



JUSTICE SOCIAL WORK

ANNUAL REPORT
2021/22

promote respect, provide rehabilitation, prepare for reintegration

IN MEMORY – DAVIE RUTHERFORD

Davie Rutherford took up the post of Team Leader of the East Lothian Community Payback Work Team on 3 September 2012. His work career focused on supporting the most vulnerable in particular those experiencing issues with homelessness, substance misuse and mental health. Davie was a tireless advocate for improving access to, and provision of, services – everyone was of equal value with Davie being an ardent champion for asylum seeker and refugee rights.

At work Davie always went the extra mile for service users and the staff team – he trained as a Listening Ear so he could support any staff member in need of a little confidential space to talk. He understood the service drivers and wanted the best outcomes for service users – he had a passion for education seeing this as a basic right for everyone. Davie understood the ‘community’ component of payback – he wanted East Lothian residents to know the value of the work service users undertook as part of their reparation for the offending behaviour.

Sadly, on 29 January 2022, Davie died at home with his family after a short illness - he is sorely missed by the Justice Social Work Service and our colleagues and partners who knew and worked with him.



Many thanks for the years of service to East Lothian residents, you have left a hole in our lives.

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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 Vision for Justice in Scotland 2022** sets out key aims, highlighting what will be achieved and what success will look like. The vision has three elements:

- A just, safe resilient Scotland
- Issues of Justice affect us all
- Justice is the concept of fairness

The transformation priorities include being person-centred and trauma-informed, with early intervention and prevention driving public services to improve outcomes for individuals. Additionally the vision wants to improve the experiences of women and children in the justice system, listen to the voices of victims and shift the balance between the use of custody and justice in the community. The key aims are:

- **SAFE** - we have a society in which people feel, and are, safer in their communities
- **PREVENTION AND EARLY INTERVENTION** – we work together to address the underlying causes of crime and support everyone to live full and healthy lives
- **PERSON-CENTRED AND TRAUMA-INFORMED** - we have effective, modern and person-centred approaches to justice in which everyone can have trust, including as victims, those accused of crimes, and as individuals in civil disputes
- **REHABILITATION** – we support rehabilitation, use custody only where there is no alternative and work to reduce reoffending and revictimisation
- **COVID-19 RECOVERY** – we address the on-going impact of the Covid-19 pandemic and continue to renew and transform justice

The Community Justice (Scotland) Act 2016 (S.16) required Scottish Ministers to review the inaugural National Strategy for Community Justice in 2021 and this was progressed in September, with a number of workshops and a consultation process. The reviewed strategy was due for completion in late Spring, so outwith this financial year; the revised **National Strategy for Community Justice 2022** was published on 30 June 2022, with the following National aims:

- ❖ Optimise the use of diversion and intervention at the earliest opportunity
- ❖ Ensure that robust and high quality community interventions and public protection arrangements are consistently in place across Scotland
- ❖ Ensure that services are accessible and available to address the needs of individuals accused or convicted of an offence
- ❖ Strengthen the leadership, engagement and partnership working of local and national community justice partners

These two reviewed and newly published documents alongside the legislative and statutory social work framework, will support the delivery of Justice Social Work in the coming years – it is noted that there is a significant change in direction from Community Justice Scotland and the accompanying Outcome, Performance and Improvement Framework has not yet been finalised.

This second Justice Social Work Annual Report will follow a similar format to the inaugural report with appropriate updates and data (outputs and outcomes) for the year 2021/22. The report will identify progress against the 2020/21 Improvement Plan, highlight areas of good practice and outstanding activity as well as key developments in service provision throughout the last year. There will be case studies and evidence from service user questionnaires and engagement sessions to measure outcomes. We continue to face challenges relating to data capture and collation – this will be a priority throughout 2022/23.

(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 4Rs (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:

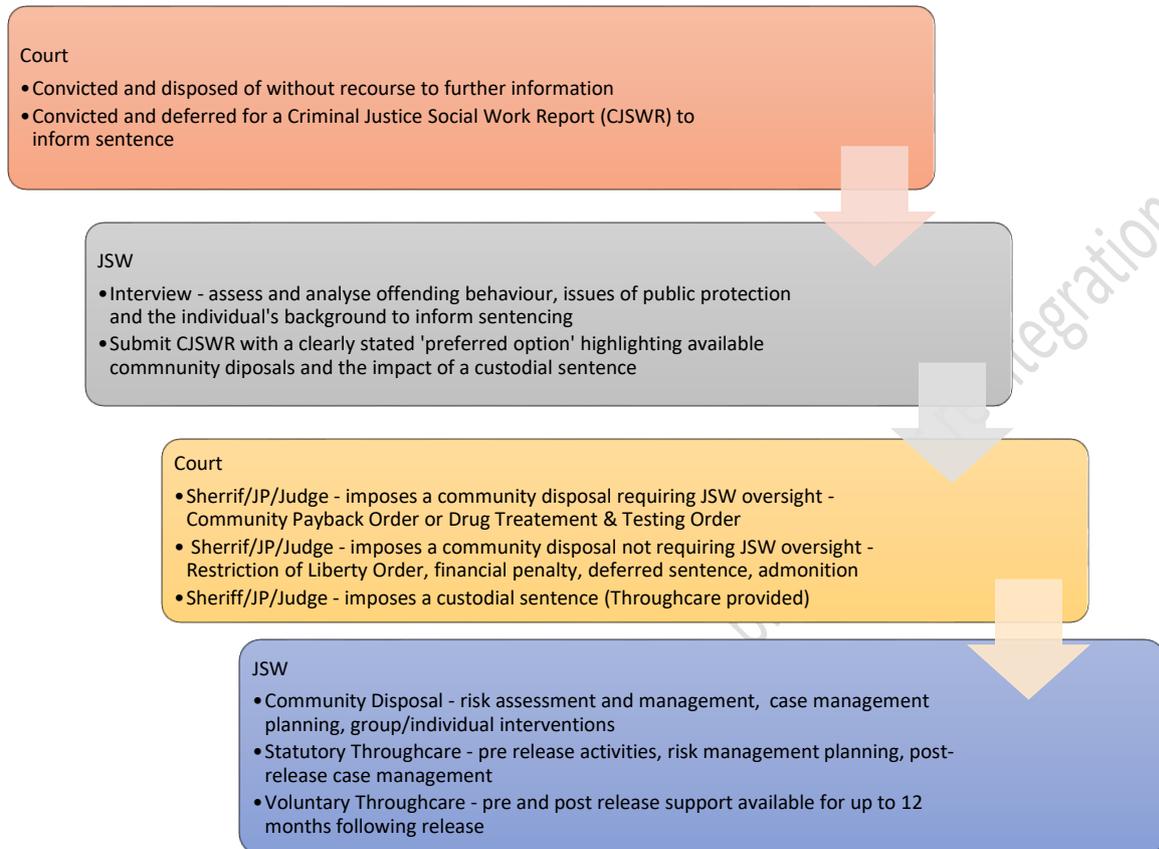
- Criminal Procedure (Scotland) Act 1995
- Management of Offenders (Scotland) Act 2005 and 2019
- Sexual Offences (Scotland) Act 2009
- Criminal Justice and Licensing (Scotland) Act 2010
- Domestic Abuse (Scotland) Act 2011 and 2018
- Community Justice (Scotland) Act 2016

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 predicates its service user interventions, partnerships and public protection responsibilities on:

