, or that it was out of date or irrelevant.
- Despite irregular access to the CIP 86% of respondents felt that enough preparation was done before case conferences.
- Prison and community based social workers were present at substantially more conferences than other professionals.
- Despite this general view that attendance from other agencies could be sporadic, 68% of respondents felt the ICM process enhanced multi-agency working and a further quarter stated that this was sometimes the case.
- The majority of practitioners felt the conferences are generally useful for the prisoner with just 18% stating they were only sometimes useful and 1% feeling they were 'not really beneficial'.
- There is confusion about who should invite family members to the conference, and there was also concern regarding the amount of preparation done with the family.
- Respondents were divided as to whether there was consistency in the approach to ICM across the prison estate.
- Nearly two-thirds of respondents felt the ICM process could be improved, with most comments focusing the need for better inter-agency attendance, concerns that case conferences could be repetitive or fail to cover issues relevant to the prisoner at certain points in their sentence, and that the day to day prison regime could be a practical barrier to conducting productive case conferences.



1: BACKGROUND

Partnership working

- 1.1 Multi-agency partnership working is now firmly embedded in criminal justice work through various local and national policy initiatives and frameworks. In Scotland this has been reiterated over the years in various policy documents (see Scottish Executive 2006a; 2006b; 2006c; Scottish Prisons Commission 2008), since the government's approach was first outlined following devolution:

"The government are committed to an inclusive approach to criminal justice. This relies on successful collaboration between Government, the professionals upon whom the system relies and the communities and individuals who make up Scotland today. Partnership at all stages of the process – from the protection of the public from those who commit crime; to prevention by tackling circumstances that encourage crime in the first place; to support for victims of crime and for offenders who are prepared to change – is the key to the Government's approach" (Scottish Office 1999; 4.1)

- 1.2 The eight Community Justice Authorities created under the Management of Offenders (Scotland) Act 2005 (Scottish Executive 2006b), and the development of Multi-Agency Public Protection Arrangements (MAPPA)(Scottish Executive 2006c) are two of the most recognisable and high profile multi-agency responses to offending. The Management of Offenders (Scotland) Act 2005 put into legislation the policy imperatives of partnership working, placing a responsibility on local authorities, the Scottish Prison Service, the police and other partners including health and housing providers jointly to establish arrangements for the management of offenders.
- 1.3 Away from the political discourse driving the increase in multi-agency and partnership working there is a substantial theoretical framework underpinning the concept of joint working. Cooperation theory (Loxley 1997) or coordination policy (Payne 2000) suggests that better results are achieved when organisations work together, as long as there reciprocity and durable working relationships. However, there are also substantial barriers to effective partnership working in all levels of policy and practice, not least the potential for the dominance of one agency or profession (Molyneux 2001).
- 1.4 The adoption of multi-agency working in policy frameworks generally views partnership working as being a vehicle for good practice, and a move towards agreement on aims and objectives - a 'benevolent' perspective of working together (Sampson et al 1988). The 'conspiracy' perspective views partnership working as inherently problematic with conflicts inevitable and an inherent part of the criminal justice process (Sampson et al 1988; Pearson et al 1992).



- 1.5 Partnership working is now an accepted part of the criminal justice system in Scotland, and agencies are constantly striving to overcome some of the conflictual professional and organisational barriers that have been prevalent in the past.

Case management

- 1.6 Case management models have been apparent in social work for a number of years in the area of community care and mental health (Holt 2000a; 2000b), where case management is described as *"A client centred approach to the coordination of services to meet the needs of vulnerable individuals"* (Davies 2000:44).

- 1.7 With the advent of the 'what works' discourse in offender management during the 1990s, the models and methods of case management were adopted and adapted for working with offenders on community supervision. Within the offender field the role of case management is thought to be central to the effective implementation of an evidence-based approach to supervision and management (Chapman & Hough 1998; Underdown 1998). Within this framework, case management is defined as:

"The staffing structures and organisational processes in place to co-ordinate and integrate all aspects of community supervision, from the initial offender risk and need assessment, through to programme delivery and intended completion of the order"
(Partridge 2004:4)

- 1.8 The importance of good case management towards provision of effective practice within the 'what works' discourse is characterised by:

- ❖ Risk assessment and management
- ❖ Supervision planning and review
- ❖ Referral and allocation of resources used in supervision
- ❖ Coordination and sequencing of work through the Order
- ❖ Managing contact, attendance and enforcement
- ❖ Prioritising within the caseload

- 1.9 Models of case management within the criminal justice field have tended to focus on the management of offenders in the community, where a case manager has been on a continuum between service broker and provider, the key link between the offender and the services provided, depending on the model of case management adopted. Where the case manager was positioned in this continuum depended on the degree of managerialist principles implemented at the strategic level in organisations (Partridge 2004).

- 1.10 Such a simple description belies the complexity of a case management role, which latterly also came to include the developing of a positive working relationship with the offender, in addition to a structured offence focussed programme (Burnett 2004; McNeil & Batchelor 2004; McNeil et al 2005)



- 1.11 While the focus of the 'what works' discourse was initially on offender management in the community it became apparent that those given a custodial sentence also required continuity of service and the right support for reintegration into the community. The introduction of the National Offender Management Service in England and Wales sought a '*Genuine end to end management of offenders, whether in custody or the community*' (Narey 2004:4). For any intervention - custody, community, or both, to be successful it is increasingly recognised that work has to be multi-modal and multi-systemic involving personnel from a number of agencies (McNeil et al 2005).
- 1.12 Approaches to case management have included system responses as an important constituent part of any theoretical model (see Holt 2000a & 2000b), and the core functions of case management - assessment, planning, linking, monitoring and evaluation (Holt 2000, adapted from Rubin 1992), can be applied equally to system and individual models. Thus, case management can include individual and system responses to achieve positive outcomes through adopting a partnership model of co-ordinating services to meet the management and policy demands of efficiency and effectiveness, and promoting continuous working relationships with offenders.
- 1.13 Integrated Case Management draws on a multi-agency approach to working with offenders, while attempting to retain the ethos of a traditional case management model that promotes a continuous, positive working relationship with the offender and their family.

Policy origins

- 1.14 The Integrated Case Management (ICM) of offenders has its policy origins in Scottish Executive Justice Division Circular 12/2002 for criminal justice social work throughcare, and the SPS Sentence Management process. The Management of Offenders (Scotland) Act (2005) was instrumental in the development of the model. Appropriate information sharing, good communication and robust risk assessment and management processes were viewed as important in achieving the desired level of partnership working to overcome the recognised difficulties and potential for conflict of multi-agency working.
- 1.15 The aims of Integrated Case Management are clearly elucidated in the ICM Practice Guidance Manual (Scottish Executive 2007):

1.3.1 Integrated Case Management is a multi agency approach that is focused on reducing re-offending by ensuring, where possible, risks are identified and a plan is in place for each prisoner to reduce those risks in a sequenced and co-ordinated manner.

1.3.2 Integrated Case Management seeks to keep the positive features of Sentence Management, whilst ensuring that there are strong joint operational processes in place with other criminal justice partners. Importantly, Integrated Case Management seeks to unite the Sentence Management process with the requirements of Circular 12/2002 for those prisoners subject to statutory supervision in the community. The aim of ICM is not



solely about SPS having an efficient process in place which helps manage a prisoner's progression through custody. ICM is also aimed at establishing an effective system which facilitates closer co-operation and joint working practices between criminal justice agencies, in particular with criminal justice social work, but also on occasion with the Police and other community based agencies. The purpose of this is to improve the risk assessment and risk management processes, thereby reducing reoffending. The ICM process will fit directly with other recent developments including the Multi Agency Public Protection Arrangements (MAPPA) and Order(s) for Lifelong Restriction (OLR) to ensure the transition of high-risk individuals into the community is consistently managed.

