

# JUSTICE SOCIAL WORK

ANNUAL REPORT  
2022/23

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 [The Vision for Justice in Scotland - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/visions-for-justice-in-scotland/summary/pages/10/index.aspx) 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 a review of the National Strategy for Community Justice. [National Strategy for Community Justice - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/national-strategy-for-community-justice/summary/pages/10/index.aspx) 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 documents alongside the legislative and statutory social work framework, will support the delivery of Justice Social Work in the coming years.

## **(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 responsibility
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) Justice Social Work in East Lothian

#### (a) 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

They focus 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 Justice Social Work services in East Lothian.

East Lothian Justice Social Work predates 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
- 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
- Restrictions – 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
- Reparation – 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 are ‘visible’
- Rehabilitation – our group and individual interventions should give each service user the best chance of effecting lifestyle change
- Reintegration – these activities will allow service users to can engage more meaningfully with family, friends, neighbours and local communities.

#### (b) Team

##### (i) 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** provide an advanced level of practice and 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, including specific provision for the Caledonian System. A key area of expertise is risk assessment and management, alongside the provision of offence-focused interventions to address recidivism.

**Social Work Assistants** support the delivery of interventions to reduce re-offending for those subject to Orders/Licences, including their children, as appropriate, by engaging service users in individual and group activities to support social welfare, address inequality and improve access to services.

**Community Payback Work Supervisors** plan, organise and supervise unpaid work projects and other activity opportunities for individuals or groups of people with convictions in accordance with the requirements of the Court and in line with National Outcomes and Standards for Social Work Services in Scotland and Community Payback Order legislation

**Business Support** provide administrative, clerical and information support to the service, delivering a range of tasks and activities to ensure the smooth running of the service.

(ii) Task

During 2022/23, the Justice Social Work service has progressed delivery with a focus on individual 'themes' that sit with one of the operational managers for oversight, development, progression and management.



**(j) Early Intervention and Prevention**

The focus is on developing, delivering and/or improving:

- ❖ Arrest Referral
- ❖ Bail Supervision (including electronic monitoring)
- ❖ Direct Measures - Diversion from Prosecution, Fiscal Work Orders
- ❖ Structured Deferred Sentences

**(k) Community Sentencing**

The focus is on improving our engagement with the noted partners and/or developing/delivering:

- ❖ Scottish Courts & Tribunal Service
- ❖ Crown Office & Procurator Fiscal Service
- ❖ Judges, Sheriffs, Justices of the Peace
- ❖ Justice Social Work Reports
- ❖ Community disposals
- ❖ Offence-focused interventions that address the risks and meet the needs of service users

**(l) Unpaid Work/Other Activity**

The focus is on developing, delivering and/or improving:

- ❖ Access to individual placements that are integrated into local community hubs
- ❖ Opportunities to 'payback' through unpaid work groups
- ❖ The use of 'other activity' to improve positive outcomes
- ❖ Successful completions within timescales

**(m) Custody/Detention**

The focus is on developing, delivering and/or improving:

- ❖ Our response to the specific needs of the remand population
- ❖ Pre-release engagement for Voluntary Throughcare
- ❖ Transitions – reception into the estate and promoting 'a good release' from the estate
- ❖ Mitigations for unplanned releases

**(n) Post-Release Engagement**

The focus is on developing, delivering and/or improving our engagement with:

- ❖ Pre-release risk assessment, management and planning strategies
- ❖ Multi-agency engagement with partners to increase likelihood of post-release order or licence compliance

**(4) Delivery and Development in 2022/23**

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. The service is also guided by the legislation and national drivers already identified, however the focus is to meet the needs of East Lothian residents who are on the justice pathway – this includes the lived experiences of victims, families, communities and those with convictions.

As a service, we acknowledge these key components for our safe delivery:



**Professional Curiosity/Inquisitiveness**

Are we asking that **'one more question'** that is key to our formulation when analysing the risks posed by those on Orders or Licences?



**Do our actions meet the 'Defensibility Test'**

Was **everything** done that could possibly have been done to prevent individuals from reoffending?



**What is it that binds us as professionals?**

Unconditional positive regard  
Keeping the victim in the room  
Citizenship  
**Desistance**



**Canaries**

Who or what can give us **'early warning'** signs that all is not well and that we need to intervene?

### **Bail Supervision and Electronic Monitoring**

A decision was made that as from June 2022, any East Lothian resident appearing at Edinburgh Sheriff Court, where Bail was opposed, would be assessed for Bail Supervision and Electronic Monitoring (BS/EM). It was agreed that the assessment would be completed by Social Work Assistants in conjunction with justice social work staff within Edinburgh Sheriff Court.

Since the process was introduced, the majority of persons eligible have chosen to participate with the assessment. In response to challenges identified in the past 14 months, small changes have been made to the process. For example, communication has been improved between East Lothian JSW and their JSW Court counterparts and also between JSW and other internal agencies, such as housing. However, further adjustments are expected in 2023-2024. This is largely in response to the low conversion rate of BS/EM assessments into actual Orders. There are also concerns that, for a number of reasons, the assessments are not given full consideration by the Sheriff and are therefore not a good use of resources. It is anticipated that a reviewed Process Map will be introduced in September 2023.

### **Structured Deferred Sentences**

Structured Deferred Sentences (SDS) were introduced in East Lothian in March 2023 in response to a recognition of a gap in Early Intervention provision.

Justice Social Work report writers are now encouraged to assess suitability for an SDS at post-conviction stage, prior to final sentencing. The aim of the SDS is to provide a relatively short period of focused intervention of approximately three months duration. Primarily aimed at service-users assessed as presenting a low or medium risk of reoffending, an effectively managed SDS has the potential to divert individuals away from the Criminal Justice System. This could include those who have been convicted of a minor offence or have evidenced a significant period of desistance from offending. The process is designed to be flexible and individualised with an Action Plan reflecting the specific needs of the individual.

It was decided that within East Lothian, SDSs were NOT to be considered for sexual or domestic abuse convictions. There are specific interventions tailored for these individuals. It is thought that a period of deferment without the correct programme and associated supports and restrictions in place, could increase the level of risk posed. A review of SDS is scheduled for March 2024.

### **JSWR Template Pilot Progress**

Scottish Government consulted on the redesign of the Justice Social Work Report template in 2022-23 via a small working group with representatives from Justice Social Work across Scotland, as well as Sheriffs. The working group developed an updated template and guidance which was piloted in four local authority areas, East Lothian being one of them. The template was well-received by staff, and at the end of the pilot it was deemed so successful that the team did not want to revert to the old template. Positive feedback was also received from Sheriffs. A Senior Practitioner and Team Leader offered peer support to other local authority areas adopting the template after the pilot completed, with national rollout now underway.

#### **CPORT/CASSIC Assessment National Pilot Progress**

In response to a recommendation from the Joint Thematic Review of MAPPA in Scotland (HMICS, 2015), the Risk Management Authority (RMA) undertook a literature review exploring internet offending. The review was published in 2018 and [links](#) to it can be found on the RMA Website [www.rma.scot](http://www.rma.scot).

In 2020, the RMA formed a multi-agency working group to support the development of a framework for assessing those convicted of offences relating to indecent images of children (IIOC). The framework includes the use of the Child Pornography Offender Risk Tool (CPORT) and the Correlates of Admitted Sexual Interest in Children (CASIC) as a method of assessing the risk presented by individuals convicted of internet offences.