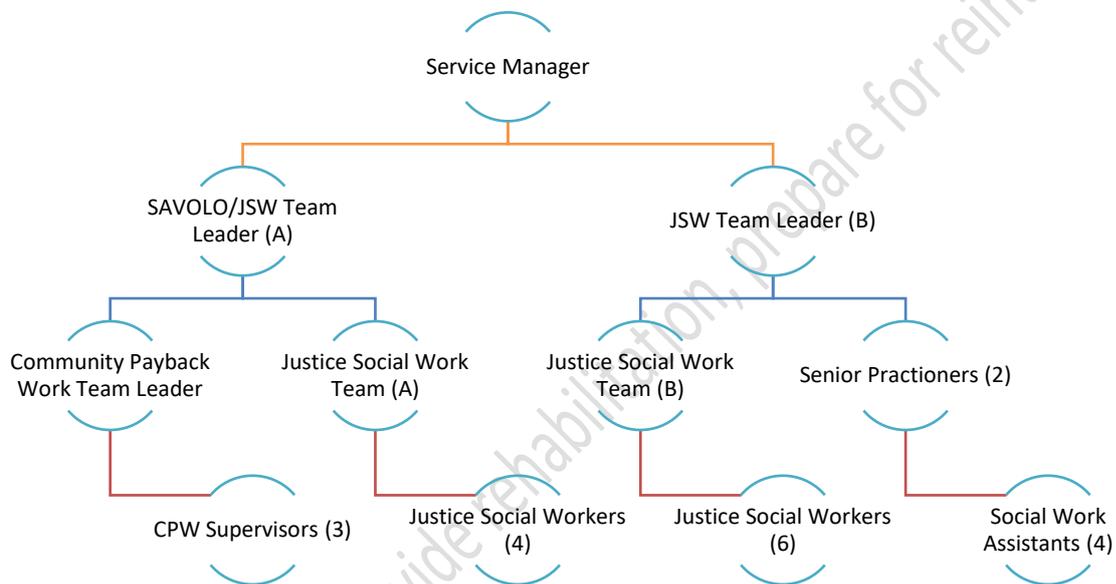
- Proportionality – interventions should meet the risks and needs identified with the aim of being least restrictive wherever possible
- The use of non-custodial interventions is most likely to reduce reoffending, except where the risk of harm is so great that there is an identifiable public protection 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

(4) Justice Social Work in East Lothian

The Justice Social Work (JSW) service in East Lothian sits within Adult Social Work 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

Service Structure



Delivery and Development in 2021/22

East Lothian is a semi-rural environment with areas of high deprivation alongside areas of extreme wealth, resulting in significant social inequality across the county. The Brunton Hall (Musselburgh) is the central office base for the provision of the JSW service although practitioners also use offices in Dunbar, North Berwick and Haddington as appropriate – these latter options have been somewhat limited during the Covid-19 lockdown and recovery period.

All initial contacts are held at Brunton Hall where post-sentence or post-release assessment or induction can take place – this is a safe environment for everyone and easily accessible from both custodial settings and Edinburgh Courts.

The service delivers individual and group interventions to address both risk and need, based on the type of offence, Order/Licence imposed, service user characteristics and matters of public, child or adult protection. Practitioners and managers have been working primarily from their office base since April 2021 and we have progressed options for hybrid working to support an improved work/life balance.

- **Staff task and role**

- Team Leaders provide operational oversight and management of the daily activities of the service. This includes formal supervision, performance management and quality assurance in line with the JSW task and role and the Council/Partnership policies, procedures and statutory obligations.
- Senior Practitioners take the lead for some developmental activities, with a specific focus on social inclusion, early intervention & prevention and the non-statutory activities and interventions.
- Social Workers provide the professional and statutory social work task within justice social work relating to community disposals and post-release Orders/Licences. A key area of expertise is risk assessment and management, alongside the provision of offence-focused interventions to address recidivism. There are also additional staff who engage with women and children as part of the Caledonian System.
- Social Work Assistants provide a critical role in improving lives for service users by supporting access to services that address need and reduce inequality. The support and guidance extends to non-conviction and early intervention delivery, where the focus is to divert service users from the justice pathway at the earliest opportunity.
- Community Payback Work Supervisors oversee and manage service users in their completion of unpaid work and/or other activity as part of a community disposal. This engagement includes working with small groups of service users as well as promoting and developing placements that improve community integration.

- **Early Intervention and Prevention**

Strategic Needs and Strengths Assessment – In February 2021 SACRO delivered the early intervention and prevention SNSA.

Enactment Plans – the SNSA formed the basis for FOUR key areas of delivery, all of which have been identified as priorities for the justice system over the next 12-24 months:

- Arrest Referral
- Bail Supervision
- Diversion from Prosecution
- Structured Deferred Sentences

JSW Coordinator – following an internal staffing evaluation the decision was made to create a bespoke role to develop the delivery of these key services. In March 2022, the post of Justice Social Work Coordinator was agreed and recruitment processes were progressed.

- **Interventions**

CONNECT – this is a service delivered to women either at risk of entering, or already in, the justice system, as well as those who present with vulnerabilities that would be supported by a therapeutic environment. Groups were restarted in September 2021 and sessions include mindfulness, emotional self-management, problem solving and distress management as well as sessions that are focused on offending behaviour.

Caledonian System – East Lothian have been undertaking assessments and delivering individual sessions for pre-group work since The Lothian and Borders Community Justice Authority was successful in its 2010 bid for funding from the Scottish Government. As a result of limited group provision and availability from City of Edinburgh JSW, East Lothian trained a group worker and a day group began in February 2022 at Brunton Hall.

Modules – Covid had an impact on our delivery of unpaid work and other activity, so we had to be creative and innovative so service users would get the best experience. The Community Payback Work Team have access to a learning pack which supports improved understanding of decision-making and positive outcomes. We have also delivered a ‘citizenship’ module to support an understanding of social responsibility to and from your community, increase local engagement and empower the individual to recognise the shared history for all East Lothian residents.

An Opportunity to Think – in August 2021 we delivered the first intervention programme designed for those subject to Diversion from Prosecution. The SIX session programme is delivered on an individual basis and provides guided learning around positive outcomes, the cycle of change, self-calming techniques and support to better understand the impact of thoughts and feelings on behaviour, including self-talk. The focus is on improving the individual’s understanding of ‘how to change’, so increasing their likelihood of making pro-social choices in the future.

Unpaid Work – The East Lothian Community Payback Work Team (CPWT) were presented with the twin challenges of addressing the Pandemic-created backlog of hours, and the loss of a cherished manager, in 2021/22. The commitment of both new and existing staff meant that we were able to keep on top of the backlog. The CPWT service has been taking service users out in vans since the end of the 2020/21 winter lockdown. The vehicles were adapted with screens so that initially two service users could be taken out in each van; as Scottish Government Guidance changed the numbers in the vehicles increased steadily and the screens were eventually removed. The diversity of the work undertaken also increased with a number of garden clearances for some of the more vulnerable members of the East Lothian community; this included for properties allocated to refugees. The team also undertook larger gardening projects including tidying up the communal garden at Belhaven Community Garden, this got very positive feedback not just from the Community Garden staff but also the neighbouring Belhaven Community Hospital as it was now wheelchair accessible and could be better utilised by staff and patients as a break away from the hospital confines. The local Coffin Lane pathway was also cleared and made accessible again after becoming overgrown during Covid-19 – this is part of an ongoing CPWT project to maintain the path network across East Lothian. Groupwork aside, we were also able to steadily bring many of our existing placements back on stream in discussions with our community and third sector partners. We also contracted both Heavy Sound, a local skills development charity, to do bike maintenance and repair workshops, with the repaired bikes going to the local community, and Dadsworx, a local community project that works with men, to maintain a local allotment project.

Other Activity – Historically Other Activity had had limited, piecemeal use in East Lothian but the arrival of Covid-19 forced us to consider how we might increase the use of Other Activity, with the slowdown in delivery of Unpaid Work. Early on we introduced two Blended Learning Packs to try and ensure Community Payback hours were completed during the lockdowns. As the Covid-19 situation came under control we reviewed the packs and reduced them to one 20 hour pack which we continue to use with all service users who have an Unpaid Work component of their Community Payback Order, with service users awarded up to 20 hours for the work they do. In 2021/22 one of our Social Work Assistants did extensive work in developing a series of Other Activity workshops that began at the tail end of the financial year. As other services also opened up there were more opportunities for service users to obtain other activity hours by engaging with services such as a Volunteer Centre East Lothian employability programme and Venture Trust.

TRANSITION - The Transition Group is made up of individuals from a number of local authority departments and external agencies including Housing, Police and the Substance Misuse Service and is chaired by Justice Social Work. The purpose of the monthly meeting is to ensure a smooth transition from prison to the community upon release from custody. Workers have been able to communicate

with prisoners via telephone, e-mail and visits. This has allowed greater communication and collaboration to understand and organise appropriate supports. The sharing of information between agencies has allowed a more co-ordinated approach to providing the support that is required. In the last year, individuals have been housed more appropriately from being discussed in the group and in some cases they have been made aware of where they will be housed prior to release. Service users have also needed to understand their benefits eligibility as well as help to arrange medical and substance support appointments. Practical arrangements for clothing, travel, food and access to a phone has also been ensured. Some individuals have specific needs due to their particular circumstances and this is why allocating worker(s) at the point of incarceration and maintaining contact throughout their prison journey is important.

