



Community Payback Order

Summary of Local Authority
Annual Reports 2021-22

March 2023

Contents

- 01 Foreword**
- 02 Key Findings**
- 03 Introduction**
- 04 Background**
- 05 Addressing Offending Behaviours**
 - Risk Assessment
 - Conduct
 - Programmes
 - Information Sharing
 - Substance Use
 - Mental Health
 - Other Interventions
- 06 Personal Impact of a Supervision Requirement**
- 07 Benefit of Unpaid Work to Communities**
- 08 Personal Impact of an Unpaid Work Requirement**
- 09 Types of 'Other Activity'**
- 10 Feedback from Unpaid Work Beneficiaries**
- 11 Organisational Challenges and COVID Recovery**
- 12 Barriers to Accessing Community Supports**
 - Complex Needs
 - Partnership Working and Co-location
 - Primary Care
 - Listening to and Learning from Individuals
- 13 Contact Information**
- 14 Local Arrangements**
- 15 Appendix - Circular**

01 Foreword

Community Payback Orders are a vitally important component of Community Justice.

When people have broken the law, use of Community Justice means that they are held to account through community based sentences which allow them to be supported to reconnect and contribute to their community, and offered the opportunity to address underlying social, economic and personal determinants of the behaviours which led to their offending.



This report provides an overview, gathered from all local authority areas, of Community Payback Orders (CPOs) imposed by Courts across Scotland in 2021-2022, drawing on evidence gathered from all local authority areas.

CPOs are delivered in the community where the convicted person lives. They often bring together a number of requirements to be met by the individual, all designed to best help avoid their further offending. Since 2019 the proportion of CPOs with a supervision requirement has risen to over 70%, reflecting the complex issues facing many individuals who come into contact with the justice system.

Myriad types of unpaid work contributed to improved wellbeing of the individual, and the wider community. Examples include: repairing donated bikes for those in need; reducing stockpiles of potentially flammable materials in houses which had arisen as a result of the residents' hoarding habits - not only improving their living environment but significantly reducing the fire risk for the community; and delivery of valuable improvements to local buildings, gardens and public areas. Throughout the report the words of those who have completed a CPO are strong testament to these 'life changing sentences'.

While there is much to praise, the report also highlights need for improvements including in respect of pathways into services. Issues of reductions in funding, and challenges with recruitment and retention, which currently face the public and third sector organisations, are also reflected.

The [Vision for Justice](#) and latest [National Strategy for Community Justice](#), both published in 2022, emphasise need for strong commitment, from all those in the public and third sectors delivering justice outcomes, to 'Community First': the presumption to deliver justice within a community setting, whenever the nature of the crime allows and it is safe to do so.

As the national organisation for promoting, monitoring and supporting improvement in the delivery of Community Justice, CJS is committed to assisting all organisations who are key to delivery of successful CPOs which are an essential element of 'Community First'.

A handwritten signature in cursive script that reads "Catherine Dyer".

Catherine Dyer
Chair of CJS Board

02 Key Findings

- The number of CPOs in existence increased by nine per cent during 2021-22, from 13,800 at 31 March 2021 to 15,000 at 31 March 2022. This was the third lowest figure in ten years. From 2012-13 to 2019-20, there was an average of 16,200 orders.
- Greater use is being made of supervision. There was a major change in 2020-21, the first year of the pandemic where the proportion of CPOs with supervision showed a big increase to 73 per cent. In 2021-22 the proportion of CPOs with a supervision requirement was 71 per cent.
- Not all local authority areas in Scotland have access to the Caledonian System to address domestic abuse behaviours. Some areas have invested in the UP2U domestic abuse behaviour change programme or other alternative to fulfil CPO programme requirements where the person has been convicted of a domestic abuse offence.
- Extensions to completion of programme requirements have been necessary due to COVID restrictions. Recruitment difficulties and limited access to accredited training over the pandemic for newly appointed and established social workers have exacerbated the challenges of accredited programme delivery.
- Many areas report excellent links with their local Alcohol and Drug Partnerships in supporting people subject to CPO who have a substance use issue, though the number of CPOs imposed with alcohol and drug treatment requirements is low.
- Often, the criminal justice system is used as the last resort 'safety net' for people facing complex challenges and is often the first opportunity an individual has had to access support for their mental health. Despite this, the use of a mental health requirement as part of a CPO remains very low, in part due to the stringent conditions to be met before it can be utilised. Areas report that much of the support for an individual's mental health is offered as part of CPO supervision.
- A dual diagnosis of mental health and addiction difficulties continues to act as a barrier to services for individuals, often due to how service criteria is linked to funding.
- Some service users required specific support with anxiety issues in order to stabilise them in preparation for group work. More generally, social work staff have observed a decline in the mental health of individuals with some areas reporting people finding it more difficult to comply with CPO requirements.
- Innovative ways of offering other rehabilitative activities for people completing an unpaid work requirement is evident. Educational packs and the use of technology platforms for blended learning are a common feature of other activity, often supported by the third sector.

- In January 2022 IT errors with the LS/CMI risk assessment tool were identified and justice social workers moved to a paper based system. Local authority areas report that case management planning is taking longer using these mechanisms.
- At the end of March 2022 there were 40,923 trials outstanding in Scotland. Local authority area justice social workers report that balancing the increasing demands of required court activity, including the provision of information to inform sentencing decisions, has adversely impacted on their ability to carry out first direct contacts with individuals sentenced to a CPO.
- The unpaid work backlog, combined with an increase of new orders from the courts, requires local authority areas to work at an increased pace and makes it more difficult to be responsive to an individual's holistic needs, whilst also meeting national standards.
- All local authority areas adapted their delivery in response to the pandemic with greater use of technology. Although technology has long played a part in the delivery of orders, the workforce have needed to rapidly accelerate developments to provide additional support and are keen to retain a more blended approach. Balancing the use of technology whilst ensuring a trauma informed approach and taking cognisance of digital poverty considerations will be paramount.
- People completing CPOs highlight significant benefits. Supervision requirements give people the opportunity to be supported to better understand the impact of their behaviours and to make changes. Unpaid work offers people opportunities to make reparation within their communities whilst building confidence and learning new skills. Communities benefit from unpaid work in many ways including the transformation of public spaces and school playgrounds and improving the living environment for vulnerable community members.

03 Introduction

This report presents a summary of responses to questions posed to each local authority area about the delivery of CPOs during the 2021-22 reporting year. The circular and question template is included as an appendix to this report.

Community Justice Scotland (CJS) will arrange for this report to be laid before the Scottish Parliament. This is the eleventh such summary and the fifth to be published under the amended legislative reporting arrangements. Previous summaries can be found on the [CJS](#) and [Scottish Government](#) websites.

Although there is no statutory requirement to do so, local authorities can make separate arrangements to publish their CPO annual reports in full. This is at their own discretion. Local authority area annual reports should remain under embargo until this summary report is laid and published.

Statistical information referenced within this report is sourced from the [Justice Social Work Statistics in Scotland: 2021-22](#) publication which was published by the Scottish Government on 31 January 2023. This publication presents national-level information on justice social work activity in Scotland. It includes data on justice social work services and social work orders, as well as characteristics of the individuals involved.

04 Background

The CPO replaced community service orders, supervised attendance orders and probation orders on 1st February 2011 and is available to courts for offences committed on or after that date. The [Criminal Procedure \(Scotland\) Act 1995](#) provides the legislative framework for CPOs.

A CPO is a sentence of the court and can consist of a number of individual elements, known as requirements. A full list of requirements can be found within the [Community Payback Order: practice guidance](#).

CPOs can be made for a period of between 6 months and 3 years, with the exception of where a CPO consists solely of an unpaid work or other activity requirement. In these instances, the specified number of unpaid work hours requires to be completed within 3 months for a level 1 unpaid work requirement and within 6 months for a level 2, unless a longer period is specified by the court at the point of sentence.

