



**West Lothian  
Council**

**The Newsletter  
of West Lothian  
Council Criminal  
Justice Social  
Work Service**

**No.5 – June 2008**

<b>1</b>	<i>Community Work Offers – a new Pilot Scheme running in West Lothian</i>
<b>1</b>	<i>The first year of the improved West Lothian Criminal Justice System.</i>
<b>2</b>	<i>Reconviction rates – what can we learn from them?</i>
<b>2</b>	<i>The first year of Constructs</i>
<b>3</b>	<i>The Polbeth Market Garden – a growing area of work!</i>
<b>3</b>	<i>Your comments</i>
<b>4</b>	<i>From Youth Justice to the adult Criminal Justice system</i>
<b>5</b>	<i>Our Service Standards</i>
<b>5</b>	<i>DTTOs in West Lothian - three years on</i>
<b>6</b>	<i>From the manager's desk...</i>
<b>7</b>	<i>Inter-Agency Risk Management</i>
<b>8</b>	<i>Staff News</i>
<b>8</b>	<i>Get in touch</i>

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# Community Justice

**Community Work Offers – a new alternative to prosecution**

*Linda Probka*

In our last newsletter, we noted that the Scottish Government was considering a new way to reduce pressure on the courts in the form of Community Work Offers – an opportunity to carry out unpaid work that may be offered by the Procurator Fiscal (PF) instead of prosecution. The Community Service equivalent of a Fiscal Fine, these orders will be for a maximum of 50 hours, and if the person does not comply with the conditions of the order, the PF will be able to prosecute for the original offence.

West Lothian is one of three pilot areas in Scotland, and the eyes of other councils and court areas will be upon us when this pilot scheme starts in early 2008.

We have recruited a new Community Work Order Assistant to manage the Work Orders and have increased our placement availability. We are now recruiting a part-time supervisor.

This service will be in addition to the longstanding Social Work Diversion

scheme, and provides another way to reduce the financial and social costs of court appearances.



"This wasn't what I meant when I said I wouldn't mind doing paper-work for my Community service."

**The West Lothian Criminal Justice Project goes mainstream.**

*Paul Streater*

The time taken to process a case through the criminal justice system in West Lothian has been steadily reduced, by using the principles of the West Lothian Criminal Justice Project (which aims to speed up most of the processes of summary justice) for an increasing range of cases.

The planning that was carried out by all the organisations concerned – police, prosecutors, courts and social work – seems to have paid off, as there has been a steady improvement in the time-scales for bringing a case to court, although there are still

delays in the overall system that are not within our control.

The Criminal Justice Social Work Service has had to accept that there are limited advantages in speeding up our processes; until we have met someone for the first time, we cannot know how long it will take to prepare a court report, and having routinely to ask the court for additional time would not be helpful. However, we have been able in recent months to prepare almost all reports when first requested, as long as the people we are writing about actually turn up!

There has been some interest in the pioneering work in West Lothian, and similar schemes are now being planned around Scotland.

### **Reconviction rates: a measure of success.**

#### **Paul Streater**

One of the ways in which we see whether we are working effectively to help people change their behaviour is by studying the number of times that people on Probation commit further offences during and after their period of supervision.

Recent figures from the Scottish Government show that West Lothian has, in common with our partners in the Lothian and Scottish

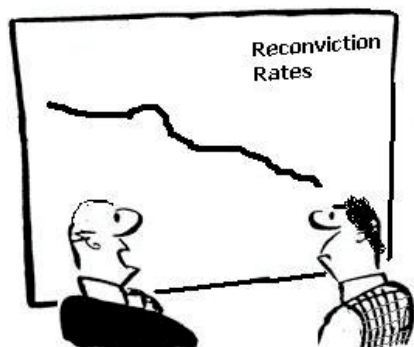
Borders Community Justice Authority, a good rate of success.

Calculating rates of re-offending is a complex matter, as researchers do not have information that tells when the offences were actually committed, and the delay in bringing cases to court in many areas makes it even more complicated!

The statistics now published relate to people placed on Probation in 2003-4, who will have been on orders ranging from 6 months to 3 years in length.

What we can tell is that in West Lothian, 52% of males and 50% of females did not come to the court's attention within two years of the end of their orders; this suggests that, for a number of offenders, the opportunity to use probation to reflect on their behaviour and the risks that they take is used constructively.

