



# JUSTICE SOCIAL WORK

ANNUAL REPORT  
2020/21

*promote respect, provide rehabilitation, prepare for reintegration*

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### (1) Introduction

East Lothian Justice Social Work services provide all statutory and associated functions identified in S.27 Social Work (Scotland) Act 1968. Over the last five decades this Act has been further consolidated and updated by legislation relating to pre-conviction, court/sentencing developments, community disposals, post-release supervision and associated tasks relating to 'offender' and offence types, for example domestic abuse, sexual offending and hate crime.

There have been developments in our understanding of 'what works' with an emphasis on engaging meaningfully with people who offend to better understand their offending pathways and the impact of, for example, deprivation, inequality, mental ill-health, educational inequity, trauma, adverse childhood experiences (ACEs) etc. on an individual's decision-making and agency.

The Scottish Government's Justice Vision and Priorities focuses on 'a just, fair and resilient Scotland' with the following outcomes:

- We live in safe, cohesive and resilient communities
- Prevention and early intervention improve wellbeing and life chances
- Our system and interventions are proportionate, fair and effective
- We deliver person-centred, modern and affordable public services

Community Justice Scotland, a key partner, has a clear set of outcomes that focus on the structural requirements of partnerships but identify the person-centric outcomes for service users as:

- Life chances are improved through needs, including health, financial inclusion, housing and safety, being addressed
- People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities
- Individuals' resilience and capacity for change and self-management is enhanced

This inaugural Justice Social Work Annual Report 2020/21 will provide a summary of the work we undertake alongside some key outputs and outcomes based on the Justice Social Work Business Plan 2021-24. The report will identify areas for development leading to an Improvement Plan as well as setting out some of the challenges of Covid-19 and provide three case studies to encapsulate areas of good practice. As this is the first report we recognise that there are significant challenges relating to data capture and collation – this will remain a key priority over the next 18-24 months.

(2) Vision, outcomes and priorities

**The East Lothian Justice Social Work Services vision is to:**

Reduce the risk of harm caused by crime within our community

**We will achieve this vision by focusing on the following outcomes:**

1. Promotion of greater equality of opportunity, enables our service users to lead more fulfilling lives
2. Make our communities safer places to be by addressing offending behaviour
3. Our interventions are proportionate and based on individual risk, need and responsivity
4. Reduce reoffending through fostering a sense of belonging and involvement in our community

**To achieve these outcomes we will focus on the following priorities:**

1. We will provide individualised plans in partnership with service users so focused interventions are tailored to risk
2. We will develop, promote and embed partnership working with key agencies so support people with convictions to become positive members of their local community
3. We will improve the outcomes for service users with a focus on confronting inequalities, improving access to key services and holding people to account for their offending behaviour
4. We will promote our services to communities so they have a better understanding of our activities
5. More services are developed to create opportunities to divert people away from custodial sentences
6. We will seek the views of those with lived experience of the Justice System so we are able to continually improve, adapt and expand our programme of interventions

(3) Background

Justice Social Work (JSW) across Scotland has experienced significant change and development since the publication of the revised National Outcomes and Standards for Social Work Services in the Criminal Justice System (NOS) in 2011 – the core outcomes are:

- Community safety and public protection
- The reduction of reoffending
- Social inclusion to support desistance from crime

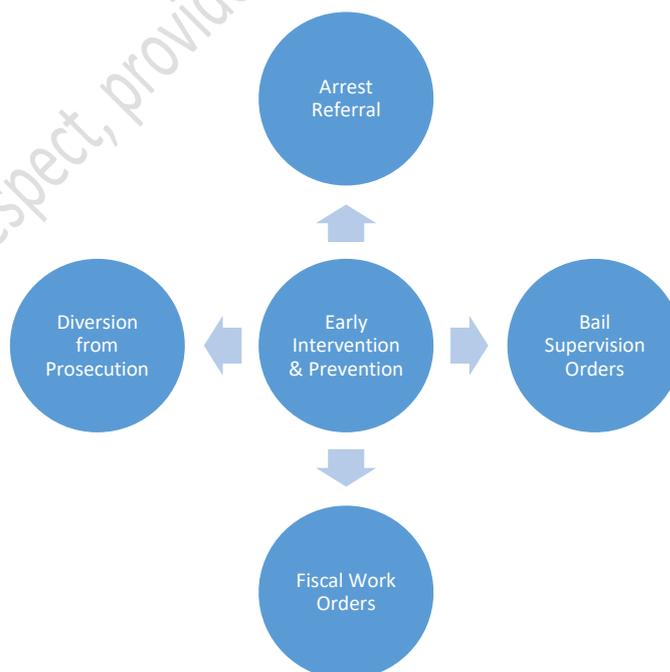
NOS focused on the key elements of assessment, case management, the 4R's (restrictions, rehabilitation, reparation and reintegration) and leadership/management – it is the interplay between these deliverables that provides the basis for our provision of Justice Social Work services to East Lothian residents.