- **Risk Assessment and Management**

E-Safe – E-Safe is IT monitoring software which remotely examines laptops and mobile phones. This allows us to monitor the internet enabled devices of a small cohort of service users who have been convicted of offences involving use of technology and continue to present a risk of serious harm. The software is downloaded to the device and examines the devices remotely for the use of certain search terms or words, it can also monitor images for skin tone. A risk assessment plan is developed for each individual that contains general terms but also search items specific to that service user's risks. The service provider provides immediate reports if there are concerns about any online activity by the service user, allowing social work to investigate and take appropriate action, or where criminal behaviour has taken place the Police will be informed and the individual arrested and charged.

C-PORT and CASSIC National Pilot – East Lothian is one of SIX Local Authorities in Scotland chosen to be part of this pilot alongside key representatives from academia, MAPPA Responsible Authority colleagues and the Risk Management Authority. The pilot will determine reliability, validity and usability of the tools – the first aims to predict sexual recidivism for adult men convicted of accessing 'indecent images of children' with the latter providing additionality for assessing an individual's sexual interest in children.

Level of Service Case Management Inventory (LSCMI) – An error was found in February 2022 in the core risk assessment and management tool (LSCMI) used by JSW to manage risk and need of general offending behaviour. We have identified a dedicated Team Leader to engage with the Scottish Government and Risk Management Authority to undertake the checks and updates required.

Maturity Assessments - As of 26 January 2022, new guidelines on the sentencing of young people require the Court to focus on rehabilitation as the primary consideration when considering sentencing options. When completing a Criminal Justice Social Work Report (CJSWR) on a young person (18-25 years), the author will undertake a maturity assessment to gauge the individual's psycho-social maturity, which relates to temperance, perspective and responsibility in conjunction with ACEs to provide a platform for delivering proportionate recommendations to Courts to aid sentencing.

Domestic Abuse CJSWR delivery – We recognised that work to assess, manage and address risk in men convicted of domestic abuse offences was essential. We implemented a revised domestic abuse approach; as a Service we review each CJSWR request and if a man has been convicted of a previous domestic offence or the index offence involves physical violence, a Caledonian assessment is automatically undertaken.

- ❖ **Scoping Exercises**

The Operational Management Team undertook two scoping exercise in 2021 to improve our understanding of the incidence of remand and level of hate crime. The exercises noted:

- **Remand** – During the reporting period Justice Social Work completed an exercise with information provided by the Scottish Prison Service to allow us to better understand how many of those remanded into custody received a custodial sentencing after conviction and how many received a financial penalty and/or a community based disposal. The results were impacted by the backlog from the Covid-19 restrictions and this may explain why there were higher numbers of short custodial sentences (due to longer periods on remand) which goes against trends in recent years. In total 64% of those remanded during the exercise period received custodial sentences. This knowledge helped us to target our resources more accurately between those in the prison environment and the community.
- **Hate Crime** - In response to an increase in Criminal Justice Social Work Report requests being received which had a hate crime aggravator attached (offences where race, religion, disability, transgender identity or sexual orientation), it was identified that some staff members were not confident in speaking to service users about these aggravations or how to intervene to address the offending behaviour. One of the Team Leaders was aware of an intervention for hate crime called ADAPT (Anti-Discriminatory Awareness Practice Training), which was developed in Scotland and has been implemented in Grampian and Edinburgh, and arranged for a bespoke training event for all Social Workers, Social Work Assistants and a Community Payback Work Team Supervisor to complete over three days. The training covered the ADAPT intervention, as well as the theories underpinning the intervention and local initiatives to address discriminatory behaviour which did not come to the attention of JSW. There is an option to more fully evaluate the programme, which the programme authors continue to encourage. The intervention may also be used in cases where hate crime is not the index offence, but where the social worker has identified prejudicial or discriminatory attitudes. The Social Work Assistants and Community Payback Work Team can incorporate learning from the training into practice in their daily interventions with service users, including addressing the use of prejudicial or discriminatory language in a positive and helpful way.

❖ **Service User Feedback**

The service user entry and exit questionnaires have been updated and we expect to be able to collate more meaningful feedback as we progress into 2023 – we are keen to extrapolate the outcomes for individuals, although it is noted that the use of Justice Outcome Star will also provide clarity of outcome for future reporting. Of note was the small number of service users who completed both an entry and exit questionnaire in the reporting timeframe:

- ❖ All service users understood the expectations of their Order/Licence, were treated with respect/dignity and that professionals attended appointments on time
- ❖ All those who wanted to ‘better understand {their} offending behaviour’ confirmed this had been addressed during supervision sessions
- ❖ 92% advised:
 - they had a better understanding of the impact of their offending on victims at the end of their Order/Licence
 - their Order/Licence had helped them to reduce or stop offending
- ❖ In relation to welfare needs at Order/Licence end:
 - 50% who identified employment or housing as a problem advised their situation had improved
 - 36% advised they had improved familial relationships
 - 43% advised their substance use had improved

Overall, service users were supported by both statutory (mental health) and Third Sector agencies including Venture Trust, MELD, AA and Access to Industry to meet welfare needs.

(5) Quality Assurance

In June 2021 Justice Social Work published an Evaluation Timetable 2021-23 to provide Senior Management assurance of key activities that will be undertaken to identify areas of good practice and those that require improvement – the inaugural report is due in August 2022. The key elements are:

- Case File Audits – these are undertaken where an individual is subject to a statutory Order or Licence, with its development being underpinned by the Care Inspectorate File Reading (CPO) Templates used in 2018/19 and then developed to meet local need. An additional audit tool is available for those subject to a Community Payback Order with unpaid work/other activity requirement only
- Report Assurance Template – this allows for review of both Criminal Justice Social Work Reports and Home Background Reports. The focus for each template is bespoke and includes offending analysis, risk assessment and sentencing options for the CJSWR, while the HBR seeks to assess the appropriateness of the named address, victim/community impact and risk management planning.
- Every CJSWR that results in a custodial sentence being imposed is reviewed to confirm that the report provided appropriate and adequate assessment and sentencing options to allow for the consideration of a community disposal
- Practice Evaluations – these are designed to support the more complex work that is undertaken in relation to both our interventions for those convicted of sexual offences or subject to a Caledonian System requirement. Additionally, the Practice Evaluation is used for non-statutory interventions, including Voluntary Throughcare.
- Evaluation outcomes - we have undertaken case file audits on CPOs and Statutory Throughcare, Quality Assurance on HBRs and CJSWRs (with ongoing QA of CJSWRs that result in a custodial sentence), and a Caledonian Practice Evaluation over the course of the reporting year. We have identified that Case Management Plans are an area for improvement, along with frequency of home visits and verification of information. The Practice Evaluation particularly highlighted the value of the work undertaken by the Caledonian Children's Worker, which has resulted in a rethink of how we support children who are affected by parental involvement in the justice system.

It is evident from reviewing the Case File Audits, Practice Evaluations and Quality Assurance reports that the team continue to require support to meet Key Performance Indicators relating to initial contact with service users, completion of risk assessments within timeframes, scheduling reviews, and to complete and adhere to Risk/Needs/Responsivity-informed Case Management Plans.

What is also evident is the value of the relationship between the social worker and the service user, and how this can be used to promote desistance and improve people's lives, whether that is through access to services, advocacy, or our social workers' 'stickability'. For the most part the work that is being undertaken is of a high or very high standard, and where gaps in practice are identified these are addressed through individual supervision. It should be noted that we are intending to develop a Team Improvement Plan in 2022-23, which we hope will encourage the team to support each other to progress their practice improvements.

Justice Outcome Star – this is a tool used for measuring service user need and crucially it allows the service user to articulate what they believe to be their own needs. Over the reporting period the expectation was that this tool would be used with all Justice Social Work service users on entering and exiting the service, but this target has not been met. What JOS has achieved is encouraging dialogue around support needs and service gaps that might previously have been missed. This has been our first full year of implementation and it is hoped that comparative data from the start of working with individuals to the end of their time with justice services will be available for the next reporting period.

ViSOR/MAPPA Information sharing – due to a connectivity change, Police Scotland are seeking to alter the current information sharing arrangements under MAPPA, with the focus being transferred to the ViSOR database as the only information sharing method other than during a MAPPA L2/3 Board OR where there is an imminent risk to life. This change is due to take effect at the end of 2022. These changes have significant repercussions for the Council/Partnership with partners across Scotland seeking to find a resolution – CoSLA, SOLAR, SOLACE, SWS, Scottish Government and local colleagues in C-SOG, NHS and MAPPA are engaged in dialogue with Police Scotland. The CSWO and Chief Executive are fully sighted on the current situation and there are ongoing discussions within and between the 32 Local Authorities to try and seek a national response. Access to ViSOR requires Non-Police Personnel Vetting L2 or L3 and this is a highly intrusive process and colleagues in legal, Information Governance and HR have advised that JSW staff cannot be instructed to undertake this vetting. Additionally, there is internal agreement that JSW need access to the information that ViSOR holds, not the system itself, to fulfil their duties under the Management of Offenders (Scotland) Act 2005 on which MAPPA is based.

