

COMMUNITY PAYBACK ORDER (CPO)

ANNUAL RETURNS TEMPLATE

FINANCIAL YEAR: **2023/24**

LOCAL AUTHORITY: **The City of Edinburgh Council**

TEMPLATE RETURN DATE: **29th of September 2024**

Please return all completed templates to
CJS at CJSImprovement@communityjustice.scot and copy
the Scottish Government at cpo@gov.scot

Background

Under the Community Justice (Scotland) Act (2016), local authorities have a statutory duty to report on the operations of Community Payback Orders (CPO) within their area on an annual basis to Community Justice Scotland (CJS). CJS will then collate these returns and summarise them in a report which is laid before Scottish Parliament.

To assist with this reporting duty, CJS, in collaboration with representatives from Justice Social Work, the Scottish Government, and Social Work Scotland, has developed a template of questions for local areas to complete. This template is designed to support the reporting requirement.

Completing the template

Please answer the following questions contained in this year's CPO template. When answering the questions, please ensure that all case studies and feedback are anonymised. We understand that maintaining anonymity may be more challenging for some local authorities. If this applies to your area, you may provide a more general response to the questions.

Please ensure all answers are relevant to your local area within the 2023 to 2024 reporting year.

If you need any support in completing this template and or have any questions, please do not hesitate to get in contact with CJS. Contact details can be found on the title page of this form.

Thank you for taking the time to answer the questions in this template.

Questions to answer

1) Reducing risk of reoffending

Please provide a case study or examples of your work with people subject to a Community Payback Order (CPO), focusing on how you work to address their offending behaviours and reduce the risk of reoffending.

Addressing offending behaviours is a key part of the supports provided to people subject to a CPO to reduce their risk of reoffending. For people subject to a supervision requirement, a holistic plan is put in place to address the individual's needs which includes those directly related to the offending behaviour. To complement the supervision requirement and address specific types of offending, specialist interventions may be used for example:

- Moving Forward: Making Changes group work programme delivered by the Community Interventions Service for Sex Offenders (CISSO)
- Caledonian System for addressing domestic abuse offences
- Internet offences whereby a conduct requirement would be used to place restrictions on an individual's internet access/internet enabled devices

The development of a positive relationship between the supervising officer and the individual can also be a key factor in encouraging desistance. The case study below demonstrates the relationship between offending, mental health, unmet needs, and an individual's alcohol dependency which required repeated efforts to find the motivation to remain on the pathway to desistance and sobriety.

Kevin (not his real name) is a 27-year-old male subject to a CPO for theft. After assessing his needs and establishing a link between his daily alcohol use and his offending, his justice social work supervising officer referred Kevin into the Edinburgh and Midlothian Offending Recovery and Support Service (EMORSS). Kevin's goal was to achieve abstinence, and he was keen to gain employment. At his initial appointment, he was given harm reduction advice and detox options were also discussed with him.

At a follow up meeting, he agreed for a referral to be made to the NHS alcohol misuse team to access a community detox. Kevin was also supported by EMORSS to follow a slow reduction plan for his alcohol use. As Kevin also struggled with his mental health and experiencing low self-worth, he was supported to access his GP and a CPN. Later that same day, the EMORSS worker received a call from police to say that Kevin had been arrested for theft while under the influence of alcohol. Kevin continued to be supported to reduce his drinking and got to a place where he was confident to start employment. He reported that work helped him to stay focused. At a follow up appointment with his CPN, Kevin was prescribed medication for his mental health, and it was agreed that a referral would be made for counselling for past trauma. Kevin continued to engage with EMORSS, receiving emotional and motivational support.

While awaiting counselling, Kevin was again arrested for theft while under the influence of alcohol and remanded in custody although was released a few days later. Upon his release Kevin went on a drinking binge citing struggles with his mental health; he was subsequently supported to continue to engage with supports and to access the North-East Recovery Hub alongside the plan for him to start a community detox.

2) Support for underlying needs

Please provide a case study or examples of your work with people subject to a CPO, focussing on how you work to address their underlying needs (e.g., mental health, substance use).