1.16 The Integrated Case Management process commenced on 1 June 2006 integrating and superseding Circular 12/2002 and the Sentence Management process. The key aspects of ICM are that it will:

- be delivered to all convicted prisoners (not just those sentenced to 4 years or more, as with Sentence Management)
- differ in intensity according to risk and not, as previously, sentence length
- a *case conference* approach that will feed the assessment, planning, intervention and review processes (involving all relevant service providers involved with prisoners subject to post-release supervision)
- utilise the input of all service providers through an SPS IT-based system (PR2 that will become the standard case management tool)
- have the same entry and exit procedures for all prisoners regardless of sentence length (all prisoners will undergo Core Screen and leave with a Community Integration Plan)
- provide prisoners with a clear process which should encourage greater engagement with the action planning process and therefore desistance from offending on release
- sequence interventions appropriately
- ensure all relevant information is shared with appropriate service providers to facilitate a holistic planning process
- facilitate fully integrated service provision (e.g. addictions, learning skills & employability and social care using assessment tools that have been consistently developed and support the IT-based case management file)
- provide a greater recognition to the diversity within the prisoner population

(Scottish Executive Circular no JD/8/2006)

Aims of the study

1.17 There has been concern that the ICM model, while detailing the process of partnership working with the offender and his / her family, was not fulfilling its potential in bringing together all the relevant agencies to protect the public while also meeting the needs of offenders. Practitioners, managers and policy makers had expressed their reservations about the process at regular Throughcare National Development (Champions) Group



meetings, hosted by the Criminal Justice Social Work Development Centre *for* Scotland (Development Centre). As part of its remit to identify those factors that facilitate or hinder good practice, the Champions group requested the Development Centre to undertake a small scale exploratory research project to identify some of the issues that were apparent for criminal justice social workers in prisons and the community, in regards to ICM.

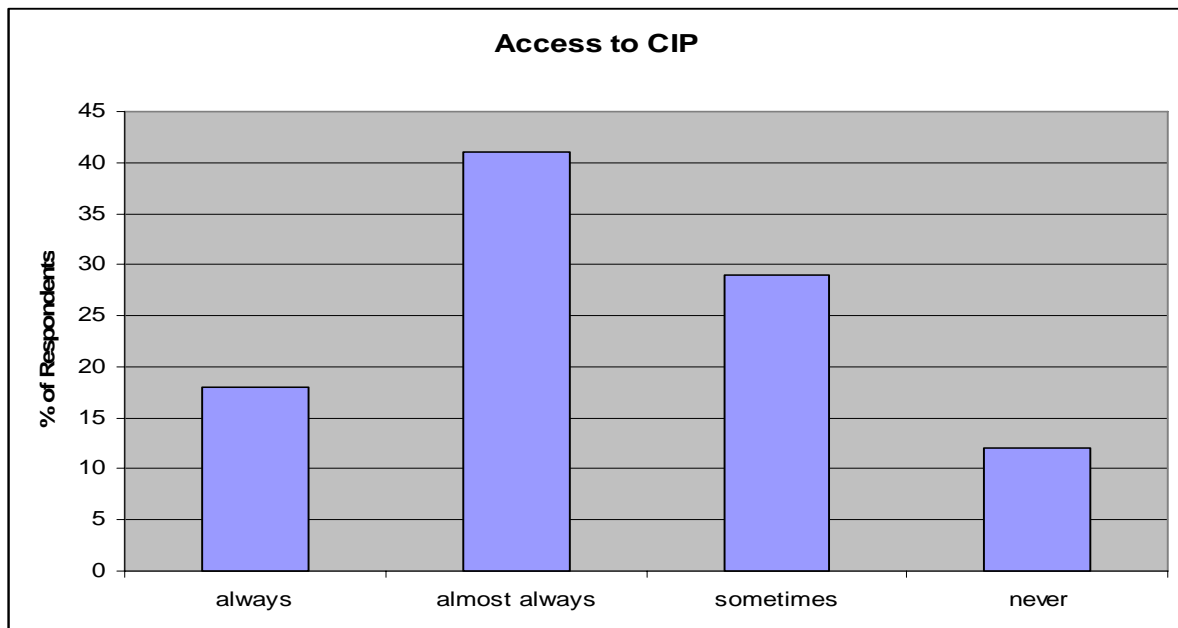
- 1.18 An electronic questionnaire was designed for social work practitioners to share their views about the ICM process. Slightly different questionnaires were drafted for prison based and community based social workers to record their views independently, with the aim of gathering data that could be aggregated across Scotland and also focus on individual prisons. The study did not include a systematic sampling of criminal justice social workers, questionnaires were circulated by members of the Champions group via their contacts across the country.
- 1.19 A total of 40 responses were received; 22 from community based social workers and 18 from those based in the prison. While this number of responses is encouraging it was felt the sample was too small to analyse returns of the two questionnaires separately and the two data sets were merged. This one database was analysed using descriptive statistics and a manual qualitative analysis of the emergent themes for social workers.
- 1.20 As the 'community questionnaire' asked workers about their experiences in all 16 prisons each question could be answered up to 370 times (including the 18 responses from prison based practitioners). Therefore findings are presented as percentages of the total number of responses to each question, which varied from 191 to 21 as not all questionnaires were completed fully.
- 1.21 While the change in methodology introduced limitations in the results, negating comment on individual prisons, the findings remain relatively robust, based on 40 questionnaire returns, providing an indication of how criminal justice social workers across the country view the present ICM process. There are also limitations in the fact this report only details the views of one professional group, front line staff in other organisations may have different ideas about the success, or otherwise, of the ICM process to date.

2: The Community Integration Plan

2.1 Under ICM procedures each prisoner is to be released with a Community Integration Plan (CIP), - a document detailing both current and historical information on the individual's needs and risks, the necessary interventions and who is responsible for particular tasks. The CIP is designed to allow all the agencies working with the prisoner to share information relevant to the case management process and it is accessible through the SPS IT system, PR2. Ideally, therefore, social workers attending ICM case conferences should have access to the CIP before the meeting. As Figure 1 shows respondents reported that this 'always' happened in less than a fifth of conferences (18%). Perhaps more encouragingly 41% of practitioners stated that they 'almost always' had access to the CIP, but the same percentage again reported that this was 'sometimes' or 'never' the case (29% and 12% respectively).

2.2 This relatively even spread of views suggests that access to the CIP varies considerably across ICM case conferences, despite clear guidance that all staff invited to attend should take time to familiarise themselves with the information on the prisoner's risks and needs contained in the CIP before the case conference (Practice Guidance Manual: 52).

Figure 1



2.3 As noted above the purpose of the CIP is to provide a clear overview of the work completed to date to prepare the prisoner for release. To gain some measure of how well the CIP fulfils this function, respondents were asked for their views on the amount and quality of information contained on the CIP. With regard to the former, two-thirds (66%) felt that there



was too much information, and eight practitioners – 20% of the total sample - made additional comments that much of it was repetitive, out of date or irrelevant.