The power to vary CPOs under Section 5 and schedule 4 of the [Coronavirus \(Scotland\) Act 2020](#) remained available during the reporting year. The continuing effect of the legislation during that period was to require that a minimum of 12 months was allowed to complete any new unpaid work or other activity requirements, temporarily replacing the normal minimum periods specified under s227L of the Criminal Procedure (Scotland) Act 1995.

Each local authority has a team of highly skilled and trained workers who have responsibility for the delivery of CPOs. Where the court has imposed an unpaid work requirement alone, the responsible officer will be the unpaid work case manager. In any other form of CPO the responsible officer will be the justice social worker who will supervise the individuals subject to orders.

05 Addressing Offending Behaviours

Where a CPO contains a supervision requirement, accountability sits with a suitably qualified and registered social worker although non-social work qualified staff may, where appropriate, undertake work as part of the order.

The proportion of orders with a supervision requirement has been rising over recent years, reaching 62 per cent in 2019-20. There was a major change in 2020-21, the first year of the pandemic where the proportion of CPOs with supervision showed a big increase to 73 per cent. In 2021-22 the proportion of CPOs with a supervision requirement was 71 per cent.

In the years 2017-18 to 2019-20, around 58 per cent of supervision requirements were for 12 months or less. This fell to 51 per cent in 2020-21 and then to 49 per cent in 2021-22. The average length of supervision requirements across 2017-18 to 2019-20 was around 15.5 months. It was, however, much higher in 2020-21 (16.7 months) and remained high in 2021-22 (16.9 months).

A supervision requirement must be imposed as part of an individual's CPO where the individual is under 18, where the court imposes any requirement other than unpaid work or other activity, and where the court imposes two or more requirements.

The assessment, identification and response to an individual's risks and needs are essential components of rehabilitation. People subject to CPOs often face simultaneous challenges in a number of areas including financial, substance misuse, housing and health. Research shows that community sentences are more effective in reducing reoffending than short-term prison sentences and may provide greater opportunity for rehabilitation.

Attending to risks and needs as early in a CPO as possible enables individuals to concentrate on offence focused work and bespoke programmes of work that are responsive to the risks and needs of the individual.

Risk Assessment

Public safety is paramount in the delivery of CPOs and early application of appropriate risk assessment tools informs risk and case management plans. This involves assessing the seriousness of the particular harm as well as its likelihood, and putting in place preventative actions to reduce the possibility or seriousness of harm. Justice social work professionals use a range of risk assessment tools when making risk assessments and developing case management plans, some examples of which are described in the relevant sections of this report.



Level of Service/Case Management Inventory (LS/CMI)

LS/CMI is the general risk/need assessment and management tool that has been used within Scotland since 2011. This actuarial risk assessment tool supports

social workers assessments of individuals involved in the justice system over the age of 16.

The use of LS/CMI will aid the decisions of professionals about the focus and level of intervention that is needed to reduce the risk of further offending. The LS/CMI system is connected across Scotland to help identify and manage individuals who will move between local authority areas.

LS/CMI is the primary tool used by social workers within justice services to support social work assessment as well as develop case or risk management plans. LS/CMI should not be used by professionals in isolation as a means to determine risk levels and should always be part of a wider assessment.

Risk should not be defined by levels such as low, medium or high, but should be described by considering *nature, pattern, seriousness and likelihood* of further offending.

Where it is considered that a person is at risk of causing serious harm, a full *risk of serious harm* assessment will be carried out using the LS/CMI tool.

Risk of serious harm is defined as *the likelihood of harmful behaviour of a violent or sexual nature which is life threatening and/or traumatic, and from which recovery, whether physical or psychological, may reasonably be expected to be difficult or impossible*.

Conduct

A conduct requirement provides the court with additional flexibility to impose requirements on an individual which will promote good behaviour or prevent further offending.

Conduct requirements are the most commonly issued requirement after supervision and unpaid work. The proportion of orders with conduct requirements has risen in each of the last five years from eight per cent in 2017-18 to 13 per cent in 2021-22.

An example of how the court may use this requirement is to require the individual not to enter a certain street or not to enter a play park. A conduct requirement will not be imposed where another requirement would meet the objective, for example where it is deemed necessary for an individual to undertake alcohol treatment.

For internet offences, a conduct requirement may be imposed to place restrictions on internet access and limit access to internet enabled devices.

Programmes

To be included as a requirement, a programme must meet the legal definition: "a course of other planned set of activities, taking place over a period of time, and provided to individuals or groups of individuals for the purpose of addressing offending behavioural needs". This includes accredited and non-accredited programmes.

The proportion of orders with a programme requirement rose each year from 2017-18 (five per cent) to 2020-21 (nine per cent), before falling slightly to eight per cent in 2021-22.

The Caledonian System is an accredited integrated approach to addressing domestic abuse. A person can be mandated by the court to engage in this intervention through a CPO programme requirement.



Individual Story

Mr A was made subject to a 2-year CPO with supervision and a Caledonian programme requirement.

Having successfully engaged in Caledonian individual work he joined the Caledonian groupwork element and as one of the activities engaged in a 'three chairs exercise'.

The purpose of this is to reflect on past abusive behaviours, consider current circumstances and set personal development goals for the future.

He described his lifestyle at the time as involving substance misuse, unemployment and periods of time on remand for offending behaviour.

He reflected on how his abusive behaviours contributed towards difficulties within his relationships previously, both within intimate and familial relationships.

Mr A successfully completed the programme in early 2022. He made positive lifestyle changes, was in a new relationship and there were no documented records of further abusive behaviours.

He also secured full time employment, abstained from drug and alcohol use and re-established connections with his family. He self-reported positively integrating with his partner's family.

At his exit interview Mr A advised facilitators that it "was a pleasure thank you for making me a better person".

In addition to the men's service, the Caledonian System also comprises a women's service and children's service. This approach means that men's abusive behaviour is not targeted in isolation, with the system offering emotional and practical support to women, advice on safety planning, risk assessment and advocacy. The children's service ensures the rights of all children are upheld.

Not all local authority areas in Scotland have access to the Caledonian System. Some areas have invested in alternative approaches, such as the UP2U domestic abuse behaviour change programme to fulfil CPO programme requirements where the person has been convicted of a domestic abuse offence and is subject to social work supervision.

Some local authority areas apply specific approaches in their work with women accessing resources from the Safe and Together model of interventions. These resources are responsive to the needs of women and recognise the impact of underlying issues which centrally relate to offending behaviour.



Spousal Abuse Risk Assessment Version 3 (SARA V3)

SARA V3 is a specialist risk assessment tool used for assessing likelihood of domestic abuse behaviours for an individual. Domestic abuse is a complex issue within Scotland and continues to have significant impact on victims, families and wider communities.

Social work in justice services play a key role in tackling domestic abuse by working directly with perpetrators as well as in partnership with services to support victims.

The SARA V3 risk assessment assists social workers to assess and manage individuals who have perpetrated domestic abuse.

The SARA V3 takes a structured professional approach to risk assessment.

One of the benefits of the SARA V3 is that it enhances professional judgement about risk.

This enables the practitioner to better understand the nuance of risk associated within intimate relationships and case manage appropriately.

Practitioners can actively work to address behaviours with the person as well as support partner agencies to safety plan for perspective victims.

SARA V3 assessments are routinely completed as part of the comprehensive assessment process for all persons who have been convicted of domestic abuse offences.

Moving Forward Making Changes (MFMC) is a behavioural programme designed to provide treatment for men who commit sexual offences or offences with a sexual element. Sessions are focussed on helping participants re-evaluate their life goals and develop skills to achieve those goals without harming others.

For men who do not reach the threshold for the imposition of a MFMC programme requirement as part of their CPO, some local authority areas offer interventions which are delivered as part of CPO supervision, with treatment needs overseen jointly by the supervising social worker and forensic mental health professionals.



