

## East Lothian Community Justice Partnership

### Draft Role, remit and membership of East Lothian's Community Justice Partnership

The East Lothian Community Justice Partnership (referred to in the remainder of this document as 'the CJ Partnership') exists to oversee the planning and delivery of community justice and to promote and strengthen the coordination of services in East Lothian, which will help in the prevention of offending or reoffending. The CJ Partnership working will focus on making the most of the services and resources available, both within East Lothian and in East Lothian communities and in wider partnerships. The CJ Partnership aims to deliver services that are joined-up and responsive to local need in doing so recognising local strengths and areas for improvement.

The initial membership of the CJ Partnership is set out in the relevant legislation (Community Justice Scotland Act 2016). The CJ Partnership will have responsibility for determining its membership beyond the legislative requirements, by requesting and co-opting as determined necessary for the CJ Partnership to discharge its responsibilities effectively on behalf of the East Lothian Partnership.

The CJ Partnership will consist of a minimum of 8, up to a maximum of 15 members. The Partnership Chair will be in place for 18 months (the 18 month period commencing from the first meeting of the Partnership).

The partnership will elect one Deputy Chair, from different stakeholders. The Chair and Deputy Chair will each be from different stakeholders.

What the partnership will aim to do?

Partner organisations and representatives on the CJ Partnership undertake to co-operate locally in the development, implementation and monitoring of Community Justice plans, planning, actions, priorities and resources for East Lothian on behalf of the East Lothian Partnership.

The CJ Partnership will oversee developments related to Community Justice in East Lothian primarily through the Reducing Reoffending Group (RRG) and by implementation of Community Justice Plans.

Partner organisations and representatives on the CJ Partnership undertake to co-operate locally in the development, implementation and monitoring of Community Justice plans, planning, actions, priorities and resources for East Lothian on behalf of the East Lothian Partnership.

Provide effective governance and performance management arrangements locally and report on progress to the East Lothian Partnership and to co-operate with Community Justice Scotland (CJS) on appropriate initiatives and actions

Consider and make recommendations on the allocation of any additional funding that comes into the local authority or any other partner agency in relation to community justice, recognising that decisions sit with the partner organisation receiving the funding. If the partnership through the RRG applies for and receives funding then the RRG will provide recommendations to the Partnership as to allocation of the funding.

Lead on, and encourage local conversations about community justice to support reintegration, reduce stigma and raise awareness of community justice issues.

Promote the streamlining and coordination of activity and exchange of information within and between relevant partner agencies, committees and partnerships to enhance opportunities for wider policy and service development.

To consult with stakeholders in a co-productive way in order to fulfil the aim of improving community involvement and knowledge of Community Justice initiatives.

Participate in, contribute to, and influence the formation of Scottish Government legislation and policy and of Community Justice Scotland or any other policies relevant to Community justice.

## Meetings

The CJ Partnership will meet at least four times per year.

In the absence of the CJ Partnership Chair a Deputy Chair will chair the meeting.

A decision can only be valid with a quorum of 5 members plus either the Chair or a Deputy Chair, on a one member one vote basis.

The minutes will be forwarded to the East Lothian Partnership.

## Confidentiality

CJ Partnership members agree that any information/documents can be shared and exchanged. The presumption will be that documents are for sharing across the Partners unless marked confidential. The Partnership will also endeavour to make appropriate

arrangements for relevant documents to be available on the web to members of the community, directly or through partner organisations.

### Changes

Once agreed, at least two-thirds of members must vote in favour of any changes to this document in the presence of the Chair or a Deputy Chair.

### Disputes

CJ Partnership members have a duty to work co-operatively and constructively with each other and collectively to achieve the aims and responsibilities of the Partnership as set out in this document.

In the unlikely event of dispute occurring at the CJ Partnership and not being resolved, the matter will be referred back to the RRG for resolution. If the dispute remains unresolved, it will return to the CJ Partnership and if remaining unresolved after this second meeting, it will be referred to the East Lothian Partnership for discussion and resolution of the issue.



# EAST LOTHIAN COMMUNITY JUSTICE

Local Outcome Improvement Plan 2017-2020



4

**COMMUNITIES**  
VALUES, BELIEFS AND THINKING  
**ACCOUNTABILITY** **SUPPORT**  
HEALTH EFFECTIVE INTERVENTIONS  
**INCLUSION** LIFE CHANCES  
EARLY INTERVENTION **HOUSING**  
LEARNING EMOTIONAL WELLBEING  
**EVIDENCE** VICTIMS PARTNERS  
EMPLOYMENT OPPORTUNITY  
REINTEGRATION **RESPECT**

We hope you find our plan straightforward and that the improvements we are seeking to achieve are easy to understand. These improvements can only be made with the help of all partners in the statutory sector, third sector and across all East Lothian communities. If you have comments and/or experiences please contact us at [communityjustice@eastlothian.gov.uk](mailto:communityjustice@eastlothian.gov.uk) or at Community Justice Policy, Room 1.8, East Lothian Council, Corporate Policy and Improvement, John Muir House, HADDINGTON, EH41 3HA.

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# East Lothian Community Justice Outcome Improvement Plan 2017 - 2020

## Introduction

The Community Justice (Scotland) Act 2016 established new governance and strategic policy arrangements for community justice in Scotland. It created a new national body, Community Justice Scotland; disestablished Scotland's eight Community Justice Authorities (on 31 March 2017) and placed responsibility for local strategic planning and delivery of community justice within local Community Planning Partnership structures.

The Act provided a definition of Community Justice; detailed the 'community justice' partners who should be involved in delivering and supporting the delivery of community justice at a community planning level; and, set out a requirement for community justice partners to publish a Community Justice Outcomes Improvement Plan for the local authority area (by 31<sup>st</sup> March 2017).

The plan must set out local actions and priorities building upon the national community justice outcomes.

In East Lothian, a Reducing Reoffending Group has taken forward the process of developing the Community Justice Outcome Improvement Plan consisting of representatives from key partners. The Group reports into a Reducing Reoffending Board, which sits within the East Lothian (Community Planning) Partnership's Safe & Vibrant Communities Partnership (see page 5).

## National Community Justice Strategy

The aim of the National Community Justice Strategy is to:

Deliver a decisive shift in the balance between community and custodial sentences, imprisoning violent offenders and using evidence based interventions in the community for offenders who might otherwise be given short-term prison sentences. This aim is extended to local Outcome Improvement Plans that are the responsibility of Community Justice partnerships in each Community Planning Partnership.

The key principles underpinning the National Community Justice Strategy are:

- People must be held to account for their offences, in a way that recognises the impact on victims of crime and is mindful of risks to the public, while being proportionate and effective in preventing and reducing further offending.
- Re-integrating those who have committed offences into the community and helping them to realise their potential will create a safer and fairer society for all.



- Every intervention should maximise opportunities for preventing and reducing offending as early as possible, before problems escalate.
- Community justice outcomes cannot be improved by one stakeholder alone. We must work in partnership to address these complex issues.
- Informed communities who participate in community justice will lead to more effective services and policies with greater legitimacy.
- High quality, person-centred and collaborative services should be available to address needs.

The Scottish Government Community Justice reforms place an emphasis on prevention, early intervention and reducing reoffending. Prevention and early intervention approaches are critical to stopping problems from escalating and easing future demands on service. There is strong evidence to suggest that tackling the underlying causes of offending can be effective in reducing crime. Diversion aims to prevent individuals entering the wider criminal justice system. Diversionary intervention work and work designed to address the underlying issues contributing to the anti-social behaviour are especially effective.

The Scottish Government's National Strategy for Community Justice promotes:

*“The collection of individuals, agencies and services that work together to support, manage and supervise people who have committed offences, from the point of arrest, through prosecution, community disposal or custody and alternatives to these, until they are reintegrated into the community. Local communities and the third sector are a vital part of this process which aims to prevent and reduce further offending and the harm that it causes, to promote desistance, social inclusion and citizenship”*

There is evidence that those in contact with our criminal justice system suffer from multiple and complex short- and long-term issues, including physical and mental health problems, learning difficulties, substance misuse, housing instability, poor education/employment and social deprivation.

Community Justice partners will provide support to all vulnerable groups including women, young people and those at risk of domestic violence to reduce reoffending.

The strategy also recognises that the impact of crime on victims is important, and understanding and changing behaviour that leads to offending is an underpinning principle of the strategy.

The Community Justice reforms focus on adults, not on young people. However, East Lothian's community justice partners, agreed to include Youth Offending within the East Lothian Outcome Improvement Plan. As stated in the Scottish

Government’s Youth Justice strategy (2015), an integrated approach is needed where children or young people are involved in or are at risk of offending, it states “*where offending takes place effective and timely interventions are needed to address behaviour and its causes.*”

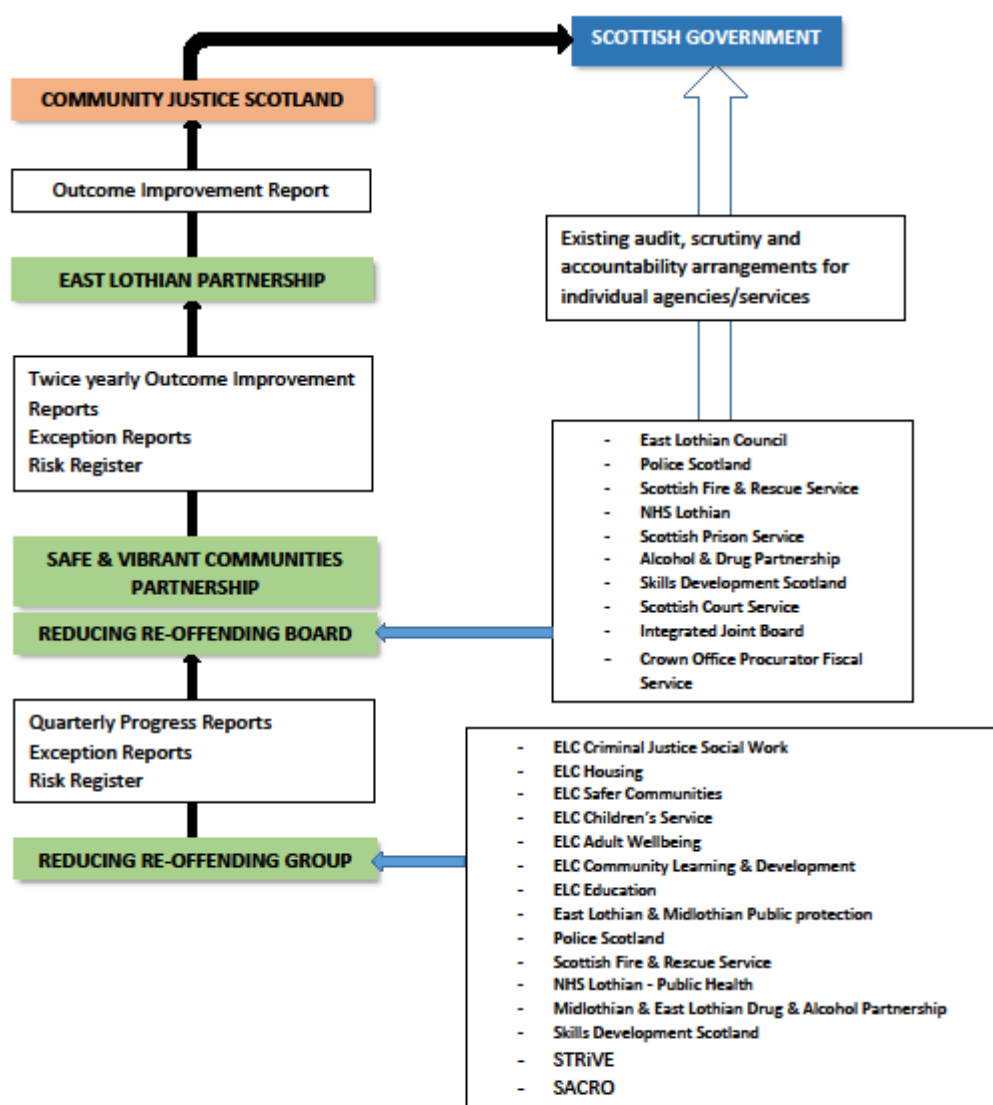
The following dashboard is a single view of the role of community justice within the Scottish Government’s national policy framework. The National Community Justice strategy fits within the Scottish Government’s Justice Strategy and the justice dashboard below presents a single view of the role of community justice within the Scottish Government’s national policy framework - Vision, National Outcomes and Justice Outcomes.