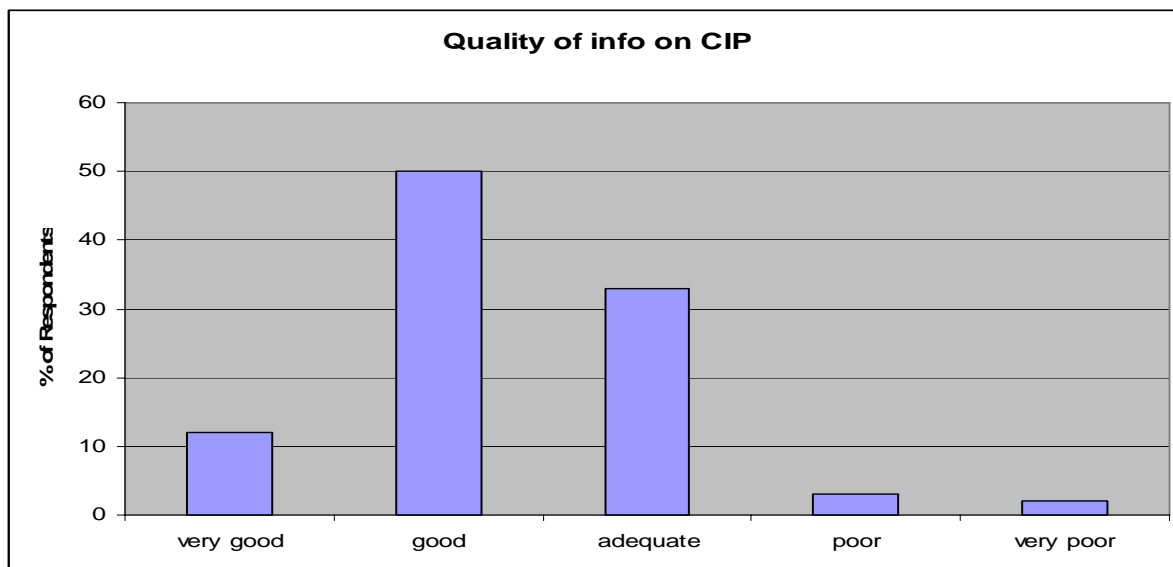
“More current information [is needed] regarding behaviour etc particularly following completion of course work to attempt to gauge effectiveness. Current CIP tends to just be snippets of info taken from other reports incorrectly” (PQ15)

“Sometimes too much historical and irrelevant info included” (C22)

2.4 A further 30% of respondents felt the amount of information contained in the CIP varied considerably between prisons, with only 2% of all practitioners stating that the amount of information the CIP provided them with was ‘about right’.

2.5 The majority of respondents (62%) felt the quality of information in the CIP was either ‘very good’ or ‘good’, with a further third rating it as ‘adequate’, (Figure 2). Taken with the information from the previous question this suggests the CIP generally contains relevant information of a high quality, but that this information can be difficult to find in more lengthy documents. This indicates that there is work to be done in ensuring CIPs are as concise and relevant as possible, something that would also make them more comprehensible to prisoners and their families.

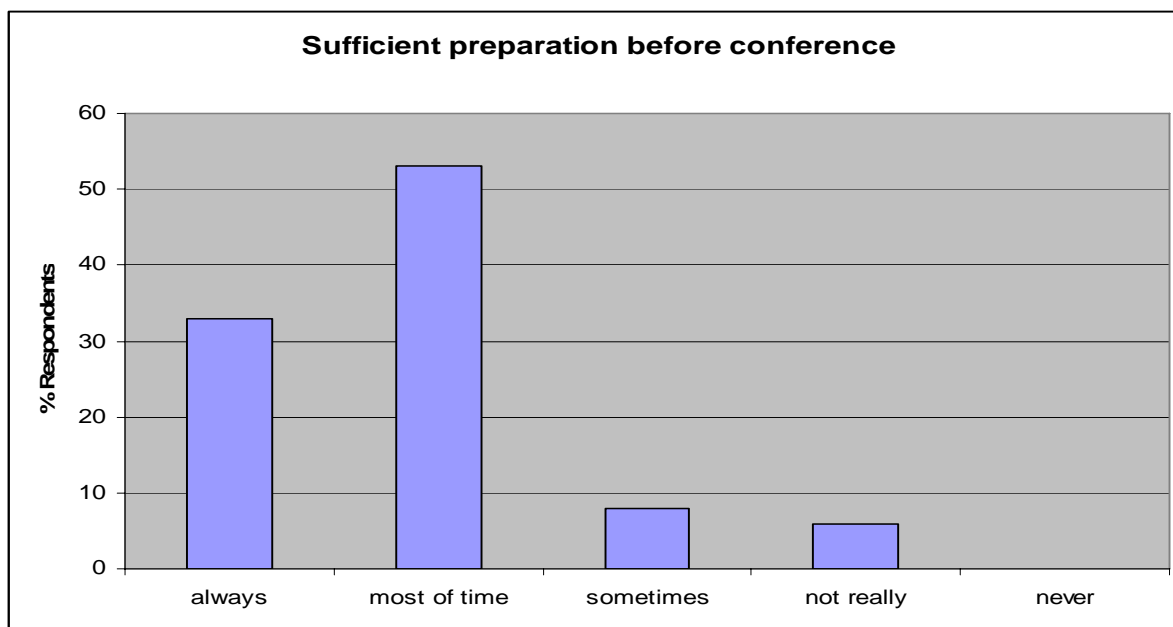
Figure 2



3: Organising the Case Conference

3.1 Respondents were generally positive about how case conferences are organised. The vast majority of practitioners felt they received sufficient notice to attend case conferences; 56% stated this was 'always' the case, 39% reported this 'almost always' happened, while only 5% only 'sometimes' received enough notice to attend. Further, as Figure 3 shows, respondents were similarly positive about the amount of preparation carried out before case conferences with 33% of social workers reporting that sufficient preparation was always carried out and over half (53%) noting that this happened most of the time.

Figure 3

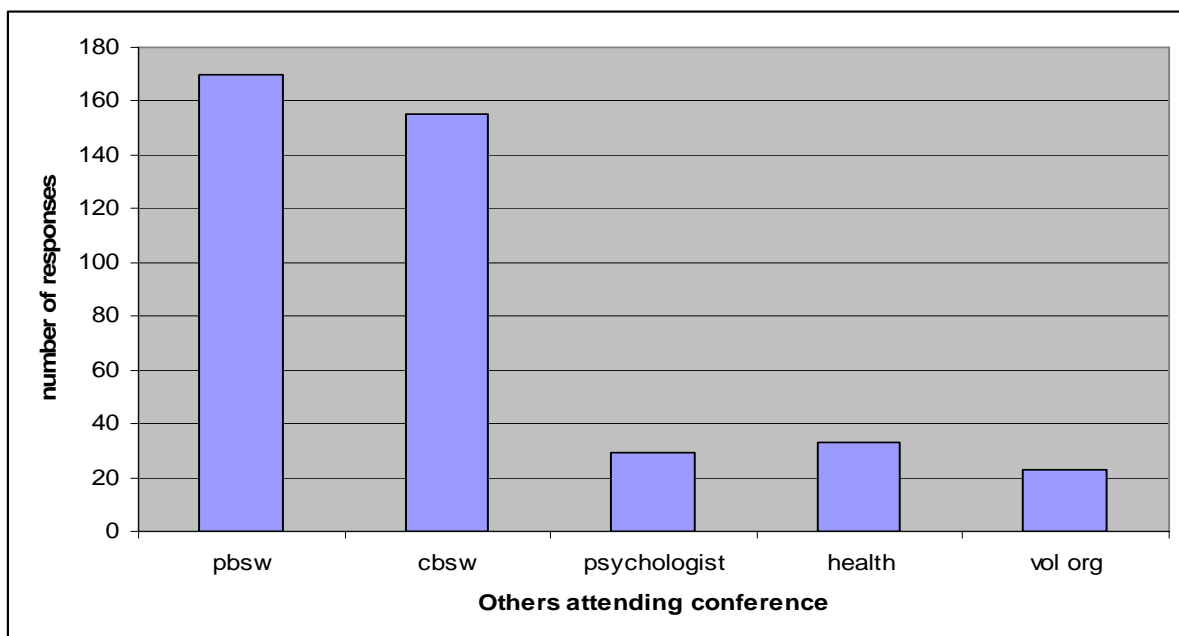


3.2 It is interesting that 86% of respondents felt that enough preparation was done before case conferences, while 41% of the sample reported that they only 'sometimes' or 'never' had access to the CIP before the conference. This suggests the social workers in this sample are either not as prepared for the conference as they perceive themselves to be, or that it is not always necessary to read the CIP before the conference for it to be a productive meeting. It is not possible to determine which of these explanations is the most plausible from the data collected by the questionnaire; however this may be an area requiring further investigation.

