



Scottish Veterans
Commissioner

Veterans and the Law



October 2024

FOREWORD

Most veterans in Scotland leave the armed forces and become law abiding civilians. Veterans make up 3.9% of the adult population in Scotland, but only 3.1% of the Scottish prison population. In 2023 there were 4,984 arrests across Scotland where the individual disclosed that they had served in the armed forces, making up only 0.05% of those arrested by Police Scotland last year.

When it comes to upholding the law, the most recent intake of recruits into the Scottish Police College comprised 15% ex-Service men and women. Police Scotland currently employs around 250 reservists. The Scottish Prison Service has a significant number of officers who have served in the armed forces.

These figures are not surprising. People who serve in our armed forces are selected and trained to a high standard. Military training instils a strong sense of discipline and structure which can translate into more law-abiding behaviour in civilian life as well as an aptitude and inclination for further uniformed service. Veterans often have better employment prospects and job skills: employment provides financial stability and a sense of purpose which can reduce the likelihood of engaging in unlawful activity.

Veterans have access to various support systems, including veteran-specific services like healthcare, welfare, and advice. These resources can help address needs such as mental health, substance abuse and homelessness, which are often linked to offending. The camaraderie and support networks formed during military service can provide social support, reducing the likelihood of disengaging from society and drifting into lawbreaking.

It is important to note, however, that these factors do not guarantee that veterans will avoid committing offences entirely. Veterans, like any group, are diverse and can face various challenges which may lead them to offend. It must also be remembered that some veterans commit serious crimes, which have very grave consequences for their victims, the families of victims and the wider community. It is not the intention of this report to minimise the impact on victims of crime in any way.

Therefore, the primary aim in evaluating the need for veteran specific support and services must be to find the most effective interventions to prevent or reduce offending, thereby decreasing the impact on potential victims, reducing cost to the public purse, and improving outcomes for veterans themselves.

While conducting research and engagement for this report, I have been struck by the passion and dedication shown by those in the public and third sectors who support veterans involved in the criminal justice system. Through the support of Prison Governors, it has been immensely helpful to have been able to listen directly to veterans in prisons across Scotland.

I am extremely grateful to all who have taken the time to share their experiences with me including representatives from Police Scotland, Scottish Prison Service, Scottish Courts and Tribunals Service, Crown Office and Procurator Fiscal Service, Community Justice Scotland, the Judicial Institute for Scotland, South Lanarkshire Justice Social Work Services, SSAFA the Armed Forces Charity, Sacro, Who Dares Cares, Care After Combat, Forces Employment Charity (Op NOVA and Nova Scotland), Nacro, and The Centre for Military Research at Edinburgh Napier University.

SUSIE HAMILTON

Scottish Veterans Commissioner



INTRODUCTION AND APPROACH

The purpose of this review was to look at whether the right support is in place for the small minority of veterans in custody or who come into contact with the criminal justice system, consider the role and contribution of veterans who work or volunteer within the system, capture observations and findings, and make outcome focused recommendations to the Scottish Government to support continuous improvement.

Vision and Strategic Priorities

Vision:

- ◆ A Scotland where the contributions and sacrifices made by veterans and their families are recognised and appreciated and where all veterans feel valued by society.

Strategic Priorities:

- ◆ Our veterans and their families are empowered to make informed choices to secure positive futures.
- ◆ The diversity of our veteran community is clearly recognised and valued, with support and services accessible to all.
- ◆ Policy makers and service providers will be responsive to need, collaborative in approach and aligned in their efforts to maximise impact.
- ◆ Our communities and employers better understand, value and support veterans as they integrate, contribute and build fulfilling lives.

The strategic context is informed by four key strands.

The Armed Forces Covenant¹ which says that those who serve in the armed forces, veterans, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services, and that special consideration is appropriate in some cases, such as the injured and the bereaved. The Armed Forces Act 2021² saw the Armed Forces Covenant strengthened in law. This places a legal obligation on specified public bodies, including health boards and local authorities, to consider the principles of the Covenant when delivering relevant functions.

Renewing our Commitments³ sets out the Scottish Government ambition 'to make Scotland the most attractive destination for Service leavers and their families, offering high living standards, great job prospects and a society that respects and values their contribution'.

The joint UK ten-year **A Strategy for Our Veterans**⁴ which aims, by 2028, to see that 'every veteran feels even more valued, supported, and empowered and never disadvantaged as a result of their Service.'

¹ Home - Armed Forces Covenant

² Armed Forces Act 2021 - Parliamentary Bills - UK Parliament

³ Renewing Our Commitments - gov.scot (www.gov.scot)

⁴ Strategy for our veterans - GOV.UK (www.gov.uk)

The Scottish Government refreshed Action Plan⁵ published in August 2022, sets out a range of activity intended to respond to the changing needs of veterans and their families and make a positive impact on their lives. This includes the commitment to ensure that ex-Service personnel are properly supported when in custody or involved with the criminal justice system and the stated outcome 'veterans leave the armed forces with the resilience and awareness to remain law abiding civilians.'

This work has looked at how veterans who come into contact with the justice system – and their families – are supported to achieve this stated outcome, hear about the experiences of these veterans and those who support them (statutory services, charities, others), identify issues and challenges as well as good practice, and consider what improvements might be required. A key theme across these strategy documents is that veterans – and by extension their families – should be able to build healthy relationships and integrate into their communities. It is recognised that, for a range of reasons, leaving the armed forces and establishing new relationships within civilian communities can be challenging.

The UK and Scottish Veteran Strategies have a range of cross cutting factors that sit at the heart of collective efforts to support veterans and their families, and which are essential to success in developing and delivering high quality services and support. These are:

- ◆ Collaboration
- ◆ Coordination
- ◆ Data
- ◆ Perception
- ◆ Recognition

This work has been informed by engagement across a range of groups and stakeholders to gather evidence, hear about lived experiences, and understand the current landscape of services and support. That engagement has included:

- ◆ Veterans who are – or have been – in contact with the justice system
- ◆ Scottish Prison Service
- ◆ Police Scotland
- ◆ Veterans in Custody Support Officers
- ◆ Community Justice Scotland
- ◆ Local Authorities
- ◆ Crown Office and Procurator Fiscal Service
- ◆ Scottish Courts and Tribunals Service
- ◆ Judicial Institute for Scotland
- ◆ Academics / Researchers
- ◆ Third Sector Organisations

Acknowledgements

My most sincere thanks go to everyone who has taken the time to share their individual experiences, their research findings, or their professional expertise as I have taken forward this work. Especially I'd like to thank Stefan Grzybowski, Assistant Chief Constable Emma Bond, Chief Inspector Trish Robertson and Inspector Stewart Kirk (Police Scotland); Governor Andrew Hodge and Andrew Bickerstaff (HMP Perth); Governor Scott Watson, Deputy Governor Martyn MacKenzie, Iain Johnston and Danny McLean (HMP Inverness); Governor Natalie Beal and Michael Wilson (HMP Glenochil); Deputy Governor Mark Holloway and Stuart Wright (HMP Edinburgh); Governor Gillian Walker and Fraser Stones (HMP Shotts); Sheriff A Cottam; Karyn McCluskey (Community Justice Scotland); Alistair Halliday (Forces Employment Charity); Scott Muir (Nova Scotland); Terrence Monaghan (Op NOVA); Adrian Kirk and Dr Jane Jones (Care After Combat); Gavin Phillip (Sacro); Lt Col Andy Middlemiss and Angela Watson (SSAFA); Gillian Booth (South Lanarkshire Council); Professor Geri Mathews-Smith and Dr Christine Haddow (Edinburgh Napier University); Sally Coulthard (Defence Gardens Scheme).

SECTION 1

DATA AND RESEARCH

This report draws on a range of policy reports, evidence, and research publications. Some of those are outlined below and referenced elsewhere in the report, while others have provided helpful context and background to the key themes and issues explored.

