

Notice of Meeting and Agenda North Strathclyde Community Justice Authority

Date	Time	Venue
Friday, 11 December 2015	10:30	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM
Clerk

RECONVENED MEETING

This is the reconvened meeting for the meeting of the Authority which was scheduled for 4 September, 2015.

Members

Councillors Robertson (Argyll & Bute Council); O'Donnell (East Dunbartonshire Council); Lafferty (East Renfrewshire Council); McIlwee (Inverclyde Council); Williams (Renfrewshire Council); and Casey (West Dunbartonshire Council).

Convener – Councillor Williams.

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at www.renfrewshire.gov.uk/agendas.

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Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Items of business

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

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| 1 | Minute | 5 - 10 |
| | Minute of meeting held on 12 June, 2015. | |
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| | Report by Treasurer and Chief Officer. | |
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	Report by Chief Officer.	
11	Services to Women in the Justice System	139 - 144
	Report by Chief Officer.	
12	Services to Women in the Justice System (SACRO)	145 - 166
	Report by Chief Officer.	



Minute of Meeting North Strathclyde Community Justice Authority

Date	Time	Venue
Friday, 12 June 2015	10:30	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors Robertson (Argyll & Bute Council); O'Donnell (East Dunbartonshire Council); Lafferty (East Renfrewshire Council); Williams (Renfrewshire Council); and Casey (West Dunbartonshire Council).

CHAIR

Councillor Williams, Convener, presided.

IN ATTENDANCE

J Hunter, Chief Officer, W Kennedy, Planning Officer, F Cameron, Training Officer and A Turner, PA to Chief Officer (North Strathclyde Community Justice Authority); J Belton (Argyll & Bute Council); F McShane (East Dunbartonshire Council); D Hawthorn, A Scott, K Campbell, D Forbes and D Low (all Renfrewshire Council); and N Firth and J Irvine (both West Dunbartonshire Council).

ALSO IN ATTENDANCE

F Jamieson and A Stuart (Scottish Government) and F Benton (The Wise Group).

PARTNERS

Superintendent N Burns (Police Scotland); T Halpin (Sacro); J Bryars (Action for Children); and M Cawley (Turning Point Scotland).

APOLOGIES

Councillor McIlwee (Inverclyde Council).

DECLARATIONS OF INTEREST

There were no declarations of interest intimated prior to the commencement of the meeting.

ORDER OF BUSINESS

The Convener intimated that he proposed to alter the order of business to facilitate the conduct of the meeting by considering item 11 of the agenda after item 5.

1 MINUTES

There were submitted the Minutes of the reconvened meeting and meeting held on 13 March, 2015.

DECIDED: That the Minutes be approved.

2 COMMUNITY JUSTICE (SCOTLAND) BILL

Arlene Stuart, Head of Community Justice Operation Unit, Community Justice Division, Scottish Government gave a presentation in relation to the Community Justice (Scotland) Bill.

DECIDED: That the presentation be noted.

3 NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY UNAUDITED ANNUAL ACCOUNTS 2014/15

There was submitted a joint report by the Treasurer and Chief Officer relative to the unaudited annual accounts for the Authority for 2014/15. The report intimated that the accounts for the year ended 31 March, 2015 had been completed and forwarded to Audit Scotland for audit.

The annual accounts 2014/15 were confidential until such time as they had been laid before the Scottish Parliament and for this reason had only been issued to members of the Authority.

DECIDED: That the annual accounts for the year ended 31 March, 2015 be noted and that the accounts be further presented to the Authority on completion of the audit.

4 **ANNUAL AUDIT PLAN 2014/15**

There was submitted a joint report by the Treasurer and Chief Officer relative to the annual audit plan for the Authority for 2014/15. The Plan outlined Audit Scotland's planned activities in their audit of the 2014/15 financial year.

DECIDED: That the annual audit plan 2014/15 be noted.

5 **INTERNAL AUDIT ANNUAL REPORT 2014/15**

There was submitted a report by the Chief Auditor, Renfrewshire Council, relative to the Internal Audit annual report 2014/15 for the Authority. The report intimated that the Public Sector Internal Audit Standards required that the Chief Auditor prepare an annual report on the activities of internal audit to demonstrate performance. The report must provide an annual audit opinion on the overall adequacy and effectiveness of the Authority's internal control environment.

The annual report for the Authority was attached as an appendix to the report and outlined the role of internal audit, the performance of the internal audit team, and the main findings from internal audit work undertaken in 2014/15 and contained an audit assurance statement.

DECIDED: That the Internal Audit annual report for 2014/15 be noted.

6 **THE LOW MOSS PUBLIC SOCIAL PARTNERSHIP**

There was submitted a report by the Chief Executive Officer, Turning Point Scotland relative to the Low Moss Public Social Partnership (PSP) which commenced in April 2013. The report intimated that the PSP was currently funded until March 2017 and was being evaluated throughout its operation. An interim report had been prepared and the report summarised some of the findings to date.

The PSP pilot was well underway and work would continue to develop the service and gather evidence that the Prisoner Support Pathway delivered considerable benefits to service users and partner organisations involved. This evidence would be used to construct a business case for the future sustainability of the PSP.

DECIDED: That the report be noted.

7 **RESILIENCE ISSUES FOR NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY**

There was submitted a report by the Chief Officer relative to the resilience issues for the Authority. The report intimated that the report presumed that Community Justice Authorities (CJAs) would be functioning organisations until 31 March, 2017 and during this time the legal duties for CJAs would continue as would the statutory structural arrangements.

The report detailed the legal minimum structure and statutory duties for CJAs and identified risks. The transition to the shadow arrangements, which would take place over the next 11 months, was critical to a successful new community justice arrangement.

DECIDED: That the report be noted and that the Chief Officer, in consultation with the Convener, be authorised to take appropriate action to maintain the resilience of the Authority to 31 March, 2017.

8 SERVICES TO WOMEN WHO OFFEND

Under reference to item 9 of the Minute of the meeting of this Authority held on 13 March, 2015 there was submitted a report by Chief Officer relative to services to women who offend. The report intimated that the Convener of the Authority had written to the Scottish Government and CoSLA expressing the Authority's concern that focus should not be concentrating solely on the prison estate but should take the opportunity to develop better community services as an alternative to custodial sentences and remand. A copy of the Convener's letter together with the response from the Deputy Director, Community Justice Division, Scottish Government formed the appendices to the report.

DECIDED: That the report be noted.

9 NEW ROUTES PARTNERSHIP

There was submitted a report by the Head of Service (Community Justice), Wise Group relative to the New Routes Partnership which had been formed in 2012 and successfully implemented across 13 Scottish Prisons by September 2013.

The report intimated that New Routes Partnership brought together expertise from a wide range of partners to deliver a wraparound service tailored by individual need and employed over 30 mentors who engaged with customers six months pre-release from custody and continued to work with them for a minimum of six months in the community. The New Routes Report 2015 and key performance indicators for 1 April, 2013 to 31 March, 2015 were appended to the report.

DECIDED: That the report be noted.

10 SACRO SHINE SERVICE - UPDATE

There was submitted a report by the Director of Operations, Sacro relative to the Shine Public Social Partnership. The report intimated that the Reducing Reoffending Change Fund had approved the budget for the continuation of the Shine service until March 2017.

The report intimated that 720 referrals had been made to the Shine service in 2014/15, 41 of whom were from the Authority area with 35 from prison and six from the community. This group had been provided with a service by the two allocated mentors working in the area from the Wise Group and Turning Point Scotland as well as the 0.5 Shine post located in Circle.

A national working group was being established to consider how Shine could best ensure a service was delivered to women being held on remand. A revision of the operational guidance and procedures was also being undertaken and a working group had been established which included a representative nominated from the Authority area.

DECIDED: That the report be noted.

11 BAFC MOVING ON PUBLIC SOCIAL PARTNERSHIP

There was submitted a report by Action for Children relative to the BAFC Moving On Public Social Partnership which worked with males aged 16 to 21 years of age to support them in their transition from Polmont YOI to the community. As a through care support, mentors engaged with the young people in prison building relationships, assessing need and facilitating successful reintegration whilst working towards achieving a positive destination, whether that be education, training or employment.

The service aimed to address the factors affecting the offending behaviour and reduce non-return to custody. During the past two years the service had worked with 223 young people, 137 living within the Authority area. The support was provided during normal office hours and also during evenings and weekends. A 24/7 on-call line to support young men during crisis periods was also provided.

DECIDED: That the report be noted.

12 NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY ACTION PLAN 2015/16

There was submitted a report by the Planning Officer relative to the North Strathclyde Community Justice Authority Action Plan 2015/16. The report intimated that the Authority was required to produce annual action plans to progress the overarching strategy of the 2014/17 area plan. The report intimated that the action plan followed the same format as last year to align to the reformatting of the area plan. There were 12 actions in the action plan which would be undertaken as a partnership and 19 associated activities, the majority of which were the responsibility of the Chief Officer or Planning Officer of the Authority. The report focussed on the activity which required to be completed by June 2015.

DECIDED:

(a) That the report be noted; and

(b) That authority be delegated to the Chief Officer, in consultation with the Convener, to amend the action plan if required.

13 NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY TRANSITION PLAN

There was submitted a report by the Planning Officer relative to the North Strathclyde Community Justice Authority Transition Plan to assist transfer to the new model of community justice. The plan outlined events and opportunities for the transfer of information and knowledge to the local community planning partnerships who would have responsibility for community justice post March 2017 to ensure continuity of on-going work and the transition arrangements for the new model for community justice.

DECIDED:

(a) That the report be noted; and

(b) That authority be delegated to the Chief Officer, in consultation with the Convener, to make amendments to the plan if required.

14 **DATE OF NEXT MEETING**

DECIDED: That it be noted that the next meeting of the Authority would be held on Friday, 4 September, 2015 at 10.30 am.

NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: The Treasurer and the Chief Officer

Heading: Section 27 Revenue Budget Monitoring Report Q1

1. Summary Budget Position

- 1.1 Expenditure on core services is expected to be £185,973 over budget and expenditure on non-core services is expected to be £2,915 under budget resulting in an anticipated net over spend of £183,058.

Any overspend which exists at the year end is required to be met by the relevant Authority.

Details of the budget performance are discussed in point 3 below.

2 Recommendations

- 2.1 It is recommended that members consider the report and note virements during the quarter by East Renfrewshire and the Argyll, Bute & Dunbarton Partnership from non-core services to core services of £28,003 and £155,500 respectively.
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3 Budget Performance

Current Position: £183,058 overspend
Previously Reported: n/a

- 3.1 Argyll Bute and Dunbartonshire are projecting an overspend of £137,397. Staff and efficiency savings have been identified but have yet to be realised. Staff turnover is currently low and essential vacant posts have been filled in

order to ensure continued delivery of the service to the standard compliant with all acts and statutes relevant to Criminal Justice Services.

East Renfrewshire are projecting an overspend of £47,318. This is a result of additional employee and equipment costs within Criminal Justice for supervision orders.

Renfrewshire are projecting an underspend of £1,657.

Inverclyde are projecting to break-even.

4 Implications of this Report

- 4.1 Financial implications – Net expenditure of the NSCJA will be contained within the resources allocated by the Scottish Government.

NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY 2015/16

	2015-16 ALLOCATION	VIREMENT PROPOSAL	REVISED ALLOCATION	ACTUAL SPEND AT 30 JUNE 2015	PROJECTED SPEND TO 31 MARCH 2016	VARIANCE
Renfrewshire	£2,388,460	£0	£2,388,460	£291,791	£2,390,490	(£2,030)
Inverclyde	£1,193,955	£0	£1,193,955	£323,837	£1,193,955	£0
East Renfrewshire	£398,073	£28,003	£426,076	£93,074	£473,394	(£47,318)
Argyll Bute & Duns Partnership	£3,000,514	£155,500	£3,156,014	£617,786	£3,292,639	(£136,625)
TOTAL CORE SERVICES	£6,981,002	£183,503	£7,164,505	£1,326,488	£7,350,478	(£185,973)
Renfrewshire	£1,986,466	£0	£1,986,466	£159,845	£1,982,779	£3,687
Inverclyde	£486,209	£0	£486,209	£35,388	£486,209	£0
East Renfrewshire	£78,608	(£28,003)	£50,605	£22,502	£50,605	£0
Argyll Bute & Duns Partnership	£468,209	(£155,500)	£312,709	£70,462	£313,481	(£772)
TOTAL NON CORE SERVICES	£3,019,492	(£183,503)	£2,835,989	£288,197	£2,833,074	£2,915
Renfrewshire	£4,374,926	£0	£4,374,926	£451,636	£4,373,269	£1,657
Inverclyde	£1,680,164	£0	£1,680,164	£359,225	£1,680,164	£0
East Renfrewshire	£476,681	£0	£476,681	£115,576	£523,999	(£47,318)
Argyll Bute & Duns Partnership	£3,468,723	£0	£3,468,723	£688,248	£3,606,120	(£137,397)
TOTAL ALL SERVICES	£10,000,494	£0	£10,000,494	£1,614,685	£10,183,552	(£183,058)

NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: The Treasurer and the Chief Officer

Heading: Administration Grant Revenue Budget Monitoring Report

1. Summary Budget Position

- 1.1 Expenditure against the Administration Grant is currently projected to result in an underspend of £9,095. Details of the expected expenditure are attached to this report

2 Recommendations

- 2.1 It is recommended that members consider the report

3 Budget Performance

Current Position: £9,095 underspend

Previously Reported: n/a

- 3.1 Expenditure is currently projected to show an underspend of £9,095 compared to the Administration Grant available. The underspend arises within Employee Costs as a result of the additional grant made available for maternity cover which was reported to the board on the 13 March 2015. The Scottish Government have been informed of this position.
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4 Implications of this Report

- 4.1 Financial implications – the NSCJA will be required to refund any unspent element back to the Scottish Government

COMMUNITY JUSTICE AUTHORITIES ADMINISTRATION COSTS 2015/16

NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY EXPENDITURE

Description	Budget	Projected Expenditure to 31st March 2015	Variance
Employee Costs			
Salary Costs	151,827	145,475	6,352
Superannuation	27,144	25,709	1,435
NI	13,955	13,834	121
Travel and Subsistence	3,001	1,846	1,155
Staff Training	2,000	2,476	(476)
Property Costs			
Rent	15,900	15,900	0
Hire of Halls	2,250	2,500	(250)
Electricity	580	400	180
Cleaning	96	100	(4)
Other Property Costs	1,300	1,300	0
Supplies & Services			
Provisions	1,100	800	300
Other Supplies & Services	300	500	(200)
Administration Costs			
Printing and Stationery	100	100	0
Postages	100	100	0
Telephones	1,337	700	637
Members expenses	3,819	3,900	(81)
Other admin costs	500	500	0
Insurance	2,900	2,900	0
Other Agencies, Bodies			
Payments to Other Bodies	22,400	22,400	0
Auditors	4,300	4,375	(75)
GROSS EXPENDITURE	254,909	245,814	9,095

To: North Strathclyde Community Justice Authority

On: 11 December, 2015

Report by: Planning Officer

**Heading: North Strathclyde Community Justice Authority
Action Plan 2015-2016**

1. Summary

- 1.1** The purpose of the report is to present a progress report (attached Appendix 1) of the NSCJA Action Plan for 2015-2016.
- 1.2** The Action Plan aligns to the aims and objectives stated in our 2014-2017, 3 year Area Plan.
- 1.3** There are 12 actions that we will do as a partnership and 19 activities associated with the actions, in the plan. The majority of which will be the management responsibility of the Chief Officer and Planning Officer.
- 1.4** The activities will focus on ensuring continuity of ongoing work and the transition arrangements to the new model for Community Justice.
- 1.5** Three activities were due for completion by September 2015;

Activity 9

Support Local Authority CJSW in the roll out of Fiscal Work Orders (FWO) across NSCJA

FWOs were rolled out in NSCJA in April 2015

Activity 14

Through agreement with partners, develop and implement a CJA disestablishment plan.

Work ongoing to produce assets register etc

Activity 17

Progress work with NHS GG&C, GCJA and appropriate partners, based on a 'Whole Family Approach' to address health improvement of offenders and their families.

Work progressing at a better pace. Regular meetings held. Sections circulated to relevant partners for proof reading and input. Draft Framework should be available for presentation to sponsor by September 2015

- 1.6** All other activities are progressing, there are no exceptions to report for this update period.
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2. Recommendations

- 2.1** Note the content of this report
- 2.3** Delegate authority to the Chief Officer in consultation with the Convener to make any necessary amendments to the Action Plan if required.
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3. Background

- 3.1** The Management of Offender etc (Scotland) Act 2005 Section 3 (5) establishes a function of Community Justice Authorities to prepare in consultation with its partners a Plan which is aimed at reducing re-offending within its area. These plans must be prepared and submitted at the frequency specified by Scottish Ministers.
- 3.2** The Action Plan is not just a freestanding document, it should show clear links to local priorities set out in the 2014-2017 Area Plan, and provide the basis for measuring progress on an annual basis. It should enable the CJA to demonstrate the 'value-added'.
- 3.3** The Action Plan is a dynamic document that will change to reflect new national developments and translate these into local initiatives.
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Implications of the Report

1. Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as the report is for noting. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Willie Kennedy, Planning Officer, North Strathclyde CJA,
Tel: 0141 887 6133, e-mail: william.kennedy@renfrewshire.gcsx.gov.uk

What Actions we will do as a Partnership.







1. We will continue to work effectively in partnership to ensure the coordination of plans/strategies; interventions and workforce learning and development to reduce reoffending.
2. We will agree an Action Plan each year with our partners and others, which will set out specific actions that we will manage and monitor through regular progress reports to NSCJA.
3. We will be responsive to developing policy initiatives by including these within our existing partnership structures or establishing new structures where required to implement at a local level.
4. We will take into account the recommendations of the Commission on Women Offenders and ensure all resources are utilised effectively across a multi agency and multi sector approach to addressing the needs of women offenders in the NSCJA area coordinated through the NSCJA Women's Services Steering Group.
5. We will ensure the effective roll out of '*Moving Forward, Making Changes*' in the NSCJA area, as well as continuing to work in collaboration with a wide range of partners to develop effective interventions for domestic abuse perpetrators as well as support for victims.
6. We will continue to support the increased, appropriate use of all forms of community sentences and alternatives to custody. We will progress any appropriate actions arising from the current review of Community Payback Orders and the unit cost of CPO's, and review the delivery of Drug Treatment and Testing Orders across the NSCJA area.
7. We will continue to support the Scottish Prison Service; in particular taking advantage in the opportunities presented by the developing estate within the NSCJA area, whilst continuing to offer support to the innovative initiatives that have already been introduced.
8. We will continue to support the National; Local and exemplar Public Social Partnerships and through these we will communicate examples of good practice and success to our wider partnership group. We will work with key public sector bodies to secure sustainable funding for successful PSPs.
9. We will work with NHS GG&C and other partners to pursue innovative initiatives that incorporate a 'Whole Family Approach' to address health inequalities experienced by offenders and their families.
10. We will work in partnership with local Alcohol and Drug Partnerships to improve equity of service access and reduce the instances of drug related deaths and alcohol related deaths in the NSCJA area.
11. We will work with Scottish Government Community Justice Division; Community Planning Partnerships and other partners and stakeholders to ensure the smooth and efficient transition of duties and functions to the new structure for Community Justice.
12. We will use flexibility and innovation in the way that we allocate funding whilst keeping a focus on 'What Works' and interventions that have the most impact on reducing reoffending







Progress against the 2015-16 Action Plan

Key

● action achieved within timescale
 ● action will be achieved within timescale
 ● action will not be achieved

	Activities 2015-16	Contributes to Action	Short/ Medium Term Outcomes	Timescale	Progress	Comments
1	Support the sustainability of the enhanced women's services in Renfrewshire; Inverclyde and West Dunbartonshire.	1; 4 ; 6;12	Increased uptake of services. Reduction in women offenders serving a custodial (including remand) or community sentence.	March 2016	●	This is an ongoing commitment over the lifespan of the current funding and existence of the CJA. The planning officer sits on the steering group of the Renfrewshire service. Both the Renfrewshire and West Dun services has been awarded further funding of £30K for 2015/16.
2	Request and receive quarterly update reports for CJA board from Renfrewshire; Inverclyde and West Dunbartonshire enhanced women's services.	1; 4 & 6	Reports received and used to determine subsequent resource allocation.	March 2016	●	Ongoing reports are tabled at the Women's services steering group meetings. Regular reports are submitted to NSCJA board .
3	Continue to work with the Scottish Prison Service and other partners in the ongoing development of a throughcare model for women offenders. Actively participate in both the HMP Low Moss PSP Governance and Operational Groups.	1; 4 & 7	Appropriate services are put in place. SPS timescales are met.	March 2016	●	This work is ongoing despite the decision not to proceed with HMP Inverclyde. A session was held on 26/3/15 exploring best practice, with a follow up session arranged for 22/6/15 looking at logic modeling session and service design. The 2 sessions above took place and work is still progressing in this area.
4		1;4; 7 & 8	Engaging prisoners are supported after liberation. All aspects of short term prisoner needs are met on liberation and all relevant agencies are engaging with PSP team.	March 2016	●	Both the chief officer and planning officer continue to contribute to the governance and operational steering groups. Regular update reports are received and shared with partners. The last operational group meeting was 19/8/15 which the Planning Officer attended.

	Activities 2015-16	Contributes to Action	Short/ Medium Term Outcomes	Timescale	Progress	Comments
5	Actively participate in the Reducing Reoffending Change Fund PSPs governance groups, to deliver and sustain mentoring services to offenders in the NSCJA area.	1;4; 7 & 8	As per PSP outcome framework.	March 2016		Chief Officer sits on governance groups for all PSPs operating within NSCJA area both at a national and local level.
6	Actively support the Joint national PSP group in promoting the PSP model	1;4; 7 & 8	Improved understanding of the added value that the PSP model offers to the justice system in achieving outcomes for offenders.	March 2016		The Chief Officer is instrumental in the PSP sustainability group.
7	Continue to work with key public & third sector service providers within the NSCJA area to ensure that there is equity in access, for short term offenders, to relevant universal services (housing, healthcare, benefits, etc.)	1;4; 7 & 8	All aspects of short term prisoner needs are met on liberation and all relevant universal agencies are engaging with justice agencies.	March 2016		Part of NSCJA core business. This will be ongoing throughout the lifespan of the plan. Specific work carried out around healthcare through involvement in OPHI, NPHN. Housing issues addressed through PSP housing sub group chaired by Anne Carruthers from Renfrewshire, and the integration of the Housing First model in Renfrewshire and East Dunbartonshire.
8	Support Local Authority CJSW to continue to consult with communities on unpaid work projects as part of CPOs	1; 4; 6	Improved visibility of unpaid work projects. Appropriate unpaid work projects carried out.	September 2015		Ongoing throughout the lifespan of plan
9	Support Local Authority CJSW in the roll out of Fiscal Work Orders (FWO) across NSCJA	1;4; 5; 6	Improved options in direct measure alternatives to prosecution.	July 2015		FWO were rolled out in NSCJA in April 2015
10	Engage COPFS and CJSW in a dialogue around the effective use of Fiscal Work Orders	1;4; 5; 6	Improved options in direct measure alternatives to prosecution.	March 2016		A number of discussions and conversations took place prior to the roll out of the orders across NSCJA This involved West Dunbartonshire which was one of the pilot sites.

	Activities 2015-16	Contributes to Action	Short/ Medium Term Outcomes	Timescale	Progress	Comments
11	Work in partnership with Scottish Government and Community Planning Partnerships, both nationally and locally to facilitate information sharing and awareness events in preparation for the new structure.	1; 3 & 11	Integrated processes are in place between CPPs and NSCJA, working towards a smooth transition of duties and responsibilities.	March 2016		The next National event will be held on 1.10.15. CPP managers invited to attend each APIC. Presentation delivered to East Dun CPP on 21/5/15. Report submitted to West Dun CPP board on 7.7.15. CJA officers attended CPP National Conference and facilitated workshop in partnership with SG, Turning Point and Positive Prisons. Local transition plan developed and distributed. Chief Officer instrumental in National Transitions Group.
12	Engage with CPPs in local authority areas to start dialogue re procedures for transition to the new structure.	1; 3 & 11	Integrated processes are in place between CPPs and NSCJA, working towards a smooth transition of duties and responsibilities.	June 2015		As Above. Dialogue is ongoing at a local level with CPP managers. Transition Plan distributed.
13	Ensure Community Planning Partnerships and associated partners are invited to all stakeholder events.	1;2;3;11	Integrated processes are in place between CPPs and NSCJA, working towards a smooth transition of duties and responsibilities.	March 2016		As above
14	Through agreement with partners, develop and implement a CJA disestablishment plan.	1; 3 & 11	All NSCJA assets; SLAs and contracts and steering groups will be managed appropriately.	September 2015		Work ongoing to produce assets register etc.
15	Compile a local information package for CPPs to assist in the transfer of CJA functions and duties to the new structure.	1; 3 & 11	Integrated processes are in place between CPPs and NSCJA, working towards a smooth transition of duties and responsibilities.	March 2016		National Transition resource produced by CJAs and has been put on Knowledge Hub.
16	Coordinate and facilitate multi agency learning and development in line with national plan.	1;3 & 5	A fully informed and equipped Justice workforce.	March 2016		Ongoing

	Activities 2015-16	Contributes to Action	Short/ Medium Term Outcomes	Timescale	Progress	Comments
17	Progress work with NHS GG&C, GCJA and appropriate partners, based on a 'Whole Family Approach' to address health improvement of offenders and their families.	1 & 9	Improved positive health outcomes for offenders and their families, in particular children.	August 2015	●	Work progressing at a better pace. Regular meetings held. Sections circulated to relevant partners for proof reading and input. Draft Framework should be available for presentation to sponsor by September 2015
18	Continue to engage with SGCJD and partners in the progression of the offender agenda.	1	Improved positive outcomes for offenders, their families and communities.	March 2016	●	Planning Officer currently working with SGCJD in development of new national strategy for community justice.
19	Positively contribute to the development of the New National Community Justice Strategy through secondment to SGCJD	1	Improved positive outcomes for offenders, their families and communities.	March 2016	●	Planning Officer in SAH in advisory capacity 2 days per week .

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Planning Officer

Heading: North Strathclyde Community Justice Authority
Internal Audit – Governance Arrangements.

1. Summary

- 1.1** As part of the 2015/16 audit plan, a review has been undertaken by Renfrewshire Council Internal Audit, of the governance arrangements of the North Strathclyde Community Justice Authority (NSCJA) to ensure continued partner participation during the transition process to the new model for Community Justice.
- 1.2** The objectives of this audit were to ensure that:
- Meetings are arranged in line with the Terms of Reference of the Authority and that partner authorities participate in line with the minute of agreement.
 - Board members receive quarterly performance reports and action plan updates.
 - Action plans are progressing in line with targeted dates to ensure the achievement of expected outcomes.
 - Adequate arrangements are in place to engage with key stakeholders
- 1.3** The overall audit opinion is that NSCJA governance arrangements are operating well, however there have been instances of inquorate meetings. There is a recommendation in the detailed report to address this issue so that key information may be conveyed and timely decisions reached especially in this transition period.

2. Recommendations

- 2.1** Note the content of this report
 - 2.3** Note the Internal Audit Report at Appendix 1
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3. Background

- 3.1** As part of the 2015/16 audit plan, a review has been undertaken of the governance arrangements of the North Strathclyde Community Justice Authority (NSCJA) to ensure continued partner participation during the transition process described below.
- 3.2** The responsibility for the planning and delivery of community justice is to transfer from CJA's to Community Planning Partnerships (CPP's). From 01.04.16 CPP's will assume their responsibilities under a shadow arrangement with full responsibility being conferred from 01.04.17. In order to ensure a successful transition from the current structure to the new model for community justice in Scotland, CJA's will play a key role in raising awareness amongst CPP's of their new responsibilities and provide training where necessary.

Implications of the Report

1. Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report as the report is for noting. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Willie Kennedy, Planning Officer, North Strathclyde CJA,
Tel: 0141 887 6133, e-mail: william.kennedy@renfrewshire.gcsx.gov.uk



Internal Audit Report



North Strathclyde Community Justice Authority Governance Audit Governance Arrangements

Date	August 2015
Audit Ref:	SYS180/2016

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Management Summary

1. Introduction

- 1.1 As part of the 2015/16 audit plan, a review has been undertaken of the governance arrangements of the North Strathclyde Community Justice Authority (NSCJA) to ensure continued partner participation during the transition process described below.
- 1.2 The responsibility for the planning and delivery of community justice is to transfer from CJA's to Community Planning Partnerships (CPP's). From 01.04.16 CPP's will assume their responsibilities under a shadow arrangement with full responsibility being conferred from 01.04.17. In order to ensure a successful transition from the current structure to the new model for community justice in Scotland, CJA's will play a key role in raising awareness amongst CPP's of their new responsibilities and provide training where necessary.

2. Objectives of audit

- 2.1 The objectives of this audit were to ensure that:
 - Meetings are arranged in line with the Terms of Reference of the Authority and that partner authorities participate in line with the minute of agreement.
 - Board members receive quarterly performance reports and action plan updates.
 - Action plans are progressing in line with targeted dates to ensure the achievement of expected outcomes.
 - Adequate arrangements are in place to engage with key stakeholders.