East Lothian JSW is one of six Scottish local authorities currently involved in a two-year pilot scheme to explore the reliability and validity of the framework, and examine the usefulness for practitioners. As a local authority we are assessing all service users who have been convicted of IIOC possession and/or downloading offences using CPORT & CASIC for pre-sentence reports. Going forward East Lothian JSW will contribute to a number of RMA-led research studies on the use and usefulness of CPORT/CASIC in Scotland.

#### **SSSA Finalist – Caledonian System**

Our Caledonian Service was a finalist in the 'Excellence in Justice Services' category at the 2022 Scottish Social Services Awards. The SSSAs pay tribute to the commitment and innovative approaches taken by social work teams to provide support and assistance, in this case to men, women and children affected by domestic abuse. The Caledonian System is focused on improving the lives of men, women and children who have been involved in cases of domestic abuse, and takes a risk management approach to dealing with possible harm to women and children. The programme enables men to make positive changes in their approach to intimate relationships by attending a carefully planned programme over 24 – 30 months, which includes individual work with social workers, a group work programme, and post-group follow up to support men to better their lives through positive motivation and life-long change. The system additionally ensures that women and children receive appropriate support and gain access to local services, where required.

Whilst we did not win, we are delighted to be runners up in a competitive category which showcased innovative work across Scotland.

#### **Community Payback Work**

The Community Payback Work Team (CPWT) continue to engage with beneficiaries throughout the community such as Blooming Haddington, Tranent FC and East Lothian Amenities to name a few. Tasks include the painting of street furniture in preparation for the Scotland in Bloom competition, assisting the Council Amenities Teams with garden clearances for older and/or vulnerable residents. Staff have completed bicycle repair workshops, where they can pass on skills to service users on how to safely repair bicycles that can be reused and then offered to Cycle Clubs or Community Centres.

There has been a drive to engage with more charitable originations throughout East Lothian to use as personal placements with a view of having our service users placed directly into the community to carry out their unpaid work hours. This has been met by some real positive feedback whereby we are currently working with ten providers throughout East Lothian. Whilst in retail placement, service users learn customer service skills, stock taking and the general day to day duties of the running of the shop. The CPWT have been in negotiation with providers to deliver an 'in-house classroom' where service users will receive educational and employment skills as part of our 'other activity' offer.

**(5) Five Year East Lothian Trend**

East Lothian JSW have been striving to develop services and better understand those areas of delivery that require improvement. To place the service in context and following the March 2023 release of the Justice Analytical Services Statistics ([Justice social work statistics: additional tables from 2004 – current - gov.scot \(www.gov.scot\)](http://www.gov.scot)) this annual report will provide comprehensive data from the last five years.

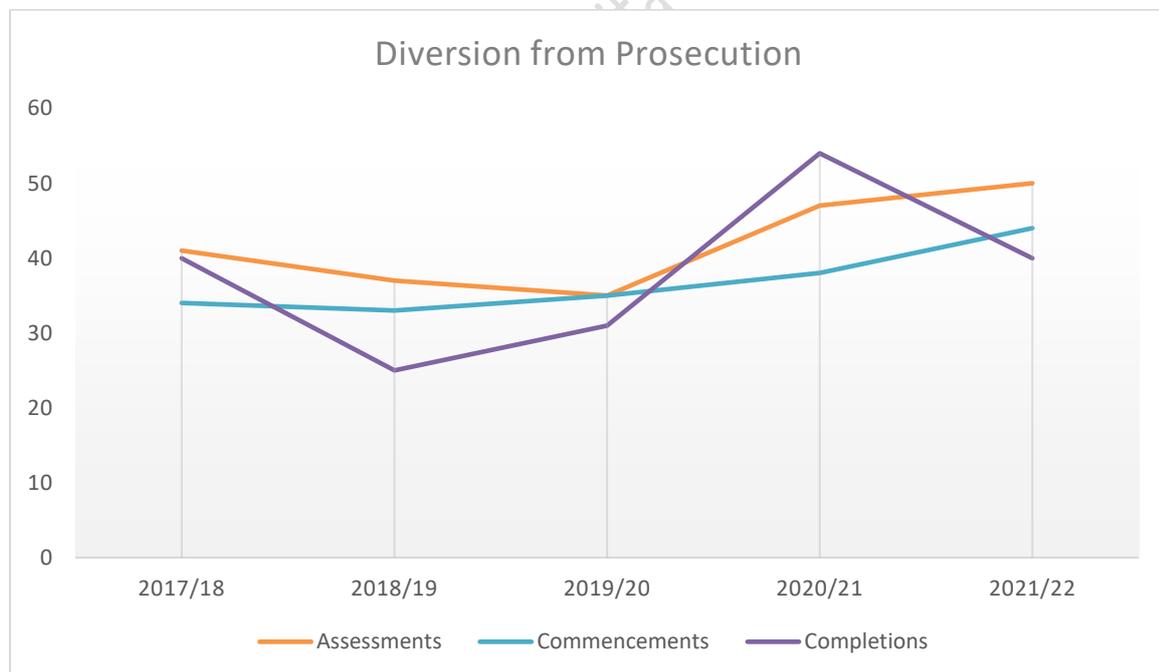
The data will be placed in context, where appropriate, and if there are significant data anomalies an explanation will be provided where possible. The data is focused on that information over which the East Lothian JSW service has, or may have, some influence, but it is recognised that there are a number of complexities and competing demands that are not the preserve of the service to develop.

When considering the data, it should be noted that there may be elements of an activity that starts in one financial year and ends in the next, so for example the number of pieces of working starting (commencing) will not have an equivalence in endings (completions).

**Early Intervention & Prevention**

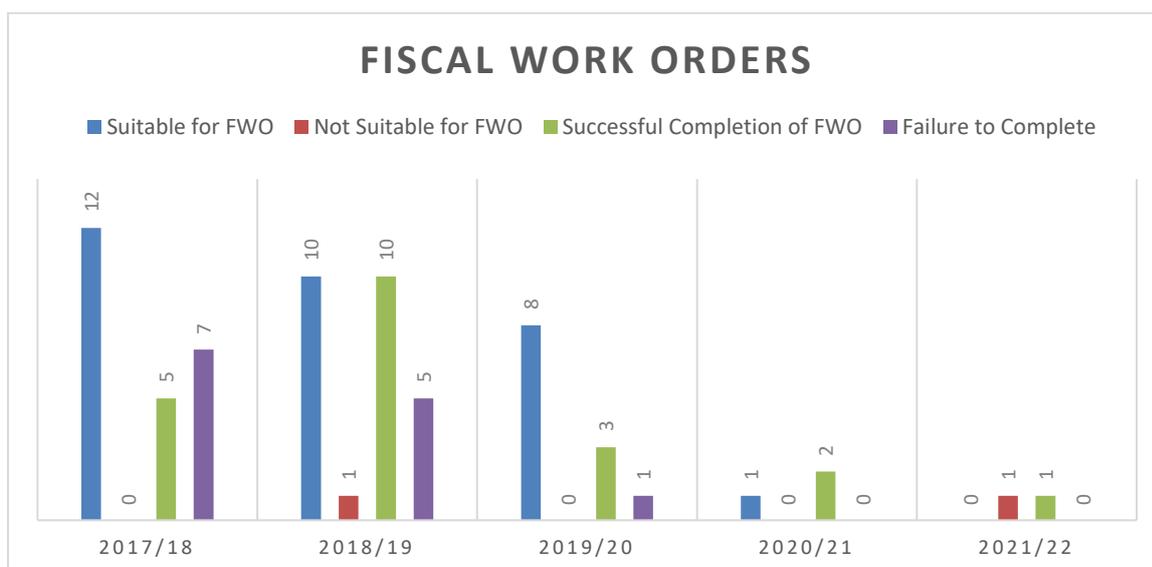
Arrest Referral was being delivered by Change, Grow, Live but this service is no longer provided and an alternate provider will be sourced in 2023/24. As noted above, Structured Deferred Sentences were only made available to East Lothian residents from 13 March 2023, so there is no trend data.