<b>Vision:</b> <b>Our vision is of a justice system that contributes positively to a flourishing Scotland helping to create an inclusive respectful society, in which all people and communities live in safety and security, individual and collective rights are supported, and disputes are resolved fairly and swiftly.</b>			
<b>National outcomes</b>			
<b>We live our lives free from crime, disorder and danger.</b>	<b>We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others.</b>	<b>Our public services are high quality, continually improving, efficient and responsive to local peoples’ needs.</b>	
<b>Justice outcomes</b>			
<b>We experience low levels of crime.</b>	<b>We experience low levels of fear, alarm and distress.</b>	<b>We are at low risk of unintentional harm.</b>	<b>Our people and communities support each other, exercising both their rights and responsibilities.</b>
<b>We have a high level of confidence in justice institutions and processes.</b>	<b>Our public services are fair and accessible.</b>	<b>Our institutions and processes are effective and efficient.</b>	<b>Our public services respect the rights and voices of users.</b>

## Community Justice Structures in East Lothian

The following diagram details the Community Justice structures in East Lothian and the membership of the Reducing Re-offending Group and Reducing Re-offending Board, which managed the transition from the pre-2016 Act structure to the post-Act structure. The Group has led on the development of this Outcome Improvement Plan and the Board, sitting within the Safe & Vibrant Communities Partnership, has provided strategic oversight on behalf of East Lothian's Community Planning Partnership, East Lothian Partnership.

### Community Justice Governance Structure



The governance and delivery arrangements will be reviewed (by October 2017) to ensure that there is strategic leadership and operational accountability to deliver the Outcome Improvement Plan.

## East Lothian's Profile

The East Lothian Community Justice Outcome Improvement Plan is founded on an assessment of key data about public perceptions of crime, crime data<sup>1</sup> and offenders, which is summarised below.

### East Lothian's Demographics

East Lothian has a population of approximately 104,000 (2016). It has one of the fastest growing populations in Scotland, projected to grow by over 1,000 each year for the next 20 years. The growth will be most marked amongst young people and older people. The 0-16 age group is expected to grow by around a third. The number of older people (over 65s) is projected to increase by 72%, and the over 75 age group could grow by almost 100%.

### Crime and Safety

#### *Perceptions of Safety and Crime*

Overall people in East Lothian feel safe in their communities and consider the county a very good place to live.

The latest (2016) annual survey of pupils in P6 and S2 showed that 96% of pupils feel safe in their local neighbourhood during the day, although the proportion who stated they feel safe in the evening fell to 79%. Almost all of the pupils surveyed (98%) said they know how to keep themselves safe when using technology.

The East Lothian Citizen Panel (2014) found that 97% of panel respondents feel safe walking in their local neighbourhood during the day. However, this figure decreased to 75% feeling safe when walking outside alone after dark. Over 80% of panel members stated that they are not threatened by crime very much (54%) or at all (28%) and only 18% stated they feel threatened 'a fair amount' or 'a great deal' by crime in their neighbourhood.

The 2014 Citizen Panel also showed relatively low levels of fear of anti-social behaviour. The only types of anti-social behaviour that registered over 15% of respondents being very or fairly concerned were dog fouling (60%), rubbish or littering (44%) and rowdy behaviour (17%). Just under one third (30%) of the panel reported having been affected personally by anti-social behaviour in the past two years.

In a Citizens Panel survey from January 2017, 56% of people had heard of community justice, 79% of people did not know of community justice initiatives or services and 83% did not know of any groups working to reduce reoffending in their area.

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<sup>1</sup> The crime and public perception data is taken from East Lothian by Numbers: 7. Community Safety

Although people generally feel safe and have relatively low levels of personal experience of anti-social behaviour and crime, (the crime rate is falling -see below), there is still a public perception that crime is increasing.

More people in East Lothian feel that crime in their local neighbourhood (and in East Lothian as a whole) has increased than feel it has decreased. The 2014 Citizens Panel showed that 22% of members thought that crime in East Lothian had increased over the previous year (19% in the neighbourhood) and only 7% thought it had decreased (8% in the neighbourhood).

### ***Actual Levels of Crime in East Lothian***

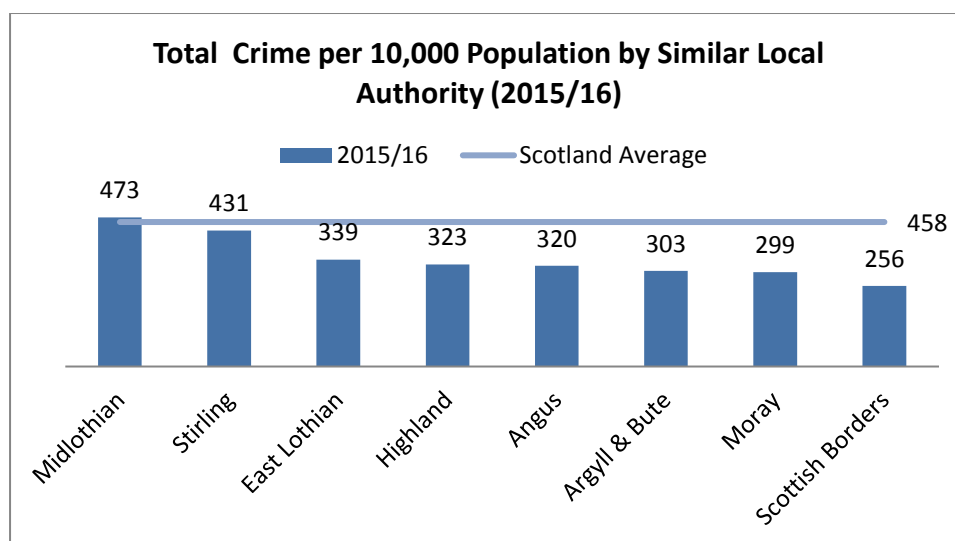
The Scottish Index of Multiple Deprivation (SIMD) provides comparative information about levels of crime over time and across local authorities and communities (based on 'datazones' with populations of around 750 people).

The latest SIMD published in late 2016 showed that the recorded crime rate for domestic house breaking, common assault, crimes of violence, vandalism and sexual offences per 10,000 population in East Lothian fell from 332 in 2012 to 219 in 2016. The level of crime in the East Lothian datazone with the highest level of SIMD crime recorded fell from 1,591 crimes per 10,000 population (2012) to 853 (2016).

Only 3 out of 132 datazones in East Lothian (3%) fall within the 10% Scottish datazones with the highest levels of crime in Scotland and only 11 (8%) fall within 20% Scottish datazones with the highest levels of crime. These are generally areas including town centres with relatively high levels of alcohol related incidents.

Fig 1 below shows the total number of recorded crimes per 10,000 population in 2015/16 in East Lothian and the comparator local authorities of Moray, Stirling, Scottish Borders, Argyll & Bute, Angus, Highland, and Midlothian. East Lothian had significantly fewer crimes per 10,000 population than the Scottish average – 339 compared to 458 and lower levels than Midlothian and Stirling.

**Fig 1: Total number of recorded crimes per 10,000 population (Scottish Government 2016)**



Over the last five years, the level of reported crimes, apart from crimes of a sexual nature, has reduced significantly in East Lothian. For example, Group 1 crimes (non-sexual crimes of violence, including murder, attempted murder and serious assault) fell from 139 in 2010/11 to 61 in 2015/16; Group 3 crimes (including housebreaking and shoplifting) fell from 2027 to 1841; and, Group 5 crimes (including drugs and weapons offences) fell from 1,090 to 636.

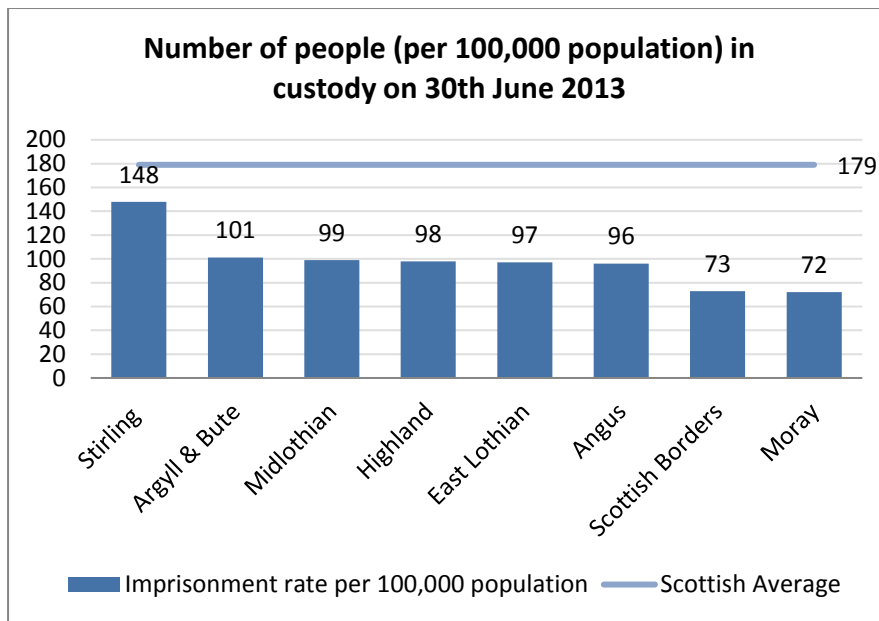
The only crime group that has increased in the last five years is Group 2 crimes (sexual crimes including rape, indecent assault and sexual assault), which increased from 68 to 99.<sup>2</sup> In addition, domestic abuse has increased in East Lothian in line with the Scottish trend. Domestic abuse incidents per 10,000 population increased from 75 in 2006/07 (95 in Scotland) to a high of 100 in 2013/14 and have fallen back to 88 in 2015/16 (108 in Scotland).

