



**Community Justice
Outcome Activity
Across Scotland**

Annual Report 2020-2021

V1.0 Draft for Consultation

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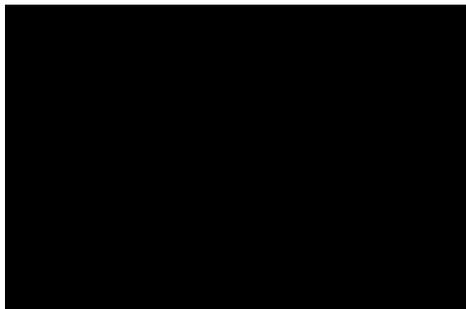


Outcome Activity Annual Report

2020-2021

About us

Community Justice Scotland (CJS) believe that smart justice, based on the best evidence of what works to prevent offending, will make Scotland a safer place to live:



About this Report

CJS is required under the provisions of the [Community Justice \(Scotland\) Act 2016](#) (referred to throughout this report as 'the Act') to provide an assessment of performance in Scotland as a whole in relation to the achievement of national community justice outcomes¹.

¹ Section 27



In preparation for this report, Community Justice (CJ) partners in each local authority area² in Scotland were asked to complete and submit a template, aligned to the national indicators from the [community justice outcomes, performance and improvement \(OPI\) framework](#).

As reported in previous years' Outcome Activity Annual Reports (OAAR), the provision of data and information for reporting against the current Outcome Performance and Improvement Framework (OPIF) presents challenges, particularly in allowing CJS to make an assessment of the degree of progress towards national community justice outcomes. CJS has undertaken to work with the Scottish Government and stakeholders to review it in 2021-22.

We would like to thank CJ partners for the provision to us of their data, information, insights and reflections as this forms much of the evidence base for this report.

This is the fourth CJS report outlining progress towards national outcomes in Scotland. Previous iterations of the report are available covering the reporting periods [2017-18](#); [2018-19](#); and [2019-20](#).

This report is the draft for consultation. It has been based upon returns submitted by local community justice partners to Community Justice Scotland (CJS) and an analysis of other data, policy developments and community justice publications (for example the Recover Renew Transform (RRT) programme). Other data is published following the consultation period and cannot therefore be included in this version, however will be included in the final version of the report. Where possible, we have indicated where this information will be incorporated.

² With the exception of CJ Ayrshire where there is a single joint partnership covering three local authority areas North, South and East Ayrshire.



There are references to practice examples and life stories throughout the document to illustrate some of the work underway across Scotland. The specific areas to which they refer have been removed from this draft and we will seek permission from these areas prior to publishing the final report to name them. The separate practice examples focused on themes or national outcomes have named areas as the information was submitted in local returns with the understanding CJS could use them as illustrative examples.

This report will be proof-read and designed following redrafting after the consultation has closed. Please be assured that design and typographical errors will be picked up during this process and do not include them in your consultation feedback.

A mix of signed and draft local area returns were used to inform the report. One area did not return a completed template and therefore has not contributed to the analysis in the report.

- Draft returns: Community Justice partners in Glasgow, Inverclyde and Orkney Islands (sign off anticipated prior to publication date)
- No return: Community Justice partners in West Dunbartonshire³

This report sets out an analysis of the community justice landscape and makes recommendations aimed at moving Scotland closer to meeting national community justice outcomes. The report also presents a summary of the progress of improvement recommendations highlighted in previous reports.

³ A Local Improvement Recommendation letter has been sent to statutory partners in West Dunbartonshire on 6.12.2021 regarding the failure to comply with a reasonable request from Community Justice Scotland in relation to completion of the Outcome Activity Annual Report template 2020-21.



Foreword

We are delighted to introduce the fourth Outcome Activity Annual Report covering the period 2020-2021.

This report makes an assessment of progress towards national community justice outcomes. The reporting period covers the Covid-19 pandemic including two major lockdowns and we wish firstly to thank organisations working across the community justice sector for their dedication during this unprecedented and evolving situation. Community justice partners adapted and reprioritised activity to ensure they continued to provide essential services and that they supported those with the greatest need. However inevitably there was some disruption to planned activities: some areas redeployed community justice managers and coordinators to focus on supporting the local response to the pandemic. This has had an impact on what realistic progress could be made towards national outcomes.

In terms of achievements we are pleased to see evidence of a shift by partners from being trauma aware to being more actively trauma informed and responsive; this is something we will continue to support both locally and nationally. We are also pleased to see that some partnerships are leveraging partnership resources and personnel: this form of collaboration is to be encouraged and we hope to see it become more widespread. Finally we highlight the use of peer support models which are being used to support improved access to and engagement with treatment and recovery services.

In terms of improvements we need to prioritise evaluation and a better understanding of how our work impacts those in contact with the justice system. This is an area where all public services have work to do. Having more consistent and systematic ways of identifying need and impact is crucial if we are to demonstrate the



effectiveness of our work in this critical area. There is also work to do at a national level to support data sharing pathways. Data and evidence from all partners, both local and national, help us better understand need supported by an ethos of learning, reflection and putting people at the heart of everything we do. We need better evidence to demonstrate the impact we are having: hopefully the revised Outcomes Performance Improvement Framework will assist with this.

In a small number of local areas community justice partners are still not meeting all aspects of their collective statutory duties under the Community Justice (Scotland) Act 2016. Some individual organisations are not meeting their obligations as a statutory partner. One of our recommendations in this report is that all partners check they are aware of their statutory obligations and that there is clarity and agreement regarding each partner's expectations and contributions to ensuring they are meeting these.

Scotland's incarceration rates remain one of the highest in the EU and remand (at time of writing December 2021) is 29% of the prison population. In a country which aims to be safer, fairer and more inclusive, where we prevent and reduce further offending by addressing its underlying causes; and safely and effectively manage and support those who have committed offences to help them reintegrate into the community, we need to do better. Non-custodial sentences should be the norm for all who do not pose a risk to public safety, including a range of treatment and support, where appropriate, to help people stop breaking the law. Prevention and early intervention are key to shifting the balance, getting better outcomes for people and making Scotland's communities safer.

Glenys Watt,
CJS Board Interim Chair

Karyn McCluskey,
CJS Chief Executive



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Executive Summary

1. The reporting year (April 2020 to March 2021) was a full year in Covid-19 pandemic conditions. As a result, a lot of the planned improvement activities were temporarily or indefinitely suspended.
2. In line with 2019/20 recommendations local areas highlight substantial efforts to identify and engage collectively with local third sector and victim organisations but progress remains variable particularly in relation to victims organisations.
3. 13 community justice partners are still not meeting all aspects of their collective statutory duties under the Community Justice (Scotland) Act 2016⁴. This is primarily in relation to published participation statements but two areas do not have a current Community Justice Outcome Improvement Plan and two don't have a public-facing annual report. See pages 37-38 for more detail.
4. The majority of work undertaken within partnerships was (rightly) focused on the pandemic response.
5. Work undertaken was predominantly driven by a risk/need assessment and management system so that work to support those with the most risk or need was prioritised.
6. Partnerships are proud to have been able to maintain this essential work during an incredibly challenging year and spoke of their ability to respond quickly to emerging issues, adapt to a digital model of service delivery, and provide essential support to people in innovative ways.
7. Given the challenging conditions, recurring lockdowns, the stringency of which varied across the country, including a changing national policy and legislative context, the ability of CJ partners to even deliver (some) business as usual activity to meet national Community Justice outcomes should be recognised as an achievement.

⁴ Based on the content of the local area returns



8. Despite a clear desire and commitment from partners and partnerships to maintain services and support to those in the justice system, there was limited progress in terms of planned activities.
9. Towards the end of the reporting period we see some return to normality in terms of improvement activity but this very much depends on the capacity of partners (a product of demand, capacity, redeployment).
10. The disruption to services during the reporting year is likely to have significant medium and long terms impacts for those in contact with the justice system now and in the future.
11. As with previous years the degree of progress year on year is difficult to assess due to challenges with measuring progress towards outcomes using the Outcome Performance Improvement Framework (OPIF) which is currently under revision.
12. As a result of the Covid-19 pandemic it is reasonable to state that there has been limited progress towards national outcomes. However, what is clear and evidenced is that CJ partners have worked tremendously hard during a very difficult and unprecedented time. They remain committed to improving outcomes for those in the justice system and the wider communities they belong to.
13. Partners and partnerships continue their efforts to adapt to the evolving community justice landscape. It is clear from local areas that recovery and any kind of meaningful transformation will require coordinated action at both national and local levels.



Progress on 2019-20 Recommendations

All partners to whom recommendations were assigned in the 2019/20 Annual Report were asked to report on progress or planned improvement activities.

We note that this report was published in March 2021 and thus are cognisant that opportunities to progress these recommendations were time limited. Despite this, we are pleased to note that for many of the recommendations action has already been taken or is planned. A brief outline of progress to date has been included below and we look forward to reporting more fully on these during the next reporting period.

