



Performance Report 2023/24

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Introduction:

This is the first Community Justice Performance Report produced by East Lothian Community Justice Group (the Group). This Report is the product of two self-evaluation sessions at the start and end of 2024 which has allowed the Group to assess their performance towards meeting the National Outcomes (as detailed in the Community Justice Performance Framework).

The Group formed in 2023 and met eight times during the 2023/24 reporting period. In January 2024, in advance of the publication of the East Lothian Community Justice Outcome Improvement Plan 2024, the Group undertook the first self-evaluation. From this self-evaluation they agreed for two of the National Outcomes to be priority areas for improvement action and one as a stretch aim. These were:

- Priority area 1. More people in police custody receive support to address their needs (National Outcome 2)
- Priority area 2. More people with convictions access support to enhance their readiness for employment (National Outcome 8)
- Stretch aim. More people access voluntary throughcare following a short-term prison sentence (National Outcome 7)

The Group carried out a second self-evaluation in December 2024 to measure progress towards meeting the National Outcomes (the Outcomes) and they identified another overarching stretch aim to deliver work on living experience – the Understanding the Views Project (detailed on page 3).

The self-evaluations have demonstrated that the Group have consistently **achieved** the Outcomes and that local **activity** is **progressing** the Outcomes.

Across the two self-evaluation sessions we can see that 5 of the Outcomes had no movement on progress and 4 progressed. There was no regression of any progress for this reporting period.

National Outcome	Reporting Year 2022/23	Reporting Year 2023/24
1. More people successfully complete diversion from prosecution	8	9
2. More people in police custody receive support to address their needs	7	8
3. More people are assessed for and successfully complete bail supervision	8	8
4. More people access services to support desistance and successfully complete community sentences	9	9
5. More people have access to, and continuity of, health and social care following release from a prison sentence	9	9
6. More people have access to suitable accommodation following release from a prison sentence	8	9
7. More people with convictions access support to enhance their readiness for employment	7	8
8. More people access voluntary throughcare following a short term prison sentence	9	9
9. More people across the workforce and in the community understand, and have confidence in, community justice	9	9

The self-evaluation sessions followed the same format asking “how close are we to meeting the Outcome” and the Group scored themselves against this using a simple format of a rating from 1- 10, with 10 being fully meeting the Outcome. It is worth noting here that a rating of 6 would be classed as the Outcome being achieved. However, to keep the work of the Group focused on improving performance, the self-evaluations were based on the implementation of new activity (to drive improvement) and business as usual work.

It is worth noting here that for a number of the Outcomes the Group have little or no control over in terms of increasing “more people”. For example, we do not influence a sentencing decision other than completing a report or assessment, e.g. a Bail Suitability assessment. Some of the Reports and Assessments have a low conversation rate for the uptake of the recommendations contained within them. This is also out with the Groups control. Therefore this Performance Report is reflective of what we can control.

This Report has been produced to meet the requirement of Section 23 of the Community Justice Act (2016). The Act states that Community Justice Partnership are required to publish a Performance Report annually outlining the progress they have made in achieving each ‘National Outcome’ (as detailed in the [Community Justice Outcomes – improvement planning and reporting: statutory guidance 2024](#)).

The Report must set out:

- the **activity** they have taken in the period concerned to achieve the outcome
- whether, at the end of the period concerned, the **outcome was being achieved** in the area
- the **progress** in the period concerned towards its achievement (if the outcome has not been achieved)
- the national indicators partners have used in their assessment

Local improvement activity for 2023/24: Understanding the Views Project

To avoid repetition, this project is detailed here as it overarches a number of the Outcomes. In 2023, the Group developed an **Understanding the Views project** as an improvement activity to:

- continue the Groups commitment to using the lived and living experience of service users to improve services and to
- respond to the asks of the Community Justice Tool to have mechanisms in place understand the views of service users and the staff delivering the services.