### ***Offending & Criminal Justice***

East Lothian has relatively low levels of residents in custody. Across Scotland 179 people per 100,000 population were in custody in June 2013, (the last year for which figures are available). The figure for East Lothian was only 97, which is in line with comparator authorities such as Argyll & Bute (101), Midlothian (99) and Angus (96), though higher than Scottish Borders (73) and Moray (72) (See figure 2).

<sup>2</sup> Note: Many of the sexual crime investigations are historical in nature (some going back to the 1960s). These historical offences remain on-going live investigations due to protracted/ complex nature. Further, there has been an increase in prosecutions for the downloading of illegal child abuse images.

**Figure 2: Number of people in custody per 100,000 population (Scottish Government 2016)**



The overall re-conviction rate in Scotland fell steadily from 32.4% in 2004/05 to 28.3% in 2013/14 (the latest year for which data is available). However, the rate in East Lothian increased from 24.5% in 2004/05 to 29.3% in 2009/10, fell back to 22.4% in 2011/12 but rose again to 28.3% by 2013/14. So, whilst East Lothian’s reconviction rate was lower than the Scottish rate in 2004/05 (24.5% compared to 32.4%), by 2013/14, the East Lothian rate and Scottish rate had converged to 28.3%.

Over four in five offenders in East Lothian are male, and male offenders have a higher reconviction rate than female offenders. The reconviction rate is higher for offenders below the age of 40 for both East Lothian and Scotland.

### **Education & Employment**

Once people have a conviction it is much harder for them to gain employment. There are a number of barriers to improving the prospects of people who have offended securing and sustaining employment, volunteering, training and further learning. These include the stigma associated with declaring a criminal record, limited education experiences, and low skills levels.

Overall in East Lothian, school leavers entering positive destinations have increased from 80.8% in 2005/6 to 91.9% in 2014/15, although this is still slightly below the Scottish average of 92.9%. In East Lothian participation measures for 2015/16 (which are due to replace positive destination statistics) are 93.5%, just above the Scottish average of 93.3%. The trend for school leavers entering employment has increased steadily over the last 6 years and the 2014/15 figure is 50.8% higher than in 2008/09. The combined figures for Higher and Further Education have remained approximately the same since 2008/09, with one trend decreasing as the other

increases. 5.7 pupils per 1,000 were excluded from primary schools and 38 per 1,000 were excluded from secondary schools. The East Lothian rate for Primary and Secondary school exclusions was above the Scottish rate in both 2012/13 and 2014/15. The overall Scottish rate was 27.2 per 1,000 pupils in 14/15, down from 32.8 in 12/13.

## **Health and wellbeing**

Improving people's physical and mental health outcomes is not just a worthwhile end in itself, but can also help to reduce and prevent further offending.

Those who have been in the criminal justice system often experience higher rates of premature death – related to violence, accidents and suicide – than the rest of the population, and are more likely to face problems with mental health or substance misuse.

84.9% of people in East Lothian report having very good/good health – higher than the Scottish average. More East Lothian residents rate their own health as being 'very good' and fewer rate their health as being 'bad' or 'very bad'. Drug related deaths in East Lothian have increased since 2005; there were 10 in 2015 and 706 in Scotland in 2015. Alcohol related deaths decreased between 2005 and 2010, before levelling (14 in 2015 and 1150 overall in Scotland). Overall alcohol and drugs related deaths have been converging since 2005.

## **Housing/Accommodation**

Unsuitable accommodation, unstable accommodation or homelessness can have a multitude of negative impacts to an individual's opportunities and personal wellbeing. An absence of a stable address limits access to facilities and services and increases barriers to meeting social/educational/employability needs. There is clear evidence that poor housing has implications for rates of reoffending due to the negative impact such situations have on maintaining stability and positive social and familial interactions.

The risk of becoming homeless significantly increases with a custodial sentence. The population of prison leavers who become homeless in Scotland is 25%, much higher than in the general population where homelessness presentation is 0.8%. Evidence suggests that a lack of stable housing increases the likelihood of reoffending (by approximately 20%) and that approximately 66% of ex-prisoners who become homeless upon liberation from prison will reoffend.

## **Relationships**

Research suggests that people who have offended and feel a welcomed part of society are less likely to reoffend compared to those who feel stigmatised. It is therefore important that criminal justice professionals work not only with offenders, but also with their family, friends and the wider community (e.g. employers,



community groups, the voluntary sector) to ensure pro-social and positive relationships can be developed and sustained.

Family environments can have significant impacts on the likelihood of future offending. Around 37% of UK prisoners report that someone else in their family had been found guilty of a criminal offence.

### **Financial hardship and support**

East Lothian is generally considered to be an area of high employment and general affluence. However, there is considerable variation in economic activity, unemployment and the financial position of households between and within East Lothian's communities. 11% of people in East Lothian claim out of work benefits, compared to 14% in Scotland. 13% of children live in poverty, which rises to 21% when housing costs are taken into account. The introduction of 'full service' (digital by default) Universal Credit in East Lothian in March 2016 (the first area in Scotland) has had a significant negative impact on claimants

### **Level of Service – Case Management Inventory (LS/CMI)**

The Level of Service Case Management Inventory (LS/CMI) is an assessment and management tool that incorporates the principles of risk, need and responsivity. The tool is used across Scotland in both the community and prison settings for assessing and developing Case Management and/or Risk Management Plans.

The LS/CMI rates individuals in relation to eight criminogenic risk factors – those factors which have been shown to increase the risk of offending – as well as non-criminogenic needs. The resulting case or risk management plan then considers the individual's characteristics to support their engagement in targeted interventions.

There are eight Criminogenic Risk factors:

- Criminal history – past offending behaviour is a good indicator of future behaviours
- Pro-criminal attitudes – if the individual views their offending as beneficial and/or useful they are less likely to stop offending
- Anti-social pattern – early engagement in anti-social or illegal behaviours indicates a greater likelihood of further offending
- Family/marital – the impact of negative role models in childhood and the influence of the family environment is known to impact on pro-criminal attitudes in adult life
- Education/employment – the ability to conform and comply with convention indicates a pro-social lifestyle
- Alcohol/drug use – this relates to the individual's ability to attend education or employment. If substance use impacts negatively on such attendance there is evidence pro-social networks are likely to be affected

- Leisure/recreation – engaging in constructive activities is likely to increase community engagement and gives less time for anti-social associations and/or activities
- Companions – friends serve as models for behaviour and provide a source of emotional and practical reward

The following data is drawn from assessments of 105 offenders' cases on East Lothian's LS/CMI database. In each case, the individual was subject to a period of supervision as either a direct alternative to custody or as part of post-release supervision.

### **Criminogenic Risk Factors:**

#### Criminal history

- 75% had 2 or more previous convictions (adult, young person or child)
- 70% had 3 or more previous convictions (adult, young person or child)

#### Pro-criminal attitudes

- 27% minimised their responsibility for their offending, showed little remorse or victim empathy and/or expressed hostility toward the criminal justice system
- 17% were considered to reject pro-social activities, viewing their criminal activity as rewarding

#### Anti-social pattern

- 51% evidenced general personality and behaviour patterns associated with anti-social behaviour, for example unstable housing, poor financial management or difficulties in employment
- 38% also showed such behaviour in their childhood

#### Family/marital

- 31% of cases had family members with a criminal history.
- 12% characterised their marital/common law relationship as highly rewarding/caring relationship or were satisfied with their single status
- 13% characterised their relationship with parents/guardians as a highly rewarding, satisfying relationship
- 13% characterised their relationship with other relatives such as siblings, grandparents, aunts, uncles etc. as a highly rewarding relationship

#### Education/employment

- 64% were employed. However, 56% said they were frequently unemployed and 33% had never been employed for a full year
- 60% had left school as soon as legally possible and did not return to formal education
- 43% had been excluded on at least one occasion

#### Alcohol/drug use

- 48% had a drug problem in the past

- 87% of cases who had alcohol or drug problems stated this had had a detrimental effect on their family/marital relationships. In the majority of cases it had also led to law violations and problems at work/school
- 65% of cases said they had had an alcohol problem in the past

#### Leisure/recreation

- 75% had no involvement in an organised activity

#### Companions

- 65% had some criminal acquaintances
- 42% were assessed as having a relatively or very unsatisfactory situation in respect of criminal friends

#### **Non-Criminogenic Needs:**

- 16% were classed as homeless/transient, whilst 32% had accommodation problems
- 37% had financial problems
- 4% had a diagnosis of serious mental health
- 38% had low self- esteem, 16% had self-harmed and a further 16% had made suicide attempts/threats
- 21% had physical health problems
- 16% have literacy difficulties, a learning difficulty or another cognitive impairment
- There is a high incidence of victimisation amongst people who have offended:
  - 32% have been a victim of violence within their family
  - 27% have experienced physical assault
  - 10% have experienced sexual assault
  - 23% have experienced emotional abuse
  - 16% have been the victim of neglect

#### **Conclusion**

In summary, the assessment of East Lothian's profile highlight that people in East Lothian feel fairly safe and fear of crime is relatively low. However, whilst overall levels of crime have fallen significantly in recent years, in survey responses, proportionately more people hold the view that crime is rising rather than falling. East Lothian has relatively low numbers of people in prison, but levels of re-conviction have risen and are now at the same level as the Scottish average.

Local data shows a third of people who have offended have experienced violence in their family and almost 90% have experienced drug or alcohol use having a detrimental effect on their family. Three quarters did not take part in activities in the community.