Stable and Acute 2007 (SA07) Risk Assessment

SA07 is a two-part actuarial risk assessment used for individuals aged 18 and above who have been convicted of sexual offences.

The risk assessment tool is accredited for males who have been convicted of at least one sexually motivated offence against a child or non-consenting adult.

The assessment tool can also be used as a guide for individuals convicted of internet related offences; individuals who committed the offences between their 17th and 18th birthday; and females convicted of a sexually motivated offence.

The risk assessment tool can be used to measure stable risk factors which can change over a period of time and acute risk factors which are generally short acting factors which can change rapidly.

By using this tool, workers can develop risk management strategies to target behaviours that increase the likelihood of further sexual offending.

The tool should be used as part of the wider social work assessment in order to help develop interventions to address the underlying needs surrounding sexual offending.

Individuals convicted of sexual offences will rarely be managed by social work alone.

Collaborative working with partner agencies is extremely important when assessing and managing risk of sexual offences and any assessment should be done in collaboration with Police Scotland.

SA07 should be completed prior to sentencing for cases where requirements to attend the relevant programme to address sexual offending are being considered. SA07 should be completed in line with MAPPA guidelines.

Information Sharing

Multi-agency public protection arrangements are in place to ensure the successful management of violent and sexual offenders. For individuals subject to both CPO supervision and MAPPA, the social worker will fulfil the role of lead agency. Effective information sharing between agencies is a critical part of the assessment and management of risk. Information from third sector providers is particularly sought where they are supporting the victim(s).

There is a concern that proposed changes to information sharing protocols between the Police and non-vetted staff may diminish good partnership working. Partners continue to also experience difficulties in securing relevant health information from GPs for people completing unpaid work.

Substance Use

The aim of an alcohol or drug treatment requirement is to ameliorate dependency. It is recognised that the success of these treatments is often enhanced where their implementation includes some family involvement.

The number of alcohol and drug treatment requirements is low, with alcohol requirements constituting just over one percent as a proportion of all orders issued in 2021-22, and drug treatment requirements just under one per cent.

Many areas report excellent links with their local Alcohol and Drug Partnerships in supporting people subject to CPO who have a substance use issue. Recovery communities for example offer recovery support, meaningful activities, social interaction and health and wellbeing activities to help individuals in their desistance.

Some local authority areas have secured funding through the Corra foundation to support people experiencing serious drug and alcohol misuse problems that are linked with their offending. Collaboration with residential rehabilitation services to assist in addressing offending behaviour and support to transition back into the community following their period of rehabilitation is also evident.



Practice Example - Edinburgh

Edinburgh alcohol problem solving court uses community payback legislation to hold frequent court reviews to support people to engage and maintain engagement with services aimed at addressing alcohol use linked to offending.

Justice social work provides the court with speedy assessments with a focus on alcohol to ensure streamlined access to services through close partnership working.

Justice social work and third sector organisations work in partnership to actively assist individuals to successfully complete their CPO, including those with an alcohol treatment requirement.

A drug treatment and testing order (DTTO) is a high tariff disposal for individuals with drug problems. DTTO can be used as a concurrent sentence with a CPO and is different from a drug treatment requirement, which is focused on individuals whose offending is not as prolific. Addiction nurses work in partnership with social workers to support individuals to successfully complete DTTO and CPO using a combination of compulsory monitoring, therapeutic work and signposting.

The number of DTTOs commenced rose by 58 per cent between 2020-21 and 2021-22 to 360. Although a rise, this was still a low level, with numbers for the five years before 2020-21 averaging 540.

Mental Health

A mental health treatment requirement is imposed to enable the individual to access ongoing assessment and treatment by or under the direction of a registered medical practitioner or registered psychologist.

Mental health treatment requirement rates are consistently low, with only 33 issued in Scotland as part of an order in 2021-22.

Research shows that often, the criminal justice system is used as the last resort 'safety net' for people facing complex challenges and is often the first opportunity an individual has had to access support for their mental health. Despite this, the use of a mental health requirement as part of a CPO remains very low, in part due to the stringent conditions to be met before it can be utilised.

Areas report that much of the support for an individual's mental health is offered as part of CPO supervision.

Other Interventions

In response to an ongoing number of road traffic offences in one local authority area, a local road traffic programme has been designed and implemented by justice services. Modules of this groupwork programme are being delivered by the social worker or social work assistant to address specific risks related to road traffic offending. It is not clear whether this is a bespoke programme or whether it is available in other local authority areas.

For people aged 18-25 referred for a criminal justice social work report, one area has developed a 'maturity checklist' to help inform Sheriffs as to the most appropriate sentencing options and ensure that any adverse childhood experiences or other maturity or developmental needs are acknowledged.

Local authority areas report that, central to work directly undertaken with people subject to CPO, is building relationships as this is the key for promoting positive change. Commitment to relational practice is evident with some areas ensuring a consistency of worker if people return to the service after completing their order.



Individual Story

Mr B has a learning disability. During supervision sessions, his worker used mindfulness and breathing techniques as he often became frustrated and angry and would lash out. The creative work undertaken with Mr B has been effective in building a good working relationship, and he has stopped lashing out and is able to engage with his CPO requirements.

Several areas report the use of a 'decider skills' programme which aims to support individuals experiencing issues with emotional regulation. The programme is delivered in a group setting and on a 1:1 basis depending on the needs of the individuals. In some areas this is delivered in partnership with third sector agencies. Many areas have developed bespoke services and activities designed to meet the specific needs of women prior to and during their period of CPO.



Practice Example – South Ayrshire

A third sector organisation has been commissioned to deliver a service to women appearing at the custody court.

The service relates to provision of a specialist worker, supporting women who have appeared at Ayr Sheriff Custody Court. The post aims to link with women identified via the court social work staff and offer support until their subsequent sentencing appearance.

The service provides interventions at an early stage and supports women to engage with initial and return dates to court and support with housing, addiction and health issues.

06 Personal Impact of a Supervision Requirement



Personal Testimony

"I had really bad moments during the first months of my supervision. However I felt that someone cared about me, even though I felt really bad about myself. I was able to share my concerns and to work towards improvements in my mental health."

"I now realise what I stand to lose if I reoffend. There are other facilities I can reach out to if I need to talk rather than letting problems get too much."

"Supervision is helping me become the person I used to be, to let me be a mum again."

"I wouldn't dare think about doing what I did for my index offence now. It has opened my eyes and I am less reckless."

"I've made changes. No pornography use and I am more aware of risky situations."

"Getting this order has saved me and changed my life. I feel I've had the support from my justice social worker to make changes. I think differently now and can manage better."

"My time on supervision has been helpful but hard due to COVID rules. I feel there is nothing really for someone like myself i.e. alcohol. It's always drugs, lots of women my age at home depressed drinking more alcohol than they would like. Be good to see an outreach in the future."

"There should be other alternatives like this to pay for your crimes; I think it educates you on what's right and wrong."

"I cannot thank my worker enough for the time and effort she always put into our phone calls, (due to COVID my order was through the phone), but I feel this worked best for me, with not actually being in front of someone I let down my guard completely, meaning I was able to finally get to the underlying issues that triggered my anger, which put me on the order, I have been in anger management and psychology over the years but never let go, or let anyone in."

"I had messed my life up. I lost the flat I shared with my ex. and I lost her, crashed the works van, got arrested, lost my job, then got a driving ban so had to hand my car back and a lot of other stuff. My worker was absolutely first class. I couldn't have asked for a better worker. I can't speak highly enough of her. She saved me."

"A CPO gives you the opportunity to turn your life around if the individual is serious about it. There is support available there to do this."

"I feel different after being at Court and hearing what the victims said. Hearing the victim's account has made me see things from a different perspective and I need to keep doing this."

"Supervision has not been about what my supervising officer can do for me. It has been more about the relationship I have been able to build and seek advice and support from as well as address my behaviour."

"I was high risk to begin with, I am low risk now."

"That's what impressed me about this, we got to the trauma bit really quickly, that was my buy-in as I've never talked about it."