Availability of data on the veteran population continues to expand and to improve in quality. In June 2024, the first Scottish census data output on veterans was published⁶, to be followed this winter by a new tool on the Scotland's Census website allowing the census data on various topics to be analysed for particular groups including veterans. This will deepen our knowledge of the veteran population in Scotland.

Forces in Mind Trust (FiMT) Research Centre

The FiMT Research Centre is run by a consortium of RAND Europe and the King's Centre for Military Research at King's College London. In November 2023 they published policy⁷ and research⁸ summaries - 'Ex-Service Personnel and the Justice System'. These comprehensive and peer reviewed reports synthesise the existing research evidence and available evidence of current policy and support for UK ex-Service personnel's engagement with the justice system.

Edinburgh Napier Research for Scottish Prison Service

Two important and specifically Scottish pieces of research carried out by Edinburgh Napier University for the Scottish Prison Service are the 2018 'Veterans in Custody Research Report' and the 2021 follow up report - 'Identity, Transitions and Support: Processes of Desistance among Ex-Military Personnel in Custody'.⁹

The first report details the findings from a pilot project which considers desistance (the process of abstaining from crime by those with a previous pattern of offending) amongst ex-military personnel in prison, while the 2021 report builds on this work.

The main findings point to a 'tripartite system' of complex themes of military identity, transitions and support. The research has provided insight into veterans' needs and experiences and suggests what led to their offending and what will be required for their desistance pathway.

One of the key findings from this work was that opportunities to draw on shared experience and facilitate military camaraderie within the prison setting were positively received by veterans, helping to reinstate pride and develop supportive networks. The role and function of the Veterans in Custody Support Officer (VICSO) makes a significant contribution in facilitating this. It was also noted that veteran prisoners have very high expectations of fairness and due process. They are prone to feel particularly let down and frustrated if things don't materialise as they anticipate.

Ex-service personnel in the criminal justice system: Barriers to identification and uptake of support

Forces In Mind Trust (FiMT) funded research by Nacro and the University of Northampton into barriers to the identification and uptake of support of veterans in the criminal justice system in England, Wales and Scotland. This detailed research¹⁰ revealed a number of key points, some related to the Scottish criminal justice system and some generic to the population of veterans in UK prisons. Recommendations were made towards two outcomes: improving identification of veterans in the criminal justice system; and addressing barriers to veterans in the criminal justice system and families receiving support.

The report is organised into sections addressing various parts of the criminal justice journey, with additional chapters on the third sector and families. This leads to repeated themes across chapters:

- **Reluctance to Seek Help:** Ex-Service personnel often avoid seeking help due to pride and self-reliance, both before and during their interaction with the justice system.
- **Lack of Understanding:** Many ex-Service personnel do not understand why they are asked to identify their military service during the justice process, affecting their willingness to disclose this information.
- **Complex Support Landscape:** The support system is complex and not well known. Many only learn about available support after entering the justice system.
- **Professional Capacity and Knowledge:** Staff in the criminal justice system face capacity issues and lack comprehensive knowledge about appropriate services for ex-Service personnel.
- **Language Use:** The term “veteran” is not well understood to include all ex-Service personnel, leading to confusion about eligibility for support.
- **Shame:** Some ex-Service personnel feel shame about their offences, which can influence their decision to seek support, though few reported it as a major barrier.

Op NOVA

Initially developed in partnership with the justice system in England and set up in 2014, Project Nova was intended to support ex-Service personnel who had been arrested or were at risk of arrest. Building on this foundation, in 2023 NHS England launched phase 1 of Op NOVA. Op NOVA has since expanded to assist ex-Service personnel at various stages in the criminal justice system, and phase 2 (in-prison support) is rolling out across prisons in England this year.

The primary objective of the service is to provide a single pathway to support veterans to move away from the justice system. Op NOVA provides emotional and practical support to veterans at all points of the justice system in England, including pre-arrest, arrest, post-arrest, and those serving a custodial sentence. It is delivered by the Forces Employment Charity, with Care After Combat subcontracted to support veterans in prison as they approach the point of release. Op NOVA also refers veterans to Op COURAGE (NHS England’s mental health services

Op NOVA: Veteran’s referral care pathway



Over the first 14 months of Op NOVA being active in England (01.04.23 – 30.06.24) coverage was achieved across all police and probation regions and phase 2 is in the process of being rolled out across the prison estates. There were a total of 1,565 eligible referrals (1,495 unique veterans), of which 700 veterans completed the journey. For those veterans the reported outcomes were:

- 97% reported progress in at least one outcome area
- 82% reported improved mental health
- 78% reported progress with accommodation
- 76% reported progress to a crime-free life
- 76% reported progress in drug and alcohol treatment
- 74% reported progress in managing strong feelings
- 72% reported progress with parenting and caring
- 69% reported progress in living skills and self-care
- 66% reported progress in friends and community

Scottish Crime and Justice Survey

Published in November 2023, the Scottish Crime and Justice Survey 2021/22 ¹¹ included - for the first time - the question 'have you previously served in the UK armed forces' so that data on veteran status could be gathered.

In terms of the rate of victimisation amongst veterans, the survey found that 10% were the victim of any type of crime within the scope of the survey. The survey found that there was no difference in the rates between veterans and non-veterans for overall crime, as well as for violent crime and property crime individually. The findings from the survey therefore suggest that the likelihood of being a victim of crime does not vary by veteran status.

Community Justice

Community justice is a community-first model of justice in place in Scotland, where people who have broken the law are held to account and supported to reconnect and contribute to their communities. It means that some people, where it is safe to do so, receive community-based sentences. Evidence shows that community justice can help people stop breaking the law again which leads to fewer victims and safer communities.

Community Justice Scotland (CJS) aim to create safer communities, shift societal attitudes and the circumstances that perpetuate crime and harm. They have created an interactive, digital map ¹² which outlines the key stages of the Scottish justice system and shows the range of possible journeys as well as key information and statistics about each step.

They have developed a Community Interventions and Support Directory ¹³ which provides detailed information about community interventions and support across Scotland. It aims to provide the Judiciary, Social Workers, Defence Agents, and the prosecution with information on local and national specialist and voluntary sector resources in every Local Authority area across Scotland with the intention to facilitate better informed conversations at the point of sentencing.

The information in the directory can also be used by others, such as the Police, third sector, those leaving prison and reintegrating into their communities, and those diverted away from the justice system. Veterans Scotland is providing support to CJS to populate the directory with relevant organisations.

¹¹ Scottish Crime and Justice Survey 2021/22: Main Findings - gov.scot (www.gov.scot)

¹² CJS | Home (communityjustice.scot)

¹³ Community Interventions and Support Directory - Community Justice Scotland

Identification of Veteran Offenders by Public Bodies

Below is a summary of the actions taken by public bodies in the justice system in Scotland to identify veterans. It must be noted that the question asked is whether an individual has ever served in the UK armed forces, thus avoiding use of the word veteran which is not universally understood. This means that important data such as how long an individual served, how long ago and the length of time between serving and offending are missing. Of the veterans interviewed in the Nacro study, over a third had served less than 5 years and two thirds had left the armed forces over 15 years previously. It is acknowledged that there is a limit to the amount of data that can be recorded at various points in the criminal justice system, and that identifying simple veteran status is a significant positive step. However richer data would provide more understanding of the relevance of military service as one of the multiple life experiences of an individual in the criminal justice system.

Arrest / custody data (Police Scotland)

When someone is arrested in Scotland and taken into custody, they are asked a set of questions designed to support their care and wellbeing. Included is a question asking if they have ever served in the UK armed forces. Answering this question is optional, and for a range of reasons some may choose not to disclose their veteran status. This is then recorded on Police Scotland systems, and a free text box allows further context to be added. If veteran status is disclosed at a later point, for example later while the individual is still in police custody, it can also be recorded. Custody suites have posters encouraging those who have served in the armed forces to identify themselves.