The Project is the implementation of the “Listening Tool”, developed by partners Access to Industry (A2I). A2I will engage with people using and delivering diversion from prosecution, community payback orders, short term prison sentences, and voluntary throughcare. This is in line with the Improvement Tool ask to have mechanisms in place to ‘understand the views’ of people undertaking and supporting the work. Locally, there is no funding to take this project forward and the Group are reliant on A2I to deliver this ‘in kind’. Due to staffing and resourcing issues, A2I have been unable to deliver on this project for this reporting period. At the December self evaluation session, the Group agreed to make this project a **stretch aim** and will review progress at each quarterly Group meeting as this is a key piece of improvement work.

Performance statements:

The following section details the activity, and local delivery partners responsible for the delivery of the activity (this allows for scrutiny and accountability to progression) and our “Performance Statements”. These statements include the rationale for the scoring of our performance, utilising both national and local data where applicable and details improvement activity planned for the 2024/25 reporting period.

National Outcome 1: More people successfully complete diversion from prosecution

Local delivery partners: Police Scotland/ COPFS/ JSW/ CJ Group

Local activity undertaken: delivery of direct measures (Diversion from Prosecution, Fiscal Work Orders)

Performance statement: The achievement of this Outcomes was maintained and progress has been made to improving performance. The Group agreed the range of direct measures currently on offer to deliver diversion activities are working well, this includes suitability for Diversion from Prosecution (DfP) assessment times. Justice Social Work (JSW) have developed an inhouse individual intervention called “An Opportunity to Think” which allows those receiving DfP to look at their behaviours in depth and this continued to be delivered. Local evidence shows that 31.8% of cases reported to Crown Office and Procurator Fiscal Service (COPFS) were marked for direct measures and 61% for Courtⁱ.

Both nationally and locally, the number of DfP assessments undertaken, commencements and completions show a significant increase in line with progress towards ‘more people’ - see National Indicator data in the table below.

Number of diversion from prosecution ⁱⁱ :			
Year	assessments undertaken	cases commenced	cases successfully completed
2023-24	↑ 91	↑ 85	↑ 62
2022-23	43	36	36
2019-20	35	35	31

The number of Fiscal Work Orders (FWOs) (a diversion measure) remains similar to the 2019/20 figure. The use of FWOs has decreased since the Covid pandemic, with significantly fewer assessments requested. In the Lothians and Borders, 0.2% of cases were marked for a FWOs in the 2023/24 financial year. Noting, that decisions in relation to when to offer referral for DfP and FWOs are made by prosecutors within COPFS, acting independently and the Group have no control over this.

Local improvement actions 2024/25:

- Delivering the Understanding the Views Project
- Implementing the recommendations from the national Review of Diversion from Prosecution (2023)

National Outcome 2: More people in police custody receive support to address their needs

Local delivery partners: APEX Scotland/EL Substance Use Service/ Police Scotland/ CJ Group

Local activity undertaken: Implementation of an Arrest Referral service

Performance statement: The achievement of this Outcomes was maintained and progress has been made to improving performance. The Group agreed that the work of Apex Scotland delivering the Arrest Referral service had progressed significantly. APEX Scotland were commissioned in August 2023 by the JSW Service to set up an Arrest Referral Service in Edinburgh's Custody Suite. Data from Apex Scotland supports a local shift towards 'more people' receiving support and the data clearly demonstrates that more people are receiving support in custody for 2023/24. The National Indicator data for this Outcome cannot be published for this reporting period.