Recommendations 2020-21

Community Justice Partnerships should:	Community Justice Scotland should:	Scottish Government should:
<p>1. Build on work undertaken within the reporting period relating to third sector identification and engagement and apply these lessons learned to ensure they have established mechanisms to identify and engage with victim organisations as well</p> <p>2. Consider using more specific impact and evaluation data, alongside life stories, to demonstrate progress against person centred outcomes in the 2021-22 annual return. For example, Community Payback Order (CPO) exit questionnaires, Public Social Partnership and third sector outcome data.</p> <p>3. Evidence work taken to understand the future need and demand on their services.</p>	<p>1. Support Social Work Scotland in the standardisation or revision of the Community Payback Order (CPO) questionnaire.</p> <p>2. Support CJ partners to achieve the National Outcome 2 ambition, CJS will:</p> <ul style="list-style-type: none"> ❖ support the sharing of practice and experiences regarding the leveraging of resources (see section 35). ❖ explore with Scottish Government a joint working project to promote and enhance participation requirements. <p>3. Support partners to meet their 'Statutory Responsibilities', CJS will:</p>	<p>1. Continue work with the Scottish Courts and Tribunals Service (SCTS) and the judiciary to explore how decisions about remand can be consistently recorded and reported</p> <p>2. Consider how best to support access to meaningful and appropriate data for planning, delivery, and evaluation purposes (e.g. clearer 'data capture' protocols and sharing pathways with agreed reporting timelines)</p> <p>3. Support partners to meet their 'Statutory Responsibilities', Scottish Government should:</p> <ul style="list-style-type: none"> ❖ Consider revision to statutory guidance in light of new strategy and revised



<p>4. Note their collective statutory responsibilities under the Community Justice (Scotland) Act 2016. to ensure that</p> <ul style="list-style-type: none"> ❖ All partners are aware of the statutory obligations and that clarity and agreement is sought regarding partner expectations and contribution to ensuring these are met. ❖ All national partners understand and comply with their individual responsibilities to supporting partnerships achieve their aims (Section 35). 	<ul style="list-style-type: none"> ❖ Monitor performance in line with statutory requirements. ❖ Review guidance and other support mechanisms to enable robust planning and reporting in light of the new strategy and revised Outcome Performance and Improvement Framework (OPIF). ❖ Consider what additional templates and guidance are required to support partners to meet their statutory responsibilities. 	<p>Outcome Performance and Improvement Framework (OPIF).</p>
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Covid-19

“2020-21 has been a year defined by Covid-19 and there is no challenge or barrier that was not affected or influenced in some way”

“The ongoing coronavirus (Covid-19) pandemic has had an unprecedented and all-encompassing effect on all aspects of community justice and there remain several unknowns within the frontline justice system in terms of recovery including, among others, backlogs in Unpaid Work (UPW) and Court business”

“The Covid-19 crisis has challenged all services including Justice Social Work and Community Justice. Adapting service delivery was and continues to be a demanding and an ever changing task”

“The pandemic has impacted upon our population at an individual, service and partnership level”

Unsurprisingly, the impact of the Covid-19 pandemic was wide reaching across the community justice landscape. Significant pressure has been felt across services in Scotland. The pandemic and associated response has had an overwhelming impact at an individual, service and partnership level. As a result, community justice partners were required to enact major changes to how they operated and responded to the needs of those in contact with the justice system.



In many instances the pandemic and response strategies meant organisations and partnerships had to stand down, reprioritise, or significantly amend their activities and services. In many areas, staff shortages due to absence (as a direct result of the pandemic) and the requirement to redeploy staff meant organisational and partnership capacity to deliver services and to progress planned activities was reduced.

Any achievements made by the partnership throughout the reporting period have been made possible as a result of the individual and collective work that continues within services and agencies involved. It is clear that relationships between partners is what enabled them to get through the reporting year. These relationships appear to have strengthened throughout the pandemic as a result of the increased contact required and the requirement to learn about the roles of individuals within partnerships and to work at pace to ensure suitable arrangements were in place.

Impact on Individuals

Across the local areas there was recognition that the pandemic increased vulnerabilities and exacerbated complexity and need within justice involved populations. Specific areas of concern related to increased isolation, substance (drug and alcohol) use, and general deterioration of mental health and wellbeing. The consequences of these were apparent in terms of engagement with services and for things such as initiating and sustaining housing and employability opportunities.

Contact between services and individuals in custody became difficult but a small number of areas highlighted the 'email a prisoner' services which supported



engagement between Justice Social Work (JSW) services and individuals prior to their liberation. Virtual prison visits and Scottish Prison Service (SPS) introduction of mobile telephones in June 2020 also supported individuals in custody to remain in contact with family and friends. Beyond custody, contact with individuals was improved where mobile telephone and Information Technology (IT) connectivity could be supported and being able to provide these was viewed as essential.

Not all service users embraced the move to virtual and digital platforms despite the offer of technology to support this. This highlights the importance of assessment in case management to become inclusive of suitability for virtual and technological supports, digital poverty implications and any training and learning needs.

It is important to recognise that the pandemic not only impacted those directly affected by the justice system but also the staff working within it. A variety of difficulties were faced by staff who were attempting to sustain service delivery whilst simultaneously being innovative, developing new practices, delivering on planned improvement activities, and adapting to the uncertain and ever evolving situation.

Impact on Organisations

From the outset, community justice services and partnerships were required to adapt to digital methods for meetings, training, and consultation. The move to virtual platforms for engagement opportunities was widely recognised as a positive development for partners and partnerships as it often increased attendance at meetings and was deemed to be an efficient and flexible mechanism for engagement. Many areas alluded to attempts to continue virtual or at least hybrid methods of engagement beyond the pandemic.



A number of areas highlighted the need to prioritise the delivery of services, particularly any with an essential face to face element, based on level of risk and need. Four areas spoke specifically of using a Red/Amber/Green (RAG) risk management system to ensure organisations were able to prioritise those with the greatest needs/risks.

There has been large scale redeployment of staff and reprioritisation of activities across partnership organisations. In ten areas, redeployment was specifically highlighted as a major challenge impacting on partnership working and service delivery.

Impact on Services and Activities

Many services and activities had to be stood down or amended significantly as a result of Covid-19 and the associated responses. Due to increased vulnerabilities, staff redeployment, and the need to stand down some services entirely, there was an indication that demand often exceeded capacity to deliver. Local areas spoke of “firefighting” to deal with the additional demands on services and emphasised the need to allocate resources on a risk or crisis management basis.

Despite the many challenges, it is evident that justice staff across public and third sector services have worked under immense pressure and have used tools such as risk matrices and Red Amber Green categorisation to ensure people of highest need or risk are prioritised in the public service response.

Impact on Outcomes



The pandemic continues to pose challenges to service delivery for those who experience the justice system in terms of their ability to complete and comply with sentences, to access support and to engage with virtual methods of delivery. The extent to which the pandemic will impact on medium and long-term outcomes are as yet unknown and are part of the recovery planning process at national and local levels.

Some areas did however outline priority areas for the next reporting period in 2021/22. These include the continuing response to Covid-19; restarting planned improvement activities; additional planning and delivery of future services; and promoting a digital approach where safe and effective. It was noted that longer-term funding would ensure stability and allow long-term planning.

Recover Renew Transform (RRT) Programme:

Nationally, the Scottish Government established the 'Recover, Renew and Transform' (RRT) agenda to support the identification, management and mitigation of impacts both to the justice system and for people who experience this. In addition to project working groups covering police, court, prosecution and defence impacts, a community justice sub-group ('the sub-group') was formed as a core element of RRT. The sub-group is jointly chaired by the Chief Executive of the Scottish Prison Service (SPS) and the Chief Executive of Community Justice Scotland (CJS).



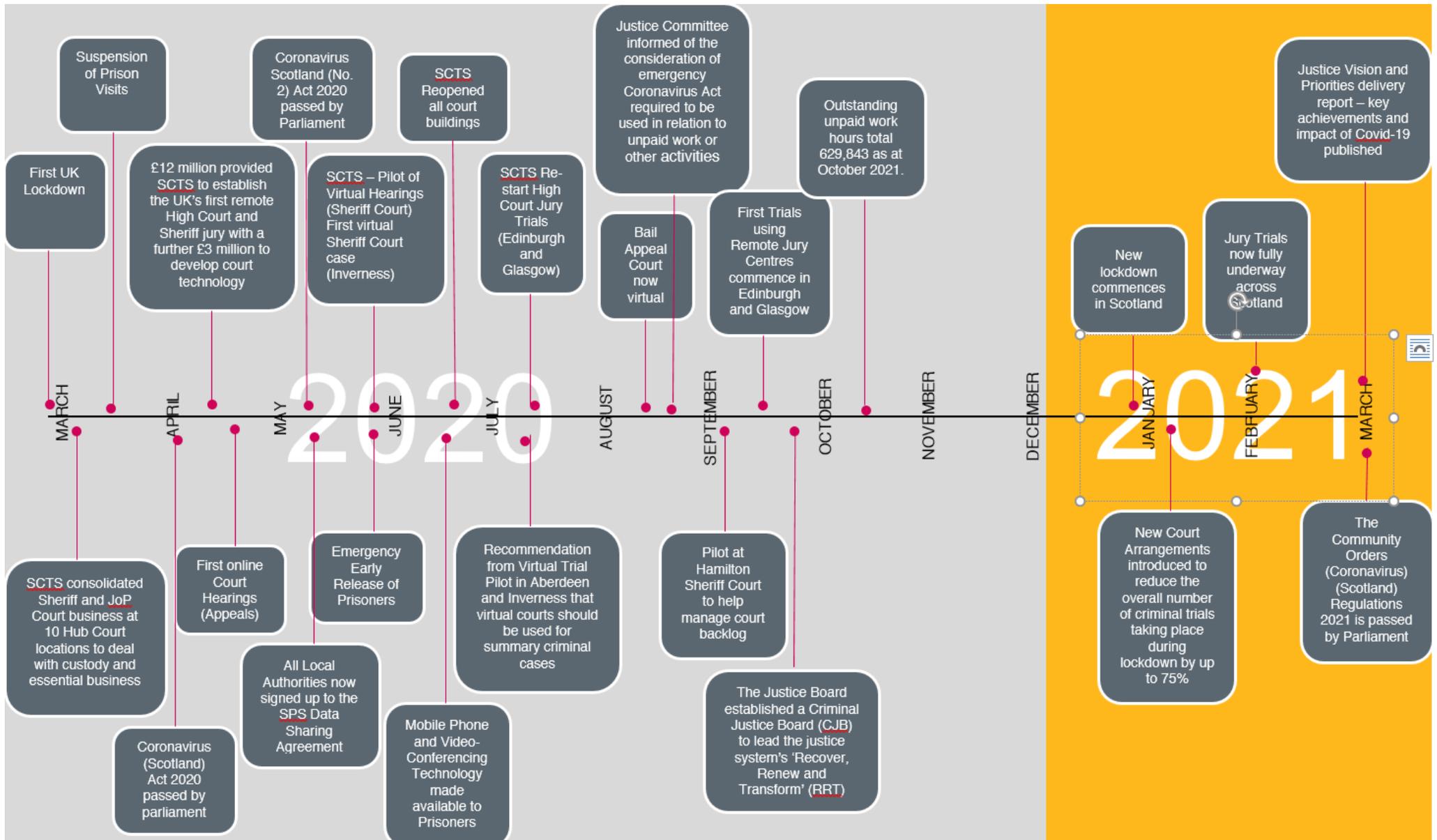


Figure 1 Chronology of justice responses to Covid-19 pandemic in the reporting period

COPFS and Courts

Court closure in Scotland resulted in high numbers of outstanding High Court, solemn and summary trials in all areas of Scotland. Many individuals accused of crime and the victim or witness to this are waiting long periods for case resolution, and a focus on more serious offences and custody increased the remand population in prison to 26% of the total population and rising (April 2020). Plans to increase court numbers and clear outstanding trials by 2025, reduce the remand population and to clear the backlog in case marking by Crown Officer Procurator Fiscal Service (COPFS) will place pressure on community justice services through increased monthly output across bail supervision, diversion from prosecution, Community Payback Orders (CPOs) and other community-based sentences.

