



## Review of the Aberdeen Problem-Solving Approach

Ipsos MORI and the University of Stirling/SCCJR

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### The Aberdeen Problem-Solving Approach

Based on theory and evidence on problem-solving justice:

- Specialisation of the court model around a target group
- Collaborative intervention and supervision
- Accountability through judicial monitoring
- A procedurally fair environment
- A focus on outcomes

Targets those with frequent low-level offending and complex needs

Sentence deferred + engage with service providers + regular judicial reviews with a dedicated sheriff

Since November 2015 (women) and August 2016 (young men aged 16-25)

**Reduce the use of short custodial sentences and reduce reoffending by combining the authority of the court with support and rehabilitative opportunities to address the underlying causes of offending**



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SCCJR  
SCOTTISH COURT  
JUDICIAL REVIEW

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## Aims of the Review

Provide evidence about how the PSA is delivered and what distinguishes it from normal sentencing procedures

Explore the experiences of people admitted to the PSA and, where possible, identify any emerging outcomes

Identify areas for improvement, lessons learned and good practice



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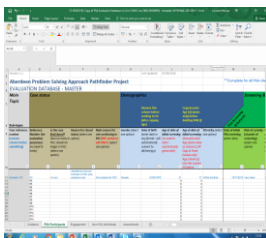
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## Methods

Oct 2017 – Jan 2018

Analysis of monitoring data



Observations of 7 PSA, 11 CPO and 2 DTTO hearings



Qualitative research



11 PSA participants

3 x Sheriffs

Sheriff Clerk Depute and PF

CJSW Manager

CJSW Social Workers and Support Workers

Defence Agents

Wider stakeholders (Women's Centre, Police Scotland, Venture Trust)



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## Caveats...

Reporting largely on PSA participants' and professionals' perceptions of short-term outcomes – no quantitative data on reoffending rates or measures of change in underlying problems

Limited by small number of participants – 30 women and 18 men by Sept 2017



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## Main criteria for admission

**Summary complaint in Aberdeen Sheriff Court and at risk of custody AND...**

**Woman aged 16+ or man aged 16-25**

**Aberdeen City resident**

**7+ substantive convictions in recent past (AND/OR, for men, 2+ assault convictions if they would benefit from early intervention)**

**Not already on a CPO with supervision**

**Offence type not excluded (drunk driving, DWP fraud, breach of bail/court orders, more serious assault)**

**Assessed by social worker as medium/high risk in terms of needs/re-offending**

**Amenable to and might benefit from PSA**



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## Screening

3,642 cases screened



52 assessed as suitable (<2%)

95% of screening on paper

1 hour a day social worker, 30 mins administrator



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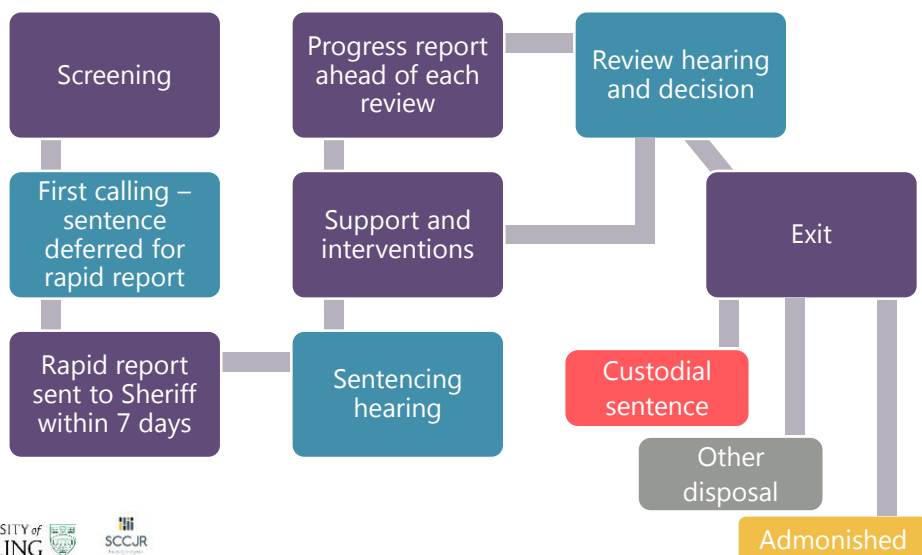