Local evidence for the Arrest Referral service shows that for the review period (February - 3rd May 2024) there were 17 referrals, 11 people who engaged at the 1st appointment and 10 unplanned exits. People sought support in the following areas:

- Appropriate advice/guidance on legal/court proceedings,
- Substance use,
- Well-being (including self-care, physical, emotional, mental health),
- Structure and goal setting and,
- Offending behaviour

Local improvement actions 2024/25:

- Embedding the Arrest Referral Service
- Embedding the Substance Use Service Nurse
- Embedding the Referral Pathway Project

National Outcome 3: More people are assessed for and successfully complete bail supervision

Local delivery partners: JSW/ CJ Group

Local activity undertaken: Bail Supervision

Performance statement: The achievement of this Outcomes was maintained. The Group agreed that progress was limited, but not regressing, recognising that most requests for bail supervision are completed when this is offered by the Courts. In line with other Local Authority areas, there are low conversion rates of bail supervision/ electronic monitoring assessments to actual orders. Achieving and improving on this Outcome is reliant on bail supervision being offered in the first instance. The number of EM bail orders is increasing. National Indicator data used for 2023/24 shows that the number of assessment reports for bail suitability was 8, bail supervision cases commenced was 6 and bail supervision cases completed was less than 5. Note, trend data is not available for assessments or for cases completed yet and conversion rates remain low. Local evidence shows that in 2023/24, 22 people received an **EM Bail Order** - up from 9 in 2022/23ⁱⁱⁱ.

Local improvement actions 2024/25:

- Delivering the Understanding the Views Project
- Embedding the Referral Pathway Project
- Implementation of the updated National Guidance on Bail Supervision

National Outcome 4: More people access services to support desistence and successfully complete community sentences

Local delivery partners: JSWS/ Heavy Sound/ Access to Industry/ CJ Group

Local activity undertaken: CPO, SDS, SHINE, Cockenzie Garden

Performance statement: The achievement of this Outcomes was maintained. The Group agreed that locally delivery of Community Payback Orders, quality of partner work, and evidence on improving outcomes for service users is a strength. In the 2022/23* reporting period, 74% of people successfully completed their CPO and local data shows that CPO completion rates are stable. Feedback from CPO Exit Questionnaires and focus groups with service users consistently show people are happy with the service they received.

Local partners deliver a range of supporting work. Local delivery partner, Heavy Sound deliver an unpaid work session on a Saturday in a local garden to help offer alternative options to weekday work placements. VCEL offer placements in the Pantry (an emergency food provision). The JSW Assistants are recognised to be proactive in seeking support from other agencies and partners if needs are identified for service users. The EL Substance Use Service Nurse (a co-hosted post with the NHS & JSW) is having a positive impact on the service users they work with. Since starting post in January 2024, they have set up a trauma informed interview room and offer a range of health related advice and support.

Local evidence shows that in 2022/23 there were 163 CPOs commenced with 141 males and 22 females.

- 74% of people successfully completed a CPO in EL
- Breach rate in EL has remained stable
- The conversion rates of JSW Reports for East Lothian remains similar to the Scottish rate^{iv}

In May 2024 there were 6,300 hours of Unpaid Work **imposed** in East Lothian^v. Structured Deferred Sentences were introduced in March 2023 and for 2023/24 there were 5 sentences imposed of between 3 and 6 months^{vi}. There are a number of programmes available in East Lothian for sexual offending and domestic abuse including; MFMC, Stop It Now, Caledonian System and Safe & Together.

In 2023/24 the Outcomes (identified in the Justice Outcomes Star) for people engaging with JSW services (Note, this is across the JSW service and not just community sentences) showed that service users reported their outcomes as improved, significantly in 'managing strong feelings'. The areas that people identified that they had 'dropped back' included positive use of time and mental health/well-being.

National work to progress the implementation of a Restorative Justice Services came to an end in this reporting period with a Pan Lothian project ending and a model of case studies being pursued by CJ Scotland. Locally, the Youth Wellbeing Team are progressing the inhouse delivery of Restorative Justice, reflective of were the demand for the service is.

*Note that:

- drug treatment and testing orders successfully completed (DTTOs), in East Lothian have been in abeyance since June 2022 so no relevant data available.
- the 2023/24 CPO data is released in January 2025 which is after the date this Report needs to be published by, therefore the below data is for 2022/23 reporting period.

