



# **COMMUNITY PAYBACK ORDER**

**Summary of Local  
Authority Annual reports  
2020-21**

**March 2022**

Laid before the Scottish Parliament by Community Justice Scotland

Under Section 227ZM of the Criminal Procedure (Scotland) Act 1995

March 2022

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EXAMPLE: Unpaid Work Team, Glasgow – [see more images](#)

## 1. Foreword



I am pleased to introduce the Summary of Local Authority Annual Reports on Community Payback Orders (CPOs), covering the period 2020-21. This report, produced by Community Justice Scotland (CJS), meets the requirements set out under section 227ZM of the Community Justice (Scotland) Act 2016 by publishing a contextualised summary of local authority returns.

It provides an overview of activity undertaken in local communities by people subject to a CPO. As all activities were largely affected by the pandemic, an abbreviated evidence template was provided by the Scottish Government which recognised the reduced capacity of services during the pandemic but nevertheless sought to identify innovation.

For the first time, more supervision requirements were issued than unpaid work requirements. A supervision requirement can better enable the critical relationship between the person and their social worker which supports desistance, provides an opportunity to engage in behavioural change and community reparation, whilst still having a focus on public protection through accountability to the court.

A notable feature of this report is the resilience, commitment and innovation shown by justice social work services and partners, including community groups, during the pandemic. As the pandemic escalated reliance on technology across society, the focus on maintaining essential contact with those requiring support resulted in much greater digital inclusion for people subject to CPOs. Retaining and improving such digital inclusion progress in coming years will be vital to ensure that all subject to CPOs can access the services they need.

While the full impact of reduced personal contact for people is not yet known, more flexible virtual engagement in interventions appears to have had benefits for some people serving CPOs. The majority of justice social work face-to-face resources were prioritised to mitigate risks of serious and imminent harm relating to a small cohort of their clients. Unpicking the benefits and downsides of both methods, and optimum balance, will be necessary as community justice partners seek to establish the best ways to deliver further improvements in outcomes.

Lastly, unpaid work contributions to communities is also a feature of this report. Despite the volume of work completed under this requirement diminishing to just over 300,000 hours, due to impacts of pandemic restrictions, cascading benefits for wider national priorities and the progression of skills for employment against continued labour shortages, continue to evidence that CPOs remain a relevant and reliable primary disposal for our courts; and valuable contribution to our communities.

Catherine Dyer CBE  
Chair Community Justice Scotland



million hours in most years. “*Criminal justice social work statistics in Scotland: 2020-21*”<sup>1</sup> provides a more detailed evidence base including the following relevant points to unpaid work:

- i. There were 8,200 community payback orders commenced in 2020-21, a fall of 51% from 16,800 in 2019-20.
  - ii. The proportion of new orders with unpaid work requirements fell from 70.3% in 2019-20 to 57.6% in 2020-21.
18. Figures in the table below show the total number of CPOs commenced and the range of requirements used. They show a year on year breakdown of all CPO requirements, confirming that 2020-21 saw a much higher proportion of supervision requirements than in previous years.

	2016-17 <sup>1</sup>	2017-18 <sup>1</sup>	2018-19 <sup>1</sup>	2019-20 <sup>1</sup>	2020-21 <sup>2</sup>
Total CPOs commenced	19,200	17,882	16,468	16,800	8,169
<b>Requirements</b>					
Unpaid work or other activity	14,653	13,329	12,056	11,805	4,704
Offender supervision	10,193	10,156	9,558	10,428	5,952
Unpaid work or other activity <u>and</u> supervision	5,646	5,603	5,146	5,433	2,487
Conduct	1,367	1,347	1,454	1,610	991
Programme	1,033	960	936	1,171	701
Alcohol treatment	246	193	195	199	93
Compensation	597	652	490	523	241
Drug treatment	168	150	140	167	82
Mental health treatment	45	46	37	44	17
Residence	27	17	16	19	6

Notes:

1. Figures for 2016-17 to 2019-20 have been revised from those previously published due to the receipt of updated information from some councils

2. Figures for 2020-21 include estimates for Renfrewshire.

Multiple requirements can be attached to an order which explains why the total number of requirements exceed the total number of orders.

Taken from Table 2 and Table 10<sup>1</sup>

## 2.2 The impact of CPOs on communities in 2020-21

19. Unpaid work or other activity is normally the most used requirement and it has the highest public profile. The supervision requirement has a critical role to improve behaviour but there is less public understanding about it. In this reporting year, more supervision requirements were issued than unpaid work requirements, for the first time.
20. However, the unpaid work activities repay communities by contributing to local civic society priorities. This in turn supports the following national outcomes<sup>2</sup>:

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<sup>2</sup> Scottish Government’s National Performance Framework:  
<https://nationalperformance.gov.scot/national-outcomes>



We grow up loved, safe  
and respected so that  
we realise our full  
potential

- See section 3.1.1 Improving resources for children



We tackle poverty by  
sharing opportunities,  
wealth and power more  
equally

- See section 3.1.2 Poverty relief



We live in communities  
that are inclusive,  
empowered, resilient  
and safe

- See sections 3.1.5 Community resilience and section 6 Making Scottish communities safer.



We are creative and  
our vibrant and diverse  
cultures are expressed  
and enjoyed widely

- See section 3.1.4 Supporting local charities, culture and sport.



We value, enjoy,  
protect and enhance  
our environment

- See sections 3.1.3 Maintaining blue and green spaces, and 3.2.6 Climate Change, biodiversity and circular economy.



We are healthy and  
active

- See section 3.2.2 Improving wellbeing and aforementioned section 3.1.6 which includes active travel.



We have a globally  
competitive,  
entrepreneurial,  
inclusive and  
sustainable economy

- See sections 3.2.1 Digital inclusion, 3.2.3 Developing capacity to find and keep a job and 3.1.6 Climate Change, biodiversity and circular economy.
21. Over the year, there were adaptations, innovations and hard work undertaken in challenging circumstances by the community justice workforce. Much of it was responsive to circumstance and the volume of hours undertaken has clearly reduced. The outcomes of virtual working for CPO participants and local communities were not universally as positive as typical face to face activities, but during lockdowns they were necessary to maintain contact and relationships. This enabled participants to keep engaged with services and work through their hours. There were also highlights and learning from virtual methods which will inform blended approaches in the future.

### **2.3 The year 2020-21 in context**

22. The coronavirus pandemic interrupted the delivery of CPOs throughout the reporting period. Firstly there was a full national lockdown and then more infection controls were required to stop the spread of the virus – in particular 2 metre social distancing. This reduced important service resources such as; staff availability, space to hold socially distanced appointments and space in work vans which take individuals from their muster point to a place of work. Therefore, group-work, individual placements and social work appointments were all limited.
23. Services were encouraged to take a pragmatic, risk-based approach, prioritising cases which present an imminent risk of serious harm to individuals or the community. Staff embraced new communication methodologies such as video calls to keep in touch with people.
24. The bulk of CPO hours are completed by groups in normal times, however during the periods they could actually undertake work during the pandemic, the supervisors were commonly managing 1 individual at a time rather than 5 individuals, although restrictions were contextually localised and regularly changed in relation to public health requirements, needs and advice.
25. A backlog of work has been created throughout the justice system including the delivery of CPOs (in terms of unpaid work). This is being monitored by the Criminal Justice Board's Recover, Renew and Transform work.