"Can I have it noted that I feel I've benefitted from your support, I have went from homeless to having my own house in a new area and now possibly a full time job for the foreseeable. I feel that I have a chance at a fresh start in life now. If it wasn't for this order, I would have very possibly have kept offending and ended up with a custodial sentence."

"I've not offended in over 2 years and I can't be more proud, all I need to do now is focus on the future and hope for the best."



Individual Story

C is in his late thirties. He lives in one of the more densely populated areas of North Ayrshire and currently resides with his fiancé and their infant daughter. C is currently unemployed as a result of enduring mental health issues. He is skilled in mechanics and many other practical tasks.

C was subject to a CPO with a supervision requirement and Caledonian programme requirement. C had a significant history of domestically aggravated offending. C entered the service displaying a level of hostility and denial. Following a difficult start, C began to embrace the Caledonian individual sessions before progressing to the group work phase of the programme.

C believes that the programme has helped him view his abusive behaviours in a different context and to accept greater accountability. C advises that this learning has permeated other aspects of his life and now feels more adept at understanding and managing his emotions.

C has the following reflections about his experience of completing the Caledonian System:

"I had to complete the Caledonian programme because I was abusive towards my partner in a previous relationship I was in. To begin with I was going in with the attitude that it wasn't my fault and blaming everyone else. I was in denial. You think "she shouldn't have spoken to me like that, or she made me do it?" just to justify your behaviour.

One day we were sitting in the Caledonian group and we watched a video where a man is assaulting his partner and their children are listening from the bedroom... and see that, it just broke me to bits. I recognised something in it. There and then, that changed my life. I just thought, that's my wean.

Every parent says "I would never hurt my wean", but you don't understand that you are when you behave that way. After that I found the groups much easier and much more insightful. I took onboard everything better. I started to recognise my own negative self-talk and tried to change it. From then on, I thought I'm not going to be that.. not anymore. Not just for the weans but for my own sake. I will never be that guy again."

C's CPO expired around six months ago however, he continues to attend the Making a Difference (MAD) football group and regularly discusses the benefits he received from his supervision requirement when the opportunity presents.

C has provided particularly helpful insights to younger members of this group who are experiencing similar issues. C states that the weekly football sessions have had a positive impact on his physical and mental health.

07 Benefit of Unpaid Work to Communities

Reparation via unpaid work provides people with a constructive means to repair harm caused by their involvement in offending and supports the strengthening of relationships within communities.

In 2012-13 80 per cent of orders had an unpaid work requirement. By 2019-20, unpaid work remained the most common requirement, but it had fallen to 70 per cent. Due to the pandemic, the proportion with unpaid work dropped markedly to 58 per cent in 2020-21, and this rose in 2021-22 to 63 per cent.

Throughout the reporting period, unpaid work teams have continued to increase visibility of unpaid work wherever possible. Examples include the refurbishment and restoration of buildings. In one local authority area, group and individual placements have been created in order to prepare new premises secured to deliver the Medicated Assisted Treatment (MAT) standards.



Practice Example – Scottish Borders

Our Greenhouse Partnership with NHS Borders Health Improvement Team enables children and families in the Borders to benefit from access to local produce and to participate in educational activities in schools and community groups.

Key aims of the project are: improving health and well-being, provision of low cost fresh fruit and vegetables and encouraging local communities to grow their own food. The service provides community projects with seedlings and seeds from our well established green houses.

Accessible garden and park spaces continue to be created by local authority areas through unpaid work activity. Community members and visitors alike are able to enjoy more visually attractive, clean and engaging community spaces.

Work to support people affected by poverty has been particularly prominent over the reporting period. Most areas report supporting local food banks by organising storage, packaging parcels and distributing them.

Bicycle repair and safety workshops operate across Scotland with completed and checked bicycles donated to a range of charitable organisations to support healthy living and sustainable transport.

Unpaid work teams can demonstrate an important contribution to addressing anti-social behaviour. Examples include the dismantling of a drinking den built in the woods and removal of offensive graffiti from walls. Some areas focus on the localities most affected by crime and anti-social behaviour to ensure reparation is maximised for those communities who have suffered the most.

Community safety for the most vulnerable in communities is also supported. One local authority area reports receiving referrals from mental health teams to carry out house clearances for people who have been hoarding, improving their living environment and reducing fire risk.

Personal placements provide opportunities for individuals to develop new skills and support local communities through working with social enterprises and third sector organisations.

Uplifts of donated furniture for charity donations is common, and several areas report supporting vulnerable and disabled members of the community with general property and garden maintenance and house moves.



Practice Example – South Lanarkshire

Restrictions started to ease towards the latter part of 2021 and we were able to transport more individuals in vehicles.

This allowed us to undertake tasks assisting other social work services such as Children and Families, to support small scale removals assisting vulnerable families.

We reopened the laundry service and started laundering community football strips and received referrals for emergency service washes for those in need.

Significant activity to improve the internal and external environment within schools is reported.

08 Personal Impact of an Unpaid Work Requirement



Personal Testimony

“I enjoyed the unpaid work because I was trusted to do the work and get on with it and had a sense of pride in attending and never missed a day. Helped to fill my week while I was out of work.”

“I never want to have to go through this again, I lost my independence, and I feel I’ve paid back to the community. I don’t want to be back on a court order, however, I would feel encouraged to become involved in community volunteering.”

“I have felt better about having done something for the community and also now feel more connected to the community.”

“Working with the unpaid work supervisor has helped a lot, he showed me how to use everything the right and safe way. It has made me want to get a job.”

“Always treated with respect – my attitude has changed, now I have more respect for the community.”

“I have enjoyed my time at work or unpaid work as it was and is better than a custodial sentence.”

“These sessions have shown me there is help and there is support. You’re not on your own. The world might feel like it’s against you but there’s always someone to put a hand down the hole you’re in and help you out. You never know what’s going on under the surface. It helps people be aware of that and know you’re never alone.”

“I have enjoyed giving back to the community, I have realised how my offending could affect people in the community. I feel like my time here has been well spent

and the work we done has definitely impacted the community in a good way. I don't know what I will do now with my Saturdays."

"While I am doing unpaid work, it gives me the opportunity to balance my work and family. It also gives me the chance to give some help to those who need it like gardening work or clearances."

"Doing unpaid work has made me reflect on the reason why you are doing it."

"You regret the crime and hope to learn a lesson and won't commit a crime again in the future. It has allowed me to do work for vulnerable people, like gardening and painting where they wouldn't otherwise have it done or be able to do it themselves"

"I worked in a recovery café sitting with new customers and serving tables. I'm in the kitchen now. My other duties were setting up tables for meetings, meet and greet all who come through the door. I liked it that much I'm now a volunteer in the recovery café."

"I am grateful I got a placement near my house, that allows me to see what I have achieved on a daily basis."

"Unpaid work has helped reduce alcohol use not just on the days I attend but also the rest of the week; my supervisor has been very helpful and friendly and understanding; I am going to try and see if I can get a couple of hours volunteering in a charity shop to help keep me busy."



Individual Story

Ms D completed SCQF Level 4 Health and Safety in the Workplace qualification as part of unpaid work 'other activity'. Following this, Ms D successfully achieved an Emergency First Aid qualification.

Ms D was interested in working in the construction industry and was supported by the unpaid work team to apply for her Individual Training Account (ITA) funding online and linked in with the Communities Life Long Learning Team to complete her CSCS course.

Ms D was also supported to apply for labouring jobs and was offered three different labouring positions, accepting one of the full time contracts.

Ms D successfully completed her unpaid work requirement, gained qualifications and transferrable skills and is now in full time employment and been made permanent.

09 Types of 'Other Activity'

An unpaid work requirement provides the opportunity, within certain prescribed limits, for an individual to undertake other rehabilitative activities to promote desistance. Other activity must not exceed 30% of the specified number of hours in the requirement, or 30 hours, whichever is the lower.

