

Clackmannanshire Community Planning Partnership

**Community  
Justice  
Strategic  
Assessment  
Report**

June 2016



**Clackmannanshire  
Alliance**

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# Summary of strategic assessment and next steps

## Introduction

At the December 2015 meeting, Alliance Partners agreed to undertake a strategic assessment of community justice and offending in Clackmannanshire to determine trends, strengths and areas for improvement. This will help identify local priorities going forward. The strategic assessment was developed with support from Fife and Forth Valley Community Justice authority FFVCJA and built on priorities and data set out in the FFVCJA Area Plan for Clackmannanshire 2014/17.<sup>1</sup>

## Approach

The approach involved a review of feedback from informal meetings with Clackmannanshire Community Justice Stakeholders and analysis of a range of data including recorded crime, reconvictions, draft community justice guidance from the Scottish Government and other published research.

## Key Findings

The medium term trend of re-convictions in Clackmannanshire shows significant improvement, however the re-conviction percentage and the number of re-convictions per person remain high in Clackmannanshire against Scottish averages. The reconviction rate is a complex measure and when the data is standardised against the profile of the people who commit crime locally, then reconviction rates in Clackmannanshire are consistently below the national average reconviction rate. This reflects the good practice and professionalism of services. It also indicates that Clackmannanshire has proportionately more chaotic people who commit crime with more complex needs than most other local authorities in Scotland.

Re-offending in Clackmannanshire is inflated by a small group people who are responsible for a disproportionate level of crime year on year. Research about the people who persistently commit crime (Priority Need Group)<sup>2</sup> is consistent with other local feedback suggesting that they are characterised by risk themes such as the following:

1. disproportionately common instances of traumatic life experiences such as being victims of bullying, violence, abuse, unresolved childhood bereavement (associated with premature death of loved ones from suicide, murder, drugs or alcohol abuse among other reasons for premature death)
2. low self esteem/ poor mental health/ brain injuries/ childhood abandonment
3. alcohol / drug misuse
4. poor education levels/ experience of school exclusion or disengagement
5. unsuitable housing arrangements
6. long term unemployment and long term unemployment of family and friends
7. social exclusion and isolation
8. mistrust of authority/unwillingness to engage with statutory services provided by until their situation is at crisis point

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[http://www.ffvcja.co.uk/component/option,com\\_docman/Itemid,7/gid,507/task,doc\\_download/](http://www.ffvcja.co.uk/component/option,com_docman/Itemid,7/gid,507/task,doc_download/)

<sup>2</sup> Note: if the term “offender” is perpetuated then it will inhibit progress against stigmatising the priority need group

9. poor communication, literacy, numeracy skills and poor decision making
10. unstable personal relationships with family, partners, friends and neighbours
11. early engagement with criminality, an offending identity, associated stigmatisation and limited opportunities to thrive without crime
12. other poverty markers such as poor health and life expectancy, residing in areas of multiple deprivation and experience of corporate parenting

Typically their behaviour is observed but their suffering is obscured. Effective community justice will reduce re-offending by balancing the requirement to control offending behaviour with support to build individual resilience to desist from crime. This should be achieved by involving people in the Priority Need Group, victims, families and other communities of interest to define and design solutions which align with the evidence base.

Analysis of available data demonstrates the following local features in Clackmannanshire:

- There are long term trends in Clackmannanshire for higher levels of violence than comparator local authorities. There is also long term trend for higher rates of reconvictions for people who commit violent offences compared to Scottish averages.
- Sex offences are predominantly committed by people who have never been convicted rather than re-offending.
- The MAPPA arrangements provide effective risk management for violent or sexual offenders. The Service in Clackmannanshire was shown to be robust in the inspection by HMCIS and the Care Inspectorate. 2 reconvictions have been recorded over a 4 year reconviction reporting period.
- There are long term trends in Clackmannanshire for lower levels for crimes of dishonesty than comparator local authorities and Scottish averages. Despite this the number of people convicted for crimes of dishonesty is high and the trend of reconvictions is slightly above the Scottish average.
- Clackmannanshire recorded crimes relating to vandalism, mischief and fire raising etc. are among the highest rates in Scotland but "other crimes" tend to be near the Scottish average.
- There is a long term trend for high reconviction rates for all age groups against relevant Scottish averages, except for over 40's where the trend closely aligns Scottish averages.
- Clackmannanshire has a long term history of proportionately high numbers of people aged under 21 being convicted and reconvicted compared to most other local authorities but significant improvements have been made since the implementation of the whole systems approach. This work is critical to deter lifetime offending patterns.
- Clackmannanshire has a long term trend for higher than average reconviction rates after monetary penalties changing to higher than average reconviction rates for CPO/RLO's. This correlates with a reduction in use of monetary penalties and an increase in CPO/RLO's
- A long term trend for women who are convicted demonstrates a high ratio of women who are convicted in Clackmannanshire. There is also a long term trend for higher reconviction rates for women in Clackmannanshire than the Scottish average.

- There is a comparatively high rate of domestic abuse reported and recorded in Clackmannanshire
- A number of indicators demonstrate that there is a problematic relationship with alcohol and drugs in Clackmannanshire in comparison to Scottish averages
- Suitable housing arrangements make a critical contribution to reducing re-offending. Like most local authorities, Clackmannanshire has considerable demands on limited housing stock.
- There are too few realistic pathways to safe, suitable and sustainable employment for people using justice services - this inhibits hope for new lifestyles and risks set-backs leading to regression.

Strengths and priorities

| Strengths                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Priorities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Clackmannanshire benefits from the colocation of core services for people who use justice services within a small geographic area in Alloa town centre</p> <p>The existing problem solving approach in the Sherriff Court places Clackmannanshire in a developed position regarding the presumption against short term sentences</p> <p>There are existing strong inter-agency partnerships and relationships supporting quality joint working for areas such as MAPPA and whole systems approach</p> <p>There is evidence of pro-active local Community Justice communication with the public</p> <p>There are examples of successful solutions deployed to solve distinct local problems</p> <p>Clackmannanshire has a consistently low rate for recorded crimes of dishonesty in comparison to neighbouring local authorities and other areas of deprivation</p> | <p>Reduce re-offending</p> <p>Reduce violence and abuse</p> <p>Raise awareness and improve community understanding and participation in community justice</p> <p>Deliver effective interventions to prevent and reduce the risk of further offending</p> <p>Partners plan and deliver services in a more strategic and collaborative way</p> <p>Enable people with convictions to achieve the following:</p> <ul style="list-style-type: none"> <li>• Develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities</li> <li>• Have better access to services they require including welfare, health and wellbeing, housing and employability</li> <li>• Improve life chances by addressing needs including health, financial inclusion, housing and safety being addressed</li> <li>• Enhance resilience and capacity for change and self management</li> </ul> |
| <p>Evidence Gaps</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



1. A map of local services against needs
2. Evidence about the sustainability and capacity of the third sector in Clackmannanshire to continue and improve their contributions to community justice outcomes and evidence about the ability of statutory services to commission third sector providers to improve contributions to community justice outcomes
3. Evidence of existing community justice performance for a baseline report

## **Clackmannanshire Community Justice Strategic Assessment**

What is Community justice?

The collection of agencies and services in Scotland that individually and in partnership work to manage and holistically support people using justice services and their families, prevent offending and reduce reoffending and the harm that it causes, to promote social inclusion, citizenship and desistance. Amended from Future Model of Community Justice in Scotland <sup>3</sup>

What is changing?

The Clackmannanshire Alliance set out a Community Justice Transition Plan for 2016/17 <sup>4</sup> which directs this strategic assessment, a partnership workshop and development of the Clackmannanshire Community Justice Partnership. The partnership will consult local stakeholders and will follow national guidance relating to the Community Justice (Scotland) Act 2016 and report to Community Justice Scotland against common outcomes. The partnership will work collectively with other local authorities and Community Justice Scotland to share best practice and develop efficiencies and will work closely with the Community Justice Authority until its dissolution in 2017.

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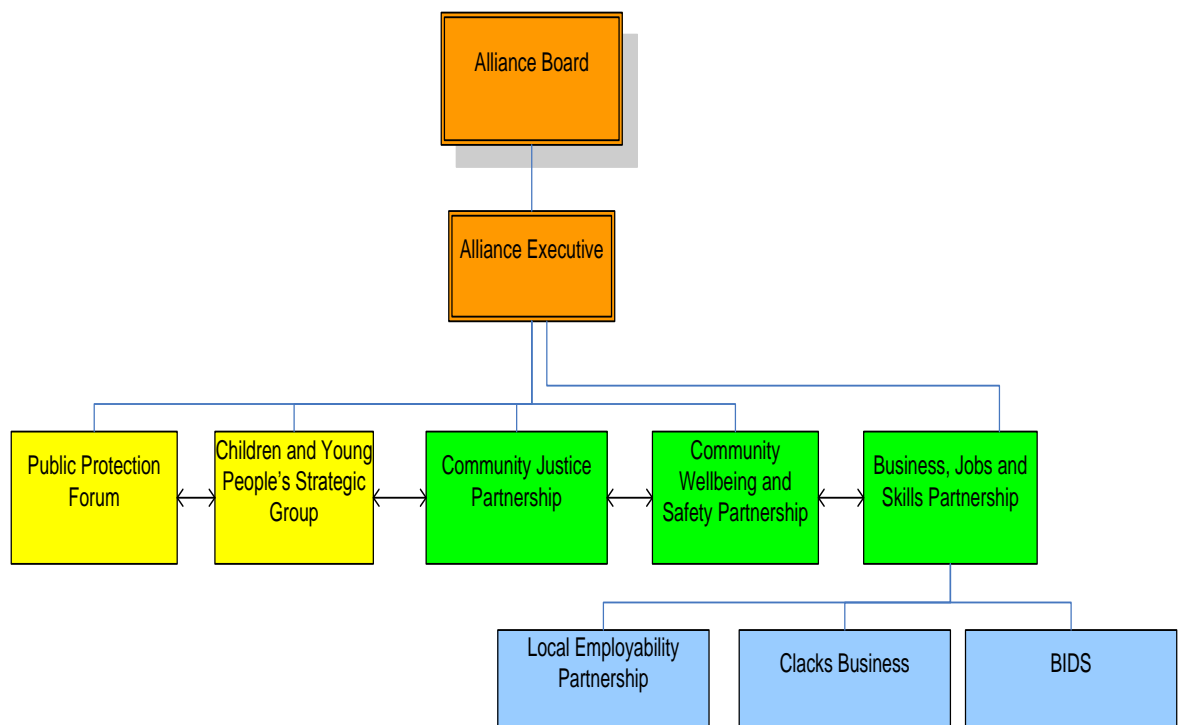
<sup>3</sup> <http://www.gov.scot/Resource/0046/00466082.pdf>

<sup>4</sup>

<http://www.clacksweb.org.uk/site/documents/communityplanning/communityjusticetransitionplan201617/>

## The Scope of the CJPP

The CJPP will report to the Clackmannanshire Executive and will be accountable to the Clackmannanshire Alliance and will operate within the following structure:



