

COMMUNITY PAYBACK ORDER

ANNUAL REPORT

FINANCIAL YEAR: 2018/19

LOCAL AUTHORITY: East Lothian



Types of unpaid work projects and activities which have been carried out; the total number of unpaid work hours completed during the year; and information and examples that help to demonstrate how communities benefit from unpaid work.

Unpaid Work Orders Completed

In relation to all orders and all ages involving unpaid work, the following is confirmed:

- Total number of **hours completed** during 2018/19 = 14,951
- Total number of **new hours issued** during 2018/19 = 11,909
- Total number of **new Community Payback Orders** (CPOs) with Unpaid Work =
 - i) 69 with Unpaid Work only
 - and
 - ii) 40 with Unpaid Work and Supervision

The above figures demonstrate a 10% increase in number of new Unpaid Work hours whereas the amount of hours completed fell by 5%. We are continuing to explore explanations for these figures with early indications pointing to a Scotland wide reduction in CPOs with Unpaid Work combined with local factors, including the relatively recent closure of the local single Sheriff Court.

Interestingly, the number of Orders with Unpaid Work issued to those under 21 fell by 31%.

Unpaid Work Projects and Activities

East Lothian Council's semi-rural and rural demography lends itself to provide a range of unpaid work projects focusing on the land and environment. Examples of core unpaid work projects carried out during the past year include:

- We continued and extended our programme of ground care management and development work at a number of sites throughout the county with Muirfield Riding Therapy, a project using horse motion to improve people's physical and mental health. Other main projects include: Prestongrange Mining Museum, Whatton Lodge, Dirleton Community Orchard, Belhaven Hospital and Cockenzie House and other sites being managed by various voluntary sector organisations, groups and trusts.
- The Garden Project, established as a partnership with our Tenancy Support Team, continues to clear or upgrade gardens of clients who have mental health or vulnerability issues. Initial work can motivate the tenant to take responsibility and pride for their immediate environment and reduce the risk of tenancy warnings being issued.
- We continue to be offered placements with a number of local charity shops, a golf course, an amenity services depot, a third sector growing project and social enterprises. A new placement at 'The Ridge' Backlands restoration and growing project was also secured, providing clients with the opportunity to learn skills related to stonework and crop production.

- ELC's Fostering and Adoption team were supported throughout the year by the siting and relocation of publicity boards for the service

The following are abridged extracts from the Criminal Justice Quarterly Bulletins Q1, Q2 and Q4 relating to unpaid work and other activity:

April 2018 – the Unpaid Work Team received new Garden Referrals from Tenancy Support Officers. One large garden clearance project was subject to a meeting between Housing, Criminal Justice and Amenity Services regarding disposal of garden waste. Regular seasonal groundwork projects at Belhaven Hospital and Cockenzie House have resumed. The Amenities Officer for Ormiston has requested additional support with path work at Ormiston, which will be accommodated using existing materials stored at East Lothian Council (ELC) Architectural Salvage Yard in Haddington. The Planning team who manage this yard have asked us to reconsider a previous project proposal regarding measuring and cataloguing antique doors and other 'artefacts' on site.

May 2018 – the Ranger for Yellowcraig submitted an extensive list of amenity improvement work requests for over the summer period and will be progressed on an 'as and when' basis. Other new work requests have also been submitted and are in the process of being assessed.

July 2018 - one of the unpaid work teams supported Friends of The Tyne clean-up day on 22 July. We have continued to engage work groups to continue the painting work at East Linton and ground clearance at Elphinstone Miners Welfare.

August 2018 – the team progressed improvement works supporting the Rangers at Whitesands beach. The supervisors started forward planning and looking for projects that are appropriate for the winter months. We made a special effort to make sure that all the supervisors were aware of the Other Activity options via Access to Industry and Bruce Robertson for people completing unpaid work to undertake the Construction Skills Certification Scheme (CSCS). We managed to complete the ground clearance at Elphinstone Miners Welfare so the site is prepared for development – we have offered to support their activities and plans for the future development. The team are forward planning by contacting Countryside Rangers for potential winter ground care and development projects on paths and beach sites.