A personalised supervision plan is agreed with individuals subject to a CPO with a supervision requirement. A range of interventions are available to address mental health and other concerns including substance use. For example:

- [Survive and Thrive](#) NHS psychoeducational course for people affected by interpersonal trauma, supporting them to gain an understanding of their difficulties while learning coping strategies
- Alcohol Problem Solving Court which is used to address alcohol use linked to offending; justice social work provides the Court with a fast-tracked alcohol focussed assessment which facilitates

access to treatment supplemented by Third Sector psychosocial support and monitored with frequent court reviews to encourage engagement

- Substance use recovery hubs offer supports to address drugs dependency linked to offending

The case study below outlines Sara's efforts to manage her substance use and related health issues, navigate other challenges in her life, and complete her CPO.

Sara (not her real name) is in her 20s and had received a CPO. She was using alcohol, cannabis, and cocaine and was referred to EMORSS via [Willow](#) (support service for women in the justice system) predominantly to access support for substance misuse. She had managed previously to achieve some periods of abstinence but never more than a week or so at a time and she was worried about the impact her substance use had on her behaviour, and the activities she would participate in to gain money for substances.

Initially, Sara engaged relatively well with EMORSS and had discussed the possibility of a referral to rehabilitation but was anxious about what her family's reaction would be. She subsequently found it difficult to keep face to face appointments with her EMORSS worker although she did maintain telephone contact. Following discussion with Sara's social worker at the Willow Service, Adult Support and Protection Arrangements were put in place due to her vulnerabilities, which included putting herself at risk when under the influence and exhibiting concerning behaviour. EMORSS and Willow both engaged in Adult Support and Protection Arrangements for several months and managed to get Sara to re-engage with support. Her engagement did not last long; her support with Willow ended and she was allocated another social worker within Adult Services.

As part of the Adult Support and Protection Plan, EMORSS agreed to remain involved to try to re-engage Sara as she had an outstanding court case. Sara was admitted to hospital with significant lung issues as a result of crack cocaine use; this proved to be a wake-up call for her and she began to re-engage with her EMORSS worker, attending 1:1 appointments regularly and showing insight into her recovery. During this recovery period, she suffered two lapses but managed to stay on track. It was also identified through the Adult Support and Protection

meetings, that her accommodation was unsuitable and a management transfer through her housing provider was sought.

Sara was keen to go to an out of area rehabilitation centre and EMORSS referred her to the Residential Rehabilitation and Referral (3RT) team to start the process. As well as attending regular appointments with EMORSS, she engaged with a social worker at 3RT to look at options for where she would complete her placement. However, a month later Sara discovered that she was pregnant. She was still keen to access rehabilitation but decided it would be better to be closer to home and therefore [Lothian and Edinburgh Abstinence Programme \(LEAP\)](#) was considered. Sara went into LEAP, completed the full programme and is currently abstinent. She has returned to live with family while suitable accommodation is found for her. She is engaging with Children and Families Social Work, is attending LEAP aftercare and also attending Narcotics Anonymous meetings. Her pregnancy is going well, and she is no longer under Adult Protection measures. She recently viewed a home under the management transfer option and is awaiting a move in date.

3) Unpaid work

Please describe a case study or provide examples of unpaid work activity.

Examples of unpaid work carried out in public spaces and community gardens included:

- General gardening, landscaping and grounds maintenance
- Litter picking and rubbish removal
- Painting structures/garden gates
- Cleaning/unblocking gullies of mud/leaves
- Graffiti removal
- Pruning overgrown bushes
- Plant care within gardens
- Sweeping benches and pathways
- Clearing weeds from pond areas in parkland
- Tidying garden equipment
- Spreading woodchip where needed
- Repurposing garden waste through composting

- Tidying public paths to improve safety underfoot
- Building planters using wood, brick and stone
- Building outdoor structures for gardens as required
- Laying decking
- Trench digging for draining pipes
- Erecting fences
- Cycle repair and servicing
- Snow shovelling to clear pathways
- Working in charity shops

4) Other activity

Please describe the main types of "other activity" carried out as part of unpaid work or other activity requirement.