4: The Case Conference

4.1 The majority of respondents agreed that the ICM case conferences are generally well attended, with four-fifths of practitioners stating that this is always the case, 18% reporting that there was only sometimes good attendance and only 2% feeling that there was poor attendance at case conferences. However, as Figure 4 shows, other professionals were reported as attending far fewer conferences than social workers (it is assumed SPS case management staff were in attendance at all meetings).

Figure 4



4.2 This may be because of the way the question was asked with respondents required to answer in free text rather than simply using a 'tick box'. Nonetheless a number of respondents commented that attendance at ICM's by health, psychology, personal officers and the police could be sporadic.

"Shouldn't the police attend - they don't seem to even with sex offenders, that doesn't make sense to me" (C 10)

"It would be helpful if health attended more often, especially where there are concerns regarding mental health" (PQ 4)

"It would be more beneficial if the Personal Officer and the case-co-ordinator could attend as more often or not it is a stand in, who knows little or nothing about the prisoner" (PQ 14)

- 4.3 A wider range of views were expressed on how well conferences were chaired; 34% felt this was done very well, close to a half (46%) stated they were 'well' chaired, 14% rated the chairing as 'adequate' and 6% felt it was poor. Four respondents commented that prison officers require further training to develop their skills in chairing case conferences.

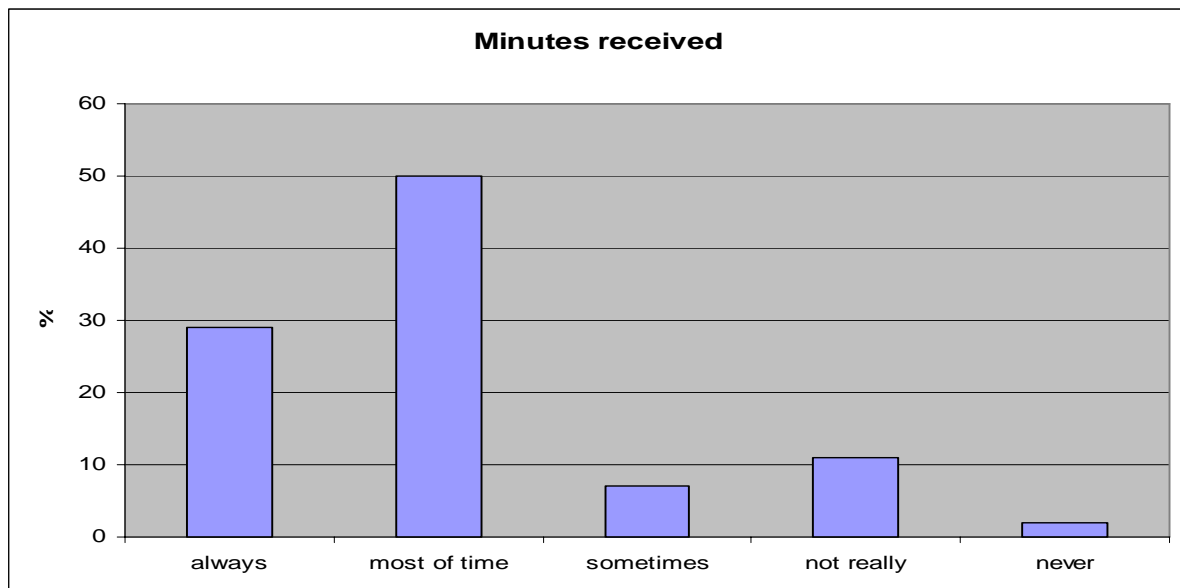
"in all prisons, quality varies tremendously, depending on who is facilitating. Better ICMs are held by prisons where it is a dedicated ICM facilitator. If it is a personal officer, it can be very poor quality" (C 21)

"In my experience social work often end up chairing the conference. The officers require further chairperson training, the minute taker needs further training to take accurate and appropriate minutes. A lot of social work time is spent changing minutes." (PQ 11)

"Social work are more comfortable with chairing when in the community and so therefore it will take some time for SPS staff to gain these skills. More training should be given for chairs regarding to communication, terminology used and the structure of keeping it relevant to the individual than going through the CIP and reading verbatim." (PQ 13)

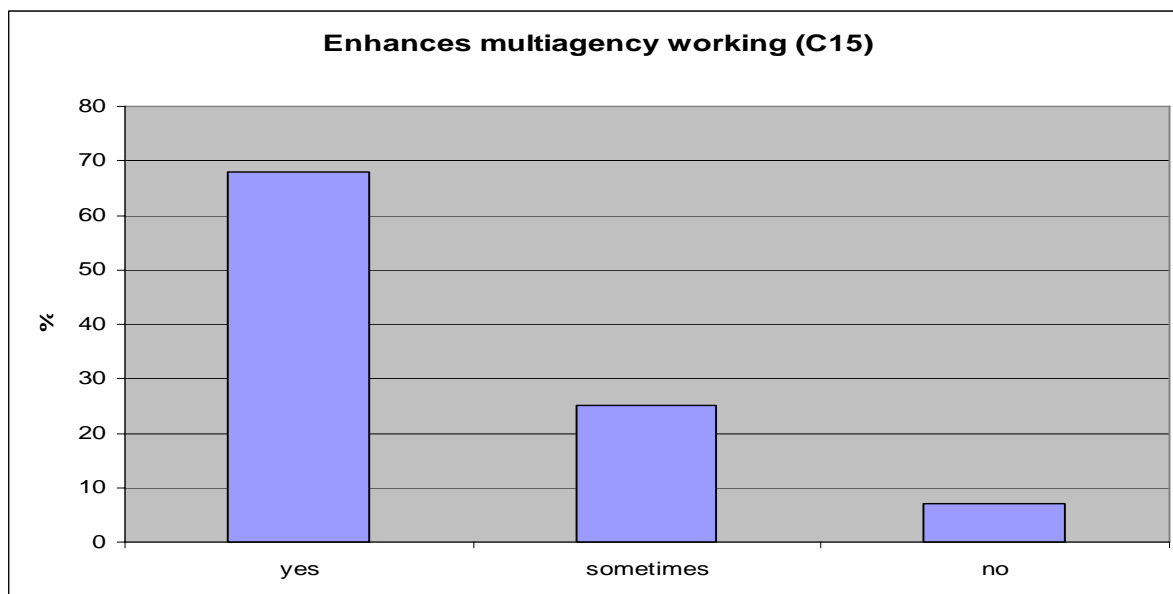
- 4.4 Respondents seemed more satisfied with the time in which they received the minutes of the conference. The majority of practitioners felt that they either always received the minutes of the conference within a reasonable time (29%), or that this was the case most of the time (50%). Just over a tenth of respondents reported that they tended not to receive the minutes within good time (11%); while a small proportion stated that this was sometimes the case (7%) or that this never happened (2%).

