

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

Newbattle Abbey College, Dalkeith
Thursday 18th February 2016

Present: Councillor Catherine Johnstone Councillor (**Chair**), Donald Grant (ELC),
Councillor Tony Boyle (WLC), Councillor Ricky Henderson (CEC)

In Attendance: Fiona Young (Chief Officer), Craig Fraser (Finance Officer), Harry Robertson
(CEC), John Fyfe (SBC), Margaret Brewer (MLC), Tim Ward (WLC), Andrea
McLachlan (CJA), Nicola McCloskey (Sacro), Jim Dustan (SPS), Fiona
Duncan (ELC), Cristina Ayala (CJA), Allister Perston (Audit Scotland), Paolo
Mazzoncini (Sacro), Liz McAinsh (Police Scotland), Shona Smith (SBC), Ian
Rogan (ELC), Lorraine Gillies (WLC)

Apologies: Laura Baxter (Victim Support Scotland), Julie Murray (NHS Borders), Nancy
Loucks (Families Outside), Fiona Allen (Families Outside)

DECLARATION OF INTEREST

None

1. WELCOME & INTRODUCTION

The Chair welcomed everyone to the meeting and handed over to Nicola McCloskey from Sacro for her presentation on Bright Choices.

Bright Choices is a new service that addresses honour based violence (HBV). It is a partnership between Sacro, ELREC and Multi-Cultural Family Base.

The project aims to support women, children, young people, families and community groups to overcome the problems arising from honour abuse, and promote positive relationships and informed choices. They work directly with families as well as working to raise awareness of the issue.

There are 6 staff members who work across different roles. Each organisation also has different role.

Bright Choices was set up because of a survey undertaken by ELREC in 2013. It found that Edinburgh had the second highest proportion of BME groups in Scotland, and 63% had responded that honour affects men and women. 67% of people reported honour having an impact on their lifestyle and choice of friends or partner.

There is limited research into what constitutes honour, and there can be distorted reporting of honour crimes. Consultations with Police Scotland showed that there were 128 cases of HBV in 2009. Although this figure could be much higher, as crimes may have only been reported as domestic violence or assault.

The definition of honour based violence is, a crime or incident which has or may have been committed to protect or defend the honour of the family and/or community.

Women and girls are the most common victims of HBV, however the victims can also be male. Crimes of honour include serious crimes such as FGM, rape and murder. But they also include lower level crimes, such as a young woman not being allowed to go to college.

So far the project group have worked directly with service users, staff have been highly trained in HBV and publicity material has been produced.

They have achieved successful intervention using mediation with one family and five more families have received emotional and practical support. There is partnership working in place with over 35 organisations including Police Scotland, NHS and secondary schools around Edinburgh and training sessions are being held.

The Chair thanked Ms McCloskey for her presentation.

3. PREVIOUS MINUTE

The Chair advised that the draft minute of the previous meeting of November 2015 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.

3.1 Note of the previous Learning and Innovation Workshop

The workshop was focussed on health outcomes and there were a range of inputs from health and justice in Scottish Government, Edinburgh and Midlothian Recovery Service and Re:D Collaborative. There was a lot of good discussion on the strength of partnerships and making use of evidence and resources.

4. MATTERS ARISING

4.1 The CJA joint response to Scottish Government on the consultation on extending the presumption against short sentences was submitted in December 2015. Nationally the CJA's supported an extension to 12 months. A number of points were also raised regarding the need to reduce the number of people sent to prison on remand. There has been no feedback from Scottish Government yet.

5. CJA GOVERNANCE, PLANNING AND PERFORMANCE (Priorities and Statutory Functions)

5.1 Preparing for the Annual Action Plan 2016-17

The Annual Action Plan is being prepared at the moment. Due to the timings of this report it will be circulated to the CJA Board by email for approval at the end of February, before submission to Scottish Government.

The next stage of the planning cycle is the Annual Report 2015-16 which will need to be submitted to Scottish Government in summer 2016.

5.2 Performance Report

The safer lives figures for quarter two of 2015-16 shows a decrease of 8% on the previous year. The number of completed CPO's is 68% a 5.4% drop on the previous quarter. Cases received by COPFS within 28 days is 79.9%, just below the national target of 80%. Historically this time of year is usually under the target, with other times of the year being above the target.

The Young People Protocol is now in a process of transition as we move into the shadow year. The following action points have been taken:

Conversations with SPS and partners to decide who would take the responsibility and leadership of the protocol going forward. SPS are unable to do this due to other responsibilities, but are willing to support the process. Partners and local authorities are also unable to assume responsibility for the protocol. The new mode for community justice once implemented will impact on the need for regional structures.

A combined meeting with operational staff and partners will be held at the end of April to finalise discussions of the final arrangements. After this meeting the CJA will no longer coordinate the protocol.