❖ Diversion from Prosecution (DfP)



This chart shows that completion rates fluctuated most over the five-year timeframe, with commencements showing a steady, yet shallow, increase. The service paraprofessionals assess and deliver DfP, so the areas we can influence relate to the conversion from assessment to commencement – the table indicates only those we assess as suitable. Our aim, therefore, is for the assessment and commencement legends to be as close together as possible.

## ❖ Fiscal Work Orders (FWO)



The use of FWOs has decreased since the pandemic, with significantly fewer assessments being requested, however, the data for 2022/23 shows an improvement and we would expect this continue through into 2025/26. The Community Payback Work Team who complete the FWO assessments are committed to delivering on this alternative to prosecution, so the focus is on increasing the numbers assessed as suitable. Where an individual is assessed as unsuitable, this could be related to their refusal to engage in an assessment, preferring to progress the prosecutorial route.

**Community Sentencing**

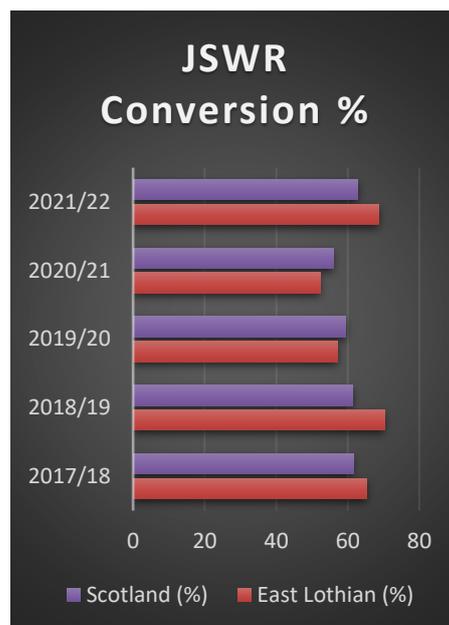
## ❖ Justice Social Work Reports

The delivery of Justice Social Work Reports is a core activity for the service and all appropriate community disposals are considered alongside a clear statement around the impact of a period of custody or detention on the individual and their family, especially where they have caring responsibilities.

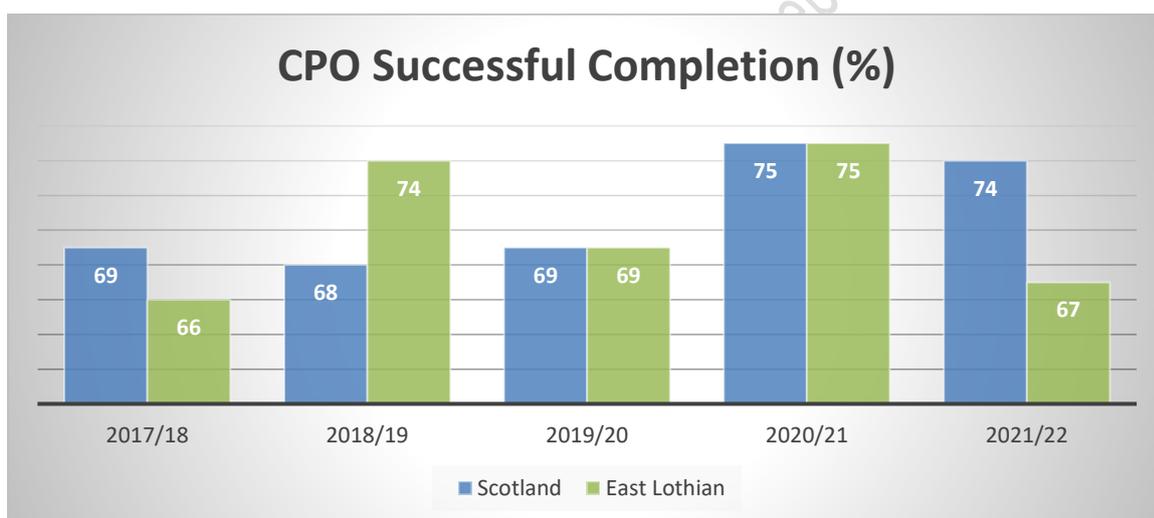
Year	Submitted	No per 10,000 (EL)	No per 10,000 (Scot)	Highest
2017/18	268	37	74.4	East Ayrshire
2018/19	222	30.6	71	Dundee City
2019/20	218	29.9	73.9	Dundee City
2020/21	135	18.4	43.9	Dumfries & Galloway
2021/22	181	24.3	59.7	Dumfries & Galloway

This table shows that East Lothian delivers significantly fewer reports per 10,000 population than the Scottish average and identifies the highest per capita local authority areas. East Lothian had the fewest JSWRs per 10,000 population in the last four consecutive years, however, this is not a trend over which the service has control.

Where there are no serious concerns relating to public protection or where such a disposal would effectively be an up-tariffing of sentencing, the delivery of preferred options relating to Community Payback Orders is a priority for East Lothian.



❖ Community Payback Orders



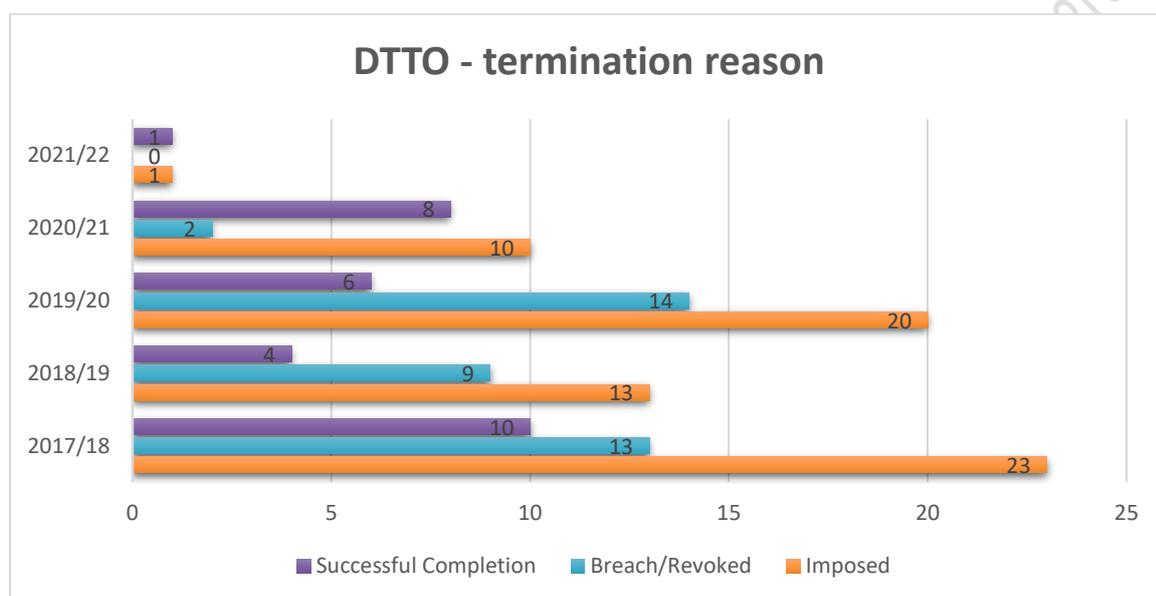
When considering ‘successful’ completions of CPOs there are a number of variables that influence what would be considered a positive trend/rate. For example, an increase in breach applications could indicate that the delivery of the CPO is more robust and in line with National Outcomes and Standards, when considering the importance of compliance and Order management. In order to better understand the data, the following provides a more in-depth and robust analysis of the East Lothian trend over the five years.

