

**DRAFT MINUTE OF THE MEETING OF THE  
LOTHIAN AND BORDERS COMMUNITY JUSTICE AUTHORITY**

Newbattle Abbey College, Dalkeith  
Thursday 17<sup>th</sup> November 2011

- Present:** Councillor John Muir (WLC) (**Chair**), Councillor Sandy Scott (SBC), Councillor Margot Russell (MLC), Councillor Kenny McLeod (ELC)
- In Attendance:** Rob Strachan (CJA), Murray Leys (ELC), Patricia Kaminski (ELC), David Cressey (SBC), Jim Dustan (SPS), Mary Bowman, David Wightman and Allister Perston (Audit Scotland) Graeme Stenhouse (CEC), Angela Gentile (CJA), Laura Baxter and Tracey Curran (Victim Support), Tim Ward (WLC), Michelle Miller (CEC), Eibhlin McHugh (MLC), Marian Joass (JobCentre Plus), Simon McLean (Sacro), Alan Malone (COPFS), Dr Alan Mordue (NHS Borders), Linda Thompson and Colin Henderson (CEC), Sally Crighton (CJA),
- Observing:** Mark Upward (Phoenix Futures), Dr Allan Castle (British Columbia Government)
- Presenting:** Ged McEneaney (Apex), Marina Shaw and Suzanne McGuinness (Circle), Jennifer Melville and Sally McGreevy (Access to Industry)
- Apologies:** Councillor Paul Edie (CEC), Monica Patterson (ELC), Andrew Lowe (SBC), Jim McGonigle (JobCentre Plus), ACC Bill Skelly (L&B Police), Fiona Steel (Action for Children), Fiona Allan and Dr Nancy Loucks (Families Outside), Allister Short (NHS Lothian), Derek Kilday (Scottish Courts), Jennifer Scott (WLC)

**DECLARATION OF INTEREST**

The Members present confirmed they had no financial or non-financial interest in any matter included in the Agenda for this meeting.

**1. WELCOME & INTRODUCTION**

The Chair welcomed everyone to the meeting and introduced:

- Colin Henderson and Linda Thompson from Internal Audit, City of Edinburgh Council attending to speak to Item 5.2.
- Tricia Kaminski, the new Service Manager in East Lothian Council.
- Tracey Curran from Victim Support Scotland.
- Marian Joass representing JobCentre Plus.
- Mark Upward from Phoenix Futures who is observing today's meeting.
- Dr Allan Castle Executive Director, Business Intelligence & Performance Management, Ministry of Attorney General and Ministry of Public Safety & Solicitor General Government of British Columbia who presented at the CJA Learning & Innovation Workshop and who is observing today's meeting.

**2. APOLOGIES**

The Chair advised the meeting of the apologies for absence.

## **PRESENTATION ON WOMEN OFFENDERS SERVICES IN PRISON AND IN THE COMMUNITY**

The Chair introduced the presenters and the background to the joint presentation which was arranged following the transfer of women prisoners to HMP Edinburgh. The presentation is to provide Members with an overview of some of the services available to the women both in prison and in the community.

### **APEX**

Apex runs the 'Think Again' programme specifically for women offenders in the community. This programme is a shift from the traditional employment type support into more of an educational approach. It is activity based and can include creative writing and art and it provides a hook for the women and can be a first step into college. The current course will start in December 2011 for around 12 women and it is anticipated that between 9-10 will finish the 9 week course. There are 3 key issues for the women on the course:

1. Childcare – some have children in care or have custodial issues;
2. They have little or no experience of employment, training or education; and
3. Many need access to specialised support services such as mental health & addictions.

All of the above affects their level of self confidence and ability to engage.