3. Key audit assurances

- 3.1 Meetings are arranged in line with the Procedural Standing Orders and statutory legislation. Partner authorities participate in meetings in accordance with the Procedural Standing Orders.
- 3.2 Performance reports and quarterly action plan updates are reported at each board meeting. Action plans are progressing in line with targeted dates to ensure the achievement of expected outcomes. In addition, the Board are informed about risks and mitigating actions relating to the transition process through Resilience Reports as well as progress of the actions on the Transition Plan in place to support local transition arrangements.
- 3.3 The CJA continue to actively engage with key stakeholders holders through regular meetings and groups such as the Area Plan Implementation Group.

4. Key risks arising from the audit review

- 4.1 Key decisions may not be made in a timely manner if Board meetings have to be rescheduled as a result of planned meetings being inquorate.

5. Overall audit opinion

- 5.1 NSCJA governance arrangements are operating well, however there have been instances of inquorate meetings. There is a recommendation in the detailed report to address this issue so that key information may be conveyed and timely decisions reached especially in this transition period.

Detailed Report

1. Persons referred to in report

- 1.1 Although not specifically referred to in the report, the following personnel were the main officers who assisted us during the review.

Jim Hunter - Chief Officer, North Strathclyde Community Justice Authority

William Kennedy - Planning Officer, North Strathclyde Community Justice Authority

2. Introduction

- 2.1 As part of the 2015/16 audit plan, a review has been undertaken of the governance arrangements of the North Strathclyde Community Justice Authority (NSCJA) to ensure continued partner participation during the transition process described below.

3. Background

- 3.1 The NSCJA was one of eight CJA's established in Scotland in April 2006 with the aim of making communities safer and to provide a consistent and integrated approach to managing offenders both in the community and whilst in custody in order to reduce reoffending.
- 3.2 On 16 December 2013 the Cabinet Secretary announced that responsibility for the planning and delivery of community justice is to transfer to Community Planning Partnerships (CPP's), and that a new national body is to be established to provide independent assurance on delivery of outcomes and to undertake the strategic commissioning of services where appropriate. Community Justice Authorities (CJA's) will therefore cease to exist.
- 3.3 From 1 April 2016 CPP's will be able to assume their responsibilities under the new model under a shadow arrangement with full responsibility being conferred from 1 April 2017 once the required legislation has been enacted. In order to ensure a successful transition from the current structure to the new model for community justice in Scotland, CJA's will play a key role in raising awareness amongst CPP's of their new responsibilities and provide training where necessary.

4. Objectives

- 2.2 The objectives of this audit were to ensure that :
- Meetings are arranged in line with the Terms of Reference of the Authority and that partner authorities participate in line with the minute of agreement.
 - Board members receive quarterly performance reports and action plan updates.
 - Action plans are progressing in line with targeted dates to ensure the achievement of expected outcomes.
 - Adequate arrangements are in place to engage with key stakeholders.

5. Scope

- 5.1 Discussions were conducted with key members of the NSCJA and Renfrewshire Council's Democratic Services to ascertain background information.

- 5.2 Source documents including relevant plans and minutes were identified and reviewed.
- 5.3 Prepared and undertook a series to confirm the adequacy of the governance arrangements in place.

6. Basis of opinion

- 6.1 In arriving at our opinion we comply with the Public Sector Internal Audit Standards. We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance.
- 6.2 For the area under review we consider the overall adequacy and effectiveness of risk management, control, and governance processes. Collectively we refer to these activities as "the system of internal control".
- 6.3 The audit was based on sampling and therefore errors and/ or omissions may exist which have not been identified.

7. Key audit assurances

- 7.1 Meetings are arranged in line with the Procedural Standing Orders and statutory legislation. Partner authorities participate in meetings in accordance with the Procedural Standing Orders.
- 7.2 Performance reports and quarterly action plan updates are reported at each board meeting. Action plans are progressing in line with targeted dates to ensure the achievement of expected outcomes. In addition, the Board are informed about risks and mitigating actions relating to the transition process through Resilience Reports as well as progress of the actions on the Transition Plan in place to support local transition arrangements.
- 7.3 The CJA continue to actively engage with key stakeholders holders through regular meetings and groups such as the Area Plan Implementation Group.

8. Key risks arising from the audit review

- 8.1 Key decisions may not be made in a timely manner if Board meetings have to be rescheduled as a result of planned meetings being inquorate.

9. Detailed findings

9.1 Board Meetings

- 9.1.1 The auditor noted that there have been 10 scheduled Board Meetings since 14 June 2013, of these 4 were inquorate and therefore had to be rescheduled. Audit Scotland have also highlighted the number of inquorate meetings in the 'Issues and Risks' section of their Annual Reports for both 2013/14 and 2014/15. It is considered critical that in this transition period scheduled meetings take place to ensure that issues are raised and decisions taken in a timely manner.

Recommendation 1

The Chief Officer should request that the Convenor consider writing to all board members to encourage attendance at board meetings during the transition period so that issues are raised and decisions taken in a timely manner.

10. Overall Audit Opinion

- 10.1 NSCJA governance arrangements are operating well, however there have been instances of inquorate meetings. There is a recommendation in the detailed report to address this issue so that key information may be conveyed and timely decisions reached especially in this transition period.

Action Plan					
Rec No.	Recommendation	Responsible Officer	Agreed Completion Date	Response	Priority
Board Meetings					
01	The Chief Officer should request that the Convenor consider writing to all board members to encourage attendance at board meetings during the transition period so that issues are raised and decisions taken in a timely manner.	Chief Officer	09.12.15	Recommendation accepted. The Chief Officer will discuss the issue of writing to board members to encourage attendance at board meetings with the Convenor.	B

Priority Key:

A = Critical Recommendation - Addresses a significant risk, impacting on the area under review

C = Good Practice Recommendation – Implementation will contribute to the general effectiveness of control.

B = Important Recommendation – Implementation will raise the level of assurance provided by the control system to acceptable levels
 I = Service Improvement – Implementation will improve the efficiency / housekeeping of the area under review.

To: North Strathclyde Community Justice Authority

On: 11 December, 2015

Report by: Chief Officer

Heading: SECTION 27 GRANT FOR CJSW

LOCAL AUTHORITY ANNUAL REPORT 2014-15

**ARGYLL, BUTE AND DUNBARTONSHIRES' CRIMINAL JUSTICE SOCIAL
WORK PARTNERSHIP**

EAST RENFREWSHIRE COUNCIL

INVERCLYDE COUNCIL

RENFREWSHIRE COUNCIL

1. Summary

- 1.1** The Local Authority Annual Report provides information to NSCJA on services which have been provided under the grant funding arrangement.

2. Recommendations

- 2.1** The Authority is asked to:
- a) Note the content of this report
 - b) Request the Annual Reports (2015-16) be submitted to the Authority meeting in September 2016

3. Background

- 3.1** It is a function of NSCJA under Section 3 (5) e of the Management of Offenders (Scotland) Act 2005 to allocate to appropriate Local Authorities a grant in respect of Criminal Justice Social Work Services.

At its meeting on 12th March 2010 the Authority introduced Conditions of Grant for receiving Local Authorities, one of which is that they must submit an Annual Report to NSCJA outlining the services they have provided with the grant. The Authority requested Annual Reports 2014/15 to be submitted to the meeting on 4th September 2015.

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gsx.gov.uk Tel: 0141 887 6133

Contact ARGYLL, BUTE AND DUNBARTONSHIRES' CRIMINAL JUSTICE SOCIAL
WORK PARTNERSHIP

Contact officer: Norman Firth, Partnership Manager: Argyll, Bute and Dunbartonshires' Criminal Justice Social
Work Partnership

Tel; 01389 738 484

Email; norman.firth@wdc.gsx.gov.uk

EAST RENFREWSHIRE COUNCIL

Contact officer: Jonathan Hinds, Service Manager: Criminal Justice Social Work Services

Tel; 0141 577 8475

Email; jonathan.hinds@eastrenfrewshire.gov.uk

INVERCLYDE COUNCIL

Contact officer: Audrey Howard, Service Manager,

Tel; 01475 714500

Email; Audrey.Howard@inverclyde.gov.uk

RENFREWSHIRE COUNCIL

Contact officer: Allison Scott, Criminal Justice Services Manager,

Tel; 0141 842 5130

Email; allison.scott@renfrewshire.gsx.gov.uk



Local Authority Annual Report to North Strathclyde Community Justice Authority
NSCJA

2014-15

This report refers to the Argyll, Bute and Dunbartonshire's Criminal Justice Social Work Partnership; Argyll and Bute, West Dunbartonshire and East Dunbartonshire Councils.

Aggregate Return

The figures relating to the analysis (below) are preliminary and are subject to alteration.

Over the period 2012-13 top date the main issue in relation to demand has been the impact of the introduction of CPOs. In the annual report for 2013-14 it was noted that there were factors other than the implementation of CPO at work; such as changes to patterns and levels of crime, local sentencing practice, particularly evident in Argyll and Bute, and the impact of declining and ageing populations. In 2103-14 the number of Probation, Community Service and Supervised Attendance Orders dwindled to insignificant levels and issues which were tentatively identified in the previous year developed to a point where trends and patterns can begin to be more confidently identified. The figures relating to new workload for 2014-15 strengthen the case for identifying longer term trends.

The overall trend, in respect of reports, suggests declining demand overall, this is despite a modest increase in the total entirely accounted for by West Dunbartonshire. In respect of orders, the figures suggest a slight decline in demand compared to 2013-14 the most significant element of which affected West Dunbartonshire. These figures conceal quite significant local variations across Argyll and Bute and variations in level of demand over the course of the year; for instance West Dunbartonshire experienced an approximately 30% rise in the level of new CPOs in the last quarter of 2014-15 compared to the same period in 2013-14.

In West Dunbartonshire there are supervision requirements in 59% of the total, in Argyll and Bute in 48% and East Dunbartonshire 55%. Of CPOs with supervision requirements 79% and 83% and 59% respectively also have unpaid work and other activity requirements. Within the total, the number of new orders involving a supervision requirement, either on its own or with an unpaid work requirement has risen in Argyll and Bute, remained similar in West Dunbartonshire and declined in East Dunbartonshire.

Over several years, all partnership authorities have noted an increase in the average age of offenders dealt with by the Criminal Justice Social Work Service. In 2014-15, 45% were over 31 years with 18% under 21 years. For some time the average age of offender subject to supervision in the community has been around 30 years. This trend has been noted elsewhere and is not unique to the partnership authorities.

The demand in respect of through-care; that is the supervision of offenders subject to post custodial supervision in the community, has been characterised by a modest but steady year on year rise for the past five years. A particular increase in demand in East and West Dunbartonshire (who share a through-care team) was noted in 2014-15.

Community Payback Orders

The principles underpinning CPO are fundamentally predicated upon evidence of the positive impact on the community in terms of paying back directly through unpaid work and/or other rehabilitative measures. As a matter of public policy, CPO and other measures within the Criminal Justice and Licensing (Scotland) Act 2010, such as a presumption against custodial sentences of three months or less, are a constructive attempt to achieve a more balanced and proportionate approach to sentencing; among other effects reducing the “churn” of repeated short sentence admissions.

Public visibility and feedback

As noted in previous reports since the introduction of CPO, the concept of payback appears to strike a chord with individuals, community organisations and the media, beyond the high levels of satisfaction traditionally elicited from recipients of unpaid work. Throughout the Partnership unpaid work staff have continued to respond to a more receptive public climate to develop, promote and consult regarding unpaid work projects.

The partnership authorities started 2014-15 against a background of significant levels of constructive publicity regarding unpaid work activities. This was helpful in generating interest in and referrals to the unpaid work teams within the Partnership as was the positive experience of organisations and individuals. For instance, work commenced in early 2014 in collaboration with community organisations in Arrochar regarding tidying up around the head of Loch Long, continued with environmental improvements in the vicinity of the community café.

Work has continued to identify new projects and sustain or extend existing ones where appropriate. For instance work undertaken to improve access and general amenity in allotments in Dalmuir has been complimented by recent work to develop a plot in Dumbarton on behalf of a local Alzheimers group.

Feedback from communities and organisations has been very positive regarding unpaid work undertaken by offenders subject to CPO. Some of the activities carried out to communicate the benefits of community payback orders to the wider community have been -

- Publicity in local press on projects being undertaken/completed
- Details on Council /Community organization websites
- Feedback via elected members
- Community/organization newsletters

When considering projects to be undertaken by offenders on unpaid work the benefit to the community is taken into account. These benefits include,

- Improves local area/amenities for residents and visitors
- Discourages anti-social behavior including vandalism and fly tipping, if area looks attractive and consequently is used regularly for legitimate purposes
- More attractive place to live and visit (stop as opposed to driving past)
- Nature trails and paths now being used by more families to enjoy
- Enabled the disadvantaged and those most at need in the community to benefit from and have access to facilities and environmental options on their doorstep

Working on these projects also has a number of benefits to the offender including,

- Increase in self esteem and self worth
- Sense of achievement
- Learning to work together as a team
- Allows them to see how their work has been good for the local community
- Encourages a work ethic
- Improved motivation
- Improved employment prospects
- Opportunities for new skills and training See below re SVQ)
- The provision of role modeling by the work supervisor

One of the positive results for offenders undertaking unpaid work is the experience and skills it gives them to improve their chances of obtaining paid employment. Some have been successful in gaining employment or continuing to undertake voluntary work. An initiative which was planned over 2013-14 but has been

implemented this year is access to a SCQF level 2 gardening skills qualification through a gardening project in Dumbarton. The Unpaid work team has access to allotments in Dalmuir and Dumbarton and the food produced is donated to local food share schemes.

Unpaid work projects in East Dunbartonshire have included the creation of a landscape sensory garden at a school and the development of a memorial garden. All unpaid work teams respond where practicable to a demand from community organisations for painting and decorating tasks. Work undertaken within East Dunbartonshire for the Richmond Fellowship and Hillhead United Social Club is illustrative of situations where unpaid work requirements have been utilised to the benefit of others in the community.

The Service in East Dunbartonshire continues to enjoy the opportunity to undertake environmental work in and around Mugdock Park, principally path clearing and maintenance and related work such as erecting signs.

In West Dunbartonshire, the unpaid work team continue to work on environmental projects both new projects and maintaining others, such as a section of the Clyde Coastal Path. In 2013-14 the service was offered and took up the opportunity to help improve what had become a somewhat neglected amenity in the policies around the Strathleven Industrial Estate in Dumbarton. The estate has as its focal point Strathleven House, an early 18th century mansion. The work carried out by the unpaid work team comprised cutting back years of undergrowth and restoring neglected/lost paths creating both an attractive and safe environment for walkers etc. and again there is a continuing commitment to ensure that the gains made are not lost. There is wherever possible an aspiration to work alongside other organisations and volunteers.

In addition to regular unpaid work projects such as beach cleaning and land maintenance in Argyll and Bute the service has engaged with local charitable trusts as a means of finding appropriate tasks for our service users that not only benefit the communities but also the individuals. Examples of these continuing projects are the Barbluie Project in Lochgilphead and the Glenfinnart walled garden.

The Barbluie project is a woodland trust project, our workers assist in planting and general wood maintenance. It equips services users with employment skills and benefits the community by enhancing the local area.

Similar work is undertaken at the Glenfinnart walled garden in Ardentinn. This project also enables services users to grow vegetables that they can then take home to their families, thus offering work based skills and healthy living. This is the consequence of the services initial involvement in assisting the development of the site noted in previous reports.

CPO (unpaid work) continues to benefit individuals in need across a range of circumstance and age. In addition we seek to identify individual placements typically providing practical assistance to small voluntary organisations, charity shops etc.

In all areas Unpaid work team staff undertake formal liaison/presentations to groups and organisations as well as utilizing the benefits of informal networks and relationships. Typically, this would involve someone involved in a local organization or project finding out about the work undertaken by unpaid work teams informally and approaching us for assistance.

Contracted Services

Alternatives are commissioned to provide the Throughcare Addiction Service (TAS). The level of grant for TAS rendered the in-house service vulnerable in face of demand from competing statutory priorities. In 2014-15 this service dealt with 87 referrals, reflecting a very similar level of demand to that in 2013-14.

APEX (Scotland) continued to be our partner in delivering the Fiscal Work Order (FWO) Pilot in 2014-15. FWO provides an alleged offender the opportunity of performing a period of unpaid work as an alternative to prosecution. APEX provides the assessment and case management functions with a worker co-located with the CPO Unpaid Work Team in Dumbarton who provide day to day managerial support and the supervision of work undertaken. The anticipated roll out of the service intended for 2013-14 did not take place with a new timetable over 2014-15 substituted. This was also delayed until 2015-16. Whilst the impact will be felt in 2015-16, when it became clear that there was a reduction in the non-core grant for the delivery of this service in 2015-16 and no flexibility elsewhere, arrangements were made during the latter part of 2014-15 to terminate the arrangement with APEX Scotland.

All contracting arrangements are subject to review in terms of fitness for purpose and value for money. The Partnership has already responded to these issues in terms of reviewing and revising arrangements with Health and third sector partners regarding DTTO. Efficiency savings identified in 2013-14 were fully realised in 2014-15 and over the course of the year further savings were identified and achieved.

The Turnaround Service (Turning Point Scotland) co-located in the CJSW office in Dumbarton during 2011 and continues to contribute to and support the work of the team, providing "other activities" for the CPO unpaid work team and supporting offenders subject to supervision requirements. This service is well embedded within the team and is highly valued in terms of supporting the case management of offenders subject to CPO. The service extends one day per week to Dunoon and Kirkintilloch. Turning Point Scotland supported our delivery of the women's project (Moving Forward), noted below.

The experience of the service in relation to the co-location of third sector (and health staff) and the delivery of services on site continues to be positive and constructive in terms of establishing very effective front line operational relationships to the benefit of mutually agreed outcomes.

3. Accredited Programmes

Constructs PSSO is available in West Dunbartonshire, Helensburgh and Lomond. Referrals etc. figures in relation to referrals and completions for 20013/14 are,

- a) Number of referrals: 31
- b) Number of clients completed: 15
- c) Number of clients breached/failed to attend: 13

The above has been achieved within the context of a number of operational difficulties re staff turnover which impacted levels of referral.

4. Compliance/Complaints/Client Feedback

The service received no formal complaints in 2012-13.

With regard to customer feedback the most extensive is in respect of unpaid work with 100% of respondents (persons in receipt of unpaid work service) stating that they would use the service again. This figure has been consistent for some time with similar headline outcomes.

- All customers who responded found the work completed was to a satisfactory, and the majority a good, standard
- All customers who responded found the behaviour and conduct of those undertaking the work to be satisfactory with the majority of a good standard
- All customers who responded found contact with the officer undertaking the assessment of the work to be done satisfactory with the majority finding it helpful

Feedback from offenders at the conclusion of Orders is also sought and analysed. We have made some effort to improve the level of feedback returns but of course they tend on the whole to reflect the views of those who have achieved success. The overall position remains one of high levels of satisfaction with the service in terms of having the requirements of Orders explained and being treated fairly (100%). 91% of respondents indicated that they felt that work undertaken with their Supervising Officer was useful in terms of addressing the problems and changing their behaviour. This is the same as in the previous three years.

With regard to unpaid work, 100% thought they were treated fairly and 96% thought they were unlikely to re-offend. 95% thought that the work was rewarding. Both formal and informal feedback provides evidence of the value placed on the type of environmental project described above. There is evidence of a connection between

recognition of the value of the work undertaken (to a recipient) and the commitment of offenders to the task in terms of compliance and positive outcomes.

There have been no issues raised under the terms of Partnership Authorities whistle blowing policies.

There have been a number of tasks/activities undertaken over 2014-15 relevant to compliance and overall service performance.

Unpaid Work

Progress with regard to satisfying the service's obligations regarding immediacy and speed; getting offenders inducted and on unpaid work placements within seven working days remains challenging (see performance indicators below). Where practicable, partnership authorities assist one another, for instance deploying unpaid work supervisors.

Changes which have involved more robust initial reporting and systematic induction arrangements and changes to placement working hours have been associated with improved levels of initial and overall compliance in areas less affected by workforce turnover etc. most obviously in West Dunbartonshire which has the advantage of relative scale and proximity to the source of most of the demand for services (Dumbarton Sheriff Court). These advantages extend to the Helensburgh/Lomond area of Argyll and Bute.

Planning and performance Improvement.

The Partnership is currently working under a performance improvement programme revised for 2014-17.

The programme involves a schedule of audits involving elements of peer group, line manager and senior manager scrutiny. The results of audits are collated and reported to managers and staff with specific performance improvement measures identified. In 2014 the Partnership reviewed prisoners on Through-care and substance misuse.

The Partnerships Planning and Performance Framework which brought together national, CJA and local strategic objectives and outcomes in a clear relationship with strategic and operational improvement plans was reviewed and revised in format and content in 2013-14 leading to the creation of a new framework for 2014-17. The operational impact of the PPIF has been extended to the front line through the creation of team plans which are reviewed on a regular basis by front line managers. Progress with regard to the PPIF is reported regularly to the Partnership Committee via a Balanced Scorecard.

Over the course of 2014-15 approximately 95% of the actions identified within this period in the strategic and operational plans were completed. The PPIF was reviewed and revised in format and content in 2013-14 leading to the creation of a new framework for 2014-17. The operational impact of the PPIF has been extended to the front line through the creation of team plans which are reviewed on a regular basis by front line managers. Progress with regard to the PPIF is reported regularly to the Partnership Committee.

The Partnership's Commissioning Strategy was reviewed, revised and extended to 2014-17. In undertaking this review the Partnership Strategic Management team took account of the forthcoming changes affecting the strategic planning and delivery of community justice. The PPIF and Commissioning Strategy focus on issues supporting the continuing delivery of good quality services.

5. National Standards

Performance may be influenced by factors over which the service has little direct control. This applies to all authorities particularly in relation staff turnover and retention. There is clearly a direct correlation between higher levels of staff turnover and significant variations in performance which can affect any or all of the partnership Authorities.

As part of the Partnership's Planning and Performance Improvement Framework a Balanced Scorecard has been created to monitor progress of the three year Strategy Map. The Balanced Scorecard was implemented from the 1st April 2014. And is reported to the Partnership Joint Committee.

Percentage of court reports submitted by due date 2014/15:

Argyll and Bute: 96% West Dunbartonshire: 97% East Dunbartonshire 99%

Percentage of individuals subject to CPO who attend an induction session within five working days (note this includes both supervision and unpaid work requirements)

Argyll and Bute: 78% West Dunbartonshire: 82% East Dunbartonshire: 81%

Percentage of Unpaid work/other activity requirements commenced within seven working days

Argyll and Bute: 46% West Dunbartonshire: 90% East Dunbartonshire 88%

Over time, performance, as reflected in the above indicators, fluctuates. The fluctuations are usually associated with identifiable operational pressures / difficulties and / or issues re data input and retrieval. Recruitment of unpaid work staff in Argyll and Bute continued to be an issue during 2014/15 but has now been resolved.

6. In-house Projects

Note the services below cover West Dunbartonshire and the Helensburgh/Lomond area.

A women's group-work programme continues to be delivered in the West Dunbartonshire, Helensburgh and Lomond areas. This area has over recent years experienced relatively large numbers of women subject to community supervision (31 new CPOs with supervision requirements in 2014-15). The themes or issues addressed include readiness to change, self-esteem, anger and conflict, relationships (partners, children, family and others), substance misuse, parenting skills, health (lifestyle risks, diet, sexual health, fitness) and access to training education and employment. A key element of the programme is establishing a relationship with a range of service providers/agencies through direct input to sessions and where appropriate the establishment of contact and referral independent of the programme. Agencies/services involved include Community Learning and Development, Clydebank College, Stepping Stones, NHS and addiction services. A feature of the programme is working alongside women to determine their own specific needs and goals. An application for additional funding to support the development of the women's programme was successful and funding made available for 2014-15, with an extension granted for a further year 2015-16. The project funding has permitted the deployment of a dedicated member of staff to develop and support the group-work programme particularly in relation to the engagement of other agencies and services, for instance in relation to health and wellbeing. It has also provided the capacity to work intensively with a small number of very vulnerable women and support them to establish more stable lifestyles including engagement with appropriate services.

The Partnership has hosted a Women's Safety and Support Service funded by the Scottish Government Equalities Unit (Violence Against Women Funding Stream) since 2008. At the time of writing funding is secure until 2016, having successfully acquired a further years funding via the violence against women programme. The project is located within and managed by the CJSW team in Dumbarton and provides a service to female partners / ex-partners of domestic abuse perpetrators subject to statutory supervision and to female offenders experiencing domestic violence and other forms of gender based violence. It is a direct response to the historically, very high incidence of reported domestic violence affecting West Dunbartonshire and empirical evidence of the impact of gender based violence on female offenders. The service covers West Dunbartonshire/ Helensburgh Lomond area.

The service's objectives are to;

1. Increase the safety of women and children experiencing domestic violence within a criminal justice context
2. To achieve better outcomes for women and children experiencing domestic abuse
3. To provide a service to female offenders which recognises the impact of gender based violence in relation to routes into and out of offending
4. To raise the profile of the effects of gender based violence on the women who receive the service

The service received 58 new referrals in 2014-15. The main sources of referral were Criminal Justice Team, Early and Effective Intervention Team (Police Incident) and ASSIST. At the beginning of March 2015, 24 women were engaged with the service and seven pending referrals.

The service has developed an input into the women offender's group-work programme and supports a service users group.

The challenge of dealing with the perpetrators of domestic violence was met by a revision and re-launch of a perpetrators group-work programme, drawing on the experience and skills of staff across the CJSW team and evidence of effective practice/approaches to this issue. Subject to a further revision of the programme further sessions are planned.

The service maintains a high level of commitment to training and practice development to staff across a range of services.

N J Firth
Partnership Manager
Argyll, Bute and Dunbartonshires'
Criminal Justice Social Work Partnership

REPORT TO NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

LOCAL AUTHORITY ANNUAL REPORT 2014-15

East Renfrewshire Criminal Justice Social Work Services

Community Payback Orders

- 1 The Aggregate Return and Unit Data information for 2014-15 have been submitted separately to this report.
- 2 Figure 1 illustrates areas of service where an increase or decrease in workload by 5% or more compared to the previous year's figures was recorded.

Fig. 1: Workload variation of +/- 5% or more: 2014-15 from 2013-14

Area of service	Number 2014-15	Number 2013-14	Change (n)	Change %
Criminal Justice Social Work Reports	183	211	-28	-13%
Community Payback Orders (Level 1)	32	50	-18	-36%
Community Payback Orders (Level 2)	67	50	+17	+34%
Community Service Orders	1	2	-1	-50%
Section 229 Orders	0	2	-2	-100%
DTTO assessments	0	4	-4	-100%
Throughcare (released prisoners)	18	23	-5	-22%

- 3 Whilst percentage decreases/increases suggest significant changes in workload, real variations are often less significant eg: section 229 orders decreasing by 100%; in real terms this represents a reduction of 2 orders. Community Service orders, meanwhile, fell by 50% (n=1) during 2014-15, reflecting the almost complete shift to Community Payback Orders (CPOs).
- 4 Requests for criminal justice social work reports reduced by 13% from 2013-14, reflecting the continued national trend of reducing conviction rates.
- 5 CPOs reduced by only one from the previous year, although there was a 34% increase in level 2 orders (n=17) from 2013-14.
- 6 There were no new DTTO assessments for East Renfrewshire residents this year, reflecting ongoing limited usage of this disposal for the local population. Existing DTTOs are not included in the above table however the impact of changing patterns of drug misuse, earlier interventions to support individuals with drug misuse problems and use of the full range of additional community-based disposals available to courts may also impact on low uptake.
- 7 The shared DTTO service, provided by East Renfrewshire CHCP, will be disaggregated to individual local authorities from 1 April 2015 and this change in delivery arrangements may reflect different trends during 2015-16, when any impact of this redesign can be more effectively measured by each local authority.

- 8 Anecdotal feedback from social work practitioners suggests that alcohol misuse remains more prevalent than problematic substance misuse, however DTTO as a disposal has not been fully tested regarding new drug misuse trends eg: New Psychoactive Substances (or 'legal highs').
- 9 Throughcare services to released prisoners show a percentage decrease of 22%, however this equates to five fewer individuals returning to the community subject to statutory supervision than 2013-14.
- 10 Figure 2 summarises information on 99 CPOs containing 154 requirements imposed on offenders from East Renfrewshire during the 2014-15 financial year. It should be noted that, whilst the number of CPOs remained largely static, 10 more requirements were included than 2013-14.

Fig. 2: Community Payback Orders (East Renfrewshire offenders) and requirements

Requirement	Total	Percentage of total requirements
Supervision	49	32%
Unpaid work and other activity	85	55%
Conduct	9	6%
Programme	3	2%
Drug Treatment	0	0%
Alcohol Treatment	1	0.5%
Mental Health Treatment	0	0%
Compensation	7	4.5%
Residence	0	0%
TOTAL	154	100%

- 11 Figure 3 summarises the number of requirements per order imposed during the same period.