September 2018 – the team completed a large project which undertook the painting of extensive park railings at East Linton for the Community Council and the Community Hall at Bogg's Holdings. We undertook a visit to Muirfield Riding Therapy at West Fenton as we are hoping to explore options for future supervised projects and personal placements. Supervised work groups have also supported a request from Wallyford Community Council to prepare the ground for a beacon as part of the village's participation in the UK Government's 'Battle's Over' programme to commemorate the 100th anniversary of the end of WWI.

January 2019 - work continued restoring ancient kerb edgings at Ormiston on behalf of Community Council as well as the completion of decorating and ground work at Muirfield Riding Therapy and the continuation of painting work at Wallyford Community Centre.

February 2019 - the team painted railings at Tranent Civic Square to enhance the physical environment as part of work for Tranent In Bloom. ELC Countryside Rangers asked for support to upgrade the path network at North Berwick and Pencraig. Dunbar Against Litter, a new community volunteer led organisation requested help with clearing several identified areas in the locality. Some groundwork was undertaken at Prestongrange to ready the museum for being open to the public.

March 2019 - a major project creating a hard path from Long Cram to the River Tyne walkway in Haddington was started. To date 60 tonnes of hardcore have been used.

Repainting of Dunbar Harbour benches, bollards and railings commenced, as was the upgrading of railings at Port Seton seafront.

Quotes from people on CPOs and beneficiaries about the impact of the unpaid work on them and/or the community.

Client Feedback

Attitude to offending behaviours

- The whole experience has made me look at my life and behaviour
- I've matured a lot and understand punishment a lot more
- Show respect to your instructor and members of the public

Positive experiences

- I gained social and team-working skills
- Friendly co-workers in a good atmosphere and being part of a team
- Enjoyed using my skills again
- The people were good
- I learned to paint better
- I met different people
- Work Supervisors very good and understanding
- Met very likeable people
- Met lovely people who made me feel part of a team / family
- Good leadership and teambuilding
- Supervisor (identified) was above and beyond his duty, a total star, a real morale boost
- Very helpful and clear instructions
- Getting to know other people
- Non-judgemental

Negative experiences

- Having to work at weekends
- Having to be off after my injury
- Boredom
- One member of staff who I clashed with
- It did not last long enough, so sad leaving
- Work day could have been longer

Impact on self

- It taught me valuable lessons in life
- Good confidence boost
- Due to lack of communication I lost the opportunity to do paid work
- Not to reoffend, yet was rewarding experience
- It has raised my mood, made me happy again
- I lost a job, family time and wages which added to my mental health
- A good one – it's taught me a lot about life and how to conduct myself in the correct manner
- The enjoyment of giving (to) my local community
- I am a better person
- A chance to reflect

Impact on communities

- Helps keep them clean

- If the crime isn't too serious, it helps keep the offender in touch with normal living
- The charity shop is a community hub
- Best thing since sliced bread

Other

- I was well looked after and taken care off. Much appreciated.
- I experienced Community Service being abused by the public. Four able bodied male relatives were watching us doing a garden. I felt used.
- Clients should be vetted more.
- I really enjoyed my time at the Salvation Army and made new friends.
- More communication with Supervisors – I sat for 40 minutes waiting to be picked up to find out it was cancelled because of the snow.
- I'm in favour of Community Service for non-violent offences.
- The Supervisors make jobs clear and are good people.
- There are no water facilities
- Waterproof clothing provided is not adequate

What would you change or do differently?

- Communication with management could be better, it caused me anxiety and worry.

Feedback from beneficiaries

'East Lothian Community Service under the supervision of work supervisors (identified) and the team of men and women have over a number of years carried out essential work in the gardens of Whatton Lodge and the adjoining cottage.

They were responsible originally in establishing the cottage garden as an allotment which is now enjoyed by 14 local Gullane residents under the auspices of the Friends of Whatton Lodge Allotment Association.

The high standard of work carried out by the Community Service ensures that our beneficiaries enjoy the beautiful surrounding gardens and the panoramic views over the river Forth.

We are extremely grateful for their work and hope that this will continue in future.'

