



**Community Justice  
Outcome Activity Across  
Scotland  
Annual Report 2021-2022  
(Draft for consultation)**

**An analysis of progress  
towards the national  
community justice outcomes**

**December 2022**

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**1. [Foreword]**

[Foreword]

## **2. Executive Summary**

### **OAAR 2021-22 Executive Summary**

This report describes activity that took place across Scotland between April 2021 and March 2022 aimed at driving progress towards the national outcomes for community justice, as set out in the National Strategy for Community Justice and Outcomes, Performance & Improvement Framework launched in 2016.

#### **Key findings**

The pandemic had a substantial impact on activity in the reporting year. Continued Covid-linked delivery challenges contributed to backlogs at every stage. Economic factors added pressure to local and national government, delivery bodies, as well as people and communities. Planning and delivery across all aspects of justice became exceptionally complex.

Nonetheless, the community justice workforce continued to deliver impactful services to people who needed them, implementing learning from earlier stages of the pandemic. As with previous years, effective and meaningful engagement from all partners was a challenge, but progress has been made.

All areas described activity aimed at driving progress towards the National Outcomes.

#### **Outcome 1: Communities improve their understanding and participation in community justice**

Community Justice partners sought to maximise the impact of engagement, to inform planning, raise awareness and shift perceptions. However, next steps will include involvement of the whole community justice workforce to promote this agenda.

#### **Outcome 2: Partners plan and deliver services in a more strategic and collaborative way**

Partners were commonly required to focus on critical emerging priorities, which challenged their strategic resources to inform planning, however all partnerships managed to progress activities.

#### **Outcome 3 : People have better access to the services that they require, including welfare, health and wellbeing, housing and employability**

People continued to present with a wide range of needs and increasing complexity, and partners took steps to identify and facilitate access to services to address them.

## **Outcome 4: Effective interventions are delivered to prevent and reduce the risk of further offending**

All areas continued to deliver activity which aimed to prevent and reduce the risk of further offending. They implemented learning from the first year of delivery under pandemic conditions and targeted their responses.

<b>Outcome 5:</b> <b>Life chances are improved through needs, including health, financial inclusion, housing and safety, being addressed.</b>	<b>Outcome 6:</b> <b>People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities</b>	<b>Outcome 7:</b> <b>Individuals' resilience and capacity for change and self-management are enhanced</b>
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The importance of a person centred approach is understood, partners sought to evidence impact and outcomes systematically, in ways that described people's progress. Areas worked collaboratively to help people have better lives free of offending.

### **Next steps**

2022 saw the publication of the revised [National Strategy for Community Justice](#), with new National Aims and Priority Actions which aim to safely shrink unnecessary use of justice interventions and to enable growth in community integration. This new Strategy was informed by the cumulative evidence base of community justice activity since 2016 and engagement by Scottish Government with a wide range of stakeholders, and sets out revised ministerial direction for partners. Progress will be measured by the new iteration of the Outcomes, Performance & Improvement Framework.

Delivering these priorities will contribute to reversing the long-term drivers of an excessive prison population and enable the required human and social capital to make Scotland the safest country in the world.

### 3. Introduction

This report describes progress towards the national outcomes for community justice set out in the 2016 National Strategy for Community Justice and Outcomes, Performance & Improvement Framework which was written for that strategy. The report is based on activity that took place across Scotland between April 2021 and March 2022, the strategy's penultimate year.

This report, unlike those of previous years, makes no specific recommendations for improvement actions required of Scottish Government, CJS and community justice partners. 2022 saw the publication of the revised [National Strategy for Community Justice](#), with new National Aims and Priority Actions. This new Strategy was informed by the cumulative evidence base of community justice activity since 2016 and engagement by Scottish Government with a wide range of stakeholders, and sets out the key areas on which partners must focus their efforts over the coming months.

#### 3.1 Covid in context for community justice

The reporting year was marked by the ongoing impact of the Covid-19 global pandemic. Across the time period, staff and people accessing support were navigating different levels of restriction.

- February 2021 – National COVID-19 Vaccination Programme commences
- April 2021 – [‘Stay Local’ replaces ‘Stay at Home’ as lockdowns ease](#)
- May 2021 – [Significant easing of restrictions across most of Scotland](#), though some areas remain in Level 3 where infection numbers are high
- June 2021 – [Coronavirus Bill](#) introduced and passed, extending some measures linked to the operation of the justice system to Sep 2021
- August 2021 – Scotland moves to Level 0
- November 2021 – Highly transmissible [Omicron variant](#) detected in Scotland
- December 2021 – [Return of social distancing and restrictions](#) to slow Omicron spread

The community justice partners and workforce in Scotland continued to respond to this adversity with resilience, innovation and compassion. Many impacts of the pandemic overshadowed this reporting period but the following points are important reflections:

- Wellbeing was damaged
- Resources were challenged
- Whole systems of services were stretched

### **Data, analysis and planning**

Analysis of community justice is now especially challenging because many more factors are driving numerical data to move upwards or downwards. The pandemic continues to present a number of challenges for the ‘community end’ of community justice, operating downstream from the criminal justice system.

These challenges are heightened by systemic backlogs in most services, ongoing recruitment and retention problems and more complex caseloads. Learning from pandemic innovations and new ways for working will be part of a new flexible response, however flexibility and relying on the goodwill of the workforce to compensate are not sustainable options. Additionally, digital solutions in a hybrid model of service delivery will require ongoing resources to mitigate digital exclusion and careful considerations to address reduced face to face contact.

Recruitment, retention and wellbeing of the community justice workforce is an ongoing challenge which further complicates planning.

### **Living costs and running costs**

Poverty remains a structural community justice problem which is exacerbated by high inflation and the cost of living crisis. Additional funding from Scottish Government Covid funds were used to commission third sector services and to provide people with the means to comply with court orders through the provision of technology and crisis support. This additional resource will not continue in its current form.

Safe and successful community integration sets up people to succeed in a crime free-life. Locally operating third sector organisations and community assets are pivotal in facilitating this transition from statutory services, therefore the resourcing of communities to enable this integration must remain at the heart of the strategic picture amidst shrinking public sector resources, where the choices are often limited by what “can” be cut.

### 3.2 The justice system in context

The pandemic created significant backlogs in the criminal justice system and the Scottish Courts and Tribunal Service implemented criminal court recovery planning<sup>1</sup> early in the reporting year.

