
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 18

CRIMINAL LAW

**The Community Reparation Orders
(Requirements for Consultation and Prescribed
Activities) (Scotland) Regulations 2005**

Made - - - - *18th January 2005*
Laid before the Scottish
Parliament - - - - *19th January 2005*
Coming into force - - *10th February 2005*

The Scottish Ministers, in exercise of the powers conferred by section 27(5A) of the Social Work (Scotland) Act 1968(1), section 245K(5) of the Criminal Procedure (Scotland) Act 1995(2) and section 141(2)(a) of the Antisocial Behaviour etc. (Scotland) Act 2004(3) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Community Reparation Orders (Requirements for Consultation and Prescribed Activities) (Scotland) Regulations 2005 and shall come into force on 10th February 2005.

Provision for Persons subject to Community Reparation Orders

2. The following persons and classes of person are prescribed for the purposes of section 27(5A) of the Social Work (Scotland) Act 1968:—

- (a) the Chief Constable for the area of the local authority making, revising or modifying the community justice scheme;
- (b) such organisations representative of communities in the local authority's area as the local authority thinks appropriate;
- (c) such organisations representative of victims of crime as the local authority thinks appropriate;

(1) 1968 c. 49; section 27(5A) was inserted by the [Antisocial Behaviour etc. \(Scotland\) Act 2004 \(asp 8\)](#), section 144(1) and Schedule 4, paragraph 1(c).
(2) 1995 c. 46; section 245K was inserted by the [Antisocial Behaviour etc. \(Scotland\) Act 2004](#), section 120.
(3) 2004 asp 8.

- (d) such organisations representative of commercial and retail businesses operating in the local authority's area as the local authority thinks appropriate;
- (e) any Community Safety Partnership led by the local authority;
- (f) leaders of such groups representing ethnic minorities within the local authority's area as the local authority thinks appropriate; and
- (g) as regards offenders under the age of 16 years, such individuals and organisations representing the interests of young people as the local authority thinks appropriate.

Prescribed activities

3. The following activities are prescribed for the purposes of section 245K(5) of the Criminal Procedure (Scotland) Act 1995—

- (a) unpaid work that, in the view of the supervising officer appointed by the local authority, the offender is capable of undertaking that will enable reparation to be made in accordance with section 245K(5)(a) of that Act;
- (b) programmes designed to increase the awareness of offenders of the effect that anti social behaviour has on the victims of such behaviour and on the local community more generally;
- (c) programmes designed to reduce future offending and instances of anti social behaviour;
- (d) programmes designed to encourage personal and social responsibility on the part of offenders and the development of appropriate life skills.

St Andrew's House, Edinburgh
18th January 2005

CATHY JAMIESON
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations make provision in relation to offenders subject to Community Reparation Orders. Community Reparation Orders were introduced by section 120 of the Antisocial Behaviour Etc. (Scotland) Act 2004.

Regulation 2 lists the persons or classes of person that a local authority is required to consult before making, revising or modifying provisions in a community justice scheme, prepared by the authority in terms of section 27(2) of the Social Work (Scotland) Act 1968, that relate to individuals in the authority's area who are subject to a Community Reparation Order.

Regulation 3 lists the activities that an individual who is subject to a Community Reparation Order may be required to undertake.