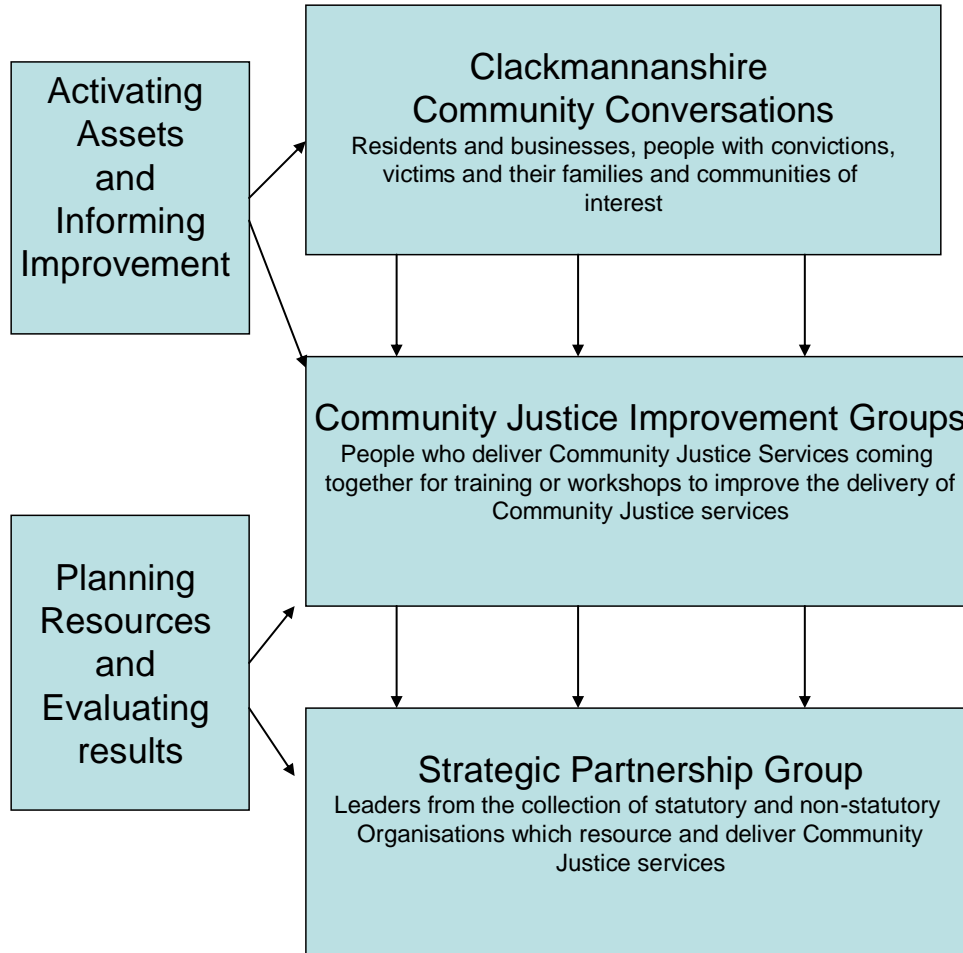
It is anticipated that the Community Justice planning partnership will be structured in the format shown below. It will be informed by Clackmannanshire community conversations where relevant communities of interest can be encouraged to activate assets and inform improvement. Community Justice Improvement Groups will seek to implement improvements through a process of marginal gains in services and communities which are informed by the



community conversations and balanced with evidence based practice. The strategic group will have oversight of the process and direct resources to meet the requirements for reducing re-offending.

### **Clackmannanshire Community Justice Planning Partnership...**

Putting the Community into Clackmannanshire Community Justice



### **Existing Community Justice Arrangements in Clackmannanshire**

The Fife and Forth Valley Community Justice Authority (FFVCJA) currently has responsibility for the management of community justice in Clackmannanshire and a community justice policy co-ordinator has been

appointed by the Clackmannanshire Alliance to support the transition of responsibilities when the FFCJA is dissolved in March 2017.

Existing services and local geography provides a position of strength for Community Justice in Clackmannanshire. In addition to excellent services, there is a problem solving court and the following except from an article written by Sheriff Mackie "Problem Solving and Judicial Practice in Alloa Sheriff Court" defines many advantages:

*"Alloa benefits from the fact that it has been possible to retain the Sheriff Court building in the town centre within a 2–300m radius of the main criminal justice services. Thus the Crown and the Citizens Advice Bureau are housed in the same building as the Court. The Criminal Justice Social Work Department is a short walk away next door to the Jobcentre. The police station is a matter of yards away. There is, consequently, a high level of regular and easy communication among the agencies involved in working with offenders. A benefit of regular CPO and DTTO reviews is that the resident Sheriff and other Sheriffs attending Alloa can develop an acquaintance with the Criminal Justice Social Workers engaged in writing reports and working with individuals. The opportunity arises between and around hearings for useful conversation, exchanging information and ideas. The Court police officers engage in the process and have developed informal practices which reassure offenders that they can attend for review hearings without the fear of being apprehended on outstanding warrants. Many of the benefits are present here as might be expected to be found in a purpose built justice centre such as Livingston or based on the Liverpool model. It is a matter of some pride in Alloa that an individual placed on a CPO will be seen very quickly by the Responsible Officer and for those with a work requirement there is the expectation that they will be at work within a week."*<sup>5</sup>

Local problems are quickly identified and practical solutions are implemented. For example, many justice service users were having welfare benefits sanctioned due to problems evidencing their job search. A dedicated Advice Worker for people who use justice services was established in the Citizens Advice Service to challenge sanctions and protect welfare entitlements wherever possible. They also act as a referral point to The Gate (a local food bank) so that people have the means to survive without committing crime. Note, the Joseph Rowntree Foundation Report "*Monitoring Poverty and Social Exclusion in Scotland 2015*" identifies Clackmannanshire as having the highest rate of Job Seeker Allowance sanctioning in Scotland.<sup>6</sup> There is emerging anecdotal evidence that the levels of sanctioning are falling in Clackmannanshire.

A number of other local examples of good practice exist. These include; a range of third sector services also interface statutory services in order to

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<sup>5</sup> From Problem Solving and Judicial Practice in Alloa Sheriff Court <http://www.cycj.org.uk/wp-content/uploads/2014/10/Problem-Solving-Judicial-Practice-in-Alloa-Sheriff-Court-01-14-11-13.pdf>

<sup>6</sup> <https://www.jrf.org.uk/report/monitoring-poverty-and-social-exclusion-scotland-2015>

support a complex set of needs for people using justice services and their families.

Local factors relating to breaching community payback orders (CPO) were also identified by Criminal Justice Social Work (CJSW) in Clackmannanshire. The availability of transport and individuals' concerns about ongoing local feuds with other CPO participants are contributing factors towards order breaches. The local CJSW service has implemented flexible solutions such as participation in unpaid work as close as possible to home or in some cases CPO's are completed in another local authority, depending on the need of the individual.

The Vanguard System has also been implemented locally so that people liberated from prison in Clackmannanshire are provided with a single point of contact to support them from homelessness to homed.<sup>7</sup>

The council is also pro-active in informing residents about community justice initiatives through regular social media posts<sup>8</sup> about unpaid work in local areas and has also taken on complex communications about safely managing people with convictions for sexual offences, through training and an article in the local newspaper in April 2016<sup>9</sup>

The thematic inspection of MAPPA conducted by the Care Inspectorate and Her Majesty's Inspectorate of Constabulary was highlighted in the Forth Valley MAPPA Annual report and demonstrates points to evidence of effectiveness, notably low reoffending rates and consistently strong performance against key performance indicators and local improvement targets in Forth Valley.<sup>10</sup>

The ADP and Scottish Recovery Forum have good practice examples of co-production and have produced a report<sup>11</sup> from a Recovery Café Conversation in Clackmannanshire from 2015.

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<sup>7</sup> <http://www.clacksweb.org.uk/council/perfinhousingnhomelessness/>

<sup>8</sup> <https://twitter.com/ClacksCouncil>

<sup>9</sup>

[http://www.alloaadvertiser.com/news/14411759.Clacks\\_community\\_groups\\_to\\_receive\\_training\\_to\\_address\\_fear\\_of\\_sex\\_offenders/?ref=mr&lp=2](http://www.alloaadvertiser.com/news/14411759.Clacks_community_groups_to_receive_training_to_address_fear_of_sex_offenders/?ref=mr&lp=2)

<sup>10</sup> <http://www.clacksweb.org.uk/document/meeting/224/700/5279.pdf>

<sup>11</sup>

[http://www.scottishrecoveryconsortium.org/assets/files/Reports/Clacks%20Conversation%20Cafe%202015%20\(002\).pdf](http://www.scottishrecoveryconsortium.org/assets/files/Reports/Clacks%20Conversation%20Cafe%202015%20(002).pdf)

# Analysis of offending and re-offending in Clackmannanshire

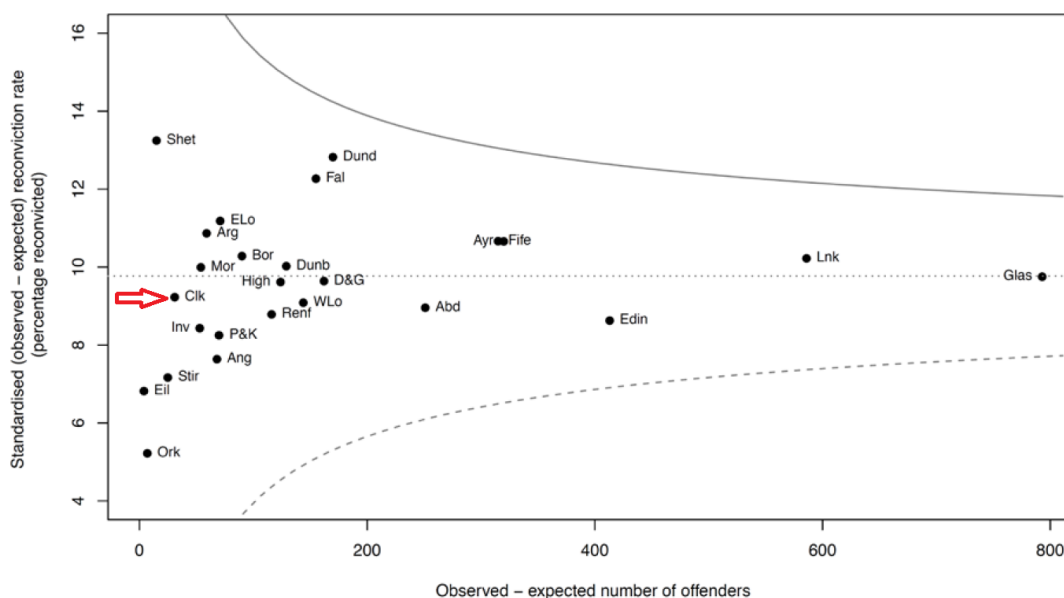
The 5 step logic modelling process has been defined in the Scottish Government draft guidance<sup>12</sup>. This requires local problems to be identified in the form of a baseline needs assessment. Medium term trends of reported crime and reconviction rates have been studied to inform this process. More detail is provided in Appendix1.

## The headline reconviction rate

The primary aim of community justice is to reduce offending and re-offending. The medium term trend of re-conviction in Clackmannanshire shows significant improvement, however the re-conviction percentage and the number of re-convictions per person remain high in Clackmannanshire against Scottish averages. The reconviction rate is a complex measure and when the data is standardised against the profile of the people who commit crime locally, then reconviction rates in Clackmannanshire are consistently below the national average reconviction rate and reflect the good practice and professionalism of services.

The chart below<sup>13</sup> demonstrates the Clackmannanshire position for reconvictions based on Scottish averages and accounting for the local profile of the Priority Need Group for reducing re-offending.