The rising population of people held on remand in Scotland peaked in February 2022 at 1,961.<sup>2</sup> On average, at any time over the reporting year 1 in every 586 men in Scotland aged 25 to 44, were remanded in custody. Backlogs also caused people to spend much longer periods on remand.

The wider prison population also remained excessive and the Council of Europe Annual Penal Statistics published in 2022, described the Scottish prison population as “very high” in a grouping with Russian Fed., Turkey, Georgia, Azerbaijan, Slovak Rep., Lithuania, Czech Rep., Hungary, Poland, Estonia, Albania, Latvia, Moldova, Serbia, Montenegro and England & Wales.

### 3.3 National policy and legislation

The reporting year saw several significant developments related to community justice, requiring significant engagement from local and national partners.

#### **A timeline for relevant developments**

- March 2021 The Community Orders (Coronavirus) (Scotland) Regulations 2021 comes into force, reducing unpaid work hours for some offences
- June 2021 Coronavirus (Extension and Expiry) (Scotland) Bill introduced, extended measures linked to the operation of the justice system
- August 2021 Coronavirus (Extension and Expiry) (Scotland) Act enacted
- August 2021 [‘A National Care Service for Scotland’](#) consultation launched, including proposals for the integrations of justice social work
- Sep 2021 - [National Strategy for Community Justice Review Consultation](#)
- Nov 2021 - [Bail and release from custody arrangements consultation launched](#)
- Nov 2021 [Scottish Sentencing Council ‘Sentencing Young People’ Guideline](#) approved by High Court of Justiciary
- Jan 2022 Women’s Justice Leadership Panel established

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<sup>1</sup> [Criminal Court Recovery Planning \(scotcourts.gov.uk\)](https://www.scotcourts.gov.uk/criminal-court-recovery-planning)

<sup>2</sup> [Supporting documents - Scottish Prison Population Statistics 2021-22 - gov.scot \(www.gov.scot\)](https://www.gov.scot/supporting-documents/scottish-prison-population-statistics-2021-22)

- Jan 2022 ‘Sentencing Young People’ Guideline comes into effect
- Feb 2022 [Vision for Justice in Scotland](#) launched
- March 2022 [Children’s Care and Justice Bill](#) consultation on policy proposals
- March 2022 [Working Group on Misogyny and Criminal Justice's](#) independent report

In Feb 2022 the new [Vision for Justice in Scotland](#) was published and took account of community justice factors among wider challenges for the criminal justice system. This in turn informed the revised [National Strategy for Community Justice](#) which was published outwith the reporting period in June 2022, which sets direction for partners and takes account of learning from previous annual reports.

### 3.4 Prevention

The impact of prevention and early effective intervention activity needs to be measured over many years. In Scotland, the positive impact of approaches to reduce criminalisation of young people is evident in the downward trend in number of children and young people being incarcerated.

Partners in community justice have been developing further work aimed at reducing involvement in the criminal justice system at earlier stages, such as diversion from prosecution, support after arrest, community-based alternatives to remand such as electronic monitoring.

These activities link to priority actions in the new National Strategy for Community Justice (2022).

Prevention also involves de-escalating interventions which create long-term drivers for offending behaviour and are disproportionately harmful compared to perceived benefits to control risk in the short-term. The use of remand, where people are imprisoned before their trial, is an extreme example. While the pandemic has caused structural impacts on the justice system, partners recognise the importance of maximising safe measures such as supported bail supervision in order to reduce the use of remand and this has also been reflected in the revised national strategy.

### 3.5 Governance

Each partnership has a bespoke model of community justice governance which fits with local systems of planning. Descriptions of governance arrangements vary in detail however they include links to community planning boards, locality planning, public protection partnerships and council committees.

Similarly the links to parallel planning partnerships such as Local Employability Partnerships, Violence Against Women Partnerships, Alcohol and Drug Partnerships and Community Safety Partnerships exist within local design. These links enable scrutiny of activity, strategic influence and opportunity.

There are two outlying models of governance which are worth noting. The Ayrshire local authorities operate a regional approach with a single partnership providing governance requirements across three local authority areas, while Highland is the only area to have an independent Chair for their partnership.

The existence of Community Justice Partnerships provides an opportunity to promote understanding and confidence in community justice, across many platforms and policy areas.

The position of community justice leads to facilitate partner engagement, contextualise community justice policy and manage the partnership, supported with guidance from a partnership chair, appear to provide the foundation for effective leadership and governance. From time to time, the Care Inspectorate provide in depth supported self-evaluation of leadership in Community Justice Partnerships.

### **Focus on community justice**

The information reported by community justice partnerships tends to be heavily weighted towards justice social work, or activities which are driven by connected community planning domains such as community safety, gender based violence, substance use, children's planning, etc. It is important for partnerships to be aware of this work and find synergies, however a primary focus on community justice is critical.

The new national strategy for community justice sets out distinct priorities which aim to shrink unnecessary use of justice interventions and to enable growth in community integration. Delivering these priorities will continue to reverse the long-term drivers of an excessive prison population and enable the required human and social capital to make Scotland the safest country in the world.

Partnerships have continued to operate throughout the reporting period, however as with previous years, effective and meaningful engagement from all partners has been a challenge. Progress has been made through self-evaluation, workshops and reviewing terms of reference, and will require ongoing review in many areas.

Action 11 of the new National Strategy for Community Justice tasks partners to ensure that leadership and governance works well. This needs local flexibility to ensure that each partner is enabled to drive improvement through their expertise and circle of influence as well as providing strategic oversight.

## **Talking Points**

**Engagement:** The returns from partnerships described clear progress made in terms of partner engagement. However, it was not clear if all partners feel valued at meetings and if they find the meetings relevant to their own expertise and influence, balanced against their statutory requirements as local community justice leaders to have strategic oversight and to commit to improving community justice outcomes. Similarly, it is unclear if partners find meetings to be effective and practical.

**Scope of community justice:** The community justice model is informed by the evidence base associated with desistance, which confirms that safely de-escalating criminal justice interventions and building social capital by safely enabling people to integrate with their communities are significant drivers for reducing re-offending. This is reflected in the new National Strategy for Community Justice. The returns cited lots of work driven by other policy areas, e.g. gender based violence, substance use, Community Safety, children's service planning. However, there was often a lack of clarity about how this work contributed to community justice outcomes. Similarly, there was commonly an acute lens on justice social work activity but less so on improvements in the whole ecosystem of services, people and places which contribute to desistance. If this is an accurate reflection, then the new national strategy provides an opportunity for partners to refocus.