Last year, 0.05% of those arrested by Police Scotland disclosed that they had served (a total of 4,984 arrests). These arrests are spread across all of Scotland, with the highest numbers being recorded in the most heavily populated areas and numbers remaining constant over the last 5 years with an average of 5,036 veteran arrests made each year.

When Police Scotland prepare prosecution reports for submission to the Crown Office & Procurator Fiscal Service (COPFS), they can include the fact someone has served in the armed forces in a free form notes section of the report. However, there is no standard or required identification method at this point.

Wider Justice System

Data on veterans is not captured across the wider justice system in Scotland, either by COPFS or by the Scottish Courts and Tribunals Service. Nor is it systematically or routinely captured by Justice Social Work (JSW) Services in Local Authorities, thus the numbers of veterans who receive non-custodial sentences or who are diverted to other programmes is not known. Some of these organisations are considering how to put in place or improve the recording of data on veterans within their services (whether staff or service users).

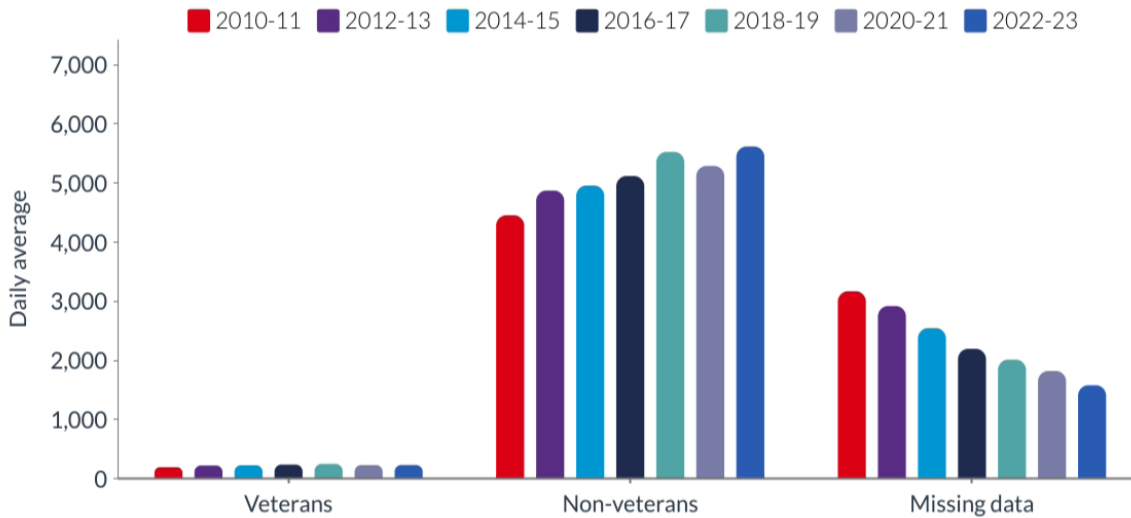
Prison Population (Scottish Prison Service)

As part of the intake process, those entering a prison in Scotland are asked if they have ever served in the armed forces. Answering this question is optional, and for a range of reasons some may choose not to disclose their veteran status. If they do disclose, this is recorded on the prison system. Once they are part of the prison population, inmates may disclose that they are veterans at any point and this is also captured, meaning that numbers held are as comprehensive as possible.

It is thought that numbers of veterans in prison will be higher than officially recorded but the Prison Statistics Interactive Analysis Tool¹⁴ shows that the quality of this data is improving, with missing data on this variable reducing from 42% in FY2010-11 to 22.8% in FY 2022-23. It can be seen from this published data that the percentage of those who neither confirm nor deny veteran status (shown as 'missing' data) is reducing. This improvement in data capture may be a result of the interaction of VICSOs with the prison population. What cannot be determined is the number of veterans who are included in the missing data.

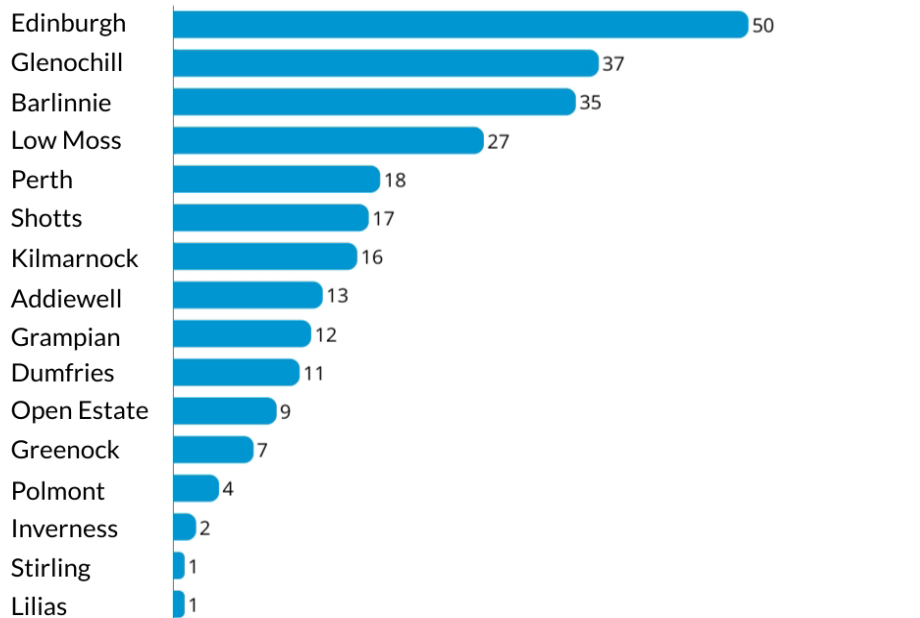
¹⁴ <https://scotland.shinyapps.io/sg-prison-population-statistics/>

Average Daily Population by Veterans within Financial Year (Scottish Prison Population Statistics)



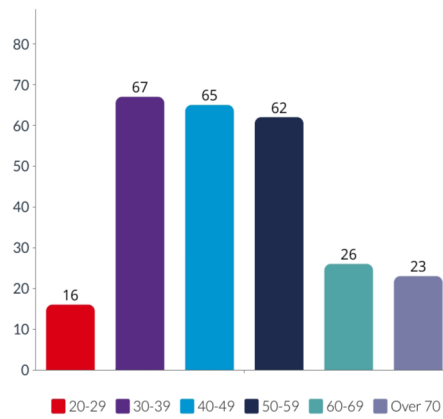
According to management information provided by the Scottish Prison Service, as at the end of April 2024 there were 260 veterans in custody across the Scottish prison estate. The overall prison population was around eight thousand at that time, so veterans made up just over 3%. This information is updated daily and has remained stable across Scotland in recent years.

Number of Veterans by Establishment (April 2024)



Over half of those veterans were being held at HMP Edinburgh, HMP Glenochil, HMP Barlinnie and HMP Low Moss. Numbers in other establishments were lower, and at that time only one female veteran was recorded. The vast majority had served in the Army (227), and ages ranged from 20 to over 70 (with 194 being aged 30 to 59). 149 of those in prison were, or had previously been, convicted of sexual offences which accounted for just over 57% of those veterans in prison custody.

Veterans by Age Group (April 2024)



Historic data can be extracted from the Scottish Prisons Interactive Analysis Tool and the latest Scottish Prison Population Statistics ¹⁵ published in December 2023.

Scottish Prison Population Statistics show that 22% of the average sentenced population are in prison for sexual offences. The variation with the figure of 57% of veterans in prison for sexual offences warrants further investigation and analysis. It should be noted however that the percentage of veterans in the population of Group 2 (Sexual) Index Offences has remained consistently around 6 to 7% which matches the figure for male veterans in the overall male population of Scotland.

Identity, Purpose & Belonging: The First Scottish International Conference on Armed Forces Research in Society ¹⁶ Colloquium on Ex-Service Personnel in the Criminal Justice System

August 2024 saw Napier University in Edinburgh host "Identity, Purpose and Belonging: The first Scottish International Conference on Armed Forces Research in Society." Napier's Centre for Military Research, Education & Public Engagement (CMREPE) ¹⁷, in partnership with the Scottish Armed Forces Evidence & Research Hub held a range of seminars, colloquiums, workshops and public events over a four-day period with delegates from across the UK, the USA, Australia and Canada.