**Standardised reconviction rates by Local Authority group: 2013-14 cohort**



<sup>12</sup> DRAFT GUIDANCE: Guidance for local partners in the new model for Community justice VERSION 3.2 dated 11 April 2016

<sup>13</sup> Reconviction Rates in Scotland: 2013-14 Offender Cohort, May 2016.

<http://www.gov.scot/Publications/2016/05/2243>

For Clackmannanshire to regularly have the highest rate of re-convictions in Scotland yet below average re-convictions based on the profile of people who are being convicted, suggests that Clackmannanshire has proportionately more chaotic people who commit crime with more complex needs than most local authorities.

Research<sup>14</sup> about people who persistently commit crime (Priority Need Group)<sup>15</sup> aligns with local stakeholder feedback suggesting that in Clackmannanshire, they are characterised by normal Scottish risk themes such as the following:

1. disproportionately common instances of traumatic experiences such as being victims of bullying, violence, abuse, unresolved childhood bereavement (associated with premature death of loved ones from suicide, murder, drugs or alcohol abuse)
2. low self esteem/ poor mental health/ brain injuries/ childhood abandonment
3. alcohol/drug misuse
4. poor education levels/ experience of school exclusion or disengagement
5. unsuitable housing arrangements
6. long term unemployment and long term unemployment of family and friends
7. social exclusion and isolation
8. mistrust of authority/failure to engage with statutory services until their situation is at crisis point
9. poor communication, literacy, numeracy skills and poor decision making
10. unstable personal relationships with family, partners, friends and neighbours
11. an offending identity, associated stigmatisation and limited opportunities to thrive without crime
12. other poverty markers such as poor health and life expectancy, residing in areas of multiple deprivation and experience of corporate parenting

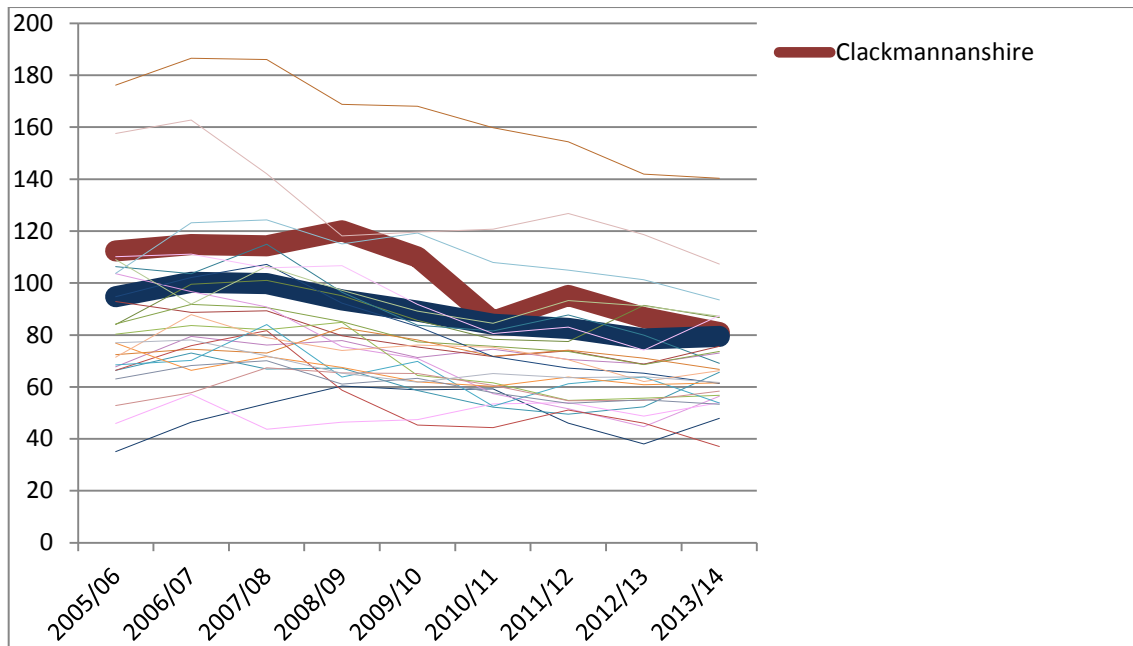
Typically their behaviour is observed but their suffering is obscured. Effective community justice will reduce re-offending by balancing the requirement to control their behaviour with support to build their resilience to desist from crime. It should achieve this by involving people in the Priority Need Group, other people with convictions, victims, families and other communities of interest to define and design solutions which align with the evidence base.

Each year, there is also a high proportion of the Clackmannanshire population who are convicted so the pressures on resources locally are impacted by both factors. The graph below shows the number of people per 10,000 population who are convicted each year.

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<sup>14</sup> See Edinburgh Study of Youth Transitions <http://crj.sagepub.com/content/10/2/179.abstract>  
Various work of the Centre for Youth and Criminal Justice including <http://www.cycj.org.uk/resource/factsheet-25-the-ripples-of-death-exploring-the-bereavement-experiences-and-mental-health-of-young-men-in-custody/>

<sup>15</sup> Note: if the term “offender” is perpetuated then it will inhibit progress against stigmatising the priority need group



Analysis of available data demonstrates the following local features in Clackmannanshire:

## Violence

There are medium term trends in Clackmannanshire for higher levels of violence than comparator local authorities. The medium term trend for high rates of reconvictions for people who commit violent offences compared to Scottish averages for reconvictions after violent offences.

In the reporting year 2014/15, the total crime recorded by the police per 10,000 population in Clackmannanshire is 465 against a Scottish average of 479. Recorded non-sexual violence per 10,000 of the population in Clackmannanshire is 17 against a Scottish average of 12. This is the second highest rate for any local authority in Scotland and relates to 89 serious violent crimes.

By smoothing the rate of violent crime over 5 years Clackmannanshire retains a high rate of violent crime which is close to the Scottish average but still well above neighbouring authorities. The Scottish average rate of violent crime per 10,000 of the population is skewed by Glasgow which has a 5 year rate which is more than twice the Scottish average and representing more than a 10<sup>th</sup> of the Scottish population.

For additional context, not all crime is reported to the police and while local disaggregated information is not available, more comprehensive Scottish information is available in the Scottish Crime and Justice Survey 2014/15<sup>16</sup>. During a 12 month period, young men (aged 16-24) had the highest risk of being a victim of any crime (23.6%). Young men also had the highest risk of

<sup>16</sup> <http://www.gov.scot/Resource/0049/00496532.pdf>

violent crime (8.7 %) and were over twice as likely to be a victim of violent crime than women of the same age group (3.2%)."

## **Domestic Abuse**

Domestic Abuse is defined as 'Any form of physical, sexual or mental and emotional abuse [that] might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere'.<sup>17</sup>

With 137 incidents per 10,000 of the population, Clackmannanshire had the third highest rate of domestic abuse in Scotland, in 2014/15.<sup>17</sup> This relates to 704 incidents.

Several contextual factors can be taken from the "*2012/13 Scottish Crime and Justice Survey: Partner Abuse*"<sup>18</sup> which cannot be disaggregated to local authority level. The report estimates that the police came to know around one in five (21%) of the most incidents of partner abuse experienced in the last 12 months. This was much higher for female victims (32%) than for male victims (9%).

## **Sex offending**

It is well documented that the greatest risk of sex-offending comes from people who have not yet been caught rather than from re-offending. The MAPPA arrangements for effective risk management in Clackmannanshire include risks of sexual and violent behaviour. They appear to be robust given that there are 2 reconvictions recorded over a 4 year reconviction reporting period.

The rate for reported sexual offences in Clackmannanshire is 23 per 10,000 population which is higher than the Scottish average of 18 per 10,000 population. There are many reporting caveats and local rates may reflect success in encouraging people to report offences. Under reporting is evident from the Sexual Victimization and Stalking Scottish Crime and Justice Survey<sup>19</sup> which shows a greater prevalence where 4% of women and 1% men had experienced serious sexual assault since the age of 16 and 13% of women and 2% of men had experienced at least one form of less serious sexual offence since the age of 16. The report also indicates that only 19% of people who had experienced forced sexual intercourse had reported it to the police. (Note the risk of experiencing sexual offences during the previous 12 months is not available)

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<sup>17</sup> DOMESTIC ABUSE RECORDED BY THE POLICE IN SCOTLAND, 2013-14 & 2014-15  
<http://www.gov.scot/Resource/0048/00487981.pdf>

<sup>18</sup> <http://www.gov.scot/Resource/0045/00455441.pdf>



Reconviction rates for people who commit sex offences are typically low and in Forth Valley, 98.2% of MAPPA nominals have not been convicted of a further 'serious harm' sexual or violent offence.<sup>10</sup> People whom have not yet been convicted and are known to the victim remain a prevalent risk. The Sexual Victimization and Stalking Scottish Crime and Justice Survey 2012/13<sup>19</sup> highlighted *"83% of those who had experienced serious sexual assault since the age of 16 said that they knew the perpetrator in some way. 54% said that the perpetrator was their partner."*

## **Crimes of Dishonesty**

There are medium term trends in Clackmannanshire for lower levels for crimes of dishonesty than comparator local authorities and Scottish averages. Despite this, the number of people convicted for crimes of dishonesty is high and the trend of reconvictions is slightly above the Scottish average.

There were 190 crimes of dishonesty per 10,000 of the population recorded by the police in Clackmannanshire lower than the Scottish average of 237 and contrasts the aforementioned crimes against the person. The requirement to report crimes of dishonesty in order to make insurance claims tends to improve the reliability of data for less serious offences recorded as crimes of dishonesty.

The rate of crimes of dishonesty in Clackmannanshire is also the lowest of the 4 areas covered by the Fife and Forth Valley CJA and lower than the other local authorities easily recognised with post-industrial economic pressures.

## **Other crime categories**

Clackmannanshire recorded crimes relating to vandalism, mischief and fire raising etc. are among the highest rates in Scotland but "other crimes" tend to be near the Scottish average.

## **Age profiles**

There is a medium term trend for high reconviction rates for all age groups against relevant Scottish averages, except for over 40's where the rate mirrors Scottish averages.

Clackmannanshire has a medium term history of proportionately high numbers of people aged under 21 being convicted and reconvicted compared to most other local authorities but significant improvements have been made since the implementation of the whole systems approach. This work is critical to avoid lifetime offending patterns.

## **Gender**

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<sup>19</sup> <http://www.gov.scot/Resource/0045/00454149.pdf>

A medium term trend for women who are convicted demonstrates a high ratio of women who are convicted in Clackmannanshire. There is also a medium term trend for much higher reconviction rates for women in Clackmannanshire than the Scottish average.