East Lothian JSW has evolved with partners and in line with legislative development, specifically:

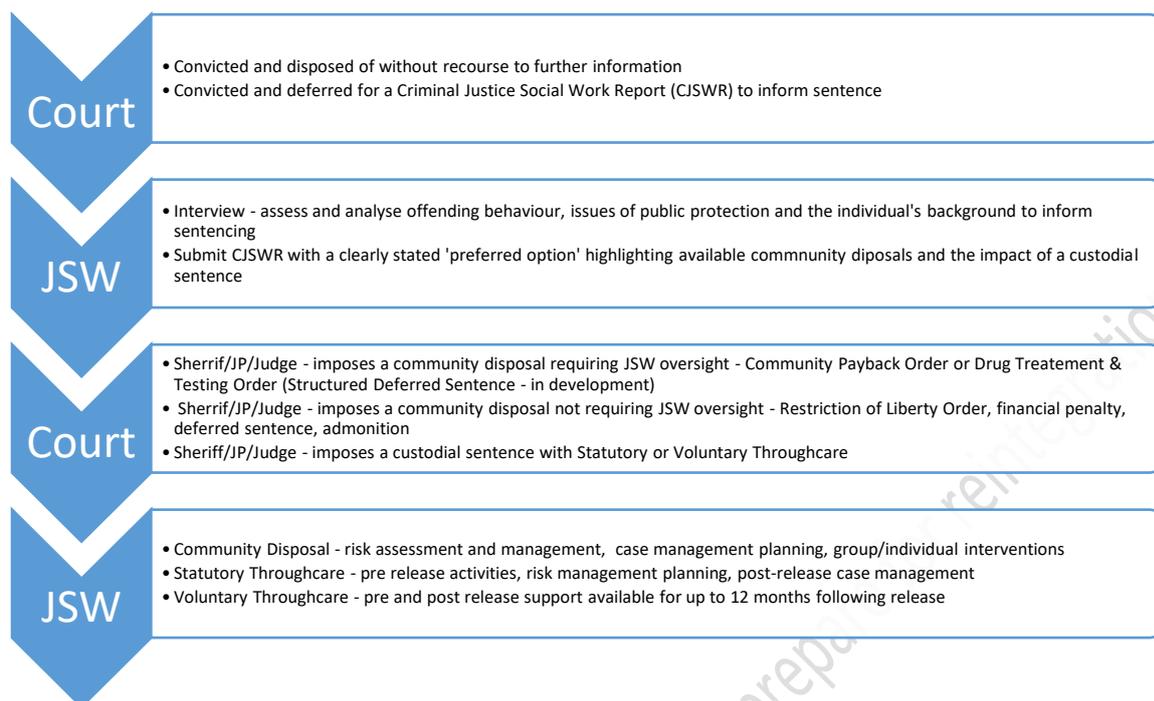
- Criminal Procedure (Scotland) Act 1995
- Management of Offenders (Scotland) Act 2005 and 2019
- Sexual Offences (Scotland) Act 2009
- Criminal Justice and Licensing (Scotland) Act 2010
- Domestic Abuse (Scotland) Act 2011 and 2018
- Community Justice (Scotland) Act 2016

JSW has benefitted from research into supervision (Fergus McNeill, 2009, Towards Effective Practice in Offender Supervision), risk management (RMA, 2010, Framework for Risk Assessment, Management and Evaluation: FRAME), non-compliance (Weaver et al, 2021, Exploring and Explaining Non-Compliance with Community Supervision) and alternatives to custody (Audit Scotland, 2021, Community Justice – Sustainable Alternatives to custody) as well as the learning and development activities of Community Justice Scotland.

**Justice Social Work non-conviction/pre-conviction activities:**



## Justice Social Work post-conviction activities:



East Lothian Justice Social Work predicated its service user interventions, partnerships and public protection responsibilities on:

- Proportionality – interventions should meet the risks and needs identified with the aim of being least restrictive wherever possible
- The use of non-custodial interventions is most likely to reduce reoffending, except where the risk of harm is so great that there is an identifiable public protection concern (restrictions)
- Early intervention and prevention is appropriate at different stages throughout the life cycle – it is not the preserve of young people or women who offend
- Where possible an individual subject to a Community Payback Order requirement of 'unpaid work/other activity' should be integrated into community activities and hubs so that their efforts (reparation) are 'visible'
- Our group and individual interventions should give each service user the best chance of effecting lifestyle change (rehabilitation) so they can engage more meaningfully with family, friends, neighbours and local communities (reintegration)
- The voices of those with lived experience - we know that this is an area requiring improvement and development

On 1 February 2015 Haddington Sheriff Court closed and since this time East Lothian Court business has transferred to Edinburgh Sheriff Court – except that which occurs within a different Sheriffdom, but that is not a change of practice. Since this time there has been a reduction in a number of key Justice Social Work functions, notably Criminal Justice Social Work Report requests and the imposition of Community Payback Orders. The table below provides a summary of projected business from Edinburgh Sheriff Court:

Function	2014/15 (Haddington SC)	Projected Output (Edinburgh SC)
CJSWRs (requested/completed)	504/436	335/236
CPOs	231	175
UWOA Hours (imposed)	26,293	13,852
Diversions	38	40

*Throughcare	34	34
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\*this is the number of individuals in custody on 31/03 who will be subject to Statutory Throughcare on release

However, it should be noted that this does not take into consideration the impact of Covid-19 and the need to address the backlog within Courts - this has been addressed following the provision of supplemental S.27 funding for 2021/22.

