
NORTH AYRSHIRE COUNCIL

20 February 2018

Cabinet

Title: **Community Payback Order Annual Report**

Purpose: To present to Cabinet the Community Payback Order Annual Report 2016/17 which provides information about the work undertaken in the last year through Community Payback Orders with a particular focus on Unpaid Work Requirements.

Recommendation: That Cabinet endorse and congratulate the Team on their work.

1. Executive Summary

- 1.1 Legislation imposes a duty on the Chief Social Work Officer to submit an annual report on the operation of Community Payback Orders to Scottish Ministers. Community Payback Orders (CPOs) were introduced in 2011 to replace Community Service, Probation and Supervised Attendance Orders for all offences committed from February 2011 onwards. This is now the sixth annual report submitted by North Ayrshire. This report is embargoed for publication until the report has been approved by Scottish Ministers.
- 1.2 It is the Scottish Government's policy to promote community sentencing and build public and judicial confidence in this. The Community Payback Order (CPO) is designed to provide a viable alternative to custody and ensure that people who offend payback to society and their communities. This is done in two ways. Firstly, by requiring the person to make reparation, often in the form of an Unpaid Work Requirement, and secondly, by requiring them to address and change their offending behaviours, thereby improving the safety of local communities and providing opportunities for their reintegration as law abiding citizens.
- 1.3 The Unpaid Work Requirement is a key sentencing option which facilitates reparation and reintegration and, as with previous annual reports, the 2016/17 report has a particular focus on this.

2. Background

- 2.1 A total of 769 Community Payback Orders (CPOs) were imposed in 2016/2017 and, of those, there were 615 which had an Unpaid Work Requirement. The total number of hours imposed for Unpaid Work was 79,676 and, during 2016/2017, 65,420 hours were completed.

- 2.2 A range of unpaid work has been undertaken in 2016/2017 that benefits the communities of North Ayrshire. During this past year we have held a very successful art exhibition at the Harbour Arts Centre showcasing art produced by service users on a CPO with an Unpaid Work Requirement. We have also made progress in developing our Employability Project which seeks to support service users into work or further education/training. We embarked on a Service User Engagement Project with Strathclyde University in 2016/17 which has been hugely successful. We continue to progress with our desistance approach with service users and our work with the Mutual Aid Group (MAG). Similar to last year's report, we have included some case studies which demonstrate the effectiveness of Justice Social Work Intervention in helping service users desist from further offending and engage in a pro-social lifestyle.
- 2.3 The ongoing larger scale projects provide the majority of Unpaid Work placements. Smithstone House is an established long term project. It is run like a market garden producing vegetables, fruit and flowers. Produce can be sold to generate income to help sustain the project and any excess is donated to charity. In our workshop we build garden furniture which is sold to the general public and generates income that is again donated to charity. This year £1000 was donated to the Crosshouse Hospital Neonatal Unit. Previous beneficiaries from our donations have been Victim Support, Women's Aid and the North Ayrshire Foodbank. Many local charities have our service users assisting in their shops and teams frequently deliver large furniture items to residents who could not ordinarily afford delivery costs. We continue to provide support to the North Ayrshire Foodbank and undertake weekly collections from local supermarkets and offices across North Ayrshire Council and deliver these to the Foodbank for sorting. The teams then deliver the packs to community centres across North Ayrshire for distribution. Vegetables grown at Smithstone House also go to the Foodbank and we are looking at providing this facility for Café Solace as well.
- 2.4 The work undertaken by service users on CPO Unpaid Work Requirements not only benefits the residents of North Ayrshire but provides supports to other important Council and HSCP Services. For example, we work with schools and nurseries, the Ranger Service, Streetscene, and other Social Services' sections where we give assistance, for example, to adults and children with disabilities.
- 2.5 As alluded to above, the Scottish Government wants to build public confidence in community sentencing and the setting of tighter statutory timescales for the completion of the CPO Unpaid Work Requirements was one way of doing this. Level 1 Requirements (under 100 hours) have to be completed within three months and Level 2 Requirements (between 101 and 300 hours) have to be completed within six months. Our performance continues to improve year on year. In the last year 93% of Level 1 Requirements were completed within three months (up from 90%) and 96% of Level 2 Requirements were completed within six months (up from 92%). The reasons for failing to complete Requirements within the timescales were due, almost completely, to service users' unavailability through illness, their non-compliance or them being in custody.

- 2.6 In the Scottish Government Criminal Justice Statistics for 2015/16, published in February 2017, it showed that North Ayrshire had the highest number of CPO's in Scotland per 10,000 population. The success of the justice services we provide can be seen in the reduction in recorded crime in North Ayrshire in 2015/16. The Scottish Government's publication, "Recorded Crime in Scotland 2015/16", showed that in the Ayrshire Police Division between 2014-2015 and 2015-2016 North Ayrshire had a 6% reduction in recorded crime, with East Ayrshire showing a 2% reduction and South Ayrshire a 4% reduction. The Scottish average reduction for this period was 4%.
- 2.7 A range of Criminal Justice Social Work performance data is shared across the three HSCP's in Ayrshire. The following table compares percentage completion rates of Unpaid Work Requirements for the East, South and North Ayrshire HSCP's during 2016/2017 (note percentages have been rounded up or down)

CPO Unpaid Work Completion Within Timescales			
	EA-HSCP	SA-HSCP	NA-HSCP
CPO Level 1	71%	71%	93%
CPO Level 2	75%	65%	96%

3. Proposals

- 3.1 That Cabinet notes the work undertaken by service users on CPO Unpaid Work Requirements and approves the CPO Annual Report.

4. Implications

Financial:	There are no financial implications for North Ayrshire as the service is provided with Scottish Government ring fenced funding for CPOs.
Human Resources:	There are no Human Resource implications.
Legal:	The legislation for CPOs is set out in the Criminal Justice and Licensing (Scotland) Act 2010 and North Ayrshire is complying with the legal requirements of CPOs.
Equality:	There are no apparent equality implications of CPOs.
Children and Young People:	

Environmental & Sustainability:	There are no negative environmental implications from the introduction of CPOs. Indeed, some of the work undertaken undoubtedly benefits the environment of North Ayrshire.
Key Priorities:	None
Community Benefits:	As indicated in the CPO annual report, there are significant community benefits from CPOs. Over the past six years there has been an increasing awareness across North Ayrshire of Unpaid Work, as evidenced in the report by the People's Panel Survey. This has been helped by the range of work carried out in the communities across North Ayrshire, the promotion of Unpaid Work by Elected Members and the positive news stories about Unpaid Work that are published by the local press.

5. Consultation

- 5.1 Promotion and consultation regarding CPOs has been, and will continue to be, an ongoing process and priority.



Stephen Brown
Interim Director

For further information please contact **David MacRitchie, Chief Social Work Officer** on **01294 317781**.

Background Papers

N/A