Fig.3: Number of requirements per CPO

Number of requirements per Order	Number of Orders	Percentage of total Orders
1	57	58
2	29	29
3	12	12
4	1	1
5	0	0
6	0	0
TOTAL	99	100%

- 12 During 2014-15, courts included unpaid work and other activity requirements in 86% of all CPOs.
- 13 The supervision requirement was included within around 50% of orders, thus being the second most used requirement by courts and reflecting a 13% increase from 2013-14.

- 14 Thereafter, conduct, compensation, alcohol treatment and programme requirements were used in 20 CPOs, up from 14 orders in from 2013-14 and largely reflected in increased use of conduct requirements.
- 15 Alcohol treatment requirements were met by referral and engagement with East Renfrewshire Community Addiction Team.
- 16 The programme requirement was used in 3 orders, with one offender each attending Constructs offending groupwork, one attending the Pathways Project alongside others who were sentenced during the previous year and one admitted to the Turnaround Residential Programme for 10 weeks.
- 17 A number of other sex offenders sentenced to community based supervision during 2014-15 however, were provided with accredited intervention on an individual basis, as they did not meet the criteria for the groupwork setting.
- 18 Whilst use of Community Service and Probation continues to be minimal, three probation orders (or equivalent) were transferred from English jurisdictions. Figure 4, below, compares disposals between 2014-15 and 2013-14:

Fig. 4: New CPOs, probation and Community Service orders 2013-14 and 2014-15

Disposal	2013-14	2014-15	Variation 2013-14 to 2014-15
Probation – Including English Orders	0	3	+3
Section 229	2	0	-2
CPO with supervision requirement	37	49	+12
Community Service	2	1	-1
CPO orders with unpaid work requirement	93	85	-8
Total orders with supervision	39	52	+13
Total orders with unpaid work	97	86	-11

- 19 New cases with supervision requirements increased by 13, whilst those with unpaid work requirements reduced by 11 from 2013-14, representing a negligible overall change in workload within these categories of service delivery.
- 20 An ongoing factor in overall workload, though not wholly contained within CPO information above, is the impact of an ongoing high rate of sex offenders subject to social work supervision. Whilst further detail will be published in the MAPPA Annual Report later in 2015, this increase continues to place significant demands upon the criminal justice team and key partners including the MAPPA unit, police, housing and health colleagues.
- 21 As part of ongoing service user consultation and feedback, analysis of completion surveys during 2014-15 found that:
 - Most offenders completing orders were male with an average age of 35
 - 90% of offenders identified as White Scottish
 - 90% of offenders thought supervision was very strict, quite strict or 'ok'
 - 100% felt that supervision had helped them to look at reducing re-offending
 - Alcohol misuse, family relationship problems, employment/training and money advice were the most common needs that were addressed.

- 22 This empirical data provides at least some indication of the views of offenders regarding their experience of supervision in the community.
- 23 Links with partner services and organisations have enabled the range of requirements within CPOs to be provided effectively, with the aim of contributing to an overall reduction in risk of re-offending.
- 24 The visibility of the benefit of CPOs for local communities has continued to be important to service planning and delivery during 2014-15 by a number of projects, in partnership with Adult Services, at the Barrhead and Thornliebank Centres, working with managers and service users from Learning Disability Services. The service has continued its close working relationship with the Barrhead Melo Velo Club and community cycle repair project.
- 25 The unpaid work squad provides environmental tidy ups in the local area including tidying local lanes, assisting with bottle banks and help in clearing fly tipping sites. The service has also supported third sector providers including residential care homes and day centres. They also grit paths in winter at local sheltered housing complexes and respond to requests to uplift furniture and tidy or remove rubbish to council tips.
- 26 The range of feedback from beneficiaries and placement providers has been positive, including from a local community representative who was impressed by the speed of the squad's response to a request and the high standard of the work undertaken.
- 27 The focus for 2015-16 will be to develop additional links with the local volunteer service and identify additional projects which the Unpaid Work service can support.
- 28 Consultation with a range of community based partners, ongoing contact with media relations colleagues alongside information to the Sheriff Principal for North Strathclyde and reports to the CHCP committee have ensured that the profile of criminal justice social work services, including CPOs has been upheld.
- 29 With more recent staff changes to the criminal justice team during 2014-15 and increased capacity for new placement development, further community consultation during 2015-16 will be supported by colleagues in media relations and community planning. This will be particularly helpful to ensure public awareness of CPOs and wider criminal justice social work services in advance of the shadow year of the new national model for community justice.

Contracted Services

- 30 East Renfrewshire's grant allocation included provision for the following non-core services across East Renfrewshire, Inverclyde and Renfrewshire:
 - Arrest Referral
 - Social work services to the Forensic Community Mental Health Team.

- 31 Arrest Referral: Previous annual reports reflected a variety of strategies to improve the uptake of Arrest Referral services in Greenock and Paisley Sheriff Courts to ensure best use of the recurring annual grant allocation of £49,200.
- 32 The service was provided by Turning Point (Scotland) for many years to individuals from south Clyde who may have an alcohol or drug problem.
- 33 Ongoing challenges included staff access to court cells and interview space, alongside recognition that not all individuals require Arrest Referral services.
- 34 To endeavour to improve uptake of the service and, as indicated in last year's report, responsibility for Arrest Referral services (East Renfrewshire and Renfrewshire) moved to the Drug Treatment and Testing Order team from June 2014. Staff located adjacent to Paisley Sheriff Court worked with court staff on a daily basis and notable improvement in access to offenders was reported.
- 35 Discussion with Inverclyde Addiction Services examined how they could similarly provide an improved Arrest Referral service to Greenock Sheriff Court, supported by a redistribution of the grant for the service.
- 36 With the disaggregation of DTTO services to each local authority from 1 April 2015, Arrest Referral provision for East Renfrewshire and Renfrewshire will transfer to Paisley Court social work team, whilst Inverclyde Council will continue to hold the budget for provision to Greenock Sheriff Court.
- 37 Forensic Community Mental Health Team: this service, provided by NHS Greater Glasgow and Clyde, includes social work staff employed by East Renfrewshire CHCP, co-located with forensic community psychiatric nurses, a psychologist, a psychiatrist, an Occupational Therapist and medical secretaries, working with mentally disordered offenders living in the community or preparing for release from hospital/custody.
- 38 Whilst the annual criminal justice grant contributes towards the cost of social work service provision, the three local authorities provide additional funding from their Community Care grants to support this service.
- 39 The clinical team determines individuals who meet the criteria for forensic mental health services and, as such, this includes some offenders subject to statutory criminal justice disposals as well as others who may not have offended for several years but remain subject to mental health orders, including orders of restriction, due to ongoing risks to themselves and others.
- 40 During 2014-15, social work staff supported the following individuals:
 - East Renfrewshire: 5
 - Inverclyde: 1
 - Renfrewshire: 24.

- 41 Individuals are subject to statutory criminal justice orders, compulsion orders with restriction (and therefore included in multi-agency public protection arrangements - MAPPA) and compulsory treatment orders or are informal patients who are not subject to criminal justice or treatment requirements:
- 42 Whether an individual is subject to a criminal justice order, mental health order or is an informal patient, they will remain a patient of the team on a long-term basis; as such, criminal justice orders comprise a small proportion of the social work caseload and, following completion of a community-based order or licence, the individual will remain within the social work caseload due to the severe and enduring nature of their mental illness.

Accredited Programmes

- 43 During 2014-15, referrals were made to the accredited Community Sex Offenders Groupwork Programme (CSOGP) and the accredited Constructs (Positive Steps to Stop Offending) Groupwork Programme for prolific, non-sexual and low-risk violent offending.
- 44 Both programmes are provided by staff within Renfrewshire Council and further information is included within the Renfrewshire report.

Compliance/Complaints/Client Feedback

- 45 Compliance: Following the nationwide self evaluation of the accredited Level of Service Case Management Inventory (LSCMI) risk assessment tool, the local action plan was reviewed quarterly to monitor progress to achieve actions during 2014-15.
- 46 Achievements include LSCMI being included in the local quality assurance programme and subject to regular scrutiny by the Team Manager and, to date, 20 of 32 actions are complete, 2 are ongoing and 5 were not completed (outwith service control). A further 5 were not completed (within service control) related to staff training and the role of LSCMI in service planning. With the support of the Risk Management Authority, outstanding actions are expected to be addressed during 2015-16.
- 47 Complaints: one complaint was received regarding criminal justice social work services during 2014-15 which was not upheld.
- 48 Client Feedback: individuals completing Community Payback, probation, Community Service, Drug Treatment and Testing Order (DTTO) or Throughcare orders are asked to complete a client survey which seeks views on their experience of supervision, compliance, and action plans.

- 49 Individuals completing accredited groupwork programmes are also subject to regular professional feedback and modular review. This enables local managers to track compliance and informs the direction of individual supervision of offenders by East Renfrewshire criminal justice staff.
- 50 Furthermore, reviews of orders and licences, held every 3-6 months, record ongoing offender feedback and allow individuals to contribute to reshaping their action plan from that created at the point of sentence. Reviews are also attended by partner agencies contributing to the action plan.
- 51 For offenders subject only to unpaid work, telephone contact at the end of their Order and the offer to meet the team manager to give feedback directly have been introduced to expand the range of information gathered from offenders subject to statutory supervision.
- 52 As noted above, completion surveys are analysed each year to provide useful information on offenders and their views of supervision. Within this feedback, offenders stated that the most helpful aspects of their order included:
- 'getting support to discuss things'
 - 'felt safe and always have support – could tell everything'
 - 'meeting with my social worker who listened and helped me get by on my worst days'
 - 'had a good look at my offending'
 - 'helping me mature a bit'
 - 'helping me understand myself and my offending behaviour'.
- 53 The worst aspects of being supervised by the criminal justice team included:
- 'some of the coursework'
 - 'unpaid work'
 - 'nothing, just a lot of appointments'
 - 'feeling guilty and ashamed about what I had done'
 - 'travel restrictions'.
- 54 Ways that offenders felt supervision could be improved included:
- 'stricter worker – don't be too accommodating'
 - 'would change nothing'
 - 'I couldn't – I got the best support ever'
 - 'night-time appointments for people who finish work later'.
- 55 No issues were raised for criminal justice social work services within the Council's whistle blowing policy.

National Standards

56 Figure 5 illustrates information provided to the Scottish Government to report on performance indicators for 2014-15.

Fig. 5: Key Performance Indicators (2014-15)

Criminal Justice Social Work Reports¹	
Number of reports submitted to court	184
Number of reports submitted by due date	184 (100%)
Reports requested by courts	209
Reports allocated within 2 day timescale	209 (100%)
Probation/Supervision requirement (Including English Orders)	
Number of probation orders / English Orders	3
Number of section 229 orders	0
CPOs with supervision requirement	49
Total	52
Number seen within seven days	46 (88.46%)
Community Service/Unpaid Work and other activity requirement	
Number of CS orders	1
Number of sec 229 orders	0
Number of CPOs with unpaid work	85
Total	86
Average hours per week to complete order	8.26

57 The average hours of unpaid work completed increased by over one hour per week from 2013-14, reflecting:

- the benefits of local redesign
- appointments on the same day as sentence which support work placements to begin within seven days
- an expectation that offenders will attend twice per week to complete unpaid work promptly.

58 For individuals with problematic compliance or ill health, a process of internal reviews ensured a quick response to reduce the risk of drift within an order.

59 A first appointment for each offender, (the same day as sentencing) is included in each report to court. This supports work placements to begin within seven days

Special In-House Project

60 No Barriers Project: this local offender literacy project seeks to support offenders subject to statutory supervision to address literacy, employability and life skills needs. Following the ending of original funding in March 2012, eighteen months' funding was secured until 1 April 2015 as part of the women offenders bid by Renfrewshire Council, which provided for a dedicated literacies tutor.

¹ this figure includes a range of reports not included in the aggregate return, in line with reporting requirements of the Scottish Government.

- 61 During 2014-15, the criminal justice team referred 14 new service users to No Barriers, in addition to existing clients from the 2013-14 financial year.
- 62 Other Partners in delivering No Barriers: a range of other agencies supported service delivery with No Barriers clients, including:
- Economic Development Unit (WorkER)
 - Voluntary Action
 - Skills Development Scotland
- 63 Most individuals received support with employability-focused goals, literacies and confidence-building. No Barriers also provided support with meeting the criteria for claiming welfare benefits.
- 64 One female learner was assisted to complete unpaid work. She also helped to deliver mindfulness sessions and it is hoped that she may become a volunteer to deliver sessions to other audiences.
- 65 The majority of learners have worked on their CVs, job applications and were supported with ongoing changes in welfare reform. This involved accessing library computers (if no access at home), registering with Universal Jobmatch and learning ICT skills to complete online job searches.
- 66 Methods of reporting outcomes of No Barriers
- reports to NSCJA and East Renfrewshire CHCP Committee
 - staff development sessions
 - local and national press coverage
- 67 Project Sustainability: Although women offenders' funding will not continue to the 2015-16 financial year and the dedicated tutor post will no longer be available, referrals will continue to be made to No Barriers. Support, as part of established groups, will be offered to male and female service users in both literacies and confidence building.
- 68 Engagement with community planning partners as part of the transition to the new community justice model will include examination of resources (financial or otherwise) that could enable continuation of No Barriers that reflects both local demand and equal access to the service.

INVERCLYDE COUNCIL CRIMINAL JUSTICE SERVICES ANNUAL REPORT FOR FINANCIAL YEAR 2014/15 TO NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

1. AGGREGATE RETURN

The aggregate return for 2014/15 is again in two parts.

The first part, which is attached, reports on all activity with the exception of Community Payback Orders (CPOs) and Drug Treatment and Testing Orders (DTTO). This latter information will be contained in part two, which has a later submission date and consequently is still to be finalised. Thus the figures which are used in this report, particularly regarding the CPO, could be revised at a later date.

2. COMMUNITY PAYBACK ORDERS (CPOs)

- 2.1 In 2014/15 there were **292** new CPOs made, compared with 244 in 2013/14. This is an increase of **20%**. At point of sentence a CPO can consist of a number of requirements, of which there are nine. There is no limit on the number of requirements which the Court can impose and this will usually be decided upon with reference to a Criminal Justice Social Work (CJSW) Report. The table below provides a breakdown of the requirements for 2014/15:

REQUIREMENT	NUMBER OF REQUIREMENTS
Offender supervision	120
Compensation	0
Unpaid work and other activity	230
Programme	33
Residence	0
Mental health treatment	0
Drug treatment	12
Alcohol treatment	14
Conduct	0

Alcohol and Drug Treatment Requirements were met with referrals to Inverclyde Integrated Alcohol and Drug Services. Colleagues from these Services are routinely invited to CPO review meetings to facilitate an integrated approach to support and to maintain an overview of compliance. Programme Requirements were met by including offenders in either one of several general offending programmes provided by Action For Children (AFC) or in Moving Forward Making Changes (which replaced the Community Sex Offender Groupwork Programme) and is delivered by our colleagues in

Renfrewshire. Again, staff delivering these Programmes would be invited to CPO Reviews.

- 2.2** There are two main requirement types, Supervision and Unpaid Work, which drive Criminal Justice Social Work activity. As highlighted in the table below these have largely increased year on year since the introduction of the CPO in February 2011, with a resulting impact on Service resources.

CPO Requirement	2011/12	2012/13	2013/14	2014/15
Supervision	65	101	94	120
Unpaid Work	70	176	201	230
Total	135	277	296	350

CPO Supervision and Unpaid Work Requirements in the main replaced Probation and Community Service for offences committed on or after 1st February 2011. As can be seen from the table above, in 2014/15 we were managing 350 such requirements. However, in 2010/11 the combined total of Probation and Community Service Orders was 207. This represents a **69%** increase in workload for the Service over the intervening period.

This increase in activity has specifically presented challenges for the Service with regard to meeting the speed targets set by the Scottish Government in relation to the time taken to get service users through their unpaid work. To help meet this challenge the Service has made a concerted effort to improve the efficiency of the resources deployed in this area, particularly in ensuring the full utilisation of all four squads which take service users out on placement. This has seen efficiency levels improve. For example, since 2012/13 when we began making efforts in this area squad utilisation has improved by 17%.

- 2.3** Notwithstanding the above challenges, we have managed to provide a broad range of placements for service users on unpaid work which have not only provided opportunities for them to undertake meaningful payback to the community within Inverclyde but also to learn new skills which may enhance their employability. Examples of the types of unpaid work undertaken in 2014/15 include:

- Improvements to Kelburn Park, including a new access path leading to a War Memorial Cairn. This local community park was recently constructed with help from the Big Lottery Fund.
- Assistance with the completion of 43 raised planters at Belville Community Garden Project.
- Ground preparation work and planting for a Heather Walk for the Grow Wild Project in the Belville Community Garden.
- Refurbishment of the premises of CVS Inverclyde. This is a Scottish charity which engages and develops community groups, voluntary organisations and social enterprises.

- Assistance was provided to Wellington Allotments Community Gardens to help with the cultivation of vegetable plots and the creation of a patio area. Students with special needs use the vegetables grown at the allotment during learning and development courses at West College Scotland, Greenock Campus.
- Maintenance and Litter picking on local cycle tracks, which are part of the National Cycle network in Scotland.

2.4 The legislation which brought in the CPO, also placed a legal duty on Councils to consult with their communities over the types of work undertaken. Moreover, the national guidance on the CPO also directs Councils to improve the visibility of this work. Our Unpaid Work Manager has continued to make use of a variety of approaches to both raise the public profile of the Service and improve our engagement with local communities. These have included:

- Improved signposting to the Service within the recently launched HSCP website.
- Local press coverage of projects undertaken.
- Improved Information and Referral Leaflets.

The Unpaid Work Manager has also been proactive in consulting with a range of statutory, voluntary and community organisations with a view to informing the nature of future unpaid work projects. Examples of just some of the organisations consulted include: Housing Associations; Your Voice; CVS; Reach for Autism; Police Local Authority Liaison Officer; and Councilors. This has informed our decisions to take forward projects such as renovation work within charitable offices and improvements to parks and open spaces.

2.5 For the second year in succession the Service has continued its successful partnership with the Scottish Prison Service (SPS). Working with SPS has enabled the Service to take on larger scale renovation projects such as the work undertaken with Reach for Autism. In addition to extending the scope of the projects the Service can take on, it is hoped bringing together both prisoners and those on community sentences will provide informal opportunities to share past experiences and life lessons and in doing so strengthen the resolve of those on community sentences to desist from further offending.

3. OTHER CORE ACTIVITY:

There are some notable variations in this year's aggregate return when compared to the 2013/14 data. However, rather than utilising a +/- 5% threshold, given that in some instances the actual numbers are small to start with, what is detailed below are those variations which could have potential workload/funding implications. Also included, in brackets, are the actual reduction/increase in activity.

WORKLOAD	% VARIATION
CJSW Court Reports	-6% (31)
Court Services	-15% (131)
Bail Information	+176% (162)
Diversion (New Cases)	-63% (5)
Supervised Attendance Orders (SAOs)	-75% (18)
Throughcare (New Cases in Community)	+150% (6)
Home Circumstance Reports	+30% (14)

The downturn in Court related activity is perhaps not surprising given that nationally recorded crime is reportedly at its lowest level since 1974 and the average number of reconvictions per offender is also showing a downward trend. There have also been policy/procedural changes which have impacted in the business going through Courts, such as Greenock Sheriff Court, relating to Fiscal marking which has seen cases divert to the JP Court along with the impact of direct measures. On the surface it would appear that the provision of Bail Information to the Courts would seem to be running counter to this general trend. However in reality what this reflects is the resumption of the full provision of this Service in 2014/15, which had previously been impacted by staffing issues.

The fall in the number of Supervised Attendance Orders (SAOs) is only to be expected given CPO Level 1s have replaced these Orders for offences committed on or after 1st February 2011.

With regard to the decrease in new Diversion Cases, this is not reflected in the number of referrals or assessments which are broadly in line with the 2013/14 figures. In view of this, it would be our intention to investigate further to identify any potential practice learning opportunities.

The increase in those prisoners being released on statutory supervision only brings us closer to the activity levels reported in the 2012/13 Annual Report and thus perhaps confirms last year's assertion that the reported decrease in prisoners being released in 2013/14 had been nothing more than an annual fluctuation. The increase in requests for Home Circumstance Reports is largely associated with the Home Leave process which is aimed at facilitating prisoner community integration.

In view of fluctuating trends in activity levels the Service committed in last year's Annual Report to review the ways in which its core activities were delivered. Following an option appraisal conducted during 2014/15 a decision was taken to disaggregate two shared services: Enhanced Throughcare and; Drug Treatment and Testing Orders. Both Services operated across the Local Authorities of East Renfrewshire, Renfrewshire and Inverclyde. By bringing these Services back within individual Local Authority control (with effect from 1st April 2015) it was felt this represented the best way forward in terms of opportunities for sustainability, resilience and the ability to meet local and national standards. It is to the credit of all staff concerned that during this period of transition continuity of services were maintained, along with the confidence of key stakeholders.

4. MAPPA

The MAPPA Unit for NSCJA is hosted by Inverclyde CJSW Services and supports the risk assessment and risk management of Registered Sex Offenders (RSOs) and mentally disordered offenders (restricted patients) through facilitating the sharing of information between responsible authorities which include, Local Authorities, Police Scotland, Scottish Prison Service and, in the case of restricted patients Health. In September 2014, the Unit relocated from Greenock Police Station to the Inverclyde Health and Social Care Partnership premises.

Hector McNeil House provides a co-location for Inverclyde CJSW and Inverclyde Public Protection hub. The Public Protection hub consists of Adult Protection, Child Protection and MAPPA Co-ordinators. This approach has facilitated the opportunity for a training agenda to be developed between the three areas, which will focus on public protection issues and will benefit all partner agency staff.

The first formal review of MAPPA in Scotland commenced in October 2014 and will continue through to autumn 2015. The Review is being carried out jointly by the Care Inspectorate and HM Inspectorate of Constabulary for Scotland (HMICS). The purpose is to assess the state, efficiency and effectiveness of the multi-agency public protection arrangements (MAPPA) in Scotland. A national report is anticipated in autumn 2015, which will focus on key findings, including identifying good practice and areas of improvement, conclusions and any recommendations. In view of the proposals to extend the MAPPA arrangements to violent offenders in 2015/16, this Report has added resonance.

In 2014/15 NSCJA MAPPA completed a number of key tasks, which included:

- Delivery of six Department of Work and Pension (DWP) Information Sharing sessions aimed at supporting Police and CJSW staff in the task of sharing relevant and appropriate information with DWP staff to enable the provision of suitable training and work place learning.

- A one day event was held with the aim of providing an overview of the MAPPA arrangements in NSCJA for Victim Support staff, who can play an important role in supporting victims of sexual offences. Particular attention was given to the task of victim safety planning in the MAPPA process.
- Gathering Risk Assessment Scenario Planning (GRASP) training, developed by the East Dunbartonshire CJSW Service Manager, was delivered to CJSW staff across NSCJA to support them in critical task of risk assessment and management.
- As part of the MAPPA Thematic Review process, the Review Team visited NSCJA between 25th and 28th May 2015. The MAPPA Unit were heavily involved in the preparations for this visit, including facilitating the associated fieldwork exercises.

5. CONTRACTED SERVICES

5.1 Inverclyde CJSW Services has a longstanding history of working in close partnership with Action For Children (AFC), who are contracted to provide a range of primarily groupwork interventions on behalf of the Service. Specifically these target CJSW service users assessed as suitable for the Constructs Positive Steps to Stop Offending accredited programme (discussed in the next section), women offenders, those newly sentenced to CPO (Supervision Requirement) via an Induction Programme and a drop-in facility and since May 2012 those requiring 'other activity' as part of their CPO (Unpaid Work Requirement).

5.2 The AFC **Drop-in** facility, for those newly sentenced to CPO (Supervision Requirement), offers clarity from the outset on the range of service provision available to support desistance from offending. Figures for drop-in were as follows:-

In 2014/15, 87 individuals were offered appointments with 72 attending.

5.3 For the **Induction Programme** in 2014/15, a total of 14 service users were contacted to participate in this Programme, with the following outcomes:

OUTCOME	NUMBERS
Successful Completions	6
Non-attendance/non-compliance	8
Total	14

Inverclyde CJSW Service believes there are tangible benefits to providing an Induction Module, particularly for those service users who go on to participate in further groupwork. These involve: the opportunity to familiarise service users with the groupwork premises; staff; the format of groupwork delivery and; expectations of the Service. The Module also allows the Service to identify and address any responsivity issues and factors that may result in

early drop-out, for example, stability around any addiction and/or mental health issues. In doing so, the opportunity of participation in groupwork is made more accessible/inclusive.

- 5.4** In light of the findings of the Angiolini Commission on Women Offenders Inverclyde CJSW Services in partnership with AFC undertook in 2013/14 a review of service provided to **female service users**. This led to the securing of Scottish Government one off funding with which we were able to take forward **a new model of service delivery for women in 2014/15**. This model comprises of 4 components:

- Drop-in Service
- Referral group
- Individual and Outreach Work
- Groupwork

During 2014/15, 36 women were referred to the Service, the majority of whom were subject to Community Payback Orders. Of these 36 women, 24 engaged with the Service and using the outcome tool provided by the Scottish Government the following outcomes were noted:

OUTCOME	NUMBERS
Significant Improvement/ Improvement in Circumstances	16
No Change in Circumstances	6
Deterioration in Circumstances	2
Total	24

A separate report has been compiled for the Women's Service for 2014/15 and a copy of this is provided in Appendix 1. This provides a more detailed account on the Service's operation and also reflects on our learning and future plans. In addition, case study material is included within the report which offers a qualitative insight into the impact of the Service.

- 5.5** Weekly '**Other Activity**' sessions are offered for service users sentenced to a CPO (Unpaid Work Requirement). This is a rolling programme of six stand alone sessions covering the following topics:

- Communication Skills
- Drug/Alcohol Awareness
- Problem Solving
- RTA Awareness
- Anger Management Awareness
- Assertiveness/Self Confidence

The attendance rates for these sessions, which were co-facilitated by the Turnaround worker attached to AFC, were as follows:-

PERIOD	APPOINTMENTS OFFERED	APPOINTMENTS KEPT
Quarter 1	132	93
Quarter 2	116	77
Quarter 3	137	90
Quarter 4	58	47
Total	443	307

- 5.6.** A Service Level Agreement is in place with AFC, with a Contract Monitoring Officer identified who undertakes monitoring visits in line with the assessed priority status. In addition, there are monthly meetings between operational managers of both Services, with the involvement of service manager grades on a quarterly basis.

The above framework helps to support a continuous improvement agenda with the aim of maximising the effectiveness and efficiency of this resource. This commitment to improving the Service is perhaps best illustrated by the actions taken to reconfigure the Service offered to women service users and to model this on current thinking on what works for this user group.

6. ACCREDITED PROGRAMMES

AFC are also responsible for running the **Constructs PSSO (Positive Steps to Stopping Offending) Programme**. In 2014/15 a total number of 34 service users took part in this Programme, with the following outcomes:-

OUTCOME	NUMBERS
Successful Completions	6
Still in Programme	15
Breached/De-selected	13
Total	34

The reasons for de-selection of the 13 participants are provided in the table below:-

REASON FOR DE-SELECTION	NUMBERS
Non-Compliance	6
Mental Health	2
Physical Health	1
Secured Employment	3
Moved Away	1
TOTAL	13

The Programme, which consists of 26 sessions, is delivered twice weekly. Participants are also required to attend three individual reviews to assess progress. During 2014/15 a total of 42 Constructs reviews were held. At the final review each participant is asked to complete a feedback sheet. In 2014/15 this feedback indicated:

- 100% found the Programme useful and were using the learning gained in their everyday life.
- 100% felt it had helped to reduce their risk of becoming involved in further offending.

Some individual comments were:

- "I have always known what I wanted, but this has given me the tools to achieve it."
- "It's not only helped me reduce my risk of reoffending, it's also improved my confidence, attention span, literacy, and family relationships."
- "I was never able to talk to other people before I did this course."
- "I never thought I would be able to hold down a job but I feel ready now and I've come off the sick."

7. COMPLIANCE/ COMPLAINTS/ CLIENT FEEDBACK

7.1 Compliance

As intimated earlier the first formal review of MAPPA in Scotland commenced in October 2014 and will continue through to autumn 2015. A national report is anticipated late 2015, which will focus on key findings, including identifying good practice and areas of improvement, conclusions and any recommendations. Inverclyde CJSW Services both as a Responsible Authority and as a member of the NSCJA Strategic Oversight Group/MAPPA Operational Group will play its part in taking forward the identified learning outcomes.