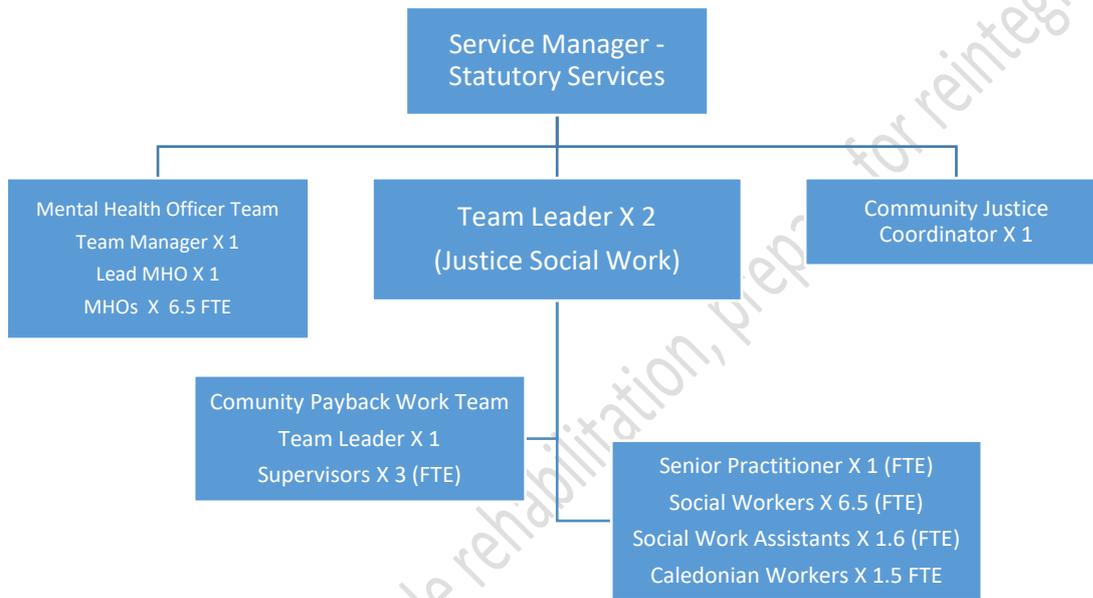
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(4) Justice Social Work in East Lothian

The Justice Social Work (JSW) service in East Lothian sits within Statutory Services and provides all the statutory duties enshrined in the Social Work (Scotland) Act 1968 S.27 and subsequent legislation in relation to the provision of relevant ‘care and supervision’ for those subject to any legal Order or Licence in line with:

- A non-prosecutorial intervention
- Community disposal (including pre-sentence assessment)
- Post release supervision or management

**JSW Structure**



East Lothian is a semi-rural environment with areas of high deprivation and social inequality across the county. The East Lothian Community Justice Local Outcome Improvement Plan 2021-24 identifies various relevant factors and demographics and key ones are noted below (2019/20 data is used as this is considered to be more representative than data generated for 2020/21 due to the impact of Covid-19):

- **Severe and Multiple Disadvantage** - the term ‘severe and multiple disadvantage’ (SMD) is used to signify the problems faced by adults involved in the homelessness, substance misuse and criminal justice systems, with poverty an almost universal issue and mental-ill health a common complicating factor. Recent national research suggests that there are 49 households experiencing SMD in East Lothian (EL).
- **Poverty and disadvantage** - on average, one in five children in EL are living in poverty after housing costs are taken into account and in some geographical areas this rises to a quarter of all children
- **Education** - there is a significant attainment gap between those in the most deprived and least deprived quintiles. This is seen where only 67.3 of people in the most deprived quintile and 90.5 in the least deprived quintile have achieved “one plus award at SCQF level 5 or higher”.

- **Access** - high transport costs impact negatively on individuals accessing services for substance misuse issues and education/ employment
- **Domestic abuse and Multi-Agency Risk Assessment Conference (MARAC)** - the number of victims referred to the Domestic Abuse Pathway has increased by 213% since 2016/17
- **Young people in care** - in 2020/2021, there was an average of 248 children and young people aged 0-17 years looked after by ELC (11.6 per 1,000 population). In the same year, five young people were subject to secure orders. All were male with an average age of 15
- **Young people in the justice system** - in 2019/20, 45 children aged 8-15 years were referred to the Children's Reporter on offence grounds (2.4 per 1,000 population). The number of crimes or offences detected where a young person has been accused has increased from 370 in 2014/15 to 676 in 2019/20, a rise of 83%. In the same time period the number of young people accused has risen from 206 to 286 – a rise of 40%. The rate per 1,000 of young people charged rose from 17.7 in 2014/15 to 23.1 in 2019/20.
- **Homelessness** - EL has a significant housing stock deficit, with homeless households waiting above average timescales for permanent housing. The average length of time in temporary accommodation (by accommodation type) in 2019/ 2020 was:
  - LA dwelling – 359 days
  - Hostel – 167 days
  - B&B – 58 days

### The JSW service user profile

The following data is drawn from the risk/needs assessments in 2019/20 (LS/CMI) of 146 service users subject to either a Community Payback Order with a supervision requirement or on a Licence/Order following a custodial sentence.