Justice services collaborated with Third Sector partners the Wise Group and Access to Industry to ensure a range of 'other activities' were available to interested individuals. The Wise Group's CPO Connect programme delivered flexible live sessions on topics such as mental health, employability, and budgeting with examples shown in the table below.

Table 1

Topic	Content	Learning Outcome
Mental wellbeing	Explore different ways to improve your wellbeing and mental health. Learn about self-esteem, mindfulness, and self-care. Discover tools to manage anxiety and depression.	Develop a toolkit of techniques to improve mental wellbeing a prioritise self-care.
Overcoming anxiety	Understand what is anxiety? What keeps it going and what makes it worse? What can we do about it? Learn techniques to address bodily sensations, thoughts and behaviour that can impact anxiety.	Learn to understand, manage and beat anxiety - step by step.
Dealing with conflict	Understand the difference between anger and aggression. Use this to help manage conflict in different environments. Learn what is acceptable and what is not and how to approach challenging situations.	Be able to identify triggers and how to manage anger.
Building positive networks	Learn about positive relationships with self (self-worth). Understand personal boundaries and peer relationships. How to build positive relationships with friends, family, and support organisations.	Ability to differentiate between a positive and negative relationship and the impact this can have on your life and choices. Understand the importance of building a support network.

Preparing your CV and Job searching	How to design and write your C.V; what content to include; how to regularly update your C.V; ten tips for a great C.V; sourcing job opportunities and best practice when applying for jobs.	To be confident and equipped to design, prepare, and write a great CV. How and where to search, apply and source job opportunities to give you the best chance of employment success.
Diet and healthy eating	Understand the link between diet and mental/physical health. Learn what our body needs to adequately fuel it. Shopping on a budget.	Develop knowledge on healthy eating and how to eat well on a limited budget.
Benefits and Budgeting	Benefits overview and benefit maximisation. Energy advice. Budgeting skills. Accessing bank accounts and credit unions accounts.	Understand the financial support you may be entitled to and how to access this.
Alcohol and drug education	Understand the effects of drugs and alcohol on the body. How to identify when drug and alcohol use becomes problematic. How to access support for drug and alcohol use.	To provide a level of education/insight to the participant on alcohol and drug use and the link to addiction.
Understanding gambling and addiction	Learn about the impact of problematic gambling and how it can develop into an addiction. Understand how problematic gambling can be managed and treated using a CBT approach.	Increase understanding and awareness of gambling addiction, possible causes, the links to other addictions and mental health issues.
Home energy advice	The session will cover: <ul style="list-style-type: none"> • Why are my energy bills going up? • Government support • Energy awareness & behavioural change • Support from energy companies – Warm Home Discount 	To answer any questions on energy issues and/or point customers in the right direction of how to deal with their specific issues.

CPO Connect sessions were made available during the day, evenings, and at weekends so that those working standard hours could also take part. 186 hours of ‘other activity’ were completed under the programme.

In addition to CPO Connect, the following ‘other activity’ took place:

- English language courses
- Education, training, and employability supports provided by Access to Industry’s [Encompass](#) service
- Forklift driving training
- First aid training
- In-house learning modules including managing social anxiety, anger management, dealing with PTSD, health, managing alcohol, dealing with depression, and help for panic attacks

5) Feedback

Please provide a summary of quotes or feedback on the impact of supervision requirements and or unpaid work or other activity requirements from the following perspectives:

- People subject to a supervision requirement
- People undertaking unpaid work or other activity requirement
- The community and beneficiaries of unpaid work

Feedback from people subject to a supervision requirement/undertaking unpaid work included:

“I didn’t think I would be able to share my experiences with you, but you are a good listener and the signposting has been helpful”

“I’ve found a job now and thanks, I’ve enjoyed working in the Community Garden especially helping staff with the polycrubb”

“I appreciate the opportunity to have a go at new activities”

“M (supervisor) made the unpaid work experience enjoyable and is a good supervisor”