26. On 28<sup>th</sup> January 2021, the Scottish Government announced action to reduce the backlog of unpaid work hours during the pandemic by laying regulations to reduce the unpaid work element imposed in existing CPOs by 35%. Orders relating to domestic abuse, sexual offences or stalking had no reduction applied.<sup>3</sup>
27. Additional financial resources were made available to local areas for deployment through third sector partners in the final quarter of the period, however this coincided with the rapid spread of the Delta variant and unexpected subsequent restrictions.
28. Whilst additional financial assistance from the Scottish Government was welcome, many local authorities found it difficult to recruit staff for a range of reasons including a shortage of suitably qualified social workers. This was replicated in the third sector as they also experienced problems in recruitment for similar reasons.
29. There was a significant reduction from the previous year in the number of CPOs imposed in 2020-21 of 51% to 8,200 linked to decreased court business during the pandemic. The requirements issued in 2020-21 were likely to have been influenced significantly by the impact of the pandemic. There has been a rising trend in recent years for increased use of supervision requirements, however this was the first year when more supervision requirements were issued than unpaid work requirements.<sup>1</sup>
30. Unpaid work completed by people serving Community Payback Orders benefits local projects and helps people to connect and contribute to their communities. In 2020-21, the returns show that around 300,000 hours were successfully completed on the unpaid work requirement compared to around 1 million hours last year. This large reduction in hours relates to pandemic restrictions. The returns also demonstrate different impacts of the pandemic between local authorities.

### **3. Unpaid work requirement**

#### **3.1 Unpaid work**

31. Unpaid work makes contributions to communities by providing the reparation element of CPOs. Local stakeholders are engaged by services in order to improve understanding of community needs and to set priorities for activities.
32. Reparation by unpaid work promotes behaviours which are positive and helpful. Unpaid work is intended to promote social acceptance and connection between the participant and their community. Skills for future employment can also be developed. Unpaid work should therefore be purposeful, have clear tangible benefits to the community and be meaningful to the participant.
33. An example of community reparation in action is illustrated by this feedback example from a Glasgow resident. *“I walk my dog in the Festival Park frequently, as do other dog walkers and had noticed on a number of occasions the guys cleaning up over the last*

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<sup>3</sup> [Community Payback Orders - gov.scot \(www.gov.scot\)](http://www.gov.scot)

*few months. What a difference it has made, I always like to thank them and tell them I appreciate what they are doing”*

34. Community visibility of CPO was also supported by actions like press coverage, newsletters and social media. Regular tweets using engaging photographs of unpaid work were included in the Moray return. Unpaid work contributions to the local newspaper’s Northern Scot Christmas Toy Appeal and community food distribution were some of the highlighted activities.
35. Groups supervised by a member of a justice social work team undertake most unpaid work activity and some people participate in individual placements. These placements are beneficial for people who face particular issues and difficulties and may not participate well in a group setting.
36. Individual placements vary in size and task and are commonly completed within local charity shops, recycling centres and community organisations. Placements can allow participants to contribute and build new healthy relationships with staff and volunteers. Organisations which support placements welcome the additional resources and participants value working with members of the wider community.
37. The unpaid work requirement can be imposed for any period between 20 and 300 hours, with those falling between 20 and 100 hours referred to as ‘Level 1’ and those between 101 and 300 hours as ‘Level 2’ requirements.
38. For every year up to 2019-20, unpaid work or other activity was the requirement most commonly issued as part of a CPO. The proportion of orders with unpaid work was high in the early years after the orders were introduced, peaking at 80% in 2013-14. This then fell slightly in each of the next six years, reaching 70% in 2019-20, but fell sharply to 58% in 2020-21, when 4,704 unpaid work requirements were issued. <sup>1</sup>

### **3.1.1 Improving resources for children**

39. Unpaid work contributed to positive outcomes for children by providing and maintaining safe, nurturing environments for learning through play. Outdoor resources for children such as building wildlife features, wigwams and mud kitchens, as well as making improvements to play areas and gardens in nurseries and schools feature in many areas. Improving play environments for children with disabilities, vulnerabilities or additional support needs were also commonly referenced in the returns. Various Christmas activities such as making decorations for a children’s cancer charity, setting up a nativity scene and distributing presents also occurred.



EXAMPLE: Unpaid Work Team, Fife – [see more images](#)

40. In East Dunbartonshire, the Christmas project was a joint initiative between Children and Families and Justice Services. Several hundred presents were delivered to vulnerable families. The return highlighted that families shared their gratitude each time a delivery was made.
41. Creation of a garden wall mural at a new residential home for children in Freuchie, (Fife) was supported by unpaid work. The cottage accommodates young children and supports them after harmful traumatic experiences. The therapeutic environment of the garden has been transformed by the mural with a large butterfly depicting events in and around the village.
42. In the Scottish Borders, 2 metre social distancing caused schools to struggle to provide suitable outdoor space for pupils to sit or shelter during inclement weather. The unpaid work team were approached to assist with the production of benches for Peebles High School. Word quickly spread to other schools and local community groups. After this, participants helped create, deliver and install 64 benches, picnic tables and shelters for schools across the Scottish Borders.
43. Contributions of unpaid work remain valued by children's support groups, evidenced by various feedback comments such as this quote from an Aberdeen beneficiary. *"The team went above and beyond making outstanding items for the nursery. They were very helpful and offered ideas and possibilities that we had not considered. Our children have high quality bespoke resources that are supporting their continued learning and have improved our environment. I have already recommended the Team to other managers."*

### 3.1.2 Poverty relief

44. Supporting people affected by poverty in communities is another valuable feature of unpaid work. Ongoing relationships exist with foodbanks where participants organise storage, pack parcels and distribute them. Many unpaid work participants have their own problems with poverty but they often lack confidence to access the services they need. Therefore, direct connection to such groups is particularly valuable for them.
45. In East Ayrshire, the unpaid work service supported the Council for Voluntary Organisations (CVO) to provide emergency food packages to those in need. The wider work of CVO supports local residents with approximately 2.5 tonnes of food every month. This has meant that vulnerable people in communities who were required to shield or isolate as a result of the pandemic, received support in relation to their basic needs while keeping themselves safe.
46. In Dumfries and Galloway, fuel poverty was averted by the unpaid work service providing bags of kindling made from old wooden pallets to community councils for individuals who are still using solid fuel fires.
47. Pandemic lockdowns stopped unpaid work at times through the year however supervisors in some areas continued the work with food banks as well as other services in order to protect the resilience of local services during the pandemic. The relationships between justice social work and support organisations like foodbanks often span many years. This is explained in a beneficiary comment from West Dunbartonshire. *“Over the last 8 years the Community Payback Team has provided the charity with support on a Thursday and Friday moving food to our distribution centre. Thankfully the wonderful management and supervisors agreed to work with us four days a week to deliver the food parcels. Their support over the last year has been tremendous and we could not have provided this service without their help.”*

### 3.1.3 Maintaining blue and green spaces

48. Various community spaces were improved throughout Scotland by unpaid work teams. Grass cutting, clearing, community gardening, painting, maintenance of path networks, refurbishment of benches and litter picking activities are all commonly described in returns. These activities contribute to community safety outcomes such as improved public perceptions of their communities and public health outcomes such as increased active travel. Access to local blue and green spaces was widely considered an important contribution to mental wellbeing in communities when pandemic travel restrictions were in place.