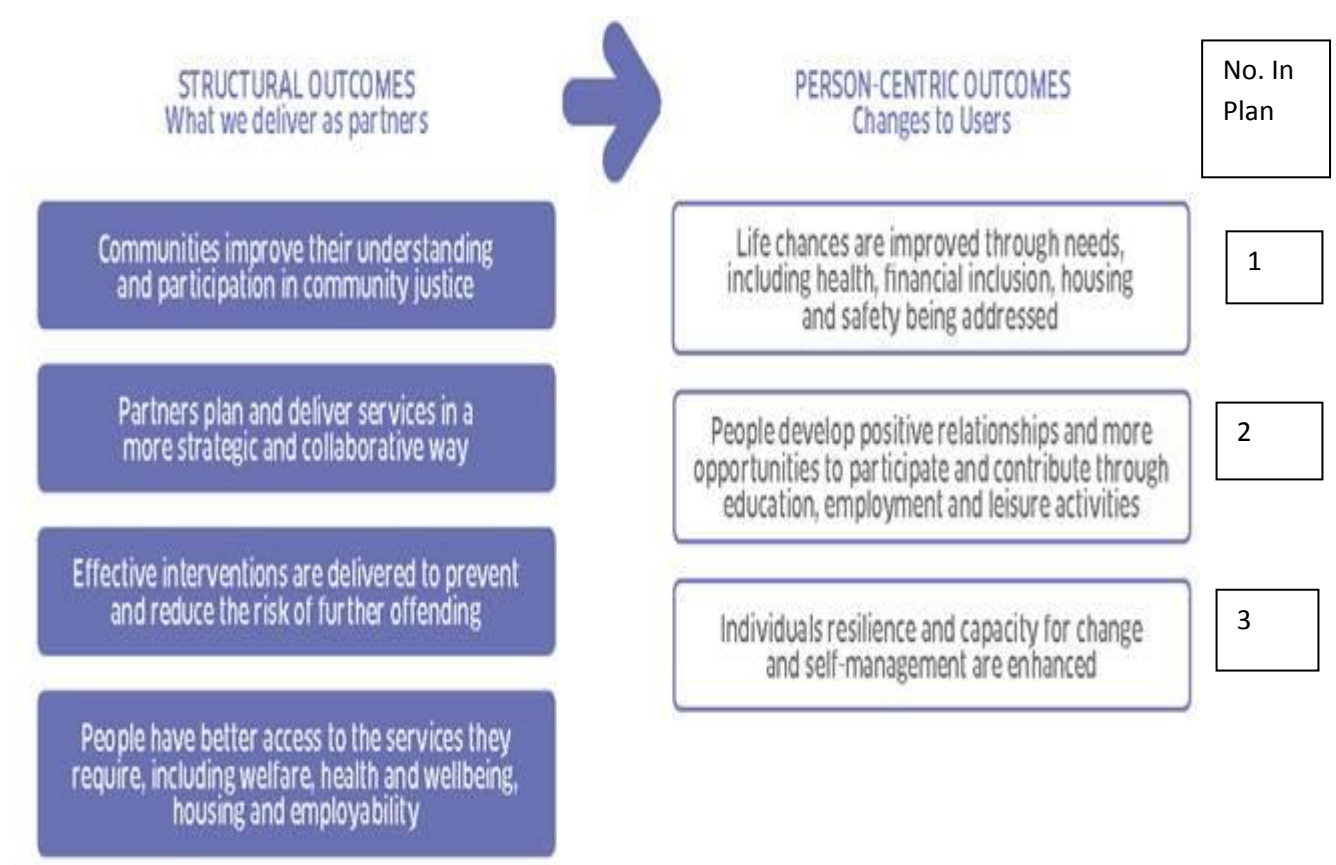
Whilst just over half of people have heard of community justice, the majority do not know of community justice initiatives or groups locally which focus on reducing reoffending.

This assessment has led to the conclusion that the four structural outcomes and the person centric outcomes of the national community justice strategy should form the basis for the East Lothian local Community Justice Outcome Improvement Plan.

East Lothian's community planning partners will work together through this plan to deliver improvements in crime reduction in communities and provide access to targeted services to improve integration and successfully address underlying behaviours resulting in crime.

## East Lothian’s Outcome Improvement Plan

The Scottish Government has identified a set of Outcomes and Indicators to be used by all partners. These Outcomes consist of structural and person-centric outcomes:



The following Outcome Improvement Plan details how the partners within East Lothian will deliver on the structural outcomes. In turn, these should influence the person-centric outcomes, promoting life chances, positive relationships and resilience for those involved in the criminal justice system.

During the first year of the partnership, further work will be undertaken nationally and locally to determine the baseline for the outcome indicators and targets, and progress against achieving the outcomes will be assessed. Funding has been given to local authorities to co-ordinate transitional arrangements. Partners in community justice will be required to work together to deliver the outcome improvements. Deploying resources appropriately will be important.

## Community Justice Outcome

### SO1. Communities improve their understanding and participation in community justice

#### Community Justice Indicators - CJI No.

1. Activities carried out to engage with 'communities' as well as other relevant constituencies
2. Consultation with communities as part of community justice planning and service provision
3. Participation in community justice, such as co-production and joint delivery
4. Level of community awareness of/satisfaction with work undertaken as part of a CPO
5. Evidence from questions to be used in local surveys/citizens panels, etc.
6. Perception of the local crime rate

Ref	Improvement Action	Lead	Completion	CJI No.	Person Centric Outcome
S01.1	Use multiple communication channels to improve public understanding and awareness, and to develop common language in Community Justice across East Lothian.	Policy Officer (Community Justice)	March 2020	1, 4 & 5	1, 2 & 3
SO1.2	Use available engagement methods to elicit views from the community about community justice partners.	Policy Officer (Community Justice)	March 2019	2, 4 & 5	1 & 2

SO1.3	Develop a citizen advisory group, which will include members of the community and those with lived experience of the criminal justice system.	Policy Officer (Community Justice)	April 2019	1, 2 & 3	1, 2 & 3
SO1.4	Further develop the unpaid work programme to better publicise work undertaken in the community.	East Lothian Council Criminal Justice Social Work Service	March 2018	4	1, 2 & 3

**Community Justice Outcome**

**SO2. Partners plan and deliver services in a more strategic and collaborative way**

**Community Justice Indicators - CJI No.**

1. Services are planned for and delivered in a strategic and collaborative way
2. Partners have leveraged resource for community justice
3. Development of community justice workforce to work effectively across organisational /professional /geographic boundaries
4. Partners illustrate effective engagement and collaborative partnership working with the authorities responsible for the delivery of Multi Agency Public Protection Arrangements (MAPPA)

<b>Ref</b>	<b>Improvement Action</b>	<b>Lead</b>	<b>Completion</b>	<b>CJI No</b>	<b>Person Centric Outcome</b>
SO2.1	Review current information sharing arrangements and develop an overarching Information Sharing Protocol.	Policy Officer (Community Justice)	Sept 2017	1 & 4	
SO2.2	Develop appropriate multi-agency tasking and co-ordination for interventions and supports that address the needs of 15-20 priority offenders within East Lothian and adjoining counties, as appropriate.	Police Scotland	March 2018	1, 3 & 4	1, 2 & 3



SO2.3	Review person's needs and available housing options, embedding these within the pre-release assessment and planning arrangements for individuals in custody.	East Lothian Council Community Housing	March 2019	1 & 3	1, 2 & 3
SO2.4	Review the transition arrangements to improve access to services and to health and well-being assessments for those with identified needs moving from custody back to the community.	Scottish Prison Service	March 2019	1 & 3	1, 2 & 3
SO2.5	Expand variety of work placements and employment opportunities for those subject to Community Payback Orders to improve their employability skills.	3 <sup>rd</sup> Sector	April 2018	1 & 3	1, 2 & 3
SO2.6	Analyse the current housing profile, determine accommodation needs for people who have offended and include within East Lothian housing strategy.	East Lothian Council Housing	April 2018	1 & 3	1, 2 & 3

**Community Justice Outcome**

**SO3. People have better access to the services they require, including welfare, health and wellbeing, housing and employability**

**Community Justice Indicators - CJI No.**

1. Partners have identified and are overcoming structural barriers for people accessing services
2. Existence of joint-working such as processes/protocols to ensure access to services to address underlying needs
3. Initiatives to facilitate access to services
4. Speed of access to mental health services
5. Speed of access to drug and alcohol services
6. % of people released from custodial sentences, registered with a GP, with suitable accommodation, and a benefits eligibility check

Ref	Improvement Action	Lead	Completion	CJI No.	Person Centric Outcome
SO3.1	Review access to adult mental health services for children at risk of offending as they transition into adulthood.	Health & Social Care Partnership and Child and Adolescent Mental Health Service	April 2018	1 & 4	1, 2 & 3

SO3.2	Develop and deliver a local programme of Trauma Informed training to inform practice and service delivery and improvements.	East Lothian & Midlothian Public Protection Partnership	April 2018	2	1, 2 & 3
SO3.3	Work with colleagues in the Lothians to signpost, advise and provide timely access to services for East Lothian clients following arrest e.g. Fresh Start (Arrest Referral).	East Lothian Council Criminal Justice Social Work Service	Jan 2018	1, 2 & 3	1, 2 & 3
SO3.4	Increase the number of people accessing voluntary throughcare following release from prison.	Third Sector	Jan 2018	2	1, 2 & 3
SO3.5	See SO2.3	East Lothian Council Community Housing	March 2019	1 & 3	1, 2 & 3
SO3.6	See SO2. 5	3 <sup>rd</sup> Sector	April 2018	1 & 3	1, 2 & 3
SO3.7	See SO2.6	East Lothian Council Housing	April 2018	1 & 3	1, 2 & 3

## Community Justice Outcome

### **SO4. Effective interventions are delivered to prevent and reduce the risk of further offending**

#### Community Justice Indicators - CJI No.

1. Targeted interventions have been tailored for and with an individual and had a successful impact on their risk of future offending
2. Use of “other activities” in Community Payback Orders
3. Effective risk management for public protection
4. Quality of Community Payback Orders and Drug Treatment Testing Orders
5. Reduce use of custodial sentences and remand
  - balance between community sentences relative to short custodial sentences under 1 year
  - Proportion of people appearing from custody who are remanded
6. The delivery of interventions targeted at problem drug and alcohol use
7. Number of police recorded warnings, police diversion, fiscal measures, fiscal diversion, supervised bail, community sentences (CPO, DTTO and RLOs)
8. Number of short-term sentences under one year

<b>Ref</b>	<b>Improvement Action</b>	<b>Lead</b>	<b>Completion</b>	<b>CJI No</b>	<b>Person Centric Outcome</b>
SO4.1	Devise and produce qualitative data including production of an annual report on Community Payback Orders (CPO), Drug Treatment & Testing Order (DTTO) and post-custody licences to inform partnership priorities and resource allocation.	East Lothian Council Criminal Justice Social Work Service	April 2018	4 & 7	1, 2 & 3
SO4.2	Develop the Scottish Fire and Rescue Service programme for offenders within the community (based on the Polmont Young Offenders Reintegration Programme).	Scottish Fire and Rescue Service	April 2019	1, 2 & 3	1, 2 & 3
SO4.3	Develop and expand diversion from prosecution interventions and programmes within the community e.g. anger management and mediation.	East Lothian Council Criminal Justice Social Work Service	Sept 2018	1, 2, & 4	1, 2 & 3
SO4.4	Develop Whole Systems Approach with a focus on early and effective intervention, diversion from prosecution, alternatives to secure care and custody for under 18s'.	East Lothian Council Children's Services	Dec 2018	1, 3 & 5	1, 2 & 3
SO4.5	Develop a gender-based violence perpetrator programme for non-court mandated domestic abuse as part of the work of violence against women and girls working group.	East Lothian & Midlothian Public Protection Partnership	Apr 2020	1 & 3	1, 2 & 3
SO4.6	Develop and expand peer support services within East Lothian for those with substance misuse issues through the recovery hub.	Midlothian & East Lothian Drug and Alcohol Partnership	April 2018	2 & 4	1, 2 & 3



# MAPPA

7a

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

ANNUAL  
REPORT  
2016-2017

# **MAPPA**

**Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements**



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# 1

# Foreword

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

Multi Agency Public Protection Arrangements (MAPPA) are a mechanism through which agencies can discharge their statutory responsibilities more effectively and protect the public in a co-ordinated way. The purpose of MAPPA is to help reduce the re-offending behaviour of sexual and violent offenders to protect the public from serious harm.