### 3.6 Key facts

[Relevant statistical data to be inserted when available]

## 4. Progress towards the National Outcomes

### 4.1 Outcome 1: Communities improve their understanding and participation in community justice

#### Key findings

- The pandemic continued to restrict community justice engagement activity with communities, however there are examples of planned face-to-face activities re-emerging and learning from virtual engagement innovations and tools.
- Partners continued to engage with communities for a range of reasons including; to gather evidence of needs, to consult for planning, to provide information about the benefits of community justice, to challenge stigma, to raise awareness of trauma and to identify projects for unpaid work.
- Unpaid work continued to provide visible restorative solutions for communities and beneficiaries attribute value to the work undertaken.
- In order to establish changing perceptions and experiences of community justice, some areas have integrated community justice questions into community surveys.
- There are now some positive examples of co-production in strategic planning with the voices of lived experience as well as in the delivery of services.

#### Summary of Evidence

##### Engagement events

The pandemic continued to limit face-to-face community engagement through local conferences, events and public meetings which took place previously.

However, many partnerships demonstrated how they have built upon video communications and blogs which remain part of a public record for future learning and development. Community Justice Ayrshire has developed a number of resources themed as “A day in the life” of different members of the community justice workforce and “Let’s talk” which was designed to help people understand the importance of community justice.

Partners in Stirling enabled Community Justice Scotland’s “Second Chancers” exhibition to be displayed at Stirling University. Alongside this a ‘Trauma Informed Practice in the Arts’ workshop was developed with local partners. A micro-grants project is being developed at

present to support creatives to work directly, in a trauma informed way, with people impacted by the justice system. Community Justice partners have funded this project and the funds will be held and managed by Scene Stirling for four micro grants to be awarded to artists in the future.

Some areas have also invited the Community Justice Scotland communications team to talk to their partnership boards about the framing toolkit which supports partners to talk to members of the public about community justice.

## **Social Media**

Local partnerships also continue to develop their use of partner social media channels to reach communities with messages which relate to community justice. There is a particular interest in activities undertaken through the unpaid work requirement of Community Payback Orders (CPO's). Community Justice Scotland will publish a separate CPO report for this period which provides more detail.

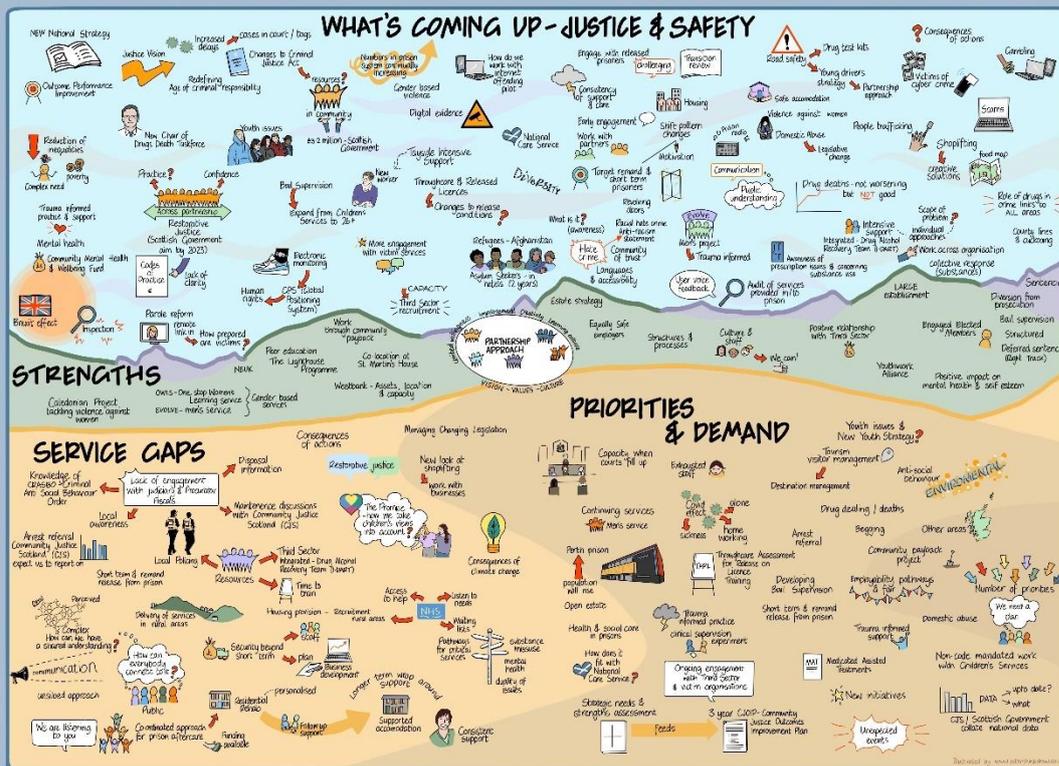
## **Public, perceptions, understanding and confidence in community justice**

Some local areas have fused related questions into local community surveys. A national picture will emerge when the Government's Crime and Justice Survey is re-established.

## **Consultation for planning**

The revision of the National Strategy for Community Justice (published June 2022) triggered a requirement for local areas to revise their local Community Justice Outcome Improvement Plans. In anticipation of this requirement, many areas initiated their revision process. Local areas described robust engagement with stakeholders and communities to inform their required needs assessments and planning activities.

# PERTH & KINROSS COMMUNITY JUSTICE & SAFETY PARTNERSHIP



Graphic finalised 18 March 2022

The Perth and Kinross partnership engaged stakeholders widely to inform their needs assessment and represented their key strategic learning in a poster which has been printed and displayed by partner organisations across the area.

## Co-production

There are a number of returns which highlight the development of coproduction, enabling the voices of lived experience, employment of peer workers in services and integrating the work of third sector organisation [Street Cones](#) in the delivery of CPOs. In particular, the Street Cones video workshops exemplify an approach built on the direct empowerment of the voices of lived experience.

The new national strategy has set out ministerial direction for incorporating the voices of lived experience in wider activity.

## Talking Points

**Co-production with lived experience:** It is quite easy to summarise high level activity where the expertise of lived experience is valued and drawn on, however as well as valuable context about needs, evidence and innovation for the partnership, engagement can create risks and opportunities for participants. It is not always clear how these risks and

opportunities are managed to ensure that lived experience engagement is authentic, meaningful, ethical and makes effective contribution.

