

# Culture and Communities Committee

10.00am, Tuesday, 19 June 2018

## Community Payback Order Annual Report 2016/17

<b>Item number</b>	9.4
<b>Report number</b>	
<b>Executive/routine</b>	
<b>Wards</b>	All
<b>Council Commitments</b>	51

### Executive Summary

---

This report presents to the Culture and Communities Committee the Community Payback Order annual report. The report outlines the range of interventions carried out to support behavioural and lifestyle change, including types of unpaid work undertaken and specialised programmes, for example for sex offenders and perpetrators of domestic abuse. Feedback from service users demonstrates that Community Payback Orders make a significant contribution to helping people stop or reduce their offending.

## 1. Recommendations

---

- 1.1 Culture and Communities Committee is recommended to note the Community Payback annual report at Appendix 1.

## 2. Background

---

- 2.1 Section 227ZM of the Criminal Procedure (Scotland) Act 1995 imposes a duty on local authorities to submit an annual report to Scottish Ministers on the operation of community payback in their area.
- 2.2 The Community Justice (Scotland) Act 2016 introduced a local model for the delivery of community justice services, effective from 1 April 2017. Service planning responsibilities have been transferred from the now abolished Community Justice Authorities to community planning partnerships, and a new national body, Community Justice Scotland, has been created to provide leadership for the community justice sector and assurance to Scottish Ministers on the delivery of improved outcomes.
- 2.3 The Edinburgh Community Safety Partnership (ECSP) is the strategic group responsible for co-ordinating a multi-agency response to community safety and reoffending across the city and is implementing the new community justice model on behalf of the Edinburgh Partnership.
- 2.4 Reducing reoffending is a priority for the ECSP, and community payback is an essential element of community based rehabilitation, conducted alongside interventions to address the needs and often complex circumstances of those who offend. A wide range of universal and specialist services are delivered through a multi-agency, multi-sector approach, including housing, employment, health, education and welfare.

## 3. Main report

---

- 3.1 1121 Community Payback Orders (CPO) were imposed in Edinburgh in 2016/17, compared to 1025 the previous year. This increase indicates a return to 2014/15 levels. 67% of orders had an unpaid work requirement, compared to 75% during the previous year.
- 3.2 The City of Edinburgh Council provides a wide range of unpaid work opportunities across the city. These include group placements, personal placements provided by charities and community groups, and workshops which offer a safe environment for

those who cannot be placed directly in the community. People required to carry out unpaid work as a condition of a CPO receive an initial assessment to determine the type of work best suited to their skills and interests. Other factors, such as health and caring responsibilities, are also taken into account when matching a person to suitable work.

- 3.3 Examples of unpaid work in 2016/17 included providing support to charity shops, help after extreme weather events, construction of basic wooden structures such as seating, planters and play equipment, environmental work in parks and greenspaces and gardening projects in a range of community facilities. Three long term projects, the Gravestone Project (restoring fallen gravestones), Brake The Cycle (the collection, restoration and recycling of unwanted bicycles) and the Vat Run (construction and maintenance of a BMX track, mountain biking trails and walkways) have continued. Other examples of how the community have benefited include the Liberton High School Cycle Track (completing and maintaining a cycling track for the use of the local community), the revival of the garden at the base of the Nelson Monument on Calton Hill along with community organisations and the building and maintaining of sheds, stables and fences for Ravelrig Riding for the Disabled.
- 3.4 CPO requirements other than unpaid work include a range of interventions to support behavioural and lifestyle change for offenders, such as health treatment requirements (alcohol, drugs), and specialised programmes for women, young people, male prolific offenders, sex offenders and domestic abuse perpetrators. The Caledonian System employs group work to address domestic abuse and is complemented by staff delivering a women and children's service. The Community Intervention Service for Sex Offenders (CISSO) provides assessments for courts, training, staff consultancy and delivery of the 'Moving Forward, Making Changes' group work programme.
- 3.5 In February 2016 an Alcohol Problem Solving Court pilot commenced in Edinburgh Sheriff Court. Men who are repeatedly given short prison sentences for offences related to their alcohol use are offered a fast track assessment, which has an alcohol focus, the immediate offer of engagement with substance misuse services, and regular court reviews with the sentencing Sheriff. An evaluation is underway.