In response to court function over the period, two Local Authority areas reported that their local Court reopened as a 'hub' for the region. Services thus supported individuals from out-with the area, which proved problematic and required liaison across Local Authority boundaries to make provision for travel, Personal Protective Equipment (PPE), food and clothing. This had a financial impact and also impacted negatively on relationships with service users, established over time with local court staff.

Victims of crime experienced disruption and uncertainty from the outset of the pandemic in relation to active cases and/or harm caused. This included significant delays in progression of cases through the system, cancellations, an inability to use advocacy support, no court familiarisation visits and a feeling of jury disengagement when sitting remotely from courts. One local area stated they would be considering how this could be supported going forward and this could be improved through CJ partner connection with local Victim Support Scotland representatives. This highlights the importance of local areas continuing their work towards the

recommendation on engagement with third sector and victim organisations in the 2019-20 Outcome Activity Annual Report⁵.

COPFS and the Victim Information and Advice service maintained arrangements which supported victims and witnesses during the COVID-19 pandemic. Plans are in place within **one Local Authority area** to meet with COPFS and discuss next steps in relation to low number progressing through the justice process.

Going Forward In Recovery

National activity in recovery will focus on tackling high levels of substance misuse and related drug deaths, progressing links to the Housing First and Rapid Rehousing Models and progressing outcomes in employability while raising awareness of existing, local opportunities. The importance of recovery planning will be essential and likely to be resource intensive for the sector. Recognition of this is made throughout by local areas and within this year's report and corresponding recommendations.

To support recovery, some areas have already begun to identify future priorities and have taken initial steps to address the remaining national challenges in community justice. These include meetings with COPFS to present the range of diversion options available and capacity of these, explorations of opportunities to maximise 'other activity' and liaison with Sheriffs and Defence Solicitors to present availability of alternatives to remand. Plans for a progress in recovery framework to monitor this must take cognisance of this activity and will require routine reporting via stakeholders.

Across the local areas there are concrete example of steps being taken to support recovery planning. The following provides an example of ongoing recovery planning activities in a single area:

⁵ CJ partners should ensure they have established mechanisms to identify and engage collectively with local third sector and victims organisations.

“Covid-19 recovery will remain a huge challenge going forward and national discussions have taken place with Community Justice Scotland and partners on the importance of reinvigorating the whole systems approach. Our plan reflects those discussions. The pandemic has had a detrimental effect on the operation of the courts, the prison population (including remand), as well as the ability to clear the Unpaid Work backlog. We have already identified steps we will take to try to address the issues locally, including:

- Liaison with the Procurator Fiscal to explain the full range of diversion options and capacity and build on increased referrals*
- Further analysis of Unpaid Work data*
- Exploration of opportunities to maximise use of 'other activity'*
- Liaison with the local Sheriffs and Defence Solicitors to explain availability of alternatives to remand”*

Cross Cutting Themes

A number of cross cutting themes emerge illustrating general approaches taken across local areas and also highlight some general challenges.

Trauma Informed and Trauma Responsive

Enhancing trauma informed practice is part of a national agenda supported by the recent publication of the [‘Trauma Informed Practice Toolkit’](#) by Scottish Government.

The desire to move beyond trauma informed to trauma responsive practice was evident across local areas. A wide range of activities were referenced regarding attempts to progress the ‘trauma informed’ agenda and organisations within the partnerships largely have a clear plan for how to move from being trauma aware to

trauma informed. Whilst one area specifically highlighted their desire to become trauma responsive, this is an idea that several other areas also alluded to. In many cases, planned improvements in relation to trauma informed and responsive practices have been interrupted by the Covid-19 pandemic. Many local areas highlight continued work on trauma and this is reflected in our ongoing recommendations for 2021-21.

A number of practice examples relating to Trauma approaches are outlined in the attached [practice example pdf](#).

Peer Mentoring/Peer Models

Peer Mentoring and Peer Support Models were referenced frequently by local areas. Peer mentoring and peer support models have been used in a variety of domains to improve access to and engagement with services. Not only do these models support access and engagement but, as highlighted in last year's annual report, involvement in them as a peer mentor can also alter the way people see themselves and their own potential. This can have a positive impact on person-centred outcomes which are associated with processes of desistance.

These peer models are typically described within 'single service' initiatives and tend to be most clearly described within third sector organisations. There were also some examples, particularly in relation to projects aimed at tackling substance misuse, that peer approaches were being used by some statutory partner agencies as well.

The local areas described examples of peer recovery and support networks in custody settings, as part of through-care initiatives and within community based services. Peer mentoring models were also described in relation to education (e.g. peer mentoring qualifications and peer literacy mentors), employment opportunities, research, and as part of a peer naloxone outreach program. The following examples illustrate a variety of ways in which they have been used across partnerships.

A number of practice examples relating to peer mentoring approaches are outlined in the attached [practice example pdf](#).

Community Embeddedness

Evidence for 'what works' to reduce reoffending, including literature on desistance and criminogenics and the approaches championed in community justice note the importance of community connections.

Some of this was apparent in the change to the usual way in which unpaid work was undertaken as a result of the pandemic.

A number of practice examples relating to community embedding approaches are outlined in the attached [practice example pdf](#).

Community engagement and communications activity that local CJ partners undertake to contribute to national outcome one support bringing the community and justice elements closer together, as do peer support approaches, participation of people with lived experience in community justice partnerships, working on improving access to universal services.

A few local areas are doing some research with people with lived experience and families to understand the barriers to belonging, feelings of stigma and exclusion to inform their improvement activity. This ties in with evidence across a number of areas that some partnerships are thinking more broadly about inclusion, stigma, improving equity as part of CJP ethos and approaches to their work.

Digital Inclusion/Exclusion

From the outset, community justice services and partnerships were required to work virtually and move to digital methods of delivering services. This move to digital delivery had some positive benefits but it also highlighted a number of challenges. For example, contact between services and individuals in custody became difficult and required significant amendments to processes. A key concern across the local areas was the level of digital exclusion for those in the justice system and the impact this had on their ability to access and meaningfully engage with services. For many areas this necessitated action to address digital barriers to engagement.

Nine areas specifically reference funding assistance from Connecting Scotland⁶ for IT equipment such as tablets and mobile phones to be distributed and used by those engaging with their service. Other areas also highlighted their attempts to facilitate access and engagement by sourcing devices from local organisations and third sector groups. Additionally, a number of areas highlighted attempts to upskill digital literacy as part of CPO other activity. The following practice examples provide further detail on how partnerships leveraged resources to support the justice involved populations whom they worked with and support better digital inclusion.

A number of practice examples relating to digital inclusions approaches are outlined in the attached [practice example pdf](#).

Data and Evidence

The returns indicate substantial differences in the use and appreciation of evidence, theory, and data as part of the planning, reporting, and monitoring cycle.

There are a number of areas in which the desire to be data driven and to deliver evidence based practice is clear and there is evidence of areas actively working with academics, institutions, and consultants to enhance the use of data and evidence based practice within partnerships and individual partner organisations. Similarly, there are some specific examples of partnerships leveraging analytical resource from partners to support and promote the use of evidence and data.

A number of practice examples relating to how partners use data, theory, and evidence are outlined in the attached [practice example pdf](#).

Despite these attempts though, access to appropriately timed and meaningful data remains difficult. Local areas reported multiple barriers including limited capacity

⁶ [Connecting Scotland](#) Accessed 8/12/2021

and/or expertise within some areas. This means partnerships are unable to maximise the potential use of data.

Evidence provided also indicated that the use of assessment and measurement tools varies greatly across the partnerships. This means that understanding improvement, or otherwise (in person-centred outcomes), at an intervention, population or geographical level is extremely challenging.

Challenges relating to the accessibility, meaningfulness, and use of data and evidence has been an ongoing issue across the community justice landscape for some time (see 2012 Audit Scotland Report and Previous CJS Outcome Activity Annual Reports). This is reflected in our ongoing recommendations and development opportunities for 2021-21.

Governance

Governance is key to how community justice objectives are set and achieved; how risk is monitored and addressed; and how performance is measured and maximised. Governance adds value, seeks the best outcomes for stakeholders and strengthens improvement. The best governance bodies have a clear idea of their purpose and role and they understand that good governance is in everyone's interests.