“Thank you to all the staff for making me feel at ease and offering support when needed”

“Prison would have been longer and affected me so this was a good option”

“Great knowing the work done helps other people”

Feedback from people undertaking other activity included:

“I now have skills” other activity participant

“I’m realising my triggers and dealing with them” attendee on ‘Emotions, Thoughts and Behaviours’ course

“Learned the importance of understanding how others may perceive things very differently from me” attendee on ‘Neurodiversity’ course

“It’s knowing there are different organisations that can help me” attendee on ‘Cost of living advice’ course

Feedback from beneficiaries of unpaid work included:

“I just wanted to say THANK YOU!! The woodchips have made a massive difference to the wildlife garden, and they look brilliant! All the children (and staff!) are very thankful for all your hard work organising the delivery of the woodchips and then spreading them around - amazing! Thanks again, much appreciated!” - Prestonfield School

“I wanted to take this opportunity to express our appreciation, thanks and gratitude for all the excellent work that has been undertaken by the Community Payback Volunteers at Dr Neil’s Garden this year. The contribution made by the team to the garden has been phenomenal. The leadership demonstrated by both W and S (staff) has been exemplary, especially considering the mixed abilities and variety of personalities they have had to work with. It has been my pleasure to attempt to work to the strengths and talents of the community order placements where possible. Most notably S who worked on the French drain, B who re-painted interior of glass shelter, J who worked on the steps, R who completed the fence and decking, and W for his sterling, uncomplaining work burning bonfires for the garden all year and not always in ideal conditions. The gentlemen are indeed a very mixed bunch, but under the skilled leadership of their supervisors, have been a pleasure and benefit to have in the garden” - Dr Neil’s Garden, Duddingston Village

“I just wanted to send a quick note to say thanks so much for the work to redecorate Room 2 in our Community Centre today. The space looks much cleaner and more professional, and we look forward to welcoming you back in September. I also wanted to feedback that I found the Community Payback colleagues to be friendly, polite and respectful while on site” - Southside Community Centre

6) Benefits and challenges of other CPO requirements

Please mark with a cross the requirements that were imposed by courts in 2023 to 2024.

Compensation requirement

- Programme requirement
- Residence requirement
- Restricted movement requirement
- Conduct requirement
- Alcohol treatment requirement
- Drug treatment requirement
- Mental health treatment requirement

For each of the requirements that were imposed (up to a maximum of 300 words) please describe innovative and best practice, challenges, and impact associated with each.

Compensation requirement

A compensation requirement cannot be imposed without a supervision requirement also being imposed. A compensation requirement can be beneficial to victims as payment for harm caused, particularly when the individual is willing and able to pay. The supervising officer is expected to monitor the payments and if the person fails to pay the amount due within two months of expiry of the supervision requirement, breach proceedings are to be initiated. In some cases, people do not have the resources and in others, individuals refuse to pay. If the Order is continued, this can result in supervision periods being extended, to allow for more time for the person to pay. This can mean that people are subject to statutory supervision for longer and only because of their inability to pay the amount within timescales.

One of the challenges is when payment is not made, victims often contact the Court looking for an explanation. Court staff inform them that it is the role of Justice Social Work to ensure payment is made. In some cases, victims are contacting supervising social workers directly, often upset and angry, when they have not received the compensation that the Court has directed, asking what social work staff are going to do about it. They hold social workers responsible and do not understand that they can only monitor payment and initiate breach proceedings, rather than compel people to pay.

Programme requirement

This requirement has been used where men are required to complete the Caledonian Men's Programme. This accredited intervention programme is delivered primarily via groupwork but also may include 1:1 work. Having a separate programme requirement is beneficial in that it relays the message to the programme participant that it is an additional requirement to 'standard' supervision and therefore the supervising social work team can return an Order to the Court either under breach or for review if the requirement is not being met. In theory, a request for a programme requirement can also be added to an existing CPO although given the length of the Caledonian programme, it may require the individual subject to the CPO to consent to an extension. The imposition of this additional requirement is contingent on a specific assessment of suitability produced at the justice social work report stage. It may be specifically requested by the Court but more often, is initiated by those writing domestic abuse justice social work reports.

