

FAILURE TO COMPLY

Should you fail to comply with your Community Payback Order without reasonable explanation, your case manager may use up to two formal warnings on your failure to comply. The third unacceptable failure to comply is followed by the case manager reporting the breach to Court.

If the Court finds you guilty of breaching your order it can implement one of the following:-

- Sentence you to custody
- Vary your Community Payback Order
- Add a Restriction of Movement Order (TAG) to Community Payback.

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

Supervision & Mental Health



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 imprisonment and also for fine default.

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

The purpose of Community Payback is to:-

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



*Breaking the Cycle of
Re-offending*

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 and 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.

WHAT IS A MENTAL HEALTH REQUIREMENT

A Mental Health requirement should ensure that an individual diagnosed with a mental health condition, which contributes to offending, receives support, care and treatment to improve their mental health.

The individual must agree to the mental health requirement at Court. If a medical practitioner considers that an individual requires compulsory treatment, alternative legislation would be used.

HOW DOES THE COURT DECIDE UPON A MENTAL HEALTH CONDITION

The Court must have received evidence from a registered medical practitioner that:-

- The individual suffers from a mental condition.
- The condition requires and may be susceptible to treatment.
- That the condition does not require compulsory treatment.
- That the proposed treatment is appropriate
- That arrangements are in place to give the treatment.

WHAT DOES 'TREATMENT' MEAN?

Treatment can be received as an out patient, day patient or in patient. This treatment can include:

- Nursing
- Care
- Psychological intervention
- Rehabilitation (including education, training in work, social and independent living skills)
- Medication

If the condition itself cannot be treated the 'treatment' will be for your behaviour connected with your mental disorder e.g. Learning Disability.

WHAT WILL THE SERVICE DO?

The case manager will consult with you and the medical practitioner how best to facilitate the treatment you have agreed to.

If the treatment requires to change or is no longer necessary the case manager will advise the Court. Should you still require treatment after the end of the supervision period the case manager will discuss with you how best you can still receive treatment.

WHAT IS MENTAL DISORDER FOR COMMUNITY PAYBACK

Mental Disorder is defined as:-

- Mental illness
- Personality disorder
- Learning disability

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.