## 4. Measures of success

---

- 4.1 Positive feedback has been received from service users as part of their exit questionnaires which show that unpaid work has been an effective part of their rehabilitation. Beneficiaries are also very positive about the contribution made. In addition to this ongoing communication throughout the year, a formal consultation for this report was held in August 2017. A wide range of respondents were approached and 95% wholly or partly agreed that community payback provided people with an opportunity to repay the community for the crimes they had

committed, and 90% wholly or partly agreed that community payback helped reduce reoffending.

## **5. Financial impact**

---

- 5.1 There are no financial implications arising from this report, however, as offender management in Edinburgh is a significant responsibility for all partner agencies, it requires considerable resource allocation.

## **6. Risk, policy, compliance and governance impact**

---

- 6.1 The potential risk of harm to communities and individuals, which could result from a failure to provide effective care and protection to vulnerable adults and children is mitigated and monitored through the public protection risk register in accordance with the Council's approach to risk management.

## **7. Equalities impact**

---

- 7.1 There is no direct equalities impact arising from this report.

## **8. Sustainability impact**

---

- 8.1 There are no sustainability impact issues arising from this report.

## **9. Consultation and engagement**

---

- 9.1 The City of Edinburgh Council publishes its CPO annual report each year on its website. A public consultation takes place prior to the report's completion, which affords the opportunity to communities to engage with this work.
- 9.2 Development of community payback will continue to be informed by feedback from communities, service users, beneficiaries and the judiciary, as well as other stakeholders, in order to maintain a high profile for community payback and to increase its credibility with the courts and with the general public.

## **10. Background reading/external references**

---

None

## **Alistair Gaw**

Executive Director for Communities and Families

Contact: Rona Fraser, Senior Manager, Community Justice

E-mail: rona.fraser@edinburgh.gov.uk | Tel: 0131 529 3517

## **11. Appendices**

---

Appendix 1

[http://www.edinburgh.gov.uk/downloads/download/2538/community\\_payback\\_orders\\_annual\\_report](http://www.edinburgh.gov.uk/downloads/download/2538/community_payback_orders_annual_report)

Appendix 2

**Unpaid Work for the community as part of a Community Payback Order**

# Community Payback Order Annual Report 2016/17

## Appendix 2

### **Unpaid Work for the community as part of a Community Payback Order**

When Unpaid Work staff are assessing the suitability of any project or placement they are obliged to consider the following:

- The work should be purposeful, of value to the community and meaningful to the individual drawing on the individual's strengths and talent (section 8.1 Community Justice National Outcomes and Standards)
- The work must not be likely to deprive others of paid employment (Section 22 Scottish Government Guidance)
- The work must be compliant with Article 3 of the Human Rights Act and therefore cannot be degrading or demeaning

This does not mean that we cannot carry out community improvement interventions such as graffiti removal or litter picking on a one-off basis.

We must comply with Health and Safety legislation and local guidance therefore all work must be risk assessed and if the necessary equipment is not available we cannot carry out the work. The Council has the same duty of care for those carrying out Unpaid Work as it does for paid members of staff and the same liability.

The team welcome suggestions for unpaid work projects from individuals and communities and these can be made by e-mail, telephone or through the Council website.

General Enquiries for unpaid work should be sent via email to [Enquiries.CriminalJustice@edinburgh.gov.uk](mailto:Enquiries.CriminalJustice@edinburgh.gov.uk) and the general unpaid work (central) telephone number is 0131 469 3508.

Rona Fraser  
Senior Manager Community Justice  
City of Edinburgh Council

12 June 2018