### **Court Disposals**

A medium term trend for higher than average reconviction rates after monetary penalties changing to higher than average reconviction rates for CPO/RLO's. This correlates with a reduction in use of monetary penalties and an increase in CPO/RLO's

## Wellbeing of the priority need group

### Alcohol

*"The relationship between alcohol and crime, particularly violent crime and anti-social behaviour, is strong. Opportunities exist along the journey travelled by an offender in the criminal justice system to identify those with alcohol problems and offer appropriate interventions or direct them into specialist treatment and support. There are risks that such treatment and support can be disrupted as they move from one criminal justice setting to another or back into the community."*<sup>20</sup>

The "strategic needs assessment"<sup>21</sup> for Clackmannanshire and Stirling Health and Scotland Care Partnership, highlights Alcohol related deaths in Clackmannanshire

Below excerpt from SG Alcohol and Offenders Guidance Statement<sup>22</sup>

*"Alcohol problems are a major public health problem in Scotland and the relationship between alcohol and crime, in particular violent crime, is increasingly being recognised. Half of Scottish prisoners report being drunk at the time of their offence, more so for young offenders (75%). There has been a rise in the proportion of young offenders who consider that alcohol has contributed to their offending, from 48% in 1979, to 58% in 1996 and 80% in 2007. Offenders are three times more likely to have an alcohol problem (45%) when compared to the general Scottish male population (15%) with higher rates for women offenders. Men most likely to drink to excess are those from deprived areas, with binge drinkers the most likely to offend. While prisoners in Scotland are predominantly young men from disadvantaged backgrounds, many of whom have substance misuse problems, there is a growing number of women being imprisoned. The population in prison represents an otherwise hard to reach group so prison-based services can enable alcohol-related services to be made more accessible and address the substantial health problems in offenders affect individuals, their families, as well as health and emergency services and wider society. The overall costs of alcohol misuse in Scotland are estimated to be £3.5bn with alcohol-related crime accounting for over £700m."*

### Drugs

The Report 'Estimating the National and Local Prevalence of Problem Drug Use in Scotland 2012/13' provided estimated rates of problem drug use as a percentage of the adult populations (16-64 years) of each local authority and Health Board area. The prevalence rate in Forth Valley (1.59%) is marginally lower than the Scottish

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<sup>20</sup> <http://www.gov.scot/Resource/Doc/262905/0078610.pdf>

<sup>21</sup> <http://nhsforthvalley.com/wp-content/uploads/2015/11/Clackmannanshire-Stirling-IJB-Strategic-Needs-Assessment.pdf>

<sup>22</sup> <http://www.gov.scot/Resource/0039/00391790.pdf>

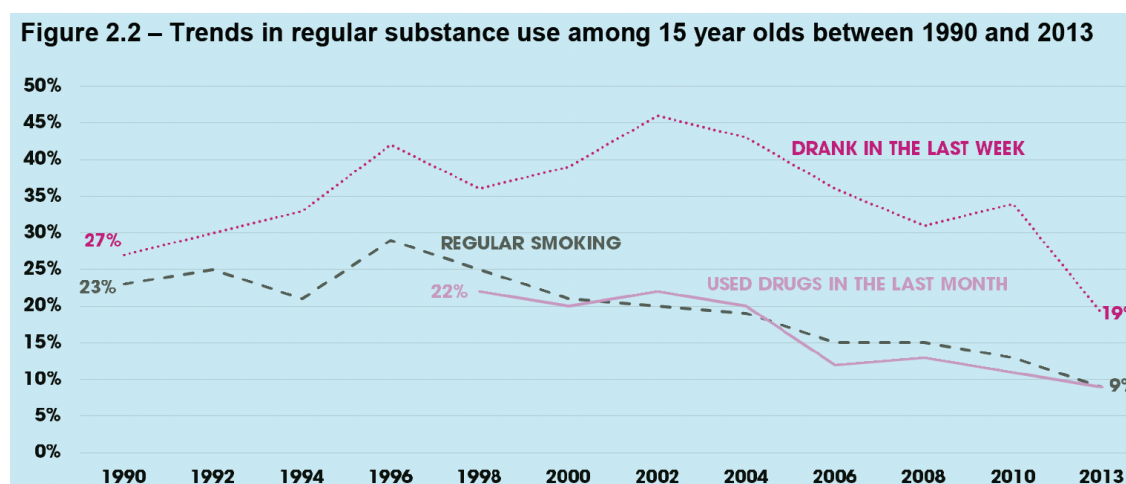
Mean (1.68%). Clackmannanshire has a higher rate (1.84%) than Falkirk (1.63%), Stirling (1.36%) and the Scottish Mean.

The five-year average rate for drug related deaths in Clackmannanshire per 1000 population (0.12%), is higher than the national rate (0.11%)<sup>23</sup>

The Alcohol and Drugs Partnership has raised specific concerns about drug use involving young males aged 15-24.

## Young People and Substances

The graph below from *Multiple substance use among young adolescents in Scotland: Profile and trends*<sup>24</sup>, shows a medium term decline in the number of young people regularly using substances in Scotland. The number of young people using any substance in Clackmannanshire is 21% against a Scottish average of 19% but the number of young people using 2 or more substances was 7% against a Scottish average of 8%.



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## Mental Health

*"A Scottish Prisons Service report estimated that 14% of all prisoners had a history of psychiatric disorder and that around 4.5% of prisoners have a severe and enduring mental health problem. Other data suggests that 80% of all prisoners have two or more mental health disorders – most commonly a combination of a diagnosed illness and substance misuse. For comparison, between 1-1.5% of the wider population have a severe and enduring mental health problem and around 25% have mental health problems at any one time (mostly in the form of depression or anxiety)."*<sup>25</sup>

<sup>23</sup> FORTH VALLEY ALCOHOL AND DRUG PARTNERSHIP Alcohol & Drugs Needs Assessment for the Stirling, Falkirk and Clackmannanshire areas

<sup>24</sup> Multiple substance use among young adolescents in Scotland: Profile and trends <http://www.gov.scot/Resource/0048/00484688.pdf>

<sup>25</sup> <http://www.scotlandinstitute.com/wp-content/uploads/2015/07/Mental-health-and-Scotlands-prison-population.pdf>

## Mental Health and Young People

The Strengths and Difficulties Questionnaire (SDQ) is a standard measure for mental health and the report *Mental health and wellbeing among adolescents in Scotland: profile and trends*<sup>26</sup> shows general fairly consistent SDQ scores across Scotland between 2006 and 2013 with fewer young people having conduct problems, improved pro-social behaviour, however emotional problems have worsened over time, especially among 15 year old girls. In Clackmannanshire 33% of young people surveyed had an abnormal or borderline SDQ score compared to a Scottish average of 29%

## Education

Low educational attainment is a key feature of people who use Justice Service and poor core and essential skills is a significant employability obstacle. A Justice Data labs report<sup>27</sup> from England in 2015 demonstrates a significant link between opportunities for education in prison settings and reducing re-offending in a robust study of people given education opportunities against a control group.

The table below is extracted from that report.

| Grant Type                         | Matched Treatment Group | Matched Control Group | 1 year proven reoffending rate |                   |                        |                                   |
|------------------------------------|-------------------------|-----------------------|--------------------------------|-------------------|------------------------|-----------------------------------|
|                                    |                         |                       | Treatment Group (%)            | Control Group (%) | Significant Difference | Estimate of Impact On Reoffending |
| Academic Awards                    | 1,885                   | 286,528               | 17                             | 23                | Y                      | -7.9% to -4.1%                    |
| Vocational Awards                  | 3,268                   | 321,809               | 17                             | 25                | Y                      | -9.0% to -6.1%                    |
| Arts/Hobby Material Awards         | 408                     | 185,619               | 30                             | 35                | Y                      | -9.6% to -0.3%                    |
| Awards for BIS Accredited Courses  | 331                     | 83,579                | 18                             | 24                | Y                      | -10.0% to -1.0%                   |
| Awards for Open University Courses | 1,548                   | 249,513               | 15                             | 21                | Y                      | -8.0% to -4.1%                    |
| <b>Awarded (any grant type)</b>    | <b>5,846</b>            | <b>336,681</b>        | <b>18</b>                      | <b>25</b>         | <b>Y</b>               | <b>-8.0% to -5.7%</b>             |

The Study With Conviction project commissioned by the Scottish Funding Council<sup>28</sup> highlights a number of barriers relating to criminal convictions and accessing education and proposes a number of recommendations for smoothing access.

## Housing

Meeting the housing requirements of people using justice services makes a significant contribution to reducing reoffending. A report from Shelter Scotland in 2015<sup>29</sup> presents important contextual evidence from their Supporting Prisoners Advice Network for the following themes:

<sup>26</sup> <http://www.gov.scot/Resource/0048/00488358.pdf>

<sup>27</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/459470/prisoners-education-trust-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/459470/prisoners-education-trust-report.pdf)

<sup>28</sup> <http://www.sfc.ac.uk/>

<sup>29</sup>

[http://scotland.shelter.org.uk/\\_data/assets/pdf\\_file/0010/1185787/Preventing\\_Homelessness\\_and\\_Reducing\\_Reoffending\\_092015\\_FINAL.pdf/\\_nocache](http://scotland.shelter.org.uk/_data/assets/pdf_file/0010/1185787/Preventing_Homelessness_and_Reducing_Reoffending_092015_FINAL.pdf/_nocache)

- The importance of a house as a home
- Home as a source of pride
- Having support close by, and knowing the neighbours
- The home as safe and enabling
- The safety of belongings
- The importance of family and friends
- Occupying the property with “a *qualifying occupier*” while in prison
- Paying towards rent arrears
- Practical help
- The right home helping to prevent re-offending
- Unsuitable accommodation
- Fear of hostels
- Alcohol/Drugs
- Loss of freedom
- Expense
- Association with people who are a bad influence
- Stress and depression
- Fear of losing home
- Not knowing what is going to happen
- Lack of knowledge
- Communication with professionals

Clackmannanshire's Housing Contribution Statement 2016/19<sup>30</sup> for the HSCIB highlights the main housing-related issues and gaps as follows: Older people, people with physical disabilities, people with learning disabilities, people experiencing mental health difficulties, people affected by drug and alcohol misuse, survivors of domestic abuse, vulnerable young people, black and minority ethnic communities and the travelling community.

## **Employment**

Other partnership documentation has identified Clackmannanshire profiles showing high employment deprivation. To contextualise this for the priority need group for reducing reoffending, it was established that almost all of the people with serious or prolific offending patterns in Clackmannanshire identified by Police Scotland are not in employment.

Evidence from the MOJ/DWP/HMRC data joining project<sup>31</sup> shows long term employment deprivation relating to minor criminal convictions with a scaling up for the extent of employment deprivation based on prison disposals and seriousness of offending and toxic conviction labels. Women with convictions appear to be especially marginalised by long term unemployment and this

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<sup>30</sup> <http://nhsforthvalley.com/wp-content/uploads/2016/02/Clackmannanshire-Council-Housing-Contribution-Statements.pdf>

<sup>31</sup> <https://www.gov.uk/government/statistics/experimental-statistics-from-the-2013-moj-dwp-hmrc-data-share>

may relate to increased stigma for disclosure by women and the type of employment which women tend to seek for entry level work is more likely to require criminal history checks.

Beyond this the Scottish Centre for Employment Research at University of Strathclyde<sup>32</sup> has evidence that high underlying local unemployment has an exponential effect for people with employability challenges as employers use easy deselection proxies to balance high numbers of applications.

This evidence combines to present a particularly challenging environment to create pathways to safe, suitable and sustainable employment in Clackmannanshire for people with convictions.

This in turn may present some opportunities however and the local labour market conditions may have created a small cohort of individuals who are particularly marginalised in the labour market but have valuable skills, aptitudes and attitudes for the local economy after turning their lives around. This may be combined with aspirations to start to make wider community contributions. These factors create ideal conditions to develop local social entrepreneurship, where such individuals with lived experience of criminal justice are engaged and supported to develop sustainable social enterprises which form a pathway to the desired safe, suitable and sustainable employment for other people with convictions. However, this whole pathway is complex and a more detailed plan for employment should consider effective disclosure of criminal histories, advocacy, local labour market supply and demand dynamics etc.

A more comprehensive study<sup>33</sup> of employability in Clackmannanshire was undertaken by Rocket Science and Blake Stevenson in 2014.

