
EXPLANATORY NOTE

(This note is not part of the Order)

The Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (“the 2007 Act”) received Royal Assent on 22nd February 2007.

Section 51 of, and paragraph 3(a) and (c) of the Schedule to, the 2007 Act were commenced by the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (Commencement No. 4) Order 2008 on 2nd June 2008 to a limited extent, namely within the local authority areas of Highland, South Lanarkshire, West Dunbartonshire and West Lothian. Section 51 of the 2007 Act was commenced to the extent that any work order made under that section would fall to be supervised under arrangements made within those areas.

Paragraph 3(a) and (c) of the Schedule to the 2007 Act are consequential modifications to the Social Work (Scotland) Act 1968 which stem from the section 51 provisions. The effect of these modifications is to place a duty on a local authority to provide a service for the purpose of supervising and providing advice guidance and assistance to persons in their area who are subject to work orders.

Article 2 of this Order brings section 51 of, and paragraph 3(a) and (c) of the Schedule to, the 2007 Act into force on 1st April 2011 for those local authority areas in respect of which they have not previously been commenced. Article 2(2) of this Order provides that those provisions of the 2007 Act come into force only where one or more of the alleged offences in relation to which the work order is to be made was committed in a local authority area and in respect of which arrangements have been made by a local authority for the supervision of any such work order.