

COMMUNITY CARE AND MENTALLY DISTURBED OFFENDERS

POLICY PAPER ONE

NACRO (National Association for the Care and Resettlement of Offenders)

The paper is the first in a series from the Mental Health Advisory Committee, which is chaired by Professor Herschel Prins, and was initiated to advise NACRO council on the matters of policy relating to mentally disturbed offenders. The focus is on community care provision, and a number of issues are highlighted.

Firstly, increasing concern exists over the numbers of mentally disturbed people becoming involved in the Criminal Justice System. With regard to prisons in particular, there was a 28 per cent increase in the number of prisoners referred to psychiatrists in the period 1987-88 to 1990-92, during a time when the prison population was falling.

Secondly, the Audit Commission Report (1986) found that community care developments were 'slow' and 'uneven' and that the future was 'unattractive'. A subsequent review in 1988 entitled *Community Care: Agenda for Action* put forward proposals, many of which were incorporated within the NHS and Community Care Act 1990. The financial implications of the act will be implemented from April 1993, when the Department of Health will be allocating £399 million to local authorities, with an additional £140 million for the first year. Eighty five per cent of this provision is intended for the 'independent sector', principally residential care for the elderly, five per cent for elderly domiciliary care, and ten per cent for remaining services, which includes the care of mentally disturbed people.

In addition, the paper also points out that many crimes committed by mentally disordered offenders are 'nuisance offences', linked with the need to obtain food and shelter. The absence of these 'stabilising factors', and the failure to secure social service assistance increases the likelihood of their involvement with the police.

However, Government initiatives including the following could help to improve future provision and availability of community care services.

A Home Office Circular (66/90)
Provision for Mentally Disordered Offenders

sought to encourage Criminal Justice agencies to divert offenders to a community care setting.

The Reed Committee (1990) reviewed the effectiveness of existing health and social services for mentally disturbed offenders, and made recommendations for future service developments.

In July 1992, Virginia Bottomley, the Secretary of State for Health, enrolled a 'task force' to advise the department on the availability of community care for the 'mentally ill'.

In addition, encouraging figures indicate the regional secure psychiatric provision has increased from £3 million 1991-92 to £18 million 1992-93. However, funding proposals for community care services are insufficient to provide the comprehensive range of services that are necessary. The Local Government Information Unit has highlighted shortfalls of £54 million for the provision of existing services, and £289 million for the total allocation to meet local authority requirements.

With these problems and others in mind, the paper includes the following recommendations:

- ◆ 'ring-fenced' funding from central government to local authorities to prevent diversion of resources to competing priorities at a local level.
- ◆ any offender not eligible for statutory community care on release from prison should be assessed to determine community needs at least one month prior to the earliest date of release.
- ◆ Department of Health to fully implement the Disabled Persons Act 1986, thereby putting a statutory duty on local authority social services to assess and meet the needs of mentally disturbed people in the community.

The paper concludes by stating that the recommendations will 'make a useful contribution to policy and service development, and that responses to mentally disturbed offenders would improve as a consequence of their implementation ■

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