CJA staff will still provide secretariat for the meetings, if necessary, during the first half of the transition year.

Communication could continue less formally through a self-managed network of protocol partner agencies. In preparation for this the CJA will ensure partner contact details are shared and will look at establishing a knowledge hub group.

The CJA will, with partner contributions, prepare a report that describes the development, benefits and possible areas of future action for the protocol. This report will be presented to the CJA Board in due course.

5.3 Redesign Updates

i. National developments

The Community Justice Bill was passed on 12th February 2016. There were some significant amendments at Stage 2. One of the key changes was on the definition of community justice. It has been widened to include prevention. The responsibilities of Community Justice Scotland were also confirmed. There is a specific recognition of third sector providers.

ii. Local Developments

The local transition plans were submitted at the end of January, with the exception of East Lothian. There was a delay on this plan, but it had been agreed with Scottish Government to extend the deadline. The plan is expected to be submitted by 26th February at the latest.

All of the plans outlined CJA engagement for the transition year and will be reflected in our Annual Action Plan. We are still awaiting guidance on Community Justice Local Outcome Improvement Plans (CJLOIPs). The likelihood is that these tie in with SOA's. There is also a new national strategy that is expected to be complete by June and launched in September. The National Project Board has eight strands of work, which should come to fruition by early summer and then be shared more widely. It will be helpful to see what the indicators for the performance framework are.

iii. L&B CJA Transition Plan Highlights

The CJA are keeping our transition plan under review and it has been updated recently. Disestablishment tasks including the ending of projects are the main focus at the moment.

5.4 Shared Priorities

i. Women

The four services/initiatives that received funding from the allocation of £107k provided to the CJA for diversion and early intervention work with women have provided a brief update. A full report will be requested at the end of March and a report produced for the May 2016 CJA Board.

Ms McCloskey added an update to the report, that the Sacro service was now receiving referrals for their service.

ii. Edinburgh Domestic Abuse Court Evaluation

The second evaluation is underway and the report will be produced by the end of March 2016 and will be submitted to the May 2016 CJA Board meeting.

iv. Families

The Families Outcome Group, which is a long running CJA group, held its last meeting at the end of 2015. There were some actions agreed moving forward, including the testing of the families framework with Scottish Borders. There will also be a training session held, called Out of the Shadows, which comes from a programme in Ayrshire and will help people utilise the framework.

5.5 Formal Closure of the CJA Office

There are practical decisions to be made on the formal closure of the CJA office. As part of the lease for the office it is our responsibility to repaint the offices, this means a date for formal closure to allow redecorating to happen is required.

5.6 Date of final CJA Board meeting

In relation to the previous item, it would perhaps be better suited to hold the CJA Board meeting for February 2017 a week or two early. This would allow for minutes and papers to be finalised before the formal closure of the office.

Decision

The Members agreed to:

1. An earlier meeting date of 9th February 2017 and formal office closure following the final board meeting.

6. FINANCE

6.1 Quarter 3 report

The quarter three report shows Edinburgh and Scottish Borders in a balanced position. East Lothian has a current over spend of £5k but expect to be balanced by year end. Midlothian have a £11k over spend, this has been dropping each quarter and is expected to balance at year end. West Lothian have a £16k over spend due to agency staff being used to cover maternity and sick leave. This will hopefully come down as the post holders return to work.

Decision

The Members agreed to:

1. Note the content of the report.

6.2 S27 Allocation for 2016/17

Members have already received notification of an EGM on Thursday 3rd March, where the allocation for 2016/17 will be agreed. It is also hoped that an idea of the allocation under the new funding formula will be available, and any issues with that can be highlighted at the meeting.

6.3 Internal Audit

The internal audit began on 3rd February and will focus on transfer of assets and retention of information. It will provide a good checklist on how to work going forward. The report will be presented to the May 2016 Board meeting.

6.4 Audit Scotland – Annual Audit Plan

The plan has not changed significantly from last year. The focus is again on disestablishment, the risks in the plan become more significant as we move into the final year.

The Annual Report will be in October/November this year due to disestablishment. The Audit fee for this year will remain the same as last year.

7. POLICY ROUND UP

7.1. Progress in implementing the commission on women offenders' recommendations

The report is positive as Scottish Government have achieved many of recommendations in the 2012 report. An important issue being the closure of HMP YOI Cornton Vale, women currently held at Cornton Vale will soon be moved to HMYOI Polmont while a new smaller women's prison is built. There is still no confirmation as to the location of the 5 regional units, although it is expected they will be in the large cities.

8. AOB

None

9. DATE OF NEXT MEETING

The next meeting will be held at Newbattle Abbey College, Dalkeith, on Thursday 19th May 2016.