### **CIRCLE**

Circle employs family support workers who always work with families in their homes; their office base only being used for groupwork. They have adopted the 'Whole Family' approach across their organisation and as well as working with women who have children they also work with male prisoners to help them reconnect with their families. Children are very much at the centre of Circle's work and they recognise they cannot provide a service to families unless they work with the full range of partner organisations. Part of their work is to accompany the individual women to appointments e.g. doctors, housing, benefits and they hold recovery evenings and have strong links with Domestic Violence as this is prevalent in this particular group of women.

The three key issues Circle has identified with the women they work with:

1. Mental Health – causal or resultant and the Community Payback Orders are viewed as providing good opportunities for women offenders;
2. Need to overcome stereotyping, prejudice and discrimination; and
3. Major reliance on substance misuse – both legal and illegal.

Circle work with 5 out of 8 CJAs and across HMPs Addiewell, Cornton Vale, Greenock and Edinburgh and they have access to the Scottish Prison Service PR2 database to assist in information sharing.

### **ACCESS TO INDUSTRY**

The WORD project (Women Offenders Reintegration & Development transition programme) has received funding from the Safer Communities Directorate for HMP Edinburgh specific women prisoners to work with them both in prison and on liberation (provided by the same worker). This continuity is expected to promote desistance and recover and the link to other agencies is a key part of the programme. To qualify the woman must have been charged with a substance misuse related offence.

Employment is not the end goal but to stop re-offending and a partnership has been established with Jewel & Esk College to gain access to their beauty therapy course which will have a parallel course within the prison to facilitate ongoing support and learning.

The Chair thanked the presenters and opened up the floor for questions and discussion. Some of the additional key points which were noted were;

**How are the women prioritised to receive the service?**

As part of their prison induction anyone who has children is made aware of the Circle service and can be asked to be seen by them. However remand prisoners are unfortunately excluded from this. It was noted that 50% of the children of offenders will end up in prison and it is therefore a multi and inter-generational problem.

**How are services commissioned?**

Circle has received funding through the Robertson Trust and from the CJAs as part of the £100K per annum funding for work with women offenders. There is an ongoing debate as to whether the CJAs are a commissioning agency and whether there may be other options for local authorities to work together.

**How can the low self esteem of women prisoners be overcome?**

The women who attend the workshops in the prison are provided with professional tunics which they can also wear when attending college as open students. In prison the normal dress code is black sweat-shirts & trousers and the facilities in HMP Edinburgh are far more conducive for women offenders than those available in HMP Cornton Vale.

**Has there been any reduction in the level of self harm?**

No information is available at present but it is noted that the single cell status (available in HMP Edinburgh) anecdotally reduces self harming as women feel more cared for. It was noted that this may be something that could be included in the CJA Performance Framework and linked to the commissioning of services.

This concluded the presentation and question session.

**3. PREVIOUS MINUTE**

The Chair advised that the draft minute of the previous meeting of 18<sup>th</sup> August had been circulated for approval. No amendments were put forward therefore the Chair moved that this Minute be accepted as the approved Minute from this meeting and as such be posted on the CJA website.

**Decision**

The Members agreed to:

1. Approve the Minute and for it to be added to the CJA website.

**4. MATTERS ARISING**

**4.1 Finance Protocol**

The Chief Officer advised Members that a meeting has been arranged for him to meet with Murray Leys to progress the Finance Protocol and following this meeting a paper will be prepared for the February CJA Board meeting.

**Decision**

The Members agreed to:

1. Note the verbal update.
2. Receive an update report at the February CJA Board meeting.

## **5. FINANCE**

### **5.1 Section 27 Finance Report – Quarter 2**

Mr Stenhouse advised Members that the Scottish Government have confirmed they only wish to receive the Quarter 3 and End of Year Outturn Report, therefore the Quarter 2 report which has been submitted for this meeting has not been sent to the Scottish Government.

Mr Stenhouse presented the Quarter 2 report which indicates projected £117K overspend.

The Chair thanked Mr Stenhouse for his report.