Community Payback Orders (any/all requirements) – completion V breach							
Year	Imposed	Complete	Conversion	Placing (lowest)		Breach	Conversion
2017/18	192	113	58.9%	9 <sup>th</sup>		42	21.8%
2018/19	163	103	63.1%	23 <sup>rd</sup> (=)		31	19%
2019/20	157	91	57.9%	11 <sup>th</sup> (=)		32	20.3%
2020/21	79	54	68.3%	10 <sup>th</sup> (=)		11	13.9%
2021/22	81	51	62.9%	4 <sup>th</sup> (=)		18	22.2%

The East Lothian breach rate has remained relatively stable over the FIVE years, when considering the variations across imposition and National placing for successful completions. Additionally, the successful completions is also relatively stable so the evidence suggests that there has been little actual movement between successful completions and breaches (excepting 2020/21 which was an anomalous year, in many ways). Data interpretation indicates that there has been change or movement across Scotland that impacts on East Lothian’s position in comparison with the 31 other Local Authorities, rather than changes in East Lothian practice.

❖ Drug Treatment & Testing Orders

Our JSW partners in City of Edinburgh manage these Orders, however the service went into abeyance in June 2022, so the following data should be viewed with caution.



The Order imposition rates have little consistency, with successful completions ranging of 100% and 80% in 2021/22 and 2020/21 respectively, however the preceding years note much lower rates, with breach/revocation outstripping successful completions in each year.

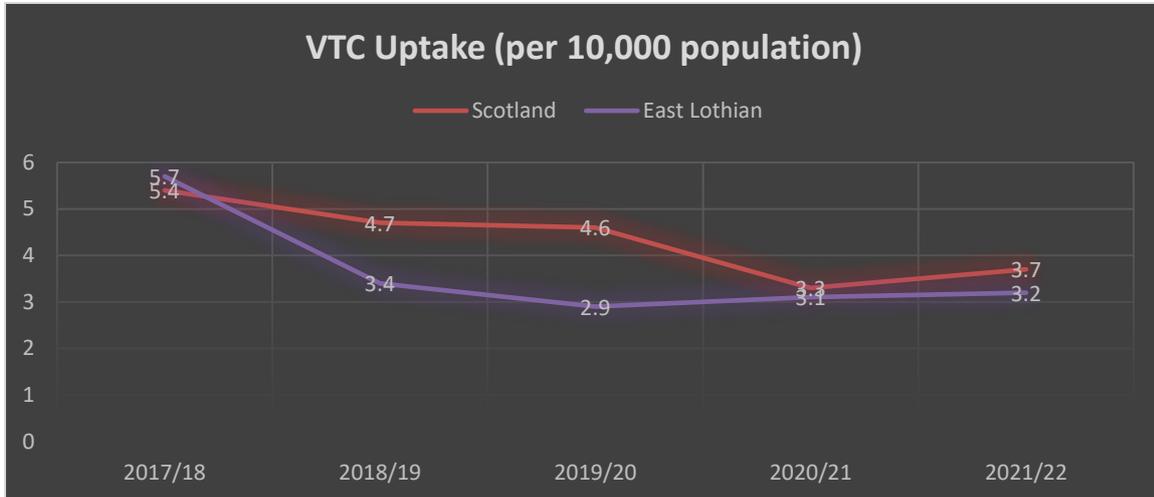
Throughcare

❖ Voluntary

The imposition of a **Home Detention Curfew** allows individuals to be released from prison prior to the mid-point for those on short term sentences. There is no requirement to be supervised by the JSW service although they prepare the reports and provide an assessment of the proposed home environment. The decision to release is thereafter made by the Scottish Prison Service.

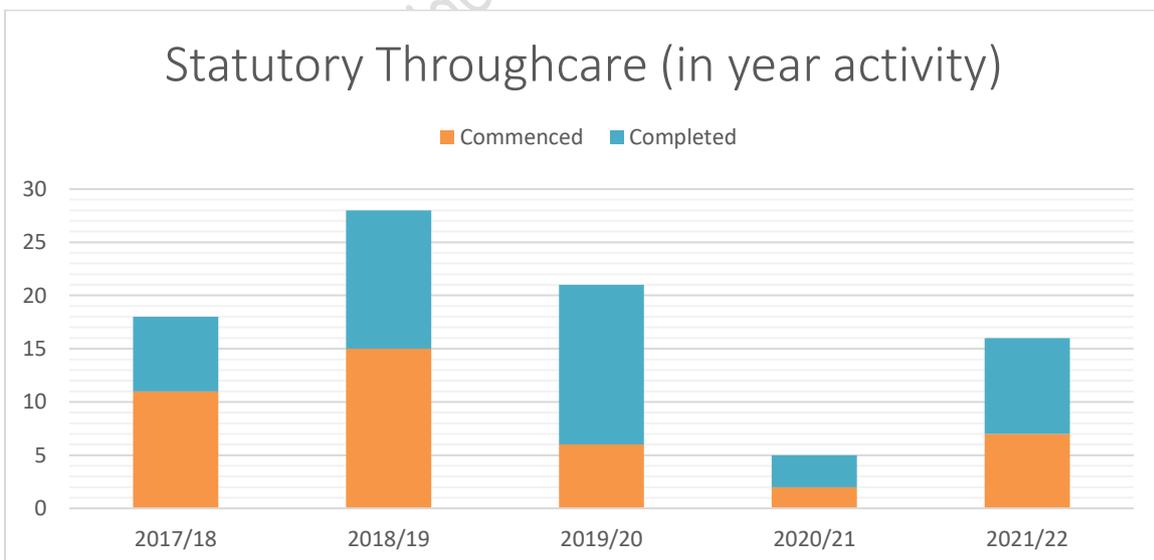
HOME DETENTION CURFEWS (IMPOSED)				
2017/18	2018/19	2019/20	2020/21	2021/22
27	12	17	18	11
VOLUNTARY THROUGH-CARE OPEN CASES AT YEAR END				
2017/18	2018/19	2019/20	2020/21	2021/22
39	25	21	23	24

There is legislative provision and expectation for post-release support to be provided to anyone who has been incarcerated in the 12 months following their release – this is known as **Voluntary Throughcare (VTC)**. A number of Third Sector Organisations provide this service, however, East Lothian has traditionally employed paraprofessionals to undertake this role, although individuals can approach alternative services as required.

