

DUNDEE CITY COUNCIL

REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE – 24TH MARCH 2014

REPORT ON: COMMUNITY PAYBACK ORDERS

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 147 – 2014

1.0 PURPOSE OF REPORT

This report provides Committee with the second annual update on the local operation of Community Payback Orders (CPOs). The Criminal Justice and Licensing Act (Scotland) 2010 imposes a duty on local authorities to submit annual reports on CPOs. The first report submitted in June 2012 outlined early progress made in the implementation of the new Order and this second report describes further local progress.

2.0 RECOMMENDATIONS

It is recommended that the Social Work and Health Committee:

- 2.1 Notes continued progress made in the implementation and operation of Community Payback Orders
- 2.2 Notes the contribution of Criminal Justice Social Work and partners to the Council Single Outcome Agreement in respect of reducing crime and reducing the fear of crime and the Community Justice Authority Strategic Plan
- 2.3 Instructs the Director of Social Work to provide a further report on the operation of Community Payback Orders and related developments in 12 months

3.0 FINANCIAL IMPLICATIONS

None.

4.0 MAIN TEXT

- 4.1 The Criminal Justice and Licensing (Scotland) Act 2010 was implemented in February 2011 to deliver credible, visible and effective community sentencing as an alternative to short-term imprisonment. The Act includes a presumption against prison sentences of 3 months or less and introduced Community Payback Orders as the single community sentence to which up to 9 conditions, such as supervision, unpaid work and substance misuse treatment, can be attached.
- 4.2 The first report on the local operation of CPOs showed how, during an initial 33% annual increase in community sentences involving a supervision requirement alongside a 7.9% reduction in funds, the service had successfully implemented the new Order. Following sentence at Court, offenders were starting Orders sooner, commencing unpaid work placements more quickly, working more unpaid hours, engaging with supervision more strongly and completing sentences more often.
- 4.3 In the second 12 months of the new legislation, the service has, with partner agencies, continued to develop new services whilst focusing on performance in respect of the CPO and there has been a further 14% increase in CPOs involving a statutory supervision requirement.
- 4.4 In terms of performance, there was a marginal fall from the first year of the new legislation in some indicators during the second year but all indicators remained far better than before the new Order was introduced. In particular, there were continued improvements in the key

indicators of offenders successfully completing unpaid work from 71% to 73% and in the total number of unpaid work hours carried out from 33,515 to 40,008 hours. In addition, there were improvements in all offender groups, whether adult male, female or young offenders, successfully completing supervision requirements.

4.5 The considerable increase in unpaid work hours was primarily attributed to the completion of 4 major Sports Development Projects at the Riverside, Charlotte Street and Whitton Park Pavilions and the Craigie Sports Hub. In total, 89 unpaid work projects were completed during the year at locations across the city. A key part of this has involved liaison with the 8 Local Community Planning Partnerships and a dedicated email address for referrals.

4.6 Feedback indicates that 95% of offenders were positive about their supervision during their order, with many commenting on the support they received whilst carrying out the work, the benefits of a routine and opportunities to develop new skills.

4.7 In respect of CPO conditions, the 14% increase in Orders with a statutory supervision requirement involved Social Workers supporting and coordinating a higher number of often complex cases. There was a reduction in the number of Orders imposed with a substance misuse treatment requirement from 129 to 87. This is believed to be due to improvements in the availability of and access to mainstream substance misuse services, reducing the requirement to impose a statutory treatment condition where treatment is already being provided and the offender is engaging well. A revised contract with the NHS on substance misuse to standardise assessment and treatment pathways, whether on a Drug Treatment and Testing Order, CPO with a treatment condition or in mainstream services, was also implemented. Significantly, the proportion of offenders completing statutory substance misuse interventions successfully increased from 50% to 60%.

4.8 Where the first and second years of the CPO are compared, there was a considerable reduction in the use of short-term prison sentences. In the first year, the Court imposed 401 sentences and in the second, 269. Where a prison sentence was imposed, the service continued to try and engage offenders and contribute towards their continued support both in prison and the community. A Resettlement Trial introduced with the Scottish Prison Service at HMP Perth led to an increase from 104 to 258 offenders voluntarily engaging with services on release. There were also significant increases in the number of young people and women accessing resettlement services whilst in custody at HMP Polmont and HMPs Edinburgh and Cornton Vale respectively.

4.9 Collectively, these efforts to ensure both early identification and proportionate support across the whole system should contribute towards the SOA and CJA objectives of reducing re-offending.

5.0 POLICY IMPLICATIONS

5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6.0 CONSULTATIONS

The Chief Executive, Director of Corporate Services and Head of Democratic and Legal Services were consulted in the preparation of this report.

7.0 BACKGROUND PAPERS

None.