Figure 5



4.5 Respondents were also asked if they felt attending the conferences improved inter-agency working. As Figure 6 shows the majority of respondents felt that the ICM process did enhance multi-agency working (68%), while the remaining third reported this to be either only sometimes the case (25%), or that it did not improve multi-agency working at all (7%).

Figure 6



4.6 As few respondents made additional comments on this point it is difficult to know to what extent inter-agency working has been improved as a result of the ICM process. As one practitioner commented any procedure that requires contact between different agencies will improve multi-agency working to some degree.

“yes, any communication between parties achieves better interagency working, resulting in shared understanding of terminology and values” (C 21)

4.7 However, looking at the survey data as a whole, nearly a quarter of the total sample commented that more inter-agency attendance would be beneficial; particularly from health and addictions professionals. This suggests that while there may have been improvements more could be done to enhance inter-agency working through the ICM process, as most ‘partnership’ working appears to be between SPS and social work.



5: ICM, prisoners and their families

5.1 While the key aims of the ICM process are to manage risk and reduce reoffending, the case conference is also designed to involve the prisoner in developing his or her action plan for the next reporting period and allow them to contribute to the discussion at the conferences. There was a clear consensus amongst respondents that this was achieved with 98% of practitioners reporting that the client had the opportunity to contribute to the conference. Respondents were also generally positive about the value of the prisoner's attendance with 44% stating the conference was always useful for the individual and 39% stating that this was the case most of the time.

5.2 However a smaller proportion of respondents were less positive, reporting that the case conference is only sometimes useful for the prisoner (18%), or that attending is 'not really' beneficial to the client (1%). Ten additional comments were made expressing concern that while the client had the opportunity to contribute to the conference on the day, other factors such as time constraints, a lack of preparation and a lack of understanding of the process may prevent them participating meaningfully:

"I feel that in certain situations it would be difficult for the client to join in the discussion due to how it is chaired and conducted – not very client centred in my opinion. Feedback I have had from various prisoners suggest that they get little out of the Conference and have no idea what their assessed risks and needs are!!!" (PQ 19)

"The client is given the opportunity to contribute but seldom receives his CIP prior to the case conference. He is then expected to a) read it at the time or b) told to read it later and come back if he has concerns. Some clients are particularly slow at reading and it makes it more difficult for them to engage as well as they could without having the opportunity to read it prior." (PQ11)

5.3 The ICM Practice Guidance Manual states that one of the aims of the case conference is to 'keep the prisoner at the centre of the ICM process', which will be undermined if the prisoner cannot participate meaningfully in the discussions. Furthermore, barriers to participation such as time constraints, lack of information about the ICM process and the use of jargon are likely to equally apply to any family members who attend the conference; whose presence is encouraged by the Practice Guidance Manual as supportive contact between prisoners and their families' is a protective factor against reoffending (p58).

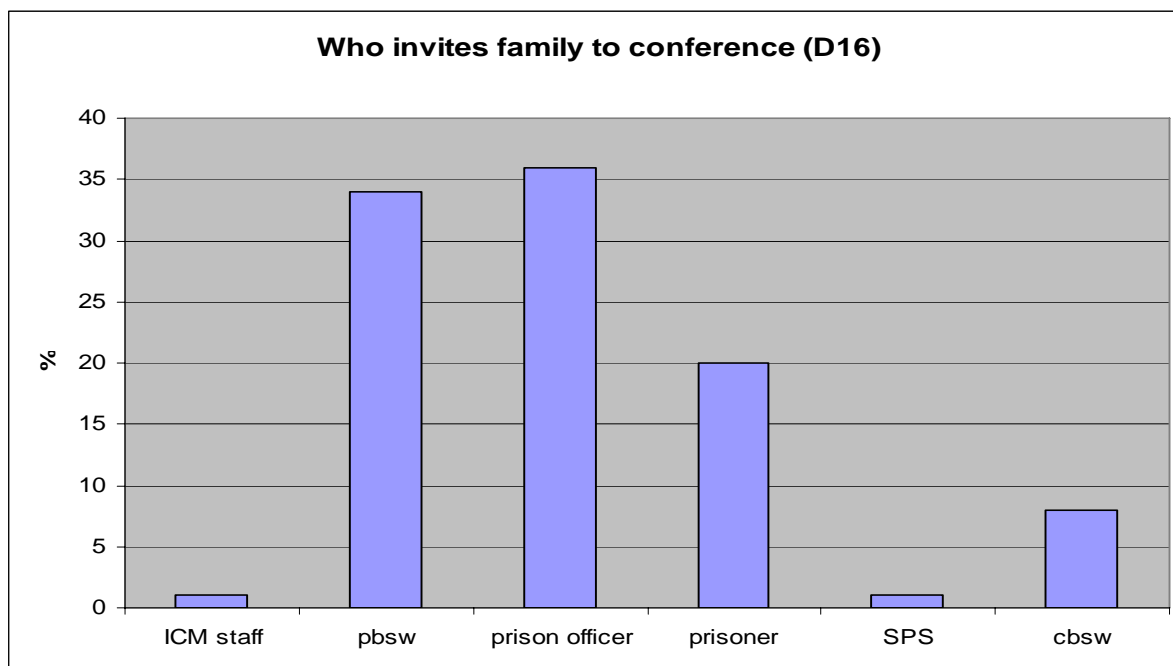
5.4 This is perhaps unsurprising as the value of involving prisoners' families in the throughcare process has increasingly been recognised by both academics and policy makers (Barry 2009). Further research has shown that supportive family ties are linked with reduced recidivism (McNeill and Weaver 2010, McNeill and Whyte 2007, Maruna 2001, Ditchfield 1994), increased likelihood of finding employment, training or education (Niven and Stewart 2005) and can encourage prisoners to engage with services after release (Mills 2004). Indeed this approach is very much in keeping with recent Scottish criminal justice policy developments. In 2006 the then Scottish Executive published its National Strategy for the Management of Offenders. The strategy tasked the Community Justice Authorities, the SPS



and local authority Criminal Justice Social Work with delivering nine 'offender outcomes' to reduce reoffending; one of which is to 'maintain or improve relationships with families, peers and communities'.

- 5.5 The Scottish Government has continued this focus on reduced recidivism with the current Reducing Reoffending Programme. This Programme will be delivered through five projects – Young People who Offend, Pre-Disposal, Effective Community Disposals, Custodial Sentence Management, Community Re-integration - and maintaining family contact with prisoners arguably straddles the latter two projects. Indeed the publicity material for the Reducing Reoffending Programme refers to the finding of the McLeish Report that families who have one parent in prison are more likely to face emotional and financial difficulties, and are themselves more likely to become involved in offending behaviour (Scottish Prisons Commission 2008, Scottish Government 2010).
- 5.6 However despite this recent Government focus on involving prisoners' families in the throughcare process, respondents reported some confusion over who was responsible for inviting the prisoner's family to the ICM case conference. As figure 13 illustrates the majority of responses suggested this should be done by the prison (38%), prison based social work (34%) or the prisoner (20%); with a small minority stating this should be done by the community based social worker. This finding is in keeping with earlier research which found family members could be invited by any of the above individuals, with no clear procedure evident (Loucks 2008).