- 14% were female
- 74.7% had 2 or more previous convictions (adult, young person or child)
- 63.7% were unemployed
- 49.3% had some criminal friends
- 54.1% had alcohol/drug problems
- 8.2% had an indicator of requiring further psychological assessment
- 19.2% had been arrested under the age of 16
  - 60.7% of those who were arrested under age of 16 were assessed as meeting the criteria of the highest level of risk and need, compared to 22% of those with two or more adult convictions and 16.4% of all service users
  - 57.1% of those arrested under the age of 16, identified a lack of positive/rewarding parental relationship (negative role model) which was higher than the 46.8% of those with 2 or more adult convictions and 40.4% of all service users
  - 75% of those arrested under the age of 16, were rated as having attitudes supportive of crime, higher than the 50.5% of those with two or more prior adult convictions and the 40.4% of all service users

### Community Sentencing

The following provides some snapshot data on the community sentencing patterns within East Lothian in 2019/20:

- Men made up 85.5% of all non-custodial sentences
- 37.2% of men were aged 20-29 with 30.6% aged 30-39
- 50% of women were aged 30-39
- 141 people were given Community Payback Orders
  - 57 had unpaid work/other activity as a standalone requirements
  - 47 had supervision and unpaid work/other activity requirements

- 37 had a supervision requirement with:
  - 10 programme requirements (nine for Caledonian System)
  - Five compensation requirements
  - Five conduct requirements
- Six Fiscal Work Orders were imposed – five individuals were men with an even split between engaged and not engaged in employment/education or training
- 15 Drug Treatment and Testing Orders were imposed
- Seven Restriction of Liberty Order were imposed
- Of the 209 Criminal Justice Social Work Reports, 46 related to domestic abuse offences or aggravations
- 35 individuals were provided with a Diversion from Prosecution report or intervention

### Scottish Prison Service

The following is a snapshot of those in custody (March 2021) who identified an address in East Lothian for eventual release:

- 64 individuals identify East Lothian as their home Local Authority and of these:
  - FOUR were young offenders (all aged 18-20 years)
  - 15 were held on remand
  - NONE were women
  - 40 were serving sentences of 24 months or more
  - 18 were serving sentences for sexual offences

The Scottish Prison Service were also able to confirm that on 03/02/2021 (one-off data provision which will not be available for trend assessment until August 2021) there were two men serving sentences of 6-12 months – all remaining individuals within the SPS Estate were serving sentences in line with PASS (Presumption Against Short-term Sentences) or were being held on remand.

### Comparative Data

Below is Scotland wide comparison data collated in autumn 2019 which contextualises key East Lothian JSW activities. East Lothian is in the Family Group 2 of the Local Government Benchmarking Framework so Moray, Stirling, Angus, Scottish Borders, Highland, Argyle & Bute and Midlothian are the relevant comparators.

#### CJSWRs:

- Lowest number of CJSWRs in Scotland per 10,000 population (2018/19)
- 3<sup>rd</sup> lowest in 2017/18 (Western Isles @ 1<sup>st</sup> and Orkney @ 2<sup>nd</sup>)
- 5<sup>th</sup> lowest in 2016/17 and 2015/16
- 10<sup>th</sup> lowest in 2014/15
- 3<sup>rd</sup> HIGHEST reduction in CJSWRs (2016/17 – 2018/19) in Scotland (Shetland @ 1<sup>st</sup> and West Dunbartonshire @ 2<sup>nd</sup>)
- Always BELOW Scottish average

#### CPOs (imposed):

- 3<sup>rd</sup> HIGHEST reduction (equal with Angus) of CPOs imposed in Scotland (2016/17 – 2018/19) – Clackmannanshire @ 1<sup>st</sup> & Shetland @ 2<sup>nd</sup>
- Equal 2<sup>nd</sup> LOWEST CPOs imposed per 10,000 population in Scotland in 218/19 (alongside East Dunbartonshire and Western Isles, with East Renfrewshire @ 1st)
- 2<sup>nd</sup> LOWEST CPOs imposed in 2017/18 (East Renfrewshire @ lowest)
- 8<sup>th</sup>, 4<sup>th</sup> and 11<sup>th</sup> LOWEST in 2016/17, 2015/16 and 2014/15, respectively
- Always BELOW Scottish average

#### Unpaid Work Hours:

- HIGHEST reduction in unpaid work hours in Scotland between 2016/17 – 2018/19 (N. Ayrshire @ 2<sup>nd</sup> and Angus @ 3<sup>rd</sup>)
- Average hours per Order is HIGHER than Scottish average in 2018/19 (2<sup>nd</sup> HIGHEST in our comparator group, with Argyll & Bute @ 1<sup>st</sup>)

**Supervision Months:**

- 5<sup>th</sup> HIGHEST reduction in supervision months (2016/17 – 2018/19)
- Average number of months imposed at JUST BELOW Scottish average in 2018/19

**Fiscal Work Orders:**

- Above Scottish average FWO imposition in 2015/16 and 2016/17 (1.3/1.8 and 2.3/2.8, respectively)
- Below Scottish average FWO imposition in 2017/18 and 2018/19 (2.7/1.0 and 1.6/1.4, respectively)

**DTTOs:**

- Always ABOVE Scottish average (per 10,000 population)
- 2014/15 – 5<sup>TH</sup> HIGHEST (Midlothian highest in Scotland)
- 2015/16 & 2016/17 – 3<sup>rd</sup> HIGHEST (City of Edinburgh => Midlothian and vice versa, respectively)
- 2017/18 - 6<sup>th</sup> HIGHEST (City of Edinburgh highest)
- 2018/19 – 3<sup>rd</sup> HIGHEST (Edinburgh => Midlothian)

**Voluntary Throughcare:**

- 53% reduction in VTC from 2016/17 – 2018/19
- 2015/16 and 2016/17 appears unusually HIGH (55 and 58 respectively)

**Diversion:**

- ABOVE Scottish average in 2014/15, 2015/16, 2016/17 and 2017/18
- BELOW Scottish average in 2018/19 (very slight)
- Downward TREND of Diversions over past FIVE years (peaked in 2017/18)

## (5) Outputs and outcomes

The following data has been collated from currently available sources and relates directly to the JSW Business Plan 2021-24.