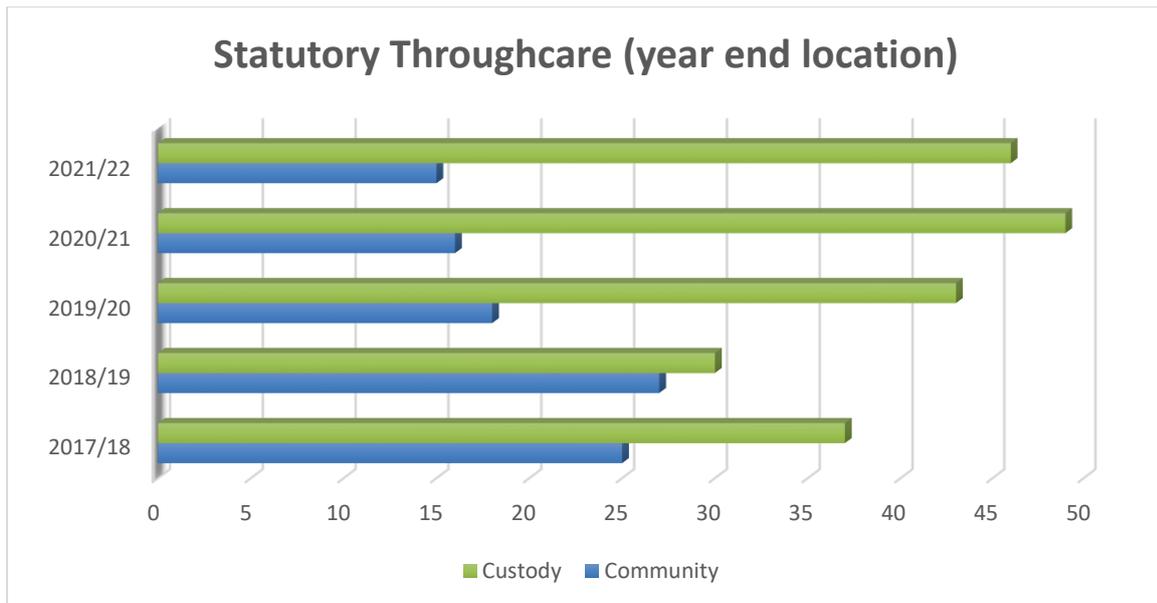


❖ Statutory

This relates to all periods of post-release supervision on an Order or Licence to which an individual is subject, prior to their sentence end date or completion of the 'punishment' component of certain sentences. When considering commencement and completion of Orders or Licences, there is little that can be done to impact on the former's data as it is based on service user behaviour and attitude whilst in custody and the latter dataset does not provide detail on whether or not the individual completed their sentence in the community or had been recalled to custody.



When considering the numbers in custody at year end, the JSW service's influence relates to sentencing, as identified above concerning the delivery of appropriate community disposals when preparing reports.



### Summary

This data shows that over the FIVE years examined, and considering the immediate and lasting impact of Covid-19, East Lothian has been relatively stable in its delivery.

There is little fluctuation in:

- CPO successful completion and breach rates
- Voluntary Throughcare has been relatively stable
- HDC assessment requests
- JSWR conversion rates

However, certain activities have been more marked:

- 2017/18 appears to be a relatively anomalous year in several categories
- DTTO imposition was affected by partners in Edinburgh and has been steadily declining
- Fiscal Work Orders were significantly impacted by Covid-19 (Court closures)

Overall, East Lothian JSW have delivered a service which is, in the main, in line with either Scottish averages or, as highlighted in the 2021/22 JSW Annual Report, comparator Local Authorities. The 2022/23 data is detailed later in this report and moving into 2023/24 there will be a focus on trying to establish baselines and, where appropriate, improvement targets that are meaningful and promote positive outcomes for service users.

## (6) Quality Assurance

The Final Evaluation Report (2023) concluded that there were themes emerging through the course of this reporting year, including practice of a good standard and some that could be improved. The 2022/23 activities were:

- Community Payback Order – Case File Audit (June 2022)
- Statutory Throughcare Case File Audit (August 2022)
- Justice Social Work Report Quality Assurance (September 2022)
- Registered Sexual Offenders Practice Evaluation (October 2022)
- Caledonian System (women/children) Practice Evaluation (March 2023)
- Voluntary Throughcare Practice Evaluation (March 2023)

### Strengths

- Community Payback Order
  - Evidence of excellent analysis of offending and insight into service users' ability to comply with supervision
    - Case Management Plans were for the most part up to date and SMART
    - Use of Justice Outcome Star has improved.
    - Greater evidence of line manager oversight in formal supervision
    - Compliance issues generally dealt with appropriately
    - Evidence of excellent working relationships with service users
    - Evidence that service user views are taken into account
    - Case recording is undertaken in line with guidance in all cases reviewed.
- Statutory Throughcare
  - There was evidence of line manager oversight in all cases
  - There was evidence of partnership working with statutory and third sector organisations
  - The level of supervision was in line with RNR principles in all cases.
- Justice Social Work Reports
  - The basis of report and verification of information sections were of a good to high standard, with significant improvement from the equivalent exercise in November 2021
  - Appropriate risk assessment tools were used in all cases
  - All reports evidenced reference to a selection of sentencing options which were appropriate to risk, need and the index offence(s).

The **Practice Evaluations** were highlighted as an effective way to engage practitioners in delivering services that do not fit neatly into document review. Overall, the services provided were of a high or very high standard with practitioners' engagement being needs-led and person-centred, with the aim of improving outcomes, promoting positive change and/or increasing personal safety.

### Improvement

- Risk Assessment
  - Consideration should be given as to how the risk assessment is presented in the JSWR
  - Any person on statutory supervision should have an updated risk assessment and Case/Risk Management Plan completed within 20 working days of the start of a CPO or release from custody
  - The risk assessment should be reassessed when a new CPO is made, if the person is on an existing order.

- Case Management
  - Where supervision is recommended, an initial case management/action plan should be included in the JSWR
  - LS/CMI Guidance should be referred to, to ensure consistency in target dates.
- Communication
  - Where it is known that another agency is working with an individual, and that individual has given their permission to do so, contact should be made/maintained with that agency
  - Colleagues from other agencies should, where appropriate, be invited to all reviews of orders and licences.
- Report Writing
  - attend TARL training
  - engage in either a development session on the new JSWR template OR we request that Community Justice Scotland offers some refresher training.