#### **Decision**

The Members agreed to:

1. Note the report.

### **5.2 Statement of Internal Control**

The Chief Officer presented his report which reflects the personal duty he has as Accountable Officer. The Annual Assurance Statement work which is led by the Internal Audit team in City of Edinburgh Council is a joint process involving the completion of a control questionnaire which analyses the quality of the CJA governance and processes.

The Chair invited Linda Thompson to provide further background to this work. Ms Thompson confirmed the joint process undergone this year and the completion of the questionnaire provided a satisfactory return and it also allowed her and her colleague to identify and recommend further areas of improvements and review the work undergone from previous years.

The Chair thanked Ms Thompson and Mr Henderson for attending the meeting and providing their input.

#### **Decision**

The Members agreed to:

1. Note the report.

### **5.3 Audit Scotland Report to Members**

The Chair introduced this Agenda Item by advising Members of the impending retirement of the CJA senior auditor, Ms Bowman and thanked her for her support in the last two CJA audits and wished her a very happy retirement.

Ms Bowman thanked the Chair and advised Members that as this is the last CJA Board meeting she is able to attend before her retiral she has had to submit the Members Report in draft format. Ms Bowman confirmed Audit Scotland has returned an unqualified opinion on the 2010-11 Accounts and that the Accounts were signed on time by the Chief Officer.

There is only one issue to be noted which is the introduction of the International Finance Reporting Standards (IFRS) and in particular the requirement to record unused leave post 31 March. The CJA is a 'body corporate' not a Local Government body therefore not all of the IFRS changes were applicable. As a body corporate the CJA cannot hold any reserves and as untaken leave is seen as a reserve the Accounts have been amended to

reflect this. Audit Scotland have raised this as an anomaly with the technical arm of Audit Scotland and with the Scottish Government.

Ms Bowman confirmed the ISA 360 report was not required for the 2010-11 Accounts.

Ms Bowman concluded by confirming she will update the relevant chapter in the Members Report to include the Performance Framework and CJA Road-test and noted the improvements in communication and partnership working achieved through the introduction of the Learning & Innovation workshops and the Policy Register and other available material on the website.

### **Decision**

The Members agreed to:

1. Note the report.
2. Receive a copy of the final Report to Members

## **6. GOVERNANCE/ PERFORMANCE**

### **6.1 Lothian & Borders CJA Governance – covering Financial Management, Community Justice Performance Framework and Risk Management**

The Chief Officer introduced his report and highlighted the research & guidance which has come from the Audit Scotland report on the Role of Boards which requires Boards to scrutinise organisational risk, finance and performance and make decisions based on clear evidence.

The Chief Officer explained the rationale behind the three options for finance reporting following the confirmation from Scottish Government that they now only require the Quarter 3 and end of year outturn reports. The Chief Officer recommended to Members they receive reports covering Quarters 2, 3 and 4 (outturn) and to receive an exception only report for Quarter 1.

The Chief Officer discussed the need for Risk Management to be reported to Members as a regular Agenda item with the report acting as a narrative on how the CJA mitigates the risks which have been identified. The Chief Officer recommended that this is achieved as a specific Board report which will include input from the full range of partners.

The Chair thanked the Chief Officer and opened up the item for discussion.

Mr Ward asked if quarterly risk reporting was required or whether it could be bi-annual. The Chief Officer confirmed he would like to agree the level of frequency with all partners rather than be prescriptive.

Mr Leys and Ms Miller both suggested it would be useful to have an example of the suggested Risk Report to consider what needs to be included and therefore what frequency would be most suitable. The Chief Officer agreed to do so as part of the work for a future risk management session for partners.

Councillor McLeod thanked the Chief Officer for presenting his report which clarified the section on the role of boards and the role of the Elected Member which is non operational versus the operational role of the Directors. Councillor Russell also confirmed her agreement to the proposals.

### **Decision**

The Members agreed to:

1. Finance Reporting - Adopt Option 2 for finance reporting and receive reports for Quarters 2, 3 and 4 with an exception report only for Quarter 1.