Educational packs using blended learning methods are a common feature of other activity, often supported by the third sector.

Many areas continued to utilise the [CPO Connect](#) platform during the reporting year. Delivered by the Wise Group, it offers a secure and flexible way to complete individual or group facilitated learning. Several areas report supporting individuals to make use of [OpenLearn](#) from the Open University. Other areas report partnership arrangements with local community learning and development services.



Practice Example – Clackmannanshire

During 2021-22 a significant number of 'other activity' hours were undertaken through our continuing third sector partnership arrangement with APEX Scotland.

Online learning boosted by the purchase of tablet devices/sim cards for service users in early 2021 proved a particular success in reducing the backlog of hours. This was important when the availability of 'other activity' services had been significantly curtailed by Covid restrictions.

Online courses undertaken have covered a variety of topics including employability, money management, paediatric first aid awareness, stress and anxiety, Covid-19 awareness, interview techniques, healthy eating and nutrition, virus and infection control, physical health and wellbeing and alcohol awareness.

During 2021-22 a 90% engagement rate of 108 individuals referred allowed 1,614 hours of 'other activity' to be undertaken online.

While some found online learning a challenge, for the majority it was viewed positively.

Feedback from the service provider suggested that the high rate of engagement was largely due to consistent encouragement from CPO supervisors alongside offering plenty of opportunities to complete.

In terms of partnership working it was apparent that there was a strong relationship built with CPO unpaid work staff, with regular contact and weekly updates provided to monitor progress or notify of non-compliance.

Creative art opportunities are common within other activity. Several areas report work with [Street Cones](#), a team of creative artists with lived experience in the criminal justice system. Participants report an increase in confidence and an opportunity to explore themes that are relevant to their own development needs. Supporting individuals to overcome specific employability issues arising from contact with the criminal justice system is a common feature of other activity.

Developing legal, safe and appropriate disclosure strategies when applying for jobs will help to ensure that individuals minimise barriers to employment and negate the perceived need to de-select themselves from employment opportunities.

Individuals report that access to substance use education and support materials as part of other activity is beneficial to improve health and wellbeing and reduce the risk of reoffending. Many areas have established recovery communities and are an important source of connection, information, hope and support for someone in or considering programmes of recovery.



Individual Story

E is a Scottish man in his late fifties, a vulnerable service user, who lives in a high rise block in the North of Glasgow.

E was referred to the ChoiceWorks Programme, a local offending behaviour programme, in early 2022 as part of other activity. He addressed his personal hygiene, which improved his general well-being and confidence.

Joint work with local supported housing providers ensured his living environment was improved. This involved deep cleaning, redecoration and some new furnishings including a cooker.

E was involved with a loan shark and with the support of the programme, was supported to contact his bank and Police to resolve this matter. He has been given access to a variety of community activities and now has structure most days.

He has an aspiration to enter some form of part time employment however some voluntary work is the next step.

Bespoke programmes of other activity focusing on target groups such as young people and women are reported by local authority areas. The programmes aim to understand and address the specific barriers experienced by these groups with the aim of minimising further involvement with the justice system.

10 Feedback from Unpaid Work Beneficiaries



Personal Testimony

“There had been few people helping with the garden since Covid and the gardens were becoming unmanageable for the people who were trying to maintain them. The larger jobs in particular had been put aside for a couple of years due to the enormity of them. The team ‘rescued’ the garden and provided a place where people feel included and welcomed.”

“The Community Park has benefitted significantly from the work provided from your group. In particular their assistance with bagging up of dry split logs for sale to customers looking to buy logs to offset their home heating costs has enabled a record quantity of logs to be sold, which has also helped clear some of the timber felled by Storm Arwen.

Their help has also been much appreciated with the help given weeding woodland areas, clearing up some of the impacts of the winter storms. Assistance with path maintenance has also reduced the work load for our volunteer team. The group have also helped to repair paths damaged by the winter storms, replace trees to re-plant the devastated woodlands.”

"I have submitted many referrals to the unpaid work team over the past few years and the work has always been carried out in a timely manner and to my expectations."

"Over the years the unpaid work supervisor and team have assisted the people we support by uplifting rubbish/household items for the dump, gardening and decorating. This has had positive outcomes for the people we support as tenancies have been at risk due to rubbish lying outside or the garden not being maintained."

"Brilliant bespoke shelter built exactly to our needs. Quality of materials is excellent. This allowed us to stretch our budget in order to benefit the learning of our children in our school.

The completion of our project would not have been possible without the use of the unpaid work team. Excellent way for CPO clients to learn skills and provide services to the local community."

"A little story showing the importance of community projects – two young kids at our junior group were taking part in our group activities. It was story time and they told everyone else how their dad was a real hero and he helped to build the wall around the area to keep everyone safe.

They went on to say, our dad works really hard and he even comes to the project to help do the weeding. This ripple effect of positive community spirit regardless of how it may be in reality gave a real sense of pride in these kids and it was lovely to see."

"I am writing to say a huge thank you. You may not appreciate that following COVID, the people of the area have discovered the gardens and really enjoy them. Many have even described them as 'a life saver'.

So the help of you and your team is not just in keeping the lawns tidy but also contributing to the health and well-being of the community. Your help is indispensable."

"We are a community-led charity and we have relied heavily on the work of the CPO team to get our work off the ground. Without the hard work of the team over the last few months our outdoor spaces would be overgrown and inaccessible. Instead, they are tidy, welcoming, and safe and have been used by many people in the community at a time where opportunities to meet outdoors in pleasant surroundings has been extremely important.

The improvements to the outdoor space have been fantastic. We feel the CPO team has repaid the community and are very grateful to have received this support - thank you!"

"Please can you pass on my thanks to the squad who came and rotavated the area we have set aside for our wildflower meadow. This is a tremendous help and we can now invite the local school children to come and sow the seeds for us and hopefully inject a bit of colour into the area."

"The CPO clients and supervisors were fantastic and did a huge amount of work - work that would have taken us a year or two to do, in the space of a few weeks. One of two of the clients asked to return as a volunteer.

We provided tea and cake, they were fabulous company and fellow gardeners and we loved having them with us. We'd love to establish a regular placement scheme for both those interested in gardening and garden maintenance and for general CPO groups."

“All the decorations have kicked off Christmas here and we love it. The ladies and gents at the Care Home say they look great outside their windows and brighten up the garden in the cold weather!”

“The (unpaid work) Service supported the Day Care Centre and those using its facilities by undertaking a range of garden maintenance and ground works. This has helped to ensure good access to the area, which is particularly relevant given the health needs of the users.”

“The team supported a care experienced young person by collecting and delivering 2 sofas to her new tenancy. Good service provided and this has helped the young person to continue to settle into her new home.”

“On delivery, it was apparent that it would be a significant challenge to construct the summer house, and this would not have been possible without the fantastic support from the unpaid work team.

They supported the build and painted the summer house to give it a great look, but also a level of weather proofing. The end results were superb, and this resource now provides a therapeutic space for young people.”

“Thank you so much for this. I honestly believe this will improve Mr F’s mental wellbeing. He describes feeling a sense of freedom on his new bike and has been using this to get to his appointments.”

“Delighted with the work the team did in our sensory garden, and would definitely consider asking them to help out again.”

“Supervisors and team leaders from unpaid work team have also been involved in the uplift and delivery of various household goods from residents of the local area, several of whom have arrived with very little and do not have easy access to finances.”

“Dear CPO team. The Board of Trustees wish to extend their very grateful thanks to you for your invaluable contribution to the food bank. We want to take the opportunity to let you know that we would not be able to do what we do, help those in need in the area, without the support you so generously give us – often at very short notice!

As we are sure you are aware, the number of people requiring our services is rising month by month, putting more pressure on volunteers and staff, and the knowledge that we can count on you to assist us is a great help. We are very thankful for your willingness to support our charity and look forward to continuing our partnership.”