## 4.2 Outcome 2: Partners plan and deliver services in a more strategic and collaborative way

### **Key findings**

- The pandemic continued to create operational problems and affect operational resources for most partners, therefore time critical challenges tended to be prioritised ahead of longer term strategic planning and actions.
- The Act requires partners to use the national strategy and the Outcome Performance Improvement Framework to inform their strategic planning cycles. Both were being reviewed in the reporting period which made planning more difficult.
- Deploying new resources using new methods to clear bottlenecks in one part of the system created spikes in demand and required new working methods for other services.
- Partnerships described crosscutting preventative work where community justice is well placed to contribute to other outcomes such as; suicide prevention, reducing drug related deaths, supporting equally safe and delivering community safety.
- Virtual meetings remained the normal method of partnership working. This improved the access and efficiency of meetings however it also affected important human interactions between partners.
- Developing engagement, participation and contribution from all statutory partners in all local areas is an ongoing challenge but local partnerships were continuing to refine the way they engage and establish specific roles for local partners.

### **Summary of Evidence**

More partnerships used Strategic Needs and Strengths Assessment guidance provided by Community Justice Scotland. This is to be commended against the backdrop of the pandemic where strategic space was limited by operational demands. CJS recognises that such work needs to be proportionate and pragmatic, and primarily establish the evidence which partners need to make informed changes.

Many partnerships were planning or building upon partnership development work such as; self-assessment, strategic information sessions with partners, terms of reference or

operating arrangements and induction processes for new partners. Others described targeted work with specific statutory partners.

### **Lived Experience engagement**

The inclusion of people with lived experience in planning and delivery of community justice is a crucial strategic element which can support innovation, research relationships, personal agency and testing processes.

More local areas described authentic work which involved people with lived experience. CJS is taking forward work to support further progress in this area.

### **Strategic planning**

The local model means that community justice partnerships are embedded into community planning structures which enable strategic links to children's service planning and more specialist planning committees such as looked after children. At a service level they are connected under the social work umbrella.

The local model for community justice lends itself to developing service delivery in co-location with multi-organisational teams which cross professional boundaries. Although the pandemic has enabled virtual collaboration, the required social distancing put extra limitations in sharing work spaces for co-location.

### **Information Sharing**

An information sharing agreement was developed by CJS and partners which is now signed-off by Local Authorities. It allows Police Scotland to advise, at the start of business each day, which people have been arrested, charged and due to appear at court that day via Police custody from each of the individual Local Authorities. Having this information at the soonest possible juncture will allow Justice Social Work staff to begin the process of needs assessment and triage as part of the support for people appearing at court and, in particular, where bail is opposed.

## **Local learning and development**

Local partners continue to work together to provide training resources for the community justice workforce. Examples include;

- Trauma Training such as the Scottish Trauma Informed Leadership Training (STILT) which is provided by NHS education for Scotland,
- Gender Based Violence related training such as “Safe and Together”
- Substances training such as administering Naloxone
- Multi Agency Public Protection Arrangements awareness training for partners,
- Mental health training such as suicide prevention

## **Geography**

Some local areas have highlighted problems relating to recent centralisation of regional functions such as sheriff courts and police custody, which has increased journey times for staff from local support services. It has also created additional geographic access problems for some people travelling to and from these centralised justice functions.

Although locality planning is embedded, there appears to be little analysis on the geographic sensitivity of people with complex needs in relation to access to services.. There is an expectation that existing person-centric approaches within local planning are currently working to mitigate access problems, however testing geographic impacts may provide important strategic insights for planning and designing services.

Geographic access for prison visits also remains a problem for families affected by imprisonment and there are factors which cause many people to be held much further away than their most local prison.

## **MAPPA**

MAPPA has a distinct local management and reporting function and more information is available in the [MAPPA in Scotland: National Overview Report 2021/2022 \(www.gov.scot\)](https://www.gov.scot/publications/mappa-overview-2021-2022/pages/introduction.aspx) which was published in October 2022.

## Talking Points

**Evidence:** The pandemic and other factors have created unprecedented levels of uncertainty and have made many datasets inscrutable. This is likely to make scrutiny, planning and reporting even harder for a number of years. The revised Outcome Performance Improvement Framework has the potential to enable more meaningful information to be used for planning, quality assurance and reporting within a simpler model for partners.

**Geography:** People experiencing severe and multiple disadvantage can be especially vulnerable to geographic factors in the design and delivery of services, which shows in their capacity for compliance to court orders and in maintaining healthy relationships. Distance is not the only aspect of geographical challenges – these problems are evident in rural and urban settings. Locality planning models should enable partners to mitigate geographic challenges and tools like Geographic Information Systems can be valuable. It is unclear what local learning and improvement has been undertaken to address these “place based challenges” which affect people in practical ways.

4.3 Outcome 3 : People have better access to the services that they require, including welfare, health and wellbeing, housing and employability

### **Key Findings:**

- Responses indicated partners were identifying needs across a broad spectrum within their local populations that required a service response
- Areas were using contact with the justice system as an opportunity to identify and address needs, often using person-centred approaches
- Areas were taking steps to effectively facilitate people linking with available services, e.g. through peer mentoring, use of technology
- Evidence of need for practical poverty-linked accommodations, e.g. food parcels

### **Summary of Evidence**

As in previous years, partners reported that service users were presenting with needs linked to alcohol and substance use, physical and mental health, wellbeing, employability, housing and more, and that many individuals were experiencing more than one issue concurrently.

### **Accessing Services**

Areas took proactive steps to identify needs of individuals and support access to appropriate services. In some areas, these efforts wrap around points in the justice system, for example following arrest into custody suites with an Arrest Referral service, or in anticipation of release from prison with throughcare, mentoring and practical support. Examples such as these are evident in the delivery of community justice across in Scotland, with the strongest showing contact with the justice system being utilised as an opportunity to identify and respond to unmet needs with a view to preventing further offending. For example, Fife's Early Intervention Service operates with a team of Social Work Assistants who oversee Enhanced Bail Supervision, Diversion from Prosecution and Structured Deferred Sentences.

## **Technology**

In earlier stages of the pandemic, the need for services to be delivered in non-traditional ways (e.g. virtual engagement instead of face-to-face meetings) became apparent. Digital inclusion was identified as a barrier, and many areas have proactively sought to address this through provision of IT equipment (mobile phones, tablets) to service users. In Glasgow, this approach has been taken further with the creation of an application, 'Let's Get Communities Connected', populated with the details of more than 800 local organisations to help people access support quickly and easily.