A map<sup>34</sup> of employability provision in Clackmannanshire shows the available services which can contribute to the community justice agenda.

## **Community understanding and participation in community justice**

Work is required to document existing and future understanding in community justice however the 2015 Clacks 1000 survey demonstrated the following feedback:

Experience of the public services which contribute to making communities safer is very positive. Both of the emergency services scored highly (97% for

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<sup>32</sup>

<https://www.strath.ac.uk/research/subjects/humanresourcemanagement/scottishcentreforemploymentresearch/>

<sup>33</sup>

[http://www.employabilityinScotland.com/media/454210/clackmannanshire\\_lep\\_strategy\\_2014-17\\_final\\_report.pdf](http://www.employabilityinScotland.com/media/454210/clackmannanshire_lep_strategy_2014-17_final_report.pdf)

<sup>34</sup>

[http://www.employabilityinScotland.com/media/522973/clackmannanshire\\_year\\_jan\\_2016.pdf](http://www.employabilityinScotland.com/media/522973/clackmannanshire_year_jan_2016.pdf)



the Fire service and 78% for Police Scotland), while a range of Council services scored from 86% for street lighting to 51% for roads (with 49% feeling roads were 'poor')

A very high proportion of Panel members feel 'very safe' (69%) or 'quite safe' (30%) walking in their neighbourhood during the day, similar to the findings in 2014. Slightly fewer Panel members feel safe at night (88%)

Only 12% of Panel members said they were fearful about becoming a victim of crime in the last year, a slight fall from 2014 (18%)

Of those feeling fearful, the majority (61%) stated this concern was felt "*only occasionally*". However, 32% said that they felt fearful of becoming a victim of crime "*quite often*", and 3% "*most of the time*"

### Headline Problems

**There is a significant level of violence among people using justice services** - being a victim of violence or other abuse escalates risks of offending behaviour. The Edinburgh Study of Youth Transitions<sup>35</sup> evidences that "*Persistent and serious offending is associated with victimisation and social adversity*"

**The wellbeing of people using justice services is disproportionately poor** - this reinforces negative attitudes, leads to self medicating, harmful use of alcohol & drugs, risky behaviours and undermines pro-social relationships. Wellbeing is diminished by housing problems, poor mental and physical health, drugs, alcohol, social exclusion, poverty, welfare problems, failure to engage with support services, poor decision making and other factors.

**There are too few realistic pathways to safe, suitable and sustainable employment for people using justice services** - this inhibits hope for new lifestyles and risks set-backs leading to regression. It requires a broader understanding from the community to permit people to have access to employment, training and volunteering opportunities.

## **Appendix 1 Modelling Clackmannanshire Reconviction Rates.**

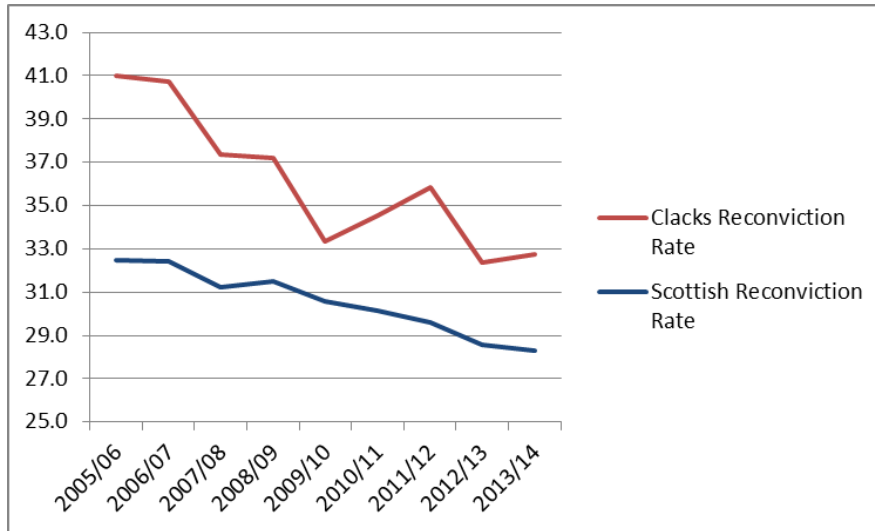
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<sup>35</sup> The Edinburgh Study of Youth Transitions  
[http://www.research.ed.ac.uk/portal/files/8195355/Youth\\_crime\\_and\\_justice\\_Key\\_messages\\_from\\_the\\_Edinburgh\\_Study\\_of\\_Youth\\_Transitions\\_and\\_Crime\\_Criminology\\_and\\_Criminal\\_Justice.pdf](http://www.research.ed.ac.uk/portal/files/8195355/Youth_crime_and_justice_Key_messages_from_the_Edinburgh_Study_of_Youth_Transitions_and_Crime_Criminology_and_Criminal_Justice.pdf)

Due to relatively small cohorts in Clackmannanshire, the actual reconviction rate in any single year fluctuates. Therefore this document relies on medium term trends from Scottish Government data.<sup>36</sup>

Reconviction rates in Clackmannanshire have fallen significantly over a medium-term period from 40.1% for the 2005/06 cohort to 32.4% in the 2012/13 cohort demonstrating significant improvement.

The Graph below shows the reconviction rate in Clackmannanshire against Scottish averages.

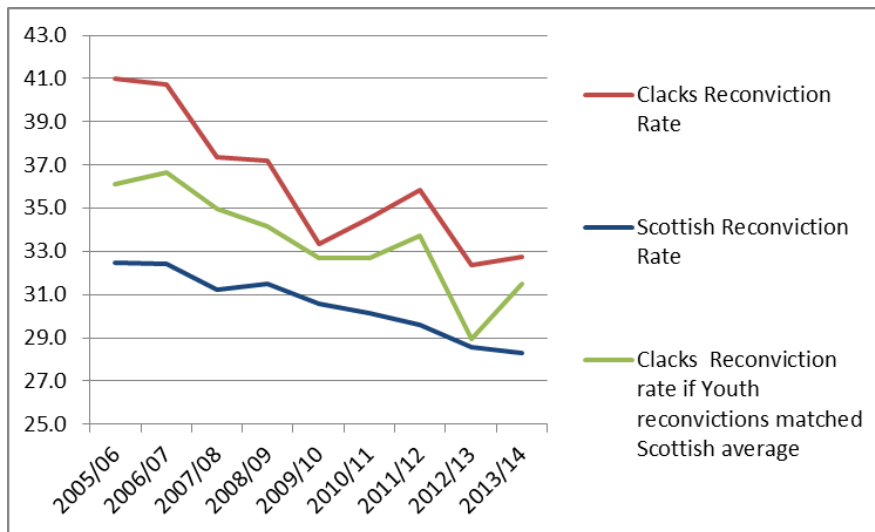


Despite the significant reduction in re-offending, the rates remain consistently the highest or second highest rates for re-convictions of any local authority and over a medium term period the reconviction rate in Clackmannanshire is 5.9% above the Scottish average, although this is narrowing over time.

There are a number of complex factors which impact reconviction rates including, the local profile of people committing crime, the reporting of crime, police detection dynamics, procurator fiscal and court decisions etc.

<sup>36</sup> Tables for Reconviction Rates by Community Justice Authority and Local Authority Groups 2004-05 to 2013-14

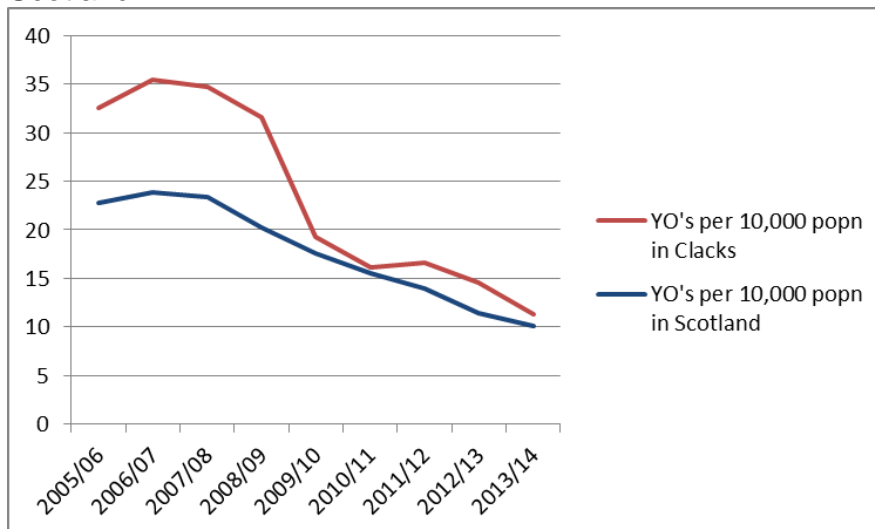
There are also a number of profile factors which impact on reoffending rates and this document explains the critical factors which stand out from the data.



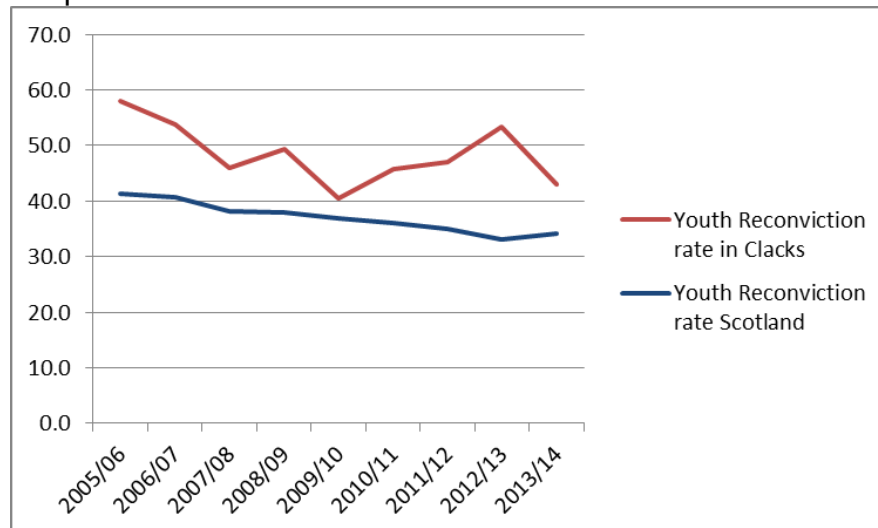
### Youth Crime (aged under 21)

Clackmannanshire has medium term trending reductions in youth offending and re-offending however it also has proportionately very high numbers of people aged under 21 in the justice system and high rates of youth reconvictions. These are often the highest in Scotland.

