

A Briefing for Victims of Crime

Covid-19 Pandemic Impact on Community Payback Orders - Unpaid Work

Context

Community Payback Orders (CPOs) are administered by Local Authorities, through Criminal Justice Social Work Services (CJSW). More information on CPOs can be found in the easy read publication '[Summary of Community Options](#)'.

CJSW Services carry out supervision of individuals on CPOs, organise and oversee Unpaid Work (UPW) and report back to the Courts on progress and any potential breaches. Unpaid Work includes the Other Activity element which is up to 30 hours specifically aimed at addressing the underlying drivers of offending behaviour of the individual.

As a result of the Covid-19 Pandemic, Criminal Justice Social Work Services have experienced difficulties in continuing to implement CPOs in compliance with Covid-19 related restrictions. This has been particularly the case for delivering UPW or Other Activity requirements

The Pandemic has worsened existing pressures within the Justice, particularly when balancing the interests of victims and witnesses with the need to safely manage the Prison Population and backlog of Community Payback Orders through Community Justice. The *Scottish Parliament's Justice Committee has estimated that it could take up to 10 years to clear the backlog of cases.*

Some of the issues faced by Local Authority CJSW Services due to Covid-19, which have had a significant impact on delivering CPOs have included:

- Measures required to protect the Health and Wellbeing of staff and individuals on orders – reducing staff capacity within CJSW to deliver UPW over the past year.
- A backlog of unfulfilled hours resulting from the suspension of UPW programmes during the first national lockdown (estimated at 700,000 hours at July 2020).
- An increase in court business and new CPOs from Summer 2020 (as restrictions began to ease) to January 2021. This has meant a backlog of CPOs that are still to be completed.
- CPOs must be completed within timescales required in line with legislation and decisions by the courts.
- The risk that CJSW services will become overwhelmed.

The Current Picture

In Glasgow during January 2021, a decision was taken for the second time, to suspend all face to face Unpaid Work Programmes. The decision was taken on the advice of the Chief Medical Officer under the provisions of The Coronavirus (Scotland) Act 2020.

During the first national lockdown, Scottish Government extended all UPW requirements by 12 months to help resolve the immediate issues arising from the crisis. Whilst this had initially had a positive impact, the second national lockdown has worsened the situation. There are now significant challenges to delivering outstanding Unpaid Work requirements on time, which will result in a greater backlog.

The Decision to Reduce Hours by 35%

Given the information provided above, the [Scottish Parliament](#) considered a range of options and proposed changes, which include regulations to reduce the Unpaid Work hours by 35% for each person still to complete their CPO. This reduction will result in approximately 290,000 hours being removed from the system across Scotland.

The only exceptions are Unpaid Work for domestic abuse, sexual offences or stalking. The full extent of these COPs will need to be completed. These exclusions are in place due to concerns that a further offence could be committed without consequence and to ensure victims' safety is paramount.

Local Efforts to Deliver Unpaid Work – the [Community Justice Glasgow Partnership](#)

As this pandemic has continued, Community Justice Glasgow Partners have made substantial efforts to deal with the backlog of Unpaid Work Orders. Where possible, completion of the Other Activity element of a CPO has been moved online. These activities address the underlying drivers of offending behaviour such as drug and/or alcohol misuse, mental health problems and employability.

Domestic Abuse Programmes and Sexual Offences Programmes have, as far as possible, been moved online or, where essential, continued to be delivered in person with all safety precautions implemented.

Community Justice Glasgow understands that the decision to reduce the Unpaid Work hours may leave people affected by crime feeling that the justice system has let them down. While we have no influence on these Scottish Government decisions, we work tirelessly with Community Justice Partners to ensure that CPO activities and key programmes in areas such as sexual offences and domestic abuse are delivered as far as possible. [Evidence tells us](#) that this is the most effective way to reduce the risks around further offending and creating more victims of crime.

For More information on the Work of the Community Justice Glasgow Partnership to reduce -reoffending press control & click on the Annual Reporter banner heading below.



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For more information on Community Payback Orders and other alternatives to custody, prosecution or Remand press control & click on the Summary of Community Options picture below.



If you have been affected by crime and require emotional or practical support as a victim or witness, you can contact the Victim Support Scotland Helpline on **0800 160 1985 (8am-8pm, Mon-Fri)**

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