7.2 Complaints

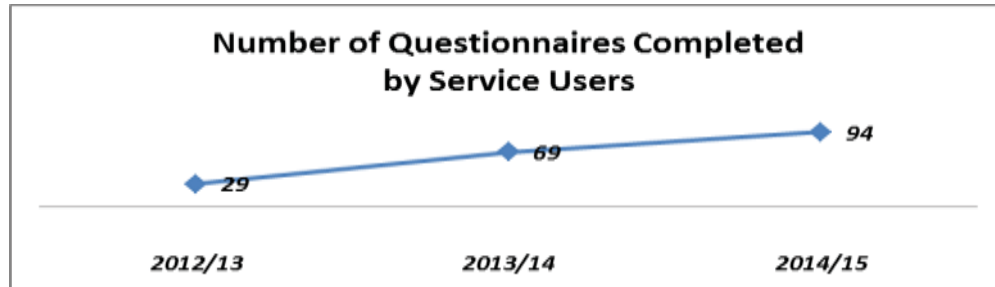
Three formal complaints were received during 2014/15, none of which were upheld. The complainers did not choose to exercise their right to have the outcome of their complaint reviewed by the Chief Social Work Officer or the Complaints Review Committee.

There have been no issues raised in relation to Criminal Justice Social Work under the Whistleblowing Policy.

7.3 Feedback

Our Unpaid Work Service routinely seeks feedback from both service users at the end of their Orders and from the recipients of unpaid work.

In 2014/15, 94 questionnaires were completed.



We have been able to increase the number of service users who responded to our questionnaire on completion of their order, over the past

3 years from 29 in 2012/13, to 94 in 2014/15. The feedback collated indicated that:

Service User Feedback

- 99% of respondents indicated that they believe the work which they had carried out was of service to the community.
- 96% of respondents indicated that Community Service/Unpaid Work was a worthwhile experience.
- 99% of respondents viewed their Community Service Order/Unpaid Work Requirement as a direct alternative to custody.
- 89% of respondents indicated that their experience on Community Service/Unpaid Work changed how they would view offending in the future.

All of the percentages noted above have been improved upon from the previous year's results.

Some individual comments were:

- "I just want to say that Community Service (Unpaid Work) has lots of ways of making people better people. I don't view myself as better than anyone but it made me want to make the people I was in a team with better. We really all bonded and I learned a great deal. The Community Service (Unpaid Work) team were fantastic, always so helpful..."
- "...I would like to see more 1st offenders being helped more into getting help to have a normal life work wise during this time as getting back to work after Community Service (committing a crime big-small) is hard.

The team are fab and (named staff member), bless, has the patience of a saint”.

- “I learnt a variety of skills and was encouraged to do things that I never thought I was capable of doing”.
- “All supervisors and staff were great; they gave me the confidence to think for myself in a positive way, the supervisors have so much patience and always encouraged you to tackle jobs that would push you to the limit. I will miss the work”.

Recipient Feedback

- 100% of respondents were ‘satisfied’ with the work completed.
- 92% of respondents indicated that the work had been completed within the time timescales given.
- 100% of respondents were ‘satisfied’ with the attitude and politeness of the service users.
- 100% of respondents indicated they were ‘very likely’ to use the service again.

Some individual comments were:

- “The team went above and beyond requirements. This service could not have been better from start to finish. The supervisor and his team could not have been improved on. I am very grateful we have this service in Inverclyde. “
- “This is a great service. I’m an 85 year old widow unable to care for my garden but still enjoy looking at it and relaxing there. Without help I could not look after it and eventually would have to leave home.”
- “The boys are always polite and well mannered, they always clear up after they have been working and leave the premises tidy. We have no issues or concerns about asking them back to do more work.”
- “Very satisfied with the team, who cut and rake the grass, really helpful.”

8. NATIONAL STANDARDS

8.1 Criminal Justice Social Work (CJSW) Court Reports

Indicator: Percentage of CJSW Reports submitted to Court by due date.

100% of CJSW Reports were submitted on time in 2014/15 compared to 99.8% in the previous year.

8.2 Community Payback Order

Unfortunately, we are unable to report on CPO performance indicators as, at the time of writing, this part of our aggregate return is still being finalised. This return is not due to be with Scottish Government until 31.8.15.

9. FUTURE AIMS AND OBJECTIVES FOR THE SERVICE IN 2014/15

Inverclyde CJSW Services are committed to improving outcomes for victims, communities and those whose actions bring them into contact with the Criminal Justice System. With this in mind, in 2015/16 we are planning to take forward a number of actions, which include:

- Implement the recommendations in our Women's Service Report 2014/15 and continue efforts to secure the Service's on-going funding.
- Support and consolidate the re-integration of Enhanced Throughcare and DTTO Services back into the Local Authority.
- The national report on the thematic review of MAPPA is anticipated late 2015. The NSCJA Strategic Oversight Group/MAPPA Operational Group plan to give over their joint 2015/16 Development Day to fully consider its recommendations. Inverclyde CJSW Services will play its part in taking forward identified learning outcomes.
- The NSCJA MAPPA Unit along with the NSCJA Responsible Authorities (which includes Inverclyde Council) will continue its work in scoping out the issues associated with the extension of the MAPPA arrangements to violent offenders. Thereby ensuring robust implementation arrangements are in place when the appropriate legislation is enacted.
- Inverclyde CJSW Services will seek to appoint a Community Justice Lead Officer to support the transition to the new community justice structures.
- Improve our systems to help us better track Unpaid Work service users' progression through their Orders, with a view to supporting Scottish Government's speed targets.

A. Howard
Service Manager
Inverclyde HSCP
Criminal Justice Social Work Services

Renfrewshire Council

Criminal Justice Social Work Annual Report 2014/15

to North Strathclyde Community Justice Authority (NSCJA)

1. Aggregate Return

Please see attached Renfrewshire aggregate return for 2014/15, please note that Community Payback Order (CPO) data is still being finalised so figures may be subject to slight amendment.

This section reflects the most significant workload changes within criminal justice in Renfrewshire in 2014/15.

The Criminal Justice and Licensing (Scotland) Act 2010 replaced Probation, SAO and Community service with a Community Payback Order for all individuals convicted of offences committed after 1 February 2011. Thus for the next few years services are required to manage both the ongoing imposition of Probation, Community Service and Supervised Attendance Orders, whilst Community Payback Orders are imposed, as anticipated these are now significantly reducing.

Community Payback Orders (CPOs):

The following illustrates the increasing workloads across Renfrewshire as a result of CPOs.

Offender supervision: number of orders

Order type	2010/11	2011/12	2012/13	2013/14	2014/15
Probation (including unpaid work)	104	50	10	7	2
Probation (excluding unpaid work)	123	61	13	10	2
Community Payback Order (Supervision requirement)	n/a	182	242	295	306
Total	227	293	265	312	310
Workload increase since 2010/11 (creation of CPOs)	n/a	29%	17%	37%	37%

Offender supervision orders and probation require management by social work qualified criminal justice staff. This year shows a similar position to 2013/14 potentially reflecting that numbers are beginning to stabilise.

The increasing supervision orders since 2011/12 reflects significant increases in workload for the team based in Paisley. To meet these increasing demands 2 additional Social Work fieldwork posts were employed in 2012. 2012/13 also saw the consolidation of the Transforming Renfrewshire Programme where the 3 criminal justice teams across Renfrewshire were merged into one team based in Paisley under the management of two Senior Social Workers, allowing greater resilience to meet changing workload demands across the authority.

Unpaid work (orders)

Order type	2010/11	2011/12	2012/13	2013/14	2014/15
Community service	134	64	30	13	6
Probation (including unpaid work)	104	50	10	7	4
Community Payback Order (unpaid work requirement)	n/a	213	385	492	455
TOTAL	238	327	425	512	465
Workload increase since 2010/11	n/a	37%	78%	115%	95%

Unpaid work – hours

Order Type Contracted Hours	2010/11	2011/12	2012/13	2013/14	2014/15
Community service Probation (including unpaid work)	39295	18635	6860	3591	1630
Community Payback Order (unpaid work requirement)	n/a	26112	47775	58030	62073
TOTAL	39295	44747	54635	61621	63703
Workload increase since 2010/11	n/a	14%	39%*	57%	62%

*Whilst the workload of Supervised Attendance Orders (SAO), see below, have reduced from 145 orders in 2010/11 to 19 in 2014/15 (a difference of 6460 hours) as they are gradually being replaced by level 1 CPOs unpaid work, it should be noted that even when SAO hours are taken into account there remains a 38% increase in workload hours since 2010/11.

Unpaid work orders have reduced by 9% in 2014/15 compared to last year, however the number of hours imposed continue to rise, with a rise of 3% since last year.

The additional workload of the CPO impacts upon the Community Service Unit due to the requirement that these clients undertake unpaid work. Two additional Supervisor posts were created in 2012/13 to meet the additional demands of hours imposed and reduced timescales for completion. This is a significant increase in workload, which alongside shorter timescales (from 12 months to 3 or 6 months for completion) presents Renfrewshire with challenges resulting in significant further redesign of community service to meet the demand.

In March 2013 a post was agreed to manage the 7 Supervisors ensuring consultation to obtain the necessary work, and maximise and support placements. The retirement of the existing Community Service Organiser also allowed the creation of a post of Unpaid Work and Other Activity Manager who commenced post in November 2013, to manage the increasing team, including SAO and maximise the use of other activity provision both internally and by wider services such as addiction, employability etc. This also included the capacity for the management of Fiscal Work Orders i.e. unpaid work in the community for those diverted from prosecution, when these were rolled out nationally (expected within 2014/15, however commenced 1.4.15).

Included within this redesign was the expansion of the role of criminal justice groupwork services to provide groups for 'other activity'. CPO clients are thus involved in lifestyle, employability and womens' groups. Remaining SAO clients also join these groups. The remaining SAO officer continues to manage the SAOs, but as these orders decrease will be required to manage increasing unpaid work orders.

Within 2014/15 Sessional Supervisors were employed to enable greater flexibility to manage numbers and prepare for Fiscal Work Orders as anticipated numbers are unknown.

Supervised Attendance Orders:

The table below illustrates the ongoing reduction in Supervised attendance Orders since CPOs were imposed in February 2011.

Number of orders: -

Order type	2010/11	2011/12	2012/13	2013/14	2014/15
Supervised Attendance Orders	145	82	56	47	19
Workload decrease since 2011	n/a	43%	61%	68%	77%

Number of hours: -

Order type	2010/11	2011/12	2012/13	2013/14	2014/15
Supervised Attendance Orders	7530	4424	2954	2584	1070
Workload decrease since 2011	n/a	41%	61%	66%	76%

Supervised Attendance Orders have been replaced by the level 1 Unpaid Work and Other Activity Requirement of the Community Payback Order for convictions relating to offences committed after 1 February 2011, thus the reduction of 77% of orders since 2010/11 is to be expected. Instead the increased impact on unpaid work hours is illustrated above.

Criminal Justice Social Work Reports (CJSWRs):

CJSWRs including supplementary reports have reduced by 8% since 2013/14. Oral reports have increased by 700% since 2010/11 (26 – 208), reflecting the importance of information provision so as not to delay the court process. Whilst CPO progress and review reports for court have decreased by 15% since 2013/14, they remain high at 575 per annum.

Bail information:

Bail information has decreased by 20% since 2012/14, although this remains an increase of 44% since 2010/11 reflecting increasing court business, and improved recording processes.

Statutory Throughcare:

The number of individuals subject to statutory throughcare in the community as at 31 March 2015 have increased by 88% (30 cases) since last year, whilst cases have been closed this year, there remains an increase of 16% (21 cases) of cases being supervised at 31 March 15. Those supervised in custody have decreased by 15%. Clearly however this represents increased workloads for the fieldwork and throughcare teams, with those in the community requiring significantly higher interventions and monitoring than those in custody as by their nature they are higher risk.

Diversion:

Diversion from prosecution continues to rise, and this year has seen a significant rise of 87% since last year (38 – 71 cases). This reflects the significant focus on diverting young and female offenders where appropriate. 53% of individuals subject to diversion were aged 16-20 and 39% were female during 2014/15.

2. Contracted Services

Renfrewshire no longer contracts any criminal justice services.

3. Accredited Programmes

Constructs: Positive Steps to Stop Offending:

This programme is provided by Renfrewshire Council for Renfrewshire and East Renfrewshire clients.

6 clients were referred during this period with no clients completing groups. One group started in February 2015 with 6 referred and is still ongoing. Work is ongoing to remind staff of the need to assess clients at the court report stage for inclusion, or consider the appropriateness of groupwork for those being released on licence who have not undertaken the programme in custody. Screening discussions with Constructs facilitators by social workers at CJSWR stage has also been re-introduced to ensure appropriateness and consistency of referrals and programme requirements made. Fieldwork teams are reporting a higher level of Orders where the index offence is domestic violence so many of men currently on Orders are not suitable for Constructs, whilst many of those released from custody have already completed the programme within their sentence.

From January 2014, following some service redesign, the new Women's Justice Service commenced at the Backsneadon Centre in Paisley (see specific section below), utilising the same staff group who are involved in the provision of constructs and other activity groups. Despite this, there is still a will to retain Constructs in Renfrewshire's suite of groupwork interventions, and one staff member continues

to provide national training on Constructs. Consideration is being given as to how this intervention can best be managed on an ongoing basis within the range of groupwork provision managed by the service.

Moving Forward making Changes (MFMC, a Sexual Offending Groupwork Programme):

This programme is provided by Renfrewshire to Renfrewshire, East Renfrewshire and Inverclyde clients by the Pathways Partnership Project.

The Moving Forward, Making Changes (MFMC) programme received provisional accreditation from the Scottish Advisory Panel on Offender Rehabilitation (SAPOR) on 23 September 2013 and full accreditation in June 2014. The accreditation will last for five years before requiring reaccreditation, unless it is felt that further substantive changes are required after delivery commences. Any such changes would have to be submitted to SAPOR for agreement.

MFMC replaces the previous Community Sex Offender Groupwork Programme (CSOGP) and the SPS Good Lives Programme. The MFMC programme has been developed specifically for use in both custody and community settings.

MFMC has been designed for the treatment of adult male offenders convicted of a sexual offence, or a non-sexual offence which is considered to contain a sexual element, and have been assessed as presenting a medium to high risk of re-offending using validated risk assessment tools. Those offenders assessed as posing a higher risk will typically spend a longer period on the programme than medium risk offenders. The programme will be delivered on a rolling basis, which allows participants to complete only the modules that are relevant to their needs, rather than completing the full set of modules. The programme's overall aim is to work with men convicted of sexual offences to assist them to lead satisfying lives which do not involve harming others, reducing their risk of re-offending in the process.

Training for Pathways staff concluded in May 2014 and most of the case managers and line managers were trained in June 2014. The Pathways Project Leader and Criminal Justice Service Manager continue to be involved in national groups supporting the implementation of the programme. This programme has thus commenced within the three local authorities. During this year 35 individuals continued to complete C-SOGP, the previous programme, with 6 of those transferred to MFMC. At 31 March 2015 11 men have commenced MFMC groupwork.

There were 65 assessments undertaken during this period, an increase of 30% from 2013/14, and an increase of 195% since 2011/12, whilst there is a small rise in the number of court requests, most of the increase has been assessments on individuals prior to their release from custody. Numbers of men involved in programmes continue to rise, representing significant increases in those requiring such interventions. This service user group also has intensive interventions from throughcare and fieldwork Social Workers. Those individuals subject to CPOs are also increasingly having 300 hours of unpaid work imposed, thus impacting generally on workloads of those providing community interventions.

Pathways also undertakes individual work with clients, for some clients this is in addition to groupwork to assist reinforcement of the programme, for others they undertook groupwork modules on an individual basis or in smaller groups as there were insufficient men to run the group, due to not meeting criteria for the group or their being subject to orders of insufficient length. However MFMC presents additional challenges and as such to support fieldwork staff they have assisted by co-working the MFMC case manager work with such work taking place with 8 men at 31 March 15. As a result the number of individual interventions undertaken by Pathways staff has risen by 42% since last year.

Pathways also undertakes work with non-abusing partners who are involved with the men undertaking work with the project, and undertook such work with 2 individuals during this period.

Funding for MFMC:

The ability to roll out MFMC successfully given increasing workloads will be dependent upon future funding arrangements. The Criminal Justice Services Manager has been involved in the Scottish Government Advisory Board from the beginning, representing Social Work Scotland. As the programme moved towards implementation this has now become the Programme Implementation Board. This role has included meetings in relation to the future funding of MFMC.

Initial attempts have been undertaken to estimate the costs of MFMC, all Community Justice Authorities were required to submit an implementation plan by 8 April 2014, highlighting the anticipated costs involved. Actual costs remain to be established following more experience of implementation nationally. Existing funding is not sufficient to run the service, however currently all three local authorities contribute additional funding.

4. Compliance / Complaints / Client Feedback

Complaints:

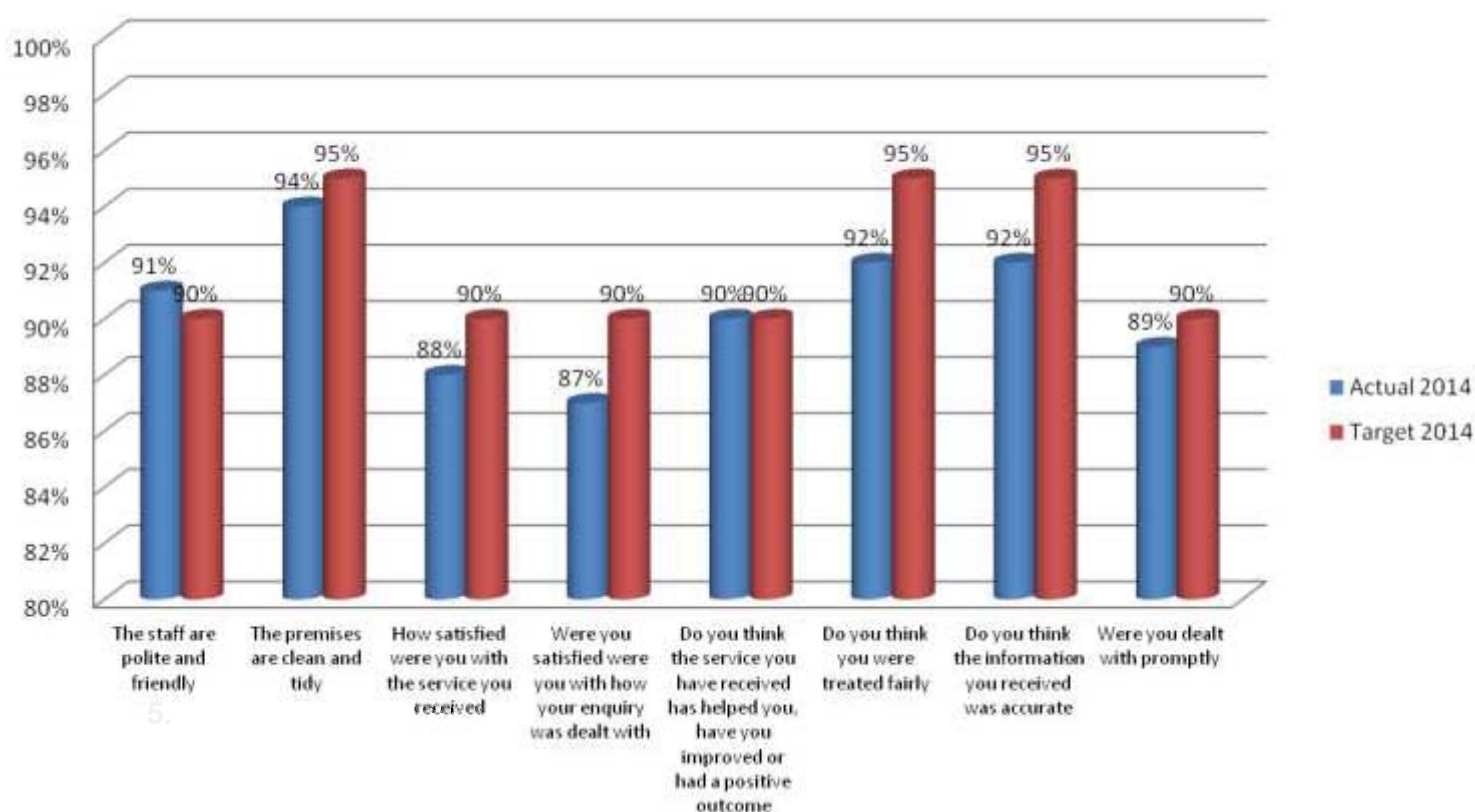
There were 5 criminal justice complaints within this period, one was substantiated, three partially substantiated, 1 not substantiated, all were resolved. There have been no issues raised in relation to criminal justice under the Whistle blowing Policy.

Client Feedback:

Criminal Justice survey feedback contributes to the Public Sector Improvement Framework. Whilst recognising that criminal justice works with involuntary clients there is clearly room for improvement.

A feedback process delivered at groupwork sessions is currently being piloted as this would include service users on a range of orders, and provide direct feedback to staff. This would be included with the Criminal Justice Management Group and disseminated to all staff, allowing discussion on how we can make improvement in the areas identified.

Criminal Justice - Customer Feedback 2014



Renfrewshire submitted 98% of Social Enquiry reports by the due date, Reports require to be submitted by 12 noon the day prior to the court appearance, where clients present late it is Renfrewshire's policy to submit late reports rather than letters which delay sentencing and thus the court process. Feedback from Sheriffs in Paisley was that women were often being remanded as a result of failing to attend for reports, thus the womens service undertakes home visits to track women down where possible and undertake reports on time.

6. Special In House Projects

The Womens' Community Justice Service:

Following the recommendations from The Commission on Women Offenders published in April 2012. on 30 August 2013 Renfrewshire was advised that it had been successful in its bid to Scottish Government to establish a Womens' Community Justice Service. £23,000 of funding was gained from October 2013 to March 2014 and £46,000 for 2014/15. The funding was to finance the establishment of a service across Renfrewshire and including a range of services to females within East Renfrewshire Councils enabling the creation of a specific service for female offenders, with access to criminal justice group and individual support, and access to on site addiction and where required co-morbidity (combined mental health and addiction) services.

The additional resource allowed for the employment of a Volunteer Co-ordinator and Fundraiser, and resource to East Renfrewshire's literacy services for women, the majority of the service, was based on a reorganisation of existing resources.

Thus the centre built upon the existing individual and group work services offered to women within Backsneddon Centre. The manager of the groupwork service has become a Womens Service Co-ordinator, co-ordinating the staff group. Staff consists of a range of social work and 3rd sector staff including the existing groupwork staff, 2 Social Workers transferred from the fieldwork team to supervise statutory orders, the co-located Turnaround community staff, and the Shine PSP worker who provide services for Renfrewshire and East Renfrewshire 3 days per week, and the Volunteer Co-ordinator/Fundraiser post, all of these posts are employed by Turning Point Scotland. The service is co-located with addiction services including co-morbidity services and access to a Psychologist.

There is also assistance provided from Women and Children First, a Renfrewshire service financed by wider local authority social work which enables service users to progress to involvement with this service where they are provided with a range of interventions particularly for those at risk of domestic violence, and their children within the Renfrewshire Reconnect Programme (based on the Cedar Project).

Whilst the team supervise statutory orders, the aim was for greater focus on women subject to diversionary measures, support for bail and thus prevention of remand, as well as enabling additional focus on service provision to women released from short sentences. Co-ordinating a range of professionals ensured utilisation of the skills and experience of the range of staff, enabling allocation to the most appropriate individual within the service. Women now have access to bail reports undertaken by staff attached to the service, a range of group work provision and a drop-in half day, as well as individual work and crisis support from the range of staff involved.

The service also commenced the Connections Programme, a groupwork programme which originated in Aberdeen Social Work services, this programme includes Cognitive Behavioural therapy and change theory and assists with trauma.

The service is being evaluated by the Scottish Government and the Criminal Justice Services Manager chairs a steering group involving a Scottish Government representative and managers from the range of agencies involved.

Within 2014/15 88 women were worked with, including those subject to a range of community orders, diversion and voluntary support.

In relation to the Volunteer co-ordinator during 2014/15:

- 4 women entered full-time employment
- 3 women entered the Volunteer Programme. 1 of which used the experience and knowledge she gained from the volunteer training; which built her confidence and belief in herself, to move to the next stage of employment by securing employment with Turning Point Scotland.
- 5 women have accessed Community Learning Courses, 3 on Confidence Building Courses and 2 on IT courses.
- One woman was supported through the process of getting qualified in Beauty to start her own business. She has successfully completed all courses and was supported to obtain all the information she needed from Business Gateway to go become self employed.
- One young woman who was a care leaver has been referred and accepted onto the Fairbridge Programme which is designed to build young peoples skills and confidence
- Many women have been referred to other agencies for support and some continue to engage on a one to one basis working towards their goals.

Additional or continuing developments in 2014/15 include:

- 1.5 Turnaround Service staff remain co-located within the criminal justice groupwork services providing an individual and groupwork service to CPO clients within Renfrewshire and East Renfrewshire with service delivery in partnership with social work staff. Whilst this includes their involvement with women above it also includes male service users. The Criminal Justice Services Manager attends the Turnaround Steering Group on behalf of NSCJA Local Authorities. The Turnaround Service is funded until 31 March 2016, discussions with Scottish Government regarding funding beyond this point are ongoing.
- On 23 February local authorities were provided with the ability to apply for further womens service funding beyond 31.3.15, Renfrewshire submitted a further bid on behalf of Renfrewshire and East Renfrewshire and been awarded £30,000 to fund the Volunteer Co-Ordinator for an additional year 2015/16.
- The Unpaid Work and Other Activity Manager represents Renfrewshire on the Social Work Scotland unpaid work sub group, and this has included involvement in a Scottish Government Working Group considering the roll out of Fiscal Work Orders.
- Unpaid work sales commenced during this period, with service users making wooden products such as sheds and garden furniture which was then sold during open days, with service users participation.
- In March 2015 the unpaid work service in Renfrewshire won a Social Work Champions Staff Award under the category Changing Lives; Making a Difference. This was for the CPO Womens squad, which commenced in 2014 to address the complex needs of some women who were having difficulty undertaking unpaid work due to previous experiences, mental health issues etc. The squad is staffed by women and service users undertake crafts including bag painting, card and jewellery making, which they then sell at the unpaid work sale. Any funds raised at sales are used as available resource should someone seeking assistance from unpaid work i.e. house decoration etc not have funds to resource the materials. Thus this assists the community.
- Practice development sessions, established in 2012/13 continue to be run for criminal justice staff, led by senior Social Workers and Social Workers to enable greater practice discussion. Within 2014/15 sessions have included an update on recording on electronic filing systems, an update on the LSCMI risk assessment framework, and a session run by Police Scotland on the Prevent Strategy, preventing extremist behaviour.
- Renfrewshire continued to provide the Criminal Justice SVQ3 for para professional staff, with 3 additional Social Work Assistants commencing the course during 2014/15. Whilst there is as yet no date for para professionals within criminal justice to be required to register with the Scottish Social Services Council, this increases the skill and knowledge base for staff.

- Criminal Justice managers continue to represent Childrens Services at the Multi-Agency Risk Assessment Conference and MATAC meetings. MARAC: stands for Multi-Agency Risk Assessment Conferences. These are held on a 4 weekly basis, organised by ASSIST(specialist domestic abuse advocacy service providing advocacy and support to victims of gender based violence). They consider females subject to gender based violence within 'K' Division and what processes/interventions from a multi-agency perspective could be utilised to protect these females. MATAC: Multi-Agency Tasking and Co-ordination. These meetings are held on a 4 weekly basis, organised by Police Scotland. They consider the top 5 perpetrators who are alleged to have committed gender based violence against their partners within 'K' Division. They consider what processes/interventions from a multi-agency perspective could be utilised to lessen the risks presented by these individuals. The criminal justice role is to share information, with many of these individuals being known to our service and ensure information sharing between wider social work, police and ASSIST.
- The Criminal Justice Services Manager now attends the Adult Protection Repeat referrals Group. Chaired by the Head of Service Adult Services, this multi-agency group was created to consider individuals who have a high number of such referrals and ensure an appropriate response. This provides opportunities to consider appropriate interventions, and where possible ensure an appropriate adult service involvement as opposed to criminalising someone for behaviours where they put themselves at risk as opposed to the community.
- The Criminal Justice Services Manager also continues to attend the Public Protection Chief Officer Group within Renfrewshire to provide updates/reports in relation to criminal justice practice and developments, and provides reports to the Safer and Stronger Community Planning Partnership Board. Discussions commenced within 2014/15 in relation to Renfrewshire's response to the new model of community justice.
- In 2014/15 two shared services provided to Renfrewshire by Inverclyde and East Renfrewshire could no longer be continued in their present form. This included the Enhanced Criminal Justice Throughcare service provided by Inverclyde Council to Renfrewshire, East Renfrewshire and Inverclyde, and the Drug Treatment and Testing Order(DTTO) service provided by East Renfrewshire for the three authorities. Funding reductions, reduced caseloads (DTTO), the need for greater efficiencies and significant changes to practice, wider funding, workloads, prisoner location and technology meant that alternative ways of providing these services were required to maintain best value and the service to the service user. Thus a decision was made to redesign these services and as such each local authority will provide their own services as of 1 April 2015. A significant part of 2014/15 involved the 3 authorities in planning for these developments, this included considering local opportunities for greater partnership working and service resilience.