Across the Lothian and Scottish Borders area, females were 12.4% more likely to have committed at least one offence, but it should be noted that the sample of female offenders was relatively small; it is also important to bear in mind that female offenders often have a greater range of the problems that contribute to offending than males of a similar age.



"If these figures drop much further, there won't be enough work for all our staff!"

### **Constructs - a new approach to Probation.**

#### **The Probation Supervision Team reports on the first year of operation of our groupwork programme.**

As noted in our last edition, the West Lothian Criminal Justice Social Work Service was awarded funding to begin using this new Scottish Executive-endorsed groupwork programme. Groups have now been running for one year, and we expect soon to receive the official evaluation of the project, which is being scrutinised closely because West Lothian is the first Scottish local authority to provide this programme.

The programme is intensive and demanding for both participants and group leaders. With weekly sessions, the expectation that anyone who misses a group session catches up on the work before the next session creates extra demands for staff, but does mean that group members don't fall by the wayside.

As with all Probation Orders, some participants do drop out, and there are many reasons for this. Sometimes there are changes in someone's situation or lifestyle that make attendance impossible or less suitable, and sometimes group members are suspended pending breach of their orders for a variety of causes. However most groups have been able to keep a high level of membership compared with other groupwork programmes that we have run in the past. Three of the four groups that have so far started have already

completed the programme, with one still running and a further group to start in the next few weeks.

Amy McBain, who has been heavily involved in the groups, reports:

“We have received a variety of very positive comments about *Constructs*. One member noted that this was the longest he had ever been out of prison in 30 years. Many members have appreciated the way that *Constructs* helped them to think about the consequences of their behaviour on others.”

One of the many advantages of this approach is that probationers and Criminal Justice workers spend a great deal of time looking at different ways of handling problems. Group participants realised that, as one said, “There are people in authority who do care and don’t dismiss you.”

Staff, too, see great benefits from this approach. Committed and enthusiastic about this ground-breaking project, workers are keen to build on success by running more groups, and by further improving their skills.

One of the unplanned ways that *Constructs* has developed is by involving other agencies. In particular Adult Basic Education staff are now attending both group and homework sessions, reflecting the fact that for many group members, literacy skills are a significant problem.

Workers have commented that this has provided a good opportunity to really get to know clients, and they feel

that they are getting more detailed and honest feedback from group members about what they have learnt.

So what developments may we see? Already West Lothian has, on the back of our success with *Constructs*, been asked to take part in a pilot project for a new Domestic Violence group work programme (this is of course one of the areas of offending that *Constructs* is not designed to help with).

We are optimistic that the good levels of attendance and commitment from our service users will be a positive advantage in further developing these services.

## **The Polbeth Market Garden**

### **Linda Probka**

*The Community Work Order Team acquired Polbeth Market Garden in March 2008. The garden and workshop were in a very run-down state, having been badly vandalised. The clean-up operation has begun with various work teams attending through the week, and the garden is starting to look more presentable.*

*We will be erecting a poly-tunnel and a greenhouse on the site. Work team members will be involved in planting, tending plants and general maintenance.*

*Everyone is feeling very positive about the garden and the possible benefits for those in the community. Those on Work Orders will be given an opportunity to pay back to the community by developing or*

*making use of gardening skills.*

*We are already linking up with community groups to explore with them ways in which we can help them, such as providing plants for sale.*

*In particular, we have*



*developed a partnership with the council’s Health Improvement Team in relation to promoting healthy eating. The fruit and vegetables we grow will be distributed through WELFED, the West Lothian Food and Health Development project, which co-ordinates food co-ops. We are pleased to be able to help make healthy food available to those on low incomes at cheaper prices.*

### **Your Comments**

*We welcome views from you - the readers of this newsletter and the users of our services - about how we deliver our services, and this part of this newsletter is set aside for us to report your views.*

*Unusually, we have received almost no significant comments in the past few months, providing little to write about.*

*The most significant comment from one respondent was in relation to our commitment to see people at the appointed time. We do occasionally struggle with this – usually because of a preceding interview slightly over-running, and leaving us nowhere to see you. We will always try to keep you informed about the problem and what we are doing to sort it out.*

*We feel we should note the interesting suggestion that one of our Probation Supervision Team staff should be an MP. We have still not worked out what was meant by this!*



## **From Youth Justice to the adult Criminal Justice system**

***Bobbie Miller, Manager of the Youth Justice Family Support Team explains how the team helps young people come to terms with the adult legal system.***

The team that evolved into the Youth Justice and Family Support Team first came together in 1995. It was recognised that many of the

young people who were coming to the attention of the adult Criminal Justice system because of their offending required substantial packages of support if they were to successfully address their offending behaviour in their communities; many of the over-16 year-olds were on Probation and Community Service Orders.