David Brown, Chair, Management Committee, Whatton Lodge
Ella Egan, Trust Secretary

The Community Payback team have helped Muirfield Riding Therapy in many ways over the last year. Our Charity is entirely self funded and needs to raise in excess of £100k per year to enable us to offer our riding therapy to children and adults living with disability in East Lothian. The teams have painted our indoor arena, cleared a path through woods so we can take riders on a sensory ride, and regularly cut our grass for us.

Our volunteers appreciated the freshly painted club room and reception and our riders loved being able to ride through the woods.

Working with the Community Payback team has also meant that we have reduced spend in these areas, enabling us to spend more on our riding services. The teams

have been well organised and managed whilst on site and great to work with. A huge you to Kevan and all the individuals who have supported us this year.

I hope this is the sort of thing you were looking for - let me know if you need me to change or shorten it.

All my dealing with the team have been very productive so I'm happy to recommend you all.

Michelle Sutton, Chair

Types of "other activity" carried out as part of the unpaid work or other activity requirement.

Throughout 2018/19 we have continued to engage with partners to continue to develop 'other activities'. Initiatives have included:

- A continued partnership with Access To Industry, allowing clients direct access to employment related support, guidance and training at the Recovery College or other educational or work placement
- Individual clients were referred to other counselling / support agencies such as Venture Trust, Changes, CONNECT, etc.
- Development of a working relationship and client referral pathway to a local Construction Skills Certification Scheme training provider through using Individual Training Accounts.
- A meeting was held with Strive Adventure to explore possible collaborative work in respect of Other Activity focussing on an individual's personal and social development using both classroom-based and outdoor education activities. (September 2018)

Activities carried out to consult prescribed persons and organisations, pursuant to section 227ZL of the 1995 Act, and wider communities on the nature of unpaid work and other activities and how the consultation results helped determine which projects were undertaken.

Other Activity/Groupwork

East Lothian CJ team coordinate CONNECT – this is a group for women either involved in or at risk of becoming involved in offending behaviour. The group runs one day per week and an independent focus review group was convened and facilitated by an external party in December 2018. The consultation identified:

Attendees are positive about:

- It being a women-only group
- Feeling part of a group {and the associated support it provides}
- Opportunities to socialise with other {women}
- Being able to build on confidence – through workshops, activities in the afternoon, having positive relationships with other people

- External agency visits – particularly {around lifestyle activities of} yoga, arts and crafts, Ranger visits
- Opening doors – women get to try and do things they wouldn't normally have the opportunity to
- Having the day split into morning and afternoon session – sometimes the mornings can be heavy and draining (emotionally) {and} some women struggle with the reading and writing – the afternoon sessions provide a bit of a break and {an} opportunity to relax

Attendees would like to see developments around:

- the timeframe of seven months isn't long enough and feels too quick – they feel that 12 months would be better
- More variation in the workshops – some women don't enjoy doing the same ones twice – some women appreciate the benefit of this
- The workshops can be hard-going and emotional – stressful for the women
- Interview at the Brunton Hall before CONNECT is not an ideal environment for everyone – some women suggested having an interview in their own home – some women mentioned there were people they wanted to avoid at Brunton Hall – making them feel anxious and stressed

This information is being used by the facilitators to develop the group programme in 2019/20.

Unpaid Work

- The Community Payback Team Leader engaged with a local Area Manager to explore new opportunities for CPO service delivery. The outcome of this was a project to clear an area of overgrown scrub land bigger than the size of a bowling green at Elphinstone Miners Welfare to allow the development of a growing project.
- The service also engaged with Dunpender Community Council and agreed to undertake an extensive project painting railings round a local park in East Linton. Wallyford Community Council, who regularly approach the service with work requests, asked for help erecting a pole that was to house a beacon to be lit as part of the Battle's Over, a national tribute for the 100th anniversary of the ending of WW1. Following the event, we received a Recognition Certificate.

Use by the courts of CPO requirements other than unpaid work, for example what, and in what way, different requirements are being used for those whose offending is driven by drug, alcohol and mental health issues; or how requirements such as programme or conduct are being used to address offending behaviour.