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## How it works in practice

### Key stages



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## Resources required

Around £80,000 pa from the Scottish Government



Social Support  
Worker Worker

Court related work, per case:



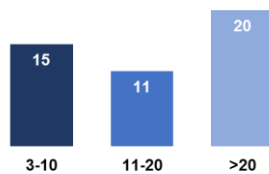
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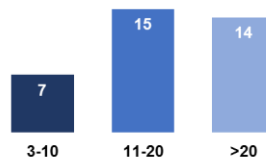
## Characteristics of participants

### Considerable offending histories

Convictions in previous 5 years: women



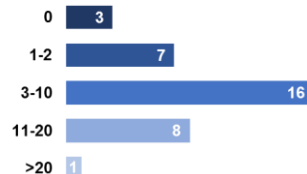
Convictions in previous 5 years: men



Number of custodial sentences in the previous five years: women



Number of custodial sentences in the previous five years: men

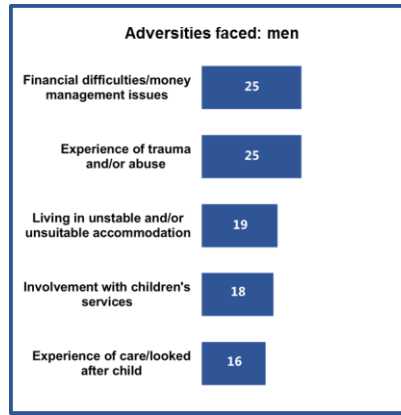
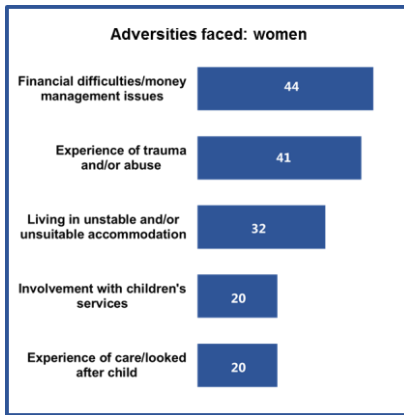


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## Characteristics of participants

### Encountered significant adversity

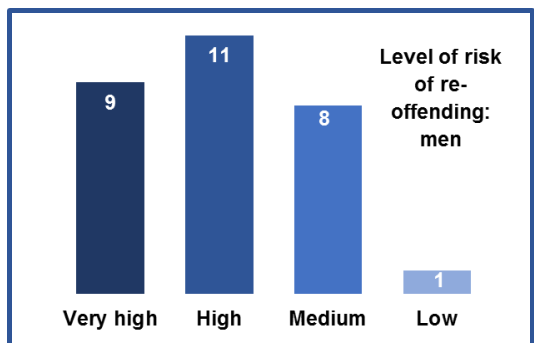
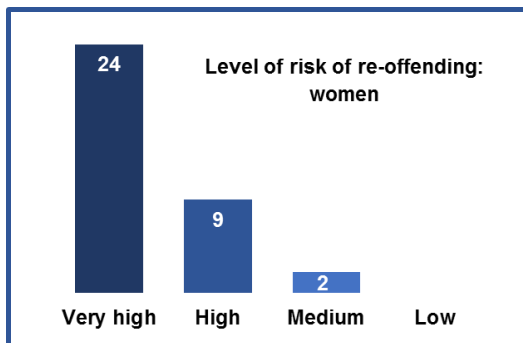


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## Characteristics of participants

### High risk of reoffending (LS/CMI scores)



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## Progress of cases

### through the PSA

#### WOMEN

- By end of September 2017, 1,589 cases had been screened, 46 cases were referred and 32 cases were identified as suitable.
- Of those 32 cases, 30 had an SDS imposed.
- Majority of those SDSs were for six months initially (25 cases).
- 22 of those cases had closed. Twelve of the women had completed their SDS and 11 were admonished. Ten did not complete their SDS.

