

This leaflet has been produced by Social Work Service so you, as a service user, know about our services.

We want to improve access to our services and will do our best to make sure you have a convenient access point.

Your views on our services matter.

If you have any suggestions on how we could improve our services, please get in touch and we will do our best to listen to your comments.

Cause for Complaint?

If you are unhappy about the service you receive you have a right to complain. Social Work Services has a comprehensive complaints procedure which is described in a leaflet available from the member of staff you have contact with



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Community Payback

Breach of Order Information



Breaking the cycle of re-offending

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What is Community Payback Supervision

A Community Payback Order is a sentence and imposed as alternative to a imprisonment and also for fine default.

A 'Case Manager' is allocated to each Community Payback Order.

The purpose of Community Payback is to:-

- **To assist the individual to change his/her behaviour to reduce the risk of further offence**
- **Work with the offender to achieve compliance**

The Case Manager and individual will work to a risk management plan, which will be reviewed at regular intervals.

The Case Manager will decide frequency of contact in accordance with assessed risk levels and in consideration with the offender what the offender and the Case Manager have to do to successfully complete the Community Payback Order.



*Breaking the Cycle of
Re-offending*

COMPLYING WITH COMMUNITY PAYBACK

The case manager is an officer of the Court. He/She is there to assist you stay out of trouble and ensure that you comply with the requirement that you have agreed to abide by at Court.

Normally disciplinary action follows the following course:-

1. First failure to comply—1st written warning
2. Second failure to comply—Final written warning
3. Third failure to comply—A breach report is submitted to Court

The case manager must decide on imposing a warning or breach action within 48 hours of the failure to comply.

A breach report will be submitted to Court within 5 days of the decision to breach the Order.

COMMUNITY PAYBACK PENDING A BREACH APPLICATION

Each requirement can be breached by itself, or the case manager may decide that you are unable to comply with any of the Order.

The case manager will offer to discuss this with you. This is an opportunity to reflect on how your compliance has become unacceptable. There may also be an opportunity for you to prove in the period before your Court appearance for alleged breach that you can improve compliance.

COURT APPEARANCE

The Court will either issue a warrant for your arrest or cite you to attend Court.

When at Court you have an opportunity to see the breach report by the case manager and consult with a legal representative.

IF THE BREACH IS PROVED

The Court can implement the following:-

- Impose a fine, not excluding level 3 on the standard scale.

- Revoke the order and deal with you as it could have dealt with you had the order not been imposed.
- Impose a custodial sentence of up to 3 months (*60 days in a Justice of the Peace court*).
- Vary any requirement of the Community Payback Order to impose a new requirement, increase the number of unpaid hours.
- Impose a fine and vary the order.
- Impose a Restriction of Liberty Order as a condition of Community Payback Order.
- Community Payback Order Supervision

INFORMATION SHARING

The Criminal Justice Social Work Service is part of the Administration of Justice. As such Criminal Justice Social Work Service will report assessment and supervision information to:-

- The Courts
- The Parole Board
- The Police

Criminal Justice Social Work Service will also gather and exchange information from other agencies to allow informed judgements to be made in relation to supervision and assessment such agencies include:-

- Health
- Local Authorities
- Scottish Prison Service
- Voluntary Agencies

The recording of personal information requires to comply with Data Protection Law. For further information regarding Information Sharing and Data Protection please speak to your case manager.