(6) Benchmarking

The Local Government Benchmarking Framework places East Lothian in Family Group 2 (Children, Social Work and Housing), alongside Angus, Argyll & Bute, Highland, Midlothian, Moray, Scottish Borders and Stirling. The closure of Haddington Sheriff Court in February 2015 had a significant impact on business input for Justice Social Work and this was highlighted in the inaugural Annual Report – the most significant changes were noted in the imposition of unpaid work/other activity hours and Criminal Justice Social Work Reports.

The following provides an overview of key areas of service provision in line with, as appropriate, the Scottish average, the other Local Authorities in Group 2 and/or City of Edinburgh Council, due to its proximity and provision of key services.

Early Intervention and Prevention:

East Lothian is reviewing its Arrest Referral provision as this is currently provided by Change, Grow, Live at no cost to the Local Authority and we are yet to introduce Structured Deferred Sentences. As noted above the SNSA and Enactment Plans will be progressed in 2022/23, with the introduction of the Justice Social Work Coordinator post on 01/09/2022.

Bail

On 1 October 2019, East Lothian began to deliver a Bail Supervision service for those over 18 years of age – those under that age were supported by the Youth Justice Service as part of the Whole Systems Approach. Assessments are completed by partners in City of Edinburgh Justice Social Work Services and the oversight and management is undertaken within East Lothian by social work and paraprofessional staff, as appropriate.

In 2016/17 and 2017/18, Highland Council were the only Group 2 Local Authority providing Supervised Bail assessments and in each year they completed TWO such assessments. The following provides a comparison from 2018/19 for the SIX Local Authorities who provide the service:

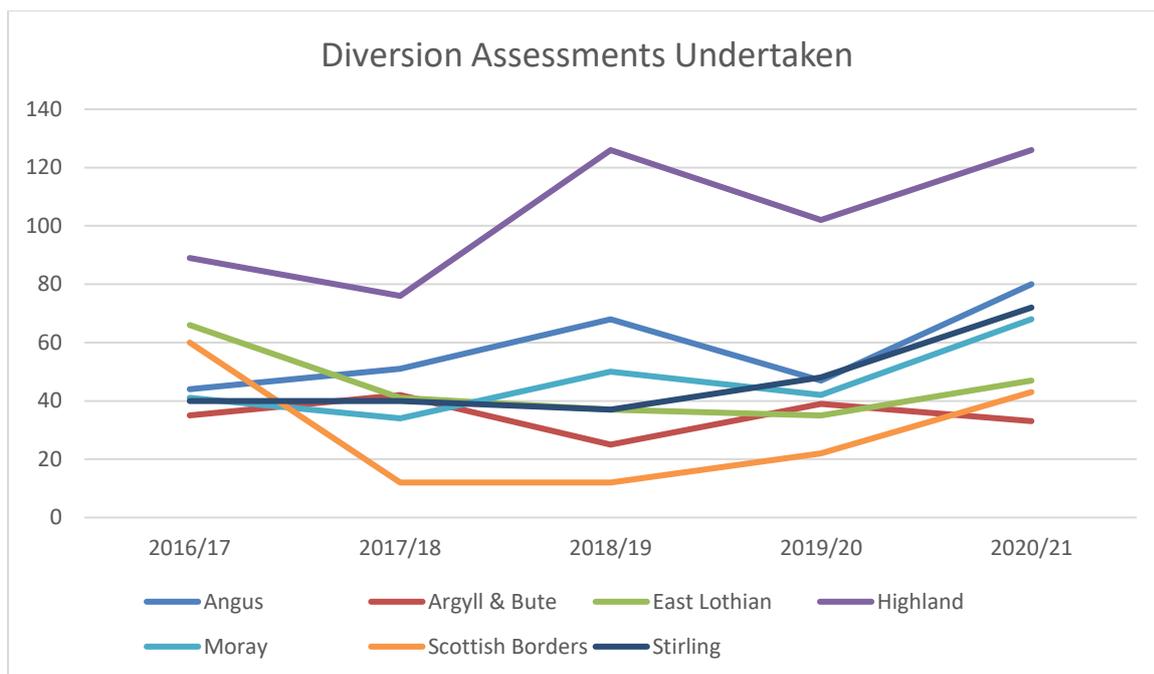
Year	Angus	Argyll & Bute	East Lothian	Highland	Moray	Scottish Borders
2018/19	0	1	0	1	0	1
2019/20	5	0	7	4	4	0
2020/21	1	0	2	1	0	0

Diversions Activities

During 2021/22 East Lothian developed 'An Opportunity to Think' (detailed above) and it is hoped that as we progress into 2022/23 there will be evidence to support its use across the service by social work and paraprofessional staff in Justice Social Work.

The following charts provide some comparative data relating to the number of Diversion Reports submitted within Group 2, as well as the commencement of Fiscal Work Orders per 10,000 population for our bordering Local Authorities. Of note is:

- City of Edinburgh Council JSW provide Diversion Reports and provision for Midlothian
- East Lothian diversion has remained relatively static over the last four years, following a dip after 2016/17
- Highland is notable in their data showing extremely high numbers
- With the exception of 2016/17 the commencement of FWOs was lower than the Scottish average



Criminal Justice Social Work Reports:

East Lothian

Submitted CJSWRs – Preferred Option V Final Disposal (DTTO, CPO or RoLO only)									
Year	Number CJSWR	Preferred Option	Trend	Final Disposal	Conversion	Trend	Actual Disposal	Custody	Trend
2016/17	269	158 (59%)	N/A	104	65%	N/A	57%	33 (12%)	N/A
2017/18	243	133 (55%)	Down	83	62%	Down	46%	37 (15%)	Up
2018/19	205	135 (66%)	Up	94	70%	Up	65%	32 (16%)	Up
2019/20	209	141 (68%)	Up	83	59%	Down	49%	32 (15%)	Down
2020/21	127	90 (71%)	Up	51	57%	Down	59%	22 (17%)	Up

Midlothian

Submitted CJSWRs – Preferred Option V Final Disposal (DTTO, CPO or RoLO only)									
Year	Number CJSWR	Preferred Option	Trend	Final Disposal	Conversion	Trend	Actual Disposal	Custody	Trend
2016/17	429	201 (47%)	N/A	122	61%	N/A	37%	28 (7%)	N/A
2017/18	272	167 (61%)	Up	113	68%	Up	41%	21 (8%)	Up
2018/19	277	170 (61%)	Down	116	68%	Same	53%	28 (10%)	Up
2019/20	278	165 (59%)	Down	99	60%	Down	47%	34 (12%)	Up
2020/21	134	73 (54%)	Down	48	66%	Up	53%	7 (5%)	Down

Of note in these tables are:

- Conversion data - this provides evidence that the assessment and analysis of the report author was accepted by the Court
- Actual Disposal – this allows for an understanding of the overall use of DTTO, CPO or RoLO, regardless of the CJSWR author's preferred option

CJSWRs per 10,000 – Family Group 2 + Scottish Average				
Comparator	2017/18	2018/19	2019/20	2020/21
Scotland	74.4	71	73.9	43.9
Angus	90.9	78.3	90.1	47.6
Argyll & Bute	53.6	54.8	56	35.9
East Lothian	37	30.6	29.9	18.4
Highland	56.7	55.1	54.7	29.8
Midlothian	71.1	71.3	74.4	39.2
Moray	92.5	91.4	104	52.6
Scottish Borders	48.9	44.2	45.7	22.5
Stirling	54.9	58	49.7	27.9
CJSWRs – per 10,000 population (all 32 Local Authorities)				
Highest LA	East Ayrshire (136.5)	Dundee (116.7)	Dundee (133.4)	D & G (91.6)
Lowest LA	Na h-Eileannan (29.6)	East Lothian	East Lothian	East Lothian

Community Sentences:

- 🚦 Community Payback Orders (CPOs)