EXAMPLE: Unpaid Work Team, Angus Munro – [see more images](#)

49. In Angus, the unpaid work team removed graffiti and painted an underpass so that an artist could paint murals. The local newspaper described the end result as reclamation of a dirty underpass once branded a “no-go area for women”.
50. In Argyll and Bute, the team helped to set up the Helensburgh Community HUB - they weeded, removed rubbish, scraped all windows/door surrounds and hand rails, built nine window boxes, three large vegetable planters, two benches and salvaged two more. They also undercoated and painted all of the above, then lined and filled the planters. This would not have been possible without the team’s total engagement. The work has benefited the food bank and all the other groups who now use the facility.
51. In Aberdeenshire, bird feeders were distributed across an increased range of projects, agencies, groups, individuals and families. An endless supply of wild bird feeders, fat balls and wildlife habitats brought interest and animation to their view of the world at a difficult time. These nature resources were beneficial to care homes, schools, sheltered housing complexes, residential and individual households, community gardens and community parks.
52. In Stirling, the unpaid work team undertook significant work at the Elm Street Gardens Project – this involved taking over land located within the Raploch area which had become derelict and unsafe for the local community. The justice social work service agreed to remove all hazards and bring this area of land to a standard which only requires minimal ongoing maintenance and a place that local people can access freely.
53. In Inverclyde, extensive work produced the following feedback: *“The work that has been ongoing at the Coves Local Nature Reserve has made a dramatic difference to this urban green space. The aesthetic improvements at the entrance to the nature reserve*

*have had a profound effect on the way this space is perceived by the local community. Friends of Coves and the local community are so grateful for the assistance from Unpaid Work, helping us restore this unique habitat. It has already brought the community together, restoring pride of place. It has also encouraged and enabled more people to access the health and wellbeing benefits found in the natural environment. We cannot thank you all enough!"*

#### **3.1.4 Supporting local charities, culture and sport**

54. A symbiotic relationship between civic society and unpaid work has continued through the pandemic. The capacity of charities, museums, churches and community sports clubs to operate and the activities helped participants to connect to their community and to access services provided by charities and community groups. The work also enabled communities to attend events, visit places of culture or participate in cultural activity. Sporting groups such as community football clubs, bowling clubs and a sailing club were also specifically mentioned as beneficiaries in returns.
55. Making arts and crafts for sale in charity shops, undertaking leaflet drops, painting and decorating as well as ground maintenance at village halls, churches, graveyards and war memorials were also reported.
56. Feelings of alienation among participants can be addressed when they build confidence by connecting with local groups in their community through unpaid work. Some participants remained in volunteering roles in local organisations after their unpaid work hours are completed.
57. In East Lothian Heavy Sound deliver unpaid work placements via the medium of bicycle repair workshops. Participants learned how to repair bikes for community use and there were learning activities including better understanding of fight/flight/freeze behaviours, relationships, prioritising/planning skills and how to apply these to daily life and substance misuse in connection to offending behaviour.



EXAMPLE: Community Inclusion Bus, Heavy Sound, East Lothian – [see more images](#)

58. In Edinburgh a group of women completing their unpaid work, knitted woollen hats which were then donated to a local charity for distribution amongst people who were homeless and living on the streets over the winter period.
59. In Perth & Kinross, a large scale painting project was undertaken at Atholl Country Life Museum. The museum is staffed and administered by volunteers who undertake some maintenance work but they were unable to undertake the requested tasks completed by the unpaid work team.
60. Some areas also support local charity fund raising. For example in South Ayrshire, decorative wooden reindeer were constructed and donated to local groups to sell and raise funds.
61. Feedback from local groups remains positive such as this comment from a volunteer at Hoswick Play Park in Shetland. *“The payback team have been a wonderful supportive resource that has enabled us to continue smoothly. Community Payback is of great value to this group and on behalf of the team I thank you – a wonderful resource. The team have always complied with how we wished the grass to be cut and any queries are dealt with quickly and promptly.”*

### 3.1.5 Community resilience

62. Community resilience to the pandemic was supported by many activities mentioned above such as the delivery of hot food and medicines to people who were shielding. However, unpaid work also contributed to community resilience against severe weather. There are various examples of activities such as; clearing culverts and watercourses to prevent flooding, distributing grit, replenishing sandbags, clearing snow and responding to storm damage.



EXAMPLE: Unpaid Work Team, Fife – [see more images](#)

63. In Clackmannanshire a system of regular checking and clearing water courses and blocked culverts across the authority area exists to help protect communities against the devastating impact of localised flooding. Unpaid work continued to support voluntary community groups to manage this problem which had become more acute given debris build up across numerous locations during lockdown.

### 3.1.6 Climate change, biodiversity and circular economy

64. Many environmental contributions are also provided by unpaid work activity. Various projects have supported improvement of local biodiversity which include; building and distributing bird boxes, beastie houses and hedgehog huts as well as making and distributing food packs for wild birds.
65. Scotland's marine environment was also protected by unpaid work beach cleans and clearing litter from water courses before it was washed into our seas and ocean.

66. Community food growing is supported through work in community gardens and allotments. This reduces “food miles” and work on footpaths and cycle routes enabled active travel which reduces carbon emissions.
67. In Glasgow a community space was enhanced at the Children’s Zoo section of Tollcross Park where a wildlife garden was replanted and maintained which attracted wildlife and pollinators to the local area.
68. In Highland, the Alness team undertook a project at Strathpeffer which involved planting 750 native trees and shrubs for the Friends of Pefferry Way, as part of the landscaping to enhance the footpath. The trees were planted to enhance the natural biodiversity of the area. This in turn will increase the wildlife in the area and eventually it will be an area of mature trees which increases the aesthetics of the walk. As the trees were being planted, passers-by were given the opportunity to join in and plant a tree.
69. Unpaid work makes other important contributions to the environment through activities which support the circular economy. Many activities reduced demand for raw materials by reusing and repairing items so they last as long as possible or they recycled waste to maximise its value. Involving unpaid work in recycling, upcycling, repairing and renewing items like bicycles, furniture, memorial benches allows charities to contribute to the circular economy in ways which would never be commercially viable.
70. In Falkirk, the unpaid work team salvaged over 500m of wrought iron fencing from an area which was to be demolished. The fencing will be re-used at the new War Memorial site, which is being built in Langlees with support from unpaid work teams.
71. In Orkney, the unpaid work team supported Restart Orkney to promote an environmentally responsive service for the collection of unwanted electrical items. They set a target of collecting 1200 appliances and devices with the intention to refurbish at least 400 appliances and re-sell these at a low cost. A wooden storage facility was constructed from a mixture of recycled and new products to promote this project and to store the electrical items. The project was highlighted by the local newspaper which acknowledged the role that unpaid work had played. This gave participants pride and provided a purposeful opportunity to feel part of their local community.