Graph: Youth Offenders per 10,000 population in Clackmannanshire and Scotland

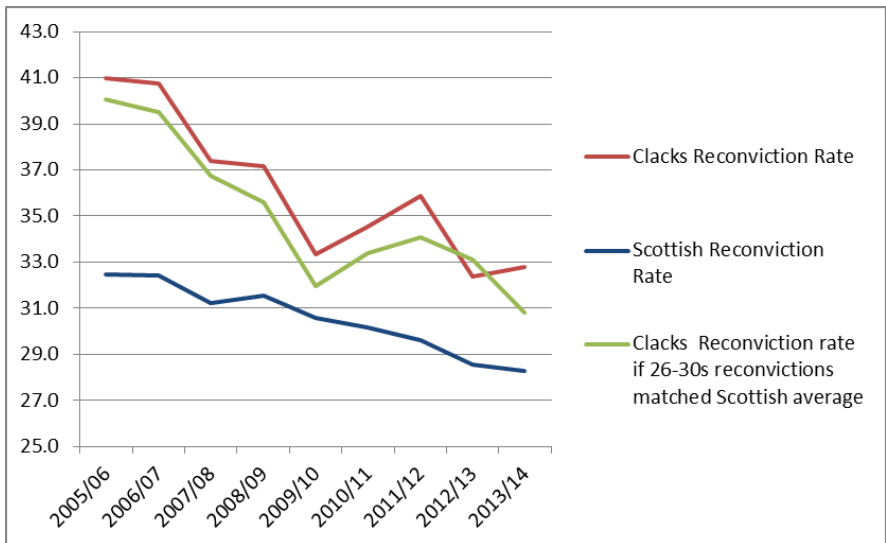
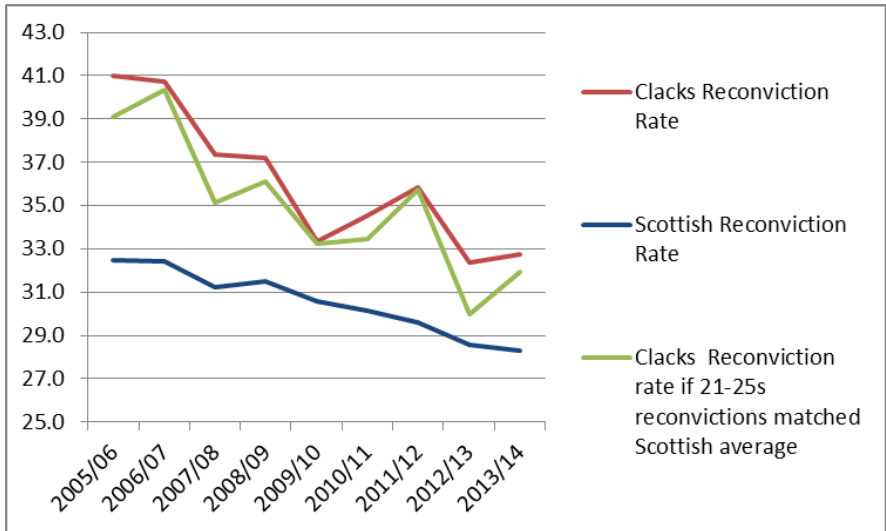
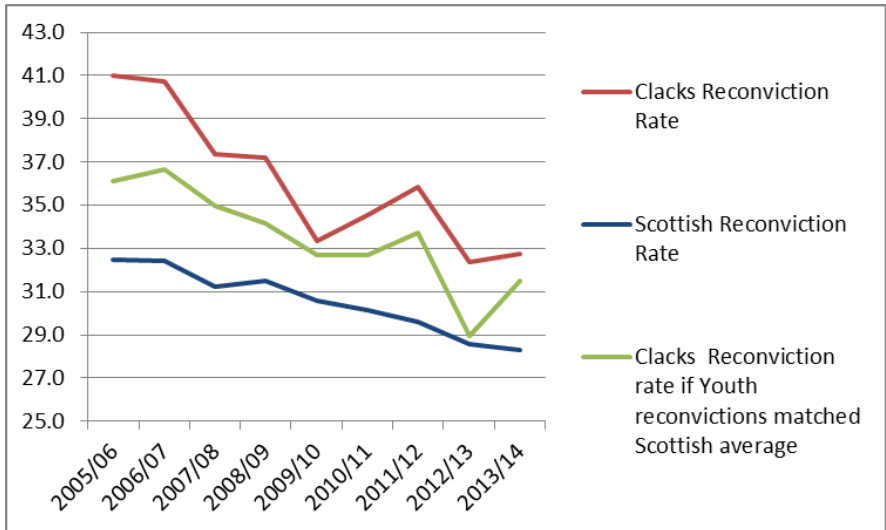


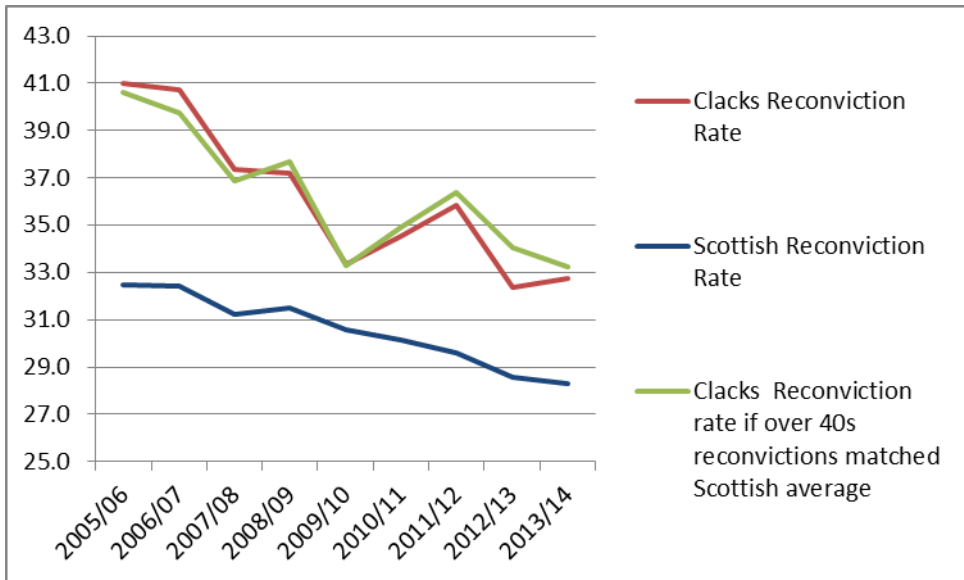
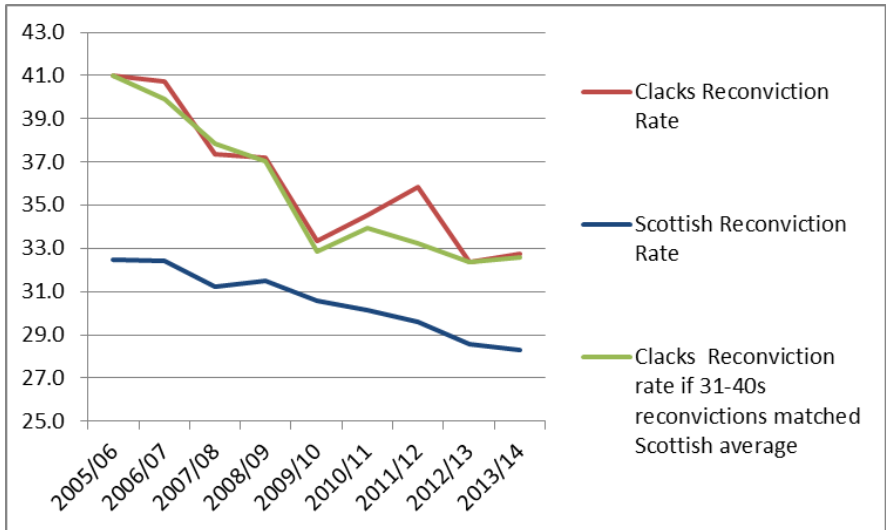
Graph: Youth Reconviction rates in Clackmannanshire and Scotland



Youth Offending and re-offending has such an impact on reconviction figures that if Clackmannanshire had youth reconviction rates normalised to Scottish averages (for reconvictions of under 21s), then the overall Clackmannanshire re-conviction rates would have been close to Scottish averages by the time that the 2012/13 cohort was reported for the 1 year reconviction study, however more recent reductions in youth offending which dovetail the implementation of the whole systems approach mean that the youth factor does not have the same impact on overall reconviction rates. When the age profile of reconvictions in Clackmannanshire is profiled for other age groups it shows similar impacts across all age groups up to the age of 40. For over 40's the profile is similar to Scottish averages over a medium term period and recently the rate has been slightly better than Scottish averages.

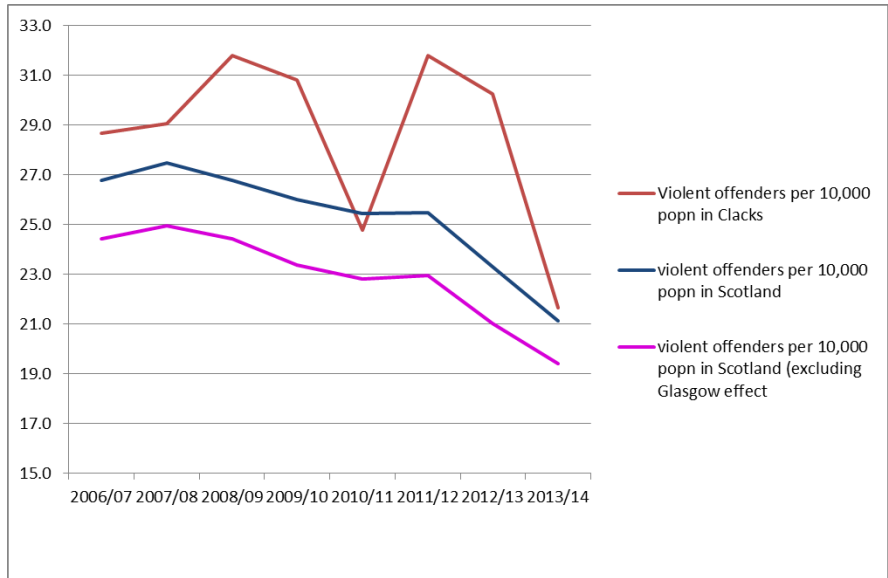
The graph below shows the Clackmannanshire reconviction rate against Scottish averages. The green line normalises the Clackmannanshire youth reconviction rate to the Scottish average (as described above) and retains all other reconvictions at their actual level. The same method of normalising a particular factor has been applied to subsequent graphs.





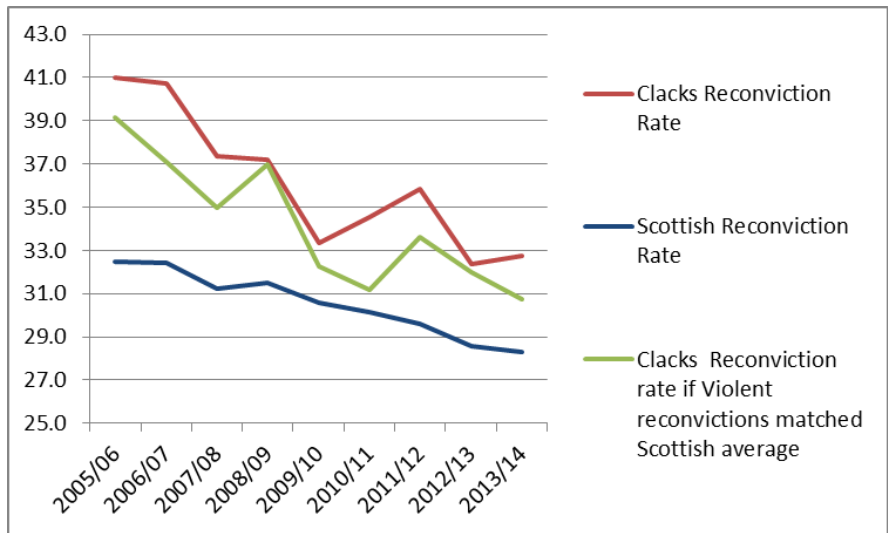
**Violent Offending**

Clackmannanshire also has high levels of violent crime and high numbers of people convicted for violent crime per head of population. Normally the proportion of people in Clackmannanshire convicted of a violent offence is well above the Scottish average figures as shown in the graph below. Note the Scottish average for violent crime is significantly inflated by the “Glasgow Effect” so the graphs also shows Scottish averages without Glasgow.