Service Area	Measure (outputs)	Measure (outcomes)
<b>Early Intervention &amp; Prevention</b>		
Diversion from Prosecution	Diversion Reports - 38 Number of Diversion interventions (% of reports) – the intervention is in development	Of these reports 42.6% were successfully diverted so did not progress to formal prosecution
Bail Supervision (BS)	Bail Supervision Assessments - 5 Bail Supervision Orders imposed - 4	Number of successful completion – one (50%)
Arrest Referral	New referrals – 14 Assessments completed - 4 New service users – 4	This service is currently under review
Fiscal Work Orders	FWO assessed as suitable - 2	
<b>Court</b>		
Criminal Justice Social Work Report (CJSWR)	CJSWRs requested - 184 CJSWRs submitted (96% in timescale) - 127 Of the CJSWRs submitted 49% had a preferred option of CPO (supervision), DTTO or post-release supervision Number relating to specific aggravators – not available for 2020/21	CJSWR conversion data preferred option (P) V actual disposal (D) (PvD): 36/21 (58%) – CPO (supervision) 17/7 – (41%) CPO (supervision & unpaid work) 19/12 (63%) - Unpaid work only 6/19 (316%) - custodial sentence
<b>Community Sentences</b>		
DTTOs	Assessments completed - 4 DTTOs imposed - 3	Assessment conversion Data: 5/2 (40%) – DTTO (PvD) Successful completions – 7
CPOs (all)	94 – CPOs imposed (any requirement) Number of CPOs returned to court for non-compliance – 29	Successful CPO completions – 79.3% Entry/exit questionnaires – data not fit for purpose
CPOs (supervision requirement)	62 – CPOs imposed (24 included unpaid) Number of 1 <sup>st</sup> Case Manager appointments offered within timescales – MOSAIC glitch 2020/21 reporting	Successful completions – 80% of all completed CPOs (above) Entry/exit questionnaires – data not fit for purpose
CPOs (unpaid work/other activity)	Hours imposed – 7426 Hours completed – 5489 (2943 SG revocation) Number inductions offered within timescales – unable to provide this data currently	Successful completions – 20% of all completed CPOs (above) Entry/exit questionnaires – data not fit for purpose
CPOs (other activity)	Number of hours completed – 158.5	Entry/exit questionnaires – data not fit for purpose
CPOs (Caledonian)	Caledonian requirements imposed - 10 Number of individuals who complete the group preparatory work within NINE months – cannot measure due to change of expectation during Covid-19	Successful completions – 5 % of completions where Women’s Service was accepted – 80% (4) % of completions where Children’s Service was accepted – 0% (0) Entry/exit questionnaires – data not fit for purpose
<b>Custodial Sentences</b>		
Voluntary Throughcare	Number of letters sent (allocations) - 6 Number of pre-release engagement meetings – none due to SPS Covid-19 restrictions Number accepted post release engagement - 6	Average total engagement following release – 100% (but ‘value’ of that engagement not known)

		% still engaged 12 weeks after release – new data request, not currently available
Statutory Throughcare (custody)	Number of Oral Hearing – one (attended by SSW) HBRs requested - 19 Number of HBRs submitted within timescales – this measure is being removed for future reporting as all HBRs are submitted prior to any hearing	Due to Covid-19 we were unable to meet the requirements for ‘in person’ family and prisoner visits – systems do allow for an accurate data report for substitute telephone contacts. Number of ICM invites received vs number attended – 14 invites and 12 attended (SSW or colleague)
STC (community)	Number of first appointments within ONE working day of release (83%) – five of six (the other individual was travelling to Scotland from England so appointment arranged for next working day) % whereby THREE home visits were planned within first THREE months of release – no home visits due to Covid-19	Number of breach applications – three (non-compliance) + 1 (further offending) Number of individuals who complete their post-release supervision without recall to custody – none (two individuals recalled) Entry/exit questionnaires – data not fit for purpose
<b>Focused Interventions</b>		
Supervision (all)	Due to LSCMI centralisation we are unable to accurately capture data There were no groups running due to Covid-19	Entry/exit questionnaires – data not fit for purpose
<b>Risk Assessment &amp; Management</b>		
All	Number of LS/CMI CMPs completed within 20 working days - LSCMI centralisation programme impeded data capture Number of reassessments completed within 20 working days of import from SPS - LSCMI centralisation programme impeded data capture Two of three (67%) SA07 Stable Assessments reviewed within three months of Order/Licence imposition Two of ten (20%) SARA Assessments reviewed within three months of Order/Licence imposition	
<b>Demand</b>		
Performance, Quality Assurance & Management Oversight	First Formal Reviews were scheduled within THREE months in all occasions (100%) Final Formal Reviews were scheduled within ONE month in all occasions (100%) % CJSWRs allocated within TWO working days – 84% Case closure report (in development) - not completed in reporting year Provision of Annual Evaluation Programme Report within THREE months of year end – will be provided for 2021/22 reporting year	
High Risk Oversight	Number RMCCs convened - 14 % LSCMI ROSH completed prior to MAPPA L2 Referral – 100% CJSWR recommends focused intervention where domestic abuse offence – 100%	
Partnerships	Practitioners consulted CISSO for 90% of new Orders/Licences with a sexual offence – the remaining 10% related to time(s) where the individual was released to England 100% Partnership meetings attended - representative or second attended on all occasions except MELDAP which had a 25% attendance rate	
Corporate	Provision of Annual JSW Report by end August of specified year end - complete Provision of CPO Annual Report within timescales – due 31/10/2021 Provision of Community Justice Annual Report – due 27/09/2021	