### **3.1.7 Pandemic innovations – unpaid working from home.**

72. Normal delivery of unpaid work was limited by pandemic lockdowns and restrictions. Even when unpaid work was permitted, services were commonly operating with one member of staff supervising one person undertaking work. Normally this would be a ratio of one to five. Several areas collaborated with community partners to enable unpaid working from home.
73. In North Lanarkshire, animal faces, fairy doors and canvasses were painted and varnished at home before being given to schools and nurseries for decorative fences. They were placed in local trails and pathways.
74. In Renfrewshire, sensory, fidget blankets for people with dementia are provided by the Paisley Blanket Project and their production is supported by women serving CPOs. While pandemic restrictions were in place, the modular element of the Paisley blankets enabled textile “working from home” projects. Access to the project was extended to men

and due to the variety of tasks the project has been able to work with some people who do not normally engage with services. These service users have significant mental and physical health issues.

75. Wider community led innovation with unpaid work included making survival blankets for homeless people in South Lanarkshire. The survival blanket is made using crisp packets which are ironed together to provide insulation for sleeping bags. The unpaid work service developed a new partnership with a local church which provides a daily hot meal and other support for those who are experiencing homelessness in their local community. Survival blanket kits with an instruction guide were delivered to each participant's home. Each kit contained 50 crisp packets, parchment paper, bin liners and a step-by-step instruction guide on how to construct a survival blanket.
76. In Midlothian, 500 reusable face coverings were made by people undertaking unpaid work at home, using kits and instructions. The work has generated positive feedback from beneficiaries and participants. It was also highlighted on social media.
77. In East Renfrewshire, a workshop premises was acquired and time was spent upgrading and equipping the space for more socially distanced work. Staff with trade skills were recruited so that people could learn skills before making items for community projects, nursery schools and care homes.

### **3.2 Impact of Other Activity**

78. The other activity component of the CPO must not exceed 30 hours, or 30% of the total specified number of hours of unpaid work imposed – whichever is lower. If other activity is determined to be not required, then the requirement will only consist of unpaid work.
79. An unpaid work requirement also provides the opportunity to undertake rehabilitative activities which support the person to stop offending. Examples include; alcohol or drug education, interpersonal skills training, personal development or confidence building, literacy and numeracy tutoring, victim awareness, careers advice and improving employment prospects. Additional concerns about welfare during the reporting year were commonly mentioned in the returns and services tended to respond and report increased use of "other activity" to support with identified issues. Although the actual number of hours of other activity was not broken down in most returns.
80. Many areas described increased virtual actions to deliver other activity. This was clearly important to revise and continue this work during the pandemic, however more rigorous evaluations would be required to understand the impact of this activity compared to more traditional modes of delivering other activity.

*EXAMPLE: Unpaid Work Team, Dunfermline – [see more images](#)*

#### **3.2.1 Digital inclusion and other learning and development**

81. During the coronavirus lockdowns, most wraparound services which support other activity either closed, reduced activity or operated on a virtual basis.

82. Loneliness, social anxiety and feelings of alienation were common concerns for many people and pandemic restrictions had a worsening effect, especially for people living in small single unit accommodation. Enabling people living in poverty to access the internet was a significant poverty challenge during the pandemic and the Connecting Scotland programme which aims to bridge the digital divide was a valuable resource for services to draw on in order to maintain contact.
83. Alienation and problems accessing benefits such as Universal Credit is compounded by digital exclusion and commonly people with complex multiple problems fail to access services until they are at crisis point. Several areas described innovative ways to address this in very practical ways including Na h-Eileanan Siar where the justice social work service was able to source equipment for people without access to necessary technology to stay in touch with supervisors across rural geographies and to access benefits and the wider services which help them to live a crime free life.
84. The ability for people to access the internet also enabled new innovative ways of providing “other activity”. Participants were able to make progress in their learning and personal development while pandemic restrictions limited other areas of unpaid work. The use of virtual resources online were a key feature.
85. Services also described how they maximised collaborative work with other community justice partners for the other activity component.
86. Several third sector organisations supported fast development of online facilitation of work and supported various areas. Examples include;
87. Apex Scotland introduced an online portal known as Staff and Clients Connected (STACC) which was used for the delivery of other activity hours. It features diverse content of tutored and non-tutored learning and leaves a digital trail as evidence and time spent. Similarly, the Wise Group also developed their “CPO Connect Programme” which was used in several areas so that people could undertake learning and personal development virtually within their home. Topics include employment, financial inclusion, health and pro-social networks.
88. Street Cones also worked in many areas to provide creative online group workshops using story development, special guests and lived experience. Participants were supported to engage, reflect and converse using fictional techniques. By sharing the creative contents of their stories using public seminars, they also helped to improve visibility of CPOs.
89. Other third sector organisations which are mentioned for contributions to other activity in multiple returns are; Access to Industry, Action for Children, Barnardo’s, Includem, SACRO, Turning Point Scotland and Venture Trust,
90. The Dumfries and Galloway service developed their own range of blended learning packs. They related to subjects such as pandemic guidance, unpaid work and CPO requirements, relationships and substance awareness. These resources have been shared with other local authorities through the unpaid work network national forum.

### **3.2.2 Improving wellbeing**

91. Unresolved trauma, unmanaged mental health problems and substance use are common factors which link people to the additional chaos caused by poverty, unhealthy relationships and homelessness. While mandatory supervision and/or other requirements are compelled for people with more acute needs, “other activity” also provides participants with the right tools to develop stability, routines and consequential thinking to live a life free from crime, suicide and drug related deaths.
92. Other activity can connect people to support services linked to changing needs such as homelessness support, addressing substance use or mental health.
93. Community justice partners such as Scottish Fire and Rescue Service and NHS Boards also used “other activity” as an opportunity to deliver fire prevention work and health improvement services.
94. Through other activity, a person can start to find purpose, hope and connection to their community, in ways which matter to them. The following feedback from a participant in Dundee summarises what it can mean for individuals.
95. *“Texting how thankful I am that I got the opportunity to meet you thank you for the time you gave me to ask everything I needed. Best thing other than my health check is the street soccer opportunity you suggested to me, best thing I’ve done in my recovery and staff are really welcoming there and really encouraging me. They have told me there’s loads of an opportunity going forward, so looking forward to that. Also got myself a dentist after talking to you. You had loads of knowledge of things I needed including the recovery road map. I would really recommend anyone take the time to meet you I’m glad I did, oh and really recommend street soccer thank you”.*

### **3.2.3 Developing capacity to find a suitable job and keep it**

96. Finding and sustaining suitable employment is a pillar to maintaining positive self-identity, stability and healthy routines.
97. Practical unpaid work in groups or individual placements support people to develop the confidence, skills and attributes which employers need such as; improved communication, teamwork, timekeeping and flexibility. “Other activity” can complement this by helping people to develop literacy, numeracy, basic IT skills and other learning.
98. Disclosing a previous conviction is also a barrier which anchors feelings of doubt and failure. People need support to overcome their disclosure anxieties and to be prepared to make authentic statements about their past. They also need to know when their convictions will become spent. This is the point when convictions no longer need to be disclosed for most types of jobs and when people are able to unshackle themselves from an offending identity.
99. Specific qualifications such as Level 1 Health and Safety in a Construction Environment Construction Skills Certification Scheme (CSCS) are required before someone can work on a building site. This qualification as well as the parallel hygiene qualification for catering work were enabled in many areas through other activity.