## **Peer support**

Areas identified examples where they had workers to support people access services, often in the form of peer mentoring where the worker has lived experience of the justice system.

Partnerships reported the use of peer support, facilitating connection with service users. Mentors seek to enable mentees to better address their personal barriers, build on their strengths and integrate back into the community.

These examples included the national public social partnerships that use a mentoring approach (e.g. New Routes, Shine), but also bespoke local approaches. For example, in the Edinburgh and Midlothian Offending Recovery Support Service, Edinburgh partners commissioned the recruitment of a Recovery Motivator with lived experience to provide support and motivation to those on their recovery and desistance journey.

Some areas described integration with services where the primary focus is not offending behaviour (often alcohol, substance use, and women-specific services). For example, Tayside Council on Alcohol deliver mentoring within the One-stop Women's Learning Service (a community-based Criminal Justice Service for women run by Perth & Kinross Council in partnership with Tayside Council on Alcohol and other organisations). The peer mentor programme sits alongside the community-based activities that support justice involved women with advocacy to support access to services addressing a broad spectrum of challenges.

## **Practical Support**

Multiple areas described activities across a range of services linked to practical assistance, including food parcels, toiletries, mobile phones and travel support. This is indicative of the high level of basic unmet need in the justice-involved population.

## **Throughcare**

Most areas referenced their activities to support transitions between custody and community.

The national Public Social Partnerships Shine and New Routes were highlighted by the majority local areas as being part of their approach to throughcare. Proactive identification and response to needs for individuals leaving prison were evidenced in some areas. For example, East Dunbartonshire take a multi-agency approach to planning for the reintegration of residents on release from prison back to community through one of its working groups. The Reintegration Working Group is a multi-agency group involving Justice Services, Alcohol and Drugs Recovery Services, Homelessness, Youth Justice and Young People; Police Scotland, the Scottish Prison Service, the Wise Group 'New Routes' mentoring service, Families Outside and Prison Healthcare; East Dunbartonshire Women's Aid; Job Centre Plus. The group uses information obtained via the Data Sharing Agreement between the SPS and the Local Authority/ HSCP, which provides information on scheduled releases, and enables partners to work together and case manage people's needs and plan for release, ensuring adequate support has been identified and referrals have been made prior to liberation.

## **Housing**

Housing First and Rapid Rehousing approaches were cited in several areas, however it was not always clear how well integrated these approaches are with community justice. There continues to be structural challenges around housing availability, and there is additional complexity associated with involvement in the criminal justice system. However, there is evidence of this approach being used in a justice context. For example, Highland described their Rapid Rehousing project as targeting those complex cases which do not meet Highland's Housing First criteria. The service users often have complex needs involving issues including, but not restricted to: - harm reduction / significant drug and

alcohol misuse issues, mental health issues diagnosed and undiagnosed, multiple and complex personality disorder, learning difficulties and subject to community based CJS measures.

Local implementation of the SHORE (Safe Housing On Release for Everyone) standards is at different stages in local areas but commonly formed a key priority. Some described multiagency working groups to build capacity for the approach, developing information sharing approaches to allow swift action and pre-release planning. In some areas the approach is more advanced and embedded, often with dedicated staff. For example in Edinburgh, the presence of a Prison Based Housing Outreach Officer with HMP Edinburgh has allowed a relationship between SPS and local partners, enabling collaborative working to greater impact.

### **Alcohol and Substance use**

Access to services addressing alcohol and substance use was a priority for the majority of areas.

There are examples of joint strategic working between CJsPs and ADPs, and linked practice areas including justice, housing and addictions. Many areas also talked about actions to enable emergency response and crisis support, including overdose training and non-fatal overdose referral pathways.

Some areas targeted resources to address barriers to engagement within a wide system of services. For example, in Clackmannanshire recruitment is underway to place an Addiction Recovery Support Worker within Housing and homelessness with links to prison throughcare. In Falkirk, a Recovery Service is collocated within Justice services to support effective screening and triage for appropriate support.

### **Mental health and wellbeing**

Some areas described activities with a primary focus on mental health. Service interventions were varied and ranged from provision of specialist psychiatric assessment and support (i.e. via Community Psychiatric Nurse) crisis intervention and suicide prevention, and responses aimed at developing mental health, wellbeing and resilience.

Mental health issues are often present in the justice-involved population alongside other unmet needs and vulnerabilities which present additional barriers for people to overcome in accessing a wide range of support. Areas described how they worked individuals through their moments in crisis, and sought to develop a person-centred approach to identifying and addressing needs which would contribute to recovery and build resilience.

## **Employability and Education**

Evidence indicates engagement between CJPs and Local Employability Partnerships. Some areas showed developed approaches to enabling access to employability services for people in conflict with the law, many of whom will face additional barriers to accessing employment than the general population. In Aberdeenshire, a Criminal Justice Employability Service engages with people on a one-to-one basis, with employability support tailored to meet individual needs and designed to help people progress along the employability pipeline. The approach recognises people may have significant underlying health and wellbeing issues, that require to be addressed before they are able to achieve work readiness.

## **Talking points**

**Disclosure and identity:** The Management of Offenders (Scotland) Act 2019 significantly shortened most of the time periods where people with convictions are required to disclose for the purpose of employment, especially for people serving community orders. This creates various opportunities to develop positive self-identities, address stigma, promote employability and set personal milestones. It is unclear what activities have been undertaken locally to develop these opportunities for people who have been in conflict with the law.

4.4 Outcome 4: Effective interventions are delivered to prevent and reduce the risk of further offending

### **Key Findings**

- All areas continued to deliver activity aiming to prevent and reduce the risk of further offending, implementing learning from the first year of delivery under pandemic conditions and targeting responses.
- Areas were targeting resources at earlier stages of justice involvement, working to address needs and deescalate justice involvement where possible
- Areas continued to focus on targeting domestic abuse with perpetrator programmes and victim-focussed work

### **Summary of Evidence**

#### **CPO quality, unpaid work and ‘other activities’**

Community Justice Scotland will publish a separate CPO report for this period.

#### **Direct Measures**

Direct measures or ‘alternatives to court’ include diversion, fiscal fines, fixed penalties, community and work orders. The justice system suffered repeated episodes of disruption over the reporting year, which added to the complexity of the service delivery environment and the flow of people.