#### MEN

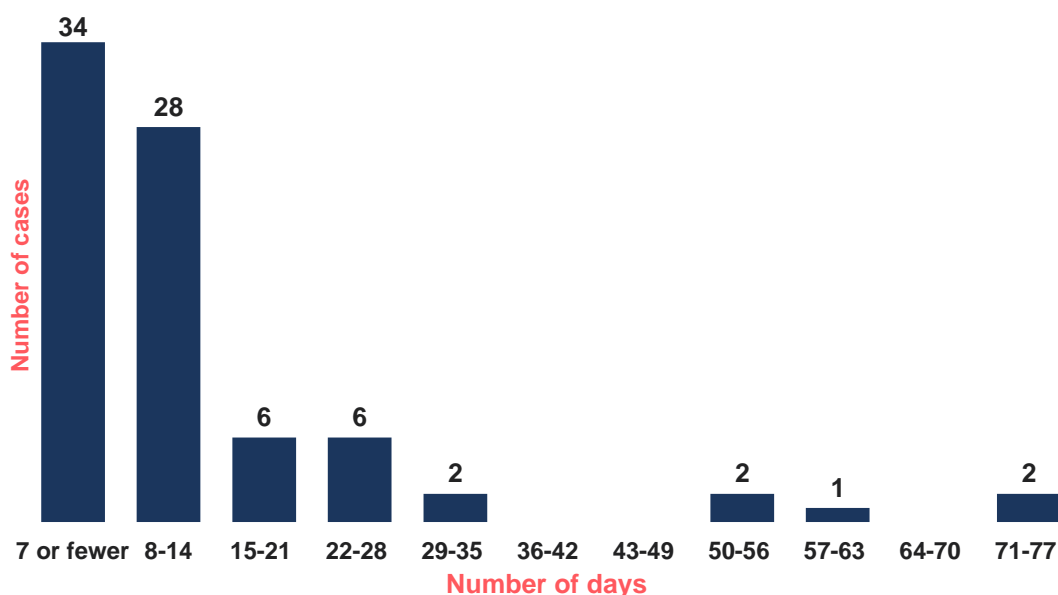
- By end of September 2017, 2,053 cases had been screened, 36 cases were referred and 20 cases were identified as suitable.
- Of those 20 cases, 18 had an SDS imposed.
- Majority of those SDSs were for six months initially (15 cases).
- 13 of those cases had closed. Four of the men had completed their SDS and 3 were admonished. Nine did not complete their SDS.



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## Court processing times



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## Motivation and compliance

It was seen as important (by defence agents, for example) to assess the extent to which an individual wants and is able to change in order to consider the long-term impact of the PSA.

PSA participants felt that the PSA was more flexible than standard courts in response to missed appointments or non-compliance.

“The longer I stayed out of prison, the more determined I was to stay out.”

PSA participant

“In some places [the SDS] is described as a low tariff intervention, [...] it can't be [described as such in the PSA] in Aberdeen and, in fact, it can be a very intense order.”

Sheriff

**The PSA process can bring all outstanding charges together to be dealt with at one point, which both professionals and PSA participants saw as an important feature of the process. This enables admonishment for some charges to recognise and reward compliance.**



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## Service provision

- Benefit: having a predispositional social work team based in council premises adjacent to the Court, facilitating communication.
- Extensive, proactive 'assertive outreach' and 'assisted engagement' by criminal justice social workers and support workers.
- Perceived strength of the PSA: participants have more workers available to them, tended to see workers more often, and were likely to have more informal contact.
- Housing and mental health support was identified as important to PSA participants, yet often difficult to access, for example, suggesting that being homeless and living in a hostel might affect progress in the PSA.



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## Service provision

“ I can go in there [Criminal Justice Social Work office] and speak to them about anything. I can go in there any time and I don't get judged...”

**Female PSA participant**

“ I suppose essentially most of the work is done in social work in the work that they do as people, and the planning, and the eternal patience... the compassion and understanding, sometimes tough love. They are very, very realistic people, I think the work that they do is particularly good.”

**Sheriff**

“ There is a lot more scope to use discretion.”

**CJSW professional**



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## Relationships and communication in court:

### Interactive engagement is valued by participants

“ She [Sheriff] spoke to you like a person, asking you how you're doing and asking you to work on things.”

**Female PSA participant**

“ The sheriff will have dialogue with them [participants] and often the relationship is the foundation and it's not limited to us.”

**CJSW professional**

“ The relationship with the sheriff is much more personal – they speak to you a bit more... The sheriff's personality came out, she'd smile and have a laugh.”

**Female PSA participant**

“ You sit back and feel comfortable to say how you feel... It's a hundred times better than going to normal court [where I'd be] a bit more fazed about what other people are thinking – if I said I'd stay away from drinking, people would laugh.”