Local improvement actions 2024/25:

- Delivering the Understanding the Views Project
- Embedding the Referral Pathway Project
- Embedding Structured Deferred Sentences
- Development of an inhouse Restorative Justice service for young people

National Outcome 5: More people have access to, and continuity of, health and social care following release from a prison sentence

Local delivery partners: SPS/ TRANSITION Group/ JSW/ ELSUS/ CJ Group

Local activity undertaken: Pre-release Plans, TRANSITION, Statutory & Voluntary Throughcare

Performance statement: The achievement of this Outcomes was maintained. The Group agreed during the evaluation process that health and social support offered to people leaving prison in a planned way was a partnership strength. The TRANSITION Group, coupled with the MAT Standards (within Prison Custody Settings Tool Kit) offers a robust pathway for people leaving prison to ensure access to the right support. The Group recognise this is not the experience for people leaving prison who have been held on remand and new mechanisms have been put in place to offer support to this group of prison leavers including access to VTC delivered through JSW.

Nationally and locally, numerical data has not been identified to show progress. The National Indicator data is still in its infancy and local data gathering had not started for this reporting period. However, the TRANSITION Group and Substance Use Service Nurse ensure that anyone leaving prison can access health and social care services as soon as possible post release. A local Peer Mentor noted that “Within the prison there has been so much change and great work happening. The Recovery Café (The Cove) is offering groups 5 days a week and Heavy Sound are delivering a group to the remand residents which is going well and well attended. There is now a Health and Well-being café called the HIVE, which is offering acupuncture, breath work, mindfulness, mental health groups (Heavy Sound) will be running this”.

Local improvement actions 2024/25:

- Remand Prison Release Project
- Embedding the Referral Pathway Project
- Embedding the Substance Use Service Nurse
- TRANSITION data gathering

National Outcome 6: More people have access to suitable accommodation following release from a prison sentence

Local delivery partners: Housing Options Team/ JSWS/ TRANSITION Group

Local activity undertaken: SHORE Standards, Housing First Tenancy Model, TRANSITION, STC, VTC

Performance statement: The achievement of this Outcomes was maintained and progress has been made to improving performance. The Group recognise the work of the TRANSITION Group to be key to maintaining the achievement and progress of this Outcome. Locally, there has been a decrease in the number of homeless applications from prisons and the TRANSITION Group play a significant role in ensuring the most suitable accommodation is sought for people leaving prison. There are several

preventative measures in place to reduce the risk of homelessness for people leaving prison including dedicated posts within the Housing Options Team and identification at the start of a sentence of potential housing issues.

National Indicator data shows that the number of homelessness applications where prison was the property the main applicant became homeless from in 2023/24 was 10 applications^{vii}. Local evidence and the analysis of TRANSITION Group data shows that 2/3 people were released from HMP Edinburgh. In terms of housing issues - **17** people had either **no** issues identified when leaving prison or resolved their housing issue pre release. E.g. Measure to reduce rent arrears were put in place and they returned to their own home or they returned to friends/ family while they awaited alternative housing. Most of these housing situations were secure longer term.

14 people **were homeless** and some had a duty to be rehoused. For those leaving prison without secure accommodation they were offered either supported accommodation or BnB on release. Some people held on to this accommodation and then secured either a temp or permanent housing solution. For a small number of people these temporary arrangements broke down or they were either back in custody, moved to another authority area or found other precarious accommodation.

There were **7** people who's housing situation was precarious pre and post release or their housing outcomes were unclear.

There were several emerging challenges to this work identified during the self-evaluation. Including homeless presentations increasing significantly in comparison with the previous year. This is resulting in pressures on temporary accommodation and difficulties accommodating homeless people generally, including those leaving prison. Changes regarding 'local connection' in homelessness legislation has contributed to the rise in homeless applications and caused some issues in respect of households involved in the community justice system. There are increasing numbers of households presenting as homeless who are not known in the local area, with some households becoming more transient and corresponding issues regarding risk assessment and support provision.