Within Renfrewshire the Throughcare Service will be combined with the criminal justice fieldwork service, and move towards developing all staff to manage throughcare in custody, the community and community orders. This will enable greater efficiency through less duplication of work, greater resilience to manage the increasing workload and a smoother journey from custody to the community for the service user. A further Senior Social Worker will be employed within the fieldwork team to manage the additional staff who have been transferred to Renfrewshire under TUPE arrangements.

The Renfrewshire DTTO service will combine with the Paisley Sheriff Court Social Work Service, and provide the Arrest Referral service for Renfrewshire and Inverclyde and the Throughcare Addiction Service. The level of DTTO reporting to the court means that these services are closely linked. DTTO will be co-located with addiction services within Renfrewshire enabling greater resilience and shared knowledge, and as most DTTO service users then transfer to local addiction services the process of transfer will be less disrupted. The larger staff group also provides additional resilience for the growing demands of the Court Social Work Service.

Allison Scott
Criminal Justice Services Manager
Renfrewshire Council

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Chief Officer

Heading: Community Justice Redesign – Progress Report

1. Summary

- 1.1** The Chief Officer has provided numerous reports on the redesign to keep members and partners briefed, so the history of this initiative will be well known. This report provides an update on progress to date.
- 1.2** On 7th May 2015 The Community Justice (Scotland) Bill was introduced to the Scottish Parliament. The Bill is currently going through its first stage of scrutiny which is being led by the Justice Committee. A full and helpful briefing on the measures in the Bill has been prepared by CJVSF (Criminal Justice Voluntary Sector Forum) and is attached at Appendix 1 to assist members and partners understanding of the proposed new legislation and some of the context and timescales.
- 1.3** The Justice Committee issued a Call for Evidence on the Bill on 19th May with a deadline of 12th August for submissions. The CJA Conveners Group have prepared a joint submission which is reported separately to this meeting of NSCJA.
- 1.4** The Finance Committee of the Scottish Parliament also issued a Call for Evidence on the Bill on 22nd June with a deadline for submissions of 14th August. Again, the CJA Conveners Group have prepared a joint response which is also reported separately to this meeting.
- 1.5** Preparations are underway to identify the knowledge and skillset for both the Chair and Chief Executive of Community Justice Scotland. Provided the Bill progresses to timescale it is hoped both of these appointments will be made in Spring 2016.

Subsequent appointments to the Board and body of CJS will be made through to Autumn of 2016 to enable preparation for the “go live” date of 1st April 2017.

1.6 An equality impact assessment is also being undertaken by Community Justice Division which will help determine the location of CJS Headquarters. No decision on that has been made at this time.

1.7 A number of Steering Groups and Working Groups have been established to develop the new National Strategy and the Performance Framework. Both these workstreams are being given significant support from CJAs via Planning Officer secondments and both involve a range of key stakeholders. The National Strategy should be completed by early 2016 and there will be several initiatives to pilot the performance framework in different local authorities prior to national rollout in 2017.

1.8 The CPP Transitions Group continues to develop various workstreams to support the transition process. With significant support from CJAs the group have produced a “toolkit” on Community Justice matters to assist the new partnerships undertake their duties. The toolkit or resource pack has been uploaded to the Knowledge Hub which is frequently accessed by CPP staff. The CPPTG has held one National Event for CPPs and is planning a second event for 1st October at which we hope to engage the full range of statutory partners.

1.9 Community Justice Division have written to all CJA Conveners asking they prepare a “scheme of severance” for approval by the Justice Secretary. Scottish Government have confirmed they will meet the full financial liabilities for the disestablishment of CJAs. The deadline for submission to CJD is the 17th July.

1.10 On 31st July, the Deputy Director, Community Justice Division wrote to Community Planning Chairs to clarify what is required in the shadow year Transition Plans which CPPs require to submit by 31st January 2016. A copy of the letter is attached at Appendix 2 for members information.

2. Recommendations

2.1 The Authority is asked to note the content of this report.

3. Background

3.1 The Bill will take forward the legislative change necessary to establish a new model for community justice. The new model seeks to deliver better outcomes for communities by promoting a collaborative approach to the planning and delivery of improved outcomes, putting decision-making in the hands of local communities and agencies who are best-placed to assess local needs. Arrangements will be made at a national level to provide strategic leadership; enhanced opportunities for innovation, learning and development; and assurance on the delivery of improved outcomes. The model also recognises stakeholder views that community justice services should be person-centred, evidence-based and make best use of resources.

In particular, the Bill will:

- Place responsibility for the local planning and delivery of improved outcomes for community justice with a defined set of community justice partners (including local authorities, NHS boards, Police Scotland, Scottish Fire and Rescue Service, Health & Social Care Integration joint boards, Skills Development Scotland, the Scottish Courts and Tribunals Service and Scottish Ministers in their role as the Scottish Prison Service);
- Place duties on these community justice partners to engage in local strategic planning and be accountable for this;
- Require the development of a national strategy and a performance framework in relation to community justice;
- Create a national body to provide leadership, promote innovation, learning and development; provide assurance to Scottish Ministers on the delivery of outcomes; and to provide improvement support where it is required;
- Promote a focus on collaboration – including the opportunity to commission, manage or deliver services nationally where appropriate.

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gcsx.gov.uk Tel: (0141) 887 6133

The Community Justice (Scotland) Bill

A CJVSF Briefing

On 7th May 2015, the [Community Justice \(Scotland\) Bill](#) was introduced to the Scottish Parliament, to take forward the legislative change needed to establish the new community justice model in Scotland. This builds on the Scottish Government's [response](#) to the Future Model for Community Justice in Scotland Consultation, published on 15th December 2014.

Under the new model, the Community Justice Authorities (CJAs) will be disestablished and new community justice arrangements will be put in place at both a national and a local level. A brief summary of the plans set out in the Bill is provided below¹. These plans are subject to the parliamentary process and therefore may still change.

Defining Community Justice

The Bill defines 'community justice' as:

- *"Giving effect to community disposals and post-release control requirements*
- *Managing and supporting offenders in the community with a view to reducing offending by them*
- *Arranging general services in ways which facilitate offenders in the community accessing and using them*
- *Preparing offenders for release from imprisonment or detention in a penal institution"*

This is a legal definition, for the purposes of the Bill.

Community Justice Partners

For the purposes of this legislation, the following are considered Community Justice partners		
Each local authority	Each health board	Chief constable of the Police Service in Scotland
Scottish Fire and Rescue Service	Skills Development Scotland	Each Integration Joint Board
Scottish Courts and Tribunals Service	Scottish Ministers (the Scottish Prison Service will represent Ministers in carrying out certain functions under the Bill)	

Community Justice at a National Level

A new national body will be established, called Community Justice Scotland (in Gaelic, Ceartas Coimhearsnachd Alba), to provide national, professional and strategic leadership for community justice in Scotland. Its functions and powers are set out in the table below. CJS

¹ Further information about the new community justice model can be found in the CJVSF briefing, available at: <http://www.ccpscotland.org/cjvsf/resources/cjvsf-briefing-future-model-community-justice-scotland/>

will need to publish a corporate plan setting out how it intends to exercise its functions. It will also be expected to produce annual reports and accounts.

Functions and powers of Community Justice Scotland (CJS)

Topic	Function/Powers
Main functions of CJS	<ul style="list-style-type: none"> To promote the national strategy To oversee and keep the Scottish Ministers informed about performance (particularly in relation to the achievement of nationally determined outcomes) To promote and support: <ul style="list-style-type: none"> Improvement in the quality and range of provision of community justice Making the best use of facilities, people and other resources available To promote public awareness of the benefits arising from (i) offenders being sentenced to community disposals rather than imprisonment or detention in penal institutions and (ii) managing and supporting people in the community with a view to reducing reoffending by them
Changes to functions	<p>The Bill also allows for additional functions to be conferred, functions to be transferred or removed and for changes to be made to existing functions. Appropriate consultation must take place before such regulations can be made.</p>
Powers relating to the strategy for innovation, learning and development	<p>CJS will have powers to do the following in furtherance of the strategy:</p> <ul style="list-style-type: none"> conduct, commission or coordinate research about community justice, or activity elsewhere in the world which corresponds with, or is reasonably similar to, community justice identify, establish or promote good practice in relation to community justice develop or provide education or training in relation to community justice (including procuring and funding the development and provision)
Ability of CJS to develop and arrange services	<p>Community Justice Scotland will have the power to:</p> <ul style="list-style-type: none"> Identify a desirable service in relation to community justice (includes procuring and funding the identification of a service) Design an appropriate model for the provision of such a service (includes procuring and funding the design of a service) Make arrangements for the provision of such a service Encourage or assist, or act in collaboration with, any of the community justice partners to do any of the above. <p>These powers will be for services covering all of Scotland, as well as for services for particular local areas. Before exercising the above powers, CJS must:</p> <ul style="list-style-type: none"> Have regard to the desirability of services in a particular area being best suited to the needs of that area Have regard to the desirability of working in collaboration with others, where appropriate Consult each of the community justice partners, and such other persons as it considers appropriate. <p>These requirements will not apply where CJS is complying with a requirement by the Scottish Ministers to exercise a power in relation to a service of a particular description. Before making such a requirement, the Scottish Ministers must consult each of the other community justice partners and such other persons as they consider appropriate.</p> <p>CJS is not authorised to provide a service in relation to community justice itself.</p>

National Strategies and the National Performance Framework

The following items will be published and regularly reviewed (no later than 5 years after publication/the previous review).

National Community Justice Strategies and Performance Frameworks			
Item:	A National Strategy for community justice in Scotland	A National Performance Framework for Community Justice	A Strategy for Innovation, Learning and Development in relation to Community Justice
What will it contain?	A statement of the aims of community justice and the proposed actions to achieve those aims.	<ul style="list-style-type: none"> National outcomes, which are to be achieved in each local authority area National indicators for measuring performance. 	Such material about innovation, learning and development in relation to community justice as CJS considers appropriate.
Who will be responsible for preparing & publishing it?	Scottish Ministers	Scottish Ministers	Community Justice Scotland
Who will need to be consulted as part of the initial preparation?	<ul style="list-style-type: none"> Each of the other community justice partners Such other persons as Scottish Ministers consider appropriate 	<ul style="list-style-type: none"> Each of the other community justice partners Such other persons as Scottish Ministers consider appropriate 	<ul style="list-style-type: none"> Each of the other community justice partners Such other persons as CJS consider appropriate
Who will be responsible for reviewing it?	Scottish Ministers	Community Justice Scotland	<ul style="list-style-type: none"> Community Justice Scotland
Who will need to be consulted as part of the reviews?	<ul style="list-style-type: none"> Community Justice Scotland Each of the other community justice partners Such other persons as Scottish Ministers consider appropriate 	<ul style="list-style-type: none"> Each of the other community justice partners (other than Scottish Ministers) Such other persons as Scottish Ministers consider appropriate 	<ul style="list-style-type: none"> Each of the other community justice partners Such other persons as CJS consider appropriate

Community Justice Planning at a Local Level

Local community justice partners will be responsible for preparing, delivering and reviewing a Community Justice Outcomes Improvement Plan for their local area. Further details about what will be in the plan and how it will be developed and reviewed are provided below.

Summary of local Community Justice Planning	
What will be in the plan?	<p>The plan should set out, in relation to each of the <i>nationally determined outcomes</i>:</p> <ul style="list-style-type: none"> Assessment of each outcome - The community justice partners' assessment of whether the outcome is being achieved in the area (and, if not, how near the outcome is to being achieved) Priorities for action - Whether the outcome requires to be a priority for action Intended actions: The action they intend to take (individually or jointly) to achieve or maintain achievement of the outcome

	<p>The plan may also set out other outcomes in relation to community justice that the community justice partners consider should be achieved in their local area (<i>'locally determined outcomes'</i>) as long as these are consistent with nationally determined outcomes. Where additional locally determined outcomes are included, the plan will need to set out:</p> <ul style="list-style-type: none"> • The indicators that community justice partners intend to use to measure performance in achieving the outcome • The action that community justice partners intend to take (individually or jointly) to achieve or maintain the achievement of the outcome.
How will the plan be prepared?	<p>In preparing the local community justice plan, community justice partners must:</p> <ul style="list-style-type: none"> • Have regard to the national strategy, the national performance framework and the local outcomes improvement plan² in relation to the area • Consult with Community Justice Scotland, such community bodies and other persons in relation to the area as they consider appropriate. Third sector service providers will fall under the definition of 'community bodies'³ • Consider which community bodies are likely to be able to contribute to the preparation of the plan and make all reasonable efforts to secure their participation. Where a community body wishes to participate in the preparation of the plan to any extent, the community justice partners must take such steps as are reasonable to enable it to do so.
When will the plan be reviewed?	<p>The plan must be reviewed:</p> <ul style="list-style-type: none"> • When a revised national strategy for community justice is published; • When a revised national performance framework in relation to community justice is published; • When a revised local outcomes improvement plan is published; or • From time-to-time.

Performance Reporting

Both local community justice partners and CJS will be expected to report on performance. Further details of the local and national performance reports are provided below.

Performance Reporting Requirements		
	Local Performance Reports	National Performance report
Who will be responsible for publishing this report?	Local community justice partners	Community Justice Scotland (CJS)
How often will the report be produced?	Annually	Annually
What will the report include?	<p>Local community justice partners' assessment of whether:</p> <ul style="list-style-type: none"> • each <i>national outcome</i> was being achieved in relation to their area and any progress that has been made towards its achievement • any <i>local determined outcomes</i> were being achieved in relation to their area and any progress towards their achievement. 	<p>CJS's assessment of performance in Scotland as a whole in relation to the achievement of nationally determined community justice outcomes. The national performance report may also include guidance as to action which CJS considers is necessary to enable the achievement of a nationally determined outcome, or would help to improve performance in Scotland as a</p>

² This is the plan that is prepared and published under section 5(1) of the Community Empowerment (Scotland) Act 2015.

³The Bill states that "*'community bodies', in relation to the area of a local authority, means bodies (whether or not formally constituted) established for purposes which consist of, or include, promoting or improving the interests of any communities (however described) resident or otherwise present in the area.*"

		whole.
How should progress be assessed?	Progress should be assessed using the relevant indicators: <ul style="list-style-type: none"> the national indicators should be used for <i>national outcomes</i> the indicators set out in the community justice outcomes improvement plan should be used for <i>locally determined outcomes</i> 	Progress should be assessed using the national indicators.
Who should be consulted as part of the preparation of the report?	<ul style="list-style-type: none"> such community bodies in the area as local community justice partners consider appropriate such other persons as local community justice partners consider appropriate. 	<ul style="list-style-type: none"> Each of the community justice partners Such other persons as it considers appropriate

How will performance be monitored?

Community Justice Scotland will monitor performance in each local area in terms of the achievement of both nationally and locally determined outcomes. From time to time, it will report to the community justice partners for the area on its assessment of that performance. In making an assessment of progress, CJS must use the relevant indicators.

When reporting to local community justice partners, CJS may include guidance as to action which it considers is necessary to enable the achievement of a particular outcome in the local area concerned, or might help to improve performance in achieving such an outcome in the area. Local community justice partners will be expected to notify CJS (within such period as may be specified) of the action the local partners have taken or propose to take in response to the report, or their intention not to take any action in response to the report.

CJS will be able to make recommendations to the Scottish Ministers as to action (either at a Scotland level or at the level of a particular local authority) which it considers is necessary to enable the achievement of a nationally determined outcome or would help to improve performance in achieving such an outcome or otherwise in relation to community justice.

Guidance on CJ outcomes improvement planning

Local community justice partners must have regard to any Guidance issued by the Scottish Ministers about the preparation, review or reporting of progress on the local plan. Before issuing (or revising) any guidance, Scottish Ministers must consult each person to whom it would relate and any other such persons as they consider appropriate.

Duties on community justice partners

The following duties will be placed on partners:	
Duty	Description of duty
<i>Duty to have regard to the local community justice outcomes improvement plan</i>	In exercising their functions in relation to community justice in a local area, partners must have regard to the community justice outcomes improvement plan for the area.
<i>Duty of cooperation</i>	Community Justice Scotland, each of the CJ partners and the CJ partners for the area of each local authority must, so far as reasonably practicable, co-operate with each other in the exercise of their respective functions in relation to community justice. Such co-operation may include: <ul style="list-style-type: none"> sharing information providing advice and assistance

	<ul style="list-style-type: none"> • co-ordinating activities (and seeking to prevent unnecessary duplication) • funding activities together.
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Proposed timescales

The above plans are subject to the parliamentary process and therefore are subject to change. Below is a rough timescale of expected activities.

Proposed timescales		
Year	Month	Planned activities
2015/16 (Planning Year)	Throughout the year	Awareness raising, information provision from CJAs to Community Justice Partners and support on transition
	May 2015	Introduction of the Community Justice (Scotland) Bill
	Throughout the year	National Strategy for Community Justice to be developed (Publication will not take place until after the Bill has been enacted)
	Throughout the year	National Outcomes, Performance and Improvement framework will be developed and finalised (Including agreement on scrutiny and inspection)
	Throughout the year	Community Justice Partners commence their planning activities
	January 2016	CPPs share with Scottish Ministers their intentions for how they plan to take forward arrangements for strategic planning & delivery of community justice
	January 2016	CPPs make their transition plans for 2016/17 available to Scottish Government for comment and to COSLA in support of the transition process (The current set of CJA Area Plans runs until the end of 2016/17, which is the transition year and first year of CPP plans and reports. It will be necessary to ensure alignment between plans during the transition year)
2016/17 (Transition year)	1 st April 2016	Community Justice Partners assume their responsibilities under the new model under a shadow transition arrangement (with full responsibility from 1 st April 2017, once the required legislation has been enacted)
	2016	Enactment of the Community Justice Bill is anticipated during 2016. Guidance for Community Justice Partners will follow the enactment.
	2 nd half of 2016/ 17	Community Justice Scotland established
	December 2016	Community Justice Partners produce their first local plan for community justice, using the new national strategy and performance/outcomes/indicators framework.
	31 st March 2017	CJAs are formally disestablished.
2017/18 (New model operating)	1 st April 2017	The new model for community justice in Scotland comes fully in to effect.

About CJVSF

The Criminal Justice Voluntary Sector Forum (CJVSF):

- Supports voluntary sector providers to continuously improve their own criminal justice services through collaboration and sharing of good practice
- Assists voluntary sector providers to understand, navigate and influence the complex and changing environment in which they operate
- Promotes broader awareness of the activities, value and impact of voluntary sector services within criminal justice.

The CJVSF is hosted by CCPS (the Coalition of Care and Support Providers in Scotland) and receives financial support from The Robertson Trust and The Monument Trust. Further details about the Forum can be found at: www.ccpscotland.org/cjvsf

CCPS is a company limited by guarantee registered in Scotland No. 279913, registered with the Office of the Scottish Charity Regulator as Charity No.SCO29199. The company's registered office is at Norton Park, 57 Albion Road, Edinburgh. EH7 5QY.

Justice Directorate
Community Justice Division

T: 0131-244 2613
E: Andrew.Bruce@scotland.gsi.gov.uk



Community Planning Partnership Chairs

31 July 2015

Dear Community Planning Partnership Chair

NEW MODEL FOR COMMUNITY JUSTICE – TRANSITION PLAN 2016/17

A successful transition to the new model for community justice is key to ensuring that partners build their capability and capacity to work together to achieve improved outcomes. I write to provide you with clarification of what is required to be included in the CPP transition plans for 2016/17.

In December 2014, the Future Model For Community Justice in Scotland: Scottish Government Response to Consultation¹ highlighted the following milestones for Community Planning Partnerships **in January 2016:**

- CPPs share with Scottish Ministers their intentions for how they plan to take forward arrangements for the strategic planning and delivery of community justice
- CPPs make their plans for 2016/17 available to the Scottish Government for comment and to COSLA in support of the transition process

In recent years there has been extensive engagement on the new model for community justice and a transition workstream has been established to support a successful transition to the new model. This engagement has shown that partners and stakeholders are keen for further details about what should be included within the transition plan referred to in the second milestone. The work associated with both of the milestones referred to above may be contained within this transition plan. There is no need to provide two separate documents.

As you are aware, local strategic planning and delivery of services by community justice partners through the context of community planning is central to the new model for community justice. When the community justice authorities are disestablished, decision-making will be placed into the hands of local people and agencies who know their communities best, understand the problems that are unique to their region, and will be most affected by community justice issues. Consequently, it is vital that the **transition plans should contain detailed information under the following headings:-**

¹ <http://www.gov.scot/Publications/2014/12/9083/downloads> published Dec 15th 2014

- How CPPs plan to build links with and between community justice partners²
- How CPPs plan to involve the Third Sector, service users, people with convictions, and communities in their local arrangements, planning and delivery in 2016/17;
- How CPPs intend to work with CJAs to ensure that community justice issues that are led on by CJAs are picked up, where appropriate, by the relevant CPPs in 2016/17;
- Looking to 2016/17 and beyond, what the local governance arrangements will be for:
 - community justice, including accountability lines;
 - which organisations and individuals will be involved across the statutory, non-statutory and community sectors;
 - how community justice arrangements will link into the wider CPP; and
 - how links will be made from broader community planning themes to the community justice agenda and vice versa;
- How partner resources will be leveraged to support change and innovation locally, making the most effective use of transition funding³.

The Community Justice (Scotland) Bill⁴ puts a duty on community justice partners to prepare a community justice outcomes improvement plan and report on it each year. The first community justice outcomes improvement plan will be due in early 2017. The transition plan is not a community justice outcomes improvement plan but seeks to lay the foundation for future planning.

Transition plans should be submitted to redesignofcommunityjustice@scotland.gsi.gov.uk by 31st January 2016.

²The Community Justice (Scotland) Bill provides that the following persons are “community justice partners” —

- (a) each local authority,
- (b) each health board,
- (c) the chief constable of the Police Service of Scotland,
- (d) the Scottish Fire and Rescue Service,
- (e) Skills Development Scotland,
- (f) an integration joint board established by virtue of section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014,
- (g) the Scottish Courts and Tribunals Service,
- (h) the Scottish Ministers (In practice, the Scottish Prison Service)

³ On the 13th March 2015 a letter was sent to the Chief Executives of Local Authorities confirming approval of £50,000 to financially assist the work to facilitate the transition to the new model for community justice in Scotland. The Scottish Government’s intention is for this fund to be available for 3 years, ending 2017/18. However, this position will be reviewed at the end of 2015/16 in light of the outcome of the next UK Comprehensive Spending Review that is expected to take place following the May 2015 Parliamentary election. This is in line with other public funding decisions.

⁴ <http://www.scottish.parliament.uk/parliamentarybusiness/Bills/88702.aspx>

I hope you find this letter provides helpful clarification. If you have any further queries about the transition plan please address them to Alastair.Bowden@Scotland.gsi.gov.uk; 0131 244 7310.

Andy Bruce
Deputy Director
Community Justice Division

Copied to

CC Chief Executives of Local Authorities;
Chief Executives of Health Boards;
Chief Constable of Police Scotland;
Chief Executive of Scottish Fire and Rescue Service;
Chief Executive of Skills Development Scotland;
Chief Executive of Scottish Prison Service;
Chief Officers of Integration Joint Boards;
Chief Executive of Scottish Courts and Tribunals Service;
Community Justice Authority Conveners;
Community Justice Authority Chief Officers;
Community Planning Partnership Managers.
Chair Criminal Justice Voluntary Sector Forum
Chief Executive of Voluntary Action Scotland

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Chief Officer

**Heading: Rehabilitation of Offenders Act 1974 – Consultation Paper
Joint CJA Conveners Response**

1. Summary

1.1 This consultation paper sets out specific proposals to reform the Rehabilitation of Offenders Act 1974 to allow more people with previous criminal activity to be able to move away from their past offending behaviour and to reduce the length of time most people will have to disclose their previous criminal activity.

1.2 Over one-third of the adult male (18+) population in Scotland is likely to have at least one criminal conviction

Nearly one-tenth of the adult female (18)+ population is likely to have at least one criminal conviction

In the past decade between 2003-04 to 2012-13 the average number of reconvictions per offender has decreased by 18 per cent.

Total economic & social costs of re-offending are estimated at £3bn approx.

Individuals released without employment are twice as likely to re-offend

SPS reports that 80% of inmates were unemployed prior to their sentence/remand. Once liberated, evidence shows that it is eight times harder for a person to gain employment, with declaration of a criminal record the greatest factor in an employer refusing employment.

Jobcentre Plus research indicates less than 3% of ex-offenders progressed into employment (sample group only)

1.3 Having to disclose previous criminal activity, such as a previous criminal conviction, affects many people in our society. The consequences of having to do so can have an on-going impact on people's ability to gain employment; attend university or college; volunteer, obtain certain licences, secure an apprenticeship or even get insurance or a bank account; etc. The key factors that influence people not to re-

offend include having stable employment, access to education, having positive family relationships and having normal lifestyle choices. Public safety and the interests of wider society are, therefore, generally best served by encouraging and enabling people to move on from their offending behaviour as much as possible.

- 1.4** In Scotland, the 1974 Act provides that anyone who has been convicted of a criminal offence and either sentenced to a non-custodial penalty or sentenced to prison for a period of 30 months or less can be regarded as 'rehabilitated' after a specified period of time, (the rehabilitation period), provided he or she receives no further convictions. A person can also become 'rehabilitated' after receiving an alternative to prosecution (AtP), such as a fiscal warning or a fiscal fine. After the specified rehabilitation period has passed, the original conviction or AtP is considered to be 'spent' and no longer needs to be disclosed.

Anyone receiving a custodial sentence of over 30 months has to disclose details of this conviction when asked because there is no protection under the 1974 Act for such sentences. The requirement to disclose previous criminal activity for specific time periods, depending on the conviction or AtP, exists to try and balance the competing needs of protecting the public while allowing individuals to move on from their previous offending by becoming rehabilitated under the 1974 Act at a specific point in time.

- 1.5** However, there are some categories of employment and proceedings to which the normal rules under the 1974 Act do not apply. It is positions involving a particular level of trust, such as work in the childcare, healthcare and the financial sector, that are treated differently from the normal application of the 1974 Act. This is to ensure there is adequate protection for children and vulnerable people in particular by allowing employers to be informed about relevant previous convictions of potential/actual employees. There is existing secondary legislation^[2] which provides for the categories of employment and other types of proceedings covered by these special rules.

- 1.6** The consultation concentrates on two particular aspects of the 1974 Act:-
- (a) allowing more people with previous criminal activity to be able to move away from their past after a suitable period of time has elapsed; and
 - (b) changing the different periods of time a person has to disclose their previous criminal activity.

2. Recommendations

- 2.1** Members are asked to note the content of this report.

3. Background

- 3.1** In August 2013 the Scottish Government issued a discussion paper seeking views on how the existing legislation could be improved and modernised. This was complimented by 6 public engagement events held across Scotland in November of the same year. Based on these responses the Scottish Government issued a formal consultation document in May 2015 and the attached response on behalf of CJA's was completed by Vikki Binnie of South West Scotland CJA, following discussions with Conveners, Chief Officers and key stakeholders. Responses were required to be submitted by 12th August 2015.

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gcsx.gov.uk Tel: (0141) 887 6133

Rehabilitation of Offenders Act 1974 – Consultation paper

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

South West Scotland Community Justice Authority on behalf of Scotland's eight Community Justice Authorities (CJAs)

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☒ Dr ☐ **Please tick as appropriate**

Surname

Binnie

Forename

Vikki

2. Postal Address

Sovereign House

Suite 6

Academy Road

Irvine

Postcode KA12 8RL

Phone 01294277968

Email

vikkibinnie@north-ayrshire.gcsx.gov.uk

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☒

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☒ **Yes** ☐ **No**

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Are you content for your **response** to be made available?

Please tick as appropriate

☒ **Yes** ☐ **No**

Yes, make my response, ☒
name and address all
available

or

Yes, make my response ☐
available, but not my
name and address

or

Yes, make my response ☐
and name available, but
not my address

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ **Yes**

☐ **No**

CONSULTATION PAPER QUESTIONS

Questions – Rehabilitation of Offenders Act 1974 – Consultation paper

QUESTION 1

Do you agree with the proposal that the scope of the new legislation should be increased from 30 months?

Yes ☒ No ☐

Comment

The increase from 30 months to 48 months is to be welcomed. However this may then reinforce the distinction between short term and long term prisoners which may inadvertently create further barriers for this particular group.

The name of the Act “The Rehabilitation of Offenders Act” also requires attention unless the “rehabilitation” periods can be supported by a robust evidence base at each stage clearly relating to when a person is considered rehabilitated. What this consultation and subsequent Act is actually setting out is **disclosure** periods rather than rehabilitation periods.