100. Other activity also linked people to tertiary education including the Open University.

### **3.3 Local authority consultation on unpaid work**

101. Consulting with community stakeholders such as; local police, the Sheriff Principal, victim organisations, local voluntary organisations, community councils, community planning partnerships and community safety partnerships are required to define the type of work which is carried out.
102. Lockdowns and restrictions throughout the reporting year reduced the capacity of unpaid work and restricted the type of work which could be undertaken. This created a backlog of tasks which had been agreed. It also limited some of the consultation activity, however local areas described implementing various technical resources to consult stakeholders and maintain visibility of unpaid work through various media approaches because face to face contact was not possible. Contact was also made with local groups to explain why plans for unpaid work needed to be changed.
103. The restrictions also created new opportunities. For example, the Aberdeenshire return noted that social distancing inside work vans resulted in more people working more closely to their home. Additionally the requirement to work in small groups there, actually led to improved visibility, feedback and integration in communities. This in turn, created new consultation opportunities and local placements. A community engagement subgroup for the community justice partnership was also established.
104. Many areas described involvement and interest from elected members in unpaid work, links with community resilience hubs and using more online tools to consult with communities.

### **4. Requirements other than unpaid work**

105. The unpaid work requirement is one of nine requirements which a court can impose as part of a CPO. The other requirements are; supervision, compensation, programme, residence, mental health treatment, drug treatment, alcohol treatment and conduct.
106. While the court can impose a standalone unpaid work or activity requirement, all other requirements must be imposed together with a supervision requirement. Supervision requirements are also mandatory in cases where the individual is under 18 years old.
107. Close work with community justice partners is an essential feature of successfully managing requirements. A good example of this was reported in the West Lothian return which described the benefits of colocation with local NHS Addiction Services. This supported close working throughout the pandemic where there are joint responsibilities. It enabled synergies in case management and also meant the West Lothian Justice Service was able to join the National Pilot “Near me” video conferencing service with their NHS colleagues. This forms part of the whole service recovery plan.
108. Increased gender based violence (GBV) during the pandemic has been widely reported. Although resources were severely depleted, a consistent theme in responses was the priority to deploy resources to manage people who presented the highest risks.

## 4.1 Use of other requirements

109. A publication presenting detailed information on criminal justice social work activity in Scotland <sup>1</sup> during the reporting period was published in January 2022, and this report has drawn on some of the statistical analysis contained within that publication.
110. The average number of requirements per order has been steadily rising over the last five years, increasing from 1.48 in 2016-17 to 1.57 in 2020-21.<sup>1</sup>

### 4.1.1 Supervision requirement <sup>4</sup>

111. For the first time supervision was most used requirement. It allows people with a range of needs to access one-to-one support. The proportion of orders with a supervision requirement has been rising over recent years, reaching 62 % in 2019-20. This proportion then rose sharply in 2020-21 to 73 % when 5,952 orders were issued with supervision requirements. 2,487 orders were issued with both unpaid work and supervision requirements. <sup>1</sup>
112. In the years 2016-17 to 2019-20, around 56 to 58% of supervision requirements were for 12 months or less. This fell to 51% in 2020-21. The average length of supervision requirements across 2016-17 to 2019-20 was around 15.5 months but was higher (16.7 months) in 2020-21.<sup>1</sup>
113. A supervision requirement aims to change the way the person thinks and behaves by compelling them to attend regular appointments with a justice social worker. Justice social workers are professionally qualified and have the required expertise to understand the causes of crime and to deploy person centred actions which reduce further offending. They use a rigorous evidence base and are required to keep up to date through continuous professional development.
114. Supervision involves motivating and supporting the person to desist from further offending, preparing and implementing their case management plan, reviewing progress, organising levels and types of contact and resources to support the interventions, and supporting the person to achieve the intended outcome of each intervention. These are required by national standards.
115. Continued supervision through the pandemic was made possible by a flexible workforce and the digital inclusion actions outlined in section 3.2.1 which ensured that people had access to phones and other devices. Virtual meetings kept services going and local areas reported ongoing learning from innovations which will help to shape future improvements.
116. The additional contact from social work staff through phone calls was largely a positive experience. More regular phone check-ins helped many participants to get through the lockdowns.

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<sup>4</sup> Referred to as "Offender Supervision Requirement" in section 227G of the Criminal Procedure (Scotland) Act 1995

117. Some people appear to have engaged better with virtual delivery options. For example, being more confident to engage, open up and reflect while others have struggled to manage online contact. Virtual solutions also overcame geographic access difficulties to social work offices for people without the money to pay for a bus fare in advance etc. There were also strict travel restrictions at times. However, some people missed the direct human connection with their social workers. Non-verbal cues also enable social workers to better observe the changing nature of needs such as, deteriorating mental health or increased substance use etc.
118. It was suggested that there are also sometimes trauma responsiveness benefits in virtual meetings because visiting social work offices can trigger traumatic childhood memories. Additionally, virtual meetings support caring responsibilities.
119. For cases where the home environment was crucial to effective supervision, risk managed home or doorstep visits were conducted.
120. The needs of women in the justice system are typically different and services deployed gender sensitive approaches. For example, North Ayrshire have developed a Women's Team which supports intensive engagement with vulnerable women. This service provides supervision and case management of CPOs imposed for women who have more complex risk and needs. The pandemic affected access to support services for women throughout Ayrshire, which resulted in Justice Services responding to an increase in crisis intervention and welfare concerns.
121. Also, in Glasgow a new workstream is developing services for women in the justice system. This has included improving the interfaces between the 218 Project and Tomorrow's Women Glasgow services, improving the use of mentoring for women subject to CPOs and data work-streams to measure patterns, pathways and outcomes. In 2021/22 further developments will take place to create a women only unpaid work service.
122. Services acknowledged that face-to-face contact with individuals is crucial to developing supervisory relationships and a person-centred approach. However, the instant communication afforded by technology has some benefits and should be carefully explored and built upon with an evidence based approach.
123. Examples of feedback from clients about supervision remained largely positive and some of these are referenced in section 6 of this report and the following case study provides an illustration of supervision in action.
124. *"A" received a Community Payback Order with Supervision for offences of threatening behaviour and assault. He has faced lifelong issues with alcohol and mental health. During the course of his order, "A" opened up about significant childhood trauma and advised that his appointments had provided him with a safe place to reflect on and address these experiences. "A" has now greatly reduced his alcohol use and is managing his mental health. "A" said: "this payback order has helped me realise that crime is not the way. There are other ways to live life. It's woke me up and gave me a shake. The payback order has helped me unbelievably. It has helped me talk about past trauma".*

#### **4.1.2 Compensation requirement**

125. A compensation requirement is used to compel a person to pay money to victims for injuries or distress caused, or to pay for damage to property. 241 orders had a compensation requirement in 2020-21.<sup>1</sup>

#### **4.1.3 Programme requirement**

126. A programme requirement is used when the court considers that an individual needs to undertake a programme or course to address their offending behaviour. This is sometimes referred to as a 'court-mandated' programme. 701 CPOs had a programme requirement in 2020/21.<sup>1</sup>
127. The Caledonian Programme is an evidence-based trauma-informed accredited programme which takes an integrated approach to address men's domestic abuse and to improve the lives of women, children and men. The men's programme is delivered through a combination of group work and one-to-one sessions. There is also a women's and children's service.
128. Moving Forward Making Changes (MFMC) is a behavioural programme designed to provide treatment for men who have been convicted of sexual offences or offences with a sexual element.
129. The delivery of groupwork programmes were significantly restricted through the year, however some areas reported being able to continue the delivery in a one to one or two to one model.