Local improvement actions 2024/25: None identified

National Outcome 7: More people with convictions access support to enhance their readiness for employment

Local delivery partners: EL Works/ Access to Industry/ Heavy Sound/ VCEL

Local activity undertaken: Skills Development Scotland, ELORS, NOLB, UKSPF

Performance statement: The achievement of this Outcomes was maintained and progress has been made to improving performance. The Group acknowledge that making this Outcome a priority for action had improved progress for this reporting period. Improvement actions implemented have included creating an Employability Subgroup (which met once in the reporting period) and making employability a standing item on the Groups agenda.

National Indicator data used shows that in 2023/24 there were 13 people using the No One Left Behind service and that is 5% of people using the service in East Lothian^{viii}. However this does not reflect the total number of people involved in the justice system, accessing employability services in as there is a combination of both NOLB (Scottish Government) and UK Shared Prosperity Funding (UK Government) used to deliver employability provision across the county. Locally, there are a number of people engaging with employability services and achieving positive outcomes. However, it is

noted that for both local and national data the reporting timeframe of 12 months isn't often long enough to show that people have progressed due to them being the furthest away from employment.

There are a range of specialist employability services in East Lothian such as 'Offender Recovery Service' (ELORS – delivered by Access to Industry), the Ridge, and Heavy Sound. These services focus on delivering stage 1 and 2 of the employability pipeline - addressing immediate needs and removing barriers.

Local evidence from **East Lothian Works** shows that for 2023/24 the number of unique individuals with a criminal conviction who have engaged with ELW or through funded provision (e.g. Access to Industry) was 48 and barriers for these include:

- Homeless 7
 - Living in a jobless household less than 5
 - Long term physical illness 9
 - Long term unemployed 26
 - Low skilled (below SCQF 4) 6
 - Mental health issues 15
 - No or ltd work experience 5
 - Substance related condition 12
 - Care experienced less than 5
- Job outcomes (to date) 7 (1 in 7 people using the service).**

There were challenges identified around annual funding during the self-evaluation. The **Local Employability Partnership (LEP)** commissions third and private sector organisations to provide specialist employability provision to complement local authority delivery (including for those involved in the justice system). Funding for 2023/24 was not received until the end of Q1. Delays in funding, and the annualised nature of it, reduce the flexibility of the LEP to deliver long term projects with maximum impact for those furthest away from the labour market and with the most barriers. Funding is also received from the UK Government through the UK Shared Prosperity Fund, while this was multi-annual, it ends in March 2025. It has been announced that there is funding for a further year but it is likely to be a 40% cut on the 2024/25 funding levels.

Local improvement actions 2024/25:

- Reconvene the Employability Subgroup

National Outcome 8: More people access voluntary throughcare following a short term prison sentence

Local delivery partners: SPS/ JSWS/ CJ Group

Local activity undertaken: VTC

Performance statement: The achievement of this Outcomes was maintained. The Group made this Outcome a stretch aim (meaning it is a longer-term aspiration) to improve uptake of Voluntary Throughcare (VTC) delivered by both JSW and the Third sector. National Indicator data shows that the number of VTC cases commenced was 28 for 2023/24 and this is delivered by Third sector partners. Local data show that a number of people engage with the JSW VTC service and have good outcomes from this. Local evidence for VTC taken from an analysis of TRANSITION Group data shows

that 16 people actively engaged with VTC delivered through JSW assistants and partners, Heavy Sound. Unsurprisingly, those who actively engaged with VTC had better outcomes short and longer term.

