

SCHEDULE 4 MINOR AND CONSEQUENTIAL AMENDMENTS

The Social Work (Scotland) Act 1968 (c. 49)

- 1 In section 27 of the Social Work (Scotland) Act 1968 (functions of local authorities in relation to persons appearing before courts, under supervision of court orders etc.)—
- (a) in subsection (1)—
 - (i) after paragraph (ac) insert—

“(ad) making available, for the purposes of parenting orders under section 13 or 102 of the Antisocial Behaviour etc. (Scotland) Act 2004 (asp 8), such services as are required to enable requirements imposed by or under such orders to be carried out in respect of persons in their area;” and
 - (ii) in paragraph (b), after sub-paragraph (v) insert—
 - “(va) without prejudice to sub-paragraph (i) above, persons in their area who are subject to community reparation orders under section 245K of the said Act of 1995;
 - (vb) without prejudice to sub-paragraph (i) above, persons in their area who are under 16 years of age and subject to restriction of liberty orders under section 245A of the said Act of 1995;”;
 - (b) in each of subsections (2) to (5), for the words “probation, community service and supervised attendance”, wherever they occur, substitute “community justice”; and
 - (c) after subsection (5) insert—
 - “(5A) Before including in a community justice scheme which is made, revised or modified under this section provision for the purposes of subsection (1)(b)(va), a local authority shall consult such persons or class or classes of person as the Scottish Ministers may by regulations prescribe.
 - (5B) The Scottish Ministers may give local authorities directions in writing as to the content of community justice schemes; and authorities shall comply with any such directions.
 - (5C) The power conferred by subsection (5B) above to give a direction shall include power to vary or revoke the direction.”.