One of the colloquiums held was 'Ex-service personnel in the Criminal Justice System'. Delegates heard from Care After Combat, Sacro, Nacro and from Professor Gerri Matthews-Smith and Dr Christine Haddow from Napier University who gave a presentation on Scottish research.

This was followed by a round table discussion giving delegates an opportunity to explore the following key questions:

- Is the right support in place at all points of contact for the small minority of veterans in custody or who come into contact with the Justice System in Scotland?
- Is that support reducing the risk of re-offending?
- What support is available to spouses/partners and children?
- What can be learned from services supporting justice-involved veterans in other countries?

The delegates were asked to identify new approaches for policy and practice in this area. A full conference report will be made available on the CMREPE website.



¹⁵ Scottish Prison Population Statistics 2022-23 - gov.scot (www.gov.scot)

¹⁶ Identity, Purpose & Belonging: The First Scottish International Conference on Armed Forces in Society (napier.ac.uk)

¹⁷ <https://www.napier.ac.uk/about-us/our-schools/the-business-school/our-research/military-transitions-research-centre>

SECTION 2

PRE-CONVICTION

Policy and Operational Context

Across criminal justice in Scotland, the policy and guidance that applies to all citizens applies equally to veterans. The principles, strategies and outcomes that guide the various organisations within that system also apply.

Police Scotland

Police Scotland have 114 Veterans Champions and 21 of these work within Criminal Justice Services Division. Criminal Justice Services Division was established in 2016 following the merger of the former Custody and Criminal Justice Divisions into a single management structure. The division has responsibility for the care and welfare of over 140,000 persons in custody per year and all aspects of interaction with partner agencies in the criminal justice arena.

This Veterans Champions network is made up of volunteers from within Police Scotland, and while there are currently no set terms of reference Police Scotland intend to put something in place to put some shape around their function. Having a level of flexibility enables Champions to have autonomy in the role and best support their local communities and their colleagues. Many are veterans themselves or are a member of the wider veteran community such as the spouse or child of a veteran, but this is not a requirement.

Champions help colleagues to be sighted on veteran's support and issues, via the use of SharePoint pages in local Divisions, holding engagement events, and supporting and sharing their own experiences of the armed forces and veterans with other Police Officers. Champions can help raise the profile of the armed forces which is seen as important, for example uniformed officers marching in remembrance parades enhances visibility amongst the public.



When veterans are identified and entered on Police Scotland's vulnerable persons database, Champions can check the database and then contact (by phone) the veteran to provide advice and support if required.

Over the last 10 years, Police Scotland has had a bespoke referral system to the Armed Services Advice Project (ASAP), a third sector service funded by Poppyscotland and administered via Citizens Advice Scotland. This system enabled police officers or police staff who came in to contact with a member of the veteran community who might benefit from support to be referred (with their consent) to ASAP. The approach had been embedded within Police Scotland, and their Veterans Champion network had a role in raising awareness of the system.

However, ASAP has never had full coverage across Scotland and the function of the support was largely focussed on financial advice. Due to service changes and developments across partner organisations, it was announced in September 2024 that funding for the service had been withdrawn and ASAP closed from 30 September 2024¹⁸.

¹⁸ <https://www.cas.org.uk/partnerships-services/cab-service-partners/armed-services-advice-project>

Through Forces Employment Charity, Nova Scotland was recently established to provide veteran specific criminal justice support, and work has been underway to understand demand across the country. In September 2024 it was confirmed that a new referral partnership had been set up between Nova Scotland and Police Scotland, replacing the previous arrest referral scheme between Police Scotland and ASAP.

This partnership will ensure that veterans who come into contact with Police Scotland can be referred to Nova Scotland. This will include veterans that have been arrested or are deemed as vulnerable, enhancing the support available to them and to their families particularly in times of crisis.

The Judiciary

The Crown Office and Procurator Fiscal Service (COPFS) ¹⁹ is Scotland's prosecution service and death investigation authority. They receive reports about crimes from the police and other reporting agencies and then decide what action to take, including whether to prosecute someone.

COPFS staff will:

- consider cases reported to them and decide if there is enough evidence to take further action
- decide, based on the public interest, whether to prosecute a case or take alternative action
- determine the appropriate charges for cases going to court
- instruct the police during the early stages of investigations in some serious cases, or where further investigation is required in a case
- prepare cases and present them at court
- ensure that disclosure is made to the accused or their agent
- provide information, help, and support to victims and witnesses involved in criminal cases



As noted previously, the veteran status of an individual may be included in reports submitted to COPFS. By doing so, it allows the opportunity to connect the veteran to specific support services and to take this information into account in deciding whether prosecution is appropriate or whether an alternative, such as a fine, fiscal work order, or diversion programme might be most appropriate.

COPFS works closely with Police Scotland, the Scottish Courts and Tribunal Service and other partners to deliver justice services. The Scottish Courts and Tribunal Service support justice in Scotland by providing the people, buildings and services needed to support the judiciary, the courts, devolved tribunals, and the Office of the Public Guardian.

While criminal proceedings are taking place in the High and Sherrif Courts, individuals are not normally asked if they have served in the armed forces and this kind of information is not recorded on systems or papers. This information may come to light as part of the proceedings (for example via the defence or prosecution lawyers) and form part of the evidence. For a serious crime, the background report (which is very likely to have this information) would be known before sentencing.

In most cases, whether a defendant, or indeed a witness, is a veteran will have no bearing on the judgement of a case. While there is no specific veteran awareness training, resources on trauma informed judging are available to Judges, Sheriffs, and Justices of the Peace, although it should be remembered that not every veteran will have experienced trauma. Trauma training will become mandatory for the judiciary in the coming year.

Veteran status alone may have no effect on sentencing; however, the involvement or potential involvement of veteran support services may influence sentencing decisions. Judges and Sheriffs rely on Justice Social Workers providing this information, generally through a justice social work report. Within this the social worker will have considered appropriate disposal options for the Sheriff to consider. Identifying that a veteran may respond positively to a structured approach, such as a Structured Deferred Sentence, would be helpful. The inclusion of a 'military veteran' filter in the Community Intervention and Support Directory will improve visibility of such support to those informing or making sentencing decisions.

Justice Social Work Services

After a verdict, Courts can ask for a Justice Social Work report to be prepared before sentencing takes place. Justice Social Workers use the Level of Service/Case Management Inventory (LS/CMI) assessment, which is a comprehensive general offending and management planning method. This method has been adapted for use in Scotland to enable an evaluation of the pattern, nature, seriousness, and likelihood of offending. There is no automatic marker or question on veteran status on justice social work reports, though this may be included as part of the history of the individual or if it has come up in the interview(s) with the individual.

Sacro

Sacro²⁰ is a Scottish community justice organisation that provides a wide range of services in Community Justice, Community Safety and Public Protection. The work they do is designed to help build safe communities by reducing conflict and offending, and they work with a broad range of people, including veterans who come in to contact with the justice system. Through referrals from other organisations or direct contact from individuals they provide support to those at risk of offending or those who have been charged with an offence. Their Veterans Mentoring Service works closely with veterans to put in place an intensive support plan to meet with their specific needs.

Testimony to the Commissioner

Many stakeholders noted that contributing factors that may cause veterans to commit crimes are similar to those in the wider civilian population. These factors might include the breakdown of relationships, difficult family dynamics, chaotic lifestyles, mental health needs, substance abuse and homelessness.

I heard that veterans could exhibit poor help seeking behaviours, and alongside a perceived lack of knowledge of the armed forces by those working in the criminal justice system, veterans may struggle to access appropriate and timely support.

The point was made repeatedly that prevention is key – connecting vulnerable veterans to addiction, mental health, housing, and social support services could assist recovery from chaotic lifestyles and avoid potential law breaking.