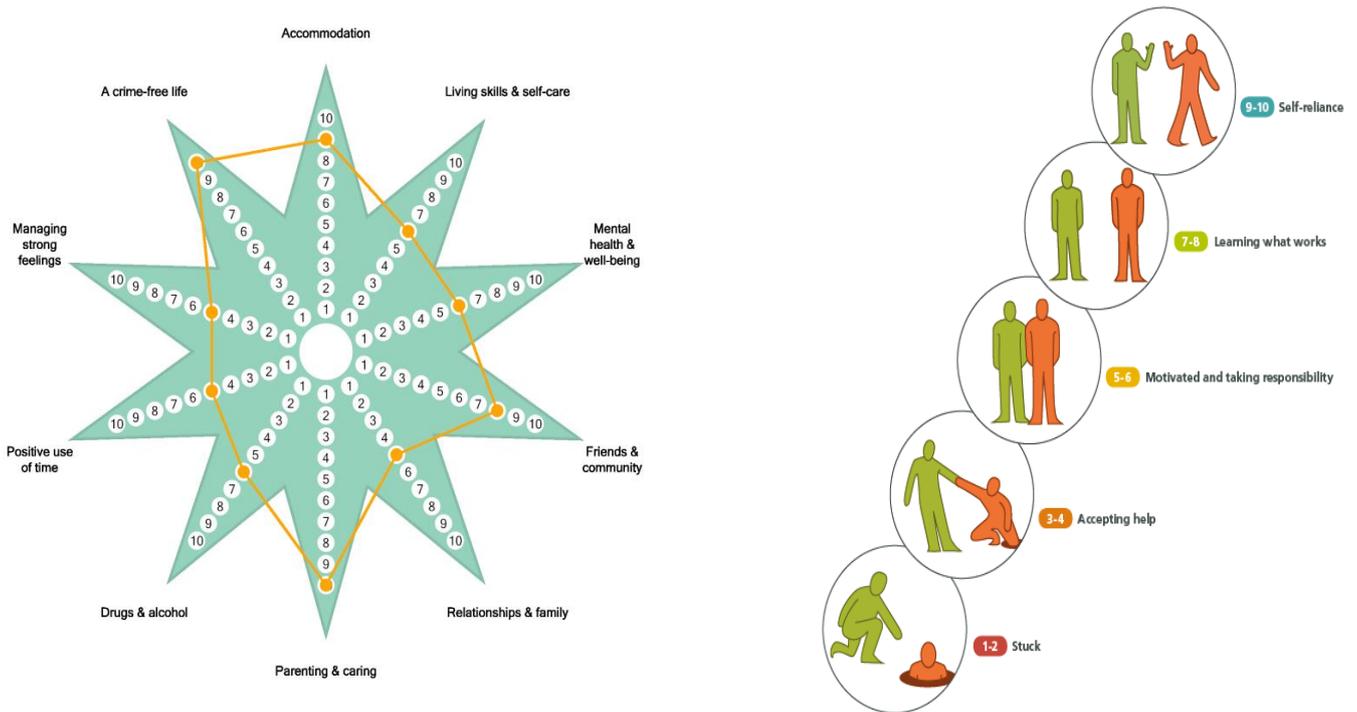
Finally, where an individual on whom a JSWR has been prepared receives a custodial sentence, a quality assurance activity is automatically completed to confirm that the author provided appropriate community based disposals, based on public protection and service user need. In all cases where such a sentence was imposed, the evaluation activity confirmed that the author delivered in line with procedures and protocols.

➤ **Service User Outcomes**

❖ **Justice Outcome Star**

The Justice Outcome Star allows us to map an individual's journey of change in ten key areas that we know impacts on their ability to remain crime free. These include; accommodation, living skills, mental health, relationships, substance use, managing strong feelings, parenting, friends and community, positive use of time, and living a crime free life. This creates a visual snapshot of life that can help an individual target areas to be supported to make changes. The LS/CMI continues to be our main tool for assessing risk, and the Justice Outcome Star is now our main tool for recording 'outstanding needs'. Balancing addressing risk and need is crucial in order to reduce re-offending.

Some of the key reasons that East Lothian Justice Service opted for this model is its striking visual impact, meaning that service users can clearly see what areas of their life are more challenging and where they need support. It encourages individuals to rate themselves and opens up a conversation with their worker about areas in their lives that we know impact on re-offending rates. Below is an example of a completed initial star and a guide to the scoring.



It was hoped by this reporting period that comparative data would be available to show progress in in these areas. However, as the Star was not reliably being completed every six months, it was not possible to gather accurate data. The Star completion criteria was therefore changed to allow progress to be measured at the start and end of contact with the service.

The rate of initial Star completions has increased within the reporting period and is now established as core task in the first month of any contact.

2022/23	Q1	Q2	Q3	Q4
Initial Stars completed	11	20	40	39

By the end of the next reporting period it will be possible to gather trend data in each Star area. This will offer a more accurate picture of the Star areas that are more commonly improving and which are not. It will also help us target resources and/or further support where it is most required.

## (7) Feedback

### East Lothian Community

#### **Community Payback Order**

In liaison with colleagues in Community Justice and Equalities and Engagement, a short online survey was developed asking the views of East Lothian members of the public, third sector organisations and elected officials about their knowledge and experience of Community Payback Orders. The survey was disseminated via an email footer, linked to a web address, and shared with Community Justice Partners as well as available to anyone receiving an email from Justice Social Work. We deliberately included questions about Supervision Requirements, as well as questions about Unpaid Work or Other Activity. The survey ran from mid-February-end of March 2023, and we had 62 responses from a range of organisations. Whilst there are actions we can take relatively easily in terms of suggestions for expanding provision of Unpaid Work or Other Activity, we are also aware that around half of respondents didn't know much or anything at all about Supervision or Unpaid Work Requirements. Therefore, we have invited those people who were happy for us to follow up on their answers to an information session about Community Payback Orders in October 2023.

### Service User

#### **Months of Engagement**

One of the Community Justice National Outcomes includes 'ensuring the voices of victims with lived experience are heard'. In order to gather feedback from those that use our service we conducted a focus group with five people and gathered a further 12 individual questionnaires. This is the first time we have gathered feedback in this way and we were keen to hear what services users thought we were doing well and what could be improved. There were also questions on the physical environment and unmet needs. We learned from this exercise that the vast majority of people felt that they are treated with respect by their workers. Having someone to talk to rated highly in their positive experience, as did support with practical matters. Areas highlighted for us to consider were improving communication in relation to any last minute changes to programmes, exploring the use of alternative placements for both during and after supervision/unpaid work hours are completed, and ensuring that all workers have equal knowledge on the range of supports and services available locally.

**(8) Data Snapshot (2022/23)**

The following provides an overview of the key 2022/23 output data for East Lothian:

**Criminal Justice Social Work Reports:**

- ✚ 376 requested
  - 244 submitted – 93% within timescales (local KPI of 48 hours)
  - 100% delivered within timescales – National KPI of 11am day before Court
  - Of all the reports requested (includes multiple aggravators, repeat requests and progress reports) the following aggravating factors were noted:
    - Domestic abuse – 106
    - Bail – 118
    - Hate crime – 23
    - Sexual offence – 47
    - Schedule 1 offence (non-sexual) - 30

**On 31 March 2023 there were:**

- ✓ 41 people were undertaking Statutory Throughcare (custody)
- ✓ 10 people were undertaking Voluntary Throughcare (custody, eligible)
- ✓ 18 people were undertaking Voluntary Throughcare (community, receiving/offered)
- ✓ 32 people in the community were subject to MAPPA
- ✓ 19 CPOs with a Caledonian Programme requirement
- ✓ 29 CPOs where the main offence was domestic abuse (FOUR of these were for a standalone unpaid work/other activity Order)

**During 2022/23 there were:**

- ✓ 15 people who had Risk Management Case Conferences (RMCCs)
- ✓ 191 CPOs imposed (all/any requirements)
- ✓ FOUR people had a DTTO imposed
- ✓ 38 Diversion Reports were submitted
- ✓ SEVEN Fiscal Work Orders imposed

A snapshot from the **Scottish Prison Service (SPS) Scheduled Reports** tells us that on the 25th March 2023 there were:

- ✓ Less than FIVE young offender(s) (18-20 years) were detained
- ✓ 74 male adults across the Scottish prison estate
- ✓ 20 of these men were on remand (27%)
- ✓ Less than FIVE had sentences of 12 months or less, so not in line with PASS
- ✓ 20 had a sentence between 12 and 48 months
- ✓ 31 had a sentence over 4 years (including life)
- ✓ Less than FIVE women were serving a custodial sentence of between 12 – 24 months