**Decision continued. /**

2. Risk Reporting - Adopt Option 2 for the introduction of a Risk Management Agenda item and partnership risk report with a separate Business Continuity Plan maintained by the CJA team.

**6.2 Community Justice Performance Framework**

The Chief Officer advised Members the de-brief meeting will be rearranged for early 2012 following the necessary postponement of the planned meeting in October. The input from partners into the Community Justice Performance Framework has been good and this is presented at today's meeting in the form of an information pack supplemented with narrative. Discussions are underway with both the Criminal Justice Board and Community Planning Partnerships about sharing performance data which is already available.

**Decision**

The Members agreed to:

1. Note the contents of the report and the progress which has been made.
2. Support the iterative nature of the approach and feedback any suggestions.

**6.3 CJA Group Reports**

Angela Gentile provided Members with a summary report confirming all groups are now on track. It is planned that the Health & Wellbeing group will move to more health related actions and this will be discussed as part of the Performance de-brief discussions. With the changes in Welfare reform a meeting is due to be held in December with the Employability Group and JobCentre Plus to review the changes.

Ms Gentile noted the thanks of the CJA to Craig Mercer, Scottish Prison Service who has been instrumental in taking forward the Life/Time project. Mr Mercer has moved jobs within HMP Edinburgh and the Life/Time project will now be led by Ian Bailey. Councillor McLeod added his support for a note of thanks to be sent to Mr Mercer from the CJA.

**Decision**

The Members agreed to:

1. Note the report.
2. Send a formal note of thanks to Craig Mercer.

**7. Strategic Briefing**

**71. Strategic Briefing**

The Chief Officer advised Members that the briefing includes a summary of the Spending Review which has relevance to the CJA throughout, not only in the Justice chapter. The briefing also includes a review of the recent Audit Scotland reports and all CJA partners will be kept updated as part of the CJAs policy tracking and information sharing through the Policy & Research register on the website.

The Chief Officer highlighted the key recommendations from the Audit Scotland review of Public Finances:

- Priority based approach to budget setting;
- Strong leadership and governance; and
- Focus on long term commissioning which should be open & transparent

The Chief Officer advised Members that these recommendations would be merged with the outcome of the CJA Partnership day on 2<sup>nd</sup> December.

The Chief Officer then highlighted the key messages from the Spending Review which offers opportunities for the CJA as a partnership;

- Need to maximise value and impact;
- Rigorous performance culture;
- Prevention – this will be led through the Reducing Re-offending Programme 2; and
- Need for transparency and connections to be made which was exemplified through the earlier women offenders presentation.

The Chief Officer concluded by advising the next area of business to be reviewed by Audit Scotland is 'Reducing Re-offending'.

### **Decision**

The Members agreed to:

1. Note the key messages included in the report and the briefing.
2. Agree to a strategic consultation taking place with partners around the response to these challenges by the CJA as a partnership.

## **8. SHOWCASING LOCAL DELIVERY**

### **8.1 Community Payback Orders (CPOs)**

Tim Ward presented his report to Members and advised that since the introduction of CPOs on the 1<sup>st</sup> February 2011 there has been a significant amount of work achieved across the five local authorities with the majority of the new standards being met. Work is ongoing on community consultation with links being established with community councils and other community organisations.

The next stage involves the interface of CPOs with MAPPA (Multi Agency Public Protection Arrangements) and in particular case management inventory.

The Members present all noted the successful partnership work which is being achieved through the community councils and local initiatives in their council areas and endorsed the work that is underway.

### **Decision**

The Members agreed to:

1. Note the content of the report and the current status of CPOs in Lothian & Borders.
2. Acknowledge the positive progress which has been achieved to date.
3. Receive a 6 month progress report at the June CJA Board meeting.