**Data summary:**

## Early Intervention &amp; Prevention

- The data does not provide clarity relating to the diversion intervention provided – the MOSAIC log needs to be updated

- Bail Supervision Assessment requests are the preserve of the sentencer – JSW has no impact on requests so any requirement to increase take-up sits with sentencers
- Arrest Referral – this service is being reviewed in 2021/22 by SACRO

#### Court

- The conversion rates are positive and there is clear evidence that CJSWR authors offer community disposals
- We are undertaking an evaluation exercise on all CJSWRs where a custodial sentence is imposed
- The CJSWR MOSAIC Log needs to be updated to capture immediacy data

#### Community Sentences

- There are a high number of successful completions for CPOs, especially when considering those with supervision
- Covid-19 has impacted on the unpaid work/other activity completion rates so the data is not fit for purpose this year
- We need to review and update the MOSAIC Log so appropriate immediacy data can be captured and reported
- The entry and exit questionnaires are not able to capture comparative data so need to be reviewed and updated

#### Custodial Sentences

- It was not possible to access either prisoners or their families during Covid-19 – as a result completion rates for in person visits at critical times throughout the sentence were not achieved
- Voluntary Throughcare data is not fit for purpose and this will be reviewed and updated during the reporting year 2021/22

#### Focused Interventions

- The LSCMI centralisation programme has impacted on data capture as has Covid-19 as there were no groups delivered in the reporting year

#### Risk Assessment & Management

- The LSCMI centralisation programme has impacted on data capture
- SARA is not being routinely (re)assessed whereas the SA07 Stable reassessment is better embedded into practice

#### Demand

- Data relating to Order/Licence Reviews is inconsistent as we are able to articulate those scheduled but not those completed – we are developing the appropriate MOSAIC Logs so we can accurately record
- The focus on offence-focused intervention for domestic abuse cases highlights the JSW commitment to behaviour change in perpetrators
- Arrangements are needed to engage meaningfully with MELDAP
- The Evaluation Programme has begun and the first report will be available by end July 2022

(6) Case Studies

**Working in Partnership and Safety Planning:**

John was initially made subject to a Community Payback Order (CPO) for Communications Act where he had sent and received sexually explicit messages to other adults via a chatroom app – these messages were of an abusive nature relating to children. Through individual offence-focused work and co-working with Police Scotland colleagues in the Offender Management Unit, it became apparent John had been more instrumental in instigating these chats, highlighting possible more entrenched deviance than initially assessed. An extension to the CPO was granted by the Court so that John could engage an internet offender group facilitated by colleagues from the Community Intervention Service for Sex Offenders (CISSO). However, due to lockdown measures, this rendered this option inaccessible.

Through discussion with a colleague at CISSO and with John's willingness to try, it was agreed that they would have fortnightly focused sessions over the phone, with the aim of the weeks in-between for John and I to discuss and go over their sessions. This continued for about a four-month period, allowing offence-focused work to continue, increased monitoring of John and multi-agency communication and working, where almost all other services had ceased due to the pandemic. This also allowed the required additional intervention work to be completed in the timescales requested and, through John's own self-report, helped him maintain focus during his Order.

Having completed the work with my colleague at CISSO this then allowed for me and John to carry out a structured ending to his Order, where we were able to revisit his Internet Safety Plan, further discuss his triggers and motivations and prepare him to reduce the likelihood of further offending once his Order finished after which he would not be subject to any monitoring or registration processes.

**Long Term Engagement – Ethical Practice:**

I had worked with EN on an Order a number of years ago and so was familiar with his background and when I first met him he was living with his partner, with whom he had been in a relationship for several years, and he was employed - his offence appeared to be a fight between two individuals who were both drunk so an isolated brawl with no evidence of a pattern of behaviour or lifestyle collapse that would signify that more offending was to follow. EN had mentioned some violence at home and that his parents had drunk alcohol excessively but insisted that this had not been to his detriment. Further violent offending soon followed causing the loss of his relationship, home and a lengthy jail sentence.

EN left the county but transferred back to East Lothian in February 2020 when he was subject to a Community Order that was scheduled to expire in June that year. When he arrived he was homeless, struggling with substance misuse and was estranged from his family as well as suffering mental health issues. He had no self-worth and was consumed by self-loathing.

EN had been in rehab in England and had begun counselling but returned to East Lothian as he wished to reconnect with his son. The counselling he had been receiving in rehab had equipped him to better share his childhood trauma. He revealed the violence at home had been extreme and on one occasion he had witnessed his mother stab his father (EN's offending frequently involved knives), he discussed his experience of severe neglect as a child and the abuse he received at school for being the 'poor kid'. He also shared a history of repeated sexual abuse at the hands of two older boys in his community.