Police Scotland officers were keen to have a single referral pathway they could use for vulnerable veterans they encounter, who may or may not be offenders. It is not considered reasonable to expect police officers to navigate the often-cluttered ex-Service support landscape.

A recent innovation by Police Scotland is a plan to produce hand-held video briefing devices which will contain support information for individuals in police custody. There is the potential to develop this to include veteran specific support pathways and services.

It was noted that it would be beneficial for staff in Police Scotland to have a basic level of 'veteran awareness', perhaps through a short training package as well as the advice available from the veterans champion network.

I was told that much of police work is dealing with people in crisis and Police Officers need to know how to support those individuals. While support does exist, this could be better, and it would be useful if it could be particularly tailored for veterans in crisis. Officers commented that it would also be helpful to have an understanding about veterans' potential 'trigger' events, for example around remembrance events and the 5th of November fireworks period.

Police Scotland Veterans Champions reported a wide range of interactions with veterans in the community which included: helping veterans obtain replacement medals stolen in a house break-in; attending local Veteran Breakfast clubs; linking veterans to housing, welfare, and community support; supporting veterans in police custody who are reluctant to engage with referral agencies; connecting veterans to mental health support.

The Champions also noted the role they had in supporting their colleagues employed within Police Scotland, sharing their experiences and information about the armed forces. They noted the role they had in advising other officers how to best support a veteran where the officer felt they did not have enough veteran specific knowledge or confidence to do that effectively.

Among the Champions I heard from, there was a lack of clarity of their role within Police Scotland and that ambiguity was reflected to me by some third-party stakeholders.



What can be improved

Early intervention by Police Scotland and partners provides an opportunity for support that might mitigate future criminal activity. If veterans can be supported to access help that may deal with underlying issues or challenges, the potential for criminal activity may be reduced or eliminated. That preventative approach is to the benefit of all involved, and in particular to potential victims of crime.

Ensuring those support services are resourced to provide that support at the right time is important. There may be limited opportunities to make that intervention, so effective pathways are key to success.

Work is already underway to take the veteran aware training package developed by NHS Scotland and modify it for use by Police Scotland. Good progress has been made to develop the training modules – with the input of veterans champions – and it is anticipated the package will be live before the end of 2024. This is a positive and welcome initiative, which if successfully implemented will deliver a basic level of knowledge and awareness across Police Scotland.

Evidence shows that many of the veterans who come in to contact with Police Scotland are vulnerable and require mental health support, sometimes in a crisis situation. It will be important to ensure that the Scottish Veterans Mental Health and Wellbeing Pathway can effectively link with Police Scotland to support these veterans.

Police Scotland Champions are a hugely welcome resource and are already proving that they add value and support for the veteran community. While it is not necessary or desirable to make the network overly bureaucratic or rigid, greater clarity on the role would benefit veteran offenders, police officers, the Champions themselves, the public and stakeholders. Recent work to create a loose set of terms of reference and role profile should enable the network to provide maximum value while managing expectations from others.

The development of the Community Interventions and Support Directory and the inclusion of veterans as a distinct category within the tool is very positive, and it will be important to ensure the information it contains is as comprehensive and up to date as possible to support effective decision making that improves justice outcomes.

Making best use of existing procedures, such as justice social work reports, would allow veteran support options to be considered in sentencing decisions and would ensure the recording of veteran status has visibility on local authority social work information systems.

Good Practice - Sacro

The Sacro Veterans Mentoring Service (VMS) supports military veterans who are in, or at risk of entering, the Criminal Justice System. They receive referrals from a wide range of sources including from veterans themselves, other veterans' charities, and statutory partners.

While the needs of individual veterans are all different and this will influence how Sacro mentors support them, they have found that many veterans demonstrate symptoms of mental ill health. Sacro ensure they receive a proper diagnosis and prioritise appropriate treatment.

This is important as it is more likely that it will allow some of the common secondary issues such as addiction, anger management and isolation to be tackled with greater success. For some of those issues the VMS mentor will address this directly with the veteran, but for some others (i.e. addiction) they will work with other veterans' charities who specialise in this area and with whom they have built productive working relationships.

Many of the veterans the VMS service support identify housing and accessing benefits and pensions as key issues. VMS mentors will work with local authorities, sometimes involving veterans' Champions and organisations such as Scottish Veterans Residences and Veterans Housing Scotland, to secure suitable accommodation and advocate on behalf of the veteran around benefits and pensions to ensure they receive what they are entitled to.

There will also be veterans referred to the VMS service that have outstanding legal matters. This will sometimes be when they are facing a criminal charge, although Sacro also support veterans who have been a victim of or a witness to a crime. As well as ensuring the veteran has appropriate legal support, the mentor will accompany them to court working alongside them to ensure they understand the process. Mentors have also provided testimonies to the presiding Sheriff on the support they have provided and how the veteran engaged, and on one occasion gave evidence in the court on this. This has meant that challenges that veterans are facing are considered by the Sheriff when they decide an appropriate sentence.



SECTION 3

POST-CONVICTION

Policy and Operational Context

Non-Custodial Sentences

A variety of non-custodial disposals are available in Scotland including the Community Payback Order (CPO), and the Drug Treatment and Testing Order (DTTO). The veteran status of individuals who receive a non-custodial sentence is not recorded, so there is currently no data on how many veterans in Scotland receive these sentences, or whether non-custodial sentences have better outcomes for veterans.

Some local authorities in Scotland have piloted Structured Deferred Sentences²¹ with good outcomes reported. These offer the courts the option to provide a short period of intensive supervision to individuals post-conviction, but prior to final sentencing. They are designed to help individuals address their underlying issues, improve their employment prospects, and build a sense of routine and self-esteem, allowing them to move away from offending. Currently mainly undertaken by women or young people who have been convicted this may also be a suitable option for veterans, but they would need to be identified for this to be put in place.

Custodial Sentences

The challenges and restrictions of the covid pandemic had an impact on the capacity of the Scottish Prison Service to provide specific support to veterans in custody. Many initiatives had to be paused or reduced and are only now getting back to a regular rhythm. It is worth also noting the current challenges faced by the wider Scottish penal system, in particular the high numbers of people serving prison sentences and on remand and the increasingly complex needs of those prisoners.

Every prison establishment in Scotland has a Veterans in Custody Support Officer (VICSO). Numbers fluctuate but there are currently around twenty in post. These are formally designated roles, filled on a voluntary basis by prison officers who are (almost all) veterans themselves.

The types of activity and support will vary between establishments, in part due to logistics and numbers involved. Generally, the VICSOs will arrange regular informal gatherings such as coffee mornings, facilitate specific projects within prison such as the development and maintenance of memorial gardens and art and craft activities, and lead commemorations and celebrations for the armed forces. They will organise visitors who can provide armed forces specific support to the veterans in custody, including input from SSAFA, Sacro, local authority Veterans Champions and others.

Mainstream and Protected prisoner populations are not allowed to mix in prison for reasons of safety and security. Due to the relatively high numbers of veterans in the protected population VICSOs duplicate activities such as coffee mornings so that both groups of veterans can benefit. This further adds to the workload of VICSOs.

VICSOs work differently in different prisons. Some have protected time whereas others use days off or breaks to meet with veterans in their charge. While the Prison Governors in Scotland are supportive of the VICSO role, they are responsible for balancing the required people resource in line with operational priorities and pressures. There is overall coordination of the VICSO network, with twice yearly meetings chaired by the Governor of HMP Perth to share good practice and get updates from other stakeholders.



²¹Introduction, legislative basis and policy context - Structured deferred sentences: guidance - gov.scot (www.gov.scot)

Justice Social Work

Justice social work services are part of local authorities, which are responsible for the delivery of community orders and related justice social work interventions, with support from partners including third sector organisations.

Community justice partnerships in local authority areas are made up of a number of statutory partners and are supported by Community Justice Scotland.