#### **Diversion**

Many areas described activities linked to direct measures, in particular diversion, where cases are identified so that individuals can benefit from intervention without proceeding to trial and collaborative interventions to reduce the likelihood of further offending could be enabled. Some areas noted increasing breadth in offence types referred for diversion, and greater complexity requiring a commensurate response level from social work. In East Dunbartonshire, the CJP delivered collaborative multiagency working to support effective diversion via their Prevention Intervention and Diversion Group, bringing together partners to adopt a case management approach and provide meaningful interventions and access to appropriate services to address the underlying causes of alleged offending, whilst

responding to the needs of the individual which can interrupt a cycle of offending and/or prevent further offending. Several areas report engagement with their COPFS within their Regional Sherifffdom in order to enable effective decision making around diversion.

Some areas reported an increase in number of referrals for diversion, others a slight decrease – it is likely that as with other aspects of justice, any ability to identify meaningful trends from the data is at this stage limited.

Further detail as to the number and nature of direct measures will be available in the criminal proceedings data due for publication by Scottish Government in 2023.

### **Bail Support and Supervision**

More areas are developing bail support and supervision services, the majority of which were in the planning and development stages in the reporting year. In areas where the approach is further developed the responses described person-centred approaches to address a range of needs and risks. The return from Ayrshire described the added challenge of delivering supported bail under Covid restrictions, compromising face-to-face contact and increasing time on bail due to cases being deferred.

### **Structured Deferred Sentences**

Similarly, several areas reported activity related to the delivery of Structured Deferred Sentences, where much of the work was in a planning stage. Where delivery was underway, numbers were relatively low. Of those examples given where activity is more advanced, partners cited the Sentencing Young People Guidelines and coordinated partnership working to address a range of needs. Further time and assessment of impact will be required to better understand the outcome of this activity.

### **Gender Based Violence**

Some areas noted the trend of increased domestic abuse reporting over the course of the pandemic, alongside their service response. Activity was mainly linked to the identification of staff for training in and delivery of the Caledonian Programme (now available in 19 local authorities covering approximately 75% of the population), alongside risk assessment tools (e.g. SARAV3), Safe and Together, and multiagency approaches to managing risk and protections. There are strong links with local partners in linked policy areas such as those

delivering on Scottish Government's Equally Safe Strategy, including Violence Against Women & Girls partnerships. Several areas also described specific activities offering support for victims.

## **Public Protection**

Areas described a range of activity in relation to their risk management for public protection. Strategic and operational relationships between justice social work and multiagency partners were key, coming together to enhance delivery of statutory duties with robust public protection links. Examples given described the relationship between risk assessment, mitigation, and offence-targeted work to reduce the likelihood of further offending.

## **Drug and alcohol use**

Interventions targeting problem drug and alcohol use are in place across Scotland. Returns frequently described actions in relation to nationally-driven priorities including the Drugs Deaths Task Force, the implementation of the MAT Standards and collaboration with Alcohol & Drug Partnerships.

Naloxone distribution, the opiate antagonist that can be used to save a life in the event of an overdose is also commonly featured. Renfrewshire described their multiagency Naloxone Delivery Group, established with the goal of expanding naloxone availability throughout Renfrewshire. The group has now developed a dedicated work plan which focusses on reducing barriers, addressing stigma, and raising the profile of naloxone, and providing more learning opportunities for overdose awareness. Returns also highlighted the rollout of Buvidal, a replacement treatment for methadone, with patients receiving an injection every 28 days instead of taking daily medication.

#### 4.5 Person-Centred Outcomes 5, 6 and 7

<p><b>Outcome 5: Life chances are improved through needs, including health, financial inclusion, housing and safety, being addressed.</b></p>	<p><b>Outcome 6: People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities</b></p>	<p><b>Outcome 7: Individuals' resilience and capacity for change and self-management are enhanced</b></p>
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#### Key Findings:

- Evidence suggests the importance of a person centred approach is well understood.
- There is clear recognition of need to evidence impact and outcomes systematically, in ways that describe people's progress
- Methods are mixed, limiting any potential for aggregation – however any aggregation of impact would have limited utility at a local or national level
- There are specific challenges for areas with small populations regarding identifiable information for evidencing impact and presenting case studies.
- There is evidence that areas work collaboratively to help people have better lives free of offending

#### Person-Centred Outcomes

National Outcomes 5, 6 and 7, described by the 2016 OPIF as the 'person centred' outcomes, are aligned to a body of research evidence which shows that reduced re-offending is primarily driven by an individual finding their way to a healthier, happier and safer life. This person-centred focus is at the heart of the model of community justice launched in 2016.

Reporting in previous years has identified that progress of person centred outcomes cannot be meaningfully aggregated across Scotland to make performance inferences. In essence, a person centred outcome is progress on something which is inherently important to a

single person. Each person presents in services with unique barriers, problems and trajectories.

Typically, progression measurement tools are used within a single service, therefore, the true picture of progression for individuals within systems of services, the places they go and the people they see over a long period of time are much harder to illustrate, particularly with reliance on standard performance management indicators.

These considerations were among the drivers for a recommendation last year for partnerships to use more specific impact and evaluation data, alongside life stories, to demonstrate progress against person-centred outcomes.

### **Outcome monitoring methodology**

The main methods used to evidence progress against this outcome were the use of exit questionnaires, most commonly where people were exiting a statutory order supervised by social work. These methods are a well-understood and accessible means to gain insight into how people perceive the service they receive, but alone they have limited utility in understanding any broader shift in outcomes and impact. In some areas, interagency information sharing was used to follow up subsequent outcomes in the slightly longer term.

Multiple areas describe using outcomes monitoring tools (such as the Justice Outcomes Star). These tools have a dual purpose, used to assist structured conversations and develop therapeutic relationships between service user and worker, and to gain insight into progress in identified areas of need. At an individual level, the use of these tools is important and can help service users to recognise and articulate their goals and achievements.

### **Life Stories**

There were multiple case studies, where people's voices came through in explaining their experience of not only service delivery, but their movement along their life course in relation to their engagement with community justice, what they thought and felt, and how they changed.

The case study or life journey approach presents some challenges where population numbers are small as a result of the likelihood of the inclusion of information which could be

used to identify individuals. This does not imply that those areas do not understand the importance of understanding impact and person centred outcomes. For example, in the case of small island communities, it was noted that though it was not possible to provide detailed information about people's experiences, workers felt assured they had clear insight into progress as a result of effective interagency working within a relatively small field.