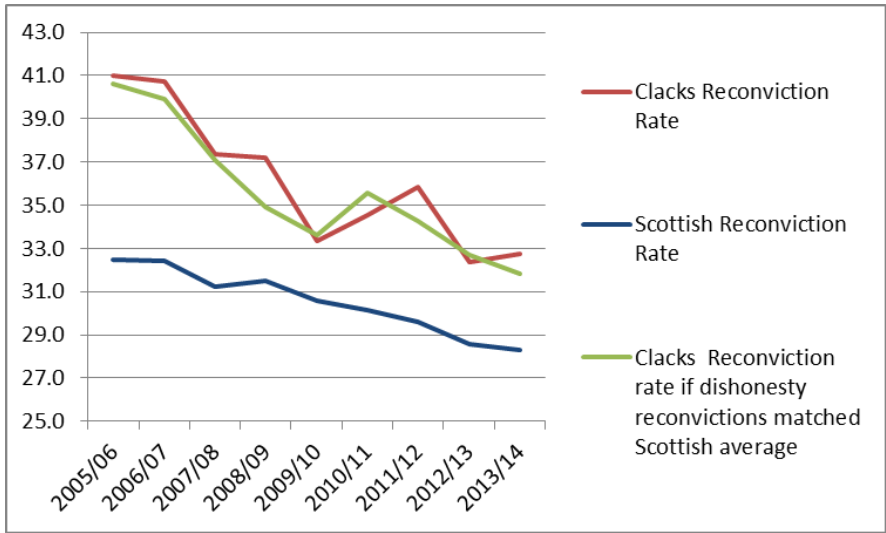
While violence reconviction rates are normally low, Clackmannanshire has the highest trending reconviction rates for violent offenders for any local authority in Scotland over an 8 year period.

The graph below shows the Clackmannanshire reconviction rate against Scottish averages. The green line normalises the Clackmannanshire reconviction rate after violent offences to the Scottish average for reconvictions after violent offences and retains all other reconvictions at their actual level.



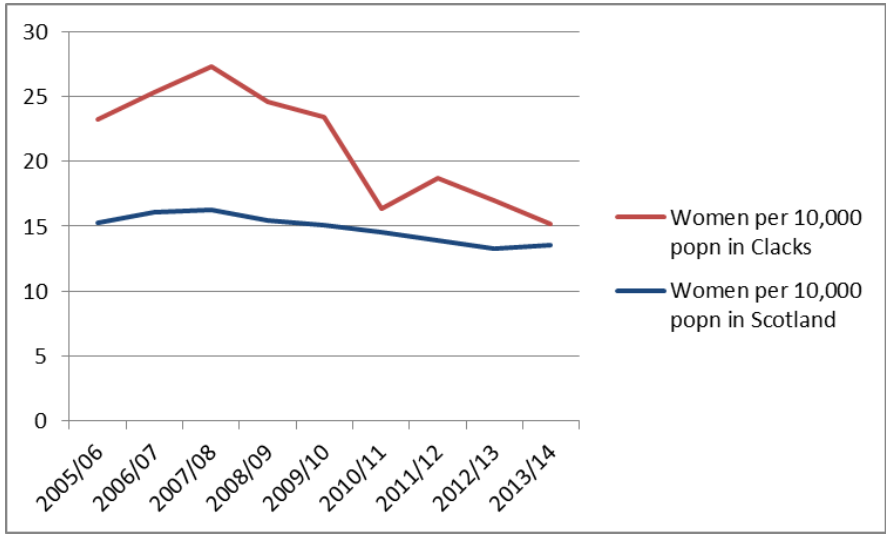
The graph below uses the same methodology to evaluate reconvictions after crime of dishonesty





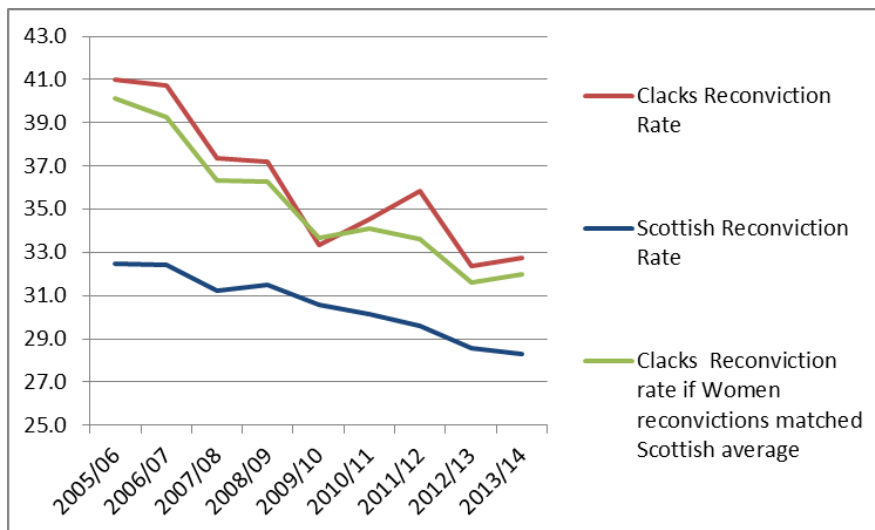
**Women who are convicted in Clackmannanshire**

There are medium term trends for higher numbers and higher proportions of women being convicted in Clackmannanshire against Scottish averages.





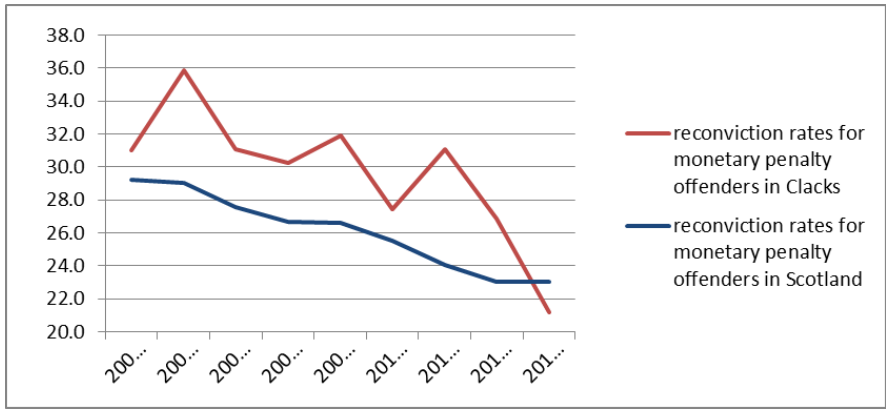
The reconviction rate for women is also higher in Clackmannanshire. The graph below shows the Clackmannanshire reconviction rate against Scottish averages for women. The green line normalises the Clackmannanshire women’s reconviction rate to the Scottish average and retains all other reconvictions at their actual level.



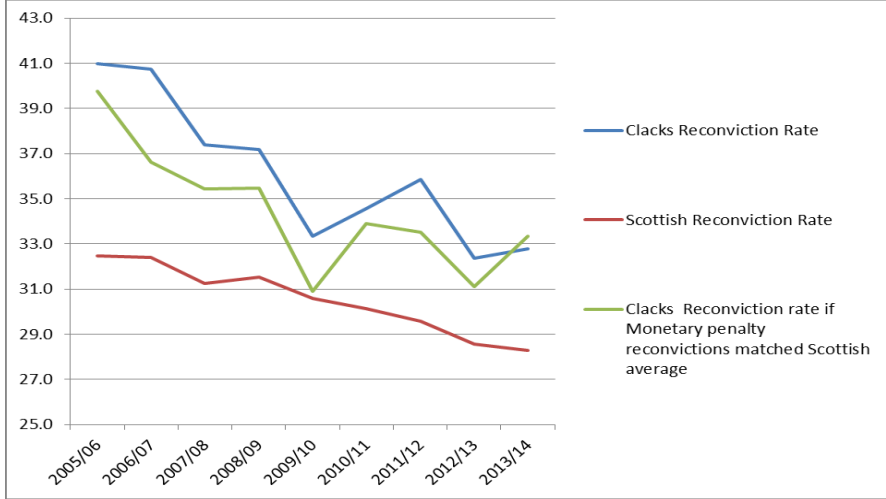
### Monetary Penalties

The number of cases being disposed by court fines is also reducing year on year. They cover a broad range of offences and can be effective but Clackmannanshire also has a higher medium term average rate of reconvictions for monetary penalties. Since these account for a large proportion of all offences, this has a negative impact on the overall reconviction rates in Clackmannanshire.

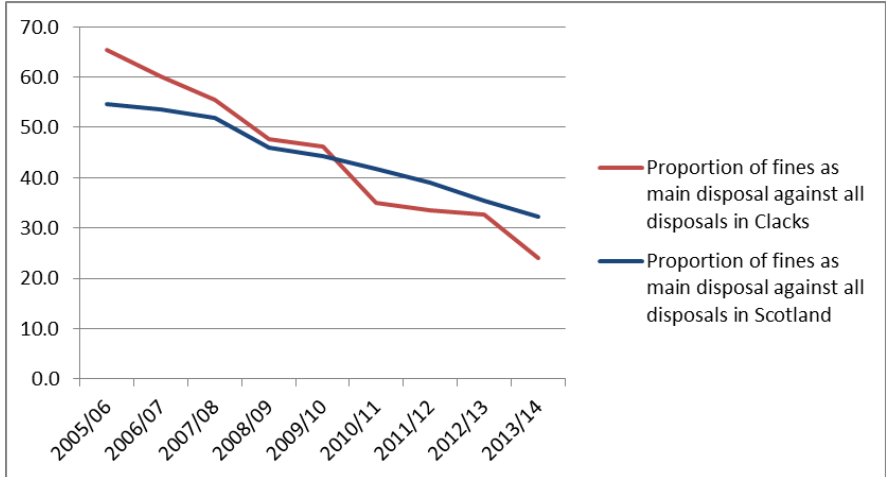
The graph below shows the medium term reconviction rates for monetary penalties in Clackmannanshire in comparison to the Scottish average.