**(9) Priorities & Improvement Planning Update/Progress**

The following provides details on the progress made in 2022/23 in delivering on the priorities and improvements identified in the JSW Annual Report 2021/22:

- 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 – Progress to 31/03/2023**

Improvement	Task/Action	Progress
Data	Liaise with Data Analyst(s) and agree a programme for data delivery	COMPLETE
	Initiate setting of trend data key areas (12-15)	COMPLETE
	Provide Justice Outcome Star data reports (quarterly)	ONGOING
Risk Assessment	Review and reinforce risk assessment protocols, guidance, expectations etc. and embed oversight activities and recording frameworks	ONGOING
Case Management Planning	Using formal supervision increase efficacy of CMP review and update in line with RNR and evidence-based practice	ONGOING
Home Visits	Embed home visits as per guidance – CPO and Throughcare	COMPLETE
	Undertake a home visit for all assessments considering the use of electronic monitoring and/or restricted movement	COMPLETE
Service User Engagement	Progress ‘month of engagement’ twice a year	COMPLETE
	Develop a programme for Service and General Managers to meet with service users	ONGOING
Feedback	Develop a suite of feedback mechanisms for service users, local communities, beneficiaries	ONGOING
Early Intervention & Prevention	Deliver on Arrest Referral	DUE 2024
	Deliver Structured Deferred Sentences	COMPLETE
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	ONGOING
Payback – supervision	Develop a modular format to address the offending behaviour of adult males	ONGOING
Evaluation Programme	Address the issues identified in the Evaluation Report Improvement Plan	ONGOING
	Deliver audits in line with the Evaluation Timetable	COMPLETE

**(10) Outputs and outcomes**

In July 2023 the East Lothian database, MOSAIC, was updated/refreshed resulting in significant disruption to the delivery of key data. The following reports only that which is available, so is markedly different from the 2021/22 Annual Report.

**Data summary:****Early Intervention & Prevention**

- Structured Deferred Sentences were rolled out in East Lothian on 13 March 2023 and one such Sentence imposed prior to financial year end
- An Early Intervention Log has been developed although data reporting continues to be challenging
- Due to the low number of Bail Supervision Assessment requests, the criteria was changed so where we are aware that bail is being opposed an assessment is offered – there were 71 assessments completed/attempted in 2022/23
- Arrest Referral – discussions began with potential providers in March 2023.

**Court**

- JSWR authors continue to offer community based disposals in almost 75% of cases and the Court continue to impose custodial sentences even when alternatives have been offered
- There were 27 custodial sentences imposed on JSWRs prepared by the team and all were audited for assessment of the disposal options, of which 100% were appropriate.

**Community Sentences**

- There has been an increase in individual placements for unpaid work activities – it is noted that the imposition of unpaid work/other activity hours has returned to pre-Covid levels
- Although TEN new Orders (with Caledonian requirements) were imposed there were 26 Caledonian Programme Requirements on open Community Payback Orders at year end
- The Drug Treatment and Testing Order is no longer available as a new sentence in East Lothian.

**Custodial Sentences**

- On 31/03/2023 there were at most 24 individuals eligible for Voluntary Throughcare in custody (all sentences without JSW statutory post-release supervision – not including remand prisoners) so the engagement data evidences a minimum 41% reach
- We were unable to provide a in the community Statutory Throughcare figure for year end.

**Focused Interventions**

- Most group delivery has returned to in person sessions
- There were TWO Caledonian Men's Groups delivered in East Lothian per week – the daytime group was suspended due to low numbers but the evening group continued.

**Risk Assessment & Management**

- LS/CMI remained offline throughout the reporting year, with the LSI-R:SV returning to the online platform in March 2023 for use in JSWR preparation only
- There is ongoing challenge in review and reassessment of accredited risk assessment tools – the reinforcement of the dynamic nature of risk is built into operational management service improvement planning.

**Demand**

- The trend data setting was resolved in 2022/23 and will form the basis of the next Business Plan 2024-27
- A new Evaluation Programme 2023-25 was delivered prior to year-end, with one operational manager taking overall responsibility for collation and reporting.

**Other**

- The entry/exit questionnaire has continued to be challenging – there is a Social Work Scotland led Short Life Working Group looking at options for a national questionnaire

- Justice Outcome Star will be able to deliver data from 2023/24 onwards
- There continue to be some data anomalies so there may be ongoing discrepancies with the data in this report. So, for the avoidance of doubt, the data delivered by Scottish Government and/or Community Justice Scotland should be considered definitive and accurate.

Service Area	Measure (outputs)	Measure (outcomes)
<b>Early Intervention &amp; Prevention</b>		
Diversion from Prosecution	Diversion Reports - 38 Number of Diversion interventions – ONE	
Bail Supervision and/or EM Bail	Bail Supervision Assessments (suitable) - 32 Bail Supervision Orders imposed – NINE Conversion Rate = 28% conversion rate	Number of successful completion – 100%
Arrest Referral	Change Grow Live are no longer providing an Arrest Referral service to East Lothian. This will be progressed into 2023/24 in line with JSW priorities and Community Justice	
Fiscal Work Orders	FWO assessed as suitable – 10 assessments of which SEVEN were suitable	
<b>Court</b>		
Criminal Justice Social Work Report (CJSWR)	CJSWRs requested – 376 CJSWRs submitted - 244 (100% in timescale) Of the CJSWRs submitted 74% had a preferred option of CPO (any requirement), RLO, DTTO or post-release supervision	CJSWR conversion data preferred option (P) V actual disposal (D) (PvD): 153/122 (79%) – CPO (any requirement) 8/23 (287%) - custodial sentence
<b>Community Sentences</b>		
DTTOs	City of Edinburgh, who deliver the DTTO on behalf of East Lothian, closed to new referrals between June 2022 and February 2023. The data is not, therefore, reflective.	
CPO (all)	162 – CPOs imposed (any requirement)	
CPO (supervision requirement)	115 – CPOs imposed: <ul style="list-style-type: none"> <li>• 57 included unpaid work</li> <li>• 23 were standalone supervision</li> </ul>	
CPO (UW/OA)	Hours imposed – 13,770 (2022/23 Data) Hours completed – 7164.5	
CPO (Caledonian)	Caledonian requirements imposed - 10	<b>Women’s Service</b> Offer = 11 V Accept = 8 (73%) <b>Children’s Service</b> Offer = 4 V Accept = 4 (100%)
<b>Custodial Sentences</b>		
Voluntary Throughcare	On 31/03/2023: 18 – community engagement 10 – custody engagement (from a possible 24)	
Statutory Throughcare	HBRs requested – 19	
<b>Focused Interventions</b>		
Supervision (all)	<b>MFMC:</b> Actual (1) and Virtual (1) Groups CISSO staff in East Lothian one day per week for individual work and assessments <b>Caledonian:</b> Actual (3) Groups (one in East Lothian)	
<b>Risk Assessment &amp; Management</b>		
All	LSCMI – data issues throughout 2022/23 and no reporting function available Spousal Abuse Risk Assessment – data delivered to Scottish Government SA07 – managed by SAVOLO and no function for data retrieval	
<b>Demand</b>		
Performance, Quality	Final Evaluation Programme Report 2021-23 delivered and Improvement Plan implemented.	