The following principles are highlighted by the Good Governance Institute⁷:

- Clarity of purpose, roles and behaviours
- Application of an organisation / partnership's values
- Leadership and strategic direction
- Effective external and internal relationships
- Transparency and public reporting
- Systems and structures to understand quality, progress towards outcomes and compliance
- Risk and compliance
- Supporting partnership effectiveness including assurance progress is being made, stewardship of resources, supporting leadership

⁷ [The basics of good governance | Good Governance \(good-governance.org.uk\)](https://www.good-governance.org.uk/)
Accessed 30.11.2021

How CJ partners are held to account varies across Scotland but, fundamentally, every CJ partnership has placed its governance arrangements under local community planning structures. This maximises opportunities to make links with improvement activity across services and sectors, and potentially moves people closer towards universally beneficial outcomes.

Close links with Community Planning Partnership (CPP) Local Outcome Improvement Plans (LOIPs) and Locality Plans can be helpful in establishing needs and the availability of services. However community planning is a busy landscape with competing priorities and one where the justice 'population' are considered to variable degrees within its auspices. The approach to locality or place-based planning has challenges working with a population often outwith common understanding of 'a community'. Uniquely, **one area's** CJ partnership continues to embed its community justice improvement priorities within the CPP outcome improvement plan. **Three areas** have joint CJP governance and each report into their own area's CPP.

Within this line of reporting to the CPP however there are a variety of reporting models as we would expect to emerge in a local model for community justice.

- 21 report to Community Planning Partnership either directly or indirectly
- 5 mention report to Health and Social Care Partnership (HSCP) or Integrated Joint Board (IJB)
- 9 mention community safety board/partnership
- 9 mention Chief Officers Group (COG) / public protection

A small number of areas make reference to restructuring / wider governance reviews: **one area** (to Community Justice and Safety Partnership (CJSP)), **one area** (to a wellbeing alliance / economy model and reporting via public protection strand), **one area** (who for the first time will report into CPP), in **another area** a review is underway but likely a public protection reporting model.

Change and restructures led by CJ partners tell a story of recognition of improvement and partnerships who are alive to the importance of governance as a

form of improvement activity. Of course this is not to say every area should be undertaking a structural review, particularly where there is a feedback loop that gives assurance governance is working well.

Governance challenges

Five areas governance/structural challenges; specifically two mention the risk of reliance of the CJ partners on the coordinator and the other three talk about attendance, duplication and links between other partnerships (some of this is about influence/prioritisation of community justice).

Governance benefits

Eleven areas note governance (representation) benefits. These are predominantly in relation to cross-representation between connected partnerships (e.g. Violence Against Women and Girls (VAWG) / Gender Based Violence (GBV), Alcohol and Drug Partnerships (ADP), Community Safety Partnership (CSP)) and the benefits of being well-connected into community planning structures and reporting.

Reporting to the CPP doesn't necessarily mean integration into the CPP planning process and/or Local Outcome Improvement Plan and/or locality plans. A small number of partnerships make reference to the locality or area/place based approach that their CPP takes (it is unclear from the returns if this is replicated for the Community Justice Outcome Improvement Plan (CJOIP)). Eleven areas explicitly mention the CJP or CJOIP close alignment with the LOIP. There are a number of changes that trigger a review of the CJOIP – a new strategy for community justice or a new LOIP⁸. This illustrates the importance of LOIPs in community justice planning and reporting.

A small number of areas specifically take a sub-group or working group model approach often aligned to themes in the CJOIP.

Understandably the focus during the reporting period was not on self-assessments, however three self-assessments during this period were specifically mentioned by

⁸ Section 22 of the Community Justice (Scotland) Act 2016.

CJ partners. No supported and validated self-evaluations were carried out by the care inspectorate during the reporting year.

National Outcome One: Communities improve their understanding and participation in community justice

Key Findings

1. The pandemic curtailed the amount and nature of engagement activity. Community Justice (CJ) partners were able to undertake with communities.
2. Community engagement activity remains an area of priority for local partnerships with strategic approaches to community engagement seen in a few areas.
3. In many areas Unpaid Work (UPW) feedback and communication via social media or newsletters remain the standard approach to community engagement.
4. Work directed at engaging with the general public as well as people in the justice system has improved, and approaches have become more refined and targeted over time.
5. Partners continue to recognise the importance of communications activity and improvement work enhancing public understanding of community justice. Post-pandemic, many local areas speak about their positivity about community engagement re-starting.
6. The ambition of community *participation* in community justice has yet to be realised but there are pockets of work underway in particular codesign and coproduction approaches.
7. There are still too few areas where there is opportunity for people in the community or people with lived experience to participate in the work of the CJ partnership.

Progress on 2019-20 Recommendations	
Recommendation	Assessment of Progress
CJS to provide guidance to support CJsPs to establish strategic communication and participation activity.	CJS have launched an online learning resource hub (March 2022) which includes advice and guidance on communications.
CJS to work with others towards standardising Community Payback Order (CPO) exit questionnaires to allow for aggregating feedback across Scotland (in collaboration with Social Work Scotland).	<p>We have made a recommendation relating to CPO exit questionnaires in every annual report we have produced. Revision of the CPO exit questionnaire remains a work in progress. The intended scope of the project has changed as there is now an intention to create a whole order questionnaire.</p> <p>We have made a specific recommendation in regards to continuing this work.</p>
CJ partners should ensure they have established mechanisms to identify and engage collectively with local third sector and victims organisations	<p>Areas highlight substantial efforts to identify and engage collectively with local third sector and victim organisations but progress remains variable, particularly in relation to victims organisations, and partners themselves recognise there is more work to do. Therefore, we recommend continuing the third sector and victim organisations engagement recommendation from last year.</p> <p>We have made a specific recommendation in regards to continuing this work.</p>

Understandably the pandemic curtailed the amount and nature of engagement activity Community Justice partners were able to undertake with communities. This was primarily due to factors including:



1. Redeployment to the pandemic response
2. The pandemic response was prioritised by individual partners and partnerships
3. The inability to do face to face community engagement e.g. community groups/forums, use of CJS Second Chancers campaign
4. Unpaid Work stopped for a period this is the main route of community engagement for many CJ partners
5. Far fewer surveys were undertaken

Towards the end of the reporting period some community engagement began to pick up including UPW requests and feedback, some service user feedback and surveys. A small number did no engagement work during the reporting period.

The community engagement work that did happen included:

- Newsletters, e-bulletins, social media engagement – with public & partners
- Sharing projects with local media e.g. **one area** canteen donations, Little Box of Kindness in **one area**, CJS social media content: *Celebrating Community = Cheer in Scotland* in **one area**.
- Public request for UPW and feedback was still available – especially towards the end of reporting period. Feedback was positive from communities and from people undertaking the work, though based on much lower numbers.
- Inputs on community justice to other partnership groups / teams
- Online surveys of population – e.g. **one area's** public values 'simulator', **another area, another area**.
- Feedback or surveys of people using services – 9 partnerships explicitly mention this in their return



- Participating in CJS comms: Let's talk about justice series & *Celebrating Community = Cheer in Scotland* helped to raise awareness of the delivery of community sentences in **one area**.
- During the reporting period partners in **two areas** had some community engagement work in relation to **a local prison** and **another area's** community custody unit.

Some CJ partnerships are adopting a more strategic approach to communications. For example in **one area** they have a communications strategy and toolkit, in **another area** they have a communications sub-group and in **another area** they have a strategic communications plan; **another area** has a community engagement workstream and have made engagement with people with lived experience part of the role profile.

There has been steady improvement activity over the medium term (i.e. over the course of the annual reports from 2017-18 onwards) in relation to community engagement activity. In particular work directed at engaging with the general public as well as people in the justice system has improved, and approaches have become more refined and targeted over time.

Partners continue to recognise the importance of communications activity and improvement work enhancing public understanding of community justice. Post-pandemic, many local areas mentioned their positivity about community engagement re-starting. **One area**, for example, are planning to host the Second Chancers audio exhibition when pandemic restrictions allow. The online simulator conducted in **an area** shows the need for continuing community engagement activity – projects under



the community justice banner received significantly fewer votes than others, though many of the top 5 have a distinct cross-over with community justice.

The ambition of community *participation* in community justice has yet to be realised but there are pockets of work underway:

- Local areas indicate that a small amount of survey work / research with people with lived experience of justice system is happening or will recommence when pandemic restrictions allow. Some of these will be built into needs assessments and CJOIPs, some into service design/redesign.
- **One area** surveyed people about stigma, some peer researcher work on the justice system pathways in **another area**. In **another area** they are doing piece of research with people and families with lived experience of the justice system.

Co-design and coproduction for some projects or services is emerging. During the reporting period **three areas** shared their work on a Service User Participation Group (**one area**), redesign of spaces for men and women using a service *by* the men and women using the service (**two areas**) and codesigned trauma informed work led by young people on orders (**one area**). In **one area** they have a family member with lived experience of the justice system on a working group for family support and group work development.

Some areas commission, employ or have volunteers who have lived experience of the justice system in their services, in particular third sector organisations. Some of these roles are paid advisers or peer mentors, others are volunteers. For example nine projects in **five areas**.



The work highlighted in the 'community embeddness' section offers an opportunity for encouraging more participatory approaches in community justice.

There are still too few areas where there is opportunity for people in the community or people with lived experience to participate in the work of the CJ partnership. Only **one area's** CJ partnership has lived experience representation on the partnership. In **one area** they are planning, through their 'community engagement workstream to establish and support a Community Justice Citizen's Advisory Group, including those with lived experience of the criminal justice system, to assist with CJ partner planning and community engagement. They have also developed their coordinator role to include engagement with people with lived experience as a specific activity in the role profile. The **area** Community Justice Third Sector Forum are considering how they better reflect voices of lived experience in the partnership.

A number of practice examples relating to National Outcome 1 are outlined in the attached [practice example pdf](#).