We have a number of queries and comments in relation to the following statements in the consultation paper¹:

- Over one third of the adult male population in Scotland is likely to have at least one criminal conviction.
 - *How many of these adult males have convictions that are unspent and need to be disclosed?*
 - *How many currently disclose unnecessarily?*
 - *How many choose not to disclose at all?*
 - *Is there any evidence that disclosing previous convictions makes people **less likely** to commit further offences and desist from crime?*
 - *A report by Christopher Stacey² went so far as to say that there was “no conclusive evidence that shows that asking for criminal record details, or checking an official record effectively reduces the risk of offending, despite the significant trust placed in this strategy”.*
- Individuals released without employment are twice as likely to reoffend.
 - *Interestingly those returning from custodial sentences are also more likely to reoffend than those completing community sentences³;*

¹Rehabilitation of Offenders Act 1974: Consultation Paper. The Scottish Government May 2015 <http://www.gov.scot/Resource/0047/00477178.pdf>

²“Rehabilitation and Desistance vs Disclosure” Criminal Records: Learning from Europe. Stacey C, Winston Churchill Fellow 2014. Published April 2015, page 13, paragraph 3 <http://blogs.iriss.org.uk/discoveringdesistance/files/2015/05/Rehabilitation-Desistance-vs-Disclosure-Christopher-Stacey-WCMT-report-final.pdf>

³ Figures released in March 2015 for the 2012/13 cohort demonstrated that the Reconviction Rate for those completing Community Payback Orders (CPO) was 11.2 points *less* than for those returning from custody, whilst the Average Number of Reconvictions per Offender was 0.55 for CPO compared to 0.87 for those returning from custody <http://www.gov.scot/Publications/2015/03/9783/downloads>

*perhaps our focus should be on developing robust **community options** for all but the most serious offenders.*

- *We need to take cognisance of recent research such as What Works to Reduce Reoffending⁴ which states “a number of studies have found that community sentences are **more effective** in reducing reoffending than short-term prison sentences. This may be due to **increased opportunities for rehabilitation** during community sentences and avoidance of the negative unintended consequences of imprisonment, such as losing employment or housing”*
- Jobcentre Plus research indicates less than 3% of ex offenders progressed in to employment.
 - *This bullet point alone indicates that change is required to make the process of applying for and securing employment much more straightforward and easy to understand for all of those with criminal convictions, rather than having different rules and rehabilitation/disclosure periods for everything and an even greater distinction between community and custodial disposals.*

Currently a number of specialist providers support individuals with offending backgrounds to complete “letters of disclosure” to enable them to apply for jobs in the correct way, indeed it is an offence in itself to withhold this information. Would individuals who have written such letters have to do these again to reflect the changes to legislation once it comes in to force, and if so who would fund this provision? (Every individual would require support to ensure their information was correct for the purposes of employment, training and volunteering).

QUESTION 1a

If you have answered yes, should the scope be;

48 months ☒ **longer than 48 months** ☐ **shorter than 48 months** ☐

Comment

Although the increase in scope is to be welcomed, the increase from 30 months to 48 months actually reinforces the distinction between short term prisoners (STP) and long term prisoners (LTP) as set out in the Prisoners and Criminal Proceedings (Scotland) Act 1993, which may not be useful and indeed may be counterproductive, further stigmatising those with convictions serving custodial sentences.

Ultimately rehabilitation should be an option for all but the most serious violent offenders, and as such changes to legislation should reflect this, allowing people to move on from their offences and integrate successfully back in to their communities. Scotland should be bolder than its counterparts in England and Wales with “The Act” offering protection and rehabilitation to **all individuals with a criminal history** (even those serving a life sentence or being on life license subject to review and sustained

⁴ What Works to Reduce Reoffending: A Summary of the Evidence. Justice Analytical Services, Scottish Government 2015 <http://www.gov.scot/Resource/0047/00476574.pdf>

evidence of desistance). Surely if we believe the systems we have in place are robust (e.g. Judicial decision making and review; management of people with a criminal record by Scottish Prison Service, Local Authorities, Parole Board etc) we would have faith that those completing their sentences, whether custodial or community, are in fact rehabilitated on completion of said sentence.

There are also now much more robust controls in place to monitor compliance and support employers within existing mechanisms (e.g. Police (Scotland) Act 1997, Protecting Vulnerable Groups (Scotland) Act 2007 and Multi Agency Public Protection Arrangement - MAPPA), none of which was available in 1974. Furthermore support services provided through The Reducing Reoffending Change Fund (with Shine and New Routes both providing national coverage) are now well established, helping people to reduce the chaos in their lives and move forward more constructively, and in effect be more ready and equipped to sustain successful employment.

It is also important to note that the exclusions and exemptions⁵ amendments to The Act will remain in place, offering continued protection to employers and professions working with our most vulnerable groups and subsequently the most serious offenders.

A three pronged approach is required with more focus on ***the reasons behind the increases in sentences length*** and whether this is in fact related to increased seriousness of offending or simply “sentence inflation”⁶, changes to “The Act” alone may not be enough.

Much more work is required with employers to ensure the Rehabilitation of Offenders Act is used in the way it should be, only when relevant to the employment offered and not as a tool to debar the employment of those with a criminal history; training on disclosure for employers should be mandatory and support offered in effective risk assessment. Changes to recruitment and application processes would further support this, with conviction questions only raised once an individual is actually offered employment rather than being part of earlier recruitment processes.

The current system often means that those people with offending backgrounds **deselect themselves** from the process, assuming they will fail at the first hurdle. Leaving the question until further on in the process may encourage those with convictions to apply with more confidence. Recruit with Conviction have endorsed Business in the Community’s “Ban the Box” campaign⁷ stating that “The criminal record tick box on a job application form has absolutely no value without context”.

Ongoing work is required with those leaving prison **and** completing community sentences on the impact of their offending and its subsequent impact on their future employment, training, learning and volunteering options. All prisoners should be liberated with basic knowledge of both this and the Act, ideally with an **up to date**

⁵ The Rehabilitation of Offenders Act 1974 (Exclusions and Exemptions) (Scotland) Order 2013, as amended

⁶ See page 9 of the consultation paper, Breaking the Circle, 2002

⁷ According to Recruit with Conviction “Asking people to disclose too early can lead force them in to the back economy and crime” <http://recruitwithconviction.org.uk/campaigns/ban-the-box/>

letter of disclosure; the same provision should be made for those on community sentences. At the present time, individuals can apply for a list of their convictions through Subject Access, however there is a cost attached to this, if we want to encourage people to disclose they should be able to access their personal information free of charge for the purposes of employment. This would empower individuals to have more confidence when applying for training or employment and provide them with the assurance that they would be considered on an equal footing.

QUESTION 2

Do you agree that the length of the rehabilitation period should be determined by whether an individual gets a custodial sentence, a non-custodial sentences or an alternative to prosecution?

Yes ☐ No ☒

Comment

We agree that Alternatives to Prosecution (AtP) should be dealt with differently, however whether a sentence is custodial or non custodial does not ***always*** reflect the seriousness of the offence committed, with inconsistencies of sentencing across the country. Offences committed in one part of Scotland can be dealt with very differently in another part of Scotland, indeed this can be the case even within courts, depending on the Sheriff hearing the case.

Furthermore, the distinction between community sentences and custodial sentences may be detrimental to more vulnerable groups, for example female offenders and those with mental health issues, for whom custodial sentences at times seem to be used to access a degree of respite and fast and effective access to services. With no robust ‘community offer’ (i.e. a supported, holistic care package based in the community) available to sheriffs at this time prison may seem like the only option. Until such time that equity of provision is available, or presumption against short sentences is extended to 12 months these vulnerable groups could be negatively impacted upon.

It is important to remember that community sentences are given as an *alternative to custody* not as a soft option; therefore the distinction between these groups in regard to rehabilitation periods further underlines the supposed seriousness and implied risk of those receiving and returning from custodial sentences, making their reintegration even more difficult and ultimately their risk of reoffending even greater.

2.1.4 of the consultation guidance states “**custodial sentences will be used for the most serious type of criminal activity or for example breaches of community orders**” therefore the breach of the order will attract a longer rehabilitation period which may in fact ***not*** reflect the seriousness of the original offence. In cases of breach there may be an argument that the rehabilitation period follows the ***original community sentence***, as it is clear from the consultation paper that the

rehabilitation period is a **consequence of the offence and not a punishment**; in effect the rehabilitation period is being inflated in cases of breach which then surely makes it become a “punishment” in its own right.

This section goes on to say “the court may consider the only option available to it is to hand out a custodial sentence to a person **who chooses** not to comply with a previous sentence and as such, needs a more severe punishment or that it is considered that society needs ‘relief’ (protection) from the person’s prolific offending behaviour”, it should be noted that ‘relief’ and ‘protection’ are not the same thing with this wording indicating that the offender is high risk. Many of those breaching orders do so not because they **choose** to but rather because of the ongoing chaos in their lives due to many different factors, not all of which are within their individual control.

QUESTION 3

Do you agree with the proposal that no AtPs should be self-disclosed by a person in circumstances when a basic disclosure check is requested?

Yes ☒ No ☐

Comment

QUESTION 4

Do you agree with all the proposals to reduce the time periods for disclosing non-custodial sentences as set out in Table A?

Yes ☒ No ☐ Some but not others ☐

Comment

All time periods for disclosing **all** sentences should be reduced. Financial penalties continue to attract a fairly long rehabilitation/disclosure period of 12 months in the new proposals which seems excessive, particularly when this applies to the largest single group of offenders⁸, the data also shows that both reconviction rates and the average number of reconvictions per offender are lower for those receiving a monetary disposal.

QUESTION 4a

⁸ 14,804 people received a monetary disposal (2012/13 cohort) compared to 9,511 CPO and 7,436 Custodial. The Reconviction Rate for those receiving a monetary disposal is 23 compared to 43.3 for custodial and 32.1 CPO. Average number of reconvictions per offender was 0.38 monetary disposal, 0.87 custodial and 0.55 CPO <http://www.gov.scot/Publications/2015/03/9783/downloads>

If no, do you think all the rehabilitation periods should be shorter or longer than proposed?

Shorter ☒ Longer ☐

Comment

See comment above at Question 4

QUESTION 4b

If shorter, what lengths of time would you like to see?

Comment

See comment above at Question 4

QUESTION 4c

If longer, what lengths of time would you like to see?

Comment

QUESTION 4d

If some but not others, what sentences are you referring to and what lengths of time would you like to see?

Comment

See comments at Question 4

QUESTION 4e

Do you think it is still appropriate for the rehabilitation periods to be halved when the person committed an offence under the age of 18?

Yes ☒ No ☐

Comment

Ideally all young people under 18 should be dealt with through expansion of the Children's Hearing System which better considers and reflects different developmental stages of young people, assessing their actions and behaviours in a more holistic way. In some cases there may be an argument to extend this further to those under 21, as until that time individuals are still deemed to be young offenders.

In their 2014 paper⁹ Lightowler et al recommended an expansion to the whole systems approach (WSA), stating “Essentially the extension of the WSA to older young people up to 21 or beyond is being actively advocated in some quarters as reflected in the discussion paper *Youth Justice in Scotland: Meeting the Challenge* (McClafferty, 2014)”. This would have a significant impact on rehabilitation/disclosure periods for those between the ages of 18 and 21 in Scotland, and ultimately their future as contributing members of society.

Keeping young people out of the justice system altogether for as long as possible should be the aim in order to reduce negative labelling and the subsequent stigma which then follows them throughout their adult life, adversely affecting not only employment opportunities but access to further/higher education, volunteering, housing, financial services etc.

QUESTION 4f

If no, please provide details below.

Comment

QUESTION 4g

Do you have any other comments/views in relation to the proposed rehabilitation periods for non-custodial sentences?

Comment

See response to Question 2

QUESTION 5

Do you agree with all the proposal that the rehabilitation periods for custodial sentences should be reduced as set out in Table B?

Yes ☒ No ☐ Some but not others ☐

Comment

Whilst we agree that the rehabilitation periods for custodial sentences should be reduced, it is still confusing and difficult for people to work out without specialist advice and support. Does there really need to be a distinction between sentences of over 12 months and up to 30 months/over 30 months and up to 48 months? Individuals serving these sentences are all short term prisoners by definition,

⁹ Lightowler C. Orr D. Vaswani N “Youth Justice in Scotland: Fixed in the past or fit for the future?” CYCJ September 2014 <http://www.cycj.org.uk/wp-content/uploads/2014/09/Youth-Justice-in-Scotland.pdf>

therefore length of sentence plus 6 years would appear excessive, further adding to the complicated nature of disclosure. As it states throughout this consultation paper, the rehabilitation period is a **consequence** of the offence, not a **punishment**.

It would be interesting to know how the rehabilitation periods were decided upon and what evidence base was used to propose **four** different rehabilitation/disclosure periods for those returning from custody. A single rehabilitation/disclosure period applied consistently to all those completing custodial sentences would be much more straightforward and easy to understand for all involved. As stated above, it is the **sentence itself which is the punishment**, the rehabilitation/disclosure period is merely the consequence.

At 2.1.17 of the consultation paper it states “Evidence tends to show that if someone is going to reoffend, they will be more likely to do this **shortly after committing their previous offence rather than waiting years before committing further offences**” surely this further supports implementation of a single rehabilitation/disclosure period plus length of sentence and calls in to question the lengths being proposed in the consultation.

QUESTION 5a

If no, do you think all the rehabilitation periods should be shorter or longer than proposed?

Shorter ☒ Longer ☐

Comment

See above comments at Question 5

QUESTION 5b

If shorter, what lengths of time would you like to see?

Comment

Being conservative, sentences of over 30 months and up to 48 months should carry the same rehabilitation period as those over 12 months and up to 30 months i.e length of sentence plus 4 years. This would reduce the rehabilitation period from a minimum of 8 1/2 years to 6 1/2 years, and the maximum from 10 years to 8 years. This would appear to be more proportionate and less confusing, whilst still having a significant impact on the life of the individual.

If Scotland wanted to be more radical in their approach, **all** custodial sentences could carry the minimum rehabilitation period of length of sentence plus 2 years as stated in the response to question 5. This would reduce the disclosure period for

those serving sentences of 48 months from a maximum of 10 years to a maximum of 6 years.

Benefits of the Proposed Approach¹⁰ (1.14, page 2 of the consultation paper) states “It will also create a more proportionate disclosure system and one which reflects current sentencing trends in Scotland while still ensuring people with a relevant interest will be aware of a person’s **relatively recent** criminal past”. It could be argued that the proposed changes go much further than an individual’s “recent past” and are therefore disproportionate in nature and fail to strike the effective balance between public protection and enabling those with people with convictions “to enter the workforce and make a positive economic and personal contribution to society”. It also seems unduly harsh and disproportionate for those serving sentences of over 48 months to always have to disclose. This in effect becomes a lifelong restriction and impacts on many areas of their lives, not only employment. Point 3.11 of the consultation paper suggests review of criminal convictions for those serving sentences of over 48 months by “an independent body” stating “Such a review process could provide some hope to those outwith the scope of the 1974 Act that at some point they will not have to disclose their previous convictions”. This point may well be worthy of further consideration moving forward and indeed offer hope to those individuals completing longer sentences that eventually they can put their past firmly behind them. Without this hope for the future the disclosure/rehabilitation period becomes simply a further punishment rather than a consequence.

QUESTION 5c

If longer, what lengths of time would you like to see?

Comment

QUESTION 5d

If some & not others, what sentences are you referring to and what lengths of time would you like to see?

Comment

See comments at Question 5b

QUESTION 5e

Do you think it is still appropriate for the rehabilitation periods to be halved when the person committed an offence under the age of 18?

¹⁰ Rehabilitation of Offenders Act 1974: Consultation Paper May 2015

Yes ☒ No ☐

Comment

This could be taken further to include those under 21. This would provide equity of protection for **all young offenders**. At the present time Scotland still operates with two distinctive justice systems for young people, which means that the disposals given and subsequent rehabilitation periods may be very different for young people committing very similar offences.

An Audit Scotland report stated “The context and operational procedures of the two systems are so different that moving from the Children’s Hearings system into adult justice poses particular problems for some young people. At present, there are concerns regarding the maturity of 16 and 17-year-olds, and their consequent readiness for the adult justice system. This area is currently under review by the Scottish Executive, with a view to increasing the number of this age group dealt with by the Reporter”.¹¹ This was in 2001, yet the situation for some young people is still problematic.

The success of the whole systems approach for young people in Scotland clearly demonstrates the positive impact of dealing with young people differently, acting earlier and providing supportive interventions rather than purely punitive ones. Encouragingly advancing the Whole Systems Approach is one of the priority themes for 2015-2020¹² announced in the recent Youth Justice Strategy for Scotland. The strategy acknowledges that whilst it focuses on under 18’s, many aspects of youth justice now extend to under 21’s depending on the local authority area involved. It goes on to say “WSA is not being formally extended to age 21 at this stage, but as part of Community Planning arrangements local partners should consider the most suitable arrangements for young people involved in offending. A joined up approach involving children’s, youth and criminal justice services is particularly important”. It is therefore even more important to extend the rehabilitation/disclosure rules for young people under 21 to ensure the legislation applies equally to all young people between the ages of 18 and 21 and create greater consistency.

QUESTION 5f

If no, please provide details below.

Comment

¹¹ Audit Scotland Report on Youth Justice in Scotland June 2001

¹² Youth Justice Strategy for Scotland 2015-2020

“Preventing Offending: Getting it right for children and young people”. The Scottish Government June 2015 <http://www.gov.scot/Publications/2015/06/2244>

QUESTION 5g

Do you have any other comments/views in relation to the rehabilitation periods for custodial sentences? For example, do you think there should be more distinct sentence ranges within which distinct rehabilitation periods operate?

Comment

Point 3.4 to 3.6 of the consultation paper talks about reducing complexity, with 3.6 stating that it may be necessary to repeal the 1974 Act and “put in place a much simpler, modern piece of legislation”. Perhaps rather than making minor (yet still complex and time consuming) changes to the rehabilitation/disclosure periods as proposed, consideration should be given to alternatively developing this simpler, modern piece of legislation as a matter of immediate priority. This would be more consistent with the Scottish Government’s overall Justice Strategy and in particular the Reducing Reoffending Programme.

Accessing information regarding criminal histories can be inconsistent depending on where the offence was committed. A Subject Access form offers the option of checking through Scottish Criminal Records or the Police National Computer, both may bring up slightly different results and not everyone realises they have the option to tick both boxes at no additional cost. There has also been a rise in foreign nationals coming to in to the country and gaining employment, often with no criminal history available, therefore there is no equality of access to this information across the UK or indeed Scotland.

There remains an issue around disclosure/rehabilitation periods for summary offences being extended if an individual commits an indictable offence. This means that any **previously unspent** convictions, as well as any **future summary offences**, are dragged through to the rehabilitation period of the indictable offence, which may be much longer, indeed in some cases for life. Therefore for some people disclosing offences which are several years old becomes a reality, employment becomes even less likely and reoffending becomes even more likely. In the example shown below, all offences would link to the longest rehabilitation period of June 2020 due to offence number 3 being indictable.

Offence	Court	Disposal	Date	Current Rehab Period	Normal Spent Date
Theft	Summary	Fine	Feb 2007	5 years	Feb 2012
Misuse of Drugs	Summary	CPO	April 2008	5 years	April 2013
Assault	Indictable	1 year custodial	June 2010	10 years	June 2020
Theft	Summary	CPO	Nov 2011	5 years	Nov 2016

Do unspent summary offences really require to be disclosed in this way using this “drag through effect”? Or should all summary offences naturally be spent at the end of their own disclosure/rehabilitation period giving people a chance to move forward with their lives without a huge list of convictions?

More research is required in to the benefits of disclosing a criminal history and whether this actually helps or hinders desistance. In addition we would be interested to see any evidence that the prospect of *future* disclosure actually deters offending in the first place.

End of Questionnaire

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Chief Officer

**Heading: Justice Committee Call for Evidence
(Joint CJA Conveners Response)**

1. Summary

- 1.1** The Community Justice (Scotland) Bill was referred to the Justice Committee on 13th May 2015 for their consideration. On the 19th May the Committee wrote to interested parties and stakeholders inviting them to submit written evidence.
- 1.2** On the 5th June at a Joint Conveners Meeting and following discussion the Conveners agreed to submit a joint response on matters contained within the Bill.
- 1.3** Conveners were particularly concerned that despite it being a clear policy intention that CPPs would have new duties to plan for and report on Community Justice there is no explicit reference to them in the Bill. Also, Conveners didn't find the role of Community Justice Scotland to be helpful nor the lack of reference to either 3rd Sector organisations or service users.
- 1.4** Conveners have tabled 10 specific recommendations to improve the Bill
 - a) Seek direct feedback on the Community Justice Bill from members of The Commission on Women Offenders, Audit Scotland and The Christie Commission, if these are all to remain cited in the accompanying documents as justifying the proposals;
 - b) Redefine 'community justice' to fully reflect offending/reoffending (including prevention, early intervention, risk management and public protection) not 'offenders', and to capture wider outcomes for individuals and communities;
 - c) Critically assess the extent of added value in relation to the proposed role of Community Justice Scotland and amend as required, considering that its limited

functions could more effectively and economically be delivered by the Scottish Government, supported by existing assurance, improvement and academic bodies;

- d) Place explicit duties on CPPs to integrate local community justice arrangements into the robust system of CPP governance and reporting, rather than setting up a loose grouping of 'Community Justice Partners' as a new parallel arrangement outwith CPPs;
- e) Specify clear roles for Elected Members, the Third Sector and the voices of service users in the new community justice arrangements;
- f) Specify that 'Scottish Ministers' includes both the Scottish Prison Service and the Crown Office and Procurator Fiscal Service (COPFS);
- g) Remove reference to the National Strategy and Performance Framework from the Bill as these do not require legislative change;
- h) Replace reporting requirements by local partners to Community Justice Scotland with a requirement to simply 'publish' (ie., make available) relevant reports;
- i) Include a commitment to equitable resourcing between Community Justice Scotland and CPP's, reflecting the minimal role of CJS within a predominantly local planning and delivery model;
- j) Consider the Angiolini Commission's proposal for a Joint Board for Community Justice Scotland and the Scottish Prison Service.

1.5 The full response submitted is attached as **Appendix 1** to this Report.

2. Recommendations

2.1 Members are asked to note the content of this report.

3. Background

3.1 The Bill will take forward the legislative change necessary to establish a new model for community justice. The new model seeks to deliver better outcomes for communities by promoting a collaborative approach to the planning and delivery of improved outcomes, putting decision-making in the hands of local communities and agencies who are best-placed to assess local needs. Arrangements will be made at a national level to provide strategic leadership; enhanced opportunities for innovation, learning and development; and assurance on the delivery of improved outcomes. The model also recognises stakeholder views that community justice services should be person-centred, evidence-based and make best use of resources.

In particular, the Bill will:

- Place responsibility for the local planning and delivery of improved outcomes for community justice with a defined set of community justice partners (including local authorities, NHS boards, Police Scotland, Scottish Fire and Rescue Service, Health & Social Care Integration joint boards, Skills Development Scotland, the Scottish Courts and Tribunals Service and Scottish Ministers in their role as the Scottish Prison Service);
- Place duties on these community justice partners to engage in local strategic planning and be accountable for this;
- Require the development of a national strategy and a performance framework in relation to community justice;
- Create a national body to provide leadership, promote innovation, learning and development; provide assurance to Scottish Ministers on the delivery of outcomes; and to provide improvement support where it is required;
- Promote a focus on collaboration – including the opportunity to commission, manage or deliver services nationally where appropriate.

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gcsx.gov.uk Tel: (0141) 887 6133

**Community Justice Authorities****Central Support**

Suite 4(a), 4th Floor
101 Portman Street
Glasgow, G41 1EJ

Phone: 07469 400062

e-mail: nancy.mccormack@glasgow.gov.uk

Nancy McCormack

Central Support Manager

JUSTICE COMMITTEE CALL FOR EVIDENCE ON THE COMMUNITY JUSTICE (SCOTLAND) BILL

Submission from the Convenors of Scotland's Community Justice Authorities

Executive Summary

- 0.1 The Convenors of Scotland's eight Community Justice Authorities (CJAs) welcome the Justice Committee's invitation to submit evidence on the Community Justice (Scotland) Bill. Since 2012, we have actively engaged with the consultation process on community justice redesign. Our individual and collective CJA submissions to the earlier Scottish Government consultations can be accessed at:
 - <http://www.gov.scot/Publications/2013/07/7507/downloads> (*Redesign of Community Justice*)
 - <http://www.gov.scot/Publications/2014/10/9125/downloads> (*Future Model for Community Justice*)
- 0.2 The publication of the Bill marks an important milestone in the lengthy process of community justice redesign. As anticipated the Bill does introduce a combined local/ national model for community justice and we have supported its principles as articulated during the consultation process.
- 0.3 However we are not convinced that the proposals as published will deliver better outcomes or enhance governance, accountability and leadership. We believe CJAs already deliver a stronger model in terms of collaboration and have clearer accountability arrangements than the loose arrangements for Community Justice Partners proposed in the Bill. We cannot comment on the effectiveness of key components of the reforms such as the National Strategy, Performance Framework, funding and strategic commissioning arrangements, as these remain in development and are as yet unpublished. (Indeed it is unclear why any of these particular components require legislation).
- 0.4 Within the existing CJA arrangements, over the past decade the average number of reconvictions per offender has decreased by 18% and the reconviction rate has fallen by 4.1 percentage points,¹ both very positive outcomes.
- 0.5 However we have always been ambitious for a faster pace of improvement. We are not convinced that the Bill as published will either build on the successes and ambitions of CJAs to date, or adequately address the challenges we have faced. We look forward to continuing our dialogue with the Justice Committee at the September oral evidence session.
- 0.6 Our specific recommendations for change are:
 - a. Seek direct feedback on the Community Justice Bill from members of The Commission on Women Offenders, Audit Scotland and The Christie Commission, if these are all to remain cited in the accompanying documents as justifying the proposals.
 - b. Redefine 'community justice' to fully reflect offending/ reoffending (including prevention, early intervention, risk management and public protection) not 'offenders', and to capture wider outcomes for individuals and communities.

¹ Statistical Bulletin, Reconviction Rates In Scotland: 2012-13 Offender Cohort, 31/3/15 <http://www.gov.scot/Resource/0047/00474253.pdf>

- c. Critically assess the extent of added value in relation to the proposed role of Community Justice Scotland and amend as required, considering that its limited functions could more effectively and economically be delivered by the Scottish Government, supported by existing assurance, improvement and academic bodies.
- d. Place explicit duties on CPPs to integrate local community justice arrangements into the robust system of CPP governance and reporting, rather than setting up a loose grouping of 'Community Justice Partners' as a parallel arrangement outwith CPPs.
- e. Specify clear roles for Elected Members, the Third Sector and the voices of service users in the new community justice arrangements.
- f. Specify that 'Scottish Ministers' includes both the Scottish Prison Service and the Crown Office and Procurator Fiscal Service (COPFS).
- g. Remove reference to the National Strategy and Performance Framework from the Bill as these do not require legislative change.
- h. Replace reporting requirements by local partners to Community Justice Scotland with a requirement to simply 'publish' (i.e. make available) relevant reports.
- i. Include a commitment to equitable resourcing between Community Justice Scotland and CPPs, reflecting the minimal role of CJS within a predominantly local planning and delivery model.
- j. Consider the Angiolini Commission's proposal for a joint Board for Community Justice Scotland and the Scottish Prison Service.

1. Will the proposals in the Bill transform the community justice system in the way envisaged by the Commission on Women Offenders in its 2012 report, such as addressing the weaknesses identified in the current model, tackling reoffending and reducing the prison population?

- 1.1 There is no evidence that structural reform *in itself* ever guarantees better outcomes in any policy area, including community justice. The significant achievements of the Whole System Approach for Young People (including reducing reoffending and reducing the prison population) were notably delivered via a model of strong local partnership working and a genuine and systemic shift to early intervention and prevention, not via structural reform.
- 1.2 It is worth noting that the Commission on Women Offenders made 3 specific recommendations of relevance to community justice redesign (under Part 9: 'Making it work: leadership, structures and delivery'), as follows:

"A new national service, called the Community Justice Service, is established to commission, provide and manage adult offender services in the community.

A National Community Justice and Prison Delivery Board, with an independently appointed Chair, is set up to promote integration between the Community Justice Service and the Scottish Prison Service, and deliver a shared vision for reducing reoffending across the community and within custodial settings.

A senior director in each of the key agencies is identified to take **responsibility for women offenders**, championing and driving through change."²

- 1.3 The Bill does not actually deliver *any* of these three specific recommendations, despite the Commission being mentioned 13 times in the accompanying documents as justification for the reforms. Regardless of one's view on these recommendations, the Commission at least proposed a very decisive and clear model for community justice including structural reform at both operational and strategic levels. In contrast, the lengthy consultation process and the Bill itself have instead created another 'least worst' local/ national compromise, such as that which led to the creation of CJAs in the previous community justice reforms. And the current proposals once again restrict reform to the strategic level, leaving frontline operational delivery untouched.
- 1.4 Audit Scotland's 'Reducing Reoffending in Scotland' report (2012) is also repeatedly referred to as justifying the reforms (being mentioned 15 times in the Bill's accompanying documents). This report in fact called for improvements to arrangements for funding; performance measurement; managing offenders in the

² Source: Commission on Women Offenders, 2012, p11 (emphasis in original)

community; service planning, design and delivery; and understanding of unit costs. There were no recommendations relating to structural reform as such.

- 1.5 Very little mention is made in the Bill's accompanying documents of the Commission on the Future Delivery of Public Services (the Christie Commission), however it is this vision which would really transform outcomes across the justice system, including community justice. In particular there is nothing in the Bill which will guarantee the decisive shift to prevention which is required.
- 1.6 Although CJA Convenors have a view on this first question, it would be more relevant to ask this of the members of the Commission on Women Offenders, as well as Audit Scotland and the Christie Commission – how far do *they* think the Bill will transform the community justice system in the manner they envisaged?