CPOs and Requirements

	2018/19	2017/18	2016/17	2015/16
Unpaid work (only)	69	79	106	102
Supervision (only)	44	49	52	42
Supervision + UW	40	37	49	46
Programme	9	8	8	10
Compensation	7	4	8	11
Conduct	3	4	5	1

Alcohol treatment	0	0	1	2
Drug treatment	0	1	0	0
Mental health treatment	0	0	0	0
Residential	0	0	0	0
Total number of CPOs	162	182	229	214

The additional requirements of alcohol; drug treatment; mental health and residential are rarely, if ever, used. However, these issues are still present in our caseloads and below is an excerpt from a CPO review indicating how issues are approached with clients (*names have been changed):

“The review described an improving picture - *James feels more supported, calmer and is seeing the benefits within the family. The action plan is on course - he is meeting with *Neil from Circle and the focus there is support with alcohol and the part that has played in some of the problems. *James agreed that he had used it as a poor coping strategy and whilst at this stage he is unsure of what meeting with *Neil will achieve he is engaging as he sees it is part of a bigger package. *Marion (supervising social worker) referred *James to No6 (a specialist autism society) and *James has found this helpful and has felt heard which has meant a lot to him. He has psychiatric appointment to get a review of his diagnosis and look at autism - a report will go from No6. In interview work has been done around relationship issues and communication. *James reports a new way of talking in the family. He also described his son as being calmer and it was suggested that in part this might be because he has picked up indications that things are calmer and happier in the family. *James's partner is now involved in CONNECT (Women's group programme – see below) and James is happy that she is getting this support. He also reports that she is more involved with the Carer's society and this has been helpful. James fed-back that things seemed good at the moment and that whilst he had not wanted to be on supervision initially he can now see that it has helped him and his family. The risks do appear to be reducing in this case, there has been no further call outs or offending.”

Programme Requirement(s):

CPOs with requirements to attend The Caledonian Programme (domestic abuse) and Moving Forward: Making Changes (sex offences) are made routinely. East Lothian has qualified workers who do the individual work in supervision sessions prior to the client attending group in Edinburgh. Both programmes rely on partnership working and there is an understanding that such work can only be done safely with the cooperation of other agencies communicating concerns and risks.

Conduct Requirement(s):

Such requirements are rarely used in East Lothian and in the last year the CJ team asked successfully for the revocation of one such requirement which prevented a father seeing his son. Whilst initially relevant due to the nature of the offence it became clear that the requirement outlived its usefulness and prevented work being done on the relationship.

In general this requirement is used to limit and/or control access to potential victims for those with convictions for sexual offences, primarily against children, (or Schedule

1) alongside enabling checks of electronic/internet-enabled devices, for example smartphones.

On one occasion the requirement was used to instruct compliance with an assessment for focused work (Community Intervention Service for Sexual Offenders – CISSO) – this is unusual but was requested by the CJSWR author to avoid a delay in sentencing.

Compensation:

The Court use this requirement on a more regular basis and it is now becoming embedded in a CPO as an issue that needs to be monitored and addressed within the supervision. Clients are becoming very aware that it is a disciplinary matter and failure to pay the compensation within the stated period will result in the social worker returning the order for breach. It is much more visible and real to the client.

There are incidents where the seriousness of the offence results in both unpaid work and compensation, but there is no pattern of offending behaviour that could be addressed with supervision. In such cases the nature of the sentence necessitates a supervision requirement – in East Lothian we manage these CPOs based on risk and utilise the support of Social Work Assistants and/or seek review and revocation once either of the core requirements has been completed.

General:

It is noted that where offending behaviour is motivated by substance misuse or mental health difficulties the LSCMI Case Management Plan identifies the need for partnership working, sign-posting or referral. We seek to utilise the support of Social Work Assistants to advocate, befriend, motivate and engage individuals to address their welfare needs – this allows the social workers to prioritise offence-focused interventions based on cognitive-behavioural techniques around appropriate challenge and behaviour modification.

Any issues affecting access to services which are provided by other partners (e.g. drug and alcohol services) and, where such issues have been identified, what work is underway to resolve them.

TRANSFORM – this multi-tasking project was developed as part of the East Lothian Local Outcome Improvement Plan and identifies individuals who are hard to reach yet engaged in prolific offending or anti-social behaviour. To date, there have not been any referrals to TRANSFORM for anyone on a CPO but this will be looked at in year 2019/20 as part of early intervention and prevention.