Agencies across Edinburgh, the Lothians and Scottish Borders work in partnership to manage those individuals who present the highest risk of harm to our communities. The strength of the partnership between prison, police, health and local authority has continued to grow over the ten years since the introduction of MAPPA.

Since 31 March 2016, the management of high-risk violent offenders has been integrated into MAPPA. Violent offenders present a greater risk of re-offending, which poses a significant challenge to agencies in working with this group to reduce the serious risk of harm they may present.

Re-offending by people managed under MAPPA remains low and this reflects the work we do together. Our utmost priority is to keep the public safe, particularly the most vulnerable members of our communities.

**Michelle Miller**  
**Chair Edinburgh, the Lothians and**  
**Scottish Borders**  
**Strategic Oversight Group**

# 2

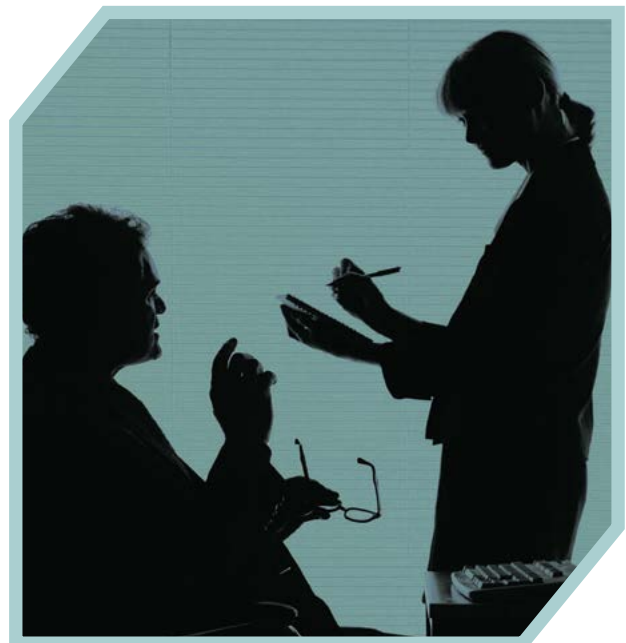
## What is MAPPA?

### Multi-Agency Public Protection Arrangements in Edinburgh, Lothian and the Scottish Borders

Multi-Agency Public Protection Arrangements (MAPPA) provide a framework to manage the risk posed by registered sex offenders and restricted patients (mainly violent offenders, with a small number of sex offenders). On 31 March 2016, the Scottish Government published new MAPPA Guidance. This guidance reflects the new risk of serious harm category, for offenders who by reason of their conviction are subject to supervision in the community, and are assessed by the responsible authorities as posing a high or very high risk of serious harm to the public, which requires active multi-agency management at MAPPA Level 2 or 3.

## MAPPA

Edinburgh, the Lothians and Scottish Borders Multi-Agency Public Protection Arrangements



MAPPA bring together professionals from the police, social work, housing, health and the Scottish Prison Service in Edinburgh, the Lothians and Scottish Borders. These agencies are known as the 'responsible authorities'. While the arrangements are co-ordinated by a central unit based in Edinburgh, the practical management of offenders remains the responsibility of these agencies at local level.

Community Justice Authorities ceased to exist on 31 March 2017, however, MAPPA continue to operate under the Management of Offenders etc (Scotland) Act 2005 and the boundaries previously covered by the Edinburgh, Lothian and Scottish Borders Community Justice Authority will remain. The area covered by our arrangements incorporates the local authority areas of the City of Edinburgh, East Lothian, Midlothian, West Lothian and the Scottish Borders, representing a mixture of urban and rural areas.

The responsible authorities represented are:

- » The City of Edinburgh Council
- » East Lothian Council
- » Midlothian Council
- » West Lothian Council
- » Scottish Borders Council
- » Police Scotland
- » Scottish Prison Service
- » NHS Lothian
- » NHS Borders

There are three MAPPA management levels to ensure that resources are focused where they are needed most to reduce the risk of harm. Over the course of this annual reporting year, we managed 859 registered sex offenders under MAPPA; 92.08% (791) at Level 1; 7.56% (65) at Level 2; and 0.34% (3) at Level 3. Those offenders who present the highest complexity are managed at Level 3. This year, for the ninth year in a row, there were no cases of a Level 3 offender being convicted of further Group 1 (violence) or Group 2 (indecent) crime.

Over the past year, there have been 68 MAPPA Level 2 and Level 3 meetings across Edinburgh, the Lothians and Scottish Borders. Each Level 2 meeting considers a number of offenders, whereas Level 3 meetings are unique to that offender.

The 2016/17 MAPPA National Annual Report provides a picture of the main national developments in relation to MAPPA and can be viewed on the Scottish Government website under recent publications.

# 3

# Roles and Responsibilities

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements

The responsible authorities for each area are required to involve other key agencies in the management of offenders. This is an important part of MAPPA, involving the exchange of information and drawing on the collective knowledge and expertise of numerous agencies. The roles and responsibilities in relation to MAPPA in our local area are outlined below.

Police Scotland is responsible for the enforcement of the notification and compliance requirements of the Sexual Offences Act 2003 (sex offender registration), and for policing activities, including risk assessment, preventative/monitoring strategies, coupled with investigation and prosecution of any registered sex offender who re-offends. Responsibilities include: maintaining an accurate record of those offenders resident in each local authority area subject to the notification requirements; the creation of risk management plans to mitigate or reduce risk; making enquiries where such persons fail to comply with the requirements placed on them; managing sex offenders whose current behaviour is of concern. Police Scotland is the lead responsible authority for those community-based registered sex offenders who are not subject to any other form of statutory supervision. These duties are carried out in partnership with all responsible authorities and 'duty-to-cooperate' agencies.

The local authority is the responsible authority for registered sex offenders who are subject to statutory supervision. The Council's criminal justice social work service is responsible for the supervision of such offenders, but housing, adult social care and children and families services also play a key role in the management of sex offenders in the community.

Criminal justice social work makes a significant contribution to public protection by supervising and managing registered sex offenders in accordance with the requirements of MAPPA and other public protection-related legislation.

Social workers supervise offenders on community payback orders and prisoners who have been released subject to formal supervision. Social workers are required to use accredited risk assessment tools, and in collaboration with other agencies, develop plans for the risk management and supervision of offenders. Social workers can request that additional requirements or conditions be placed on orders and licences by the courts and the Parole Board. These requirements and conditions can range from restrictions relating to accommodation and employment, to instructions to avoid certain locations or victims, or to attend counselling or treatment programmes. These requirements and conditions allow social workers to monitor and influence aspects of offenders' behaviour, as breaches of requirements or conditions can lead to the court or Parole Board returning the offender to custody.

Each local authority in Edinburgh, the Lothians and Scottish Borders has a Sex Offender Liaison Officer (SOLO) or Lead Officer, in the criminal justice social work service, who acts as a single point of contact for information relating to registered sex offenders. They are responsible for chairing risk management case conferences and liaising with other agencies as appropriate.

Local authority housing SOLOs are responsible for offenders' access to housing, which includes accessing temporary accommodation and identification of suitable permanent housing.

Registered social landlords, as 'duty to co-operate' agencies, work with the local authority housing SOLO to identify positive housing solutions, which contribute to public protection.



The role of the housing service is to contribute to the responsible authorities' management of risk through:

- » providing suitable accommodation
- » contributing to environmental risk assessments to ensure accommodation is appropriate
- » liaising with the responsible authorities regarding the ongoing management and monitoring of the risk of the offender as a tenant, including any tenancy moves or evictions
- » having regard to community safety and having in place contingency plans for when a property is no longer suitable and/or the offender's safety is at risk.

The local authority is responsible for ensuring the development of a strategic response to the housing of sex offenders. However, in any local authority area there is likely to be a multiplicity of housing providers, and local authorities must involve and consult registered social landlords in their area when developing their strategic response.

It is the responsibility of the local authority to provide an initial single point of contact for accommodation requests from other responsible authorities. This single point of contact is the housing SOLO, whose role involves:

- » identifying the most appropriate housing provider, following risk assessment
- » ensuring that when an appropriate housing provider has been identified, they are included by the responsible authorities in liaison arrangements relevant to the identification of appropriate housing and the management of risk
- » liaising pro-actively with responsible authorities and housing providers regarding ongoing risk management and community safety issues.

NHS Lothian continues to play an important role in MAPPA locally, as the responsible authority for mentally disordered, restricted patients, and in fulfilling its wider duty to cooperate in the management of registered sex offenders.

NHS Lothian and NHS Borders have a public protection structure (including child protection, adult protection and MAPPA), which is the responsibility of the Nurse Director at Health Board Level. In addition, NHS Lothian now has a Director of Public Protection, designated consultants for MAPPA (consultant forensic mental health clinicians) and a MAPPA health liaison officer. This is to ensure appropriate information sharing and joint working between NHS Lothian and other MAPPA agencies. The aim of the structure is to provide governance for NHS Lothian's contribution to MAPPA and to ensure health issues that arise in relation to MAPPA cases (including mental health, physical health, staff and patient safety, and information sharing) are dealt with appropriately. The Director of Public Protection attends all Level 3 Multi-Agency Public Protection Panel (MAPPP) meetings, as does a consultant. A consultant and the health liaison officer attend all Level 2 MAPPA meetings in the NHS Lothian area.

Additional funding from NHS Lothian has allowed the Serious Offender Liaison Service (SOLS) to continue to provide specialist clinical consultation, training, assessment and clinical supervision to support the management of serious violent and sexual offenders being managed in the community. Examples of recent engagements include a presentation to the Scottish Parliament Justice Committee on Domestic Violence, a presentation to the National Strategic Oversight Group on internet offenders and presenting on domestic violence at the NHS Lothian public protection conference. The service has also been involved in delivering a number of training events, which focused on internet offenders, assessment of sexual offending and assessing risk of domestic violence. Attendance at MAPPA meetings remains one of the core duties of this service.



NHS Borders also makes an important contribution to MAPPA. A consultant clinical psychologist from the learning disability service and a nurse consultant from the vulnerable children and young people service attend all Level 2 meetings, and the associate director of nursing attends all Level 3 MAPPP meetings.