EN informed me that when he first had an Order with me his relationship was in decline and he was not coping. It was my view that this relationship was the first and only stable attachment that he had in his life and the prospect of losing that had triggered this downturn in his alcohol use and offending

behaviour. It was clear to me that he had been able to suppress his trauma whilst he had constructs around him that gave him purpose and identity. We set out to restore them, stabilising him before progressing on to completing his psychiatric treatment. However, with only four months left on his Order there was no prospect of completing the work within that time. Furthermore EN's behaviour over that period became increasingly destructive – he accrued new charges and was hospitalised on several occasions as a result of being severely assaulted. On top of that there was Covid-19, lock down and the associated service shutdowns.

When EN's Order lapsed I offered ongoing voluntary support which he accepted. At this point EN was still not engaged with any other services as either he was too chaotic or he was subject to long waiting lists. Following a serious assault later in June 2020 EN was hospitalised with such a serious injury that the paramedics believed he would not recover. I arranged for a psychiatric assessment whilst he was recovering in hospital. There was an initial diagnosis of PTSD relating to childhood neglect and sexual abuse and referrals were made to relevant agencies.

Once released from hospital he started attending virtual AA meetings and a period of stability followed. During this period I referred EN to TRANSFORM – this is an East Lothian multi-agency group convened to look at creative and alternative responses to individuals who present a very high likelihood of either offending or antisocial behaviour. There was one allegation of an offence in July 2020 where EN admitted a lapse in alcohol use and that he had been involved in an altercation but otherwise his trajectory was positive. In August 2020 EN was moved into his own temporary housing unit and away from B&B. Once in his own accommodation he was better able to focus on recovery, avoid temptation and keep clear of hostile situations. He began repairing family relationships and he soon began having contact with his son taking on responsibility for school pick up each day and weekly overnight stays. In October he moved to a permanent address. At this point he was still on a waiting list for Psychological Services and for LEAP (residential substance misuse service) rehabilitation.

I view this case as an example of the importance of ethical practice – by showing integrity, competence and advocating for social justice on the behalf of EN, I believe he began to feel valued again and was able to visualise more positive outcomes for himself.

**Agency and Positive Self-Regard:**

Mr. Z received a Community Payback Order with Unpaid Work and Supervision in March 2021 for violent and dishonest offences. He was referred to Streetcones as part of his Unpaid Work and has engaged well with this group, even though it was online due to Covid-19 restrictions - and despite his social anxiety and problems with literacy. This was for four hours every week, with actors and film-making professionals, to make a script based on the group's own experiences in the criminal justice system. This helped him envisage a way forward and learn from the past e.g. learning experientially through the group that it is better to talk about your emotional issues and think about consequences first before turning to violent behaviour and hurting others. He gained confidence in himself and his abilities to communicate and work as a team and support others, as well as realising that he actually quite likes performing! This confidence, as well as getting into a much better routine, has helped him gain custody of his baby who was in foster care, and focus on being the 'best dad possible' by leaving crime behind and changing his outlook. He has much better self-worth and has not re-offended.

(7) Priorities and Improvement Planning – 2021/22

**Priorities**

This report has highlighted a number of key issues that we would seek to resolve and identify the following priorities going forward into 2022 and beyond:

- Data – agree and set the data baselines for key service areas, in line with reporting requirements
- Trend Data – identify the data that can be extrapolated to provide an overall assessment of JSW provision (with a focus on no more than 12-15 key areas)
- Risk (re)Assessments – there is a lack of consistency in reassessing SARA, SA07 and LSCMI
- Service User Engagement – there is a lack of coordinated service user engagement by front line and Senior Managers
- Early Intervention and Prevention – support the development of options and interventions to address offending and/or antisocial behaviour at the earliest opportunity
- Scoping exercises – report on the current exercises relating to remand follow up and hate crime
- Longitudinal studies – develop and implement a process of follow up for 5-10 service users per annum
- Payback – develop a suite of modules, placements and in-home activities for service users
- Evaluation Programme - no report this year, but will be basis for quality assurance thereafter

**Improvement Plan (Review December 2021)**

Improvement Action	Task	Lead
Improve recording MOSAIC Forms	Review the key forms/logs JSW are required to complete, so they are able to capture and report on the required data	Team Leader (JSW) Service Manager
Service User Questionnaire(s)	Review the entry and exit questionnaires so they are able to reflect the service user experience and provide comparative data	Team Leader (JSW and CPWT) Senior Practitioner
Risk Assessment	Review and reinforce risk assessment protocols, guidance, expectations etc. and embed oversight activities and recording frameworks	Team Leader (JSW)
Service User Management Feedback	Develop a proposal of expectation on Team Leaders and the Service Manager to engage with service users	Team Leader (JSW and CPWT)
Longitudinal studies	Engage with the Community Justice Coordinator to agree and implement follow up activities with JSW service users across the different disciplines	Team Manager (JSW) Senior Practitioner CJ Coordinator
Justice Outcome Star	Develop data reporting and feedback to articulate service user outcomes	Team Leader (JSW)
Data - baseline & efficacy	Set and agree baseline/efficacy data to allow for data trend provision from 2023/24 onwards	Team Leader (JSW) Service Manager