#### **4.1.4 Residence requirement**

130. Residential treatment facilities can be used both as part of, and out with the imposition of a residence requirement. These are generally provided by third sector partners and focus on stabilising addiction. 6 residence requirements were issued in 2020-21.<sup>1</sup>

#### **4.1.5 Mental health treatment requirement**

131. If the person has been diagnosed with a mental health condition that plays a role in their offending, they can be compelled to receive support and treatment with a mental health treatment requirement. 17 orders had a mental health treatment requirement in 2020-21.<sup>1</sup>

#### **4.1.6 Drug treatment requirement**

132. If the person has a drug problem, they can receive treatment under this requirement. They might be ordered to attend a clinic or hospital to deal with the problem. 82 orders had a drug treatment requirement in 2020-21.<sup>1</sup>

#### **4.1.7 Alcohol treatment requirement**

133. An alcohol treatment requirement can be used when an individual is alcohol dependent and alcohol is considered to be a significant factor in their life. The aim of this requirement is recovery from alcohol dependency. 93 orders included an alcohol requirement in 2020-21.<sup>1</sup>

#### **4.1.8 Conduct requirement**

134. Conduct requirements continue to be the most commonly used requirement after unpaid work and supervision requirements. 991 orders had a conduct requirement in 2020-21.<sup>1</sup>
135. The purpose of conduct requirements is to instruct on or limit certain actions and behaviours, thereby reducing the risk of further offending, promoting rehabilitation and protecting the public. These will include directions such as prohibiting or controlling contact with victims and groups of potential victims. They may also prohibit the person from entering a certain location.

### **5. Pandemic responses and other innovation**

136. The delivery of CPOs requires collaboration between community justice partners. The bridge from services to communities is critical and there are complex local interdependencies. The pandemic required immediate responses to continuously changing situations and changing needs, therefore the impact on local services and responses were different from area to area.

#### **5.1.1 Rebalancing reduced resources against risks and needs**

137. Resources shrunk at scale right across support systems because lockdowns required the public to “Stay home. Save Lives. Protect the NHS”. Then two metre social distancing and other restrictions such as self-isolation of workers, reduced the ongoing available workforce and work spaces.
138. The reduced resources in justice social work were shifted to manage individuals who posed an imminent risk of serious harm, rather than typical CPO caseloads. Face to face contact was reduced to doorstep meetings at times and office spaces were redesigned to maximise safe contact. Meanwhile in the community, lockdowns escalated the incidence of gender based violence to which services responded through their risk modelling.
139. The prioritisation of risk and other factors meant that unpaid work in most areas was significantly reduced because risk is managed in other CPO requirements and other justice social work activity. Also, when unpaid work stopped, workers were redeployed to other essential roles.
140. A lot of CPO activity responds to unmet complex needs rather than acute risks and widespread virtual working was adopted. There has been clear benefits of making extra phone calls to check in on vulnerable people. Engagement has also been enhanced for many people who struggle to travel to social work offices. There is also evidence that

virtual models have improved engagement for some issues relating to social anxiety, trauma responses and other mental health obstacles.

141. Suicide and drug related deaths remain a critical concern. Some justice social work services have responded by working more closely with Alcohol & Drug Partnerships and Health & Social Care Partnerships. Some returns have described integration of resources such as; peer support models, recovery communities, community psychiatric nurses as well as implementation of Naloxone training for staff.
142. The true impact of the pandemic on people serving CPOs is difficult to clarify. One return advised *“Individuals reported missing the normal routine contact with their case manager, including attending for unpaid work, and it undoubtedly led in some instances to isolation and loneliness. In ... (a rural area with a population of 20,000), 3 individuals known to CJSW died, one from suicide and two due to drug and substance use”*.
143. The following quotes are additional examples which show the importance of social work contact.
144. *“I do miss the face to face contact, as it is more personal, although I prefer that it is my allocated worker calling me rather than someone different like other services. I appreciate my social worker offering a face to face for my last appointment.”*
145. *“If it wasn’t for my worker and other supports, she put in place, I would be dead”*
146. Responses also considered increased domestic abuse during lockdown. For example in East Dunbartonshire a justice social worker was seconded one day a week to assist with the setting up and running of the Humanitarian Assessment Centre, with a focus on screening for domestic abuse and offering victims additional support during the pandemic.

### **5.1.2 Enabling access and engagement to services**

147. In normal times, people accessing wraparound services are obstructed by social anxieties anchored by stigma, trauma triggers and threats to personal safety in unfamiliar surrounds. Services also need to be available at the right time and in the right place. Trauma responsive services which are local, colocated, coproduced and situated in multi-organisational hubs with effective community connections are key components of effective provision. They improve access, engagement and outcomes for people with the most complex needs. However, pandemic restrictions limited the availability of these approaches and the wider consequences are not yet known.
148. The development of trauma responsiveness in services has been described in many returns. For example, through additional training, partnership working with expert trauma clinicians and consulting with CPO participants. Some returns have detailed how this has improved access and engagement.
149. The move to virtual working across many connected services has clearly been necessary. Similarly the need to quickly enable digital inclusion among a cohort of people who are normally disadvantaged by digital poverty has been carried out and this

has enabled them to engage with services and claim universal credit etc. These changes appear to have been carried out swiftly despite obvious logistical and financial barriers.

150. Services are keen to learn from new ways of working and implement sustainable blended approaches to modelling the right mix of virtual and “in person” contact for each individual in order to maximise improved outcomes and they are keen to develop this in an evidence-based way.