National Outcome Two: Partners plan and deliver services in a more strategic and collaborative way

Key Findings

1. Understandably the pandemic curtailed lots of planned improvement activity.
2. A lot of collaborative work, as always, is demonstrated by all CJ partnerships in the reporting period, despite the restrictions of the pandemic. Local areas should be commended for this. There is a range of approaches to collaborative working outlined in the section below but includes whole system approaches, link worker roles, joint work across partnerships and strategic collaborative projects and funding applications.
3. Most strategic planning is done through the Community Justice Outcome Improvement Plan. Many areas demonstrate that there is underpinning evidence to the CJOIP, but the variable picture of SNSA activity speaks to a required strengthening of this underpinning process.
4. CJOIP 'delivery' happens in different ways – some areas have thematic delivery groups which take responsibility for driving the improvement activity.
5. Other approaches to strategic planning are commissioning, joint funding, joint project initiation groups.
6. Some areas are beginning to leverage partnership resources including funding and personnel, but this isn't yet widespread.
7. Commonalities in collaboration and strategic planning include awareness of roles and responsibilities, connections and participation in other linked partnerships, collectively working to a shared vision, values and culture. Governance arrangements and colocation can also help.
8. Covid, limited engagement from some partners, challenges with data and evidence (availability, information sharing and data literacy) and the current funding model can all hinder this type of work.



Progress Against 2019-20 Recommendations	
Recommendation	Assessment of Progress
Create and provide additional datasets to support measurement of community justice outcomes.	Data set availability, provision and creation is being considered through the development of recommendations to revise the Outcomes Performance and Improvement Framework. Work is on-going.
CJPs should ensure they are meeting statutory requirements for strategic planning. This includes being able to evidence: <ol style="list-style-type: none"> 1. A range of strategic needs and strengths assessment (SNSA) activity 2. A published and up-to-date Community Justice Outcome Improvement Plan (CJOIP) which includes a participation statement 3. A published annual report assessing progress towards outcomes 	There are still a number of local areas in which community justice partners are not meeting their collective statutory responsibilities. In terms of participation statements, 13 ⁹ do not have participation statements. Two areas ¹⁰ have not published a public facing annual report. Two areas ¹¹ do not have a current CJOIP. In terms of SNSA activity, twelve ¹² report they have completed some form of needs assessment; Six ¹³ indicate needs assessment activity is

⁹ Aberdeen City, Aberdeenshire (only for 2017-18 CJOIP), Argyll and Bute, Clackmannanshire, Dumfries and Galloway, East Dunbartonshire, Community Justice Ayrshire, East Renfrewshire, Fife, Moray, CNE Siar (Western Isles), West Dunbartonshire, West Lothian

¹⁰ Argyll & Bute and West Dunbartonshire

¹¹ Aberdeenshire and West Dunbartonshire

¹² CNE Siar, Dundee City, East Lothian (commissioned), Falkirk, Highland, (commissioned), Midlothian, Scottish Borders. Aberdeen City (population needs assessment for CPP), East Renfrewshire, Fife (related to CPP needs assessment) Glasgow (needs assessment included in CJOIP), Clackmannanshire (CPP needs assessment)

¹³ Angus, CJ Ayrshire, Moray, Orkney Islands, Shetland Islands, Stirling ('justice journey' research commenced, will be used to inform SNSA)



underway; and eleven¹⁴ currently do not have a completed or underway needs assessment.

We have made a specific recommendation in regards to continuing this work.

Strategic Planning

Understandably the pandemic curtailed the amount of strategic work that was undertaken and a lot of the planned collaborative improvement activity of CJ partners.

Much of the work of the partnerships moved online and, particularly at the beginning of the reporting period (when the pandemic was in early stages) the focus was on answering the need from individual organisations rather than working as a partnership. Some justice staff, including CJ coordinators and managers and other partners like Police Scotland, were redeployed to the pandemic response in the early months. This curbed the amount of strategic planning and collaborative working that was possible.

There were however some good examples of CJ partners working collaboratively in response to the pandemic in the early days including the early release arrangements and including information sharing between services. Some of the closeness of working during this period could positively influence partnership working in the future.

¹⁴ Aberdeenshire, Argyll and Bute, Dumfries and Galloway, East Dunbartonshire, Edinburgh (planned for three focus areas highlighted by CJS), North Lanarkshire (some needs assessment activity), Inverclyde (some needs assessment undertaken but full SNSA planned), Perth and Kinross, Renfrewshire, South Lanarkshire, West Lothian (commissioned but not completed due to extenuating circumstances; has been recommissioned).



Many of the partnerships had early technical issues moving business online – finding a digital platform that all partners could use took some time but partners met regularly throughout. For others this was more challenging due to redeployment but they began to meet later in the reporting period.

Strategic planning or improvement activity during the reporting period hasn't recovered in the same way partnership meetings did; a number of local areas note that at that time the response was still more operational crisis management (which is understandable as by that point schools hadn't returned and the country was in another lockdown).

There is a wider backdrop of change for community justice partnerships with a new National Justice Strategy, Strategy for Community Justice, the National Care Consultation and a range of new guidance and other consultations too.

Planning in uncertainty is challenging and it's clear that a number of CJ partnerships are thinking deeply about how to plan post-pandemic. All partnerships should be thinking about planning for recovery.

What CJ partners *did* focus on was:

- Training was prioritised, particularly towards the end of the reporting period and enabled by online platforms. This training was directed at justice staff, partners and other partnerships. Increasing knowledge and an investment in working together is a good example of strategic collaboration. Development of the community justice workforce is an ambition in National Outcome 2 – training of partners and the workforce supports progress towards this outcome.



- Developing their evidence base including needs assessments, service mapping and research with people with lived experience of the justice system.
- Operational collaboration e.g. early release, housing options groups, coordinators from across different partnerships regularly meeting, cross-representation on partnerships locally.

Local partnerships have a variety of approaches to strategic planning.

Needs Assessments

Most partnerships report having some kind of evidence base underpinning CJOIP (some SNSA, some service mapping). During the period **eight areas** made progress in their SNSA activity.

A small number of areas have done service mapping during the reporting period including in **three areas** the latter of which was part of the SNSA.

Overall CJS cannot draw conclusions about the quality of the needs assessment activity but know that local areas continue to find conducting full SNSAs challenging for a range of reasons that have been highlighted in previous reports. The recommendations on data pathways, CJS guidance and OPIF revision aims to support continued improvement in needs assessments.

CJOIP delivery

CJOIPs are the mechanism by which joint improvement activity is planned by the partnership. Many use their partnership meetings to update on CJOIP progress.



Partners approach CJOIP 'delivery' in different ways, some local areas explicitly talk about the collaborative way in which the improvement activity is delivered, for others is it less clear. The locally facing annual report that (as required under the Act) is a key mechanism in reporting delivery and progress against CJOIPs.

Feedback Loops

A large number of areas have processes for service users (and staff) to give feedback on services; some partners are doing this more collaboratively than others as an embedded process in improvement and the change from the feedback is explicit which we welcome. In others it's more of a one-way consultation.

The use of data in feedback loops or by CJ partners as a collective on a more regular basis (e.g. monthly or more frequently) is variable and not widespread. Some areas, usually those with analytical capacity, use this to respond to changing need and demand. **One area** has a dedicated analyst whose role includes this type of work for the partnership.

Commissioning

11 areas have some kind of commissioning process.

One area, for example, has a collaborative commissioning strategy in place and through extensive involvement with partners have progressed three improvement plans which relate to diversion from prosecution, bail support and PASS.

A range of community justice services are delivered by Third Sector organisations through commissioning arrangements in **one area**. In **one area** Justice Social Work concluded the commissioning of employment and training support with the 3rd sector organisation Works+. Planning for commissioning in **one area** and **another area** is underway. CJS published the [Framework for Strategic Commissioning in May 2020](#)



to support partners to put in place the best provision in place to support people in and on the edges of the justice system.

Some partnerships have a joint process for determining projects and/or improvement activity. For example in **one area**: A quality improvement approach is used for all projects, which involves focused collaborative effort involving relevant partners, aimed at testing ideas which it is thought will lead to the improvement sought. Project charters are subject to approval by the CJ Group and CPP Board.

Collaboration

There are lots of examples of collaborative and partnership working – involving all CJ partners, a sub-set of CJ partners, projects with other partnerships. There are a small number of the same partners involved in much of this collaborative working. The third sector are often involved in this collaboration. Strategic collaboration is less common than service-based / operational joint working.

Collaborative working is grouped into the following clusters:

- Across different partnerships in the same local authority area. For example joint projects with VAWG and ADPs. This is aided in particular by cross-fertilisation between partnerships and supporting upskilling of the workforce.
- Joint work that focuses on transitions for example whole system approaches, link worker approaches, early release.
- Joint work across teams and organisations that focuses on people with greatest need and need the most intensive support / interventions.
- Projects that focus on planning or service delivery based on data analysis from different partners.



Commonalities

Local areas reference a number of factors enable collaboration and strategic planning. These include awareness of roles and responsibilities, connections and participation in other linked partnerships, collectively working to a shared vision, values and culture.

Governance arrangements and representation (as detailed in the section on governance) also supports working across boundaries. The CJ coordinator plays a pivotal role in spanning boundaries and making these links and connections across partnerships.

Co-location can also be a real enabler of collaboration and a few of the local areas mentioned co-location successes.

Barriers

Covid has hindered some of this joint working.

Just as good engagement facilitates collaborative working, a lack of engagement from partners can hinder it – the local areas again mention specific partners including SCTS, COPFS and some health partners as being challenging to engage in the local model.

Evidence (including data and research, insights from engagement activity) is an important part of the strategic planning cycle. A lack of analytical capacity and difficulties accessing and using data can hinder some strategic planning activities and processes.



Seven of the local areas note that the current funding model arrangements do not support long-term planning and collaboration. Some of these touch on the short-term nature of funding making it hard to plan long-term, short-term funding resulting in a high turnover of staff and ending of projects and funding not filtering down to third sector organisations from Local Authorities.

