

**REPORT TO: HEALTH & SOCIAL CARE SERVICES COMMITTEE ON  
18 NOVEMBER 2009**

**SUBJECT: GUIDANCE ON COMMUNITY SERVICE TO SUPPORT REVISED  
NATIONAL STANDARDS (UPDATE)**

**BY: SANDY RIDDELL, DIRECTOR OF COMMUNITY SERVICES**

**1. REASON FOR REPORT**

1.1 To advise Committee of the progress made in relation to the operation of the revised National Standards for Community Service.

1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme in relation to the function of the Council as a Social Work Authority under the Social Work (Scotland) Act 1968.

**2. RECOMMENDATION**

**2.1 The Committee is invited to consider the progress being made by Criminal Justice Services in implementing the revised National Standards on Community Service.**

**3. BACKGROUND**

3.1 A Committee Report entitled "Guidance on Community Service to Support Revised National Standards" was presented to the Health & Social Care Social Services Committee on 6 May 2009 (para 13 of the minute refers).

3.2 The Report indicated that the four main objectives for Community Service are:-

- ◆ to provide Scottish Criminal Courts with a credible community based penalty, which has the potential to achieve a positive outcome in respect of the offender's future likelihood of re-offending.
- ◆ to achieve a high degree of credibility with the Scottish public and sentencers with a high quality intervention which balances the requirement that offenders "pay back" for their crimes to communities, with opportunities to help them move on in their lives.
- ◆ to ensure that Courts have access at all times to a community disposal which offers a credible alternative to a sentence of imprisonment or detention by requiring the offender to undertake unpaid work for a specified number of hours for the benefit of the Community; and
- ◆ to provide offenders with an opportunity to develop their inter-personal and vocational skills in order to enhance their employability prospects.

3.3 The report further indicated that the seven Key Guiding Principles which required to be implemented in order to meet the objectives were:-

- ◆ purpose
- ◆ immediacy

- ◆ safety
- ◆ speed
- ◆ visibility
- ◆ equal opportunities
- ◆ compliance

3.3.1 **Purpose** – since 1 June 2009, the Community Service Scheme has been involved with individual and community projects and these include:-

- ◆ beach clearing
- ◆ gardening projects
- ◆ building and erecting signage for environmental projects
- ◆ path clearing in a variety of recreational areas
- ◆ painting and decorating
- ◆ the erection and maintenance of fencing
- ◆ the manufacture and supply of garden benches

All of the tasks undertaken by Community Service during the period since 1 June 2009 are considered to offer offenders the opportunity to pay back to the community and gain the necessary vocational skills which might support them to gain employment and avoid involvement in re-offending.

3.3.2 **Immediacy** – During the reporting period from 1 June 2009 until 30 September 2009, a total of 33 Community Service disposals were referred to Criminal Justice Services in Moray.

Of these 33, 23 were seen on the same or day following court disposal and 24 were allocated work placements within seven days of the Order having been made.

Individual offenders who were not seen or allocated work placements within the target times had either failed to attend as directed or were unable to do so, due to work commitments.

The overall intention is for the offender to commence work within seven working days of the Order being made by the Court and while this was achieved in the majority of cases, it is acknowledged that further efforts require to be made to ensure that offenders comply with the requirements of the Order.

3.3.3 **Safety** – Appropriate Risk Assessments are carried out on all offenders performing Community Service in order to ensure that individuals are placed in appropriate work placements and that community safety is not compromised.

3.3.4 **Speed** – Revised National Standards require individuals placed on Community Service to complete their Orders within a six month period as opposed to the previous one year period. During the period 1 June 2009 to 30 September 2009, three offenders placed on Community Service Orders

completed their Orders. Others are on schedule to complete their periods of Community Service within the new timescale.

- 3.3.5 **Visibility** – Since 1 June 2009, a number of consultations have taken place with community groups to discuss the types of work that can be carried out by Community Service in order to encourage local communities to request the involvement of Community Service in local initiatives.

Advertising Leaflets have also been produced as have a number of plaques which will be placed on a permanent basis in areas where significant Community Service has been undertaken, in order that the public are made aware that offenders are making reparation for their criminal behaviour.

- 3.3.6 **Equal Opportunities** – a wide range of Community Service placements are available within Moray, however, it is necessary to increase placement availability, particularly individual placements, in order to meet the revised Standards and to ensure that offenders are placed in a work placement within seven days.

Additional funding has been provided by the Scottish Government and allocated to Moray through the Northern Community Justice Authority for the specific purpose of ensuring the service standards are met. This money, £14,658, will be used to appoint a part-time temporary Community Service Officer with a specific remit of finding placements and thereafter supporting both the placement provider and the offender within the placement.

- 3.3.7 **Compliance** – Rigorous and robust breach procedures are applied within Moray. During the reporting period June 2009 until 30 September 2009, five Breach reports were submitted to Courts in relation to offenders placed on their Order during the same reporting period. Of those five reports, one has yet to be dealt with, and a warrant has been issued, one order was revoked and a fine imposed in its place, one order was continued without change, one order had its length varied and one order was revoked and the offender sent to custody, as an alternative.

The Moray Criminal Justice Service will continue to ensure that non-compliance with Community Service Orders is dealt with robustly.

- 3.4 Moray Criminal Justice Service has fully implemented the revised National Standards and will continue to work towards 100% compliance by offenders in relation to all aspects of the delivery of Community Service. Criminal Justice Service will continue to ensure that robust and timely action is taken in all instances of non-compliance by offenders subject to Community Service Orders.

#### **4. SUMMARY OF IMPLICATIONS**

**(a) Single Outcome Agreement/Service Improvement Plan**

- (i) National Outcome 9 – We live our lives safe from crime, disorder and danger;

- (ii) National Outcome 15 – Our public services are high quality, continually improving, efficient and responsive to local people's needs
- (iii) Community Services Service Improvement Plan – Service Priority 5.1 Strengthening public protection arrangements

**(b) Policy & Legal**

There are no implications in relation to Policy and Legal.

**(c) Resources (Financial, Risks, Staffing and Property)**

£14,658 has been made available to Moray Criminal Justice Service by the Scottish Government in order to assist in the implementation of revised National Standards. There is no direct financial implication to the Moray Council.

**(d) Consultations**

Director of Community Services; Head of Children & Families & Criminal Justice; Deborah Bosworth, Principal Accountant and the Chief Legal Officer.

**5. CONCLUSION**

**5.1 Guidance on Community Service to support revised National Standards is welcome as it supports much of the work already being carried out by Criminal Justice Services across Moray. Criminal Justice Services will continue to work towards achieving the guiding principles of immediacy, visibility and compliance which are of exceptional importance in ensuring that the Courts and the public are able to have confidence in the delivery of Community Service and view it as a robust and appropriate alternative to a custodial sentence.**

**5.2 The Moray Council Criminal Justice Service has in place systems to ensure full compliance with the guidance and will continue to work towards ensuring that those offenders made subject of Community Services Orders in Moray are dealt with fairly and appropriately and where necessary returned to the Courts if they fail to comply with the terms and conditions of their Orders.**

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Background Papers:

Ref: BD

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