Assurance & Management Oversight	Provision of Annual Evaluation Programme Report within THREE months of year end – report completed June 2023
High Risk Oversight	Number RMCCs convened – 17
Partnerships	Practitioners consulted CISSO for 100% of new Orders/Licences with a sexual offence. 100% Partnership meetings attended – representative/second attended
Corporate	Provision of Annual JSW Report by end August of specified year end – delivered September 2022 Provision of CPO Annual Report within timescales – delivered October 2022 Provision of Community Justice Annual Report – delivered September 2022

**(11) Case studies – good practice**

 Dental Provision

A drop-in dental clinic at the Brunton Hall was organised by one of our Social Work Assistants in February 2023, open to all service users. The clinic was staffed by a community dentist who offered advice on tooth brushing and mouth hygiene, as well as offering information on community dental clinics for people who require additional support. One of our service users who attended the drop in clinic, then followed this up with a visit to the homeless dental practice, where they embarked on a course of treatment to repair teeth which had been damaged after years of physical abuse and consequent neglect of self. Another service user was supported to face their fear of the dentist by being accompanied by a Social Work Assistant to appointments. Their confidence grew to the point where they told their SWA that she was no longer required for support, and that they felt able to complete the treatment without support.

 Community Reparation

The Community Payback Work Team (CPWT) have increased the number of placements in East Lothian, ensuring that the community receives 'payback' for offences committed by service users. One particularly successful placement has been Recycling First, which aims to assist people in East Lothian to access necessary household furniture. People undertaking unpaid work in the community are placed with Recycling First, where they learn to collect, assess, and repair furniture, which is both distributed to people in need as well as sold to the general public.

Recycling First agreed to work one of our service users, NK, who was suffering from poor physical and mental health and lived a quiet, lonely life with no close friends or family to rely on. NK was able to carry out their unpaid work hours within the warehouse, moving and cleaning items that were ready to be sold. Having no close friends or family impacted their social life where they often found their self being alone most of the time. Having been introduced to the manager and staff at Recycling First, NK soon felt comfortable attending at the shop. They interacted well and assisted members of the public and followed all instructions given to them by the shop staff to a very high standard. NK successfully completed their hours on time as specified by the Court and has since continued to volunteer at Recycling First, which has boosted their confidence and helped them to build a more positive social network.

 Working for Self-Change

Approximately a third of JSW business is working with people convicted of domestic offending, and around a third of these people are engaging in behaviour so serious that a specific offence-focused programme is employed, the Caledonian System. Caledonian takes a systems approach, with service provided to the man, their partner at the time of the offence, and any children. KJ has been known to our service for a number of years but always struggled to engage sufficiently. He had also been warned on a number of occasions for attending whilst under the influence of alcohol. In January 2023 he was placed on a new Community Payback Order with a Caledonian programme requirement. KJ recognised that his drinking was problematic so appointments were made at 9am as he considered this to be the best time to ensure he was sober. With regular early appointments and the initial focus being on managing his alcohol use, KJ had reduced his drinking sufficiently to secure employment within three months. With his drinking reduced, appointments were made later in the day and the domestic abuse offence focussed work could commence. KJ responded well to the structure of the programme and the relevance of the work motivated his attendance. KJ is about the move into the group work phase of the Order and is proud of his change of attitude and progress made.

**(12) Priorities and Improvement Plan – 2023/24****Priorities**

This report has highlighted a number of key issues that we would seek to resolve and identify the following priorities going forward into 2024 and beyond:

- Deliver Business Plan 2024-27
- Deliver outcomes and outputs based on the FIVE key delivery themes
- Actions from Evaluation Programme Report 2021-23:
  - Risk Assessment – dynamic nature
  - Case Management Planning – consistency
  - Communication – multi-agency and partnership working
  - Report Writing – development and training
- Living Experience and Outcomes:
  - Month of Engagement
  - Justice Outcome Star
  - Service Manager Engagement
- Feedback
- Early Intervention and Prevention
  - Arrest Referral
  - Structured Deferred Sentences
  - Review of Bail Supervision Assessment process
- Payback – development of placements and review group delivery

**Improvement Plan (Review December 2023)**

<b>Improvement</b>	<b>Task/Action</b>	<b>Lead</b>
<b>Business Plan</b>	Review Business Plan 2021-24	Service Manager
	Identify and embed agreed trend data	
<b>Delivery Themes</b>	Develop and agree the key outcomes/outputs that will evidence service user progress	All
<b>Evaluation Programme</b>	Utilise the report from 2021-23 to instigate development session(s), training activities (internal/external) and deliver on key areas identified.	Team Leaders Senior Practitioners
	Promote identified strengths and develop strategies to embed into practice	
<b>Case Management Planning</b>	Using formal supervision increase efficacy of CMP review and update in line with RNR and evidence-based practice	Team Leaders Senior Practitioners
<b>Service User Engagement</b>	Progress 'month of engagement' twice a year	Senior Practitioners
	Develop a programme for Service Manager to meet with service users	Team Leaders Service Manager
<b>Feedback</b>	Develop a suite of feedback mechanisms for service users, local communities, beneficiaries	Team Leaders Senior Practitioners
<b>Early Intervention &amp; Prevention</b>	Deliver Arrest Referral Service in East Lothian	Senior Practitioners
	Deliver review of Bail Supervision processes	
	Scope the use of Structured Deferred Sentence disposal options for sentencers	

<b>Payback – unpaid work/other activity</b>	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)
	Promote use of classroom and unit for work groups and delivery of provision	
<b>Payback – supervision</b>	Develop a modular format to address the offending behaviour of adult males	Team Leader Senior Practitioner
<b>Evaluation Programme</b>	Address the issues identified in the Evaluation Report Improvement Plan	Team Leaders Senior Practitioners
	Deliver audits in line with the Evaluation Timetable	

**(13) Conclusion**

This has been a productive year for the East Lothian Justice Social Work Service, with the rollout of new services to promote early intervention and prevention and a steady return to the levels of business seen prior to March 2020. There continues to be a Court backlog and the local remand figures are regularly around 25-30% of all those in custody, this latter is something that Community Justice would hope to address.

Throughout 2022/23 we have seen the natural progression of delivery within FIVE distinct themes – early intervention & prevention, community sentencing, unpaid work/other activity, the custodial setting and post-release engagement. This has allowed the Operational Management Team to take responsibility for specific areas of need and development, thus giving practitioners single points of contact for ease of access and support.

As we progress through 2023, there are areas of good practice which we want to embed and promote, notably the work of the social work assistants whose contribution to service user need is invaluable as well as creating an environment where those subject to unpaid work have improved access to other activities. The team will also increase their capacity to deliver group work sessions as well as developing individual interventions to promote desistance for men with convictions.

The Justice Social Work Service works alongside the Community Justice Group to promote best outcomes for all those on the justice pathway and continues to work in partnership with the Scottish Prison Service, Police Scotland and the NHS in matters of public protection. Practitioners are committed to delivering trauma-informed practices, improving an individual's access to services, motivating change, challenging offending behaviour and, where possible, supporting people to live their 'best lives'.

The 2023/24 Improvement Plan is ambitious and the key will be the development of the reviewed Justice Social Work Business Plan 2024/27, where we expect to provide clarity on the service direction and priorities. This will be commensurate with the core social work values of self-determination, respect and individuality as well as the justice-driven priorities of public protection, holding people to account for their offending behaviour and delivering effective interventions to promote desistance.