All but two local areas have a CJOIP and this is the major strategic planning activity that partnerships do together. Needs assessments are fundamental to this process and previous annual reports and this one have discussed the mixed picture of needs assessments.

One ambition in this outcome is about CJ partners beginning to leverage resources e.g. personnel from across CJ partners or jointly funding projects. It's an area where limited progress has been made over time but there is some evidence in these local areas of where there are projects being jointly funded by a small number of CJ partners (**in six areas**), partners pooling resources (e.g. data sub-groups to support SNSA work, accessing analysts in other partner organisations to support SNSA work).

There is an opportunity to build on some of the collaborative working that happened during the pandemic both as a partnership and between partners – it is evident that some partnerships are thinking about lessons for the future.

National Outcome Three: Better Access To The Services They Require Including Welfare, Health and Wellbeing, Housing and Employability

Key Findings



1. Local areas highlighted that once again availability of and/or access to indicators¹⁵ for this outcome remains a challenge (this speaks to a wider issue with the indicators for person-centred outcomes in the current OPIF)
 2. Improving access to treatment and recovery services is an ongoing priority in Scotland generally and for community justice specifically
 3. Covid-19 had a significant negative impact on the number and type of services available to individuals
 4. Anticipatory planning in some local areas happened in advance of the Medication Assisted Treatment (MAT)
- Standards for Scotland to review practice to ensure these standards can be operationalised and complied with
5. Work has been undertaken to support, embed, and enhance the effectiveness of the Sustainable Housing on Release for Everyone principles and was described as having a positive impact in relation to housing. Partners were clear that they wanted to use learning from this project to maximise on its success.
 6. The work around SHORE was also deemed important for the successful management of the Emergency Early Release Programme (EER).

Progress Against 2019-20 Recommendations

Recommendation	Assessment of Progress
Support CJP's to build confidence in information-sharing arrangements, particularly with universal services.	A lot of work and progress has been made in relation to this recommendation (e.g. Data sharing protocols and Better Sharing Better Outcomes project).

¹⁵ Percentage of individuals released from custody who were registered with a GP; had suitable accommodation; and who had undertaken a benefits eligibility check



<p>CJPs should ensure community justice SNSA activity forms a crucial component of understanding the needs of the whole area population.</p>	<p>Work is on-going.</p> <p>A number of local areas reported making progress on their SNSA during the reporting period.</p> <p>We have made a specific recommendation in regards to continuing this work.</p>
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The following sub-sections of the report provides a breakdown regarding access and uptake of services in relation to substance misuse, health, housing, and employability. It also highlights some of the ongoing or planned improvement activities in relation to access.

Access to Substance Misuse Services

Local areas highlight that tackling substance misuse and ensuring that there are appropriate pathways in place to support individuals into treatment and recovery remains a priority at both a national and local level. There are a number of local initiatives currently in place or in development aimed at improving access, uptake, and engagement with recovery and treatment services. Approaches which focus on outreach and peer support are gaining momentum as are integrated services which help support individuals who experience co-occurring challenges related to mental health and substance use.

Substance misuse treatment services seemed to prioritise activities related to Naloxone distributions (including through non-fatal overdose response teams), ensuring maintenance of opioid replacement medication (albeit moving from daily prescribing to longer-term prescribing), and Blood Borne Virus checks.



The pandemic impacted the number of services and the type of service delivery models available to individuals. Face to face restrictions meant that in many areas, drop-in services had to be closed and group work (e.g. smart recovery) had to be stood down. Initiatives which aim to improve referral and early access to treatment and support for those who come into contact with the justice system were also stood down in many areas. Of the areas who provided data regarding delivery of Alcohol Brief Interventions, there seemed to be a general decline in the number of interventions delivered.

A number of areas did some anticipatory planning for the Medication Assisted Treatment (MAT) Standards¹⁶ for Scotland. Those who reference the new standard indicate that review and planning is already under way to ensure they meet and achieve compliance with the new standards. It should be noted that some rural areas have already highlighted concerns regarding their ability to meet same day prescribing (standard one).

Other areas highlight ongoing work to implement a Rapid Access to Drug and Alcohol Recovery (RADAR) service which aligns to the new MAT standards for same day interventions and prescribing opportunities for those experiencing alcohol and drug issues.

Other examples of current or ongoing planned improvement activities include (but are not limited to) the following:

¹⁶ [Medication Assisted Treatment \(MAT\) standards: access, choice, support - gov.scot \(www.gov.scot\) published in May 2021 but known about prior to the publishing date.](https://www.gov.scot/publications/mat-standards-2021/pages/introduction.aspx) which was published by Scottish Government on behalf of the Drugs Death Taskforce and in collaboration with Public Health Scotland.



One area highlights a number of ongoing activities to support earlier and more streamlined services for those who face substance misuse and other co-occurring difficulties. In August 2020, they rolled out an integrated support hub in an attempt to link individuals with the most appropriate services based on individual needs and wishes. Since its inception (until the end of the reporting period), the hub had handled 188 referrals with waiting times between referral and initial discussion being 1 to 2 days.

In another, they are using an Offender Recovery Service model to provide continuity of care throughout an individual's justice journey, from point of arrest (arrest referral), into prison (providing NHS treatment for substance misuse and psychosocial supports), and back into the community (voluntary through-care), including prison gate pickups. As part of this, they outline a new pilot project to support remanded individuals. This pilot will be implemented in the 2021-2022 period. The project will focus on supporting individuals to achieve stability and continuity of medication in prison and the community and to access longer term support within the community.

One area described how they had secured funding (March 2021) for the development of a Peer Navigator pilot service for people at high risk of a drug related death in key settings including A&E, mental health assessment units and Prison through care. Through peer workers with lived experience the service aims to build trust and relationships, show individuals that recovery is possible, and provide holistic, person-centred support to engage with drug treatment, as well as improve other aspects of their lives including finances, housing situation, skills and wellbeing.



One area was awarded £35,000 through the Scottish Government Challenge Fund within the 'Getting Ready for Change' category to 'carry out a mapping review of pathways into addiction services for people involved in the criminal justice system living in or returning to that area. This includes young people and those who have committed serious and high risk offences'. This is an ongoing activity (post commenced in March 2021).

Additionally, this area also tapped into funding streams released by the Scottish Government to establish a Harm Reduction Mobile Unit. This will be carried out in partnership between the ADP and the Alcohol and Drug Commission. The Unit will target areas in Renfrewshire and aims to make it as easy as possible to engage with communities. This aims to provide crucial healthcare and harm reduction services such as injecting equipment, to reduce the incidence of blood-borne viruses (BBV), as well as testing of BBV in the community. In addition to this, the Unit will distribute Naloxone (a drug that can reverse the effects of an overdose caused by opioids such as heroin or methadone), with the aim to engage individuals who wouldn't normally access support and care services into treatment. It is expected that the Mobile Unit will go live in the autumn.

Access to Mental Health Services

Local areas highlight that tackling mental health problems and ensuring that there are appropriate pathways in place to support individuals into treatment and recovery remains a priority. There are a number of local initiatives currently in place or in development aimed at improving access, uptake, and engagement with mental health support and treatment services. As highlighted above, local areas highlight



ongoing integrated initiatives which provide holistic support for those experiencing multiple difficulties.

A small number of areas make reference to the NHS Scotland standard relating to access to psychological therapies. The standard states that people should begin treatment within 18 weeks of referral and it is a Scottish Government aspiration that the standard be met for at least 90% of patients. Although only five areas provided data in regards to this target, those that did, indicated this aspiration is not currently being met. For the five local areas that provided data, the % of people being seen within 18 weeks ranged from 19% to around 86%

In one area they acknowledged that there had been a 147 week wait to access a Consultant Psychologist. They note that “with the continuing high level of demand it is unlikely that without additional resource this length of wait will dramatically change”.

Three areas explicitly discuss use of Action 15 monies (made available as part of the National Mental Health Strategy) to enhance assessment, support care planning and transitions, and increase access to mental health services in the community.

In one area, the Action 15 monies have been used to support ongoing work to reinstate and embed the Tackling Inequalities, Improving Outcomes Project. The project supports individuals in a variety of ways and helps them with things like budgeting, applying for new benefits, setting up payment plans, registering with GP surgeries, referring to local services, liaising with housing officers, registering for new houses and assisting to bid on new properties, engagement in support from Community Alcohol and Drugs (CADS), and Change Grow Live (CGL), emotional



and well-being support. During the reporting year, the project received 100 new referrals. Early evidence suggests a high level of engagement (93% attendance rate).

Access to Housing Services

Reference to the Sustainable Housing on Release for Everyone (SHORE) National Standards was made by 14 areas. They highlighted the effectiveness of information sharing protocols and sustained commitment to the SHORE principles. Some areas also indicated that adherence to the standards had led to a reduction in homeless applications made by people who had previously been in prison. Local areas also recognised that there remains commitment from all relevant stakeholder to build upon the SHORE standards, enhance consistency, and improve information sharing at a national level.

Local areas report that the pace of the EER programme was challenging and resource-intensive but a significant achievement for many partnerships. Within **one area**, the average notice period for release during EER was identified as 2.9 days as part of EER. This same area experienced 23 individuals liberated across three tranches, with 12 requiring homeless assistance and/or temporary accommodation.

Many areas established multiagency groups to ensure assessments on individuals for release as part of EER were fully considered¹⁷. Partners within these groups included Criminal Justice Social Work (CJSW), housing, Scottish Prison Service (SPS), Police Scotland, third sector and Alcohol and Drug Partnerships (ADP).

¹⁷ Assessments included risk and need, background checks, health, wellbeing nurse liaison, oversight and support, mobile telephone provision and the development of a Release Information Booklet.