Figure 7



5.7 This may be partly attributable to respondents not having attended a case conference where the family were present, and therefore having little knowledge of the processes involved, as two practitioners made comments to this effect. However a further two respondents suggested that due to the number of agencies involved there could be confusion surrounding who is responsible for this:

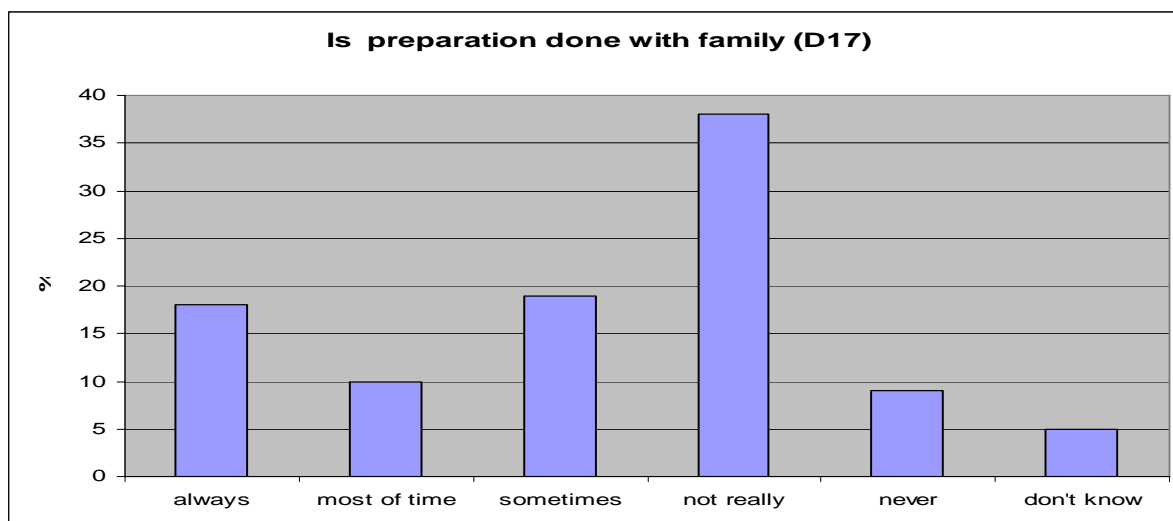
“My understanding is it should be the community based social work. I have never been to a conference with family members in attendance because prisoner has always made it clear they did not want them there.”

“At recent case conference there was confusion over whose responsibility this was - my understanding is that community based social work should consider who should be invited and the prison ICM coordinator should do the inviting based on discussion re this.”

5.8 Perhaps such confusion is somewhat understandable; outwardly guidance in the ICM Practice Guidance Manual is clear – ICM co-ordinator should invite the family (page 52). However the manual goes onto to say that the community based social work will play a ‘a significant role’ in preparing the family for the conference which could lead to confusion over who is the family’s first point of contact.

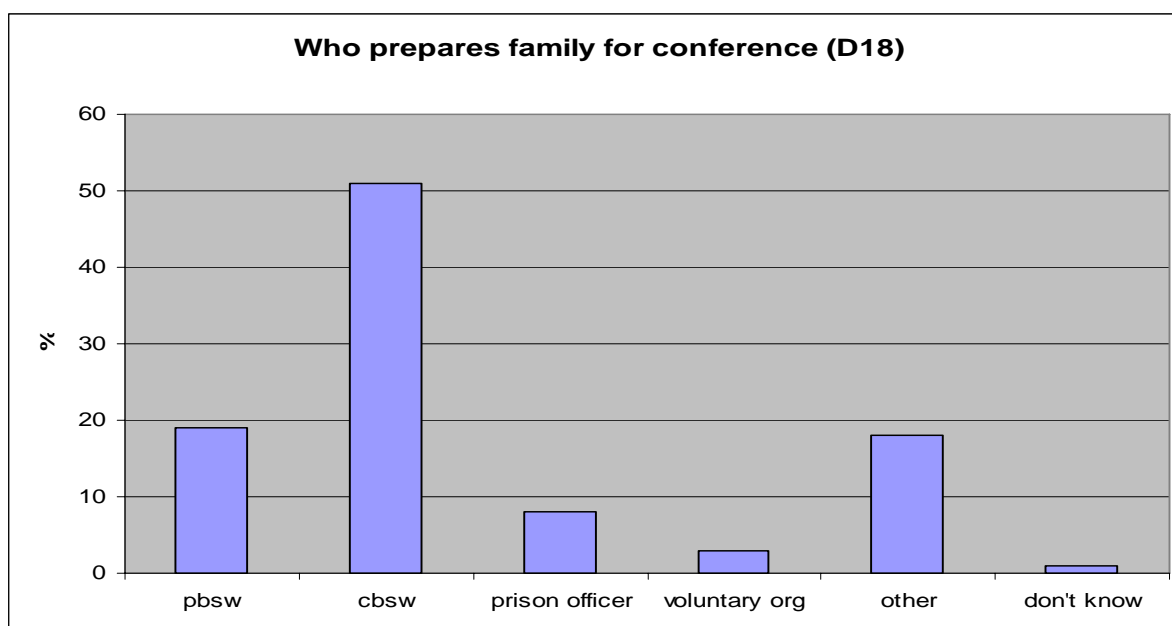
5.9 Nevertheless when asked if preparation was done with the family prior to the case conference, the majority of practitioners stated that this was rarely done (38%) or only done sometimes (19%). Close to a tenth (9%) of social workers reported that this was never done. Conversely 18% of respondents recounted that in their experience this was always done, or that it was done most of the time (10%).

Figure 8



5.10 As can be seen from Figure 9 below, there were similarly disparate views about who prepared the family for the conference when this did take place. Just over half of respondents reported that community based social workers would work with the family before the conference; which is in keeping with guidance that community based social workers should 'play a significant role in preparing family members for the case conference' (Scottish Executive 2007).

Figure 9

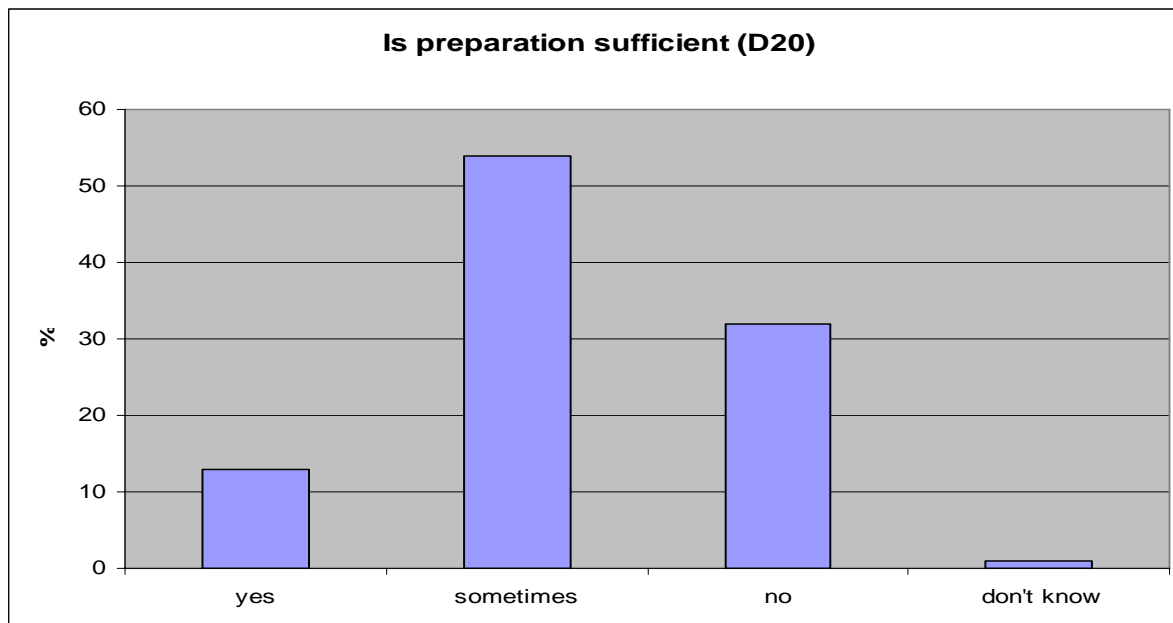


5.11 Respondents were also asked how prisoners' families were prepared for the case conference, with the majority reporting that this was done by letter (57%). Just over a fifth of respondents stated that the family received a home visit prior to the conference (21%) with the remainder of social workers explaining that this was done by phone call (12%) or either their own information sheet (7%) or a Families Outside information sheet (3%). This could be reflective of either different approaches to working with families across the prison estate or of the different needs of families, some of whom may need more support than others to adequately prepare for the conference.