### **Community Intervention Services for Sex Offenders (CISSO)**

This service continues to support the risk management of partner agencies through the delivery of community-based group treatment programmes and individual interventions, addressing the behaviour and attitudes associated with sexual offending. In addition, staff provide assessments and offer advice and consultation to criminal justice social workers in Edinburgh, the Lothians and Scottish Borders. CISSO is moving into its fourth year of delivering the accredited group work programme Moving Forwards: Making Changes (MFMC). The team provides five weekly MFMC groups, four during the day and one in the evening. CISSO has continued its collaboration with the forensic learning disability service and one of the groups is open to offenders with a learning disability. Over the past year, 50 men were involved in MFMC group work. This experience will help inform an evaluation of the MFMC programme, which is scheduled for the coming year. The project has also been actively involved in national meetings that support the implementation and on-going development of the MFMC programme. Since the introduction of MFMC, CISSO has experienced an increase in demand for individual work with men to support the work they do in the group. The service is currently evaluating how it should focus its resources to bring best value in promoting effective interventions. This has included consulting with partner services around how the service supports the provision of

Court assessments and case manager sessions. CISSO has continued to receive a high number of referrals for internet offenders. Over the past year, the project has been involved in conversations, both locally and nationally, with a view to developing a clearer framework for assessment and intervention with this client group. It continues to run a programme specifically for internet offenders. This is a closed group and the programme is 18 sessions long. This group is run on a bi-annual basis and gives places to 16 men per year. The project offers training courses for local criminal justice staff on working with sexual offenders, including introductory days; a 3-day case management course for MFMC; and skills based training to consolidate learning on the case management and risk assessment courses. Delivery of national training in the use of RM2000 and Stable/Acute07 risk assessment tools is also part of the service provided.

### **Keeping Children Safe**

The Community Disclosure Scheme provides that parents, carers and guardians of children under 18 can ask for information about a named person who may have contact with their child if they are concerned that he or she might have convictions for sexual offences against children (e.g. if a parent wants to find out more about a new partner). Police officers discuss the concerns of the applicant in a face-to-face meeting and offer advice and support.

In this reporting year, police in Edinburgh, Lothian and Scottish Borders received 22 applications under this scheme.

Further information can be found at: <http://www.scotland.police.uk/keep-safe/safety-advice-jj/children-and-young-people/child-protection-keeping-children-safe/>

# 4

# Achievements in Developing Practice

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



## Training and Promoting MAPPA

During this reporting year, we have held a number of multi-agency training events.

In June 2016, Scottish Borders Council hosted a multi-agency awareness training day, aimed at staff who may only have limited contact with sex offenders. This event promoted information sharing and understanding in relation to the management of registered sex offenders under MAPPA.

Also in June, the MAPPA Coordinator delivered a training event for staff new to the role of chairing MAPPA meetings. In August 2016, the MAPPA Coordinator delivered a presentation on MAPPA to the City of Edinburgh's Violence Against Women Partnership. The aim was to increase awareness of the new serious risk of harm category, which will manage offenders presenting a high risk of serious harm in a domestic violence setting. In September 2016, Midlothian Council hosted a multi-agency MAPPA presentation to local councillors, to ensure elected representatives were fully briefed on developments in practice and local performance.

Also in September, the MAPPA Co-ordinator and Service Manager for Criminal Justice Social Work in Midlothian Council delivered a presentation on MAPPA to the Midlothian Federation of Community Councils.

In March 2017, West Lothian Council hosted a multi-agency MAPPA awareness-training day to promote information sharing and understanding of the management of registered sex offenders for staff who do not work routinely with sex offenders.

Also in March, Scottish Borders Council delivered a training session with input from a member of the Community Intervention Services for Sex Offenders (CISSO). The topic was 'Internet Offending – The Scale of the Challenge' and staff from all disciplines of social work attended.

Also in March, the Edinburgh, Lothian and Scottish Borders Strategic Oversight Group hosted a multi-agency half day workshop, aimed at staff and managers who will be directly involved in the management of people who have been convicted of offences relating to the possession of indecent images of children. The aim of the workshop was to provide an overview of developments in research findings and to consider what the differences are between the various subtypes of internet offender.

## Developing the use of Sexual Offences Prevention Orders (SOPO)

The SOPO is an order granted by the Court. It places conditions on an offender's behaviour, provides a power of arrest if breached and enhances the police role in managing such offenders. SOPOs could initially only contain prohibitive measures, however, a change in legislation in November 2011 allows for these orders to contain positive obligations as well as prohibitions.

For some offenders, the existence of a SOPO is enough to provide structure to their daily life, through which they may avoid further offending. On 31 March 2017, there were 76 SOPOs in place in our area.

# 5 Strategic Overview Arrangements

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



### **Edinburgh, Lothian and Scottish Borders – Strategic Oversight Group**

This group is responsible for the overview and co-ordination of the Multi-Agency Public Protection Arrangements, ensuring the sharing of best practice and learning from significant case reviews. The group also provides a strategic lead for developing local multi-agency policy and strategy in relation to shared priorities regarding the management of offenders.

### **Edinburgh, Lothian and Scottish Borders – MAPPA Operational Group**

This multi-agency operational group supports the work of the Strategic Oversight Group. Its remit is to share learning, develop best practice and ensure consistency of practice.

### **Offender Management/Reducing Re-offending Committees**

These committees monitor the performance and quality of local service delivery; they provide strategic direction to local member agencies; and develop local policy and practice. These committees include representatives from all key agencies, a number of whom are also members of the local child and adult protection committees, ensuring effective communication across public protection.

### **NHS Lothian Public Protection Action Group**

The main aim of this group is to ensure NHS Lothian discharges its responsibilities for MAPPA, and for child and adult protection. This group provides a general forum to discuss important practice issues, in addition to developing good practice in relation to the management of high-risk offenders in the health care setting.



# 6

# Statistical Information

Unless stated, the statistics recorded are for the reporting period 1 April 2016 to 31 March 2017.

**MAPPA**

Edinburgh, the Lothians and Scottish  
Borders Multi-Agency Public  
Protection Arrangements



**Table 1: General**

REGISTERED SEX OFFENDERS (RSOs)		No.
a) Number of:	I. per 100,000 population on 31 March	69.66
	II. at liberty and living in the area on 31 March	684
b)	The number of RSOs having a notification requirement who were reported for breaches of the requirements to notify	49
c)	The number of "wanted" RSOs on 31 March	0
d)	The number of "missing" RSOs on 31 March	0

**Table 2: Civil Orders applied and granted in relation to registered sex offenders**

THE NUMBER OF	No.
a) Sexual Offences Prevention Orders (SOPOs) in force on 31st March	76
b) SOPOs imposed by courts between 1st April and 31 March	39
c) Risk of Sexual Harm Orders (RoSHO) in force on 31 March	15
d) Sex offenders convicted of breaching SOPO conditions between 1 April and 31 March	11
e) Number of people convicted of a breach of RSHO between 1 April and 31 March	0
f) Foreign Travel Orders imposed by the courts between 1 April and 31 March	0
g) Notification Orders imposed by the courts between 1 April and 31 March	5

**Table 3: By MAPPA Level between 1 April and 31 March**

REGISTERED SEX OFFENDERS (RSOs)		No.
a) By MAPPA Level between 1 April and 31 March;	I. Level 1 – Routine Risk Management	791
	II. Level 2 – Multi-agency Risk Management	65
	III. Level 3 – MAPPP	3
b) Convicted of a further Group 1 or 2 crime;	I. MAPPA Level 1	18
	II. MAPPA Level 2	0
	III. MAPPP Level 3	0
c)	Returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of Group 1 or 2 crime)	11
d)	Indefinite registrations reviewed under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March	26
e)	Notification continuation orders issued under the terms of the Sexual Offences Act 2003 (Remedial) (Scotland) Order 2011 between 1 April and 31 March	20
f)	Notifications made to Jobcentre Plus under the terms of the Management of Offenders etc. (Scotland) Act, 2005 (Disclosure of Information) Order 2010 between 1 April and 31 March	202
g)	Number of RSOs subject to formal disclosure	0

**Table 4: Restricted patients**

RESTRICTED PATIENTS (RPs):		No.
<b>a)</b> Number of RPs;	I. Living in the area on 31 March	35
	II. During the reporting year	41
<b>b)</b> Number of RPs per order	I. CORO	32
	II. HD	1
	III. TTD	8
<b>c)</b> Number within hospital/ community;	I. State Hospital	9
	II. Other hospital no suspension of detention (SUS)	21
	III. Other hospital with unescorted SUS	6
	IV. Community (Conditional Discharge)	8
<b>d)</b> Number managed by category on 31 March (does not include patients from Lothian in the State Hospital)	Level 1 – Routine agency risk management	33
	Level 2 – multi-agency risk	2
	Level 3 – MAPPP	0
<b>e)</b> Number of RPs convicted of a further crime of Group 1 or 2 crime	I. MAPPA Level 1	0
	II. MAPPA Level 2	0
	III. MAPPP Level 3	0

RESTRICTED PATIENTS (RPs):		No.
<b>f)</b> Number on suspension of detention;	I. who did not abscond or offend	21
	II. who absconded	1
	III. who absconded and then offended	0
	IV. where absconding resulted in withdrawal of suspension of detention	1
<b>g)</b> Number on conditional discharge;	I. who did not breach conditions, not recalled or did not offend	7
	II. who breached conditions (resulting in letter from the Scottish Government)	1
	III. recalled by Scottish Ministers due to breaching conditions	0
	IV. recalled by Scottish Ministers for other reasons	1



**Table 5: Statistical Information – other serious risk of harm offenders**

SERIOUS RISK OF HARM OFFENDERS:		No.
a) Number managed between 1 April and 31 March	1. MAPPA Level 2	4
	2. MAPPA Level 3	0
b) Number of offenders convicted of a further Group 1 or 2 crime	1. MAPPA Level 2	0
	2. MAPPA Level 3	0
c) Number of offenders returned to custody for a breach of statutory conditions (including those returned to custody because of a conviction of Group 1 or 2 crime)		0
d) Number of notifications made to DWP under the terms of the Management of Offenders etc (Scotland) act, 2005 (Disclosure of Information) Order 2010 between 1 April and 31 March		0



**Table 6: Registered sex offenders managed in the community under statutory conditions and/or notification requirements on 31 March 2017**

CONDITIONS	Number	Percentage
On statutory supervision	228	33.33
Subject to notification requirements only	456	66.67

# MAPPA

Edinburgh, the Lothians and Scottish Borders Multi-Agency Public Protection Arrangements



**POLICE**  
SCOTLAND  
Keeping people safe  
**POILEAS ALBA**



# COMMUNITY

7b

# PAYBACK ORDER

# ANNUAL REPORT

FINANCIAL YEAR: 2016/17

LOCAL AUTHORITY: East Lothian Council

**Types of unpaid work projects and activities which have been carried out; the total number of unpaid work hours completed during the year; and information and examples that help to demonstrate how communities benefit from unpaid work.**

Unpaid Work Orders Completed

In relation to all orders and all ages involving unpaid work, the following is confirmed:

- Total number of hours **completed** during 2016/17 = 18,538
- Total number of hours **made** during 2016/17 = 21,511

The above figures do vary from the previous year. During 2015/16, there were 1,215 more hours completed. However, with regard new orders made, there were 2918 less hours given to individuals.