Department for Work and Pensions (DWP), mental health services and emergency food provision teams were also included in several areas. Several areas continued to run their multiagency groups post-EER, due to their usefulness and success. **One area** reported working in this manner had improved links to prison through-care, and **another** stated that work undertaken as part of EER has enabled them to record more accurate data on housing needs following release from custody¹⁸.

¹⁸ Additional benefits stated were reduced time in B&B accommodation, less statutory homeless assessments, cross-service efficiencies, data sharing, early gap identification, learning and support.



National Outcome Four: Effective Interventions are Delivered To Prevent and Reduce The Risk of Further Offending

Key Findings

1. The Covid-19 pandemic and associated response had a significant impact on the number and delivery of effective interventions to prevent and reduce the risk of further offending.
2. In January 2019, Scottish Government published new CPO practice guidelines¹⁹ as well as new Bail supervision guidance²⁰. In 2021, they also issued new guidance on Structured deferred sentences²¹. Relevant partners are working to embed these new guidelines into practice whilst simultaneously respond to
- the Covid-19 pandemic and its associated consequences.
3. There are a range of disposals and effective interventions which can prevent and reduce the risk of further offending. Although the number of local areas that included quantitative data pertaining to the reporting period was low, where data regarding the use of disposals was provided, it demonstrated that there had been an increase to the number of diversion referrals and assessments but a reduction

¹⁹ [Community Payback Order: practice guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot)

²⁰ [Bail supervision: national guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot)

²¹ [Structured deferred sentences: guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot)



in the numbers of Arrest Referrals, Bail Supervisions, CPOs, Fiscal Work Orders, Structured Deferred Sentences. Reductions to court imposed disposals are likely to have been influenced in the lack of court activity.

4. There was recognition across a number of local areas that some disposals are not being fully utilised and that further analysis (at a national level) is required to understand the low or decreasing number of diversionary or community justice disposals.

Progress on 2019-20 Recommendations	
Recommendation	Assessment of Progress
Review the Outcomes Performance and Improvement framework and make recommendations to the Scottish Government for revising it.	<p>A lot of work and progress has been made in relation to this recommendation.</p> <p>Work is on-going and the anticipated delivery is dependent on the National Community Justice Strategy revision timeframes.</p>
Continue to develop approaches to how the backlog of unpaid work hours arising from the pandemic can be effectively managed to ensure that the interests and rights of individuals on orders, and victims, are taken account of in a way that does not overwhelm justice social work services.	<p>Regulations to reduce unpaid work requirements by 35% (with exceptions for domestic abuse, sexual offending and stalking) were introduced in March 2021.</p> <p>In addition, the Criminal Justice Board agreed to the distribution of an additional £50 million over 2021-22, both to establish additional court capacity and to contribute to the wider associated costs across the justice system, including community justice, prisons and legal aid. £11.8m of that funding was allocated to help support and</p>



	bolster justice social work services recovery efforts.
<p>Ensure that further editions of the extended Presumption Against Short-term Sentences (PASS) monitoring information, broken down by local authority area, are made available to CJ partners to assist them in assessing the impact of PASS.</p>	<p>Further monitoring information on the effects of the presumption against short sentences (PASS) of 12 months or less policy was published by Scotland's Chief Statistician on 23 March 2021. PASS monitoring is being integrated into the criminal proceedings bulletin going forward.</p> <p>In addition to this Justice Analytical Services (JAS) are planning a disposals dashboard which will hopefully be available early next year and will provide data on sentence lengths broken down by local authority area.</p>
<p>Continue to work with the Scottish Courts and Tribunals Service (SCTs) and the judiciary to explore how decisions about remand can be consistently recorded and reported.</p>	<p>Research was planned but paused as a result of Covid-19. The work is on-going, however, remand numbers are at an all-time high and local areas highlight some independent work being undertaken within partnerships to understand remand decisions. Some areas suggest this needs to be driven at a national level.</p> <p>We have made a specific recommendation in regards to continuing this work.</p>

Arrest Referral:

Data regarding arrest referral was provided by four local areas. The numbers of referrals and assessments were far lower than previous years. Local areas highlighted that access restrictions resulted in the need to suspend arrest referral services in some areas and this may explain the reduction.



During the reporting year, **One area** agreed to take part in a test of change project working with third sector organisation Positive Steps, Police Scotland, NHS Tayside and Dundee's Criminal Justice Service. The aim of this project is to establish a new Custody Assessment and Referral Service which will work to divert individuals with a history of substance misuse, mental health problems and/or homelessness out of the justice service and into treatment and support. This is an ongoing improvement project.

Bail Supervision:

Bail Supervision helps ensure that remand is only used where necessary and appropriate.

Eight local areas included data relevant to bail supervision. The data indicates low numbers of Bail Supervision over the reporting period ranging from zero to 74 in an area where they are running an enhanced bail supervision pilot.

For all except **one area**, a reduction in bail supervision was noted. Some areas have indicated that "despite the best efforts of social work staff, the bail supervision service is not used to its full potential".

Difficulties in terms of carrying out bail supervision assessments because of Covid-19 restrictions was highlighted by local areas. **One area** suggested that Covid-19 and the corresponding restrictions meant "the information that was available to inform the assessment process was often limited and based only on workers knowledge of clients who were open to the service. Those who were not open or known to services were less likely to be considered as suitable for Bail Supervision



as no face-to-face discussion could take place to appropriately assess their attitude toward bail supervision and levels of risk and need.”

One area reported that they are working with an MSc student from Napier University to undertake a piece of research to understand the factors related to the low use of bail supervision. They are also in negotiations with COPFS so that further information regarding the reasons for bail being opposed are shared routinely with court-based social work staff.

Two additional areas reported ongoing work to explore and improve the use of bail supervision particularly for women and young people.

Diversion:

Data regarding diversion was reported by **17 local areas**. Unlike other disposals, the number of diversion referrals and assessments increased. In most areas where diversion data was available this also led to an increased number of commencements (this was not the case in all areas however). For **one area** it was reported that the use of diversion had almost doubled in 12 months and **another** stated that the number of diversion referrals and commenced cases was at its highest for six years.

There was evidence of ongoing commitment in relation to Diversion. During the reporting year:

One area established a dedicated post to further develop their local approach to diversion. Early evidence indicates improved confidence in the disposal through the



increased number and range of offences referred for diversion compared to previous years.

In April 2020, following agreement by the **area's Board**, partners in **one CJP** began to scope a whole family approach to diversion particularly to support women in contact with the justice system and their families. The new service will present an opportunity to expand Diversion with a particular focus on families. Whilst initially being planned to work with females only, partners decided males could also benefit from this type of approach so decided to widen the post to work with any individual with dependents. This will allow Justice Partnership Services to recruit one worker who will be based within the Third sector to work in partnership with the established **area's** Diversion from Prosecution Team to provide specialist support to families who have a parent/ grandparent open to the service. The proposed whole family approach has been envisaged as a way of maximising engagement and improving pathways to formal support and skill development opportunities known to support desistance. The work to operationalise this approach is ongoing.

Community Payback Orders (CPOs):

Justice Social Work (JSW) and partner services maintained regular contact with those subject to CPO via telephone and online links. Following risk assessment, face-to-face visits were completed and also included delivery of food parcels, vouchers and mobile phones. Some areas indicated that face-to-face contact works better in reducing breaches of order.

Local areas indicate that the predicted increase in CPO's from court recovery across all Local Authority areas will pose significant challenges to service delivery and



addressing outstanding hours going forward. Challenges also take into account support from third sector services on restrictive contracts, particularly in rural areas and these should be relaxed. Other Local Authority areas report increasing their number of CPO 'squads' to begin addressing outstanding unpaid work hours.

Community Payback Orders (CPOs) were heavily affected throughout the pandemic. Services maintained regular contact with those subject to CPOs via telephone in order to continue to advise and offer support, however, face-to-face contact was limited in some areas and not possible at all in others. For one area who were able to carry out some face-to-face meetings (after a risk rating exercise was carried out) with those on CPOs, visits often included the delivery of food parcels and vouchers and mobile phones. The importance of face-to-face interactions is highlighted by the increase in numbers of breaches of orders, licences and subsequent recalls to custody when this was not possible and an improvement in compliance when face-to-face contact resumed and increased.

CPOs were also significantly impacted due to the suspension of Unpaid Work and continued restrictions to delivery including face-to-face services, reduced work party numbers and an inability to complete work indoors. A consequence has been a significant backlog of Unpaid Work hours that was estimated in May 2020, by Social Work Scotland, to be 700,000 hours of outstanding unpaid work hours which equates to an additional 76 hours per unpaid work requirement at that time²². **One area** reported that as a result of lockdown restrictions, there were 10,996 unmet hours by 31st March 2021. In response to the mounting backlog, which continues to rise at an average of 6% per month across Scotland, legislation was brought in at the

²² [Social Work Scotland – CPO UPW Backlog](#)



end of this reporting period (March 2021). The legislation allowed for the reduction of outstanding unpaid work hours by 35%. Local areas report this was a necessary and appreciated intervention.

Services across Scotland have shown real creativity in developing 'Other Activity' aimed at reducing the risk of reoffending and allowing individuals to develop skills and knowledge. This has supported communities to address the backlog in Unpaid Work hours. In **one area**, it was reported that the use of 'Other Activity' increased by 270% on the previous year's figures.

Third sector organisations were instrumental in the delivery of 'other activity' which has supported areas to address some of the backlog in relation to unpaid work hours. APEX Scotland, Street cones, and the Wise Group were frequently referenced and commended for their commitment and involvement to support the continuation of CPOs. Community Payback Teams with support from statutory and third sector partners were able to provide blended learning packages covering an array of topics aimed at enhancing knowledge, skills, and opportunities and improving health and wellbeing. Several areas hope to expand on their range of 'Other Activity' options in the future to include specific work on social, health and leisure areas to tackle health inequality and social isolation.