Residence requirement

An individual subject to the residence requirement was released from custody to the address stated on the CPO following a lengthy period of remand. This address was already identified by the individual as being his proposed community address and was that of his family members. The family members were noted by the report writer to appear to have a positive influence on him; willing to support him while not denying nor minimising his offending. The residence requirement was not included in recommendations in the report, and in terms of a Restriction of Liberty Order (ROLO), it was noted this may not reduce risk given the individuals offending took place solely online and isolating him by way of a curfew may increase his risk. A residence requirement of an address without time constraints was therefore imposed.

The monitoring of the residence requirement does not appear to have been overly problematic in that the individual and his family members have a good relationship, and the household is stable; the individual engages positively in supervision and appears to be honest and engages in visits with Police Scotland. However, as he is not electronically monitored, supervising social work staff rely on his and his family's honesty and police checks to monitor compliance. Overall, his

family are assessed as a protective factor and so his increased time with them has positively impacted his progress in the community.

Restricted movement requirement

Separate male and female cases are included below:

The benefits in terms of recidivism mirror those of a ROLO in relation to reducing the opportunity for offending in some cases. The management challenges are also similar for example, the specific case involved a chaotic individual experiencing mental health issues and being threatened within his property. This resulted in an application for the requirement to be suspended which was granted by the Court. The Court has been supportive in amending requirements following requests to consider changes in individuals' circumstances. In another case for example, the Court suspended a ROLO so that the individual could observe Ramadan. In contrast to ROLOs that are managed entirely by G4S who address any non-compliance, the restricted movement requirement is managed by the supervising social worker. At times, this can detract from, and become the focus of supervision when breaches of the requirement need to be reported to the Court which can have some negative impact on the client/worker relationship.

This requirement was beneficial in terms of risk management and oversight because of its integrated nature. There was increased communication between G4S and Justice social work in a way that there is not with a ROLO. This is beneficial as there is clear evidence that the individual is where they should be. In this case, a challenge involved communication between G4S and the Court regarding the individual's address. The Court had an out-of-date address, which led to a delay in the requirement being enforceable as a bail review was required to update the address and allow G4S to fit the technology. There is also room for creativity within the requirement; a Stay Away Box was considered for the victim of the offence which can increase victim safety. However, it required the victim's consent and in this case they did not consent.

Conduct requirement

The biggest challenge for this requirement is how to evidence a breach. For example, in domestic abuse cases, justice social work may ask for a

conduct requirement such as, 'not to contact an ex-partner', 'not to go to a certain area', or to 'inform the supervising social worker of any new intimate partner relationship'. However, monitoring this and providing evidence of non-compliance (if applicable) can be challenging. In relation to having no contact with ex-partners, a preferred tool is use of the Non-Harassment Order (NHO), (separate to the CPO) although this requires consent of the victim and to be moved for at Court in a separate process. The advantage of a NHO however, is that breach of this is an offence in itself which can be directly reported to police (which could result in immediate arrest and should result in either a fine or custody), whereas reports of breach of conduct requirement are reported to the Court as breach of CPO and may not result in any action for several weeks. Additionally, breach of CPOs often results in decisions to continue the Order.

Alcohol and drug treatment

Both requirements have similarities therefore one example of drug treatment requirement below is provided:

The treatment requirement was imposed due to problematic substance use playing a key role in the offending. The requirement aimed to address the issues underlying offending through a recovery lens. This meant support to access medical intervention and opiate replacement therapy, in conjunction with other non-medical supports through 1:1 interventions and SMART, Survive and Thrive, and Relapse prevention groups. A key challenge in this particular case, was that the individual was homeless and/or rough sleeping. This made addressing the underlying causes of offending especially difficult as the individual may not have eaten for days, was in poor health, and did not have stable accommodation therefore was unsure where they would be sleeping that night. Despite significant accommodation challenges, the treatment requirement facilitated the provision of additional supports to address the health and housing concerns which in turn had a positive impact on recidivism.