Health – clients who are chaotic are often unable to access services and this is being focused on by trying to provide health input in CONNECT for women. There are also efforts being made to ensure that CJ is working with drug and alcohol services to ensure as flexible a service as possible - CJ can now refer directly to the drop-in centre when the client is in urgent need of service but unreliable in their attendance.

Housing – there are particular issues for CJ service users that can prevent easy access to housing eg bail conditions, intentionality and custody. Over the last months there has been more dialogue on these issues and more understanding on both sides of the barriers which exist.

Any other relevant information, which may include:

- **Examples of any work carried out with people on CPOs to address their offending behaviour but which does not fall into the category of a specific requirement.**
- **Examples of work carried out in partnership with the third sector**
- **Areas identified where improvements can be made, i.e. CPO commencement/completion rates**
- **Any other areas identified for improvement and planned next steps**
- **Any other information**

CONNECT Women's Group

This groupwork programme for women continues to thrive and now has an identified manager who has rescheduled staffing rotas, with workers now committing to the whole day so the system is more robust and secure. The routine of the group has remained the same – the morning is a structured group work session dealing with issues of mental health, domestic abuse and substance misuse. The focus around trauma-informed practice has been of significant benefit to attendees, some of whom have had adverse childhood experiences (ACEs).

The facilitators continue to be from criminal justice, adult services, the voluntary sector and the NHS although at times it has been difficult to maintain representation from all sectors due to staffing resources.

There has been input from CAB on a regular basis and this has been very practical and helpful to the clients who are asked regularly for feedback and have noted this as being useful.

East Lothian Offenders Recovery Service (Access To Industry)

East Lothian Offenders Recovery Service (ELORS) was a pilot programme initially funded through the European Social Challenge Fund, managed and jointly delivered by East Lothian Works and ELC Justice Service to provide employability support to people living across East Lothian with offending as a major barrier affecting their employment. After a review of the ELORS pilot project, which included consultation with service users, the programme has successfully secured "One Council Partnership" funding for 2019/20.

Evidence for Sept 2017 – Dec 2018 shows that 46 (of 57) referrals positively engaged with the service of these 74% were male and 26% female, with an age range from 18-60 years. There is a dedicated worker who provides a service to people with convictions and they delivered 430 service sessions against a target of 200. As a result, 11 clients progressed in to work or further education, six gained skilled based training and one progressed into volunteering.

Money Issues/Debt Management

CAB

The worker who has been involved in CONNECT has also promoted a bridge to the CJ team resulting in more referrals to and engagement with to CAB. Clients have been helped to reduce or manage their debt.

ICMS (Individual Cash Service Management)

The team have worked with agencies to help clients get advice, allowing them to be supported in budgeting and consolidating debt.

Workforce Development

Following the presumption against short term sentences (< 3-months) East Lothian Justice Services decided to review the staffing position with a view to developing different roles. In December 2018 we employed a Senior Practitioner whose primary role is to develop links with partner agencies, for example housing, substance misuse, mental health as well as developing our provision of Bail Supervision and Voluntary Throughcare. Additionally, in November 2018 we increased access to Social Work Assistants to allow social workers to focus on reserved functions. The focus has been on induction, staff training and role clarity in Q4 of 2018/19 with an expectation that in 2019/20 further detail can be provided around the impact of these changes.

The Criminal Justice workforce has further developed over 2018/19 with 6 of 8 now trained to undertake Caledonian System work (domestic abuse offenders); 7 of 8 now trained to complete RM2000/Stable Assessment (risk assessments for sexual offenders); and all social work staff are trained in Risk of Serious Harm assessments. This has increased capacity within the service and allows for more balanced case load distribution across all workers.