Unpaid Work Projects and Activities

East Lothian Council provides a range of unpaid work projects and activities across the county. Examples of unpaid work projects carried out during the past year includes:

- Landscaping - due to geographical set up of the county, this type of activity is the most common within East Lothian. Projects vary from general landscaping of gardens, through to larger and ongoing projects such as coastal paths and public parks.
- Within landscape work, building work can also be included. This includes wooden raised beds; and car barrier repairs (at beach front locations)
- Internal and external painting projects (eg. village hall)
- General environmental projects, including communal litter cleaning activities (eg. with members of the community); allotment maintenance and upkeep; and ground clearance.
- a variety of personal placements in charitable organisations

Following a presentation to a local Community Council, the Community Payback Work Supervisors led the work squads to deliver:

- an upgrade to a path resulting in easier access to the local railway station
- a working agreement to maintain grounds around a historic battle site memorial enhancing the experience for visitors

A local trust acquired an area of an NHS hospital's grounds as a growing project. The trust subsequently engaged with the Community Payback Team requesting support to assist them with their activities by managing the physical environment (e.g. strimming, path maintenance, etc).

Working alongside Tranent Allotment Association, the Community Payback Team continues to be responsible for the allocation of six plots within this allotment area. This has included a variety of third sector community groups, with support and advice (if required) being given to help them develop and maintain their plot.

This development is illustrated in the photo below:



Placements continue to be available in local parks and cemeteries, as well as a golf course in Dunbar. Clients work alongside paid staff members undertaking training in the use of tools, equipment and machinery. Paid team members report that working alongside CPO clients is motivating for them in that they gain enjoyment from helping others obtain new skills while working towards completion of Orders.

As this team is a stand out in terms of opening themselves up to work with Criminal Justice clients, the Community Payback Work Team Leader nominated the Amenity Officer managing this team for a 'Star Award' for demonstrating a 'One Council' approach to work.

A relationship has developed between Community Payback and a local organisation focused on supporting refugees arriving in East Lothian and those currently living in transit camps in Europe and the Middle East. Community Payback have been involved in the transport of donations to a warehouse and loading shipping containers of donated aid. This activity would appear to have allowed clients to think more about need on a global rather than local scale.

The following photo illustrates the start of a landscaping project within East Lothian.



**Quotes from people on CPOs and beneficiaries about the impact of the unpaid work on them and/or the community.**

**Client Feedback:**

**In respect of UW, what would you change or do differently?**

- *Be consistent with rules*
- *Sometimes not enough to do with the amount of folk in the van which makes the day longer*
- *I wouldn't change anything – I was lucky enough to be around and work with some great people who have helped me along the way*

**Attitude to offending behaviours**

- *The CPO has impacted in my decision making in a positive way*
- *I have made a commitment to change*
- *To get on with the community and not do anything that would cause harm to other people*
- *It has made me stop and think about my actions and made me focus on my future*

- *I have strongly been changed in the way of re-offending and have thoughts on how it did make the person suffer by my actions*
- *It's made me realise it's not worth it*
- *I feel like a changed man, working in the community helped me want to do more*
- *It has made me realise my actions have repercussions on others*
- *I need to think about who I am friends with because some encourage me to do things I shouldn't*

#### **Impact on self**

- *Made me fitter*
- *Helped me learn new skills*
- *More confident*
- *Has been quite good, the better of the alternatives*
- *Meeting new people*
- *Made me realise my role in the community and how to best help others*
- *I've learned a lot from this experience and had time to think about what I did was wrong*
- *It has made it better for me to go and find employment*
- *Haven't been able to commit to get full-time job*
- *I enjoyed myself on placement*
- *Unpaid Work made me grow up and helped me gain confidence again. It has also made me realise what I done was extremely wrong*
- *My decision making is a lot more structured, I think about how they affect others around me*
- *Seeing how my work helped to improve things for people made me feel better about myself*

#### **Impact on communities**

- *Of good benefit to wider community*
- *Helps all different kinds of people work together, building new relationships with the community*
- *Jobs can get done for free for folk who need it*
- *The Community sees offenders as actual good folk at heart*
- *A positive way to payback*
- *Helping the kids by working in schools is a good thing*
- *There should be more of this*
- *Improves play areas*
- *Keeps people who commit minor crimes out of jail*
- *Helps people that can't do things for themselves*
- *I felt bad when I was unable to attend*
- *Doing gardens was beneficial for people and you could see a difference the work had made*

#### **Other**

- *Placement staff made everything very clear so I would be working in a safe and friendly environment*
- *The Recycling Project I was placed with helps people who are in less fortunate circumstances*

### **What would you change or do differently?**

- *Allow phones (or at least headphones)*
- *If someone has a grievance you should be able to discuss it with someone higher up*
- *Jobs which can teach new skills other than shovelling*

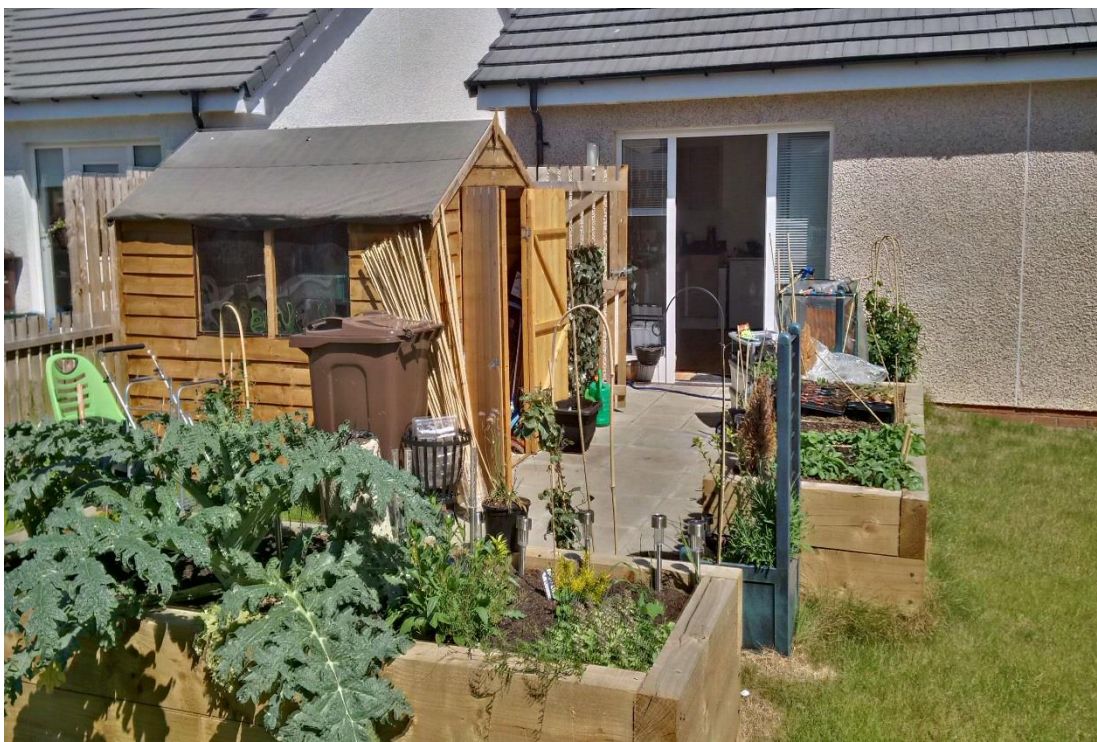
### **Feedback from placement provider**

- *Mr T applied himself well throughout the Order demonstrating excellence in sales and customer service. Indeed such was his impact, the Area Manager invited him to consider applying for a vacant post.*

### **Feedback from Tenancy Support Team**

- *Being able to refer to the Community Payback Team (for upgrading work in gardens) has been of real benefit to tenants in that the risk of formal action has been significantly reduced. All the Work Supervisors have been extremely supportive and accommodating and clients have produced outstanding results way beyond what had been expected in some cases. Having the initial clearance done can have the impact of motivating some of the Council's more vulnerable tenants to take an interest in the garden and in one case upgrading the garden has led to a total transformation in lifestyle.*

The following photo is an example of this. A man with significant mobility issues (and being a wheelchair user) moved into a new build house which had a garden that was not accessible for him. Through discussion with him, and a better understanding of his needs and interests, an unpaid work team built raised beds and laid paving stones to enable access for him within his garden. Through being able to re-ignite his love of gardening and growing vegetables, his mental health and well-being have improved dramatically.





**Types of "other activity" carried out as part of the unpaid work or other activity requirement.**

During 2016/17, we have engaged with our partners with the aim of improving and developing 'other activity' activities. During this year, there have been a couple of additions to the work that we are undertaking. These include:

NHS Lothian Community Health Inequalities Team

Two Health and Wellbeing Sessions, delivered by the above have taken place. The option of one-to-one nurse consultation was also offered as part of the session. This is something that we want to continue as we move forward. As such, we are looking at how best to do this.

Changes

Changes are a local mental health support project. They are now assisting us within our workshop in relation to the Bicycle Repair Project. Due to joint working, CPO clients and volunteers are now working together to repair bicycles.

Adult Learning and Support Services

Individual clients have accessed employment, adult learning and counselling / support services throughout the year. This is one area that we want to encourage and will be a primary focus as we move forward in 2017/18.

During 2017-2018, we plan to continue developing 'Other Activity' further by working together with one of our third sector partners. This gives flexibility to helping address client needs. Particular focus will be on delivering employment and personal development sessions.

**Activities carried out to consult prescribed persons and organisations, pursuant to section 227ZL of the 1995 Act, and wider communities on the nature of unpaid work and other activities and how the consultation results helped determine which projects were undertaken.**

Presentations have been made to local Community Councils and faith groups on the principles and aims of CPOs. This has allowed us to give examples of the type of work carried out across the county as well as advise of the process for how referrals for Unpaid Work projects can be made.

Attendance at an Area Partnership meeting which specifically focused on the management of allotment sites managed by Community Payback working alongside other organisations.

Within East Lothian Council, the CPO Annual Report 2015/16 was presented to the Public Performance and Review Committee for consideration. Elected members were able to acknowledge the work that was being done, as well as be advocates within the community for unpaid work projects.