It was recognised that these young people almost always had difficulty in coping with the transition to the adult court system, where the penalties that can be applied in the event of someone not complying with the court's expectations are more immediate and potentially more serious.

In 2005, we took on responsibility for the preparation of court reports on 16 to 17 year olds appearing in court, as part of the expansion of our remit, and this has become an increasingly demanding part of our work. We supervise Probationers ourselves, but work with the Criminal Justice Social Work Service staff that organise Community Service work.

Most of the young people we work with have serious literacy difficulties, and suffer from addictions, chaotic lifestyles; they are often unemployed with little opportunities to gain work, and they have problematic and unstable family life. All of this contributes to their anti-social behaviour in their families and communities.

So what is the aim of the Youth Justice Family Support team? Simply put, it is to reduce youth offending in West Lothian. We work with young men and women up to the age of 18, offering a range of services and types of support to them and their families, primarily to address their offending behaviour using a variety of methods and programmes, but also helping their families understand how to help them.

Many of these young people have poor social skills and act impulsively; they have little insight into the consequences of their behaviour on themselves, on their families or on their wider communities. The team has developed a range of group-work activities to help them deal with these issues. The issue-based groups that we run are influenced by "hotspot areas" across West Lothian, which are identified by the police and other organisations, as well as the needs of individual young people.

An exciting development in group work has been our new 10 week programme, "Onside", run in partnership with Hearts Football Club. This is now running with 12 young males aged 14 and 15. We review our activities, and when this programme finishes, we will be evaluate it fully. Discussions are already taking place to roll this programme out to 16 to 18 year olds with a view to developing inter-personal skills, improved self-esteem, to look at employment opportunities and generally to

encourage the young men to make better choices, lead healthier lifestyles and become better citizens.

A Problem Solving group for 14 and 15 year old males is just reaching completion, which involved outdoor activities. Much of the focus of this work was around risk assessment and problem solving skills. This programme is about to be rolled out to young men of 16 to 18 years of age who are currently serving Probation Orders or have been identified as potentially high-risk offenders.

The team is now working with young people aged from 12 to 18, covering a range of offences from early intervention with young people who may need only a little support or a lot, through to older teenagers serving Probation and Community Service Orders.

However, we also have a strategic role, focusing on the varied issues which result in young people developing inappropriate ways of dealing with problems and which result in their committing offences.

The team is continually developing new initiatives to work with these vulnerable and potentially dangerous young people. We feel we have been successful in helping young people through their Probation Orders to address their offending behaviour and in preventing breaches of orders resulting in young men and women being locked up.

## Our Service Standards

*Service Standards are an important way for us to measure how well we serve the public. They focus on the manner in which we work with people rather than on the detail of the work we do with people who are appearing in court, or who are on court orders. Since we first started to develop our Service Standards, they have gone through several revisions, based on comments received from service users and staff.*

*The most recent set of Service Standards appears below; we would like you to tell us if these are the things that are important to you. We would also like to hear your views about other items that might be included.*

### **West Lothian Council Criminal Justice Social Work Service aims to:**

- Treat all service users fairly and with courtesy and respect their confidentiality.
- Consult users on a regular basis about service provision through completion questionnaires and comments forms. We will report improvements through newsletter, posters and the Criminal Justice Team website.
- Respond promptly to telephone enquiries. If the person required is not available, another worker will contact you during the same working day.
- Communicate clearly with you, and check that you have understood what we are saying.
- Respond to any communication from you in the method that you prefer (letter, email, etc), within three working days

of receipt.

- Offer appointments at times and venues which are suitable for our service users. These will take account of any reasonable work or other commitments.
- Ensure that you are seen within 15 minutes of your appointed time. We will report how we performed on an annual basis.
- Respond to any complaints or comments about our service within three working days.
- Prepare all Court reports for the date requested.
- Provide you with a full explanation of the demands we will make on you at the start of your order or licence.

