



**ANGUS HEALTH AND SOCIAL CARE**

**INTEGRATION JOINT BOARD – 8 DECEMBER 2021**

**FORENSIC MEDICAL SERVICES (VICTIMS OF SEXUAL OFFENCES) (SCOTLAND) ACT 2021**

**GAIL SMITH, CHIEF OFFICER**

**ABSTRACT**

The purpose of this report is to advise on progress and seek approval for the Tayside Forensic Medical Services and Custody Healthcare Service, which is hosted for the Tayside region by Angus Health and Social Care Partnership (HSCP) to implement the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021.

**1. RECOMMENDATIONS**

It is recommended that the Integration Joint Board:-

- (i) Directs NHS Tayside to implement the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act in April 2022 as directed by Scottish Government.
- (ii) Acknowledges the ongoing work by the Forensic & Custody Healthcare in relation to the implementation of the 2021 Act.
- (iii) Requests that reports are provided to Dundee and Perth and Kinross IJB in relation to the Forensic Medical Services (Victims of Sexual Offences) (Scotland ) Act 2021.

**2. BACKGROUND**

In March 2017, the Chief Medical Officer (CMO) was asked by the then Cabinet Secretary for Justice and the then Cabinet Secretary for Health and Sport, to lead a Taskforce with a remit to improve services for forensic medical examination and general healthcare for those who have experienced rape and sexual assault.

Following the publication of Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) thematic review in 2017 and the Health Improvement Scotland Standards - Healthcare and Forensic Medical Services for people who have experienced rape or sexual assault or child sexual abuse (Dec 2017), the CMO Taskforce was tasked to facilitate the improvement of services for adults, young people and children who have experienced rape, sexual assault or child sexual abuse. A high level workplan was subsequently published setting out a clear vision of how the Taskforce and its sub groups would drive forward improvements over the next five years.

The development of the Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 provides the legislation to support the improvements to the service and the implementation of a self referral service across Scotland. The Act requires NHS Boards to provide a rape & sexual assault service where people, aged 16 and over, can self refer for appropriate healthcare and a forensic medical examination to collect forensic evidence without first reporting to Police Scotland. NHS Tayside are one of only two NHS Boards who currently offer a self referral service but the national service will greatly enhance what Tayside are able to deliver as a stand alone service working in partnership with the third sector.

### **3. CURRENT POSITION**

The Forensic Medical Services (Victims of Sexual Offences) (Scotland) Act 2021 is required to be implemented by all Health Boards in April 2022. The CMO Taskforce has provided clear guidance on the development of the service and has required regular reporting on progress in achieving the Healthcare Improvement Scotland Standards for people who have experienced rape or sexual assault or child sexual abuse.

The service completes a Readiness Assessment in relation to the implementation of the Act, to the Taskforce on a monthly basis. This is providing assurance that the Act will be implemented as directed. There are a number of actions that cannot be completed locally at this time, as national guidance is awaited or arrangements to be made nationally such as the single access point for the whole of Scotland, however within Tayside the service is currently on track for implementation in April 2022.

People who have been raped or sexually assaulted will be able to access consistent, trauma informed, person centred care regardless of where they are in Scotland.

Tayside Forensic & Custody Healthcare Service have increased the workforce capacity based in police custody in West Bell Street, Dundee, in order to facilitate the provision of sexual assault nurse coordination of care, without being impacted upon or having an impact on the delivery of care to people in police custody.

Quarterly reporting over the past 18 months has shown continued improvement in achieving the interim performance indicators. The prescribed use of a standardised national form, implemented in December 2020 and reported on from April 2022, has demonstrated where further improvements need to be made locally.

### **4. PROPOSALS**

Angus Integration Joint Board (IJB) acknowledges and supports the work undertaken to date to ensure safe and timely implementation by April 2022.

### **5. FINANCIAL IMPLICATIONS**

Capital funding from Scottish Government has been utilised to furnish the forensic suite, out with police premises. There have been some improvements made to the suite, in relation to security, which have been made since the initial opening of the suite in April 2019.

There are no additional financial implications known at this time.

### **6. RISK**

Risks in relation to the implementation of the Act are due to processes being taken forward centrally and are out with the control of NHS Boards, therefore are being logged and managed by the CMO Taskforce.

### **7. OTHER IMPLICATIONS (IF APPLICABLE)**

N/A

### **8. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment is required, attached at Appendix 1

## 9. DIRECTIONS

The Integration Joint Board requires a mechanism to action its strategic commissioning plans and this is provided for in Section 26 to 28 of the Public Bodies (Joint Working) (Scotland) Act 2014. This mechanism takes the form of binding directions from the Integration Joint Board to one or both of Angus Council and NHS Tayside.

<b>Direction Required to Angus Council, NHS Tayside or Both</b>	<b>Direction to:</b>	
	No Direction Required	
	Angus Council	
	NHS Tayside	<b>X</b>
	Angus Council and NHS Tayside	

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Appendix 1 – EQIA  
Appendix 2 - Direction