

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

Newbattle Abbey College, Dalkeith
Thursday 20th November 2014

Present: Councillor Catherine Johnstone (MLC) (**Chair**), Councillor Donald Grant (ELC), Councillor Donald Moffat (SBC), Councillor Tony Boyle (West Lothian)

In Attendance: Rob Strachan (CJA), Tim Ward (WLC), Jim Dustan (SPS), Fiona Duncan (ELC), John Fyfe (SBC), Craig Fraser (Finance), Allister Perston (Audit Scotland), Erica Guiney (CJA), Andrea McLachlan (CJA), Harry Robertson (CEC), Dr Alan Mordue (NHS Borders), Margaret Brewer (MLC), Supt. Angus McInnes (Police Scotland), Steve Cairns (CJA), Cristina Ayala (CJA)

Presenting: Peter Conlong (Scottish Government), Richard Thomson (Recruit with Conviction)

Observing: Jamie Buchan (University of Edinburgh)

Apologies: Councillor Ricky Henderson (CEC)

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 Convenor welcomed Superintendent Angus McInnes from Police Scotland to his first meeting.

2. APOLOGIES

The Convenor advised the meeting of the apologies for absence. As above

PRESENTATION BY RICHARD THOMSON FROM RECRUIT WITH CONVICTION

Mr Thomson informed the meeting that he worked on employment for people with convictions. Important is the attitude and willingness of both employers and employees. One in three people has a criminal record, which may affect their chances of employment.

With a Department of Work and Pensions sponsored ambassadors network in South West Scotland, Recruit with Conviction have promoted 'ban the box', which asks employers not to ask for disclosure of criminal record until after an interview has been offered. They are also providing training to employers. If recruiters can overcome criminal record stereotypes and concerns then they can become more open to possibilities.

When you look at employability prospects, employers in areas of high employment are more open to employing people with criminal records. Employers in areas of high unemployment are less open.

Recruit with Conviction are hoping to replicate the work of South West Scotland in Lothian & Borders. The idea is to bring partners together and find the disconnects. The outcome they hope to achieve is employers speak to other employers, and cascade the message that it is safe, good and rewarding to open the market to people with criminal records.

There was work ongoing to up skill Job Centre Plus workers to help people decide when to disclose.

The funding is small so it will be small events rather than large programmes and Recruit with Conviction are delighted to be supported by Lothian & Borders CJA in this work.

3. PREVIOUS MINUTE

The Chair advised that the draft minute of the previous meeting of September 2014 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 NHS to provide briefing on the data available on effectiveness of drug treatment and how this relates to offending.

The Chief Officer noted that we plan to ask NHS to present to the Board in February 2015.

4.2 Councils to explore sustainable funding position for SOLS

The Strategic Officers Group for MAPPA will consider this issue and update in due course.

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

5.0 Reducing reoffending planning cycle update

The Annual Report has been approved by Scottish Government. The next piece of work is the Action Plan for 2015/16. It is hoped to circulate a draft of this at the next Board meeting.

5.1 The correlations between imprisonment and crime

Mr Conlong is from the Justice Analytical Service at Scottish Government. He started with a conundrum that crime has been dropping since 1991 but imprisonment has been rising. He wanted to build a model to find factors that have affected this. He started with a breakdown of offences in the prison population. The largest number were violence and crimes of dishonesty.

Non sexual violence has been falling, and there has been a fall overall in all serious crime. From this you would expect the prison population to drop slightly from the mid 2000's.

Police clear up rates have improved massively in the same time period, this mitigates some of the drop. There have also been changes in sentencing patterns, which makes non sexual violence imprisonment increase. This explains most of the increase. If you adjust the figures for remand and recall, and also adjust for the lagged affects, this will fully explain why imprisonment is so high.

The factors that have caused the rise in imprisonment are:

Clear up rates – crimes of dishonesty, serious assault and robbery have much improved clear up rates.

Use of Custody – This has drifted upwards over the years and includes a focus on knife carrying.