2 Are you content that the definition of 'community justice' in the Bill is appropriate?

- 2.1 No. The focus is on *offenders* rather than *offending/ reoffending* more broadly, and on the actions of *agencies and services* rather than *outcomes* for individuals or communities.
- 2.2 There is an extremely broad definition of 'offenders' as "persons who have at any time been convicted of an offence". This in fact refers to around a quarter of the adult population, an unworkable and inappropriate grouping. In addition, this focus on the 'convicted' excludes our essential aim of early intervention and prevention, i.e. of keeping people out of the justice system as far as possible through a presumption against escalation wherever appropriate.
- 2.3 The definition in the Bill is perhaps unavoidably legalistic, however the Policy Memorandum repeats the definition used in the 2014 consultation:
"The collection of agencies and services in Scotland that individually and in partnership work to manage offenders, prevent offending and reduce re-offending and the harm that it causes, to promote social inclusion, citizenship and desistance"
- 2.4 Whilst this is a more workable definition, there is a concern there is insufficient attention on the risk management and public protection function of community justice, yet this accounts for a significant proportion effort, resource and risk.

3 Will the proposals for a new national body (Community Justice Scotland) lead to improvements in areas such as leadership, oversight, identification of best practice and the commissioning of services?

- 3.1 The creation of Community Justice Scotland (CJS) *in itself* will not guarantee improvements in leadership, oversight, identification of best practice or commissioning. All of these improvements could have been introduced either into the existing CJA structural arrangements (as suggested by Audit Scotland), or could be delivered instead within robust local community planning arrangements supported by the Scottish Government at policy level. Indeed this latter model is deemed sufficient for every other policy area outwith community justice, including areas of significant challenge such as safer communities, economic development, poverty and inequality, alcohol and drugs, and health improvement.
- 3.2 CJS will not have ultimate accountability for any improvements. Nationally accountability will remain with the Cabinet Secretary for Justice, and locally with Community Justice Partners. It is currently unclear what will happen if CJS recommends local improvements, beyond requiring Community Justice Partners simply to publish their response to any imposed improvement plan. There are no stated sanctions for Community Justice Partners who refuse to comply (nor is it clear who would actually be answerable or accountable for non-compliance from the loose grouping of Partners).
- 3.3 Audit Scotland identified that, as strategic planning bodies, CJAs have at times experienced difficulties gaining sufficient leverage to drive forward operational improvements on the ground. CJS will have even greater difficulties in this respect, given the absence of any local presence or relationships. CJS will also face a significant administrative burden in relating to up to 32 separate local arrangements.

- 3.4 CJS will be heavily reliant on the quality of performance information gathered and submitted by Community Justice Partners, and on its own analytical capacity and expertise. The Scottish Government is currently leading the development of a new national Performance Management Framework (as yet unpublished), but it remains challenging to meaningfully measure collaborative community justice outcomes (not processes or outputs) at any level. This is certainly challenging at CPP level and even more so at neighbourhood level where many CPPs are now focusing as part of their planning around 'Place'. We are not yet confident that CJS or Community Justice Partners will be operating within a strong community justice performance framework.
- 3.5 As a largely advisory body with no 'teeth', it is not clear that CJS brings sufficient added value to the new community justice arrangements, instead potentially acting as an additional layer of bureaucracy and expense (at a cost of £2.2 million per year plus significant initial set up costs). It may be that the functions of Community Justice Scotland could be more economically and effectively delivered by the Scottish Government, supported by existing assurance and improvement bodies such as Audit Scotland, the Improvement Service, relevant Inspectorates and existing academic centres of excellence.

4 Taking into account the reforms set out in the Community Empowerment (Scotland) Bill relating to Community Planning Partnerships, will Community Justice Partners have the powers, duties and structures required to effectively perform their proposed role in relation to community justice?

- 4.1 No. It remains unclear why there is such a complete disconnect between CPPs and the so called 'Community Justice Partners' within the Bill. This was not anticipated from any of the earlier communications from the Scottish Government which stated a strong commitment to a predominantly local model for community justice through CPPs (a position largely supported by CJAs, given that we were to be disestablished in any case).
- 4.2 Since publication of the Bill, we have queried the lack of any reference to CPPs or community planning in the legislation. We have been informed by the Scottish Government that CPPs cannot be mentioned in legislation because they are not legal entities, however there are 22 mentions of the term 'Community Planning Partnership' in the Community Empowerment Bill as introduced (and 42 mentions in the Bill as passed on 19 June 2015).
- 4.3 A more concerning explanation may be that the Scottish Government is in fact *not* committed to the new model of community justice being driven by CPPs despite their earlier assurances, or even that there is a lack of long term confidence that CPPs will remain in place at all.
- 4.4 The proposed local arrangements for community justice are subsequently very concerning. As evidenced in our previous consultation submissions, if CJAs are to be disestablished in favour of a new local model, it makes sense to integrate arrangements into CPPs, which deliver against all other policy areas locally. Indeed this was previously sold as a key advantage of locating community justice in CPPs, in terms of the ability to link across disparate CPP policy areas which impact on reducing reoffending.
- 4.5 However what is proposed in the Bill is a parallel set of planning arrangements by a list of individual Community Justice Partners who may or may not act independently from each other, and who can certainly act independently from CPP governance structures. There is no requirement for these Partners to work as a formal Partnership, with an identifiable and accountable Chair or lead officer, nor to be integrated within the CPP governance arrangements, leaving them as a number of essentially free-floating organisations. The majority of these Partners (five from the list) are governed from the centre as national organisations.
- 4.6 It is not our role to present a critique of CPPs as to whether or not they will be able to deliver community justice improvements. The Scottish Parliament will be well aware of previous Audit Scotland reports on CPP performance and the intention to strengthen CPPs through the new Community Empowerment legislation (which of course in itself is new untested legislation). The issue is that the Scottish Government had previously committed to using CPPs as the governance vehicle for local community justice planning, and this commitment is no longer evident. It is inadequate to leave interpretation of the legislation in this respect to chance or to optional Guidance which could be interpreted at least 32 different ways.
- 4.7 Given that CJAs are being disestablished following criticism of our leadership, governance and accountability arrangements, it is disappointing (to say the least) to see that there will now be no single point of contact in this

respect at a local level. The current arrangements whereby a CJA Convenor and CJA Chief Officer can be (and are) called to account in relation to local community justice issues was supposed to be replaced by clear CPP arrangements. However the current proposals instead have a loose grouping of Community Justice Partners with equal accountability and responsibility; with no governance by the local CPP; and with no clear leadership at all. Even in the most practical terms, it is unclear *who* exactly is responsible for completing the required tasks. This 'looseness' then relies on people having a consistent interpretation of what is required, which fundamentally undermines the point of legislation.

- 4.8 Another key rationale for the disestablishment of CJAs was the so-called 'cluttered landscape' listed in great detail by the Commission on Women Offenders. However there is an assumption in the Bill that the new local arrangements will be formed on a local authority basis not a regional basis, thereby replacing 8 CJAs with up to 32 new and varied community justice arrangements (plus a national body). Note again that there is no requirement for these 32 community justice arrangements to sit within CPP governance arrangements, but they are rather parallel arrangements to CPPs.
- 4.9 Whilst some named 'Community Justice Partners' have already created partnership facing structures and are already active within CPPs (e.g. Police Scotland, Scottish Fire and Rescue), and should find engagement relatively straightforward, in practical terms being named as a 'Community Justice Partner' will create significant challenges for others. This includes the Scottish Prison Service, Scottish Courts and Tribunals Service, and the Crown Office and Procurator Fiscal Service, none of whom currently have the operational capacity or structure to actively participate in 32 different local governance arrangements (not to mention sub groups or working groups which may emerge locally).
- 4.10 There is no explicit mention in any of the documents of the Crown Office and Procurator Fiscal Service (COPFS) who are *essential* partners in delivering better community justice outcomes. Whilst our understanding is that they are included under 'Scottish Ministers' along with the Scottish Prison Service, this is not clarified in any of the accompanying documents. This is a serious omission which should be rectified.
- 4.11 There is a lack of clarity as to how service user voices will influence the new arrangements. CJAs have engaged with service users over many years, and have highlighted their strengths, needs, experiences and issues in a range of ways, including direct engagement and representation, research, and creative approaches such as film and drama.
- 4.12 There will also be significant challenges for the new local arrangements in maintaining some critical and influential networks, such as longstanding working relationships between CJAs, Local Criminal Justice Boards and individual sentencers. As Chairs of these Boards, a number of Sheriffs Principal have already made clear that multiple CPP representatives will not be invited to replace individual CJA Chief Officers in future arrangements. A key strategic link between community justice and judicial decision makers locally will be lost.

5 Does the Bill achieve the right balance between national and local responsibility?

- 5.1 No. The new model has been repeatedly described as a predominantly local model, supported by a national assurance and improvement function, however the Bill suggests a very different dynamic. The looseness of the local arrangements is in some contrast to the extensive detail given to Community Justice Scotland.
- 5.2 Whilst there has been great emphasis during the previous consultation period that local outcomes would be overseen by local CPPs not by Community Justice Scotland, there is a change of direction in the legislation. Prior to publication of the Bill, CPPs were preparing for the transition of CJA responsibilities into their governance arrangements, and were unaware that the proposals would instead place duties on a list of individual Community Justice Partners.
- 5.3 The Bill states that the required Community Justice Outcomes Improvement Plan, and related performance reports, must be sent to CJS (not simply 'published' and therefore made available). This suggests a reporting relationship to CJS which is contrary to the Scottish Government's earlier commitments.
- 5.4 Consultation on national matters by Scottish Ministers and CJS is to be with "each of the Community Justice Partners" not local community justice partnerships or Community Planning Partnerships, risking that the

consultee list for any national developments consists of national contacts within national organisations/ representative bodies, not locally based contacts or indeed local partnerships who should form a collective view on any proposals.

- 5.5 In this local leadership vacuum it is inevitable that Community Justice Scotland will become the sole centralised leadership voice for community justice, and that local views will remain unheard.
- 5.6 There is a significant resource inequity between the proposed national body (proposed new budget £2.2 million, plus 22 staff) and the proposed local arrangements for Community Justice Partners (to be delivered within existing budgetary and staffing arrangements).

6 Will the proposed reforms support improvement in terms of: (a) leadership, strategic direction and planning? (b) consultation and accountability? (c) partnership and collaboration? (d) commissioning of services and achieving best value for money?

- 6.1 This question groups together a very wide range of issues. For example ‘leadership’ and ‘planning’ are very different functions, and ‘consultation’ is quite different than ‘accountability’. In the Bill and accompanying documents these terms are often used interchangeably and are not defined.
- 6.2 In terms of our overall response, we would repeat our earlier comments that structural reform does not *guarantee* any of these improvements. The extent to which people can work together around a shared value base and shared outcomes is a more significant predictor. For example there are assumptions throughout the Bill and accompanying documents that effective partnerships can be created through a simple change in governance and reporting arrangements. In fact strong partnerships are heavily reliant on good personal relationships, a history of joint working which builds communication and trust, and an established track record of joint planning and delivery to grow community confidence and commitment.
- 6.3 We have particular concerns about the lack of any stated role for either Elected Members or the third sector in the proposals. Both have played a key role within CJAs in driving forward local and national community justice improvements. We do not support the Scottish Government’s assertion that consulting with ‘community bodies’ will in any way be equivalent to active membership of CJA Boards. Whilst a statutory duty cannot be placed on the third sector to engage, a duty *can* be placed on the statutory partners to involve relevant third sector bodies as equal partners in local arrangements.
- 6.4 It is not the simple existence of a National Strategy, Performance Framework or Strategic Commissioning approach which delivers better outcomes, but the quality of each of these and the way in which they are implemented. We are unable to comment on any of these aspects at present, as they remain in development and unpublished. It is unclear why any of these require legislation to be introduced.
- 6.5 We are not convinced that the risks associated with loss of expertise and specialist skills have been adequately taken into account. For example the CJA Training and Development Officers (TDOs) are a highly trained, specialist group providing both local and national professional training capacity. They cannot be easily or quickly replaced however no assurances have been given that they will be transferred via TUPE or other arrangements into the new local or national bodies.

7 Are the resources, as set out in the Financial Memorandum, sufficient to transform the community justice system in the way envisaged by the Commission on Women Offenders in its 2012 report?

- 7.1 No. The most significant resource challenge for community justice (whatever the structures) remains that the vast majority of resources for offender management are still held on the custodial side of the system – or in the Christie Commission’s term, to resource ‘failure demand’. In 2015-16, £113.2 million was allocated by the Scottish Government for community justice³ compared to £396.2 million allocated to the Scottish Prison Service. The custodial budget is therefore three and a half times higher than the community justice budget,

³ This includes over £95 million for Criminal Justice Social Work services (distributed via CJAs) and a number of other Scottish Government investments in community justice.

despite over 4,000 more people (29% more) being given a community sentence than a custodial sentence each year.⁴ Re-engineering existing resources within the same inequitable framework will not deliver a decisive shift to prevention.

- 7.2 The detailed financial arrangements within the proposals are (as with the National Strategy, Performance Framework etc) still in development and therefore unpublished. It is therefore unclear whether many of the disadvantages of the existing system as highlighted by the Commission on Women Offenders, Audit Scotland and the Christie Commission will be resolved, such as an inability to identify unit costs; perverse incentives to maintain and indeed escalate people into the system; a lack of strategic commissioning approaches discouraging long term planning and so on. Indeed none of these difficulties required structural change to be resolved.
- 7.3 The Commission on Women Offenders proposed a joint Board between the national Community Justice Service and the Scottish Prison Service (a National Community Justice and Prison Delivery Board). This proposal should be seriously considered for Community Justice Scotland to enable more equitable and needs-led resourcing.
- 7.4 The costs *already expended* on community justice reform are not detailed in the Financial Memorandum and are of considerable concern given that we are still almost two years away from the new arrangements. These costs include significant officer time (e.g. CJA Convenors, staff, partners; Scottish Government and other national bodies; more recently CPP partners) as well as numerous external consultancy contracts.
- 7.5 The opportunity costs of structural reform are also absent from the Financial Memorandum, but will be very significant given the 5 year transition period from 2012-17 (discussed further below) followed by potentially 3 to 5 years of development time for the new arrangements to bed in and deliver their full potential.
- 7.6 With reference to training and development, there is a potential for underestimating the costs of training new learning and development staff as there is no guarantee that existing Training and Development Officers will be successful if they apply for posts with CJS. There are already issues around the *existing* training capability around some very important specialist areas, particularly around high risk offenders. The potential costs of not being able to train staff in the interim period may have an impact on delivery of Criminal Justice Social Work reports etc, if staff do not have the required training.
- 7.7 With the creation of new national outcomes and indicators, and indeed, new *local* outcomes and indicators there may be an added financial burden for CJS and all Community Justice Partners and partnerships in respect of IT for data gathering and amalgamating information from multiple partners. Currently local authority systems (and probably most partners' systems) are based on outputs and not outcomes.
- 7.8 We have expanded on such financial challenges in our submission to the Scottish Parliament's Finance Committee.

8 Is the timetable for moving to the new arrangements by 1 April 2017 achievable?

- 8.1 CJAs were established in shadow form in April 2006 with full duties following in April 2007. Just five years later, in April 2012, the Commission on Women Offenders concluded that whilst *"Some of the recommendations set out in the earlier parts of the report could be implemented within the existing systems, ... we concluded that to deliver the very best outcomes ..., a radical transformation of the existing structural and funding arrangements, and associated working practices, is required.* (p80)
- 8.2 This (perhaps premature) recommendation has been followed by an extremely protracted redesign process, already stretching to three years, with almost two years to go. There have been significant and inexplicable delays within this process (such as a 12 month gap between the publication of the first consultation and the Government's response, and an 8 month gap in the case of the second consultation).

⁴ In 2013-14, 14,101 people were sentenced to custody, compared to 18,231 given a community sentence. This is in addition to 73,217 people given a financial penalty or other sentence. Source: Scottish Government (December 2014) Criminal Proceedings in Scotland 2013-14, <http://www.gov.scot/Publications/2014/12/1343/downloads>

- 8.3 During this lengthy change period it has been extremely challenging for CJA Boards, staff and partners to remain focused on the task at hand. We have continued to make strong progress, however it is worth considering how much more progress might have been made without the distraction and resource drain of redesign so predominantly on the agenda.
- 8.4 We therefore conclude that there are challenges around moving to the new arrangements by 1 April 2017, but we would not support any further delay.

9 Could the proposals in the Bill be improved and, if so, how?

- 9.1. Seek direct feedback on the Community Justice Bill from members of The Commission on Women Offenders, Audit Scotland and The Christie Commission, if these are all to remain cited in the accompanying documents as justifying the proposals.
- 9.2. Redefine 'community justice' to fully reflect offending/ reoffending (including prevention, early intervention, risk management and public protection) not 'offenders', and to capture wider outcomes for individuals and communities.
- 9.3. Critically assess the extent of added value in relation to the proposed role of Community Justice Scotland and amend as required, considering that its limited functions could more effectively and economically be delivered by the Scottish Government, supported by existing assurance, improvement and academic bodies.
- 9.4. Place explicit duties on CPPs to integrate local community justice arrangements into the robust system of CPP governance and reporting, rather than setting up a loose grouping of 'Community Justice Partners' as a parallel arrangement outwith CPPs.
- 9.5. Specify clear roles for Elected Members, the Third Sector and the voices of service users in the new community justice arrangements.
- 9.6. Specify that 'Scottish Ministers' includes both the Scottish Prison Service and the Crown Office and Procurator Fiscal Service (COPFS).
- 9.7. Remove reference to the National Strategy and Performance Framework from the Bill as these do not require legislative change.
- 9.8. Replace reporting requirements by local partners to Community Justice Scotland with a requirement to simply 'publish' (i.e. make available) relevant reports.
- 9.9. Include a commitment to equitable resourcing between Community Justice Scotland and CPPs, reflecting the minimal role of CJS within a predominantly local planning and delivery model.
- 9.10. Consider the Angiolini Commission's proposal for a joint Board for Community Justice Scotland and the Scottish Prison Service.

10 Closing Comments

- 10.1 Within the existing CJA arrangements, over the past decade the average number of reconvictions per offender has decreased by 18% and the reconviction rate has fallen by 4.1 percentage points,⁵ both very positive outcomes.
- 10.2 However we have always been ambitious for a faster pace of improvement. We are not convinced that the Bill as published will either build on the successes and ambitions of CJAs to date, or adequately address the challenges we have faced. We look forward to continuing our dialogue with the Justice Committee at the September oral evidence session.

For further information please contact: Nancy McCormack, CJA National Support
Tel 0141 287 0916, Mobile 07469 400062, email nancy.mccormack@glasgow.gov.uk

⁵ Statistical Bulletin, Reconviction Rates In Scotland: 2012-13 Offender Cohort, 31/3/15 <http://www.gov.scot/Resource/0047/00474253.pdf>

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Chief Officer

**Heading: Finance Committee Call for Evidence
(Joint CJA Conveners Response)**

1. Summary

- 1.1** On the 22nd June the Scottish Parliament Finance Committee issued a call for evidence on the costs associated with the Community Justice (Scotland) Bill as laid out in the Financial Memorandum to the Bill.
- 1.2** Following email correspondence, CJA Conveners agreed to make a joint submission before the deadline of 14th August and that submission is attached as Appendix 1 to this Report.
- 1.3** The principal points and concerns raised by Conveners are as follows:-
- There was no financial information provided during the formal consultation process and the publication of the Financial Memorandum was the first opportunity to see it;
 - Conveners welcomed the commitment by Government to meet the full costs of CJA disestablishment;
 - There was no “opportunity cost” exercise undertaken and we believe this will be significant given the long lead-in time for the new structure;
 - There is no indication yet of how S77 Grant will be allocated to the 32 local authorities and this is an extremely important part of the financial equation which has risks for the new structure;
 - The financial projections do not reflect the ongoing costs to community justice partners beyond the three year transition period;

- The proposals do not address the large imbalance of resource allocation in favour of custodial services over community services.

1.4 The full response submitted is attached as **Appendix 1** to this Report.

2. Recommendations

2.1 Members are asked to note the content of this report.

3. Background

3.1 The Bill will take forward the legislative change necessary to establish a new model for community justice. The new model seeks to deliver better outcomes for communities by promoting a collaborative approach to the planning and delivery of improved outcomes, putting decision-making in the hands of local communities and agencies who are best-placed to assess local needs. Arrangements will be made at a national level to provide strategic leadership; enhanced opportunities for innovation, learning and development; and assurance on the delivery of improved outcomes. The model also recognises stakeholder views that community justice services should be person-centred, evidence-based and make best use of resources.

In particular, the Bill will:

- Place responsibility for the local planning and delivery of improved outcomes for community justice with a defined set of community justice partners (including local authorities, NHS boards, Police Scotland, Scottish Fire and Rescue Service, Health & Social Care Integration joint boards, Skills Development Scotland, the Scottish Courts and Tribunals Service and Scottish Ministers in their role as the Scottish Prison Service);
 - Place duties on these community justice partners to engage in local strategic planning and be accountable for this;
 - Require the development of a national strategy and a performance framework in relation to community justice;
 - Create a national body to provide leadership, promote innovation, learning and development; provide assurance to Scottish Ministers on the delivery of outcomes; and to provide improvement support where it is required;
 - Promote a focus on collaboration – including the opportunity to commission, manage or deliver services nationally where appropriate.
-

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gcsx.gov.uk Tel: (0141) 887 6133



Community Justice (Scotland) Bill

The Scottish Parliament's Finance Committee invites organisations and individuals to submit written evidence setting out their views on the financial implications of the Community Justice (Scotland) Bill.

The Bill

The [Community Justice \(Scotland\) Bill](#) (the Bill) was introduced in the Scottish Parliament by the Cabinet Secretary for Justice on 4 June 2015.

The estimated financial implications of the Bill are set out in its accompanying Financial Memorandum (FM). A copy of the FM can be found at page 17 of the [Explanatory Notes](#).

The Financial Memorandum

The FM states that the purpose of the Bill is to—

“replace the existing model for community justice services which is based on eight regional community justice authorities (CJAs), with a new model. The new model delivers a community solution to the achievement of improved outcomes for community justice; to the problem of re-offending; and to the task of offender management.”

In addition to providing for national and local community justice strategies, a new national body, Community Justice Scotland (CJS), will be established “to provide leadership, enhanced opportunities for innovation, learning and development and assurance on the delivery of improved outcomes.”

A table setting out the total estimated costs and savings of the Bill is provided on page 19 of the FM.

How to submit evidence

The Justice Committee is lead committee and has issued [a separate call for evidence](#) in relation to the Bill's policy provisions.

The Finance Committee invites you to respond to the attached questions by **Friday 14 August 2015**. All responses should be sent electronically (in MS Word - no confirmatory hard copy required) to finance.committee@scottish.parliament.uk. Written responses will be handled in accordance with the Parliament's [policy for handling written evidence received in response to calls for evidence](#).

What happens next?

All written evidence received will be considered and you may be invited to provide further information to the Committee in oral evidence. As a result of the sometimes tight deadlines for Parliamentary scrutiny of a Bill it is possible that any invitation to give evidence might be extended at relatively short notice.

Should you have any queries in relation to this, please do not hesitate to contact the Committee clerking team on Tel: 0131 348 5451

Finance committee questionnaire

This questionnaire is being sent to those organisations that have an interest in, or that may be affected by, the financial implications of the [Community Justice \(Scotland\) Bill](#). Estimates of the Bill's financial implications are set out in its accompanying Financial Memorandum (FM), which can be found at page 17 of the [Explanatory Notes](#).

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee's scrutiny of the FM.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?
 - None available during consultation. There was no financial information.
 - Through joint meetings, membership of various working groups, attendance at workshops and ongoing operational contact, CJAs have taken part in various consultation opportunities which preceded the Bill.
2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?
 - Not applicable.
 - The Financial Memorandum reflects a variety of CJA comments in relation to transition costs associated with the introduction of the new arrangements.
3. Did you have sufficient time to contribute to the consultation exercise?
 - Yes, but the Bill changed.
 - Yes there was sufficient time.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.
 - No financial implications.
 - CJAs will be abolished under the Bill. The Government's commitment to meeting the costs of the abolition are noted and appreciated.
5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?
 - Yes, both reasonable and accurate.

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?
 - Scottish Government have given a commitment to underwrite CJA dissolution costs.
7. Does the FM accurately reflect the margins of uncertainty associated with the Bill's estimated costs and with the timescales over which they would be expected to arise?
 - Yes - we also note that the cost will be reassessed as the Bill passes through the legislative process.

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?
 - CPP ongoing costs – only 3 year costs!
 - No. The most significant resource challenge for community justice (whatever the structures) remains that the vast majority of resources for offender management are still held on the custodial side of the system – or in the Christie Commission's term, to resource 'failure demand'. In 2015-16, £113.2 million was allocated by the Scottish Government for community justice¹ compared to £396.2 million allocated to the Scottish Prison Service. The custodial budget is therefore three and a half times higher than the community justice budget, despite over 4,000 more people (29% more) being given a community sentence than a custodial sentence each year.² Re-engineering existing resources within the same inequitable framework will not deliver a decisive shift to prevention.
 - The detailed financial arrangements within the proposals are (as with the National Strategy, Performance Framework etc) still in development and therefore unpublished. It is therefore unclear whether many of the disadvantages of the existing system as highlighted by the Commission on Women Offenders, Audit Scotland and the Christie Commission will be resolved, such as an inability to identify unit costs; perverse incentives to maintain and indeed escalate people into the system; a lack of strategic commissioning approaches discouraging long term planning and so on. Indeed none of these difficulties required structural change to be resolved.
 - The costs *already expended* on community justice reform are not detailed in the Financial Memorandum and are of considerable concern given that we are still almost two years away from the new arrangements. These costs include significant officer time (e.g. CJA

¹ This includes over £95 million for Criminal Justice Social Work services (distributed via CJAs) and a number of other Scottish Government investments in community justice.

² In 2013-14, 14,101 people were sentenced to custody, compared to 18,231 given a community sentence. This is in addition to 73,217 people given a financial penalty or other sentence. Source: Scottish Government (December 2014) Criminal Proceedings in Scotland 2013-14, <http://www.gov.scot/Publications/2014/12/1343/downloads>

Convenors, staff, partners; Scottish Government and other national bodies; more recently CPP partners) as well as numerous external consultancy contracts.

- The Financial Memorandum reasonably captures costs associated with the Bill in terms of transitional arrangements

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?

- No Section 27 figures which will be critical.
- VAT Exempt – 20% additional burden.
- The future costs associated with the Bill in terms of operating the new arrangements in a way that reduces both reoffending and the prison population is more complex than the transitional arrangements that the Financial Memorandum covers.
- In particular we would highlight the following:
- Firstly, there are no new resources and over 90% of community justice resources are currently and will continue to be spent on statutory services required by legislation. This situation is untouched by the Bill.
- Secondly, we do not at this stage know what will be commissioned nationally by Community Justice Scotland and what will be commissioned by CPPs/Community Justice Partners. These commissioning arrangements will be key if services are to be effective and complementary to existing justice and universal services in the community.
- Thirdly the Bill does not address how resources will be used to reward and encourage success such as the completion of Community Payback Orders and reducing the numbers in prison. It will therefore be important that the current review of the “funding formula” does not continue to reward failure by simply paying for the generation of more business (Process as opposed to outcomes).
- Until these issues are dealt with, it is impossible to state with any confidence that the system will be transformed in any meaningful way. In summary it is not enough to state an intention to move resources towards prevention and early intervention - a mechanism to achieve this is needed.

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Chief Officer

Heading: Services to Women in the Justice System (1)

1. Summary

- 1.1** In response to recommendations made by The Commission on Women Offenders, the Scottish Government funded 16 projects across Scotland to improve community based capacity to support women. Three of these projects were located in NSCJA at Paisley, Greenock and Dumbarton and have been the subject of previous reports to the board. This funding was for the period 2013-2015.
 - 1.2** In February 2015 the Community Justice Division invited local authorities with such projects to write to them requesting a one year continuation of funding to cover 2015-16 if they required it. The projects in Paisley and Dumbarton submitted letters for continued funding and although the Greenock project did not, the service to women has continued in the current financial years.
 - 1.3** Both projects which requested additional funding received £30k each for 2015-16 and the confirmation letters, sent on 12th May 2015, are attached for members information.
-

2. Recommendations

- 2.1** Members are invited to note the report and confirmation letters.
-

3. Background

- 3.1** On the 17th April 2012 The Commission on Women Offenders, Chaired by Dame Elish Angiolini, published its report on female offending in Scotland. The report made 37 recommendations of which 33 were immediately accepted by the Government when they have their formal response in Parliament on 26th June 2012.
- 3.2** A central recommendation of the Commission was the establishments of “Community Justice Centres” to provide one stop multi agency support for women offenders. This was one of the recommendations accepted by the Government.
- 3.3** On 12th July 2013, NSCJA were contacted by Justice Division in relation to formulating proposals for womens services to meet this recommendation. There was a 6 week period for local authorities and partners to submit bids for funding covering an 18 month period October 2013 – March 2015. Thereafter, the services would have to find their own sustainable funding. A second bid deadline of 30th November 2013 was also provided for funding covering a 12 month period April 2014 – March 2015.