## 6. Making Scottish communities safer.

151. Many direct feedback quotes from people serving CPOs were included in the returns. These verbatim quotes demonstrate successful impacts of CPOs. It is acknowledged that the inclination to take time and give feedback in such situations, may favour positive responses, however some of these heartfelt messages demonstrate the power of CPOs.
152. The individual outcomes which change offending behaviour are defined as follows:
- I) Life chances are improved through needs, including health, financial inclusion, housing and safety being addressed.
  - II) People develop positive relationships and more opportunities to participate and contribute through education, employment and leisure activities.
  - III) Individuals resilience and capacity for change and self-management are enhanced



EXAMPLE: Heavy Sound, East Lothian – [see more images](#)

### 6.1.1 Improved life chances quotes

153. *“I have felt safe at all times. I would not attend if I didn't feel safe.”*
154. *“The chance to repay for my crimes in a safe environment”*

155. *"You get support with issues, group support can increase confidence, gives a sense of achievement, mental health and alcohol and drugs issues can be addressed."*
156. *"She (social worker) referred me to the substance misuse team, and I did the work involved with her - next thing I was 4 months sober, then fell pregnant with my second child."*
157. *"My supervision is up now and I am now running my own business with my cousin I never thought I would ever get a job again"*
158. *"(A CPO is better) Rather than incurring a financial penalty which penalises innocent parties e.g. Family."*
159. *"Got me out the house more, when attending my mental health improved"*
160. *"Getting out of the house; wasn't working at the time. Meant I wasn't drinking as much as had to get up and out."*

### **6.1.2 Improved life chances case study**

161. *B is an adult male who reported he had been the victim of emotional and physical abuse as a child. This childhood trauma impacted upon his relationships with others as he grew up and his behaviour, which could be threatening and violent, brought him to the attention of services throughout his early years and into adulthood.*
162. *B was placed on a Community Payback Order by the Court prior to lockdown. He had struggled to maintain stable accommodation and was homeless at the point of sentencing. He also had a history of illicit substance misuse which, in turn, impacted upon his mental health and a pattern of self-harm episodes and hospital admissions had developed. A range of agencies were consulted and B agreed to a plan of work which included intervention and support from Criminal Justice Social Work Services, Homelessness Services, Health and our local Alcohol and Drugs Recovery Service (ADRS). This plan was put before the Sheriff by way of a Criminal Justice Social Work Report and the Order was made.*
163. *Lockdown, however, proved to be particularly stressful for B and resulted in instances of self-medicating with illicit substances and deliberate self-harm. Criminal Justice staff worked closely with ADRS and Homelessness Services colleagues to arrange additional supports for B which included counselling.*
164. *From a Criminal Justice Social Work perspective, our frequency of contact was increased in line with his increased vulnerability. This included direct face-to-face contact in addition to regular telephone and text communication. In effect, B received a more intensive level of support during lockdown than he had previously. A focus of this support was to help him build his resilience and manage his negative thoughts. He also accepted the support of ADRS in addressing and reducing his substance use and the negative impact which this had upon his mental health and destructive behaviour.*
165. *It is felt that the collaboration between services ensured support that was comprehensive in its range and responsive to B's changing needs during the pandemic.*

### **6.1.3 Relationships, participation and pathways to employment**

166. Also see section 3.2.3 Developing capacity to find a job and keep it.
167. *"You feel great when you stand back, look and go ' I helped do that' ....it gives you a real buzz"*
168. *"The confidence I got from being at unpaid work gave me the confidence to go on and apply for paid employment".*
169. *"I needed to manage new skills through the Order and support helped me do that. Have developed patience when painting for unpaid work, having to rub down and paint and then wait for drying, and repaint. Aiming to learn to wait, and slow down and do that in other parts of my life. I've also appreciated the way the unpaid work has been delivered, I feel I have benefited from the support I have had from workers and time to reflect. I also learned different types of team working, worked with people of different abilities was excellent and valuable, and experiencing the team motivation and pride in their work".*
170. *"Able to help elderly people move which was brilliant, really felt giving back to community by helping people and that made me feel good."*
171. *"I couldn't fault the placement I was given. Completing my hours while there gave a feeling of reward, you get a real sense of helping the community. Not only that, but you're given the opportunity to learn new skills, meet new people, and see the other side to retail you may have never known. It was a good experience, it taught me a lot and added a personal journey."*
172. *"The confidence I got from being at unpaid work gave me the confidence to go on and apply for paid employment".*
173. *"Working with the painter who was brilliant to work with. He taught me new skills, how to paint and hang wallpaper".*

### **6.1.4 Resilience, capacity for change and self-management**

174. *"....Talking to people - Although I didn't want to at first, this helped me clear my head and figure stuff out."*
175. *"It helped me with confidence with working in groups & all types of people"*
176. *"My worker believed in me, she showed me that change was possible. I never had any faith in social workers, but she took the time to break down my barriers and in time I began to trust her."*
177. *"It gave me a sense of structure and routine. It has helped me reflect on my past behaviour"*
178. *"I have learned the ability to work as part of a team and how to solve problems rather than ignore them"*
179. *"I would like to volunteer now I've completed my hours. I enjoy having a purpose."*
180. *"I was apprehensive to begin with but it was surprisingly enjoyable due to the Supervisors training methods and style."*

181. *"I am a firm believer in respect being a 'two-way street', and I thank my worker for showing me respect despite my previous conviction. For me, her nurturing ability is second to none – she found the correct balance on when to be firm and fair, serious and funny, and this is what a person on an order needs"*
182. *Changed thinking and attitudes – realised impact of behaviour on victims.*
183. *Served my punishment – paid the price for crimes.*
184. *Thank you so much for giving me the opportunity to make up for my mistakes*
185. *"It made me stop and take a look at my life, where I was at and where I was going. It opened my eyes and I attempted to deal better with stressful situations". "It made me realise that what I done was stupid. I saw the seriousness of what I done. It also made me think about the future and that life would be hard for me if I was to continue to offend."*
186. *"This payback order has helped me realise that crime is not the way. There are other ways to live life. It's woke me up and gave me a shake. The payback order has helped me unbelievably. It has helped me talk about past trauma".*
187. *"I can only say positive things as my worker called me regularly but not too often and made it clear if I needed help to call the office. I have had major issues and she has been there both with advice and help. No complaints from me, thank you."*

## **7. About this report**

188. CJS will arrange for a summary of the narrative reports to be laid before the Scottish Parliament and publish, together with or part of, the annual report on performance in relation to community justice outcomes under section 27 of the Community Justice (Scotland) Act 2016.
189. This report is the tenth such summary and the fourth to be published under the new reporting arrangements and covers the reporting year 1 April 2020 to 31 March 2021. Previous summaries can be found on the CJS and Scottish Government websites at: <https://communityjustice.scot/reports-statistics/> and <http://www.gov.scot/Publications> respectively.
190. A copy of the amended guidance and template issued to local authorities are provided at [Appendix one](#). It should be noted that, although there is no statutory requirement to do so, local authorities can make separate arrangements to publish their annual reports in full, however, this is at their own discretion.

