

ANGUS COUNCIL

SOCIAL WORK COMMITTEE18 November 1997

**REPORT BY THE DIRECTOR OF SOCIAL WORK ON THE
CONSULTATION OF THE PROPOSED NATIONAL OBJECTIVES AND
STANDARDS FOR SUPERVISED ATTENDANCE ORDERS**

ABSTRACT

This report outlines the Director of Social Work's response on the proposed national objectives and standards for Supervised Attendance Orders.

1 RECOMMENDATION

It is recommended that the Social Work Committee notes the contents of this report and the Director's response to the proposed National Objectives and Standards for Supervised Attendance Orders a copy of which is placed in the Members' Lounge.

2 INTRODUCTION

A Supervised Attendance Order is an order available to criminal courts in Scotland which requires an offender who has failed to pay a fine or who has no means with which to pay a fine to undertake a programme of designated activities for a specified period of time. The intention is to substitute a time penalty for a fine and to use the time in a constructive way.

National Objectives and Standards provide a framework for the local management and operation of supervised attendance order schemes. The standards;

- provide a full description of the requirements of the Supervised Attendance Order for the Court;
- explain what offenders must do to complete the order satisfactorily and what happens if they do not comply
- establish procedures for running schemes to ensure a measure of national consistency and to commend the respect of the Courts, the general public, participating agencies and offenders.

3 NATIONAL OBJECTIVES AND STANDARDS - SUPERVISED ATTENDANCE ORDERS

The Director of Social Work welcomes the opportunity to comment on the proposed standards as the development of supervised attendance order in Scotland provides further opportunity to reduce the high incidence of offenders being sent to prison for fine default.

Within Angus Courts, the profile of Supervised Attendance is high as a result of which the number of orders has increased steadily since April 1996. The Director of Social Work therefore supports the key objectives to provide constructive activities for offenders to encourage personal and social responsibility as well as self respect.

The Director of Social Work;

- recognises the importance of harnessing the potential of local organisations in order to extend the range of placements designed to meet individual need
- suggests the maximum number of hours be increased from 10 to 15 hours which will allow individuals in rural areas and/or seasonal employment to complete their order in blocks rather than on a weekly basis
- believes evidence of changing circumstances should be included within the national objectives and standards. Within Angus Council's Supervised Attendance Scheme evidence is currently required of any change in the offenders employment circumstances.
- The Director of Social Work believes that Supervised Attendance work must be of a constructive nature and believes that greater clarity is necessary in defining the differences between Supervised Attendance Orders and Community Service Schemes.

4 FINANCIAL IMPLICATIONS

There are no financial implications arising from this report

5 CONSULTATION

The Director of Law and Administration, the Director of Finance and the Chief Executive have been consulted in the preparation of this report.

6 CONCLUSION

This report highlights the Director of Social Work's response to the proposed national objectives and standards for Supervised Attendance Orders.

3 November 1997

W B Robertson
Director of Social Work

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.

AB/SH

10 November 1997

Mr A Cockburn
Social Work Services Group
Room 13
James Craig Walk
EDINBURGH
EH1 3BA



SOCIAL WORK
Director: W B Robertson

County Buildings
Market Street
Forfar DD8 3WS

DX 530678 Forfar

Tel 01307 461460
Fax 01307 473366

Dear Mr Cockburn

**SOCIAL WORK SERVICES IN THE CRIMINAL JUSTICE SYSTEM;
SUPERVISED ATTENDANCE ORDER NATIONAL OBJECTIVES AND
STANDARDS**

Thank you for the opportunity to comment on the proposed standards for Supervised Attendance.

Within Angus Courts our profile has been high in both District and Sheriff Courts, as a result of which numbers of Supervised Attendance Orders have increased steadily. We fully expect this upward trend to continue. It is against this background that we provide the following comments.

In general terms we suggest that the term "activity manager" is replaced by "activity provider" as the provider of activities is not necessarily the manager. Section 1.6 refers to the local authorities being the organisers and managers of Supervised Attendance Orders, therefore a clear distinction must be made between providers of service and the managers of the order.