5.12 However it seems that the former may be a more likely explanation, as most practitioners felt that sufficient preparation was not done with prisoners' families (32%), or that this was only done sometimes (53%) (see Figure 10 below). Only a small proportion of respondents felt that a suitable amount of work was done with prisoners' families before the ICM case conference (13%). Further, research into prisoners' families' experiences of the ICM process has found that family members receive little advance preparation for case conferences, and one family attending their first case conference were concerned their son might be in trouble

as the letter they received did not adequately explain the purpose of the meeting (Loucks 2008).

Figure 10



5.13 This feeling of a lack of preparation could be linked to the general consensus amongst respondents that families do not always understand what is being discussed at an ICM case conference, with over two thirds of respondents (70%) reporting that families could only sometimes follow the discussion. Nearly a quarter (23%) felt that families did understand case conferences, while a further 6% did not, or didn't know (1%). Overall this suggests while there is some variation between different conferences, the majority of respondents had some concerns about how accessible the conferences are to family members. Indeed the additional comments made by some respondents also reflect this:

"Staff need to be aware of the institutionalised language used at ICMs. Families should always be asked if they understand what is being discussed and advised to ask if they are unsure" (PQ 13)

"More difficult if they don't have CIP and also with jargon used. Families don't feel they can intercept and ask for explanation" (CC 22)

"Technical terms are often explained and clarification welcomed" (CC 21)

5.14 The issue of lay people experiencing difficulties understanding criminal justice processes and technical terms is not a new one. Duff has argued that 'linguistic exclusion' can prevent



offenders engaging meaningfully with the criminal justice process as they do not have a knowledge or understanding of the trial process, and because the language used lacks legitimacy in the eyes of the offender.

"They are excluded insofar as that language is alien to them, like a foreign language that they can neither understand nor speak for themselves, or insofar as they are not addressed in that language by their fellow citizens or by the state." (Duff 2007: 77)

5.15 Murray (2007) builds on this concept of linguistic exclusion, applying it to prisoners and their children. Murray argues that of all the parties that become involved when an individual is charged with an offence, the individual's children are the most excluded from the legal process as they often do not know the basic facts of their parent's imprisonment, and communication between parents, their children and their current carers will be disrupted. This reasoning could equally apply to other family members such as the prisoner's parents, spouse or partner who may not be able to access basic information about the prisoner's wellbeing or relevant prison procedures such as visiting times, restricted items etc or may not be familiar with criminal justice terminology. Therefore if the ICM process is to be inclusive of prisoners and their families, as it aims to be, care must be taken to avoid this 'linguistic exclusion' and the time should be taken to explain technical terms such as risk assessments (Practice Guidance Manual p55).

5.16 Finally a concern raised by one respondent was that families could find out previously unknown information about the prisoner's offending history or behaviour that they might find distressing.

"I have attended conferences where the family member has been very upset at discovering information they were previously unaware of" (PQ 9)

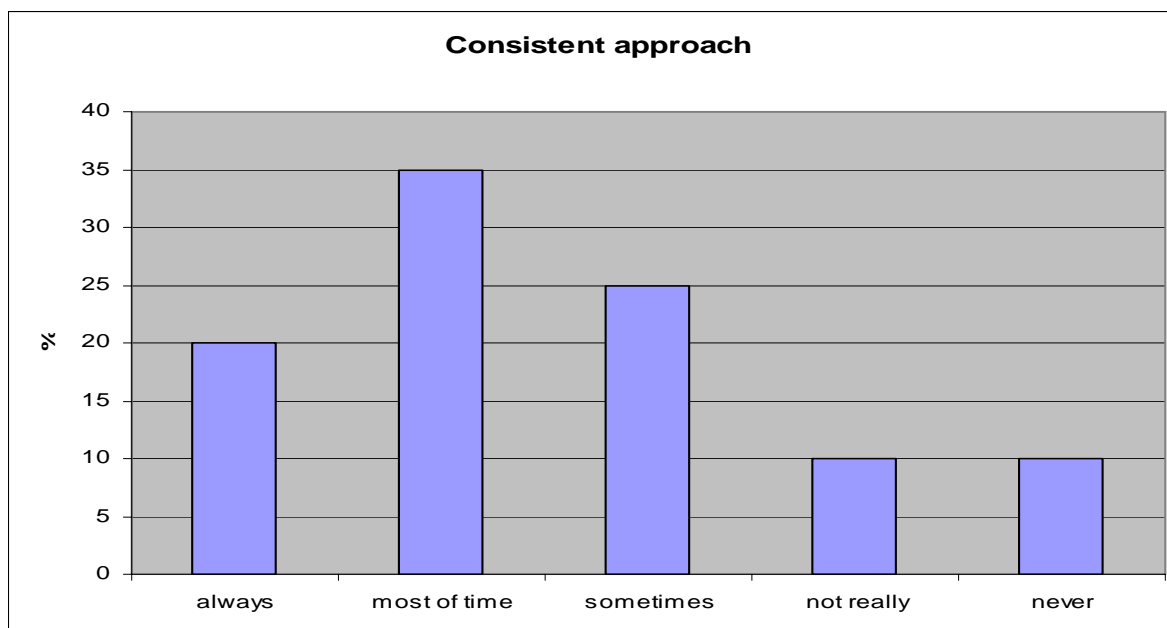
5.17 It may therefore be necessary to make family members aware of this possibility prior to attending the case conference; although this would be likely to require more preparation to be done with the family than simply sending a letter. While this may have resource implications, attempts to involve families in the resettlement process for 'instrumental reasons' rather than recognising they may require support in their own right have attracted academic criticism for allowing the state to 'shrug off' some of the responsibility for the negative effects of imprisonment, allowing the family to be seen as partially responsible if the individual reoffends (Codd 2004).

6: Overall views on ICM

6.1 Community based workers were asked if they felt there was a consistent approach to the ICM process across the SPS estate (prison based social workers were not asked this question, as it was thought they would only have experience of ICM processes in one prison). Respondents were divided on this issue: 20% stated that this was always the case, 35% reported a consistent approach most of the time, 25% felt there was sometimes consistency across different prisons, while 10% felt this was 'not really' the case. The final 10% of community based workers reported that there was 'never' a consistent approach across the prisons.

"In X the ICM process is excellent, the best....It varies so much between prisons, private prisons are particularly poor. Much could be done to gain better info and involve family more. In some prisons it is something that has to be done, X staff are very committed to the spirit of ICM and it shows" (C4)

Figure 11



6.2 To gather a picture of how well social workers felt the ICM model is working, all respondents were asked if they felt the ICM process generally could be improved, with a large proportion of respondents (62%) feeling that it could. This question also prompted the most additional comments, with 27 of the 40 respondents suggesting improvements to the ICM process. The majority of these felt that conferences could be better attended, both by professionals such as health and psychology and by prisoners and their families, and that more



preparation could be done prior to the conference to ensure all parties are given the relevant information and can participate meaningfully as this could vary between establishments.