**Male PSA participant**



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## Emerging outcomes

### Measuring outcomes

Qualitative research  
(perceptions of outcomes  
by both participants and  
professionals)



Analysis of monitoring  
data (social workers'  
assessments of  
participants' engagement  
and compliance)



**Outcomes  
(short term)**



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## Emerging outcomes

### Overall impact of the PSA

PSA participants overwhelmingly positive about its impact

“It is helping me big time, it really is. [If it hadn't been for the PSA] I'd probably be back in jail.”

**Female PSA participant**

“Such a positive thing. [I would say to people] ‘If you ever get [the PSA], make the most of it’”.

**Male PSA participant**

Professionals also extremely positive about the PSA overall and thought it should continue although acknowledged barriers for some participants



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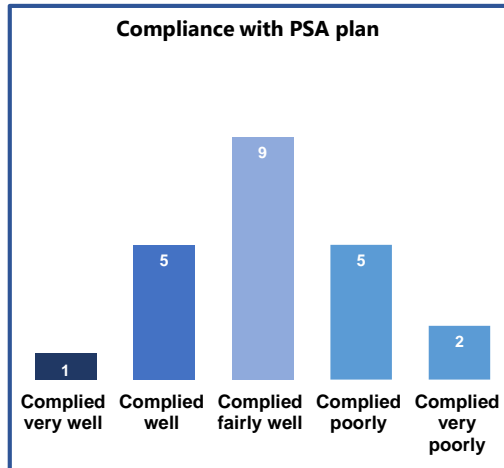
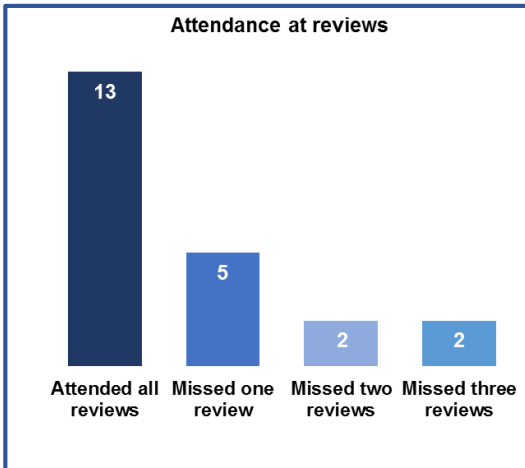


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## Emerging outcomes

### Compliance and engagement - women

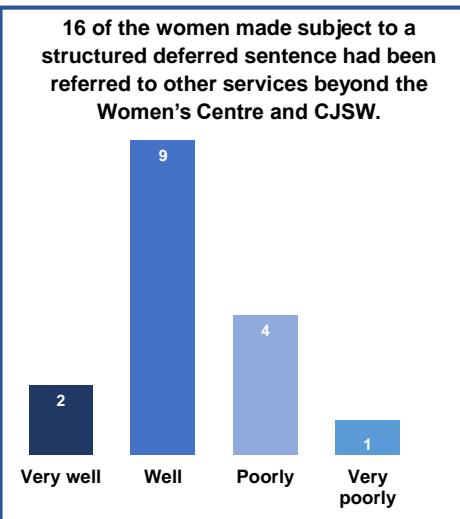
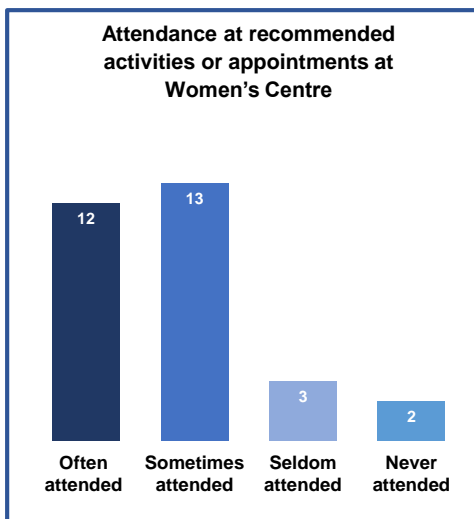