Local improvement actions 2024/25:

- Delivering the Understanding the Views Project
- Embedding Referral Pathway Project
- The national VTC service is due to start in April 2025
- Promoting the use of 'Moving on' business card with JSW and SPS staff

National Outcome 9: More people across the workforce and in the community understand, and have confidence in, community justice

Local delivery partners: CJO/ CJ Group

Local activity undertaken: Service User Voice/ Lived Experience Work/ Community Consultation & Engagement,

Performance statement: The achievement of this Outcomes was maintained. The Group agreed that this was a consistent area of improvement work. There is no National Indicator for this Outcome but locally, there were a number of developments during the 2023/24 reporting period that helped maintain this Outcome. This included the formation of the Group, completing a review of the 2021/24 CJOIP and publishing the CJOIP 2024. The CJ Lead Officer post was also established and reallocated to JSW Service. The Groups information sources and Plans are consistently kept up to date and under regular review. These include Outcome Improvement Plans, the Community Justice Webpage, Participation Statement, CJ Service Map, and information for the Community Support Service Tool.

Local improvement actions 2024/25:

- Embedding the community Justice eLearning module
- Embedding Understanding the Views Project
- Delivery of the Engagement and Participation Strategy

Performance challenges:

There are a number of challenges experienced both locally and nationally that may impact on the progress toward meeting the Outcomes in future years that are out with the Groups control. These are:

Employment – both the availability of employment locally and the consistency of funding to provide employability services are challenges. Many people on the justice pathway are at the first stages of the employability pipeline so they can be a way off gaining and sustaining meaningful employment. Public transport costs (and frequency of services) can be a barrier to employment. The short term nature of funding provided employability services (East Lothian Works) does not meet the longer terms needs of those furthest away from employment.

Housing supply and homelessness legislation – limited housing supply is an ongoing issue in East Lothian. The impact of this is not limited to people on the justice pathway. However, for people

leaving prison and housed in shared accommodation, this can impact on their ability to avoid substance use or negative peer influence and increase the likelihood of reoffending.

The removal of the “local connection” power from Homelessness legislation has had a significant impact on the Housing Options Team and the assessment of people from out with East Lothian looking to relocate. A recent estimate was that 1 in 3 applications came from people out with the local authority area placing an increased demand on the service.

Community Justice Funding - delivering work to improve and achieve on the National Outcomes will continue to be a challenge and constrain longer term planning. Current funding from the Scottish Government for Community Justice Partnerships (to support collaborative working) has not increased with inflation and there continues to be funding issues relating to the delivery of living experience, employability and restorative justice work.

- There will continue to be pressure on Justice Social Work staff to deliver work without additional funding to support bail supervision, diversion from prosecution and unpaid work.
- The growing (and ageing) population in East Lothian will potentially drive partners to use their resources elsewhere.

Remand - particularly meeting peoples needs on release from prison) continue to be a challenge. The new model of Voluntary Throughcare and Mentoring Services (due for launch in Aril 2025) could help streamline access to support services for people held on remand and prisoners serving short term sentences. The commissioning of a new model also has the potential to change the face of third sector delivered VTC in East Lothian and risks changing well established relationships with VTC delivery partners.

Data Points to note:

- The performance data is presented using high level national data on each of the national outcomes and local supporting data has been added to be reflective of the local context.
- The high level data has been provided by JS Statistics, Public Health Scotland and Police Scotland and is referenced accordingly.
- The CJPF Guidance and Technical notes recommends using a ‘base year’ where it was ‘business as usual’ and not during the pandemic. For the sake of consistency, 2019-20 is our base year.
- National baseline years vary depending on data availability. Where data is not currently available, implementation dates for the start of routine collection are noted.
- There are local data gaps which we anticipate will be evidenced from 2024/25 onwards.

ⁱ Note this is Lothian wide data

ⁱⁱ Ref: 2023/24 Scottish Government. National Statistics- Justice Social Work Statistics

ⁱⁱⁱ Ref: 2023/24 Scottish Government. National Statistics- Justice Social Work Statistics

^{iv} Ref: CJ Performance data trends, JSW Statistics SG

^v Ref: [CPO – Unpaid Work SG 2024](#)

^{vi} Ref: Justice Social Work Statistics, Part 1, Scotland, 2023/24

^{vii} Ref: from CJPF data trends

^{viii} Ref: Scotland's Devolved Employment Services: Statistical Summary, 2024