CPO (Supervision) Completion Questionnaires

We analysed 14 random Exit Questionnaires for reporting through the Community Justice Annual Report. The following was highlighted:

- Of the 14 cases - three were female and 11 male
- all agreed they were treated with respect and courtesy by the CJ service
- 13 people agreed that their personal circumstances were taken in to account to help them complete the order/ licence and that the terms of their order/ licence was explained to them
- 12 people agreed that the supervision had been helpful and 13 agreed that during their supervision they had looked at why they offended
- Two people cited that the Moving Forward Making Changes (MFMC) programme had been helpful in this while one person advised that the MFMC programme was too hard
- 13 people could now explain the impact of their offending on their victims
- When asked if they had learnt any skills during unpaid work the responses were shop work, gardening, landscaping and ground care, machinery, health and safety.
- A wide range of partner agencies were contacted during the supervision process and these included MELD, the Recovery College, the NHS, Housing and homelessness services, Access to Industry, G4S, the Police, CISSO, SMART, LEAP, Offender Management Unit, Venture Trust, the Ridge, and Changes - there was agreement that contact with these services was useful.

In considering key welfare issues the following was noted:

Accommodation

- one person was still not happy with their accommodation situation
- the remainder were in settled accommodation or happy with their situation

Employment, training or education

- two individuals considered their situation had improved through action they took
- two identified an improvement through action they took **with** their case manager
- five were happy with their situation
- three would like their situation to improve
- one person identified that their situation had deteriorated

Alcohol and drug use

- six people had no identified problem with substance use

- five had successfully reduced their alcohol/ drug use with help from others
- with one person's substance use remaining the same and one other advised their use had increased throughout the life of their Order

Relationships with friends and family

- for the majority of people their relationships with friends and family hadn't changed
- one individual reported that their situation with family had deteriorated as a result of the supervision order
- the remaining three identified that they had changed the group of friends they kept and no longer spent time with people who offended.

The impacts on community safety were good, no one had reoffended while on supervision. There were a small number of issues that people felt weren't addressed while they were under supervision, for one person this was about debt resolution and another about paternity issues. When asked what had been less helpful in terms of reducing or stopping offending the responses were managing commitments to children and a service being unhelpful even though the person had been referred via their GP.

This feedback will be used to support future service planning and delivery alongside the development of the next Community Justice Local Outcome Improvement Plan, specifically relating to partnership working and access to welfare services.

Youth Justice

In East Lothian the following interventions are available to use with young people who are involved in the Justice Services and subject to CPOs:

- Family Systemic Therapy – particularly the use of focused genograms, life paths, ecomaps and narratives.
- Cognitive behavioural methods – for example the use of the Iceberg Model, Finkelhor's hurdles, a detailed look at values and attitudes, Cycle of Change, and tools from Personal Construct Psychology.
- Solutions-focused work – a logical look at what areas need to be addressed and how this is to be achieved.
- Strengths-based approach – East Lothian Council employs a Signs of Safety approach which is a positive and inclusive way of assessing and managing risk.
- Person-centred practice – this relates to GIRFEC practices, putting the young person in the middle and considering their needs using assessments like the National Practice Model.
- Trauma based practice – knowledge of how trauma affects young people's emotional welfare and their behaviour informs how we work with them.
- The Safer Lives Model – a positive way of working with young people involved in sexually harmful behaviour.
- Consequential thinking – a practical method for helping young people consider the risks they take and how to avoid trouble.
- Educational methods – for example in relation to substance use and safe and appropriate sexual relationships.
- Emotional intelligence development – to try to support young people to develop their self-image in positive ways, to increase their self-awareness and their understanding of how they impact on others and how to manage their emotions positively.
- Self-esteem and efficacy work.
- Practical assistance in relation to training, education and employment.

- Educative approaches in relation to managing high emotion, learning about assertiveness, safe sex, consent and the Law, and drug and alcohol work.

Going Forward

- Awareness of the recent pay award and the financial implications of a further 3% uplift – there no additional S27 monies being provided
- Extension of PASS – there is an expected increase of circa 7.5% in community disposals and it is thought that the individuals who currently receive such short term sentences are likely to present with more challenging behaviour and complex needs
- The ongoing development and progress of Community Justice Scotland – it is hoped that there will be a consistent approach to outcome measures
- The current programme of Inspections – either Justice Services or Community Justice and the measures against which we will be inspected – will likely continue to identify challenges around measuring outcomes
- East Lothian has, since the closure of Haddington Sheriff Court, seen a significant reductions in unpaid work/other activity hours and Orders – it is not known if this trend will continue
- The Criminal Justice Team has been publishing a quarterly bulletin throughout 2018/19 – this may not be able to be continued due to changing demands and expectations on the management team

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