*To let us know your views, please use any of the methods of contact described at the end of this newsletter. Please remember that we find your views helpful, and that we do act on them whenever possible.*

## DTTOs in West Lothian - three years on

### *Sharon Oxley*

Three years have now passed since the Drug Treatment and Testing Order Team came to West Lothian. Warmly welcomed and generally well received by the criminal justice system and offenders alike, it continues to provide an invaluable service to the West Lothian community. By tackling drug misuse and related crime we see that the benefits to the offender, to the local community and to the criminal justice system are

many and varied. Participants receive help and support to get their life back on track, for example through employment or training; we have seen an impact on re-offending rates; and the court system is able to deal with outstanding cases alongside reviews of Drug Treatment and Testing Orders (DTTO), saving court time.

A DTTO is a court order aimed at helping offenders to reduce their drug use and related offending. Before being placed on an order, clients must give their agreement and be willing to –

- Attend and make constructive use of treatment for drug misuse.
- Be frequently and randomly drug tested.
- Attend court on at least a monthly basis so that the Sheriff can review their progress.
- Be supervised by the Drug Treatment and Testing Order Team (by both Social Work and Health staff).

Failure to comply with the treatment plan will result in a Breach Report being sent to the Court. If this happens the Sheriff can sentence the client for the original offence, which may well result in a custodial sentence.

The DTTO team consists of social workers, nurses, a doctor and a project worker. By adopting a partnership approach with staff from health and West Lothian Council it means that the same goals are shared and a comprehensive service provided where there are no gaps in the system.

However, no one method suits all, so staff members use their varied skills to find programmes and approaches

which suit the individual. Although roles overlap, this is broadly what the different workers do:

#### **Health**

- Prescription of alternative drug treatments
- Psychiatric support dealing with overall mental health
- Drug testing to ensure offenders are keeping to the conditions of their order

#### **Behaviour change**

- Teaching techniques for dealing with problems in an acceptable way
- Demonstrating positive ways of behaving in society
- Developing the lifestyle changes that reduce risk of restarting drug use
- Making links between offenders and other organisations which give ongoing support

#### **Criminal Justice**

- Management of the order by the Social Worker, including making sure that all the conditions are kept
- Helping the offender deal with other problems that result from or contribute to their drug use
- Reducing the risk to the public from the offender's activities

#### **One man's story**

Mr X began using heroin at the age of fourteen years, and when we first started work with him, at the age of 27, he was a frequent offender appearing at Court for offences related to his heroin dependency.

He was initially required to attend four appointments a week; he was drug-tested twice per week by the Nurse, and the Project Worker and

Social Worker each saw him once a week. Eight months into his order his appointments were reduced and he was able to commence employment. Some months later he had managed to achieve vocational qualifications related to his job, had gone on holiday with his family abroad and remained in a stable relationship with his girlfriend. Impressive outcomes for a man who would be viewed by many people as having little hope of a better and brighter future!

The DTTO Team has managed to help others with similar difficulties and although we accept that setbacks are part of the cycle of addiction, we have shown that individuals can achieve their goals for change, often to a considerable degree.

As for most services, we know that with the availability of more resources and staff, the service could expand to cope with a greater number of clients. The Scottish Government is also looking at the prospect of introducing a DTTO aimed at lower tariff offenders who require a less intensive service. Pilot programmes are being set-up and evaluated in other parts of Scotland currently, and we look forward to this development with interest.

### ***From the manager's desk...***

***Tim Ward***

It has been a busy time for the Criminal Justice Social Work Service over the last twelve months. David Rowbotham moved on to become a Social Work Inspection Agency Inspector and I was permanently appointed Crim-

inal Justice Manager in the autumn of 2007. I am happy



to note the recent appointment of Gillian Oghene as Group Manager for Criminal Justice; her rôle as operational manager allows me to spend more time on strategic planning.

I have big ambitions for the service, based on two important strategic documents: The Lothian and Borders Community Justice Authority Area Plan 2008-11; and the West Lothian Council Criminal Justice Social Work Service Plan 2008-11

The Community Justice Authority is now well-established; its Area Plan intends to bring together all relevant agencies (courts, prosecution, prisons and a range of community-based services, including the Criminal Justice Social Work Service) to address the key Scottish Government aim of reducing re-offending.

The West Lothian Criminal Justice Plan focuses on local strategies to achieve this aim over the next 3 years; this cannot be done without considerable input from all our partners. There are a significant number of specific actions, but among the most important are:

- The creation of a new West Lothian Community Justice Strategic Group to co-

ordinate the changes that each of the organisations will have to make.

