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# scottish justice matters

# LIVING IT

**CHILDREN, YOUNG PEOPLE AND JUSTICE**

**Edited by Claire Lightowler, Susie Cameron and Brian Rogers**



# RESPONDING TO ARMED FORCES VETERANS IN TROUBLE



## Gerard McEneaney

**IN 2010** Angela Constance MSP said this in the Scottish Parliament:

“Men and women from throughout Scotland who serve in the armed forces make huge sacrifices on behalf of all of us. [ . . . ] To do the best by our troops, we need honestly to acknowledge the trauma of active combat and the personal cost for some in terms of physical and mental health, substance misuse, relationship problems and resettling into civilian life, all of which can be the root cause of offending by veterans. If we are to do the right thing by veterans whose front-line experience relates directly or indirectly to their offending behaviour, as with all offenders we need to know who they are, where they are and what works.” (Scottish Parliament Official Report 22.4.10).

A report by the Westminster Cross Party Defence Select Committee published in October 2014, referring to research by the King’s Centre for Military Health Research, states that “a pre-Service history of violence, younger age and lower rank were the strongest risk factors for violent offending. Men who were deployed to Iraq or Afghanistan with direct combat exposure were 53 per cent more likely to commit a violent offence than men who served in a non-combat role on operations. Witnessing traumatic events on deployment also increased the risk of violent offending. Alcohol misuse, PTSD, and high levels of self-reported aggressive behaviour on return from deployment were also found to be strong predictors of subsequent violent offending”.

There are around 400,000 veterans in Scotland (Keith Brown MSP, Scottish Parliament Official Report 14.1.14), but getting accurate figures for the number of veterans in the criminal justice system is difficult due in part to the unreliability of self reporting. Men and women who have served in Her Majesty’s Forces take great pride in their service and feel a life long loyalty to their regiment. Many can feel that they have let their regiment down if they are in prison or have a community sentence. There is a clear disparity between the official figures and the anecdotal qualitative data regarding the extent of the problem especially around those involved with the community justice rather than the prison system and this remains a significant impediment to evidence based approaches.

There is little doubt that there has been a lot of activity in Scotland in recent years to support this particular client group which is in addition to a whole plethora of excellent support services for ex service-men and women delivered through the ex-Service charity sector.

In 2010, in response to growing interest in veterans in the criminal justice system, especially those receiving custodial sentences, the Scottish Veterans Prison In-Reach Group (SVPIRG) was established. This group is made up of representatives from the Scottish Prison Service (SPS) staff and third sector representation such as Poppyscotland, to promote the interests and welfare of ex-Service personnel in custody. It aims to ensure that ex-Service prisoners benefit from the full range of services and interventions provided by SPS and partner agencies.

A Veteran in Custody Support Officer (VICSO) has been established in each Scottish prison, including the privately managed Addiewell and Kilmarnock, to co-ordinate activities and services. Veterans groups are encouraged to 'reach in' to ex-Service personnel to appraise them of the services and assistance they can provide to them and their families, while serving a custodial sentence and also, equally importantly, on release back into the community. It is a 'sign posting' initiative for those veterans who wish to avail themselves of the services on offer in respect to issues such as accommodation, pensions and finance, substance misuse, employment and stress.

As well as the local VICSO 'champion' working with known veterans, they also have an equally important role in encouraging, through posters, leaflets and publicity, those veterans who may have chosen not to reveal their service record to come forward to benefit from the specialist assistance on offer from ex-Service organisations.

Apex Scotland has been involved in a project to support this client group since 2012 with the financial and practical support of Poppyscotland and the Scottish Veterans Fund. Through our work in a number of prisons in Scotland, Apex found that veterans commonly under-reported and therefore went without practical advice and support when seeking employment. Apex staff support this group to deal with issues such as what convictions are spent and unspent, how to disclose previous convictions to potential employers and with conviction relevance. Apex staff work closely with other agencies to ensure that there is a co-ordinated approach to the services provided and no duplication.

An example of how the service operates in practice and its benefits can be seen from the two accounts below.

#### **James was referred to Apex by Poppyscotland in January 2014.**

In 2013 in his home town not far from his barracks, he had been convicted of assault, resisting arrest and assaulting a Police Officer. For this he received a hefty fine. A street skirmish, excessive alcohol and undiagnosed Post Traumatic Stress Disorder (PTSD) resulted in the end of his Army career. He said that "I believed my years of experience, training and service had served no good purpose. A devastating end after 5 years active service, serious injury and suffering, when it should have all been so different".

