



# Report

Report to:	<b>Lanarkshire Community Justice Authority</b>
Date of Meeting:	<b>2 December 2011</b>
Report by:	<b>Chief Officer</b>

Subject:	<b>Significant Case Review</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Inform Members about this significant case review

## 2. Recommendation(s)

2.1. The CJA is asked to approve the following recommendation(s):-

- (1) That the report is noted and the review referred to at 4.2.1 is brought to a future Board meeting once it is completed; and
- (2) The Board receives specific updates in relation to any actions that result from this Strategic Oversight Review Report.

## 3. Background

3.1. On 5 February 2010, Thomas Bennie Smith was convicted of the murder of Diane Fallon, then aged 43 years and her daughter Holly Fallon, then aged 10 years. He was sentenced to life imprisonment with a recommendation that he serve 32 years imprisonment, before being considered eligible for parole.

3.2.1 An independent multi-agency case review relative to the management of Smith was carried out by the MAPPAs (Multi Agency Public Protection Arrangements) Co-ordinator, Lothian and Borders Community Justice Authority.

3.2.2 The aim of this review was to examine the management of Smith, a registered sex offender from his initial registration on 6 May 2006 until his arrest on 8 April 2009 with a specific focus on information sharing, risk assessment, risk management and links with child protection.

## 4. Findings

4.1. The review primarily concentrated on the actions of Strathclyde Police as the responsible authority. In particular, the report which has been accepted by Strathclyde Police points out there were several missed opportunities that should have resulted in Smith being subjected to greater police scrutiny, which may have resulted in a return to custody.

4.2.1 The review includes 34 recommendations. The majority of the recommendations relate to the Police with others relevant to the Scottish Government, Social Work, Housing, Education and Health. The chair of the MAPPAs Lanarkshire Strategic

Oversight Group has instigated a review of the recommendations to assess what lessons can be learned, or actions required, if any, regarding the operation of MAPPA in Lanarkshire. Following this review, a report will be forwarded to Lanarkshire CJA.

4.2.2 The attention of Members is particularly drawn to recommendation 34:

*‘As we pass the fourth anniversary of MAPPA in Scotland, it is recommended that the Scottish Government consider an independent review of MAPPA, which could identify and promote best practice, to better inform Community Justice Authority Strategic Oversight Groups’.*

## **5. Employee Implications**

5.1. None known.

## **6. Financial Implications**

6.1. None known.

## **7. Other Implications**

7.1. There is an ongoing risk to reputation for all Local Authorities and other agencies if recommendations contained in significant case reviews are not acted upon.

## **8. Equality Impact Assessment and Consultation Arrangements**

8.1. No significant consultation was undertaken as part of this report.

8.2. The report does not introduce a new policy, function or strategy therefore no equality impact assessment was carried out

**Tony McNulty, Chief Officer  
Lanarkshire Community Justice Authority**

23 November 2011

### **List of Background Papers**

- MAPPA Significant Case Review – Report by East Ayrshire Chief Officers Group

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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