“I was very grateful to the team for removing old furniture and other large items that we couldn’t use anymore and could not move ourselves. Thank you so much for helping us.”

11 Organisational Challenges and COVID Recovery

All local authority areas have faced challenges during the reporting year in the delivery of CPOs due to continuing COVID restrictions and areas report that staff are suffering from low morale and burn-out.

Additional resources were made available by the Scottish Government to local authority areas to commission third sector services to support the continued delivery of CPOs and other statutory orders. Whilst welcome, many areas and third sector

providers found it difficult to recruit and retain staff within the limited funding window.

There are, however, examples of where this has worked well. In one area, social work assistants have been retained through the use of COVID-recovery funds to take on welfare-related support tasks for people subject to CPO. This includes support to open bank accounts, access emergency food services, improve housing options and address fuel poverty.

The third sector are a crucial CPO delivery partner. Research carried out by the [TSI Scotland Network](#) found that the financial situation of social enterprises as a consequence of the pandemic is “perilous, and, without urgent financial support, many will not recover.” A key finding from research on the [Impact of COVID-19 on The Justice Voluntary Sector](#) found that “the justice voluntary sector faces a staffing crisis resulting from the loss of experienced and dedicated staff, as well as far fewer applicants to vacant posts.”

The preferred method of delivery for the Caledonian System is through individual work and group work. During the reporting period, due to ongoing pandemic restrictions, limited group work recommenced, and where it did resume it was often on a smaller group basis. Virtual delivery of this programme was assessed as being unsafe due to potential increases in risk and was therefore rejected as a delivery model. Local authority areas report that rural communities are finding it particularly difficult to recommence group work activity.

There is an increasing workload in terms of Caledonian delivery. Extensions to completion of programme requirements have been necessary due to COVID restrictions.

Recruitment difficulties and limited access to accredited training over the pandemic for newly appointed and established social workers have exacerbated the challenges of accredited programme delivery.

Some areas also report an increase in the number of extensions requested to Court to complete unpaid work requirements. Some areas reported a notable increase in the number of people undertaking unpaid work who are in full time employment. Although a positive development, limited ability for local authority areas to offer sufficient weekend unpaid work sessions has been particularly challenging for this cohort in terms of completing their hours within the agreed time. For those people completing CPOs during 2021-22 where employment status was known, 29 per cent were in employment or self-employed.

The MFMC group work programme was able to restart in many local authority areas, with virtual work undertaken as follow-up to face to face session work where assessed as safe to do so.

Some service users required specific support with anxiety issues in order to stabilise them in preparation for group work. More generally, social work staff have observed a decline in the mental health of individuals with some areas reporting people finding it more difficult to comply with CPO requirements.

The successful completion rate for CPOs terminated in 2021-22 was 74 per cent, similar to the rate of 75 per cent in 2020-21. These were higher than the rates in the previous five years when it was generally just under 70 per cent. The [Community Orders \(Coronavirus\) \(Scotland\) Regulations 2021](#) coming into force is likely to have been a factor in this.

Differences in practice across local authorities in response to varying COVID restrictions has caused difficulties for some services in engaging individuals. People moving from an area where CPO supervision was carried out via telephone, for example, have found it difficult to comply if their new local authority area is operating on a face to face basis.

Although the approach to CPO reviews in many areas remained a blend of telephone, office and home visits during the reporting year, individuals experienced increased access to specialist commissioned third sector services as they began to open post pandemic.

The innovative use of technology is a strong feature this reporting year. One area described the development of new plaques to commemorate unpaid work in the area. Each plaque will feature a QR code which directs members of the public and community groups to the unpaid work section of the Council's website and will also facilitate online applications for future work.

Unpaid work activity around workshop manufacturing and community project work was negatively impacted during the reporting period due to COVID restrictions. Limitations included having to ensure individuals could access projects by public transport and ensuring there were adequate facilities for comfort breaks.

Some areas report developing creative approaches to unpaid work during COVID restrictions. For example, one area purchased a number of craft kits for individuals to complete at home which were subsequently donated to charitable organisations for raffle.

The unpaid work backlog, combined with an increase of new orders from the courts, requires local authority areas to work at an increased pace and makes it more difficult to be responsive to an individual's holistic needs, whilst also meeting national standards.

Unpaid work placements fall into two categories: those offered and supervised internally within unpaid work schemes and those offered and supervised by external organisations and agencies (known as personal placements). Local authority areas report that a number of organisations offering personal placements have withdrawn due to COVID and it is evident that areas are working hard to build back up the range of opportunities that were available pre-pandemic.



Practice Example – Glasgow City

We have developed a personal placement plan that includes the commissioning of a short film to demonstrate and maximise knowledge around the positive impact of community sentences for the judiciary, the public and other stakeholders.

This film was developed with input from people who have undertaken unpaid work placements who felt able to reflect on the positive impact the placement had on them.

Throughout the latter part of 2022 and start of 2023 there will be regular information sessions online, where this film will be shown as well as an opportunity for any potential providers to ask any questions about the process.

Focus on promoting physical health has sharpened in some local authority areas post pandemic. Facilitated 'walk and talk' sessions have been well received and individuals report additional benefits around increased positive mental health and reduced social isolation. Other services promoting physical health have started to recommence during the reporting year, including the reestablishment of nurses delivering Keep Well services.

At the end of March 2022 there were 40,923 trials outstanding in Scotland. Local authority area justice social workers report that balancing the increasing demands of required court activity, including the provision of information to inform sentencing decisions, has adversely impacted on their ability to carry out first direct contacts with individuals sentenced to a CPO.

First direct contact took place within one working day of imposition for 61 per cent of orders imposed in 2021-22. This was slightly higher than the level of 58 per cent in 2020-21, although it was still considerably lower than in the previous three years when it generally fluctuated around 75 per cent.

In January 2022 IT errors with the LS/CMI risk assessment tool were identified and justice social workers were asked to move with immediate effect to a paper based system which is the agreed contingency plan around such a systems failure. The nature of risk assessment and case management is holistic and wide ranging and social work professionals have adapted easily to the precautionary measures. However local authority areas report that case management planning was taking longer using these mechanisms. From 28 February 2023, the initial assessment part of the IT system was returned to operational use.

Interpreter services have been severely impacted by the pandemic and this has caused additional delays in the completion of court reports for some individuals.

All local authority areas adapted their delivery in response to the pandemic with greater use of technology. Although technology has long played a part in the delivery of orders, the workforce have needed to rapidly accelerate developments to provide additional support and are keen to retain a more blended approach. Balancing the use of technology, while ensuring an approach that recognises the potential impact of trauma and adversity and taking cognisance of digital poverty considerations, will be paramount.

12 Barriers to Accessing Community Supports

Complex Needs

Completing a CPO, regardless of whether an individual is subject to a particular requirement, presents crucial opportunities to assess need and support people into recovery. Whilst there are pockets of good practice and some areas are able to demonstrate strong links with ADP and wider health partners, there remains inconsistency and fragmentation.

A dual diagnosis of mental health and addiction difficulties continues to act as a barrier to services for individuals, often due to how service criteria is linked to funding. One area has recently employed an advocacy worker who specialises in dual diagnosis to support people completing CPO.



Practice Example – Aberdeen City

An 18-month Justice Social Work (JSW) and Alcohol and Drug Partnership (ADP) drug and alcohol development officer post has recently been appointed to develop a “shared care” model between substance misuse services and JSW.

Mental health services continue to be hard to access. We carried out a brief survey where 12 JSW staff were questioned about current clients’ mental health, both to give the service a better picture of the issues and to find out if we were asking the right questions. The responses covered a total of 253 clients, 71% of whom had mental health issues to a greater or lesser extent.

The main findings were that:

The prevalence of mental health issues is high amongst those subject to statutory supervision

There is little point in asking solely about mental health without asking about drug/alcohol use and prescribed medication

We are asking some, but not all, of the right questions

Need for a shared language

Need for improved pathways into services

Need for training for workers.