### **8.2 Shared Services**

Murray Leys advised Members that the work on the shared services programme is ongoing and is being informed and influenced by progress made in other areas of work. Mr Leys advised Members that a written update report will be provided for the February CJA Board meeting.

### **Decision**

The Members agreed to:

1. Note the verbal update and receive a written report at the February CJA Board meeting.

## **9. UPDATE ON CJA PRIORITIES**

### **9.1 Women Offenders**

The Chief Officer advised Members of the twin track approach being adopted to support the Women Offenders in Edinburgh prison in conjunction with the SPS, NHS Lothian and City of Edinburgh Council, as lead for Prison Based Social Work. An independent facilitator, Fiona Young, has been engaged to lead the event on 23<sup>rd</sup> November which will be chaired by Michelle Miller. This first event is to look at the needs and risks of women offenders in Edinburgh. On the 2<sup>nd</sup> February 2012 a cross CJA event will open up relationships and discussions across Lothian & Borders, Fife & Forth Valley, Tayside and Northern CJA areas.

Michelle Miller added that whilst the impact of the women offenders being located in HMP Edinburgh was not significant, their needs are different. This has an impact on throughcare and aftercare services and it could result in women on leaving prison wishing to stay in and around the area of the prison to maintain their access to these services.

The Chief Officer further advised Members that the CJA through Angela Gentile has submitted the response from Lothian & Borders to the independent Commission on Women Offenders chaired by Dame Elish Angiolini.

#### **Decision**

The Members agreed to:

1. Note the progress around the twin track approach.
2. Note the current position around transfer of women prisoners to Edinburgh.

### **9.2 CJA Growth Fund and CJA Effectiveness and Partnership Support Programme**

The CJA received £20,000 growth funding for 2011-12 and the Chief Officer confirmed that this has been allocated against the CJA priorities of Integrated Planning and Effectiveness & Performance Management. This will be delivered across the five Community Planning Partnerships and ELBEG.

Following the first meeting of the Partnership Support Programme Board, John Tench has been appointed as the independent expertise to take forward the Partnership Programme. One of the key projects within this will be the CJA testing its own effectiveness to establish a baseline by the end of March 2012 which will then inform partnership planning.

The Chief Officer also highlighted the plans to hold a high level partnership away day for CJA partners by the end of 2011.

#### **Decision**

The Members agreed to:

1. Note the progress which has been made.
2. Promote attendance of decision makers from CJA partners at the CJAs partnership away day.



## **10. INFORMING AND INFLUENCING NATIONAL POLICY**

### **10.1 Informing and Influencing National Policy**

The Chief Officer provided Members with a summary of the key areas of national engagement which have occurred over the last quarter.

1. The Public Audit Committee will meet on the 23<sup>rd</sup> November and the Chief Officer met with both Audit Scotland and the Scottish Government to discuss Community Justice Performance Management in his capacity as national CJA lead for this topic. The Chief Officer passed on his thanks to partners for their support in providing their input into his submission to the briefing for the Public Audit Committee.

2. As part of the Scottish Government's consultation process for the new phase of the Reducing Re-offending Programme, Lothian & Borders CJA is hosting a roadshow on the 22<sup>nd</sup> November which is open to all partners. The Scottish Government are holding these roadshows in each of the eight CJA areas.

3. Discussions are continuing on the review of the formula for Section 27 core funding and the Chief Officer will continue to provide Directors/Chief Social Work Officers and Members appraised of any developments.

4. The CJA is redeveloping its website – one of the developments will be a more interactive Policy & Research Register.

### **Decision**

The Members agreed to:

1. Note the content of the report and the progress made.
2. Encourage partners to take full advantage of the policy & research register to keep track of national developments and also encourage them to engage with the CJA on national policy.

## **11. No AOCB items were submitted**

### **12. Date of Next Meeting**

The next meeting will be held at Newbattle Abbey College, Dalkeith, on Thursday 23<sup>rd</sup> February 2012 at 2pm.