CPOs commenced per 10,000 – Family Group 2 + Scottish Average				
Comparator	2017/18	2018/19	2019/20	2020/21
Scotland	39.3	36.1	36.8	19
Angus	36.8	29.6	32.7	18.4
Argyll & Bute	26.9	29	26.8	15
East Lothian	20.6	18.6	17.7	11.3
Highland	32.4	31.7	30.5	13.4
Midlothian	30.8	29.6	25.1	13.1
Moray	43.9	43.8	40.5	18.5
Scottish Borders	24.2	23	23.2	12.2
Stirling	31.1	29.3	26	13.6
CPOs commenced – per 10,000 population (all 32 Local Authorities)				
Highest LA	East Ayrshire	East Ayrshire	Clackmannanshire	D & G
Lowest LA	East Renfrewshire	East Renfrewshire	East Renfrewshire	East Renfrewshire

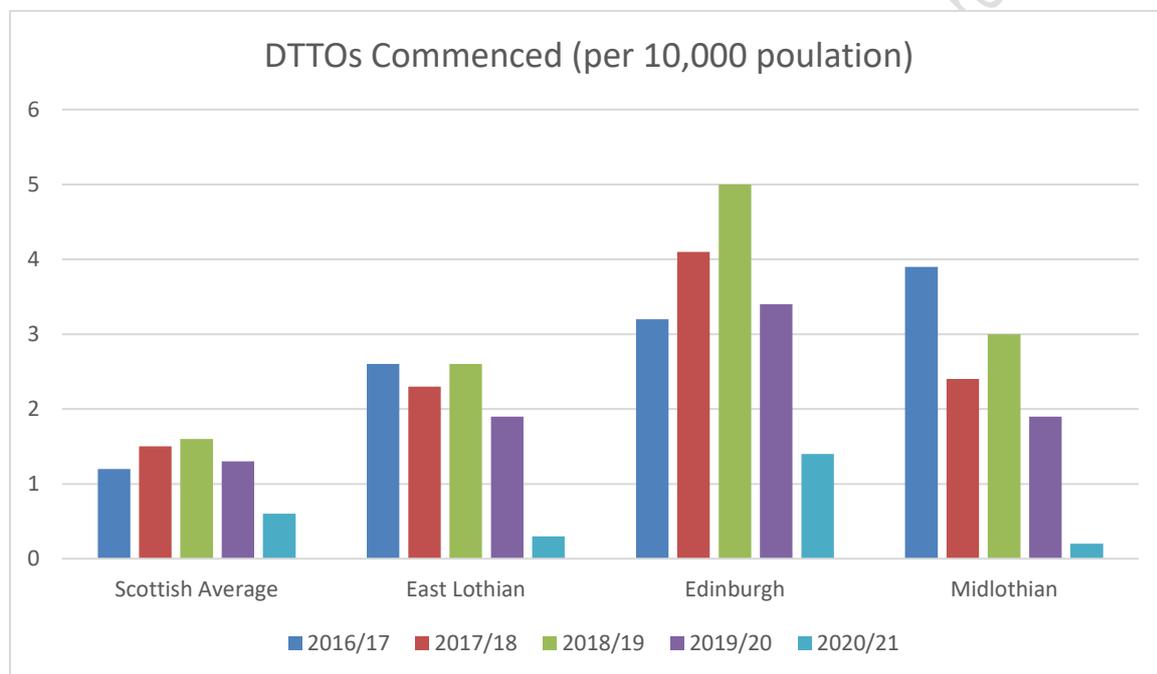
East Lothian CPOs per 10,000 ranked:

- Consistently below the Scottish average
- The lowest amongst the Group 2 comparators in each year
- In comparison with all 32 Local authorities:

- 4th lowest in 2022/21
- 3rd lowest in 2018/19
- 2nd lowest in 2017/18 and 2019/20

At no time in the last FIVE years has a CPO been issued with either a residence or mental health requirement in East Lothian, with the most used requirements being unpaid work/other activity in each year except 2020/21 where a supervision requirement was the most used. The Courts issued requirements relating to compensation, programme and conduct on several occasions in each of these five years, with alcohol treatment requirements issued in 2016/17 and 2020/21 only and a single drug treatment requirement in 2017/18. In relation to the Group 2 comparators, Highland is noticeable for the imposition of programme and alcohol treatment requirements – both of these are significantly higher than the other Local Authorities. Angus consistently imposes drug treatment requirements more regularly than other Local Authorities, closely followed by Scottish Borders.

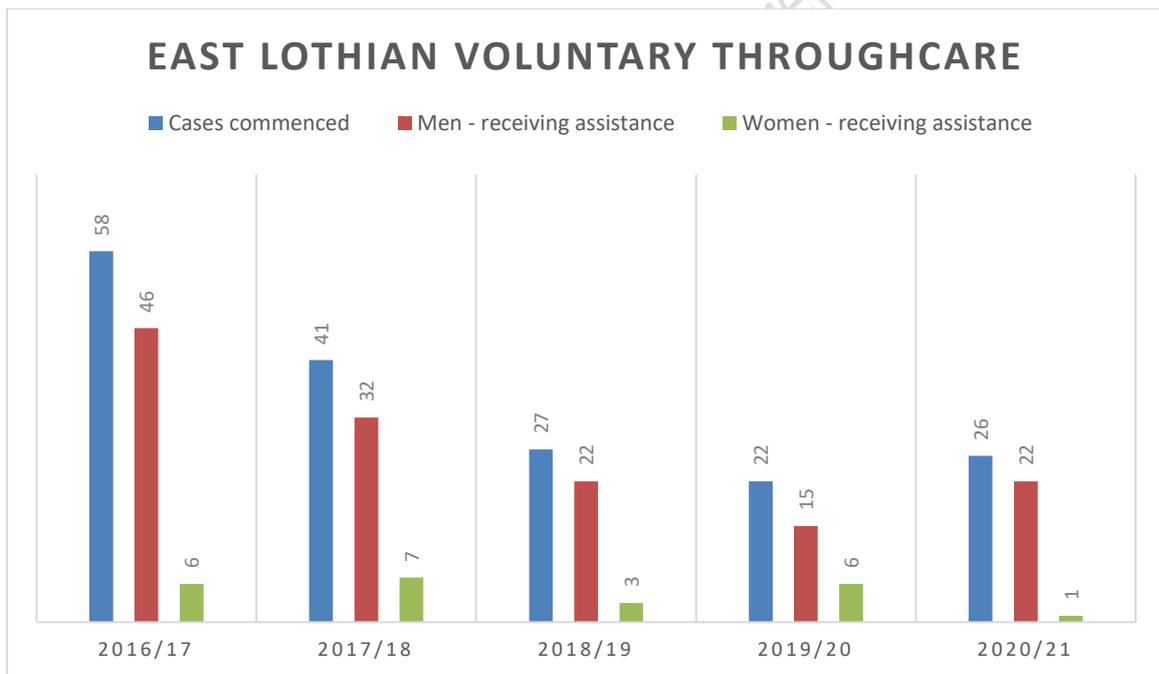
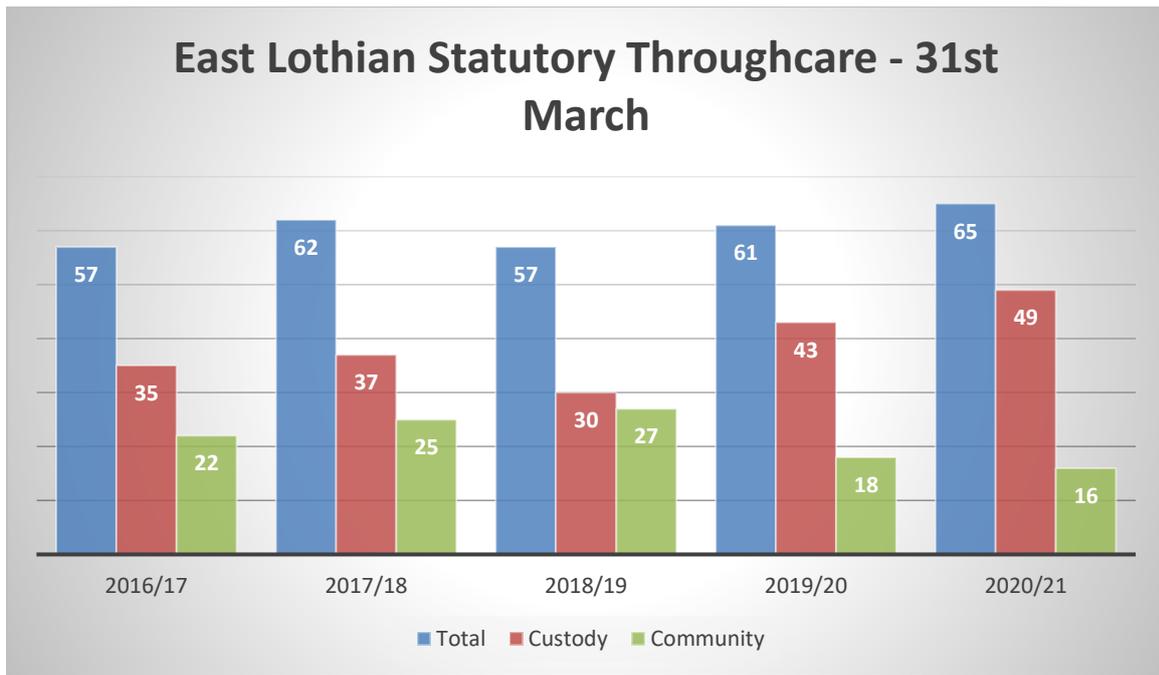
 Drug Treatment and Testing Orders (DTTOs)



Not all 32 Local Authorities provide DTTOs, but of those that do City of Edinburgh had the highest proportion per 10,000 in 2017/18, 2018/19 and 2019/20, with Midlothian being highest in 2016/17 and East Ayrshire in 2020/21.