Sentence lengths – Housebreaking sentences are getting longer, increasing the numbers in prison.

If crime had not fallen we would be looking at a prison population of 11,000. More than double the current number.

Essentially the system affects prison population, not crime levels. The Police are now twice as good at catching people and getting successful prosecutions for homicide as in the 1970's which hugely increases prison population.

The Chief Officer asked if there was a link between housebreaking and drug use in the sentencing. Mr Conlong agreed that the judiciary sentence the individual, not the offence. A lot of shoplifters go to prison because of the frequency of their crimes.

The Chief Officer asked what community justice can do to reduce the prison population? Mr Conlong noted that it is difficult, as using CPO's on low level crime is not going to have a huge impact on the prison population. Violence causes the prison population to be high.

Dr Mordue noted that we need to have better diversion and early intervention.

Mr Conlong added that there was a positive story to be told with youth crime, as it is dropping due to interventions. The only age group currently rising in crime is 30-40 year olds. Diversion from an early age as possible is the answer, to stop escalation from a young age. There is also a difference in sentencing by age, there are a lot of young people being sentenced, but they are more likely to get a community sentence.

5.2 National community justice performance report

The Chief Officer informed the meeting that he wanted to circulate the CJA National Performance Report that is used by the national Convenors group, as the CJA Board had not seen this before. He passed over to Mr Cairns, who informed the meeting that the recorded crime figures for Lothian and Borders Community Justice Authority (LBCJA) have seen a reduction in groups 1-5 for the period 2006/07 to 2012/13 of some 36%, this compares favourably with the reduction seen nationally over the same period of some 35%. The Reconviction rate, within LBCJA for the 2011/2012 cohort is 0.41, this compares with the national figure of 0.53.

For the period 2007/2008 to 2011/2012 Sex Offender Recidivism, i.e. the percentage of registered sex offenders who offended has remained fairly consistent year on year, and in line with the national figure of around 98%, with LBCJA having a figure of 97.3% for the period

2011/2012, which was a slight increase from the previous year (624 individuals were registered in LBCJA area for this period and a slight increase on the previous year/s). Within the LBCJA area the number of registered Sex Offenders accounted for 18% of the national register, but those that reoffended within the LBCJA area accounted for 25% of those that had reoffended.

5.3 Update on Young People Leaving Polmont Protocol

Ms Ayala updated that at the present moment there are 15 live cases: 7 from Edinburgh, 2 from West Lothian, 4 from Borders, 2 from East Lothian and none from Midlothian. The Offending Recovery Service for Edinburgh and Midlothian (EMORS) has had a new manager since 13th October and a secure e-mail address has been set up to communicate with Polmont staff now they are working with clients in Polmont. Communication with the COPFS and the Edinburgh Sheriff court has been very productive. The process of communication is highlighted in the Protocol document and they have been invited to the next operational meeting to review this process with the frontline team. The main support requested continues to be for housing, training and employment. The first phase of the evaluation is still ongoing. It was agreed that under the Protocol initial meetings should take place, within 6 working days of the day the young person was sentenced or as soon as possible thereafter to ensure that all relevant parties can attend. A further point highlighted is that young people are not always ready for this meeting within 3 days of coming into custody. A training session on how to fill in the monitoring template with relevant info was provided to the Lifeline team and East Lothian. Now that the five local authorities, New Routes and Lifeline have had this training, the template will be implemented in January. The collected Information will be updated on a quarterly basis to be used in the second phase of the evaluation.

5.4 MAPPA Annual Report

The Chief Officer informed the meeting that it is a statutory obligation for the CJA to formally sign off the MAPPA Annual Report. The report was circulated to Members before circulation. Councillor Grant noted that he felt it was an informative report that could help allay the fears of communities.

5.5 Justice Services for Women

The Convenor asked the Service Managers to give a verbal update on services for women in each of the local authorities. Mr Robertson informed the meeting that the funding from Scottish Government for Justice Services for women was coming to an end and the challenge was to continue the services without funding. Edinburgh need to keep Willow going and are currently speaking with NHS Lothian to try and bridge the gap.