Local authority justice social work teams provide a range of services, including:

- assessments and reports to assist decisions on sentencing
- court services to assist those attending court
- bail information and supervision services as an alternative to custodial remand supervising people on social work orders (e.g. community payback orders) to tackle offending behaviour
- supervising people who need to perform unpaid, useful work for the benefit of the community
- prison-based social work services to those serving custodial sentences
- preparing reports for the Parole Board to assist decisions about release from prison
- throughcare services including parole, supervised release, and other prison aftercare orders to ensure public safety
- delivering group work interventions on programmes such as Caledonian and Moving Forward Making Changes

Third sector support

As noted in section 2 of this report, the Sacro Veterans Mentoring Service provides support to veterans who come into the criminal justice system. They provide that support to those in prison or who receive a community disposal, and to those who have served their sentences. The key outcome is for those individuals to reduce or eliminate the risk of re-offending and to live safe and independent lives. For those in prison support is concentrated in the 12 week period leading up to the release date of the veteran, though they also provide advice and support to veterans earlier in their sentences where possible.

SSAFA ²² have a (recently increased) network of volunteers who undertake in-reach activity across the prison estate in Scotland as well as supporting veterans on probation or undertaking community sentences. This includes practical and emotional support, financial support, and signposting to other services. Importantly, this support is also provided to the families of veterans in the criminal justice system.

There will also be a range of other local organisations and partners who support veterans in custody in Scottish prisons.

Testimony to the Commissioner

With the support of Prison Governors, VICSOs and other staff, I met with over fifty veterans in custody on visits to HMP Perth, HMP Glenochil, HMP Edinburgh, HMP Shotts and HMP Inverness. The discussions and issues raised were wide ranging, but most touched on access to mental and physical health care and support, impact on families, qualifications and skills development while in prison, employment opportunities and housing provision on release, and challenges associated with the conditions in prison.

Some veterans noted that their Service backgrounds meant that some aspects of prison life, such as structure and routine, were natural to them. However, it was also noted that things that were important to them such as hygiene and tidiness became challenging if other prisoners (particularly cell mates) did not respect that.

The veterans I met in custody had obviously declared their status, so were part of the groups supported by the VICSOs. Both veterans in custody and VICSOs said they knew there were other veterans who had chosen not to declare, but their reasons for this will vary.

Veterans in custody greatly appreciate the support provided by VICSOs. They enjoy the opportunity to meet in a group - described by one as 'being with our own kind' - to share experiences and support each other. These get togethers also allow them to engage directly with veteran specific support services, such as Sacro, SSAFA and Fighting with Pride²³. VICSOs noted that support from other organisations is variable geographically across Scotland, which means a lack of equity depending on where a veteran is imprisoned.

VICSOs are generally content that the position is voluntary, and they welcome the opportunity to use their skills, knowledge, and experience of the armed forces to give something back to their fellow veterans. All were passionate about supporting veterans and committed to the role, most going over and above what might be expected of them, including coming in on their own time.

VICSOs see the role as important, but most wished for more dedicated time to fulfil the role. It is, for example, disappointing when gatherings are cancelled due to (understandable) operational priorities so actions to keep that to a minimum would avoid the likelihood of veterans disengaging with the support available to them.

The level of knowledge held by VICSOs varies, with some noting that they would benefit from a greater understanding of the veteran support services they could access on behalf of veterans in custody.

Importantly, VICSO led meetings provide links to other parts of the prison system, for example visitor centres and services. These provide support to families of veterans and can signpost to charities and other organisations who can help.

A successful project took place in Perth and Castle Huntly prisons where veteran prisoners created paintings. SSAFA prison volunteers and prison staff organised a public exhibition of these paintings in Kinross where I viewed the artwork which was on sale in aid of SSAFA. It was clear that the veterans involved very much valued this project, the opportunity it gave them to contribute and to have their work recognised.

Notwithstanding the examples of good practice I heard about, it was noted that the systems and mechanisms of support were inconsistent between establishments.

Some veterans in custody commented that they felt their interaction with Justice Social Workers was disappointing. Their veteran status was not recorded or felt to be of any significance. Some felt that Justice Social Workers did not understand their experiences and needs as a veteran or have an appreciation that this was an important element of their identity.

I received positive feedback of examples where veterans had undertaken community orders / disposals in a veteran or service-related location. This might be maintaining war memorials, working in a veteran hub or charity, or taking part in veteran specific outreach activity.



I met with support providers including Sacro, SSAFA and Nova Scotland (Forces Employment Charity) who currently provide services for veterans in custody in Scotland. I heard about the positive outcomes for veterans and family members supported by these organisations. It was encouraging to hear about collaboration between the statutory and voluntary sectors.

I also met with Care After Combat who do not yet operate in Scotland but provide in-prison support to veterans in England as part of OP NOVA delivery. They provided data²⁴ that pointed to a significant reduction in re-offending by veterans who had been mentored while in prison and noted that 79% of Op NOVA clients lead to a crime free life compared to a national average of around 25%.

Op NOVA staff emphasised the effectiveness of providing regular and consistent rhythms of activity in prisons.

It was repeatedly noted that the support SSAFA provide to veterans – and particularly to their families – was hugely valued. It is often the ‘everyday’ things, such as facilitating a visit or dealing with a financial concern, that can help most. I heard about the free transport support provided by Fares4Free²⁵ and how welcome this service is to allow families to visit. It was good to hear how proactive SSAFA are in establishing the Service details of a veteran in custody, enabling them to more quickly access financial and practical support from military charities should that be needed.

Similarly, those prisoners involved in the Sacro Veterans Mentoring Service were positive about the differences it could make to them. Most wanted to be in a position on release from prison to be equipped with the tools to have the best possible chance of making a successful transition to society.

I heard about the successful pilot course (Seeds of Change) run by the Defence Garden Scheme²⁶ in 2023 delivered to cohorts of eight veteran offenders in HMP Maghaberry, Northern Ireland. Running such a scheme in a Category A (high security) prison was challenging, and the resources, environment and restrictions all created new issues for the delivery team. Support and ‘buy in’ from prison governors and staff was crucial to the success of the project.

I understand that the scheme supported decreases in anxiety and depression measured using recognised NHS and HM Treasury Health and Wellbeing scales, improved wellbeing and reduced loneliness and isolation. The pilot courses have shown participants experience a marked interest and a sense of purpose by being part of the group and prison staff report that this translated into improved sleeping patterns and generally improved behaviours within the prison. The delivery team also noticed the veterans grew more open to seeking support from each other and from the delivery team. I was told that the group became cohesive and supportive to each other very quickly; they enjoyed being in the company of fellow veterans where they felt part of a team and could speak freely without judgement.

On a visit to South Lanarkshire Council Unpaid Work Services, I learned about the ways their veteran service users were being supported. I heard from veterans who had taken part in the ‘Positive Futures’ programme which is co-delivered by a case manager with veteran experience and was told that being part of this group had been life changing for them. In addition to connecting them with a range of veteran organisations who could support them such as Veterans 1st Point, Who Dares Cares²⁷, Sacro and SSAFA, they felt a sense of belonging and camaraderie which enabled them to complete their community order requirements.

The staff I met were hugely committed to supporting veteran service users and recognised the need to support people through a trauma informed lens, as set out in the strategic priorities for their service. I was impressed by the innovation and creativity that was encouraged across the service, utilising the skills and expertise of staff, and listening to the needs of service users.

I was very encouraged to hear the strong commitment to improving Justice Social Work data gathering on veteran status through a new IT system. Understanding their armed forces and veteran service users better will support effective service design and delivery. It will also help ensure staff are informed and equipped to help veterans to link into appropriate support.



²⁴ <https://careaftercombat.org/care-after-combat-impact-report>

²⁵ <https://www.fares4free.org/>

²⁶ Defence Gardens Scheme

²⁷ Armed forces charity | UK | Who Dares Cares Ltd (who-dares-cares.com)

What can be improved

Veterans who receive the help they need in a timely manner, are less likely to engage in criminal activities and more likely to become productive members of society, benefiting their communities. There is an opportunity to harness the expertise, passion, and commitment to support veterans that currently exists in the statutory and voluntary sectors to provide a truly collaborative and coordinated support system, ideally through a single pathway. This could prevent offending, reduce recidivism, and support alternatives to custody, reaping individual, societal and financial benefits.