Throughcare:

Justice Social Work are required to provide a post-release service to anyone given a custodial sentence – where there is a post-release Licence or Order the individual must comply with certain restrictions and undertake any identified focused work. However, there is also a requirement to provide a voluntary service for short term sentences and it is up to the individual to engage or not.



(7) Data Snapshot (2021/22)

The following provides an overview of the key 2021/22 output data for East Lothian:

Criminal Justice Social Work Reports:

- 🚦 271 requested
 - 170 submitted – 99% within timescales
 - 56% had a preferred option of CPO (supervision), DTTO or RoLO
 - Of all the reports requested (includes multiple aggravators, repeat requests and progress reports the following aggravating factors were noted:
 - Domestic abuse – 95
 - Bail – 85
 - Hate crime – 24
 - Sexual offence – 23
 - Schedule 1 offence (non-sexual) - 11

On 31 March 2022 there were:

- ✓ 95 people completing CPOs (with Supervision and any/no other requirement)
- ✓ 20 people undertaking Statutory Throughcare in the community
- ✓ 35 people were undertaking Statutory Throughcare (custody)
- ✓ 12 people were undertaking Voluntary Throughcare (custody, eligible)
- ✓ 34 people were undertaking Voluntary Throughcare (community, receiving/offered)
- ✓ 19 people in the community were subject to MAPPA
- ✓ 23 CPOs with a Caledonian Programme requirement
- ✓ 21 CPOs where the main offence was domestic abuse (FIVE of these were for a standalone unpaid work/other activity Order)

During 2021/22 there were:

- ✓ 20 people who had Risk Management Case Conferences (RMCCs)
- ✓ 127 CPOs imposed (all/any requirements)
- ✓ SEVEN people had a DTTO imposed
- ✓ 27 Arrest Referral assessments
- ✓ 50 Diversion Reports were submitted
- ✓ ONE Fiscal Work Order imposed

A snapshot from the **Scottish Prison Service (SPS) Scheduled Reports** tells us that on the 31st March 2022 there were:

- ✓ Three young offenders (none under the age of 18 years)
- ✓ 65 male adults across the Scottish prison estate
- ✓ 22 of these men were on remand (almost 33%)
- ✓ One had a sentence between 3 and 6 months, so not in line with PASS
- ✓ 15 had a sentence between 12 and 48 months
- ✓ 30 had a sentence over 4 years (including life)
- ✓ There were two females in custody both being held on remand – there were no women who identified a home address in East Lothian serving a custodial sentence.

(8) Priorities & Improvement Planning Update/Progress 2021-22

Key Priorities (2021 onwards)	Timescale
Data – agree and set the data baselines for key service areas, in line with reporting requirements	ONGOING October 2023
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)	ONGOING October 2023
Risk (re)Assessments – there is a lack of consistency in reassessing SARA, SA07 and LSCMI	ONGOING October 2023
Service User Engagement – the ‘month of engagement’ was implemented in May 2022, but Service Manager activities remain outstanding	ONGOING
Early Intervention and Prevention – support the development of options and interventions to address offending and/or antisocial behaviour at the earliest opportunity	ONGOING June 2023
Scoping exercises – report on the current exercises relating to remand follow up and hate crime	COMPLETE
Longitudinal studies – develop and implement a process of follow up for 5-10 service users per annum	ONGOING ANNUAL
Payback – develop a suite of modules, placements and in-home activities for service users	ONGOING October 2023
Evaluation Programme Report	COMPLETE

Improvement Action	Progress
Improve recording MOSAIC Forms	Key Logs and Forms have been reviewed and updated to capture key data – risk assessments, offence aggravators, compliance etc.
Service User Questionnaire(s)	These have been fully reviewed and they will allow for comparative data to be captured going forward from 01/04/2022
Risk Assessment	There are case file audits, quality assurance templates and practice evaluations which assess compliance with core activities relating to risk.
Service User Management Feedback	This has not progressed for Team Leaders with improved relating to feedback at reviews and planned ‘month of engagement’ into 2022/23. Service Manager still to engage meaningfully with service users.
Longitudinal studies	The Community Justice Coordinator complete THREE studies – TWO perpetrators and ONE victim (see case study for further details)
Justice Outcome Star	As noted above – data will be available for the next Annual Report
Data - baseline & efficacy	Set and agree baseline/efficacy data to allow for data trend provision from 2023/24 onwards - ONGOING

(9) 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)
Early Intervention & Prevention		
Diversion from Prosecution	Diversion Reports - 50 Number of Diversion interventions – 44 (88% of reports completed)	Of these reports 80% were successfully diverted so did not progress to formal prosecution
Bail Supervision (BS)	Bail Supervision Assessments - 1 Bail Supervision Orders imposed - 1	Number of successful completion – 1 (100%)
Arrest Referral	New referrals – 27 Assessments completed - 3 New service users – 26	CGL have actively supported 33 individuals from East Lothian in the 2021-22 reporting year, including some referred from the previous year.
Fiscal Work Orders	FWO assessed as suitable - 1	Two FWOs undertaken in the reporting year, with one of these based on an assessment undertaken in the 2020-21 reporting year.
Court		
Criminal Justice Social Work Report (CJSWR)	CJSWRs requested – 271 CJSWRs submitted - 170 (99% in timescale) Of the CJSWRs submitted 48% had a preferred option of CPO (supervision), DTTO or post-release supervision Number relating to specific aggravators – 23 Sexual Offence/aggravation 95 Domestic Offence/aggravation 12 Sch1 Offence/aggravation 24 Hate Crime Offence/aggravation 85 Bail Aggravation	CJSWR conversion data preferred option (P) V actual disposal (D) (PvD): 47/19 (40%) – CPO (supervision) 21/11 (52%) CPO (supervision & unpaid work) 26/15 (57%) - Unpaid work only 8/23 (287%) - custodial sentence In addition of the 170 CJSWRs (PvD): 136/98 (81%/57%) – any/all community disposals (inc UWOA only and RLO)
Community Sentences		
DTTOs	Assessments completed - 15 DTTOs imposed - SEVEN	Assessment conversion Data: 7/15 (47%) – DTTO (PvD) Successful completions – ONE
CPOs (all)	127 – CPOs imposed (any requirement) Number of CPOs returned to court for non-compliance – 17/88 completed in 2021/22 = 19%	Successful CPO completions – 57/87 completed in 2021/22 = 65% Entry/exit questionnaires are not fit for purpose.
CPOs (supervision requirement)	65 – CPOs imposed (34 included unpaid) Number of 1 st Case Manager appointments offered within timescales – ongoing MOSAIC reporting issues	Successful completions – 34/59 completed in 2021/22 = 57% Entry/exit questionnaires are not fit for purpose.
CPOs (unpaid work/other activity)	Hours imposed – 10,158 Hours completed – 6584.5 Number inductions offered within timescales – ongoing MOSAIC reporting issues	Successful completions – 35/55 completed in 2021/22 = 63% Entry/exit questionnaires are not fit for purpose.
CPOs (other activity)	Number of hours completed – 321	Entry/exit questionnaires are not fit for purpose.
CPOs (Caledonian)	Caledonian requirements imposed - 19 Number of individuals who complete the group preparatory work within NINE months – cannot	Successful completions – ONE (no breaches noted)

