



Ministry of
JUSTICE

National Offender Management Service

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MHCS Stakeholders

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Change in presumption: Informing victims of restricted mental health patients about community leave, from 22 April 2014

As a result of a Ministerial commitment, as of 22 April 2014, victims of restricted mentally disordered offenders, who have opted in to the Victim Contact Scheme, will be told if permission for community leave is granted by the Secretary of State unless there are exceptional reasons why they should not be told. Exceptional reasons will include risk to the patient, so any concerns about this must be flagged up to MHCS in the application for community leave.

This is simply a change in presumption. Previously the advice was that victims would not generally be told if community leave was granted, although there was discretion for Victim Liaison Officers (VLOs) to inform victims, and, in practice, many victims were informed.

From 22 April, when MHCS gives permission to the Responsible Clinician for a restricted patient to take escorted or unescorted leave, they will inform the VLO, in order that the victim can be told that permission for leave has been granted. MHCS will also inform the VLO if permission for leave is rescinded.

Clinicians, other mental health practitioners and Probation Trusts were consulted about this change in presumption earlier this year, and it was positively welcomed.

Yours sincerely,

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