At a strategic level, local authority veterans Champions could consider the extent to which veterans needs are known about and understood in Justice Social Work Services, and that veteran specific support services are developed and / or accessed if appropriate.

Awareness training about veterans and families (similar to the NHS recognition scheme training) for Justice Social Workers would foster cultural competence, helping social workers build trust and rapport with veterans, who may be more likely to engage with services if they feel understood and respected. It will also help Justice Social Workers identify and connect veterans with specialised resources and support organisations. Awareness training should ensure that staff are better equipped to fulfil their responsibility to provide appropriate and effective support to all clients, including veterans.

Combining the efforts and resources of charities and the justice system can lead to more efficient use of funds and workforce. By sharing information and coordinating services, they can avoid duplication of effort and ensure that veterans receive timely and appropriate support.

Veterans may be more willing to engage with the justice system if they see that it is working in partnership with charities that they already trust. Veterans can be 'tribal', and many prefer veteran led services, although this is not always possible. Specific veterans support services may have a greater understanding of the issues a veteran may have with drugs and alcohol. This collaboration can help build rapport and encourage veterans to seek help proactively, reducing the stigma associated with seeking support.

Defence Gardens' pilot course for veteran offenders in HMP Maghaberry is an excellent example of creating developmental rehabilitation pathways that are specific to the needs of veteran prisoners. The Defence Gardens Scheme and their stakeholders are committed to an ongoing partnership and are exploring how to increase access to their programmes, and it would be most welcome to see this extended to prisons in Scotland.

Given sufficient training to become more 'veteran aware', Justice Social Workers would be able to identify the appropriate support organisations that could be part of a Structured Deferred Sentence plan for a veteran. Veteran specific support services from third sector organisations include housing, mental health and addiction services so there is an opportunity to involve these organisations in an individual's plan. Compliance is a key part of a successful Structured Deferred Sentence, and veterans may respond well to a supervised routine, having been previously selected, trained, and employed in a very structured environment where following regulations is a fundamental competence.

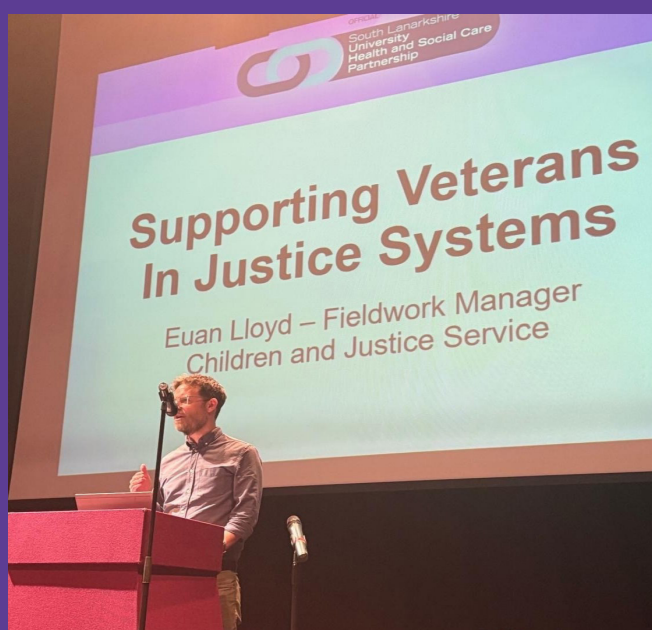
By undertaking a Structured Deferred Sentence a veteran with underlying support needs can access services and if they engage with this support and comply, can avoid a custodial sentence and the subsequent difficulties that can follow. This is not special treatment for veterans, rather a recognition that veterans may respond well to this type of intervention, and that it would make use of the existing network of services uniquely available to veterans. By addressing the root causes of offending behaviour, providing necessary support and treatment, and acknowledging the different experiences and challenges faced by veterans, Structured Deferred Sentences can help reduce recidivism, prevent more people entering custody and enhance community safety.

Good Practice - South Lanarkshire Council

South Lanarkshire Council is a commendable example of a Local Authority putting the Armed Forces Covenant into effect across their policies, guidance, and practice. This is supported by information sharing and communications, including through the Lanarkshire Armed Forces Community and Veteran Covenant Group ²⁸ and QR codes that link to local services, and clearly articulated commitments to improve support for the local veteran community within their 2024-2027 Covenant Strategy. South Lanarkshire Council also hold the Defence Employer Recognition Scheme Silver Award, for their support of the Defence Community.

In line with this, Justice Social Work Services have developed 'A Vision for the Future' which recognises and champions the needs of its veteran service users. This provides staff with a clear understanding of South Lanarkshire Council's commitment to supporting veterans and their families through its strategies and guidance. The vision statement identifies areas of need that may be prevalent for those with veteran experience who are in conflict with the law, how they should be supported, and with signposting to dedicated support services.

This approach was formally launched on 8 October at a South Lanarkshire Justice Services development session with all staff and services within Justice Social Work. Justice Services are now seeking to identify appropriate veteran representatives within their staffing establishment to continue promoting awareness and up to date veteran information and services to the wider staff groups.



Good Practice - Inside Out Exhibition

Art activities can help people whose lives have been affected by difficult personal experiences. It can play an important role within prisons, providing inmates with a chance to express and understand themselves, helping to fulfil their potential as an individual. It gives inmates a chance to not only learn new skills but to develop a sense of self-worth.

Inside Out was a recent exhibition and sale of art works by self-tutored veteran prisoners from HMP Perth and HMP Castle Huntly. The exhibition followed the launch of an 'Art As Therapy' project at Perth prison in 2023. This collaborative event was between the armed forces charity SSAFA and the Scottish Prison Service. The event was sponsored by Arts@St Paul's, which regularly showcases local artists and makers in Kinross-shire.

Most of the veterans had not picked up a paintbrush since their schooldays. With no access to the outside world, they had to rely on memory or imagination for ideas. Prisoners said painting helped them to combat the monotony of life behind bars, as well as improving their mental health. The event raised nearly £850 and the veterans themselves voted that all proceeds from sales and donations should go to SSAFA to support other veterans and their families across Scotland. Perth Prison Governor Andy Hodge said selling their work in this way helped veteran prisoners prove they can still be of service to society.



SECTION 4

EMPLOYMENT

Policy and Operational Context

As noted in the previous sections of this report, a small number of veterans in Scotland come into contact with the law through offending behaviour. However, many more veterans become involved in enforcing and upholding the law and in supporting those who become part of the offender population.

It is recognised that veterans and their families make a valuable contribution to Scotland's economy and – as employees – can bring a breadth of skills, experience, and knowledge to an organisation. Considerable progress has been made to support veterans and their families to access high quality employment opportunities across a range of sectors, including the continued development of the Scottish Credit and Qualifications Framework Partnership's (SCQFP) military skills discovery tool²⁹ which was formally launched in spring 2023.

The understanding of the benefits veterans bring to the workplace continues to grow, and they are in demand by employers. Forces Employment Charity noted earlier this year that the number of employers across the UK actively looking to hire veterans has increased by over 20% in the last five years³⁰, with employers noting that veterans bring strong leadership attributes, team spirit, and unique skills to their workforce.

The Scottish Prison Service and Police Scotland recognise the benefits of recruiting ex-Service people and are very active in this regard. The Career Transition Partnership - the formal resettlement programme for those leaving the armed forces - is one of the main ways for employers to access and recruit Service leavers with around 1,500 employers involved in Scotland. Both the Scottish Prison Service and Police Scotland attend career fairs organised by them. This ensures that career opportunities in those organisations are specifically highlighted to future service leavers from two years before discharge until two years after discharge and allows them to attract them into a wide range of roles.