	measure due to Covid-related restrictions on service delivery which continued for at least six months of the reporting year	Women's Service accepted – 79% (19 new orders, 15 women took up service) Children's Service accepted – 60% (FIVE children offered a service and THREE engaged) Entry/exit questionnaires are not fit for purpose.
Custodial Sentences		
Voluntary Throughcare	Number of letters sent (allocations) - 17 Number engaged in VTC – 24	Average total engagement following release – 100% % still engaged 12 weeks after release – this measure is being removed as we have changed how we approach VTC, with all service users who are not engaging with us being pro-actively contacted every three months until the end of the VTC offering.
Statutory Throughcare (custody)	Number of Oral Hearing – FOUR HBRs requested - NINE Number of HBRs submitted within timescales – this measure is being removed for future reporting as all HBRs are submitted prior to any hearing	Updates to MOSAIC Forms were introduced in April 2022, so this data cannot be easily accessed. 2020/21 data was hand-counted but there was capacity due to the impact of Covid – we no longer have the resource.
STC (community)	Updates to MOSAIC Forms were introduced in April 2022, so this data cannot be easily accessed. 2020/21 data was hand-counted but there was capacity due to the impact of Covid – we no longer have the resource.	Entry/exit questionnaires are not fit for purpose. Number of breach applications (by recommendation) - Mosaic forms were updated in April 2022, this data should be available for the next reporting year Number of individuals who complete their post-release supervision without recall to custody - NINE
Focused Interventions		
Supervision (all)	Due to LS/CMI breakdown we cannot collate this data. MFMC – TWO internet groups (virtual) Caledonian – ONE group started in Edinburgh but suspended	Entry/exit questionnaires are not fit for purpose.
Risk Assessment & Management		
All	Number of LS/CMI CMPs completed within 20 working days – LS/CMI data issue means this data is impossible to accurately capture, but we also know from the audit activities that this is not being completed in time and is an area for improvement Number of reassessments completed within 20 working days of import from SPS – LS/CMI data issue means this data is impossible to accurately capture, but we also know from the audit activities that this is not being completed in time and is an area for improvement Number of SA07 reviewed within first three months of statutory supervision: six out of nine (67%) Number of SARA reviewed within three months of beginning of order/licence: one out of 14 (7%)	

Demand	
Performance, Quality Assurance & Management Oversight	<p>First Formal Reviews were scheduled within THREE months in all occasions: this data cannot be measured from MOSAIC and was manually collated in 2020/21 – capacity does not allow for this in 2021/22.</p> <p>Final Formal Reviews were scheduled within ONE month in all occasions – 100% (manual collection and anecdotal based on knowledge of TLs and their supervisee’s caseloads).</p> <p>% CJSWRs allocated within TWO working days – 92%</p> <p>Case closure report – on MOSAIC but needs refined to access useful data</p> <p>Provision of Annual Evaluation Programme Report within THREE months of year end – report completed on 02/09/2022</p>
High Risk Oversight	<p>Number RMCCs convened – 22</p> <p>LSCMI ROSH completed prior to MAPPA L2 Referral – 100% (not always on LSCMI)</p> <p>CJSWR recommends focused intervention where domestic abuse offence – this data cannot be captured electronically and no capacity for a manual collation in 2021/22</p>
Partnerships	<p>Practitioners consulted CISSO for 100% of new Orders/Licences with a sexual offence. 100% Partnership meetings attended - representative or second attended on all occasions.</p>
Corporate	<p>Provision of Annual JSW Report by end August of specified year end – delivered September 2021</p> <p>Provision of CPO Annual Report within timescales – delivered October 2021</p> <p>Provision of Community Justice Annual Report – delivered September 2021</p>

Data summary:

Early Intervention & Prevention

- The data does not provide clarity relating to the diversion intervention provided – the MOSAIC log has been updated for the 2022-23 reporting year in line with Guidance for Diversion from Prosecution
- 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 was reviewed in 2021/22 by SACRO and implementation of recommendations is planned for reporting year 2022-23

Court

- CJSWR conversion rates evidence community disposals are offered – only 4.7% of all CJSWRs acknowledged that custody was ‘inevitable’
- There were 14 custodial sentences imposed on CJSWRs the JSW team prepared – an audit on each CJSWR was undertaken and in April 2022 it was confirmed that all reports were appropriate in terms of assessing risk and need as well as providing community based options to the Court

Community Sentences

- The entry and exit questionnaires have been reviewed and updated to better capture comparisons on entry and exit from our services
- Delivery of ‘other activity’ continues to be low
- Caledonian Orders have, and continue, to increase year on year
- The imposed and completion data are per reporting year, so do not correlate

Custodial Sentences

- Our data recording system does not enable us to record whether in person visits are completed at critical times, though this is something that is monitored through supervision and quality assurance exercises.
- There is inconsistency in the Voluntary Throughcare (VTC) data – this is identified for resolution
- During 2021/22 changes were made to the VTC offer – we no longer place any service user in ‘abeyance’ instead promoting ‘stickability’ with regular contact throughout the 12-month post release period

Focused Interventions

- Two online Internet Offending groups were delivered in the reporting year, along with in-person MFMC.
- Caledonian group work provision was also resumed in October 2021, before being suspended again over the winter due to Covid-19 and later lack of building availability in Edinburgh. As a result, plans were put in place to deliver Caledonian group work in East Lothian in the 2022-23 reporting year.

Risk Assessment & Management

- The centralised LS/CMI database came into action in October 2021, however was suspended in March 2022 due to IT reliability issues, so we are unable to collate and report data.
- SARA and LS/CMI is not being routinely (re)assessed whereas the SA07 Stable reassessment is better embedded into practice.

Demand

- We have not yet resolved the data issues – this will continue to be addressed into 2022/23
- We continue to be fully engaged in delivering on domestic abuse intervention programmes for perpetrators and survivors
- Meaningful engagement with MELDAP and partners in the EMPPO is improving
- The Evaluation Programme Report is due for delivery later in 2022

Other

- We have not managed to update our service user feedback mechanisms (entry/exit questionnaires) in time for this reporting year and note this as a priority for 2022/23
- The JSW data requires review and a delivery pathway agreed so provision can meet the identified risk and need
- The data in this report is a combination of that delivered as part of the Scottish Government Annual Return 2021-22 and that which we can access via our own systems – it is this that causes a discrepancy, hence the priority of robust data delivery

(10) Case studies – good practice

 **Learning from lived experience**

During the financial year 2021/2022 the Community Justice Coordinator held a small number of one to one interviews with people with lived experience of the community justice system. The criteria for inclusion in the research is anyone involved in the community justice system, their family members and victims of crime. This includes young people in school & secure settings, adults undertaking community orders & in custodial settings, and their family members.

The aim of the research is to follow people through their journey of the community justice system and explore:

- what could have made a difference in the early stages of their lives and criminal histories to prevent them committing crimes (early intervention and prevention)
- what can help them once they (and their families) are involved in the justice system (getting it right to reduce reoffending) to reduce/ stop offending and
- how we can work with local communities to support the implementation of the community justice agenda (community engagement)

Using the evidence and understanding gained from peoples' lived experience to continuously improve the way we work. **So, what needs to change?**

The **narrative of Police and NHS** staff who had seen this type of crime and were removed from the experience of the victim. Using the word "luck" as in "lucky to be alive" suggesting a removal from the experience of the victim. No luck was involved – it was an unprovoked attack by a stranger. This also related to feeling judged for being a victim.

The **community response** to the crime - social media hunts, nosiness and inappropriate questioning for both victims and perpetrators. It was suggested by the interviewees that the public should be encouraged to "don't ask if it isn't mentioned" as neither victim nor perpetrator want to relive events "people need to move on". One interviewee said that "everyone had an opinion on something they didn't know the facts about". Social media fuelled negative comments about both of the prisoner's crimes and they both reported a negative effect on their mental health because of this. They were both worried about their release from prison being publicised and the parent was concerned about their children reading about the case and the negative comments from the public.

Both prisoners suggested some presentencing information on **preparing for prison** – what to expect, the rules (on visiting, receiving gifts and goods etc.) and the opportunities for employment and education. This should also include information on **financially supporting family members** while in prison and what the options are to resolve any potential housing issues caused by imprisonment.

Dealing with trauma and accessing services at the point of need was a clear ask from the victim of crime. This should have been offered at the time of the crime while still in hospital to aid the mental and physical healing process.