The nature of this incident and his conviction was a catalyst for change, and James turned to Poppyscotland for help. Apex were invited to work with him and at our first meeting his anxiety regarding his past and future was almost overwhelming. His trauma was not only an integral part of his offence but was also impacting on his ability to move forward.

Working with James on his letter disclosing his conviction to potential employers was difficult for him as he tried to make sense of events that did not make sense to him and that were painful to recall. Although putting events into a perspective, timeline and fact based accounts was extremely painful but also helpful, James began to understand the chaotic and turbulent emotion tied up in his offence, taking responsibility for his actions, developing and imagining a different future.

Together with a new CV and his Letter of Disclosure, James's options began to look a little brighter, his confidence and

wellbeing increasing for himself and partner. His immediate financial circumstances propelled James to become a self employed driver, thus allowing him to retain his stable support mechanisms with Poppyscotland and the NHS.

James attended the 8 week Apex/Poppyscotland Auricular Acupuncture Relaxation Therapy Pilot in June and July extending the strengths in his cognitive toolbox. James remains best placed with Poppyscotland for access to ongoing support and development but finds the specialised support of Apex increases his chances of personal success.

#### **In January 2014 Poppyscotland asked Apex to work with Ian on his convictions, outstanding charge, and the enormous physiological barrier to him returning to work.**

After a rewarding and successful career in the Forces, he found civilian life more troubling and after several job losses, Ian found his circumstances increasingly frustrating and intolerable. This manifested itself in another conviction which was to be the catalyst for change, letting go of false pride and requesting help. Ian had little perspective on his situation, caught up as he was in negative emotion and thinking.

Through working with Apex on rehabilitation and disclosure and writing a Letter of Disclosure, Ian was able to focus on the what, when and how of his offence and display to any potential employer that these incidents were not a true reflection of his achievements, character and self evident hard work.

Ian also took up the offer of Auricular Acupuncture Relaxation Therapy, found it personally rewarding and his inquisitive nature made him the perfect candidate for Apex's 5 Day Auricular Acupuncture Course. He enjoyed this immensely and now regularly assists with groups at Apex. His participation in these activities at the Apex Unit improved the qualities of his day and his compassion and enthusiasm to help others was obvious. Within this environment Ian flourished. Building on previous qualifications he realised that he had the potential skills and desire to deliver Health and Safety training. Apex arranged for Ian to attend a residential course in teaching Health and Safety which he successfully completed: his ambition to become a self-employed trainer is now a reality.

In addition to Apex's disclosure service Poppyscotland also provides tailored funding and support, such as financial assistance and access to respite breaks, holistic advice through the Armed Services Advice Project operated by Citizens Advice Scotland, and employment support through initiatives including access to training grants, vocational assessments and a mental health employability programme, Employ-Able, delivered by the Scottish Association for Mental Health.

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**Apex Scotland:** <http://www.apexscotland.org.uk>

**Poppyscotland:** <http://www.poppyscotland.org.uk>

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Defence Committee (30.10.14) *The Armed Forces Covenant in Action Part 5: Military Casualties, a review of progress* <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmdfence/527/52702.htm>

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# UK Justice Policy Review:

Volume 2

6 May 2011 to 5 May 2012

# UK Justice Policy Review:

Volume 3

6 May 2012 to 5 May 2013

By Richard Garside, Arianna Silvestri  
and Helen Mills

# UK Justice Policy Review:

Volume 1

6 May 2010 to 5 May 2011

By Richard Garside and Helen Mills

## CENTRE FOR CRIME AND JUSTICE STUDIES

The *UK Justice Policy Review* is an annual series of publications tracking year-on-year criminal justice policy developments in the UK since the formation of the coalition government in May 2010.

Each review focuses on the key criminal justice institutions of policing, the courts and access to justice, and prison and probation, as well as changes to the welfare system. The publications are free to download and the online versions include links to all the original data and the references used in the review.

*UK Justice Policy Review: Volume 1* (May 2010 to May 2011), *UK Justice Policy Review: Volume 2* (May 2011 to May 2012) and *UK Justice Policy Review: Volume 3* (May 2012 to 5 May 2013) are now online and available to download from: [www.crimeandjustice.org.uk/project/uk-justice-policy-review](http://www.crimeandjustice.org.uk/project/uk-justice-policy-review)