Most areas reported on using statutory justice involvement as opportunities to identify and respond to unmet needs appropriately as part of engagement with justice social work, or as part of throughcare prior and post liberation from prison custody. The strongest examples identified multiagency collaboration to address a broad range of needs and support service users to positive destinations, and included means to monitor and follow up on progress.

### **Life chances are improved through needs, including health, financial inclusion, housing and safety, being addressed**

Examples given covered a wide range of services aimed at responding to unmet needs relevant to this outcome, the majority of which were linked to progression through stages of the justice system, from arrest through to support after leaving custody.

In Dundee, 'Positive Connections' proactively seek to engage with people in prison up to 8 weeks before their planned liberation and identify any relevant issues. The service will liaise with agencies and services as to the needs of the individual on release, to provide a person centred and holistic approach to gaining the best outcomes. Staff will use a "sticky approach" to assisting, advocating and advising individuals in their accommodation and can do so for 12 months following liberation.

"Positive Connections will provide both a preventative and responsive service. Preventative, by putting assistance in place to enable the best possibility of staying liberated and addressing the issues that have caused historic tenancy failures. A reactive service, if the individual starts to struggle with issues, the team will engage or signpost, dependent on the needs of the individual at that time. Once a level of independence is reached the staff will withdraw and/or refer to more specialised support agencies. The service is in place for up to 12 months and can be restarted if required after this point."

### **People develop positive relationships and more opportunities to participate and contribute**

The majority of areas liked this outcome to activities aimed at supporting people into readiness for employment, with interventions ranging from practical support for CV building, interview skills and training, through to person-centred holistic approaches.

Some area's linked employability efforts with the delivery of statutory orders, for example in Clackmannanshire, where justice social work in collaboration with Apex to support clients on the pathway to employment and to complete CPOs.

### **Individuals' resilience and capacity for change and self-management are enhanced**

For example in Fife, the TURN Men's Group works holistically with service users to promote skills, support social inclusion and ultimately address factors which impact on likelihood of offending behaviour. With face-to-face contact suspended due to COVID-19 restrictions, the group reverted to online support, with service users using weekly MS TEAMS sessions to engage in mental health check ins.

### **The revised Outcome Performance Improvement Framework proposal**

Community Justice Scotland has considered these challenges and has collaborated with partners to propose a model where there is assurance that mechanisms are in place to capture person centric outcomes, and that these mechanisms influence service design and delivery.

### **Talking Points:**

Person-centric outcomes should develop for a long time after people have been discharged from supervision. Employment, suitable housing and healthy community relationships may not be practical outcomes for many people within the timespan of their supervision. The measurement of longer-term outcomes, even beyond exiting community justice services and interventions, would likely provide a better understanding of people's desistance journeys, but is more difficult to plan and monitor.

## Appendix: Progress on recommendations from last year's report

Recommendations – Scottish Government should:

- 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.

The Scottish Government recently introduced legislation which includes a proposal to require courts to record the reasons for refusing bail (Bail and Release from Custody (Scotland) Bill). That Bill is currently going through the Parliamentary process.

The Scottish Government is continuing to work with all stakeholders to develop a programme of work to strengthen alternatives to remand. That includes building a better understanding of why people are remanded and they have commissioned research in this area, an [interim report](#) was published in July 2022.

- 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).

The Scottish Government is currently considering proposals for the revision of the OPIF from CJS and the most appropriate mechanisms for the collection and sharing of indicator data, including what future developments may be required.

- Support partners to meet their statutory responsibilities. The Scottish Government should: consider revision to statutory guidance in light of the new strategy and revised OPIF

The Scottish Government will consider revising the statutory guidance in relation to the exercise of functions in sections 19 to 23 of the Community Justice (Scotland) Act 2016, as part of and following the consideration of proposals for the revision of the OPIF.

Recommendations – Community Justice Scotland should:

- Support Social Work Scotland (SWS) in the standardisation or revision of the CPO questionnaire.

CJS commenced work with SWS in March 2022 and formed a working group which first met in August 2022. The working group comprises several local Justice Social Work representatives, SWS Justice Policy & Practice Lead, and representatives from Scottish Government and CJS. This work is being led by SWS.

The working group are working towards the design of a new service user questionnaire to replace the current CPO Exit Questionnaire. Decisions will be made in relation to the possible extension of use of the feedback questionnaire from CPO to other orders and licences, and in relation to the frequency in which questionnaires should be completed, rather than these being completed only at the end of sentences. The working group will consider barriers to successful implementation and will create, pilot and consult on a consistent nationally-agreed questionnaire that allows local and national analysis of information. A new questionnaire will be implemented by October 2024.

- Support CJ partners to achieve the ambitions in national outcomes one and two. CJS will: support the sharing of practice and experiences for leveraging resources (see section 35 of the Act), and explore with the Scottish Government a joint project to promote and enhance participation, including people with lived experience.

CJS has provided a briefing to partners to support the leveraging of resources and the newly introduced Link Improvement Lead model currently being piloted aims to support improvement in S.35 “duties to co-operate” and the delivery of priority action 11 in the National Strategy for Community Justice.

Exploratory work around enhancing participation in community justice for people with lived experience commenced in summer 2022. Internally, CJS undertook a programme of activity aimed at upskilling CJS staff in engaging with people with lived experience of trauma in a way that supports psychological safety for everyone involved. This began in September 2022, and will continue into the next reporting year with the aim of being mainstreamed into standard CJS staff training.

CJS have approached Scottish Government to initiate collaborative work to develop this area further, incorporating trauma-informed approaches.

- Support partners to meet their statutory responsibilities. CJS will: 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 OPIF, and consider what additional templates and guidance are required to support partners to meet their statutory responsibilities.

During 2021/22 CJS endorsed the approach that meets our statutory duties under the Act in relation to performance monitoring for improvement.

Following publication by Scottish Government of a new OPIF, we intend to do further work in 2022/23 on statutory performance reporting. CJS has supported this approach via a Link Improvement Lead pilot which will be evaluated in due course.

The first iteration of the Outcomes, Performance and Improvement Framework (OPIF) was published in 2016 alongside the first National Strategy for community justice and the accompanying statutory guidance. Together, the three companion documents set out to describe the strategic direction required to deliver and monitor improvement in community justice outcomes in Scotland.