Ms Brewer noted that East and Midlothian had not received any funding but had received support from Willow in the setting up of their service. However that support will not be able to continue once the funding stops. They will keep the service running, but are likely to split back to a service in each authority. They will start looking at transition planning soon.

Mr Ward informed the meeting that the Almond project in West Lothian has always been self funding by the local authority and will continue to be so.

Mr Fyfe noted that Scottish Borders was in a similar position to Mid and East Lothian and are currently looking at how to continue the service long term. They work with statutory and

voluntary organisations from a central hub, and then deliver services in the communities where the women live. There is currently work being done to broaden the referral criteria.

Councillor Boyle wished to add that at an internal award ceremony recently at West Lothian Council, the Almond project won one of the top prizes.

5.6 Prolific offenders and recovery

The Chief Officer informed the meeting that there is an issue in different areas taking different approaches to prolific offenders. He asked the Service Managers to give a flavour of the approaches in their areas.

Mr Roberston noted that Edinburgh and Midlothian have the Offender Recovery Service aimed at the offender population who are stuck in the revolving door of short term sentences. This tries to give a consistent approach to these offenders. There is also a Violent Offender Watch project that followed on from Integrated Offender Management. There are four police officers who target people based on RFG, recency, frequency and gravity of crimes. Ms Brewer added that there are multi-agency meetings with Police Scotland. They look at prolific offending hot spots and issues. Police Scotland also provide monthly statistics on prolific offenders.

Ms Duncan informed that the main issue in East Lothian currently is the closure of the court in Haddington, so work recently had been focusing on procedure.

6. FINANCE

6.1 S27 Quarterly Report – Quarter 2

Mr Fraser spoke to his report that noted current spends in the local authorities as below.

Edinburgh - £18'000 under spend
East Lothian - 96'000 over spend
Midlothian - £19'000 over spend
West Lothian - £13'000 over spend
Scottish Borders balanced.

The current large overspend for East Lothian is due to an Intensive Support Package (ISP). It is anticipated Scottish Government will meet up to 90% of the cost of this. Ms Duncan noted that she had just received information that Scottish Government have agreed to cover the costs in principal.

Decision

The Members agreed to:

1. Note the content of the report.

6.2 Audit Scotland update – Annual Audit Report

Mr Perston informed the meeting that the CJA had an overall good set of financial statements. There were no significant findings and the audit certificate was signed off in time.

The outlook noted that delivering a consistently high level of service in the face of uncertainty about the future of the CJA will be a challenge to the authority.

The report also showed the risks to the CJA and that there is positivity that the Board is managing the risks.

There needs to be a focus on governance, which is something to be raised with all Boards that are heading to dissolution.

Risk management also needs to be firmly embedded and evaluated to ensure the CJA is fully addressing all key risks.

Councillor Grant noted that he felt it was a good report and thanked Mr Perston and the Chief Officer. He asked what would assets transfer to the new body? The Chief Officer informed that there were not many assets, but he intended to contact Scottish Government and inform them that Audit Scotland has raised it as an issue.

7. POLICY ROUND UP

7.1. Redesigning Community Justice

The Chief Officer has circulated the round-up sheet to help everyone understand what is happening currently in the process, and will continue to circulate these to the Strategic Officers Group when they come in. There is a discussion being held about the liabilities of CJA staff nationally soon.

7.2. Policy & Research Register

The Chief Officer circulated a copy of the policy and research register updates. He noted that of particular interest is a recent conference by No Offence and the presentation by Claire Lightowler, which gave a useful insight into youth crime.

8. AOB

The Convenor informed that it was the Chief Officers last meeting as he was moving on to new pastures, and thanked him for his leadership and contribution in the last 4 years.

9. DATE OF NEXT MEETING

The next meeting will be held at Newbattle Abbey College, Dalkeith, on Thursday 19th February 2015.