## **8. Further information**

191. 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](mailto:info@communityjustice.scot)

192. Further information on CPOs can be found on the Scottish Government website at:  
<https://www.gov.scot/policies/reducing-reoffending/community-sentencing/>

### 8.1 External links

193. Information about local arrangements for CPOs can be found on local authority websites:

<b>Local Authority</b>	<b>Local Authority</b>
<a href="#"><u>Aberdeen City Council</u></a>	<a href="#"><u>The Highland Council</u></a>
<a href="#"><u>Aberdeenshire Council</u></a>	<a href="#"><u>Inverclyde Council</u></a>
<a href="#"><u>Angus Council</u></a>	<a href="#"><u>Midlothian Council</u></a>
<a href="#"><u>Argyll and Bute Council</u></a>	<a href="#"><u>Moray Council</u></a>
<a href="#"><u>City of Edinburgh Council</u></a>	<a href="#"><u>North Ayrshire Council</u></a>
<a href="#"><u>Clackmannanshire Council</u></a>	<a href="#"><u>North Lanarkshire Council</u></a>
<a href="#"><u>Comhairle nan Eilean Siar (Western Isles)</u></a>	<a href="#"><u>Orkney Islands Council</u></a>
<a href="#"><u>Dumfries and Galloway Council</u></a>	<a href="#"><u>Perth and Kinross Council</u></a>
<a href="#"><u>Dundee City Council</u></a>	<a href="#"><u>Renfrewshire Council</u></a>
<a href="#"><u>East Dunbartonshire Council</u></a>	<a href="#"><u>Scottish Borders Council</u></a>
<a href="#"><u>East Lothian Council</u></a>	<a href="#"><u>Shetland Islands Council</u></a>
<a href="#"><u>East Renfrewshire Council</u></a>	<a href="#"><u>Stirling Council</u></a>
<a href="#"><u>East Ayrshire Council</u></a>	<a href="#"><u>South Ayrshire Council</u></a>
<a href="#"><u>Falkirk Council</u></a>	<a href="#"><u>South Lanarkshire Council</u></a>
<a href="#"><u>Fife Council</u></a>	<a href="#"><u>West Dunbartonshire Council</u></a>
<a href="#"><u>Glasgow City Council</u></a>	<a href="#"><u>West Lothian Council</u></a>

**Appendix One – Circular**

Justice Directorate

Community Justice Division



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31 August 2021

Community Justice Division

Justice Directorate

Scottish Government

To:

All Chief Social Work Officers

All Justice Social Work Managers

Copied to:

James Maybee, Social Work Scotland

Mike Callaghan, COSLA

Karyn McCluskey, Community Justice Scotland

Dear Colleagues,

### **Community Payback Order: Annual Reporting 2020-21, Template**

Please find attached a template to capture details about your local authority's implementation and operation of Community Payback Orders (CPO) in the year 2020-21. This is part of annual reporting requirements. We would be grateful you would complete and return this by 31 October, as detailed below.

Section 227ZM of the Criminal Procedure (Scotland) Act 1995 (the 1995 Act) imposes a duty on local authorities to submit an annual report on the operation of Community Payback Orders (CPOs) in their area to Community Justice Scotland (CJS).

Local authorities are expected to fulfil this requirement in two ways:

- i. by continuing to submit statistics for each financial year to the Scottish Government on the operation of community sentences in their areas; and
- ii. in addition to these statistics, by providing a narrative account of the implementation and operation of CPOs in the financial year to which the statistics refer.

### **Direction under s227ZM(2) to complete narrative report**

Under section 227ZM(2) of the 1995 Act, local authorities are directed to utilise the attached template (and not the template issued in previous years) in completing a report of the implementation and operation of CPOs in the reporting year ending 31 March 2021.

The template has been updated slightly from last year, in consultation with Community Justice Scotland (CJS) and Social Work Scotland. This is to ensure the type of information requested is proportionate while taking account of the context of the COVID-19 pandemic, including its impact on services and new ways of working that have emerged.

Please note that where you are asked to provide the total number of unpaid work hours on page 2 of the template, it is the total number of hours completed rather than the total number of hours issued that is requested.

As you will be aware, local authorities' reports are subject to potential release under the Freedom of Information (Scotland) Act 2002. It is therefore requested 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 within the report.

### **Submission and timing**

The completed narrative report (using the attached template) should be sent to Community Justice Scotland by the Chief Social Work Officer of your local authority by 31 October 2021. If this date is problematic, please discuss alternative submission arrangements directly with CJS.

It would be helpful if you could rename the document to include your Local Authority's name, for example 'CPO Annual Report -Scotland-2020-21 Falkirk'.

The report should be submitted by email to [info@communityjustice.scot](mailto:info@communityjustice.scot) and copied to the Scottish Government at [cpo@gov.scot](mailto:cpo@gov.scot).

### **Preparation of report by CJS**

Once all the CPO annual reports are received, Community Justice Scotland will prepare a summary report. This will be laid in Parliament by 31 March 2022 in accordance with section 227ZM(3) of the 1995 Act. Local authorities can make separate arrangements to publish their annual reports in full, although there is no statutory requirement to do so. However, any report to be laid in Parliament, or its contents or reference to these, must not appear in the public domain in advance of the report being laid. Therefore, publication by local authorities should not take place in advance of Community Justice Scotland's Summary being laid in Parliament. You will be updated by Community Justice Scotland on when the Summary report will be laid, close to 31 March 2022.

### **Provision of statistical information**

In addition to the direction above, we request 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.

Please get in touch with any queries in relation to this direction.

Thank you in advance

Jenny Stewart, Policy Manager

[jenny.stewart@gov.scot](mailto:jenny.stewart@gov.scot)

Community Justice Interventions Team, Community Justice Division, Scottish Government

# COMMUNITY PAYBACK ORDER ANNUAL REPORT

FINANCIAL YEAR: **2020/21**

LOCAL AUTHORITY:



**In this section, please report on the following:**

- **The total number of unpaid work hours completed during the year;**
- **Types of unpaid work projects which have been carried out (list of bullet points will suffice); and**
- **One example that helps to demonstrate how communities benefited from unpaid work.**

**We recognise that compliance with pandemic restrictions and related SG guidance significantly impacted on the capacity of services during the reporting year. (Max 300 words.)**

**Quotes from both people subject to CPOs and the beneficiaries about the impact of the unpaid work on them and/or the community. (Again, bullet point will suffice - max 300 words.)**

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**Types of "other activity" carried out as part of the unpaid work / other activity requirement. You may want to reflect on learning from new ways of working within other activity and the benefits of this. (Again, bullet point will suffice - max 300 words.)**

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**1. It is acknowledged that pandemic restrictions will have limited the local opportunities to consult on both the nature of/reduction in the capacity of unpaid work – however, if you were able to undertake this, how did you do so? 2. If you were unable to undertake this type of consultation, please advise how you organised the available unpaid work activity over the year, e.g. responding to requests from local COVID resilience committees, etc. (max 300 words).**

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**The pandemic restrictions also affected access to wider support services which are provided by partners (e.g. drug and alcohol services, etc.).**

**Please outline any significant issues which were identified for people involved with Justice Services and what was put in place to resolve matters relating to these issues, e.g. access to services, etc. (max 300 words).**

**Any other relevant information not previously highlighted - this may include:**

- **Learning from and/or comment on new ways of working and different benefits which were achieved.**
- **Examples of any work carried out with people on CPOs to address their offending behaviour.**
- **Examples of work carried out in partnership with 3<sup>rd</sup> Sector partners.**
- **Any other areas identified for improvement and planned next steps**
- **Any other relevant points you wish to highlight.**

**(max. 300 words – bullet points only if preferred.)**

COMPLETED BY:

DATE:

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