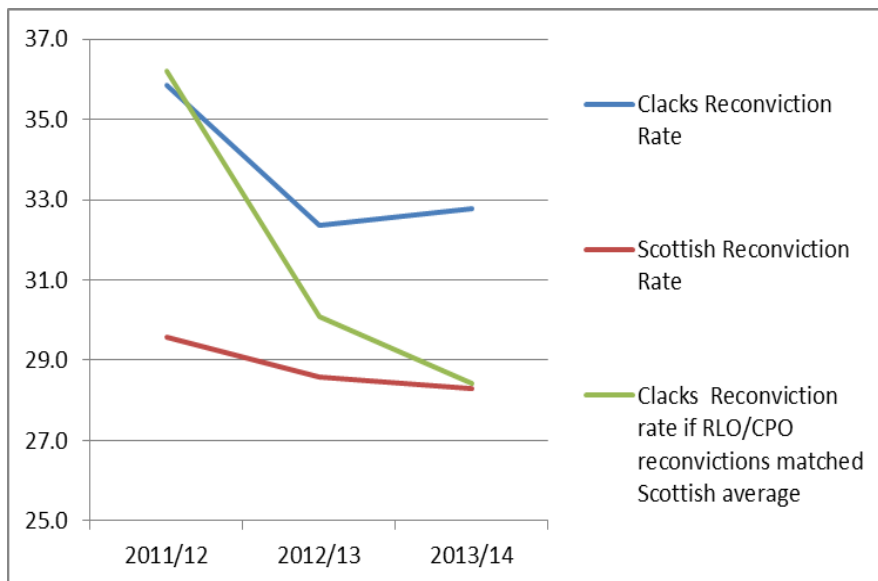
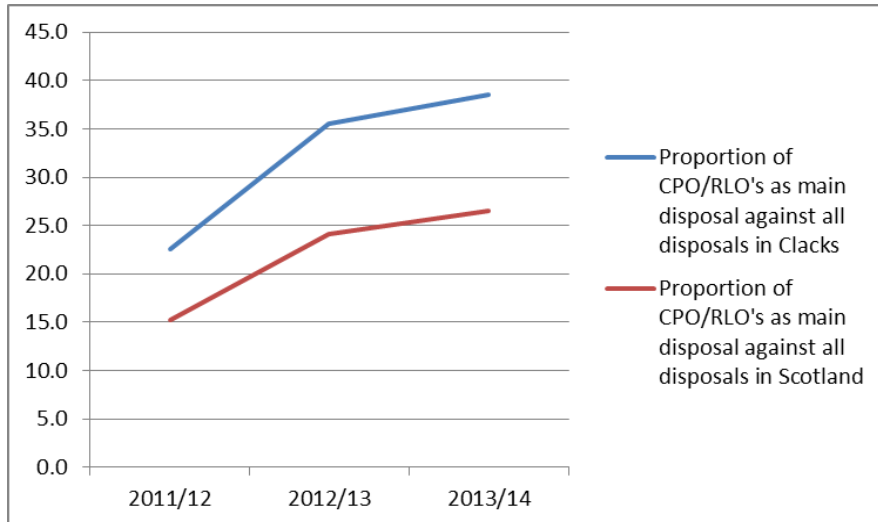
This graph below shows that high reconviction rates for monetary penalties have historically been an important factor in reconviction rates in Clackmannanshire.



The recent reduction in reconviction rates for monetary penalties in Clacks correlates with a reduction in the use of monetary penalties as disposal in the courts as shown in the graph below.



It appears that RLO's and CPO's were used to displace monetary penalties in recent years and some of those people who were receiving monetary penalties have been issued with more appropriate orders. This in turn has increased the impact of reoffending after CPO's and RLO's. However, caution should be noted in evaluating single year data in Clacks, given the relatively small cohorts. Note CPO's started in 2011.



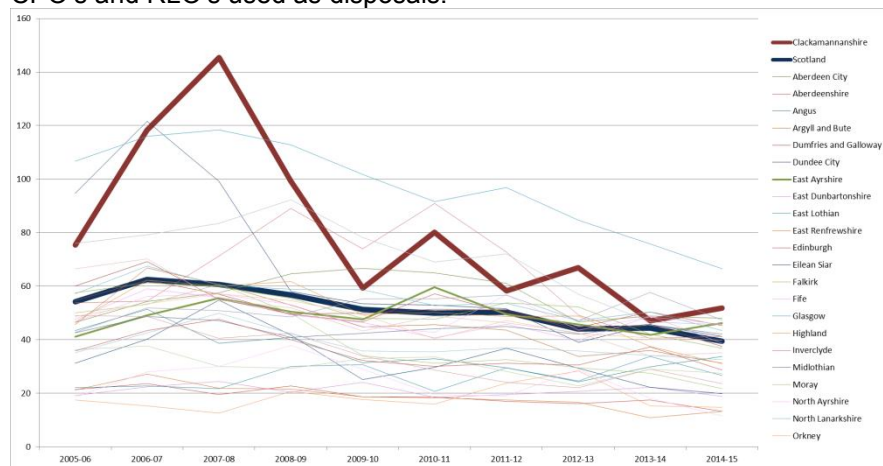
**Key Point for consideration**

Other data relating to the rate of crimes against justice is not currently available for Clackmannanshire reconviction rates and the extent to which community based disposals are breached may also inflate reconviction rates and a request has been made to Justice Analytics at the Scottish Government to establish if this is correct.

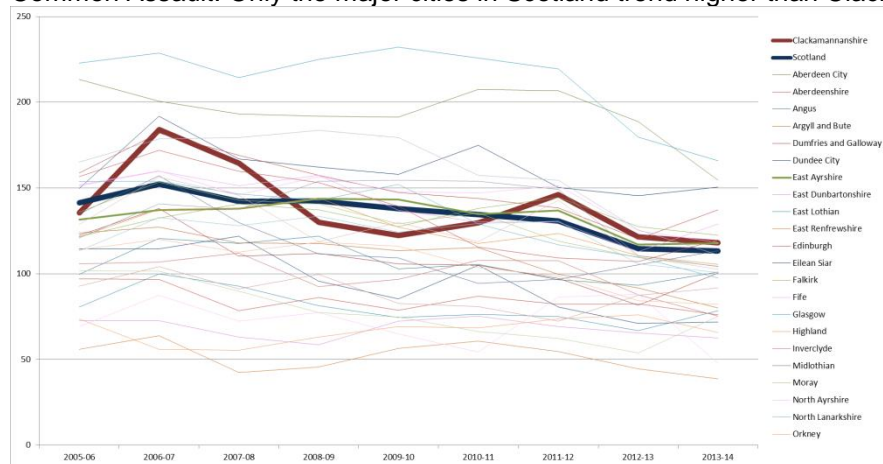
## Appendix 2 Recorded crime trends in Clackmannanshire

All graphs relate to recorded crime per 10,000 population

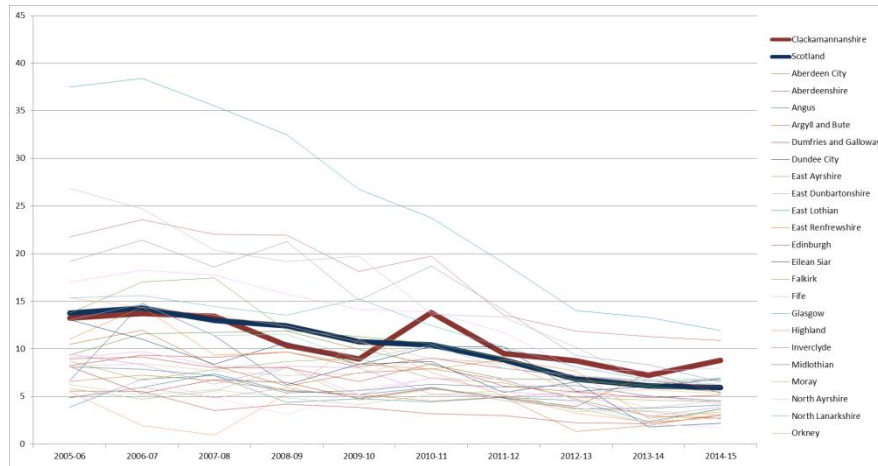
Crimes against Justice, trend high in Clackmannanshire probably due to a high proportion of CPO's and RLO's used as disposals.



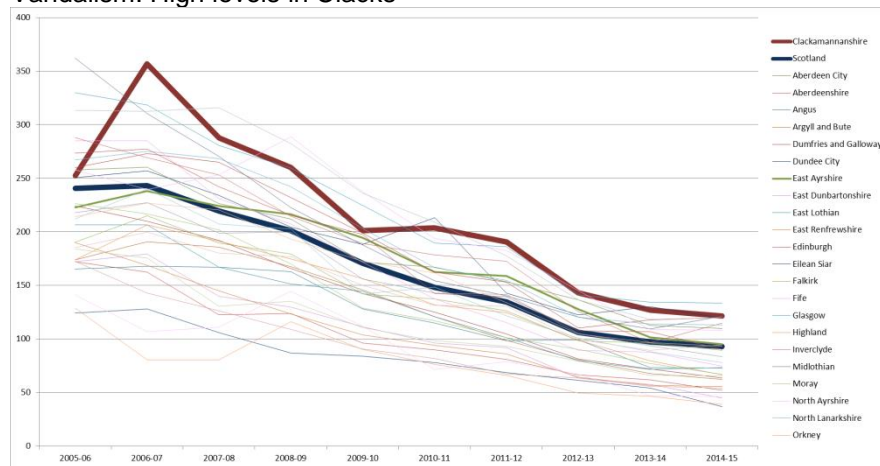
Common Assault: Only the major cities in Scotland trend higher than Clackmannanshire



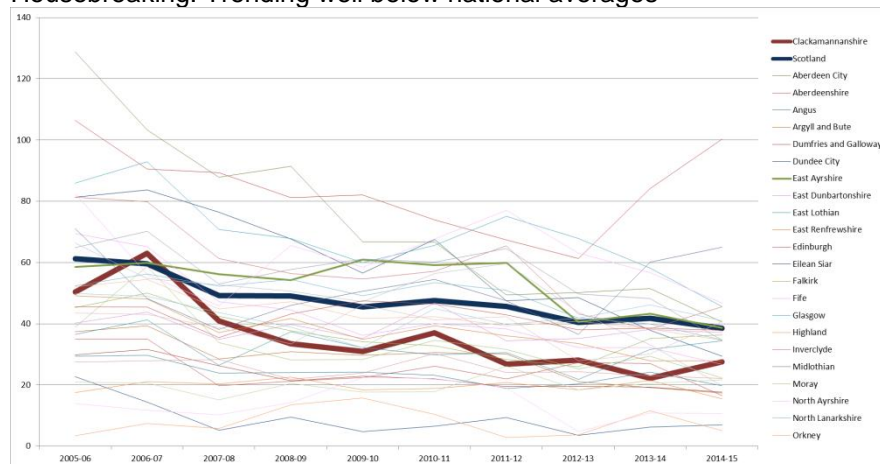
Attempted Murder and serious assault: Clackmannanshire is above an average which is skewed high because of the Glasgow effect and is not showing reductions at the same rate as other areas.



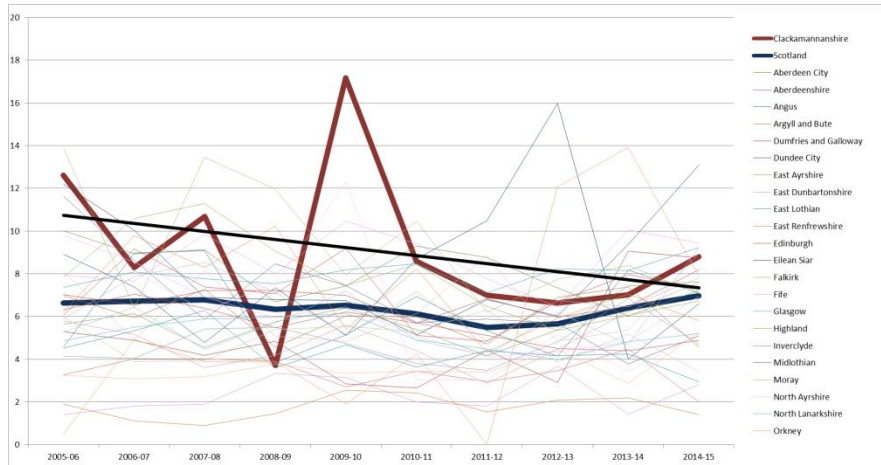
Vandalism: High levels in Clacks



Housebreaking: Trending well below national averages



Sexual Assault: Trending above national averages but reducing



Shoplifting: Trending below Scottish average. The Scottish average is inflated by shoplifting in the major cities.