“More notice to attend, relevant agencies should be encouraged to attend. i.e. health, housing, relevant family/friend and drug alcohol support in community” (C 6)

“More time needs to be spent with clients beforehand explaining the process and the reason for ICMs taking place” (PQ 4)

“More information sharing, discussion of risk etc with all staff likely to be involved in the process before the case conference. Multi agency attendance to ensure appropriate interventions are identified and sharing all relevant info. Competent minute taker at each case conference with minutes reflecting conference not pre typed prior to meeting and no cut and paste included.” (PQ 15)

“Variance between the establishments leads to different levels of prisoner participation. Not all prisoners are aware family members can attend” (PQ 17)

6.3 Six respondents expressed concerns regarding the issues discussed at the case conference with two reporting that the meeting felt like a ‘tick box’ exercise to be completed as quickly as possible, without addressing more difficult issues.

“Most feel as if going through the motions of ticking boxes. The most successful is when the chairperson prepared to confront issues with the prisoner. Tendency is to placate the prisoner just to “get through the paperwork” (C 7)

6.4 Others felt that case conferences could be repetitive, focussing on information contained in the CIP or SER, rather than on risk management or the prisoner’s current behaviour. It was also noted that frequently referring back to previous reports created a large amount of paperwork for every conference.

“[there should be] more focus on what the prisoner has done and can do to reduce risks, and less time spent reading out quotes from CIP. Could be more fluid, less rigid” (PQ 18)

“I strongly think that Risk assessments (SA07) need to be incorporated into discussions, otherwise why are we doing them?! I [also] think that the paperwork could be improved - CIPs are too lengthy and tend to be very repetitive, full of historic info which in my opinion does not have to be churned out year after year” (PQ 19)

“There is too much repetition from one year to another with the same info being given out instead of concentrating on updating progress or otherwise since the previous case conference. This is also an issue with the amount of paperwork the conference generates when we can get over 30 pages mostly taken up by entries which were made one or two years ago but which are automatically churned out again” (PQ 12)

6.5 Further questions of relevance were not restricted to the information discussed at the case conference; as three respondents suggested that more could be done to ensure the issues



covered at the conference were appropriate to the point the prisoner had reached in their sentence.

"Too much focus on areas that are not always applicable given the stage of the sentence." (PQ 14)

"The frequency of case conferences and their benefits to Lifers LTP's could be researched." (PQ 3)

6.6 On a practical level, it was also noted that prison time tables and security processes could be a barrier to preparing for, and holding, productive case conferences.

"Tight SPS time frames are very inflexible and can mean that there is little for proper preparation - for example when prisoners are recalled, when prisoners are transferred at short notice" (PQ 16)

"In X often there is a delay for workers entering the prison due to ICMs occurring at the same time as family visits. The desk does not open until 2pm which is when the ICMs are scheduled for, however no worker will allow CBSW to enter until this time leaving insufficient time to get to the meeting. There is often a delay with getting the prisoner to the conference" (C 16)

"There is a delay in getting through to the ICM if visiting the prisons as ICMs are usually held the same time as prison visits and social work has to go through the same process as visitors. Also there is a delay in bringing the prisoner down if the ICM is being conducted through videolink" (C 17)

6.7 Finally one respondent reported that not all prisons had the facilities to conduct case conferences by video link, which could add considerably to the time practitioners had to dedicate to ICM conferences.



7: Summary and Conclusions

- 7.1 Overall social workers who responded to this questionnaire have had a range of experiences when working with clients subject to the enhanced ICM procedure, both across individual cases and in different prisons. Some respondents reported that process could be very positive, for example one practitioner noted that in a particular prison the 'staff are very committed to the spirit of ICM' whereas others described the case conference as a 'tick box exercise'. Indeed when community based workers were asked if they felt there was consistency in the approach to ICM across the prison estate, a number of views were expressed ranging from there being consistency 'most of the time' (35%) to 'never' (10%).
- 7.2 One result that further illustrates this lack of consistency is the frequency with which social workers were able to access CIPs before the case conference, with only a minority (18%) finding it to be always available. This finding is somewhat at odds with the guidance that all those invited to the case conference should take the time to familiarise themselves with the CIP in preparation for the conference, yet 86% of respondents were of the view that sufficient preparation was done either 'always' or 'most of the time'. This raises the question of whether the CIP is truly central to the ICM process, or if respondents are not as prepared for the conferences as they perceive themselves to be.
- 7.3 It is not possible to say with any certainty which of these possibilities is the most likely from the data collected by this questionnaire. However one reason why practitioners may still feel prepared for the conference when they have been unable to access the CIP is that two thirds of the sample were critical of the large volume of information contained in CIPs, noting that much of it was repetitive, out of date or irrelevant, with five respondents making additional comments to the effect that information in the CIP is often 'copied and pasted' from other documents such as the Social Enquiry Report. This suggests that improvements could be made to the CIPs to make them a more concise, useable and current document that are more accessible to prisoners and practitioners.
- 7.4 It is also difficult to determine from the data collected to what extent the ICM process enhances multi-agency working. On one hand the majority of respondents felt that it did, and that case conferences were well attended; however a quarter of the sample made further comments that attendance by agencies other than social work could be sporadic. This may be a question of degree in that if multi-agency working was previously very poor even a small increase in inter-agency working would be an improvement, or it may be that the ICM process enhances co-operation between certain agencies, for example social work and the SPS, but not others. To resolve this issue with any certainty further more systematic research would be required, examining the attendance of professionals at the case conference and their contribution to the prisoner's action plan.
- 7.5 Respondents were more united in the view that more could be done to ensure that the prisoner's family, and to a lesser extent the prisoner themselves, can fully participate in and



benefit from the case conferences. While some respondents were very positive about efforts made to welcome families and involve them in the case conference, a number of comments were made expressing concern that a lack of preparation, the use of technical language, restricted time periods and prison security procedures could act as a barrier to the prisoner and their family fully engaging with the process.

- 7.6 Further, a number of comments made seem to suggest a general lack of awareness amongst all practitioners involved in the ICM process as to who was responsible for inviting and preparing the family for the conference. This lack of awareness could be partly attributable to a reluctance by prisoners to involve their families, as three respondents reported. However it is also arguable that if more time was spent ensuring prisoners had a good understanding of the ICM process more may be willing to involve their families.
- 7.7 In summary - the data collected by the questionnaire suggests that, from the perspective of Social Workers, there are some areas of good practice in the ICM procedures; indeed over a third of respondents felt that the ICM process could not be improved, but that these are not being replicated for all prisoners across the SPS estate. The issues that attracted the most critical comments from practitioners include the amount of information in CIPs, intermittent attendance by other professionals and a lack of preparatory work done with prisoners' families before case conference. However the limitations of this data must be taken into account when considering the findings; the questionnaire only captured the views of a group of social workers at one point in time, and should not be viewed as an evaluation of ICM processes across Scotland. Further, more systematic research into some of the issues raised may be desirable.
- 7.8 Despite the limitations associated with an exploratory study of social workers' perceptions of the ICM process a number of tentative recommendations can be made that could be incorporated into future developments.
- ❖ Ensure that information and analysis in the CIP is up to date and not historical
 - ❖ Promote, and reiterate the importance of, and the attendance of, professionals other than criminal justice social workers and the ICM co-ordinator
 - ❖ Ensure prisoners' families are aware of the ICM process and the purpose of meetings
 - ❖ Clarify who should inform and prepare families for meetings
 - ❖ Ensure consistency of meetings and processes across the prison estate



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