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals’ human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gcsx.gov.uk Tel: (0141) 887 6133

Norman Firth
Partnership Manager
Argyll, Bute and Dunbartonshires'
Criminal Justice Social Work Partnership
Municipal Buildings
Station Road
Dumbarton
G82 1NR



Your ref:
Our ref:
12 May 2015

Dear Norman

GRANT FUNDING TO COMMUNITY JUSTICE SERVICES FOR WOMEN OFFENDERS - 2015/16

I refer to my letter to you dated 23 February 2015, and your response dated 9 March 2015, about potential further Scottish Government grant funding to the Moving Forward service for women offenders in Financial Year 2015/16.

All 16 projects that received grant funding from the Scottish Government between 2013-15 responded to my letter of 23 February, and the statements and proposals received have been carefully considered.

I was pleased to note that some projects did not request any additional funding, having already succeeded in securing local sustainable funding, or having adapted delivery of their service to utilise other resources. In addition, the majority of projects have made progress towards ensuring the future sustainability of these important services. I am grateful for the efforts that have taken place in this regard, which will need to continue over the course of the current financial year.

I am now writing to offer individual projects a funding grant in response to their proposal, for use in 2015-16. The allocation of individual grants have been made in accordance with the aims I set out in my 23 February letter – to support the core activities of the project for the financial year; and to further support the transition to local sustainable funding in the future.

Not all projects that have requested funding have been granted the full amount. In addition, proposals seeking funding for new activities, which was outside the scope of this exercise, have not been supported at this stage.

As I indicated in my previous letter, any further grant funding for 2015-16 is made on a specifically one-off basis, and should not be interpreted as an indication that further funding will be offered.

This is an initial letter to inform you that a total grant of £30,000 has been approved for the Moving Forward service. The grant allocation of £30,000 would meet the requested funding for the employment of a dedicated staff member, and related project costs.

A full grant letter setting out the specific terms and conditions of the grant funding will be issued to you in the near future.

Scottish Government officials are considering how the announcement of additional grant funding for community justice services for women offenders will be managed. I would be grateful if you could keep this letter confidential until the details of the announcement have been determined. My team will contact you in due course to confirm the arrangements.

I would be grateful if you could contact John Mullett, john.mullett@scotland.gsi.gov.uk, to acknowledge receipt of this letter, and indicate that you accept the proposed grant.

Yours sincerely

ANDY BRUCE
Deputy Director, Community Justice Division

Copy to:
Jim Hunter, Chief Officer, North Strathclyde CJA

Allison Scott
Criminal Justice Services Manager
Renfrewshire Council
3rd Floor, Renfrewshire House
Cotton Street
Paisley
PA1 1TZ



Your ref: AS/AB
Our ref:
12 May 2015

Dear Allison

GRANT FUNDING TO COMMUNITY JUSTICE SERVICES FOR WOMEN OFFENDERS - 2015/16

I refer to my letter to you dated 23 February 2015, and your response dated 25 February 2015, about potential further Scottish Government grant funding to the Women's Community Justice Service for women offenders in Financial Year 2015/16.

All 16 projects that received grant funding from the Scottish Government between 2013-15 responded to my letter of 23 February, and the statements and proposals received have been carefully considered.

I was pleased to note that some projects did not request any additional funding, having already succeeded in securing local sustainable funding, or having adapted delivery of their service to utilise other resources. In addition, the majority of projects have made progress towards ensuring the future sustainability of these important services. I am grateful for the efforts that have taken place in this regard which will need to continue over the course of the current financial year.

I am now writing to offer individual projects a funding grant in response to their proposal, for use in 2015-16. The allocation of individual grants have been made in accordance with the aims I set out in my 23 February letter – to support the core activities of the project for the financial year; and to further support the transition to local sustainable funding in the future.

Not all projects that have requested funding have been granted the full amount. In addition, proposals seeking funding for new activities, which was outside the scope of this exercise, have not been supported at this stage.



As I indicated in my previous letter, any further grant funding for 2015-16 is made on a specifically one-off basis, and should not be interpreted as an indication that further funding will be offered.

This is an initial letter to inform you that a total grant of £30,000 has been approved for the Women's Community Justice Service. The grant allocation of £30,000 will support the employment of the volunteer co-ordinator post, to support the ongoing work to embed these enhanced services in the area.

A full grant letter setting out the specific terms and conditions of the grant funding will be issued to you in the near future.

Scottish Government officials are considering how the announcement of additional grant funding for community justice services for women offenders will be managed. I would be grateful if you could keep this letter confidential until the details of the announcement have been determined. My team will contact you in due course to confirm the arrangements.

I would be grateful if you could contact John Mullett, john.mullett@scotland.gsi.gov.uk, to acknowledge receipt of this letter, and indicate that you accept the proposed grant.

Yours sincerely

ANDY BRUCE
Deputy Director, Community Justice Division

Copy to:
Jim Hunter, Chief Officer, North Strathclyde CJA

To: North Strathclyde Community Justice Authority

On: 11 December 2015

Report by: Chief Officer

Heading: Services to Women in the Justice System (2)

1. Summary

- 1.1** For the past few months NSCJA has been working with senior officers from Sacro and 3 Local Authority partners (Renfrewshire, East Renfrewshire & Inverclyde) as well as the Scottish Prison Service to develop a proposal (attached) for additional services for women.
- 1.2** If the proposal is successful the new services will enhance existing community services and cover gaps where no service currently exists. For example, we will be in a position to offer “bail supervision plus” to women appearing at Paisley and Greenock Sheriff Courts and also provide a Structured Deferred Sentence support to the same jurisdictions. The services will also provide evening and weekend support for women who require this enhanced input.
- 1.3** Staff for the new service will work and be based in various locations across the three local authority areas and will also be expected to attend Custody Courts/Sentencing Courts when women are appearing.
- 1.4** A steering group will be established involving all local community partners and justice organisation partners to ensure the service is well supported and co-ordinated to ensure all women have equal access.
- 1.5** NSCJA Officers believe the service will help to reduce the number of women going to custody and will also help with rehabilitating women in the community. Bail supervision plus and out-of-hours support were recommended by the Commission on Women Offenders so the proposal should also be seen as taking forward the recommendations made by the Commission.

2. Recommendations

- 2.1** Members are asked to support the submission of the attached proposal to Scottish Government.

3. Background

- 3.1** On the 17th April 2012 The Commission on Women Offenders, Chaired by Dame Elish Angiolini, published its report on female offending in Scotland. The report made 37 recommendations of which 33 were immediately accepted by the Government when they have their formal response in Parliament on 26th June 2012.
- 3.2** A central recommendation of the Commission was the establishments of “Community Justice Centres” to provide one stop multi agency support for women offenders. This was one of the recommendations accepted by the Government.
- 3.3** On 12th July 2013, NSCJA were contacted by Justice Division in relation to formulating proposals for womens services to meet this recommendation. There was a 6 week period for local authorities and partners to submit bids for funding covering an 18 month period October 2013 – March 2015. Thereafter, the services would have to find their own sustainable funding. A second bid deadline of 30th November 2013 was also provided for funding covering a 12 month period April 2014 – March 2015.

Implications of the Report

Equality & Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals’ human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Authorities website.

Author Jim Hunter, Chief Officer, North Strathclyde Community Justice Authority
Email: jim.hunter@renfrewshire.gcsx.gov.uk Tel: (0141) 887 6133



North Strathclyde Community Justice Authority

Proposal for a Service Enhancement:

Support for Women at Home

August 2015

North Strathclyde Community Justice Authority

Proposal for a Service Enhancement: Support for Women at Home

1. Introduction

The range and complexity of issues faced by women in the criminal justice system have been well documented. The Scottish Government and the various agencies working with women offenders have jointly attempted to address these issues through initiatives designed to identify and resolve problems which can increase the likelihood of offending and lead to increased levels of custody for women.

Following initial discussions with three Local Authorities in the North Strathclyde CJA area (Renfrewshire, East Renfrewshire and Inverclyde), a workshop convened by the CJA was led by Sacro on 10 July 2015. The three authorities and the SPS were invited to discuss and identify the issues and gaps in current service provision as well as scope the current provision to prevent duplication of services.

The workshop acknowledged the merits of the range of services currently provided. Some of the current provision, such as the Shine Mentoring Service, and the services to women that have been developed across the Local Authorities are specifically aimed at women, and the success of such services was recognised.

However, the group also concluded that the levels of vulnerability were such that both the current level of service and the availability of services, particularly in the evenings and at weekends, were insufficient to fully address the range of complex issues involved. Women in the criminal justice system were identified as being extremely vulnerable. Among the range of issues and problems the following were felt to be prevalent:

- premature death of women;
- self-harm;
- alcohol and drug issues;
- domestic violence;
- mental health;
- situations where their children are presently looked after and accommodated;
- addressing issues of loss associated with children removed from the care of women who are already vulnerable and volatile.

It was felt that the availability of support services to women was insufficient, particularly “out-of-hours” in the evenings and at weekends. It was at such times that women were believed to be particularly vulnerable. Participants felt that an enhanced service was required to allow agencies to work effectively with vulnerable women. In addition, the workshop concluded that while many of the presenting issues could be addressed, there remained a problem in maintaining stability in the longer term, and that a greater level of support was required over a longer period.

The workshop also identified some gaps in current service provision. This related to the areas of Bail Supervision and Structured Deferred Sentence. An expansion of the role of Arrest Referral services beyond support to attend addiction services was also felt to be required.

Prevention was highlighted as a key element of the work with women, which is reflected within the service model. This includes preventing women entering the criminal justice system, preventing escalation up the tariff system, reducing the incidence of remand by having credible alternatives to remand, such as bail information and supervision services, and prevention of further harm to self or to others by addressing identified risks and needs.

This paper has been developed from that workshop, and seeks to set out proposals for an enhanced service for women in the criminal justice system. This would serve women in the three Local Authority areas of Renfrewshire, East Renfrewshire and Inverclyde. This proposal has been drafted in consultation with those three Authorities and SPS.

This paper seeks to:

- Identify the issues and potential gaps in current service provision for women involved in the criminal justice system.
- Identify the target group of women.
- Propose enhancements to current provision which will provide a more flexible service response which can assist women to achieve stability and thereby work towards resolving outstanding issues in their lifestyles, their vulnerability and so reduce their offending behaviour.
- Set out a method of delivery that will enhance collaborative partnership working between all relevant agencies.
- Identify ways in which further learning can be achieved that will inform future service and funding decisions across Scotland.

2. Background

In the period 2001/2002 to 2011/2012, the average daily female prison population in Scotland rose from 257 to 435. During 2011-12, the average daily population increased by 4 per cent to 7,710 for men, while the female population increased by 8 per cent to 468. The numbers of remand and sentenced female prisoners also increased (respectively) from 62 to 105 and from 195 to 329.

Of the 329 sentenced female prisoners in 2010/2011, approximately 10% were serving sentences of less than 6 months, with 60% serving sentences of more than six months and less than 4 years.

At a general level, there are several drivers behind the increase in prison population over the past couple of decades, including, increased numbers of prisoners held on remand, particularly during 2006-07, 2008-09 and 2011-12.

The snapshot of the female prison population on 26th June 2015 shows that there were 396 prisoners being held.

The need to reduce the use of remand is highlighted by the statistics, as 30% of women on remand, and 60% of young women on remand, do not go on to receive custodial sentences.

In their 2012 report, the Commission on Women Offenders recommended that supported accommodation should be more widely available for women involved in the criminal justice system to increase the likelihood of a woman successfully completing an Order or complying with bail conditions.

Ten years ago, the Sentencing Commission's Bail and Remand Review (2005) documented the problems of remand populations and provided specific recommendations for bail supervision and more notice of court dates.

More recently, the objectives of the Scottish Government have been set out via the Reducing Re-offending Programme and informed by reports such as "Scotland's Choice" from the Scottish Prisons Commission (2008). From these, it is clear that further efforts must be made to find alternatives to custody, particularly in relation to short sentences and for women involved in the criminal justice system.

Aggregate Returns record that in the three Local Authority areas involved in this proposal, there were 199 requests for Bail Information Reports in 2013/14, but in the same period, there were no Bail Supervision Orders made as these authorities were not part of the initial pilots and were thus not funded to provide this service.

Figures on the level of admissions to custody for women from the three LA areas show that in the 12 month period to July 2015, there were 53 women admitted to custody. Of these, 16 were convicted, and 37 were remanded. In addition, over the

same period, 22 women from these LAs applied for HDC. Of the 22, only 6 HDCs were granted, with the other 16 refused. Further analysis is required as to the reasons for this.

Appendix 1 provides further information in respect of the level of service provision for women in the criminal justice system from the three Local Authorities. These statistics cover a three year period, and are extracts from the Aggregate Returns from these areas. It is noted that they do not reflect the range of services provided to women on a voluntary basis from the women's community justice services.

3. The Proposed Service

3.1 Objectives

The primary objective of this proposal is to implement an enhanced collaborative service across the three Local Authority areas that will fill identified gaps in current provision and assist in reducing the number of women in custody from these areas. This will include assisting women to access universal services as well as specialist services when required.

The reduction in custody levels will be achieved in three ways:

- Firstly, custodial remands will be reduced by ensuring that all women entering the criminal justice process who are at risk of being remanded in custody will be assessed, tracked and supported through the process to ensure full and appropriate engagement with that process and relevant agencies. The enhanced service will seek to reduce the use of custodial remands where bail is not deemed appropriate in the first instance. This will include the introduction of a formal bail supervision service and enhancement to support service that will be tailored to the needs of women and the requirements of their Bail Orders. The enhanced service will seek to engage with women earlier in the criminal justice process, from the point of arrest through to court appearance. The objectives of this earlier intervention will be to identify those women who are vulnerable, and to reduce the possibility of custodial remand by improving the ability of partners to address outstanding issues (e.g. accommodation, addiction etc.) timeously to allow bail to be granted.
- Secondly, the enhanced service will seek to reduce custodial remands by ensuring that women cooperate with requests for Court Reports and are not remanded in custody to allow a report to be completed. A greater level of contact with women from the point of the request for the court report will ensure that practical issues such as a change of address or phone number or

a short-term crisis will not prevent the report being successfully completed. Account will also be taken of caring responsibilities, health and substance misuse issues. This contact will seek to ensure that women are motivated to cooperate with the production of the report, and will seek to ensure that appointments are kept through reminders, and where necessary, by accompanying women to appointments.

- Thirdly, service enhancement will allow additional support to be provided to those women already subject to Statutory Orders or who are known to the service in a voluntary capacity, who are in crisis, or whose identified risks or needs have escalated. This additional support will be provided via increased access to support in the evenings and at weekends that is not currently available outwith normal office hours.

A further objective is to enhance the learning and knowledge of the agencies involved with women in the CJ system. This would be achieved by utilising the learning from the Scottish Government's 3-Step Improvement Framework. The service would seek to record and collate information to allow a full examination of processes and effectiveness. This will include examination of non-engagement with, and disengagement from, the service with a view to learning, to addressing gaps in service, and to making continuous improvements. To this end, a steering group would be established consisting of representatives of the agencies involved. This group would meet quarterly to receive and review progress reports and to recommend amendments to service provision as necessary. In addition, Sacro offers to utilise its existing contacts with academia to allow an external oversight of service provision and effectiveness, and evaluation will include reference to the IRISS evaluation of women's community justice services across Scotland and ongoing local evaluation.

3.2 Target Group

This enhanced level of service is primarily directed at reducing the level of admissions to custody for women. All women aged 16 and over in the CJ system from the three LA areas will therefore be eligible for the service. The determining factors in considering referral will be the level of vulnerability, involvement of existing services such as youth justice or childcare social work, and the need to intervene to avoid a custodial remand or a breach of an Order which could lead to a custodial sentence or recall. Intervention at an earlier stage will also prevent women escalating up the tariff system.

3.3 Model of Operation

Sacro will work in close collaboration with staff in Local Authorities, SPS, Police Scotland, COPFS, Scottish Courts Service, Local Faculty of Solicitors and the Third Sector and will be co-located with Local Authority Criminal Justice Social Work across the partnership area.

The service will operate flexibly allowing operational responses both throughout the normal working week and also “out-of-hours” in the evenings and at weekends.

Staff will seek to engage with women at various points in the CJ process:

- At the point of arrest and detention, staff will seek referral from Police Scotland staff working in the fields of Arrest Referral, Bail Information and the Persistent Offenders Project to allow immediate issues to be addressed and to facilitate bail applications.
- At first and subsequent court appearances, staff will be available to provide additional information for enhanced bail information reports. This will facilitate the introduction of a new Bail Supervision and Support service. This would be supervised in line with national guidance. This revised process would resolve the current anomaly whereby Bail Information reports are provided to Courts but there is no provision for formal Bail Supervision.
- Where custodial remand follows a court appearance, staff will ensure that the woman is tracked throughout the custodial period to ensure that contact is maintained, and to ensure that all issues which may impact on further bail decisions are identified and addressed at the earliest opportunity.
- Where interim disposal of structured deferred sentence is considered appropriate, this service will now be available offering women the opportunity to take advantage of a support plan which addresses needs and prevents further offending. This approach has the potential to prevent escalation onto other higher-tariff disposals. Where a Court Report has been requested, staff will assist in consideration of a structured deferred sentence by providing information for the report and by providing ongoing support throughout the period of deferment. Where no Court Report has been requested, staff link in with existing CJSW Court Teams to promote this option as required.
- Women on Statutory Orders and women engaged with the women’s service on a voluntary basis who are vulnerable, in crisis, or whose risk or needs levels escalate, will have access to additional levels of support that will also be available in the evenings and at weekends.

3.4 Gaps in Current Service Provision

Bail Supervision Service

The Bail Supervision Service (BSS) is an intensive service which requires a minimum of three contacts per week at the initial stages. It provides both monitoring and support for women, and assurance to the courts that women have assistance in complying with bail conditions. It is a credible alternative to a custodial remand with bespoke support and supervision.

Structured Deferred Sentence

The Structured Deferred Sentence (SDS) provides an opportunity for women to benefit from support and supervision over a 6 to 12 month period. A bespoke support plan is drawn up in consultation with the woman which addresses needs, vulnerability and risks. The period of deferment allows the woman to demonstrate that, with some assistance, she has been able to live her life free from offending, or that the episodes of offending have reduced, as well as to benefit from the receipt of a support package. A report is prepared for court towards the end of the period of deferment, and if appropriate, progress by the woman can be demonstrated, and there is the increased possibility that the disposal of the case will be concluded in a way that prevents escalation onto other higher-tariff disposals. If progress has been poor then there still remains the potential for other credible alternatives to custody to be considered, such as a CPO.

Arrest Referral

Whilst Arrest Referral is provided in the three Local Authorities, the type of provision and level of support varies across the three Authorities. This proposal offers the opportunity to ensure that support is available for those women who wish to take advantage of the arrest referral service. This normally involves assessment at the point of arrest and prior to appearance in court. The enhanced service will work with arrest referral support workers with a view to ensuring that women can access specialist substance services where appropriate, and have access to “out-of-hours” support where necessary, with the aim of reducing the likelihood of a further period in police custody or remand.

The above services will be based on a collaborative working arrangement with LA CJSW staff, Scottish Courts staff and local police. Opportunities to work with G4S as the prisoner escorting service alongside CJSW court teams will also be explored. On a day-to-day basis the work will be directed through a cooperative approach with

staff in other agencies. The level of support and supervision will be commensurate with the risks and needs involved.

Enhanced Service Provision

This range of enhanced service provision will seek to ensure that the needs of vulnerable women, including young women, in the criminal justice system are appropriately met, to allow practical issues to be addressed, to foster a positive relationship with relevant agencies, and to seek to establish stability in lifestyle thereby preventing admission or re-admission to custody.

Once needs, risks, strengths and vulnerabilities have been assessed and established, work can get under way to develop a bespoke support plan in close collaboration with women. This will involve working closely with CJSW to address issues identified from risk assessment tools such as LSCMi. The plan will then be reviewed at regular intervals, in line with current processes, taking account of progress and any periods of relapse. The support package will normally last for 12 months, but will be determined by the needs of the individual.

Staff will be equipped to respond in a variety of ways. The following methods of intervention will be utilised as required:

- Crisis Intervention
- Coaching
- Mentoring
- One-to-One Support
- Advocacy
- Signposting
- Drop-In

In addition:

- A telephone helpline will be introduced and a drop-in service will also be available to allow women to access services and support in an informal manner.
- The enhanced service will seek to introduce a peer support system to facilitate women using their experiences to help other women.
- Recovery work will also be introduced to allow women to share their experiences and learning and to provide an additional element of support.
- There also exists the possibility of introducing a further level of support by utilising social media in a positive and safe manner. As an example, in Motherwell, Sacro has piloted the use of a closed Facebook page which can be securely used by vulnerable women. A similar approach can be launched in these three LA areas.

- Volunteers will be recruited from local communities to provide both additional support to women, and opportunities for individuals to develop skills and to make a contribution to a safer community.

Partners are keen to develop the enhanced delivery model based on best practice and learning from other approaches across both children and adult services that have a proven track record of leading to successful outcomes.

Some of the key service components for women will include:

- identification of a lead or key worker who will act as the single point of contact (SPOC);
- coordination and collation of information in a single assessment on women by the SPOC;
- preventing women from having to repeat their histories on numerous occasions to a number of different agencies;
- referral on to specialist services where appropriate; and,
- access to universal services.

Appropriate consent and information sharing processes will be put in place.

4. Staff

Three FTE staff would be employed to run the enhanced service for women. This will facilitate both the enhanced service, and also bail supervision and structured deferred sentence to be provided, as well as an expansion of Arrest Referral. A total of three posts, as well as management and administration time has also been built in to the model - see appendix 2. Appropriate workforce development will be in place, with support from partner agencies, which will seek to ensure that staff are equipped to deal with the challenges of delivering a challenging service.

5. Costs

The costs associated with running the enhanced service for women is a total of £123,770 - see Appendix 2 in respect of staffing levels that allow for flexible staffing arrangements to provide cover for holidays etc.

6. Inputs, Outputs, Outcomes

A Logic Model is attached at Appendix 3. This model seeks to set out inputs, outputs and outcomes, and to denote the active relationship between all three. Outcomes are further divided into short, medium and long term. This model can also facilitate the evaluation and review process by allowing scrutiny of the planned processes and outcomes.

This model is one that has been utilised successfully for previous service developments by Sacro and other agencies. The Scottish Government Justice Division are also familiar with this model.

7. Collaborative Partnership Working

7.1 Partners

As outlined above, the partners involved in the development of this proposal are the three LAs of Renfrewshire, East Renfrewshire and Inverclyde, and the SPS. In addition, the implementation of this proposal will involve co-location and close cooperation of service delivery staff with CJSW staff and Police. Other third sector agencies involved with individual women will also be fully involved in ensuring a planned approach is taken to ensuring an appropriate level of intervention and support for each individual woman.

The basis of this cooperation already exists. This proposal seeks to provide added value to existing practice by creating an opportunity for earlier intervention and by supporting women to maintain stability in their lifestyles and accommodation arrangements.

Engagement with local sentencers and the local Faculty of Solicitors will also be prioritised to promote the enhanced service and keep them informed of developments and outcomes.

7.2 Referrals

Where this proposal is an enhancement to existing services, care will be taken to ensure that this is not seen as a new or additional service separate from existing provision. It is envisaged that, in accordance with the views of partners, women engaged with CJSW services would be eligible for this enhanced service at an earlier point in the process. The enhanced service would be accessed with the agreement of the woman and at the request of the CJSW team.

In the case of new and enhanced services such as Bail Supervision, Structured Deferred Sentence and Arrest Referral, it is envisaged that referrals will be received via Court SW staff, Procurator Fiscal or from Police in the case of those women who are held in custody prior to an initial court appearance and where bail supervision may be an appropriate interim disposal. In certain cases, structured deferred sentence may also be suitable for women as a means of providing support and preventing escalation to higher-tariff disposals. In this instance referrals would be via CJSW Court Report writers.

7.3 Avoiding Duplication

Partners recognise that a range of services exist that can already offer services to women in the CJ system, and that these vary across the three Local Authorities. This proposal does not seek to replace or duplicate existing services but rather to ensure that gaps that currently exist are effectively identified and addressed, with additional capacity provided. This approach is expected to lead to some increase in demand for existing services as women are diverted from custody and the issues and problems faced by others are identified earlier in the process, and referral on to appropriate services follows.

7.4 Added Value

The enhanced service will seek to provide a more flexible response, including “out-of-hours” evenings and weekends. The use of volunteers will also be promoted to further support resettlement and reintegration into local communities.

This additional support is directed at achieving stability in women’s lives which will allow progress to be made in problem areas and prevent the unnecessary use of custody.

8. Monitoring and Evaluation

As stated above, the objectives of this proposal include learning and improved knowledge. This relates not only to better understanding of the issues and obstacles faced by women in the criminal justice system but also to points of intervention, to collaborative working between agencies, and to effective and innovative practice.

To this end, data collection, data collation, and the review of such information will be an integral part of this proposal. As a minimum, the following information will be reported on to the Steering Group:

- number of referrals;
- source of referral;
- stage within CJ process;
- number of referrals “suitable”;
- number of referrals “unsuitable”;
- reasons for “unsuitable”;
- duration of contact;
- issues identified;
- issues addressed;
- outcomes for issues addressed;
- outcome of intervention;
- number of women remanded;
- number of remands prevented;
- evidence of reduction in escalation;
- reductions/escalation of needs/risks; and,
- changes in volume/seriousness of offending.

As previously stated, Sacro will ensure that current contacts within the academic establishment are involved in this process and can provide an independent oversight of activities, processes and outcomes, and will also take account of the existing evaluation undertaken and the National evaluation report expected in Autumn.

9. Conclusion/Summary

This proposal has been developed by Sacro in collaboration with North Strathclyde CJA, the SPS and the Local Authorities of Renfrewshire, East Renfrewshire and Inverclyde. The proposal to enhance current service provision is based on the understanding that a range of appropriate services already exist, and that the gap which has been identified relates to a need for greater flexibility in the availability of services and the need to go beyond initial responses to women’s needs, and seek to achieve a greater level of stability in their lives.

The proposal recognises the need for collaboration between agencies in the delivery of an enhanced service that avoids duplication and addresses identified gaps in current provision.

A range of intervention methods will be utilised and partners will ensure that data collection and collation allows a robust evaluation to be undertaken. A Steering Group and independent academic oversight will allow additional levels of scrutiny.

The proposal is viewed as a further development of the ambitions of relevant agencies to deliver effective responses to the growing levels of women in custody.

APPENDIX 1**Female Offender Figures East Renfrewshire; Inverclyde; Renfrewshire**

	2011/12	2012/13	2013/14
CJSWRs (does not include CPO Progress Reports)	301	212	207
Number of CPOs commenced	61	113	131
Diversion from Prosecution Referrals	36	76	36
Diversion from Prosecution Commenced	14	15	22
Bail Information requests	216	181	199
Bail Supervision cases commenced	No service available		
Structured Deferred Sentence	No service available		

Sacro

Proposal for Enhanced Support for Women (North Strathclyde CJA)

	Sacro Proposal including Bail Service	
	FTE	£
Salaries (including Employers Costs):		
Service Workers -	3.00	68,308
Service Management -	0.20	8,491
Administration -	0.20	5,288
On-call Allowances -		15,000
Travel Costs:		6,088
Admin Supplies:		3,253
Telephone Costs, including Lone Working:		5,000
Contribution to Property Costs:		3,000
Operational Support Costs:		9,342
Total Cost of Proposal:		123,770

APPENDIX 3

Outputs		Outcomes		
Participation Who we reach	Activities What we do	Short Term Internal Change	Medium Term Behaviour / Actions	Long Term Conditions
Service Users	Assessment	Increased motivation to engage with tenancy support service	Increased engagement with service workers	Reduced reoffending
	Coaching	Increased motivation to engage with court services	Increased independence of service users	Increased integration
	Mentoring			Reduction in breaches of statutory orders
	Advocacy	Increased motivation to maintain tenancy	Increased sustainability of housing/tenancy	Reduction in prison remand population
	Support	Increased motivation to change behaviour	Reduced risky behaviour	Reduction in prison sentenced population
	Signposting	Increased motivation to engage with agencies and other support services	Increased engagement with services	Reduced gender inequalities of opportunity
			Increased physical/mental wellbeing	
			Decreased or stopped substance misuse	
		Improved parenting skills	Increased pro-social behaviour	
		Increased problem solving and emotional management skills	Improved personal relationships	
		Increased social skills	Increased independence and quality of life	
	Monitoring and Evaluation	Improved collection and analysis of data	Increased organisational capacity to provide housing support service	
			Improved knowledge and understanding of processes and effective interventions.	More effective interventions
	Volunteer Support			
Partnership	Information Sharing			
	Partnership development			Sustainable partnership
	Operational and Budgetary reporting			
	Operational and Strategic oversight			