The impact of Covid-19, including court backlogs, financial constraints, and the ongoing challenges affecting service delivery and completion of unpaid work hours is likely to continue for some time. Going forward, there was recognition that there are likely to be considerable numbers of new CPOs which will bring challenges in relation to their management in addition to dealing with the resumption of Unpaid Work services and the backlog in hours. One rural area highlighted the issues that



exist for them in relation to the time limit on support from Third Sector mentoring services such as Shine. Due to fewer services being available in the area it is not possible for them to work as quickly with service users as they might in larger areas.

It is unclear from local areas how the national recovery agenda will be actioned and what potential impact it will have on individual partners and partnerships.

Drug Treatment and Testing Orders:

There is substantial variability in the use of DTTOs and DTTO2s across local areas. Variances in need will likely influence this but a number of local areas have highlighted the need to look more closely at DTTOs nationally and locally to get a better understanding of their current and potential use. Some areas have already undertaken exploratory work to explore usage, appropriateness, and effectiveness and others have worked proactively with courts to promote the service. Some of the proactive work has been heralded as a success but others have suggested that “despite a reasonable amount of DTTO Assessment requests these [are] not transferring into the imposition of Orders”.

From the **eight areas** who provided data, the number of new DTTOs and DTTO2s over the reporting year, ranged between zero and thirty-three.

One area conducted research with 18 people undertaking a DTTO and used the research to plan and execute improvement activities. They also reflect on how they have used statistics (via the DTTO Quarterly Steering Group) to amend and improve the intervention.



It should be noted that as a result of Covid-19, a decision was taken by some NHS boards to stop the drug testing requirement of both CPOs and DTTOs. In addition, most local areas conducted DTTO work primarily over the phone.

A return from **one area** reflects on the learning which has been taken from the pilot of DTTO2s within the area and there is recognition and ongoing commitment to maintain proactive work with courts to promote the service. Similarly, a different return highlights ongoing improvement activities to ensure DTTO teams continue to meet the complex and challenging needs of service users. It was suggested that there was a need for more multiagency consideration as to whether DTR and DTTO numbers can and should be increased. A review to identify barriers to DTTO delivery was undertaken in one area which they are using to adapt and strengthen service provision to those presenting with drug related offending behaviours. This aims to enhance the Courts confidence in utilising this disposal. They state that Section 27 funding will be targeted at securing redefined service user outcomes.

Accredited Programmes:

Local areas highlighted an increase in Domestic Abuse cases and this was further evidenced in higher numbers being referred or mandated to the Caledonian programme or alternative programmes.

“There appears to be a significant increase in domestic offences which is reflected in our numbers of men subject to a Caledonian programme requirement being the highest we have ever held”

Like many services, these programmes had to be temporarily paused to allow for amendments to the delivery format, however, these were reinstated as quickly as possible. The programmes were typically amended and group work sessions



removed. It was not clear what the impact of these changes had been for those delivering or receiving the programme.

National Outcome Five: Life Chances are Improved Through Needs, Including Health, Financial Inclusion, Housing, and Safety Being Addressed

A wide range of initiatives are aimed at progressing National Outcomes 5, 6, and 7. Across these national outcomes, there was general recognition that the third Sector play a critical role in the delivery of support and interventions which make progress towards these person centred outcomes. Local areas highlighted that funding remains a challenge in terms of their long term planning and sustainability.

Despite some very positive life story examples, it is difficult to comment on the impact these activities have had on person-centred outcomes. This is mainly due to the lack of impact data included in returns. This has been recognised as an ongoing challenge and is primarily due to a lack of understanding about the range, variability in use and effectiveness of tools available to measure person-centred outcomes, alongside known difficulties in the aggregation of this data and information in order to demonstrate progress.

As a result of these challenges, only key findings for National Outcomes 5, 6, and 7, have been included.

A number of practice examples relating to both transitions and support to access services which improve person centred outcomes were highlighted and these are outlined in the attached [practice example pdf](#).



Key Findings

1. The Covid-19 pandemic and associated response had a significant impact on the number and delivery of effective interventions to improve life chances through needs being addressed.
2. It is clear that CJP partners are committed to delivering interventions which improve life chances for those within the justice system. Local areas evidence a wide variety of initiatives in place to improve health, financial inclusion, housing, and safety.
3. Whilst it is recognised that the third sector have always played an essential role in the delivery of these interventions and services, this has never been more evident than during the Covid-19 pandemic. It is clear the value and critical role the third sector have in relation to the delivery of support and interventions which make progress towards National Outcomes 5, 6, & 7. As key partners, they deliver a range of interventions to support person centric outcomes.
4. Local areas highlight that an ongoing challenge relating to funding, particularly in relation to the third sector, has implications in relation to longer term planning and sustainability.
5. The range and depth of life stories once again demonstrates the desire to demonstrate outcomes at an individual level. Yet despite the wide ranging activities and life stories provided, there remains a challenge in relation to



evaluation of interventions and services, measurement of impact, and progress towards

the outcome at an intervention, area, or national level.

National Outcome Six: People Develop Positive Relationships and More Opportunities to Participate and Contribute Through Education, Employment, and Leisure Activity

Key Findings

1. In line with our previous report, all areas reference local interventions aimed at enhancing employability skills. relation to employment. Other areas highlight the significant contributions made by local employability groups, APEX, Wise Group, and Routes to Work.
2. Opportunities to gain skills which enhance employability have been made through the 'other activity' component of CPOs. These opportunities have been made available by local, national and third sector organisations.
3. Thirteen areas explicitly reference activities supported or led by Skills Development Scotland to support progress in



Progress on 2019-20 Recommendations	
Recommendation	Assessment of Progress
Provide guidance to support CJ partners to carry out targeted Strategic Needs and Strengths (SNS) activity in order to better articulate and deliver their local strategic response to voluntary through-care.	<p>The revised OPIF (as proposed) has a focus area on custody transitions.</p> <p>CJS will ascertain if the OPIF revision and the review of commissioning will answer the ask from local areas on through-care or what additional support/guidance might be needed.</p> <p>Work is likely to continue but dependent on the new strategy, through-care review and OPIF implementation.</p>

National Outcome Seven: Individuals' Resilience and Capacity for Change and Self-Management are Enhanced

Key Findings

1. There is a growing recognition that involving people in activities that contribute to the well-being of others, such as mentoring, peer support and volunteering, can alter the way people see themselves and their own potential, as well as how others see them. Areas report that such changes in people's personal and social identities are often associated with processes of desistance.
2. As highlighted in the cross-cutting themes section, partners and partnerships have continued to build on principles of trauma informed practice and this is particularly evident in the activities which support



progress within this national outcome.

3. As also highlighted in the cross-cutting themes section, there is a growing momentum in relation to the adoption of peer mentoring and peer support models.

4. The third sector deliver a range of interventions across Scotland designed to build independent living skills. Frequently cited examples highlighted within this outcome include:

- Venture Trust who work with vulnerable people across community justice to support employability and wellbeing development opportunities.
- Shine PSP who are a national mentoring service that use a mentorship model to support women in contact with the justice system.

- The Wise Group who are a social enterprise group who provide wraparound support and guidance to people serving short-term prison sentences and mentors to those transitioning from custody to community.
- Change Grow Live who are a charity that work with and support people in the justice system to address substance misuse and access treatment.
- Families Outside who are a national charity who support families affected by imprisonment to maintain and improve relationships and access relevant support and information.



Progress on 2019-20 Recommendations

Recommendation	Assessment of Progress
Work with partners (including local authorities and the Risk Management Authority (RMA)) to assess the feasibility of providing aggregated data from the Level of Service/Case Management Inventory (LS/CMI) to CJ partners to assist in their Strategic Needs and Strengths Assessment (SNSA) activity.	The Scottish Government's Community Justice Division is making good progress within the project and look to have a fully centralised LS/CMI Application completed by December 2021.

Key Achievements and Challenges

Partners were asked for their greatest achievement and challenge during the reporting period.

Achievements	Challenges
Response and adaptation of the partnership to Covid (11)	Redeployment, pandemic demands, long-term impact on staff (9), some partner engagement (2) – national to local communication Specific covid impacts: MH support on release from prison (2), throughcare (1), operation of courts, backlog (1)
Continuing some improvement activity / strategic work e.g. communications plan, tackling inequalities projects, high demand / cyclical offending work, colocation, disclosure (9)	Funding model (7) (one notes in particular short-term funding = high turnover of staff and ending of projects)
Progress in data / needs assessment development (4)	Accessing timely data from a range of partners / undertaking SNSA (some of which is related to data access issues) (7)
Early release planning group / process (5)	



	Some challenges particularly for 3rd sector orgs as data sharing didn't include all essential partners (in a particular local area)
Ensuring those in the justice system had needs considered along with wider community response (3)	Capacity (5) including coordinator vacancy, small area, high demand from a small group of people, other asks on consultations, statutory reporting
	Partner engagement (4)

Progress to 2019-20 Recommendations

Recommendation	Assessment of Progress
Scope out research, in collaboration with the Criminal Justice Voluntary Sector Forum (CJVSF), to assess the impact of the pandemic on third sector services.	<p>This work was split into two phases, the first phase comprised a literature review. Phase one is complete and a report is available here</p> <p>The second phase is being led by CJVSF and is ongoing with support from CJS.</p>
Facilitate a national discussion about how best the Crown Office and Procurator Fiscal Service (COPFS), Scottish Courts and Tribunals Service (SCTS) and Integration Joint Boards (IJBs) can effectively engage with CJ partners at local level.	<p>CJS arranged for SCTS to attend the last Chairs Network Event to update on court activity and how this was configured across Scotland. CJS also arranged for them to attend the CJ network, but local areas reflected this hasn't resulted in improvement in local relationships. CJS communications and SCTS communications team have also had some engagement.</p> <p>We recognise there is still a need for improved engagement as well as to improve local messaging when national decision making occurs as part of the RRT programme.</p>