(8) Covid-19

2020/21 was a challenging year for everyone – the Covid-19 pandemic impacted on all service areas across Local Authorities, the NHS and Health & Social Care Partnerships. There were demands from local, national and central government agencies to report on the impact of the pandemic, identifying key issues relating to business continuity, staff capacity & wellbeing, statutory roles & responsibilities, quality & performance, reporting & mitigation alongside the daily, weekly and monthly data on transmissibility, self-isolation and mortality rates. JSW provided key documents to senior leaders within the Council and Partnership:

- Covid-19 Service Update
- Risk Register
- Business Continuity Plan
- Recovery & Renewal Service Update
- Employee Status Update

There were additional data and narrative requirements from Social Work Scotland, Justice Analytical Services and the Scottish Government to advise and inform the Justice Board Sub Group and, latterly, the Recover, Renew and Transform Programme of the direct impact on JSW statutory functions. This related to unpaid work/other activity in the main, although there was also information provided relating to 'timed out' Orders/Licences with supervision, sentencing report requests, partnership activities, MAPPA compliance, Court backlog estimates etc.

East Lothian JSW provided regular updates and assessment with a focus on:

- Recovery and Renewal Plan – the first iteration was in August 2020 with the most recent dating from July 2021. These plans provided a detailed account of the expected level of service provision based on the Scottish Government Levels 0-4, with an additional iteration in December 2020 to plan for the second lockdown and another in February 2021 which identified as a Prioritisation Plan to support the team focus service delivery
- CSWO Covid-19 Impact Log – this was provided from March 2020 and there have been a total of 25 updates, the format included all local and national guidance that was specific to JSW and what, if any, mitigation was required alongside identifying the impact
- MAPPA Reassurance – this was initially a fortnightly report provided to the CSWO which encapsulated the service user RAG ratings and provided a snapshot of the business sitting within the service, identifying domestic abuse, community order supervision and Throughcare responsibilities. In September 2020 the report format changed to encompass the key areas of JSW service delivery, including innovative practice, staffing issues and data relating to custodial sentencing.
- Unpaid Work/Other activity – we began collating this data following the revocation of 35% of outstanding hours on 10 March 2021, which resulted in 64 service users having a total of 2943 hours revoked.

JSW Covid-19 Impact:

- Move towards developing 3<sup>rd</sup> Sector placements and module development for both unpaid work and other activity
- We developed partnerships with Streetcones, The Ridge and Heavy Sounds to address the backlog of UWOA hours
- Acknowledgement of the need to review our UWOA offer, with a different focus so that service users have an improved route for completion of UWOA

- The Community Payback Work Team (UWOA hours) were able to deliver less than 25% of what they managed in 2019/20
- We created Blended Learning Packs – this allowed for completion of UWOA hours at home for service users during lockdown to keep them engaged with their Orders
- Abeyance of group provision (MF:MC, Caledonian and CONNECT – sex offenders, domestic abuse and women, respectively)
- The ‘timing out’ of Orders and Licences where focused work may not have been completed – the impact on reoffending is unknown and it is not possible to assess the effects on potential victims
- Need to develop individual or group interventions delivered in East Lothian by East Lothian staff
- Staff wellbeing – required a different emphasis and focus from the Management Team and increased staff resilience but also identified area of concern around maintaining motivation and enthusiasm while staff are working from home
- Public confidence – there is an awareness that the public may have lost some confidence in the justice system due to early release of some prisoners and the 35% unpaid work hours revocation, but the impact of this will not be known for several years
- New ways of working – digital platforms, work/life balance, and virtual meetings allow ‘multi-tasking’. We will be taking this forward into 2021 and beyond so as to provide a greater degree of flexibility for all staff members
- Awareness of East Lothian JSW reliance on partners – our business comes from elsewhere so we are limited in our interventions and provision as we depend on what is coming to us, especially around Edinburgh JSW and Courts/SPS
- Anecdotal evidence that there is a national increase in poor mental ill-health and how this will impact on all services
- High levels of custodial remand and the impact this may have on reintegration and resettlement

(9) Conclusion

This inaugural Justice Social Work Annual Report 2020/21 provides an early review of the Business Plan 2021-24, with reference to the outcome and output measures for the service. We have been able to highlight concerns relating to data quality and identify areas for improvement and focus over the next 12-18 months. This relates to factors already known to the service, for example our early intervention offer and planned scoping exercises, and those about which we have only just become aware, for example that our service user feedback requires attention and upgrading.

The Business Plan was predicated on our previous experience of JSW service delivery and this has been challenged by the Covid-19 pandemic – the impact this has had on individuals and services across all spectrums of the justice system is unparalleled. In many ways, therefore, this report is the starting point for East Lothian JSW as it has identified areas of development which will take longer than previously planned – our data capture has been hampered and it will take both time and effort to address this and our service users have yet to be given a voice to which we can respond so that we are able to meet their needs and manage their risks.

This report has also highlighted three excellent case studies where the integrity and commitment of staff and service users is in clear focus – in each case the therapeutic relationship allowed for growth and improved understanding for the service user, holding them to account for their offending behaviour whilst giving them the tools to effect lasting change in their lives.

We have identified our priorities for 2021/22 but also recognise that the impact of Covid-19 has crossed into the reporting year 2021/22 so it is likely that there will be further anomalies in the next JSW Annual Report. We have implemented our Evaluation Programme 2021-23 and will receive the first annual report in summer 2022 – this will further help to direct service improvements.