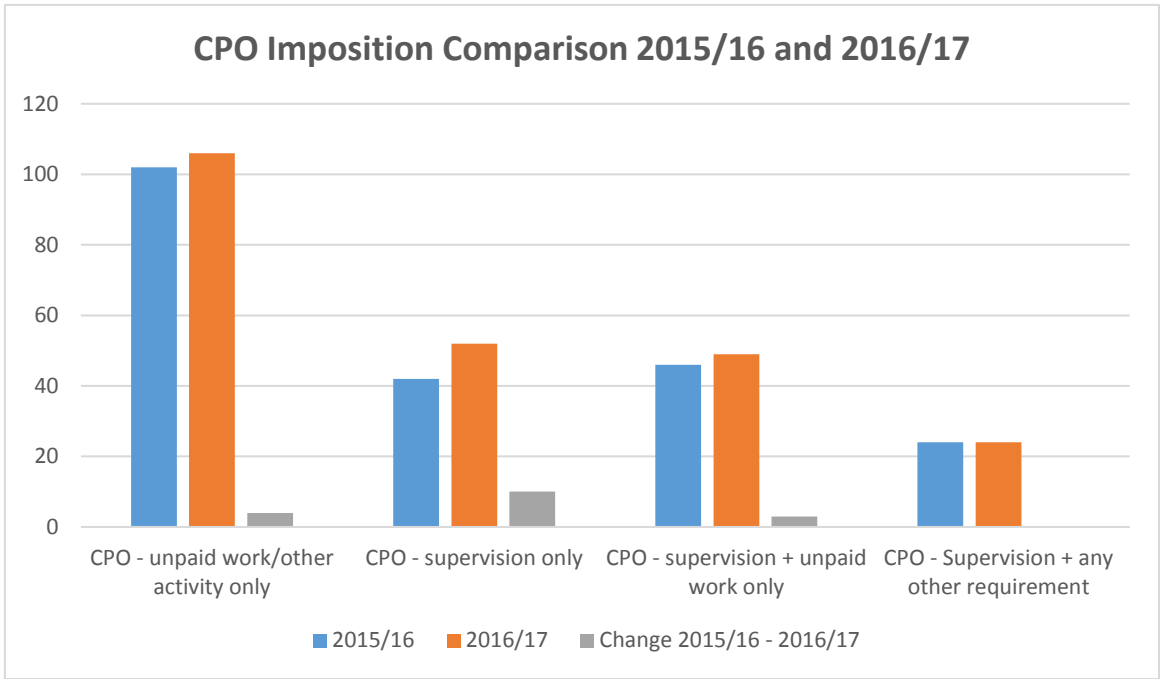
**Use by the courts of CPO requirements other than unpaid work, for example what, and in what way, different requirements are being used for those whose offending is driven by drug, alcohol and mental health issues; or how requirements such as programme or conduct are being used to address offending behaviour.**

229 Community Payback Orders were imposed in 2016/17, compared with 214 the previous year. Whilst only a small increase, it is encouraging that the Courts continue to view these Orders as being suitable and appropriate alternatives to custody.

	<b>2016/17</b>	<b>2015/16</b>
Unpaid work (only)	106	102
Supervision (only)	52	42
Supervision + UW	49	46
Programme	8	10
Compensation	8	11
Conduct	5	1
Alcohol Treatment	1	2
Drug Treatment; Mental Health Treatment; Residential	0	0
<b>Total Number of CPOs</b>	<b>229</b>	<b>214</b>

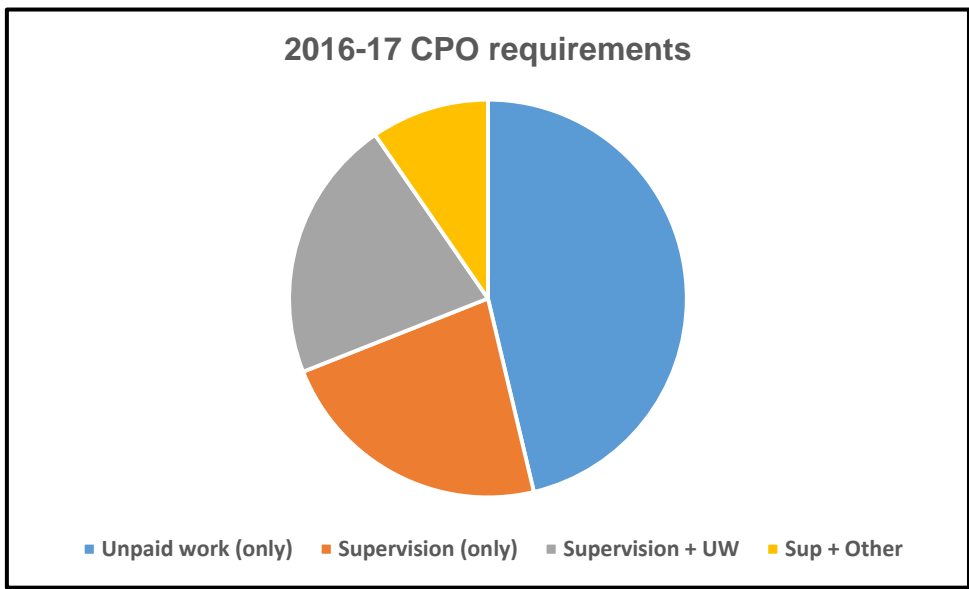
The use of the three health treatment requirements (alcohol, drug and mental health) continue to be very low. This does not suggest that these issues do not exist. Rather, they are often addressed as part of a supervision requirement. Further, the use of Drug Treatment and Testing Orders reduces the need for, or use of, the number of drug treatment requirements as part of a CPO.

The programme requirements imposed were in relation to the Caledonian programme (domestic abuse) and Moving Forward Making Changes programme (for sexual offending).



As can be seen, Unpaid Work/other activity only, continue to be the preferred option of the Courts when making CPOs. However, supervision requirements have increased. It is important to promote the work done within this requirement as this can potentially have a significant positive impact on an offender's attitude to future offending.

The following graph offers an effective visual aid for demonstrating which CPO requirements are predominately used for clients within East Lothian (for 2016/17):



### Connect: Women's Group

Connect is run holistically by a multi-agency group which includes workers from both East Lothian Council and 3<sup>rd</sup> Sector Partners. This includes the Criminal Justice Service, Adult Services, Women's Aid and SACRO. This enables a more coordinated and effective service to be delivered to women who may be at increased risk of offending as well as having complex needs. This may include social exclusion, isolation, complex multiple trauma, domestic violence, substance misuse, homelessness and poor health and wellbeing. Connect is open for women to attend on a voluntary basis although the Court can issue a requirement to attend as part of a Community Payback Order.

Women are asked for feedback on the group and this can be varied – some examples of feedback are:

- *Since coming to Connect I have learned how to focus on myself, learned other women share some of the same problems and have learned how to take compliments which has given me my femininity and identity back. The group has generally given me confidence.*
- *The group has taught me new coping strategies.*
- *It has given me other courses to join and has me thinking about my future. This is something which I never done before.*
- *I have enjoyed the cheery lunches more than anything. I used to be very self-conscious about eating in front of other people*
- *I have stopped drinking through the support and knowledge I have learned in my time here.*

The intention is to build in more formal agreements with our partners so that the group has more robustness with regard service delivery. It is viewed as crucial to the early intervention/prevention agenda and has a commitment to trauma informed practice.

**Any issues affecting access to services which are provided by other partners (e.g. drug and alcohol services) and, where such issues have been identified, what work is underway to resolve them?**

### Team Member mix

Our decision to employ a Social Work Assistant was taken to increase the flexibility of service delivery and respond to client needs. This has enabled the social inclusion agenda to be prioritised by addressing the individual's welfare needs.

### Universal Credit

Within East Lothian, the impact of Universal Credit on our client group has been significant. Clients require to be supported to access and use the online journals which are required. Our Social Work Assistant established a Universal Credit Clinic whereby clients who needed help, could report to him and receive practical advice and support.

### Suitable Accommodation

East Lothian has significant housing difficulties particularly in relation to accessing suitable single tenancies. Factors such as the bedroom tax; growing population; more complex housing needs, etc, are all impacting on what accommodation is available. We are working closely with our housing colleagues who are working on a 5-year Housing Strategy. This will be critical in providing stable, suitable accommodation for those who require it.

### Drugs and Alcohol Services

The impact of cuts to drug and alcohol services – it is not yet known how this will affect us in the longer term. However, we are developing links with local partners as well as improving the Criminal Justice Social Work Team's understanding of substance misuse and its implications for those subject to CPOs. Further, we are actively involved in helping to develop and shape future service delivery within East Lothian.

### Community Justice

The New Model for Community Justice has already improved partnership working in that the Third Sector were actively involved in the creation of the Local Outcome Improvement Plan. Further, we are meeting on a monthly basis as the Reducing Reoffending Group with a focus on the Action Plan.

### **Any other relevant information. This might include details of work which is carried out with people on CPOs to address their offending behaviour but which does not fall into the category of a specific requirement.**

During 2016/17, there have been a number of developments within East Lothian Criminal Justice Social Work Service relating to our management of CPOs. These include:

- NEXUS group – we ran a 12-week group programme for adult, male offenders which focused on citizenship and personal development – this was in conjunction with partners from SACRO. We are currently reviewing the impact this has had and assessing whether further groups are required.
- We have developed the use of Entry and Completion Questionnaires. These are now linked to our database and allows for more accurate and specific data capture. In turn, this enables us to better allocate our resources as well as getting direct feedback from individuals. The Completion Questionnaires are completed for all those individuals placed on a CPO who are subject to unpaid work and/or supervision requirements.
- We have moved to annual and end of CPO LSCMI re-assessments. This allows us to evidence shift in client risk levels throughout the life of an Order.
- We have introduced an Ontario based Gambling Programme. This was a gap in service delivery as there are no current gambling support programmes in East Lothian.

- We have built into our Local Outcome Improvement Plan (Community Justice Scotland) trauma-informed practice learning. This acknowledges that at the root of successful working with our clients, trauma informed practice is vital to effective and appropriate engagement.
- In East Lothian we have focused on the early intervention/prevention agenda seeing this as key to reducing reoffending.

### Completion Questionnaires

There have been some interesting comments collated via the completion questionnaires from those who completed a CPO with Supervision during 2016/17. These include:

#### Q) Do you think that being on supervision has helped you?

- *I feel like a new person, keeping my relationship and doing my mum proud.*
- *Basically thinking, what's important in life, instead of drinking because basically that's how I got it (the order)*
- *[My social worker] has helped me mend my family life*

#### Q) What has been helpful for you in reducing or stopping your offending?

- *Someone to listen to me. I have been getting on with [the Social Work Assistant], he's good.*
- *Speaking to someone that understands.*
- *[It has made me be] more patient, more understanding of others, being more appreciative*
- *Me. My fear of going backwards and not controlling my anger*
- *I have learned a lot about myself and how to manage myself.*

#### Q) During your supervision have you looked at why you offended?

- *Looked at my behaviour, responses and body language.*

#### Q) Please tell us how you feel you have changed, or why your attitudes have not changed.

- *Think logically in hard relationship situations.*
- *I have changed because I have stopped drinking. As soon as the order started I stopped. I used to also smoke cannabis but I stopped that as well... It was either that or lose everything*

The relationship between the social work staff member and client is an important one. As can be seen from the above comments, there is a lot of effective work that is done on supervision and highlights the importance of Community Packback Orders. In summary:

- *Everybody's been good. I've been treated with respect, definitely.*
- *My attitude has changed because I know what my problem was and have tackled it*

From information collated in the questionnaires, we are using this to analyse our practice and service delivery. Improving what we do, how we do it, and what outcomes we are achieving, are all pivotal to the success that Community Payback Orders can bring – whether it be to the client, the Courts, or the community itself.

COMPLETED BY: Fiona Duncan, Group Service Manager (Adult Statutory Services)  
& Chief Social Work Officer

DATE: 30<sup>th</sup> October 2017

**CONTACT FOR QUERIES ABOUT THE REPORT**

Name: Fiona Duncan

E-mail: [fduncan@eastlothian.gov.uk](mailto:fduncan@eastlothian.gov.uk)

Telephone: (01620) 827897