7) Organisational improvements and ongoing challenges

Looking back at last year (2022-2023), have there been any improvements to the challenges you noted? Are there any challenges you are still facing this year (2023-2024)?

Last year's report highlighted financial pressures. To address this, a justice services review was conducted and a new structure implemented across justice services. This has improved service co-ordination and integration, allowing more individuals to access a wider range of holistic supports, while enabling service delivery within budget. Additionally, although recruitment challenges have eased slightly, an increasing Edinburgh population, the national drive for more community sentences, increased bail supervisions and diversions, and proposals for the early release of people in prison continue to place additional burdens on community justice services. Therefore, there is limited capacity to manage increased numbers requiring community supports without additional investment/resources.

It was also highlighted in the 2022/23 report, that short term funding to support COVID recovery did not allow for longer term community justice collaborative development and planning with the Third Sector. The current model created uncertainty within the Third Sector justice workforce, as well as recruitment and procurement challenges. The national funding arrangements did not change in 2023/24 therefore the challenges highlighted remain.

8) Collaborative working across justice partnerships

Please provide any examples of work with community justice partners, including the third sector, to effectively deliver CPOs.

People sentenced to unpaid work as part of a CPO are offered various options to suit their abilities and interests to encourage successful completion. Individuals subject to a CPO may also access supports to help address their needs and aid successful completion of their Order. Feedback from people undertaking unpaid work confirmed that many individuals were keen to work outdoors, and the community garden project commissioned by justice services and delivered by Third Sector partner Cyrenians, has proved a popular addition to the range of community payback opportunities offered.

The garden project offers employability support whereby individuals learn how to maintain and nurture a community garden. Participants learn gardening skills, landscaping, herb growing, safe use of garden

tools, and how to build garden structures, erect fences and lay decking. Work takes place in a supportive environment where individuals benefit from acquiring transferable skills such as team building, relationship building, and how to take care of their mental wellbeing. Interested participants also have the opportunity carry out voluntary work in the garden after completing their Order; for those not yet ready to enter the job market, this meaningful activity can be a stepping stone to employment through increasing their confidence and skills.

Further examples with partners include educational work undertaken as part of 'other activity' with Third Sector partner the Wise Group as described under the answer to Q4 above, and various employability, qualifications, and learning opportunities offered as part of Access to Industry's Encompass service. The case study included in the answer to Q1 above also illustrates collaborative working with community justice partner NHS Lothian to support successful completion of a CPO.

Justice services and NHS Lothian also work collaboratively to support women completing a CPO through the provision of a nurse based within Willow. Women in the justice system often have complex needs which may lead to them neglecting their physical wellbeing and this valuable resource provides them with the opportunity to access help for their immediate physical health needs. Embedding a dedicated nurse within Willow has helped women apprehensive about engaging with health professionals, to navigate community-based health support systems, receive the treatments they need, improve their wellbeing, and consequently their ability to successfully complete their CPO.

9) Additional information

Is there any other relevant information you wish to highlight? This may include:

- Areas for improvement and planned next steps.
- New ways of working and benefits achieved from these.

Areas for improvement

Please see answer under Q7 for ongoing challenges, and as mentioned, recruitment has been challenging but is improving. Work is ongoing to support successful recruitment; this includes increasing the emphasis on demonstrating the practical activity involved in supporting people

completing unpaid work so that potential candidates have a greater understanding of their role.

The national roll out in July 2023 of the five-day training course for people involved in the delivery of unpaid work is welcomed. More feedback on the benefits of this training will be available in the next reporting year.

There is a need to expand on the availability of English language courses for participants for whom English is not their first language.

New ways of working

As mentioned under the Q7 answer, justice services conducted a review to improve service integration. The new structure facilitates greater access to a wider range of supports for people in the justice system including those completing CPOs.

In the reporting year, Cyrenians introduced a volunteering pathway for those completing unpaid work within their community garden. This new provision supports participants increase their confidence and abilities particularly around entering the job market.