Police Scotland actively support potential recruits who identify as veterans throughout the recruitment process. Police Scotland estimate that they employ around 700 veterans across the country, which represents around 3% of their 23,000 staff. While their main engagement is with the Career Transitions Partnership, they also engage with Officers Association Scotland (who despite their name work with all ranks). This engagement has grown and developed over the years.

The Defence Employer Recognition Scheme (ERS) acknowledges employers that pledge, demonstrate or advocate support to defence and the armed forces community and align their values with the Armed Forces Covenant. The scheme recognises the different levels of commitment provided by employers, this is done through a 3-tier approach of bronze, silver, and gold awards. Police Scotland are holders of a gold award, the Scottish Prison Service are at silver level and the Crown Office and Procurator Fiscal Service are working towards their bronze award.

As civil service employers, both the Crown Office and Procurator Fiscal Service (COPFS) and the Scottish Courts and Tribunals Service (SCTS) can utilise the UK Government 'Great Place to Work for Veterans'³¹ Scheme. This allows veterans who meet the minimum criteria for a role to progress directly to the next stage of the recruitment process.

²⁹ <https://scqf.org.uk/support/learners/service-leavers-and-veterans/>

³⁰ Hiring a veteran is good for business! | Forces Employment Charity

³¹ Office for Veterans' Affairs | Civil Service Careers (civil-service-careers.gov.uk)

The 'Going Forward into Employment'³² programme is also in place for the civil service and provides opportunities for groups of people who may experience barriers to finding employment. Veterans (and their spouses) are one of the groups included in the scheme as some may struggle to make the transition to civilian employment. The programme provides work placements and fixed term contracts for up to 24 months and can lead to permanent employment.

Both of these initiatives support veterans to access a wide range of employment opportunities within those organisations, bringing their skills, training, and qualifications to a sector where they can add value.

For all the organisations mentioned here there is an important task to communicate the breadth of roles and opportunities available so they can attract veterans to apply. There is competition to recruit from the armed forces, so it is key for veterans considering their options to understand where opportunities exist in these organisations, to utilise their skills and experience and make a positive contribution.

The charities in Scotland who support veterans who come into contact with the justice system, for example Sacro and SSAFA, often have members of the veteran community as employees or volunteers. They understand the armed forces and what it means to have served, and this can be helpful (and sometimes essential) in building trust and relationships with veterans who need help but may be reluctant to ask for or accept it.

Testimony to the Commissioner

Employees of the Scottish Prison Service and Police Scotland reported being attracted to joining a uniformed service that provides stability of both employment and geographic location, especially amongst those with partners and children. Some noted that there was potential for a more active approach to recruitment of veterans, particularly in the Scottish Prison Service.

In general, they felt that the skills, knowledge and experience they brought to their new organisations were appreciated and utilised and that they were able to support the veterans they interact with by drawing on that background. They also felt they had a role to play in supporting their colleagues to better understand the veteran community.

A significant amount of work has gone in to ensuring that reservists in Police Scotland are properly supported. As well as effective and clear policies and procedures, good relationships between the armed forces and Police Scotland are necessary to achieve this.

The Scottish Courts and Tribunal Service noted that they had veteran employees in a range of positions across the organisation and the experience, skills, and work ethic they bring are invaluable.

Several people I spoke with felt that the extent and range of employment opportunities across the justice system in Scotland was not fully recognised by Service leavers. As well as the more 'traditional' roles such as prison officers or police officers, there was considerable potential to recruit for roles in digital, logistics, security, planning, physical training and others.

It was noted that the disclosure or recording of veteran status on HR systems is optional within organisations and it is an ongoing challenge to encourage employees to input this.

What can be improved

Employment is an area where good practice and supportive processes are having a positive impact. Veterans, the organisations they work or volunteer for, and those individuals and communities they support are all benefitting.

A more robust and systematic approach to capturing veteran status of employees would enable a clearer understanding of the veteran workforce. In some organisations this is in development as new recruits join and through encouraging existing staff to record their veteran status on HR systems.

A better understanding of their veteran workforce would enable organisations to make the best use of the veterans they employ, allowing them to maximise the benefits of the skills, experience, and attributes they bring.

Using the Career Transition Partnership to advertise specific roles and raise awareness through promotional activity and careers fairs is a positive direction of travel and should be maintained. Service leavers may be unaware for example of the range of roles available to them in the Scottish Prison Service or Police Scotland.

Partnering initiatives with the Career Transition Partnership such as industry specific insight days or webinars could provide greater awareness of the options for working in the justice sector in Scotland.

Good Practice - Police Scotland Recruitment

Any ex-Service or serving candidate considering a transition/career within Police Scotland is afforded support from the very earliest stages, which continues throughout their recruitment journey.

A candidate may initially be directed to the Positive Action Team (PAT) via a Military liaison officer, or they may be contacted by the PAT subsequent to completing their initial registration, where there is a specific question in relation to past or current Military Service. Confirmation of this question triggers a member of the PAT to contact the potential candidate. This is in line with the Police Scotland approach to recruitment designed to support all under-represented groups such as BME/WME and Women.

Once identified, candidates are invited to a 90-minute online event specifically for Service leavers and veterans, where they are offered guidance and support through application process and the subsequent stages of the recruitment process. The online events are informal, relaxed and regularly benefit from the attendance of an officer with 'lived experience' who has already completed this process. This process will allow the candidate to recognise and maximise opportunities to highlight their unique transferrable skills and qualifications. A consistent and specific point of contact maintains regular contact with each candidate helping to support the candidate through their journey.

As at August 2024, Police Scotland had 22 Service leavers and veteran candidates identified at the standard entrance and fitness test phase and 12 were ready for their assessment day for the next intake.

For those Service leavers not living in Scotland a condensed recruitment event can be offered when everything can take place over two days. Recruiters will ask about a Service leaver's discharge date and try and work as close to this as possible.

Additionally, via the ERecruitment process Service leavers can sign up to receive 'alerts' for specific roles/ areas of work within Police Scotland.



SCOTTISH VETERANS COMMISSIONER RECOMMENDATIONS

The purpose of this review was to look at whether the right support is in place for the small minority of veterans in custody or who come into contact with the criminal justice system, consider the role and contribution of veterans who work or volunteer within the system, and capture observations and findings. Each section sets out suggestions of how things could be improved based on the evidence and testimony gathered.

These suggestions will support the following outcome focussed recommendations I am making to the Scottish Government:

- ◆ Veterans are identified through the criminal justice journey, and the data about that section of the veteran community is used to support veterans who come into the system as well as to inform future policy and service development
- ◆ Staff in the criminal justice system are 'veteran aware' so that they feel able to understand and support the veteran community in their role.
- ◆ The Veterans in Custody Support Officer (VICSO) role is retained and supported across Scotland, including protected time to carry out the role effectively.
- ◆ A coordinated and collaborative approach is in place across Scotland, bringing together statutory and third-sector providers to support veterans who come into contact with the criminal justice system. This approach aims to be accessible, straightforward to navigate, and focused on achieving outcomes that prevent offending, support rehabilitation, and reduce reoffending
- ◆ Statutory services in the justice system recognise the benefits of employing veterans, and continue to optimise recruitment and retention, and maximise the value these employees bring to their organisations and the communities they support.

My recommendations are made in line with my remit to 'provide leadership and challenge and drive momentum' towards realising the Scottish Government's ambition that veterans leave the armed forces with the resilience and awareness to remain law-abiding civilians.

These are long term outcomes, and I recognise that achieving them will require collaboration with a range of delivery partners across public, private and third sectors. By working collectively, we can continue to make life better for veterans and their families living in Scotland.

For more information visit scottishveteranscommissioner.org

Scottish Veterans Commissioner

Victoria Quay

Edinburgh | EH6 6QQ

T 0131 244 7136

E scottishveteranscommissioner@gov.scot

For press enquiries contact scottishveteranscommissioner@smarts.agency

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