

## **EAST AYRSHIRE COUNCIL**

**SOCIAL WORK COMMITTEE: 29 JANUARY 2004**

### **SUPERVISED ATTENDANCE ORDER – PILOT SCHEME**

#### **Report by Director of Educational and Social Services**

## **1 PURPOSE OF REPORT**

- 1.1 To advise Elected members of a successful bid to pilot, in partnership with South Ayrshire Council, the provisions of Section 235(4) of the Criminal Procedure (Scotland) Act 1995 in Ayr Sheriff Court, and to seek approval to refer the recruitment of additional staff to the Corporate Governance Committee for further consideration.

## **2 BACKGROUND**

- 2.1 Supervised Attendance Orders, which are available to both Sheriff and District Courts, are imposed as an alternative to imprisonment for non-payment of a fine.
- 2.2 A Supervised Attendance Order requires the individual offender to attend a place of supervision for a period of between 10 hours minimum to a maximum of 100 hours. The length of time is dependent on the level of fine outstanding.
- 2.3 Section 235(4) of the Criminal Procedure (Scotland) Act 1995 requires Courts to impose a supervised attendance order, rather than impose the alternative of imprisonment, on all fine defaults up to level 2 (£500).

## **3 PILOT SCHEME**

- 3.1 Two pilot sites have been selected: Ayr Sheriff Court and Glasgow Stipendiary Magistrates Court. The pilot will last for 2 years and is anticipated to commence on 1<sup>st</sup> April 2004.
- 3.2 The Ayr Sheriff Court pilot will be a Partnership between East and South Ayrshire Councils.

3.3 Within East Ayrshire additional staff require to be recruited to meet the increase in new orders: anticipated to be between 60 to 80 per annum. The additional staffing amounts to:

- 1 x Supervised Attendance Officer
- 1 x Clerical Assistant.

Both posts will be temporary for the duration of the pilot, but would move to a substantive position should the funding continue beyond the two years.

3.4 Activity provision for those subject to the new orders will be contracted to Apex Scotland. This will require that organisation to extend their existing service arrangement with East Ayrshire to accommodate the additional demand.

#### **4 FINANCE AND PERSONNEL ISSUES**

4.1 All costs associated with the pilot scheme will be met through the 100% funding mechanism for criminal justice social work services.

4.2 The implementation of the pilot scheme requires East Ayrshire to recruit, initially on temporary contracts for 2 years, 1 supervised attendance officer and 1 GS2 clerical assistant.

#### **5 LEGAL AND POLICY ISSUES**

5.1 None

#### **6 CONCLUSION**

6.1 A pilot scheme, which enhances current arrangements for supervised attendance orders is being introduced to Ayr Sheriff Court from 1<sup>st</sup> April 2004. The pilot will allow the court to enact the provisions of Section 235(4) of the Criminal Procedures (Scotland) Act 1995. This in effect means the court will not be able to imprison an offender for a fine default up to level 2 (£500).

6.2 Additional staff require to be recruited for the 2 year period of the pilot.

## **7 RECOMMENDATION**

7.1 It is recommended that Elected Members:

- i) refer the staffing proposals, contained at 3.3, to Corporate Governance Committee for further consideration;
- ii) otherwise note the content of the report.

John Mulgrew  
Director of Educational and Social Services  
Enc (1)  
19<sup>th</sup> December 2003

### **LIST OF BACKGROUND PAPERS**

Scottish Executive letter, dated 18 December 2003, confirming approval of the pilot bid

For further information please contact Donal Flannery, Service Unit Manager, Criminal Justice Service, Tel: 01563 576915.

**IMPLEMENTATION OFFICER : DONAL FLANNERY**