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## Emerging outcomes

### Compliance and engagement - women

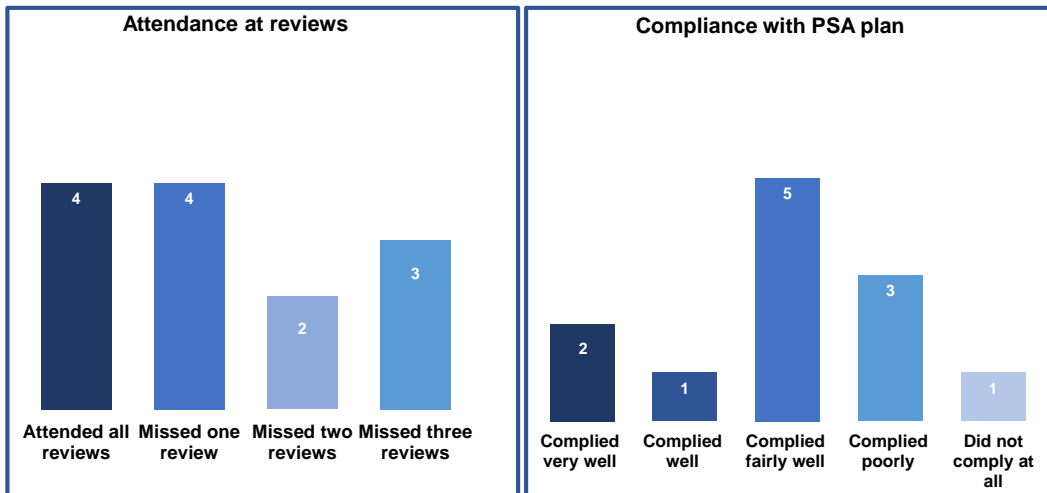


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## Emerging outcomes

### Compliance and engagement - men

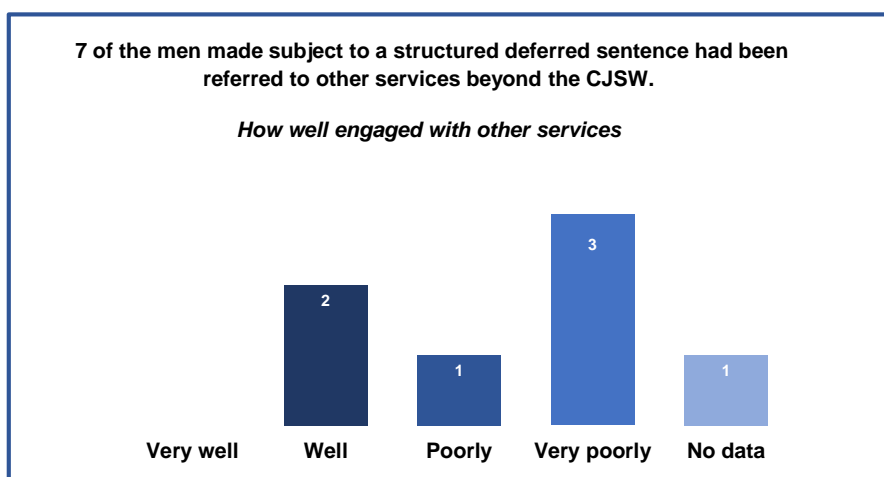


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## Emerging outcomes

### Compliance and engagement - men

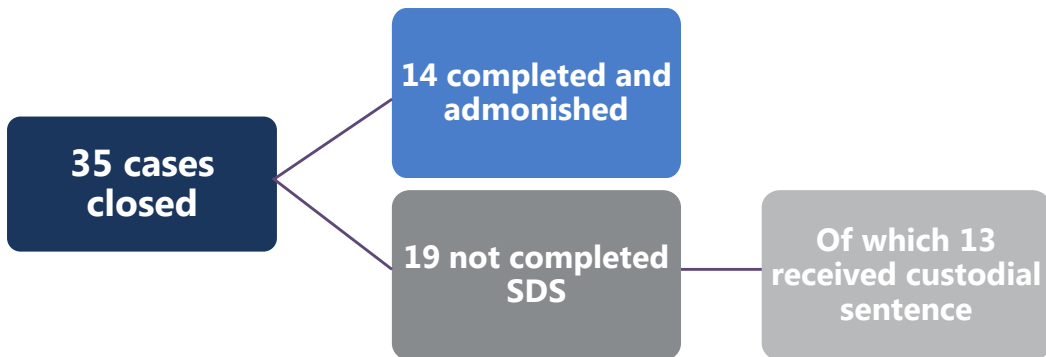


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## Emerging outcomes

### Case outcomes



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## Emerging outcomes

### Offending and problems linked to offending



- 5 participants sentenced for new offences while on PSA
- Evidence of reduced reoffending for others (self reports and professionals' perceptions)
- Professionals – *'we've had two or three that have completely [stopped offending], and I have not seen again'*



