



Opening Hours

Monday to Friday

9.00am - 8.00pm

Saturday and Sunday

10.00am - 3.00pm

Community Sentences

Community Sentences

Not all sentences passed in court are custodial. Some sentences enable people with convictions to undertake rehabilitative Programmes or work in the community whilst being supervised by a Probation Trust. These types of sentences are called 'community sentences'. Whilst a community sentence does not involve time in prison it is by no means a soft option.

What is a Community Sentence?

Community sentences, or community orders, allow judges or magistrates to tailor a sentence to meet the needs of a person with a conviction. Community orders aim to punish as well as addressing offending behaviour and risk of harm. Sentencers can impose several different requirements on the order to enable the person with a conviction to address their offending behaviour.

There are a total of twelve different requirements although the convicted person would not have all the requirements attached to their order. Less serious offences would generally carry only one or two whereas a more serious offence may have four or five elements to the order.

The requirements are as follows:

- **Supervision** - by the Probation Service. A convicted person will attend appointments with a probation officer.
- **Unpaid Work/Community Payback** - compulsory work up to a maximum of 300 hours.
- **Curfew** - where a convicted person can be ordered to stay within the confines of their home during certain hours. Up to 12 hours within a 24 hour period.
- **Accredited Programmes** - designed to address offending behaviour.
- **Specified Activities** - for example improving basic skills, or undertaking reparative work.
- **Prohibition** – a convicted person can be prevented from undertaking certain activities. For example attending football matches.
- **Exclusion** - where a convicted person can be excluded from entering certain areas for any period up to 2 years.
- **Residence** – where a convicted person has to live at a certain address for example approved premises (hostel).
- **Mental Health Treatment** – this can only be imposed with the consent of the convicted person.
- **Drug Rehabilitation** – this includes testing and treatment and can also only be imposed with the consent of the convicted person.

- **Attendance Centre** – where convicted persons (up to the age of 25) are required to attend a particular centre at a certain time for up to a total of 36 hours during their sentence.
- **Alcohol Treatment** - this can only be imposed with the consent of the convicted person and lasts between six months and three years.

When someone is sentenced to a community Order, they will usually be assigned a probation officer, who they will meet with on a regular basis and who will develop a supervision plan for them to complete as part of their sentence.

Under 18's

Young convicted people's Community Sentences can differ from those given to adults. There are 3 main categories:

- Referral order – A panel of people from the local community and youth justice worker will be asked to agree a programme of work to address a person's behavior.
- Reparation order- Where you will have to make up for the harm caused by your crime e.g. repair damage to victims property.
- Youth Rehabilitation order- Court decides on different things that you will have to or must not do, can last up to 3 years.

Young convicted persons can also be discharged, they could be asked to speak with their victim to hear their side of the crime or asked to apologise.

What happens if the order is breached?

It is very important that a person with a conviction given a community order complies fully with the order and the instructions given by the Probation Trust. If they do not comply with the requirements of the order, for example does not keep appointments, they can be returned to court and the sentence can be made harder with the addition of extra hours or requirements. A person with a conviction also risks their order being revoked in which case they can be resentenced to custody.

Intensive Alternative to Custody

Some areas of the country are currently operating a relatively new sentence type for male young convicted persons between the ages of 18-25 who are on the verge of receiving a custodial sentence. The Intensive Alternative to Custody order involves an intensive curriculum of activity offering rehabilitation, punishment and reparation through partnerships between the police and statutory, voluntary and private sector organisations.

IAC Orders last for 12 months and most will involve up to five requirements out of the twelve available. The order is designed to allow convicted persons to make reparation for the harm they have done to their local community, while supporting them to avoid re-offending.

As with other community orders, failure to comply with the sentence can result in the convicted person being returned to court and the order being made more difficult, or in their sentence being revoked and their being resentenced to custody.



Scotland

Community Payback Order

The Community Payback Order (CPO) replaces the Community Service Orders, Probation Orders and Supervised Attendance Orders.

This order is available to the courts and came into force in 2011. If you are imposed with a CPO, you may be ordered to carry out unpaid work in the community, or attend a programme to help with any behavioural or addiction problems.

There are nine requirements available to the court as part of a Community Payback Order. Each person with a conviction will be assessed to determine whether one or more of the requirements are appropriate.

The requirements are:

- Supervision
- Unpaid work
- Drug treatment
- Alcohol treatment
- Conduct
- Programme
- Residential
- Mental health
- Compensation

When you are imposed with a CPO, you will be allocated a case manager directly from the court. You must meet with this case manager to discuss the CPO and they will outline the requirements you have been ordered to fulfil. If you have any questions or concerns you should raise them with the case manager.

Convicted persons on Community Payback Orders can find themselves repainting community halls, maintaining the grounds of public spaces or assisting at a local charity. Considerations will be made on whether a certain area of work is suitable for a person with a conviction. Your age, health status, child protection issues, and the nature of your offense will be taken into consideration before you are issued a CPO.

During unpaid work you will be supervised by a Community Payback Order Task Supervisor. They will be available to ensure you're fulfilling your responsibilities and also to assist you if you experience any difficulties.

In brief:

1. There is no minimum age for a CPO.
2. If ordered to do unpaid work as part of their CPO, convicted persons can be asked to work between 20-300 hours in total.
3. Orders usually cover a period between 6 months and 3 years.
4. However, those on unpaid work orders will be expected to complete the work within three months.
5. The court may decide to conduct review hearings throughout a convicted person's CPO to check on progress.