These initial findings have been passed to substance misuse and mental health services, including the Forensic Pathways Review Group, and a more comprehensive survey will be carried out in 2023. Appropriate training is being sought.

The capacity of partner services to respond to new referrals, particularly those that fall below thresholds of priority risk and needs, has reduced during the reporting period. However, some areas report an increase in effective partnership working for people subject to DTTO who are also open to drug and alcohol services which has resulted in better, quicker outcomes for the individual.

Drug related deaths remain high in Scotland and some areas report significantly improved rapid access pathways into community and residential drug and alcohol services for those completing CPOs and DTTOs. However, other areas report a lengthening of waiting times for these services this year.

Barriers to support people with neurodivergence issues and additional support needs is reported. One area has partnered with their local Autism service to commission training for all justice staff on awareness and bespoke interventions, with longer-term practitioner forums being developed.

Securing suitable housing for people subject to CPO continues to be problematic for some local authority areas, particularly for a cohort that generally requires single occupancy and flexible tenure options.

Joint work with local employability partnerships is reported by some areas. Planning for future investment in employability has taken place to ensure the needs of the justice cohort are reflected in future service delivery.



Practice Example – Inverclyde

Income and employment deprivation are significant issues for a large number of people living in Inverclyde with almost 1 in 4 children in Inverclyde estimated to be living in poverty after housing costs. Our own analysis suggests that over 76% of individuals on CPO live in the 20% most deprived areas of Inverclyde. The service has sought to respond to the barriers this presents in a number of ways. These have included providing travel passes for people to attend their site placement, supporting people in making applications to local foodbank and other food options as well as in a limited number of circumstances providing vouchers for a local supermarket.

In an effort to move on to a more proactive footing the service also purchased memberships to a local food pantry with a pilot rolling out during 2022/23. Specifically these memberships will provide access to affordable nutritious food at £2.50 per shop. In addition, the food pantry also provides access to a range of other support services including support around income maximisation, fuel poverty and access to learning and employability. The service would look to make further investment on conclusion of the pilot if feedback from our staff and service user group is positive.

Acknowledging the impact of people experiencing fuel poverty the service has also engaged with the Wise Group Energy Crisis Fund and their locally commissioned I.Heat Programme (Inverclyde Home Energy Advice Team). There is now a referral pathway from the service to I.Heat who will work with households to equip them with the tools, skills and knowledge to manage their energy usage in future. Households with prepaid meters will receive a £49 top up fund if they are in danger of disconnection. These households will also receive support and advocacy from I.Heat to ensure the best utility deal is offered. Households who pay quarterly credit or monthly will receive support and advocacy and a one off charitable grant of £50 will be allocated to the customer energy billing account.

Partnership Working and Co-location

An increase in demand for services to meet complex needs has been addressed in part through co-location and secondment arrangements being implemented in some local authority areas. Examples include addiction and mental health practitioners, citizen's advice workers, mentors and community psychiatric nurses being located with justice social work.

Communication between local Sheriffs and community justice partners is crucial in decision making and the ability to effectively deliver CPOs. A shared understanding of service availability and delivery processes will lead to greater confidence in community sentencing and better outcomes for individuals.



Practice Example – Perth and Kinross

An evaluation of drug and alcohol treatment requirements was undertaken by the Criminal Justice Social Work (CJSW) service following a meeting with the Perth and Kinross Sheriffs. The meeting identified a disconnect between the expectations of Sheriffs and the current delivery of drug and alcohol treatment requirements within Perth and Kinross.

The Sheriffs believed they were accessing additional resource for individuals via drug and alcohol treatment requirements, however, that is not the case under the current system where the offer of drug or alcohol support is the same for individuals on the justice journey as the general public.

Currently, requirements are imposed by the Sheriff, often but not always, following recommendation of their suitability by the CJSW report writer. Where a drug treatment or alcohol treatment requirement is imposed, CJSW make a referral to the Integrated-Drug and Alcohol Rehabilitation Team (I-DART) and I-DART triage the case. Under the current system completion of a specialist assessment does not take place before a requirement is recommended or imposed. This can result in issues arising when clients do not meet I-DART thresholds in terms of motivation to address issues. In those situations, I-DART often close the case, however, this is problematic if the breach threshold is not met.

It was previously agreed that one worker in I-DART would hold all CPO cases and there would be regular communication between CJSW and I-DART. Difficulties in maintaining regular communication led to a lack of clarity between the CJSW and I-DART regarding plans developed by I-DART and communication with the Court. This often resulted in CJSW undertaking substance misuse work without access to the full range of resources available, or the specific knowledge and training.

In order to address this issue a proposal has been put forward to recruit two specified workers who will be based in I-DART but work specifically to assess and treat clients for a drug and alcohol treatment requirement with a CPO. Recruitment for these posts is currently in process.

Virtual custody courts presented a series of challenges for court based social work services during the reporting year. The early assessment and identification of needs and required supports is a priority, particularly in terms of assessing for services which might support individuals in the community on bail and therefore prevent the unnecessary use of remand.

Local authority areas report some concerns in the effectiveness of using technology for these contacts in place of face to face meetings, particularly as these sessions are often the first contact between the social worker and the individual. Similar concerns are expressed about the use of technology to gather information to inform court reports.

Primary Care

Local authority areas report that Primary care has been significantly impacted by the pandemic and the backlog of casework is such that routine engagement with primary care support is not possible. Triage protocols that exist as part of CPO delivery have been interrupted due to limited face to face contact with individuals.

Advocacy and assertive outreach are methods employed by social work staff to support people to improve their health. This is particularly important for those people who present challenging behaviours, sometimes due to unresolved trauma.

Social work assistants and third sector services in some local authority areas have been pivotal in enabling people to access the services they need.

Listening to and Learning from Individuals

Several areas are reviewing the mechanisms by which they seek and collate the views of people subject to CPO delivery. This information is crucial in order to inform future system and service design and delivery.



Practice Example – North Lanarkshire

In 2021, two development workers with lived experience of the justice system were employed.

In partnership with other services and agencies the development workers will continue to support the development of practice, culture, and systems to improve outcomes for people who are involved with justice services.

13 Contact Information

Should you have any queries in relation to this report please contact:



Community Justice Scotland
R1 Spur
Saughton House
Edinburgh
EH11 3XD



info@communityjustice.scot

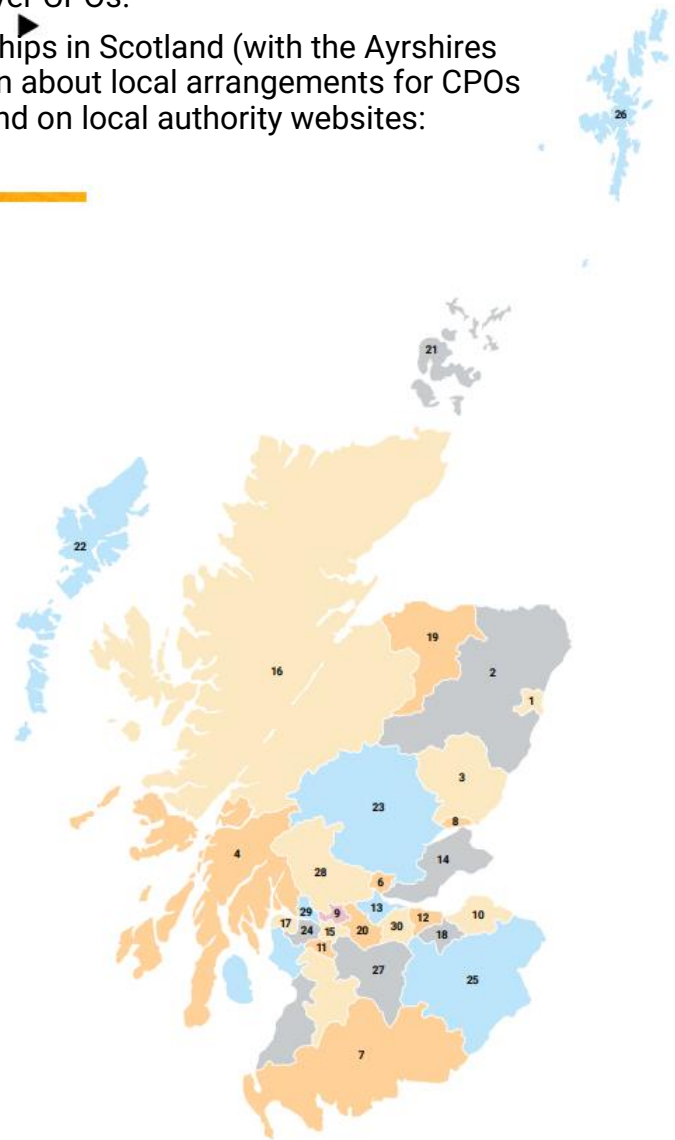
14 Local Arrangements

The [Community Justice \(Scotland\) Act 2016](#) places a duty of co-operation on a range of community justice partners to work together to plan and decide how services are tailored locally, having regard to the [National Strategy for Community Justice](#). This includes services which deliver CPOs.

There are 30 Community Justice Partnerships in Scotland (with the Ayrshires operating joint arrangements). Information about local arrangements for CPOs within these partnership areas can be found on local authority websites:

EXHIBIT 1

1. [Aberdeen City Council](#)
2. [Aberdeenshire Council](#)
3. [Angus Council](#)
4. [Argyll and Bute Council](#)
- 5a. [East Ayrshire Council](#)
- 5b. [North Ayrshire Council](#)
- 5c. [South Ayrshire Council](#)
6. [Clackmannanshire Council](#)
7. [Dumfries and Galloway Council](#)
8. [Dundee City Council](#)
9. [East Dunbartonshire Council](#)
10. [East Lothian Council](#)
11. [East Renfrewshire Council](#)
12. [The City of Edinburgh](#)
13. [Falkirk Council](#)
14. [Fife Council](#)
15. [Glasgow City Council](#)
16. [The Highland Council](#)
17. [Inverclyde Council](#)
18. [Midlothian Council](#)
19. [Moray Council](#)
20. [North Lanarkshire Council](#)
21. [Orkney Islands Council](#)
22. [Outer Hebrides Council](#)



23. [Perth and Kinross Council](#)
24. [Renfrewshire Council](#)
25. [Scottish Borders Council](#)
26. [Shetland Islands Council](#)
27. [South Lanarkshire Council](#)
28. [Stirling Council](#)
29. [West Dunbartonshire Council](#)
30. [West Lothian Council](#)

15 Appendix - Circular

8 August 2022

To: Chief Social Work Officers and Justice Social Work Managers

Dear Colleagues,

Community Payback Order: Annual Reporting 2021-22, Template for returns

Please find attached a template to capture details about your local authority's delivery of Community Payback Orders (CPOs) in the period 1 April 2021 to 31 March 2022. We would be grateful if you would complete and return the template by 28 October, as detailed below. This is part of annual reporting requirements.

The template has been updated slightly from last year, in consultation with Community Justice Scotland (CJS) and Social Work Scotland. It no longer asks for information about the number of unpaid work hours carried out. This is because similar data will be collected by SG Justice Analytical Services.

We recognise that justice social work capacity and service delivery was significantly affected by pandemic related issues and restrictions, during the reporting year 2021-2022.

As you will be aware, local authorities' reports are subject to potential release under the Freedom of Information (Scotland) Act 2002. We therefore ask that no personal or sensitive data, or any information that could lead to the identification of a person (other than the author or counter-signatory), be included in your report.

The Scottish Ministers may issue directions^[1] to local authorities about the content of their reports, and local authorities must comply with any such directions. This letter and template constitute 'directions'.

Submission and timing

The completed template should be sent to Community Justice Scotland by the Chief Social Work Officer by **28 October 2022**. If this date is problematic, please discuss alternative submission arrangements directly with CJS, as they collate the summary report.

It would be helpful if you could rename the document to include your Local Authority's name, for example 'CPO Annual Report 2021-22 Falkirk'.

Please submit the report by email to info@communityjustice.scot and copy to the Scottish Government at cpo@gov.scot.

Duty to complete report – background

The requirement for ‘annual reports on community payback orders’ is outlined in section 227ZM of the Criminal Procedure (Scotland) Act 1995 (the 1995 Act).

Each local authority must, as soon as practicable after the end of each reporting year, prepare a report on the operation of community payback orders within their area during that reporting year, and send a copy of the report to Community Justice Scotland. The “reporting year” means a year ending with 31 March.

Preparation of overall summary report by Community Justice Scotland

Once all the CPO annual reports are received, CJS will prepare a summary report, to be published online. The summary report will be laid in Parliament by 31 March 2023 in accordance with the 1995 Act. You will be updated by CJS about when the Summary report will be laid and published, close to 31 March 2023.

After that date, local authorities can make separate arrangements to publish their local annual CPO reports in full, although there is no statutory requirement to do so. However, publication, or sharing any of the contents, should not take place in advance of 31 March 2023.

Provision of statistical information

In addition to the direction above, we ask that local authorities also continue to provide statistics on the operation of CPOs to Scottish Government Justice Analytical Services, in the usual way.

I would be grateful if you could confirm receipt of this email by return. If you believe you have received this email in error, please let me know.

Feel free to get in touch with any queries. Thank you in advance.

Jenny Stewart

Policy Manager, Community Interventions

Community Justice Division



COMMUNITY PAYBACK ORDER ANNUAL REPORT

FINANCIAL YEAR: **2021/22**

LOCAL AUTHORITY:

1) In this section, please give examples of work with people subject to CPOs specifically to **address offending behaviours and the risk of reoffending**. (Bullet points will suffice. Max 300 words.)

--

2) In this section, please give a summary of feedback, may include quotes, from people subject to CPOs about the **impact on them of a Supervision Requirement**. (Bullet points will suffice. Max 300 words.)

--

3) In this section, please report on the following:

- Types of **unpaid work projects** carried out
- Example(s) that demonstrate(s) **how communities benefited** from unpaid work (Bullet points will suffice. Max 300 words.)

--

4) Summary of feedback, may include quotes, from people subject to CPOs about the **impact on them of an Unpaid Work Requirement**. (Bullet points will suffice. Max 300 words.)

--

5) **Types of 'Other Activity'** carried out as part of an Unpaid Work Requirement. You may want to comment on the impact of completing Other Activities, for individuals or for the community. (Bullet points will suffice. Max 300 words.)

--

6) Summary of feedback, may include quotes, from beneficiaries **about the impact of Unpaid Work on the community**. (Bullet point will suffice. Max 300 words.)

--

--

7) What **organisational challenges** have there been in completing orders effectively this year, both those with Unpaid Work and those with Supervision Requirements? Issues may or may not be related to the covid pandemic. (Bullet points will suffice. Max 300 words.)

--

8) Outline the **main barriers, if any, to accessing community support and wider services** (eg drug and alcohol services, mental health services). How have these barriers been addressed?

--

9) Is there **any other relevant information** you wish to highlight? For example, this may include:

- Areas for improvement and planned next steps
- New ways of working and benefits achieved from these.
- Examples of work carried out in collaboration with community justice partners and wider community partners, including the third sector, to deliver CPOs

(Bullet points will suffice. Max 300 words).

--

COMPLETED BY:
DATE:

CONTACT FOR QUERIES ABOUT THE REPORT
Name:
E-mail:
Telephone:



First published March 2023

Community Justice Scotland

R1 Spur, Saughton House,

Broomhouse Drive,

Edinburgh EH11 3XD

T: 0300 244 8420

www.communityjustice.scot

To view our privacy policy, visit our website
at: **Community Justice Scotland**