Specific Comments:

Section 1.5

Angus Council supports the key objective in providing constructive activities for offenders to encourage personal and social responsibility as well as self-respect.

Section 1.6

'capacities' should be replaced with abilities or capabilities.

Section 2.8 a

All misconduct should be reported to the supervising officer who as the manager must decide firstly if it is significant and secondly what action is required.

Section 2.8 b

Absence and misconduct should be returned to the supervising officer rather than the 'scheme'.

Section 2.9

The words "so far as practicable" should be removed as it is essential that all schemes provide a range of activities throughout the area covered by the scheme including weekdays, evenings and weekends.

Section 2.10

Harnessing the potential of local organisation to provide activities is welcomed in order to extend the range of placements which will meet individual need.

Section 2.14

There are four main types of activity rather than three
 - 'orientation and attitude to work' should be included in 2.14 (ii)
 Activities should include debt awareness rather than debt counselling

Section 2.14

Work must rather than should be of a constructive nature
 Clarification must be given to define the differences between Supervised Attendance Orders and Community Service Scheme with regards to the "unpaid work in the community".

Section 2.18

As some schemes do not operate 'core induction modes' it is therefore suggested that the words "Apart from this requirement and" be deleted from the beginning of the second paragraph.

Section 3.13

The supervising officer must interview the offender within 7 working days of the order being made at Court rather than 7 days of official notification being received from the Court.

Section 3.15

The Supervising officer and/or the activity provider should draw up an order plan.
 Where there is no core induction module, the word placement should be inserted

Section 3.20

This should be changed to read; "Only in exceptional circumstances should any session be less than two and a half hours long.

Section 3.22

It would be helpful if the maximum amount of hours be increased from 10 hours to 15 hours, but with a maximum of 16 hours as benefits could be affected. Increasing the maximum hours would allow individuals in both rural

areas and/or seasonal employment to complete their order in blocks rather than on a weekly basis.

Section 3.25

Clarification is required that the Supervised Attendance Order case file is that held by Criminal Justice Services.

Section 3.26

We are in agreement that time spent in drawing up an order plan should not be credited.

Section 4.1

At the first indent, it is suggested that the words "requested" be replaced by the word "instructed".

Section 4.3

"unable" should be replaced by "unwilling"

Section 4.5

The first part of this section should read "Supervising officers and/or activity providers".

Section 4.7

In the first paragraph the words "finding out about this" be replaced by the words "being advised".

At the third indent, it is suggested that the word "practitioner", the following words be added "within 7 days of the absence". This would be consistent with existing Community Service National Objectives and Standards. It seems appropriate for the Scottish Office to issue a new circular which would incorporate both Supervised Attendance Orders and Community Service procedure.

Section 4.12

The words "or activity manager must be told of" be deleted and replaced with "must be told by the activity provider within 2 working days".

Section 4.19

It is suggested that between the words "any" and "change" on the first line, the following words should be added "temporary or permanent".

Section 4.25/26

Current practice within Angus Council Criminal Justice Services is to seek evidence from the offender that they are in employment. Further evidence is required where the hours of employment change. Evidence of changing circumstances should be included within the National Objectives and Standards.

Unsatisfactory performance should include poor timekeeping. This may require activity providers to give evidence in Court which is not consistent with Section 2.7 which states: "avoid where possible the attendance at Court staff from agencies offering activities where breach procedures are initiated".

Section 5.24

It is suggested that the sentence be amended to read "The supervising officer should ensure that the offender is made aware of the implications of the Rehabilitation of Offenders Act 1974".

Annex 2

This section requires to link back to Section 1.7. The maximum period of imprisonment on a breach of Supervised Attendance Orders is 60 days and not 30 days in the District Court.

Annex 3

The final paragraph under 'Health and Safety' should take account of the Sex Offenders Act 1997 as well as SWSG 9/189 - "Protection of Children".

With regards to insurance requirements clarity is needed as to the responsibilities upon placement providers when this function is not being undertaken by the local authority.

Annex 4

Travel expenses should be reviewed as some offenders who are travelling within the 3 mile restriction have weekly costs equivalent to their outstanding fine payments.

Yours sincerely



W B Robertson
Director of Social Work