- Substance use common (particularly among women) and a key barrier to success
- Support provided by participants' workers (drug and alcohol support workers and social workers) and/or specialist agencies
- Progress made by some but remained significant barrier for others



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## Emerging outcomes

### Offending and problems linked to offending



#### Improved housing situations

- Homelessness and housing were significant issues
- Women who did not complete their SDS slightly more likely to have been assessed as living in unstable and/or unsuitable accommodation - a barrier to compliance
- Some participants had been helped to find hostel place or own tenancy



#### Improved mental health/wellbeing

- Benefits from referrals to psychologists/psychiatrists
- Participants' self reports of improved wellbeing: feeling more positive about the future; having more 'get up and go'; and feeling less stressed
- Criminal justice social workers/support workers: increased confidence and self-esteem had been '*a big, big, thing*'



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## Emerging outcomes

### Offending and problems linked to offending



#### Improved relationships

- Improved personal relationships, increased trust in others, improved social skills, increased empathy and awareness of impact of their behaviour on others
- Noted by participants and professionals and attributed mostly to work done by social workers/support workers



#### Employability

- Participants still some way from employment
- Social workers observed some progress:
- Construction Skills Certification Scheme cards, arranging Jobcentre Plus appointments, referrals to other employment support agencies



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## Emerging outcomes

### Barriers to success

Barriers related to the **complex needs of participants**, and the lack of access to services (mental health, housing) rather than the operation of the PSA

“For some people it becomes clear quite quickly that they're just not going to be able to engage, they're not ready to, they have maybe got out of control addictions [...] maybe some people don't want to stop drinking or to stop taking drugs or to get it under control [...] Maybe they're in an inappropriate relationship.”

Sheriff

LLS/CMI data for women (numbers too small for men) suggest those who did not complete were slightly 'riskier' overall but outcomes not any different among those with drug/alcohol problems.



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## Emerging outcomes

### Barriers to success cont.

One exception: issue of the PSA being overridden by charges called in another court over which the PSA has no power

- an individual making good progress in the PSA could be re-arrested on an outstanding warrant and returned to custody
- sheriffs and other court professionals working to resolve this



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## Areas for future consideration

A more 'joined up approach' across courts and data collection systems



Ensure participants understand what support will be on offer to them on exit

Professionals should remain alert to the risk of up-tariffing



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## Advice and learning for other areas

Setting up a problem-solving court	Running a problem solving court	Making it work in a local context	Estimating the resources required
Close partnership working Have the 'right' people involved: commitment, enthusiasm, 'can-do'	Sheriffs and defence agents actively identify potential participants	Reliant on appropriate local services to which PSA participants can be referred (Women's Centre hugely valuable)	Use Aberdeen data as guide but consider differences in local processes/any changes to eligibility criteria
Multi-agency workshops and regular meetings	Bring all outstanding charges together to be dealt with at one point	Benefit of predisposal social work team adjacent to Aberdeen Sheriff Court noted	
Allow considerable time input for set up	Use the rapid report approach to facilitate swift sentencing	Potential transport in rural areas (participants attending reviews)	
	Considerable organisation required to timetable monthly reviews		
	Only have those directly involved at hearings		



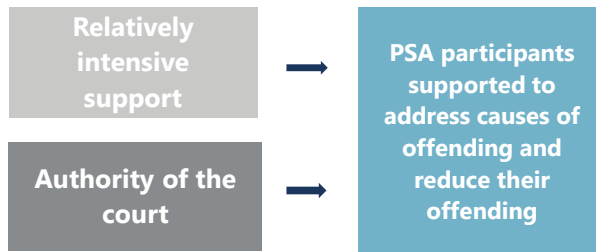
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## Conclusions

- Aberdeen PSA successfully implemented and running as intended (albeit with lower numbers than were originally anticipated)



- PSA shows promise
- Recommend that Community Justice Partners in other parts of Scotland give consideration to the benefits of a problem-solving approach
- Local context, in comparison with Aberdeen, should be taken into account
- Robust monitoring and evaluation processes should be built into any new pilots to continue to grow the Scottish evidence base



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