In 2020, as required by the Community Justice (Scotland) Act 2016, CJS carried out a review of the OPIF and recommended to Scottish Ministers that the OPIF be revised in order to better meet the needs of community justice partners to develop an evidence base, drive improvement and demonstrate progress towards outcomes. Recommendations for specific revisions to the revised framework were developed by CJS during 2021 and finalised following publication of the National Strategy in June 2022.

Findings from engagement activity demonstrated the need for revisions to better support the range of audiences who use the framework. This includes local community justice partners, CJS and Scottish Government.

The findings evidenced the need to:

- better link the framework to national and local improvement planning and activity in addition to supporting local reporting ([s23](#)) and national reporting ([s27](#)) requirements under the Act

- provide greater direction to support partnership contribution and collaboration in the achievement of shared community justice outcomes
- better support centrally co-ordinated data provision
- understand progress as a combination of quantitative and qualitative indicators
- ensure the individual and person-centred support was at the heart of outcome ambition
- better demonstrate alignment and shared outcomes with the range of partner/partnership frameworks interfacing with community justice.

The second iteration of the OPIF aims to support everyone in community justice to work together in developing our shared understanding of community justice activity. Together, local and national partners can use it to help baseline our starting point, and to better plan our journey to improvement for our communities. The Scottish Government are currently considering the recommended revisions to the OPIF and plan to publish the revised version in April 2023.

## Recommendations - Partnerships:

Although recommendations were only published 6 months prior to the date partners were required to provide their returns, there are clear signs of work developing which can continue to be supported by the new National Strategy and OPIF implementation.

- Partnerships should build on work undertaken within the reporting period relating to third sector identification and engagement, and apply lessons learned to ensure they have established mechanisms to identify and engage with victim organisations as well.

Local partners described engagement with victim organisations through structural and partner connections to Violence Against Women Partnerships and involvement with Victims Support Scotland and other local organisations such as those which specialise in addressing gender based violence. More third sector organisations are involved through community planning connections, contracting arrangements and other development work such as research, planning, service design etc.

Many partnerships described specific third sector roles in local community justice boards such as membership, chairing or vice-chair roles. These roles were held by representatives from organisations including Third Sector Interfaces (TSIs), Apex, Cyrenians, Families Outside, Rape Crisis services, Resilience Learning Partnership, Sacro, Turning Point Scotland, Wise Group, Women's Aid, Victim Support Scotland and Kairos Women.

Some partnerships described either having or developing plans for specific community justice forums for more detailed and meaningful third sector engagement locally to provide more robust channels for information flows between statutory partners and third sector organisations. Similarly regular direct engagement between third sector orgs and the community justice coordinator is seen as valuable.

The Criminal Justice Voluntary Sector Forum (CJVVSF) also hosted a workshop for partners to develop engagement methods and produced a report with guidance for partnerships which is a valuable resource.

- Recommendation 2 – CJsPs should consider using more specific impact and evaluation data, alongside life stories, to demonstrate progress against person-centred outcomes in the 2021-22 annual return. This could include, amongst other things, data from CPO exit questionnaires, PSP and third sector organisation outcome data, and outcome data from statutory services.

The majority of areas showed progress towards the recommendation in last year's annual report related to impact and evaluation data to demonstrate progress against the person-centred outcomes.

It is challenging to make national inferences based on any aggregation of the data gathered to evidence impact of this activity. Nonetheless it is clear across the returned data that the community justice workforce understand the need to recognise and describe the impact of interventions, partnerships have taken steps to do so, and many sought to describe the journeys of individuals in relation to not only services but relationships and community.

- Recommendation 3: Partnerships should undertake (or evidence the work already undertaken) to understand the future need and demand on their services: in particular, but not constrained to, recovery from the pandemic.

Many partnerships reported having completed, starting or planning development for an evidence base to support post pandemic planning through research such as Strategic Needs and Strengths Assessment activities and other evidence building.

The specific strategic gaps and challenges reported vary broadly from area to area, however the most commonly referenced issues are as follows:

- Increasing complexity of needs among people presenting at services. This has been exacerbated by pandemic factors.
- Decreasing availability/capacity of specialist services to help address complex needs, particularly mental health and substance recovery services.
- Recruitment, retention and wellbeing of the community justice workforce.
- The cost of living crisis for people who experience long-term entrenched poverty.
- Systemic backlogs in court business and unpaid work after the pandemic.
- There appears to be increasing information gaps which inhibit strategic analysis for planning. While there is still missing data, the systemic shocks caused by the pandemic has undermined the validity in a lot of numerical data for analysis. The capacity for strategic planning has also been inhibited by pandemic responses. Additionally, there are many unknowns within structural policy development such as the National Care Service, reforms to the women's prison estate, the cost of living crisis and diminishing funding of public services.
- Addressing structural issues around remand, diversion and bail supervision.

- Drug related deaths, mental health and gender based violence remains an overlapping concern between community justice and other policy areas.
- Empowering the voices of people being convicted, victims and their families in order to inform improvement towards community justice outcomes remains a gap.
- Digital exclusion remains a problem for service users. Although partners have mitigated this by accessing digital inclusion investments, gaps in access will need to be continually monitored for services which have moved to mixed digital models.
- Access to victim services is an ongoing issue.
- Other gaps and challenges which were raised include; supporting electronic monitoring, relationships between key workers and service users, demographic challenges to universal services, access to universal services, rurality issues, stigma, provision of restorative justice, suicide, implementing MAT standards, getting and keeping trust from service users who experience life at the hard edges, communication between services, liberation from court, third sector sustainability, educational attainment of service users.

Some partnerships describe combining the expertise of people with lived experience with the strategic experience of partners to unpack community justice evidence and others describe plans to develop this kind of authentic co-production.

- Partners should note their collective statutory responsibilities under the Act to ensure that:
  - all partners are aware of the statutory obligations, and that clarity and agreement is sought over partner expectations and contribution to ensuring these are met, and
  - all national partners understand and comply with their individual responsibilities to supporting partnerships achieve their aims (Section 35)

Developing engagement, participation and contribution from all statutory partners in all local areas is an ongoing challenge but local partnerships have responded constructively to this recommendation.

- 11 partnerships specifically referenced development or information sessions with partners relating to this recommendation has either taken place or has been planned.
- 8 partnerships mentioned reviewing terms of reference or operating arrangements

- 3 partnerships described developing induction processes for new partners.
- 4 described targeted work with specific statutory partners
- Others described strengths in their existing arrangements.

The new National Strategy for Community Justice sets out key priority actions for leadership which will continue to see development and against which we will report progress in due course.



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