- Establishment of an innovative project to risk manage high-risk offenders living in West Lothian.
- The move of many of our services to the West Lothian Civic Centre, which offers us many possibilities for creative and effective work with our partners.
- To devise a wider range of work placements for offenders on Community Service and similar orders, both in terms of the geographical areas and the range of tasks carried out. The considerable benefits of this sort of sentence are recognised by the Scottish Government, which is considering extending its use.
- To create opportunities for offenders to access certificated qualifications, to increase their possibilities of getting into the job market.

I believe that these plans provide a clear focus for everyone in the service, and will help our partners focus their efforts towards our shared goal of reducing offending.

## **Inter-Agency Risk Management**

### **Robin Allen (Sexual and Violent Offenders' Liaison Officer)**

*The Risk Management of offenders in the community in West Lothian has in recent years been co-ordinated through a multi-agency forum. In April 2007 this*

*process was formalised by the introduction of Multi-Agency Public Protection Arrangements (MAPPA).*

*These currently only apply to sex offenders and certain categories of mentally disordered offenders. Similar processes will be introduced for Violent Offenders some time in 2009/10.*

*The fundamental purposes of MAPPA are public safety, protection of victims and reduction of serious harm. It is a multi-agency process, involving Social Work, Police, Housing, Health and Education.*

*It is important that the level of risk is assessed promptly; all relevant offenders are given a Risk Rating on a scale of 1 to 3 (the highest risk level). Among other things, this defines the level at which discussions take place, with the most concerning people being considered by senior officers, who have control over the resources needed.*

*It is widely recognised that effective Inter-Agency risk management is the most effective way to manage the risk of harm that certain types of offender present. West Lothian has invested a lot of time, energy and resources in this process, and continues to develop similar strategies for people whose behaviour is concerning, but who are not included in the MAPPA process (for example, younger persons).*

## **The Editor reports on... Staff News**

*Congratulations to Lesley Millar of the Community Work Order Team, who recently took part in the Edinburgh*



*Marathon. Despite this being her first ever race at that distance, she managed a very creditable (and precise) 5 hours for the 26.2 miles. She tells us that she was spurred on for the last three miles through fear of being beaten to the line by a man dressed as a Womble!*

*Lesley has earned £1,500 for the Children's Hospice Association of Scotland through sponsorship. If you would like to help CHAS, you*

*can find out more at <http://www.chas.org.uk/>*

*As part of a complicated series of secondments, we have bidden farewell to Norma Paterson, who is now working as a Team Manager in the Children and Families Service. Emma Clater accepted the opportunity of broadening her experience by transferring from Court and Assessment to the Probation Supervision Team, and we have been pleased to welcome Alison Aien to the Court and Assessment Team.*

*We have seen considerable changes among our admin team in the past few months, with the departures of Audrey Johnston, Helen Nichols, Kerry McGowan and Fiona Muir to a range of promoted posts, both within and outside the council. We wish them all well. Pending the appointment of new staff, we have been enjoying the help of a number of agency staff, who have a difficult set of tasks to*

*learn; please do bear with them when contacting the office!*

*As noted elsewhere, Gillian Oghene has been appointed to the new post of Group Manager for Criminal Justice, taking on the co-ordination of our daily activities, and freeing up CJ Manager Tim Ward to become involved at a more strategic level with the development of services. As a consequence of this, Sharon Oxley has been appointed acting Team Manager for the Drug Treatment and Testing Order Team*

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**And a final thought...** It is interesting to note that there are now more Social Workers working in the field of Criminal Justice alone in West Lothian than the total of all Social Workers employed by the then West Lothian County Council at the time your editor first started work in West Lothian!

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## **Get in touch**

*We would welcome your views on this newsletter. If you would like to comment on the information we have given, or if you would like to suggest items for future newsletters, you can contact us in any of the following ways:*

**1. By writing to the *Criminal Justice Office, Lomond House, Beveridge Square, Livingston EH54 6QF.***

*You can either post it in the normal fashion, or hand it in (**unstamped**) to any West Lothian Council public office, when it will be sent to us by the internal mail service.*

**2. You can e-mail us on [CriminalJusticeTeam@westlothian.gov.uk](mailto:CriminalJusticeTeam@westlothian.gov.uk).**

*We aim to reply to all comments within one week. If you are interested in writing a piece for the newsletter, why not phone the current editor, Paul Streater, on 01506 775900 to discuss this further?*