 **The 'benefit' of compulsion**

Mary (not her real name) was convicted under the Criminal Justice and Licensing (Scotland) Act for four offences relating to threatening and/or abusive behaviour for concurrent Community Payback Orders (CPO) with Offender Supervision Requirement (18 months) were imposed in May 2021. Mary has been known to social work since 2013 due to alcohol-related concerns with a CPO imposed in 2015 – this latter was to focus Mary to develop alternative coping strategies as well as accessing

mental health and housing support. Mary's behaviour was not arrested and she developed a pattern of anti-social activities that were exacerbated by her poor mental health and alcohol use – further offences were dealt with by way of a Compensation Order and a Restriction of Liberty Order.

Due to this nuisance behaviour and the impact this was having on local residents the Anti-Social Behaviour (ASB) Team became involved. Attempts were made by Adult Social Work to support Mary but she did not meet the threshold for statutory engagement or escalation protocols, instead arrangements were made for a social worker to support Mary, however this was voluntary and Mary did not engage with the worker. At the end of 2020, with no improvement noted, the ASB Team were of the opinion that further action was required under the ASB policy.

Mary's behaviour seemed to get progressively worse, though she was by this time acknowledging that her alcohol use was a problem and she required additional support, so was keen to engage with a specialist Substance Misuse Social Work service. It was confirmed that Mary suffered from PTSD, depression and anxiety, mobility and physical health issues. She had no social supports, was struggling to look after herself and her home and reported her anti-social behaviour was due to her sleep walking and talking.

During her CPO appointments Mary identified being made homeless in 2019 as the start point of her 'bad behaviour' and in June 2021 Mary received a letter advising that the Council intended to evict her – her tenancy (SSST) wasn't renewed due to her anti-social behaviour and there was potential for an Anti-Social Behaviour Order to be made. This was an extremely anxious and distressing time for Mary as she was trying to source private accommodation whilst awaiting her formal notice of eviction – this was exacerbated by the limitations on suitable accommodation that would allow her to keep her cat.

Mary's housing issues dominated her CPO, as she was unable to focus on anything else, and a Police Scotland Welfare Check was arranged due to suicidal ideation and threats. Mary's sleep walking and alcohol use were clear contributors to her anti-social behaviour, so arrangements were made for a Professionals Meeting to secure role clarity, avoid duplication of activity, review the LSCMI Case Management Plan and refocus supervision appointments to areas of criminogenic needs, with specific reference to securing permanent, suitable accommodation. In January 2022, Mary was offered a permanent tenancy conditional on her engaging with the Housing First support network - no anti-social behaviour was recorded for several months after Mary moved.

This case is an example of when the compulsion element of a CPO can be effective in supporting someone to access the right support, from the right people, at the right time. For more than 18 months (from her initial homeless presentation until the CPO was made) Mary was engaging in anti-social behaviour and getting into trouble with the police. She wasn't looking after herself, thinking about the impact of her behaviour on others or accepting support from Adult Social Work. The supervising social worker was able to use the expectations of the CPO to instruct Mary to work with services, resulting in effective Health, Housing and Social Work engagement. Advocacy was available in respect of action under the Anti-Social Behaviour policy, with creative, not punitive, solutions proposed so there was no further Court action. When it was recognised that Mary had the right people around her, then she was directed to them for support and the social worker was able to undertake focused work in order to reduce the risk of reoffending. Mary has been positive about the involvement from JSW.

Community not custody...

As part of our commitment to develop alternatives to custody, East Lothian's Justice Social Work Service have been promoting the use of Bail Supervision Orders. Bail Supervision is an alternative to remand, used by the Courts for individuals they consider as in need of support to get through their

period of bail successfully. There has been an increase in Bail Supervision assessments since the Covid restrictions ended. Two cases in particular highlighted the potential effectiveness of Bail Supervision as an alternative to a remand period.

One, a young man who was looked after as a child and had significant mental health difficulties, spent a considerable period of time in Bail Supervision as a result of Court delays/the Covid-19 pandemic. He was engaging in anti-social behaviour as a result of loneliness, inviting negative peers into his home where they drank alcohol and used cannabis. He was at risk of receiving an Anti-Social Behaviour Order. Intervention from JSW helped him secure his property, make better decisions about who he associated with, and ultimately meant an ASBO was not applied for. Together, these outcomes reduced his risk of further arrest/charge, and allowed him to feel safe and secure at home.

A second example is that of a woman known to numerous services who has struggled with mental health and anti-social behaviour for many years. As part of her Bail Supervision, multi-agency support meetings were held which ensured a more co-ordinated, trauma-informed approach to the support she needed. This approach continued after the period of Bail Supervision ended and professionals now have a better understanding of her needs and have developed effective ways of engaging with her.

(11) Priorities and Improvement Plan – 2022/23**Priorities**

This report has highlighted a number of key issues that we would seek to resolve and identify the following priorities going forward into 2023 and beyond:

- Data delivery and trend data collation
- Risk Assessments
- Case Management Planning
- Home visits
- Service User Engagement
- Feedback
- Early Intervention and Prevention
- Payback – unpaid work/other activity and supervision offer
- Evaluation Programme

Improvement Plan (Review December 2022)

Improvement	Task/Action	Lead
Data	Liaise with Data Analyst(s) and agree a programme for data delivery	Team Leader (data) Service Manager
	Initiate setting of trend data key areas (12-15)	
	Provide Justice Outcome Star data reports (quarterly)	Senior Practitioners
Risk Assessment	Review and reinforce risk assessment protocols, guidance, expectations etc. and embed oversight activities and recording frameworks	Team Leaders Senior Practitioners
Case Management Planning	Using formal supervision increase efficacy of CMP review and update in line with RNR and evidence-based practice	Team Leaders Senior Practitioners
Home Visits	Embed home visits as per guidance – CPO and Throughcare	Team Leaders Senior Practitioners
	Undertake a home visit for all assessments considering the use of electronic monitoring and/or restricted movement	Team Leaders Senior Practitioners
Service User Engagement	Progress ‘month of engagement’ twice a year	Senior Practitioners
	Develop a programme for Service and General Managers to meet with service users	Team Leaders Service Manager
Feedback	Develop a suite of feedback mechanisms for service users, local communities, beneficiaries	Team Leaders Senior Practitioners
Early Intervention & Prevention	JSW Coordinator to deliver on Arrest Referral and Structured Deferred Sentences	Senior Practitioners
Payback – unpaid work/other activity	Focus delivery of placements and work groups to meet the local needs of the most vulnerable and integrate service users into local communities	Team Leader (CPW)
Payback – supervision	Develop a modular format to address the offending behaviour of adult males	Team Leader Senior Practitioner
Evaluation Programme	Address the issues identified in the Evaluation Report Improvement Plan	Team Leaders Senior Practitioners
	Deliver audits in line with the Evaluation Timetable	

(12) Conclusion

Covid-19 continued to impact upon service delivery, with restrictions into late spring 2021 before easing slightly. JSW took the decision in October 2021, after consultation and planning with the team and senior managers, to return to the office as a full team rather than the week in/week out rota which had been in operation since June 2020. This was successful, and after undertaking a risk assessment when Covid-19 restrictions were re-imposed in winter 2021-22, we decided not to amend our working practices which were deemed safe, and more importantly, of significant benefit to our service users. We have remained office based since this time and been delivering a full JSW service to the residents of East Lothian.

This second Justice Social Work Annual Report has identified a number of themes that we will address over the coming years. The delivery developments and focus on addressing early intervention and prevention activities should meet the needs of many on the cusp of offending and, where possible, offer a different pathway to follow. We recognise that our data deficits are a priority and had hoped this would have been addressed into 2022, however, we now appreciate this will take longer than planned – we are happy to spend more time seeking the correct information to assess outputs and outcomes so will not rush this process.

The JSW Annual Reports 2020-21 and 2021-22 incorporated profile and benchmarking sections to provide an improved understanding of the East Lothian context so we can deliver based on the evidence and respond to the needs and risks identified across the county. The Vision for Justice in Scotland (Scottish Government - 2022) and the revised National Strategy for Community Justice (Community Justice Scotland – 2022) hold key priorities and principles relating to safety, diversionary activities, consistency of delivery, trauma-informed/person-centred service delivery, alongside the need to hear the voices of those with lived/living experience and shifting the balance away from custody. These 'golden threads' are echoed by the practitioners across the East Lothian Justice landscape, with our service offer focusing on the 4Rs of the National Outcomes and Standards – restrictions, rehabilitation, reparation and reintegration – and the core social work values of prevention, addressing inequality and tackling deprivation.