

GUERNSEY STATUTORY INSTRUMENT 14

**The Criminal Justice (Attendance Centre)
(Occupation and Instruction) Order, 1997**

Made on the 12th day of May 1997.

Coming into operation on the 12th day of May 1997

THE HOME AFFAIRS COMMITTEE, in exercise of the powers conferred on it by section 1 of The Criminal Justice (Attendance Centre) (Guernsey) Law, 1982, hereby orders:-

1. The Scheme set out in the Schedule to this Order shall regulate the occupation and instruction of persons attending at the Attendance Centre provided by the Committee under section 1 of the Law.

2. The Criminal Justice (Attendance Centre) (Occupation and Instruction) Order, 1991, is hereby revoked.

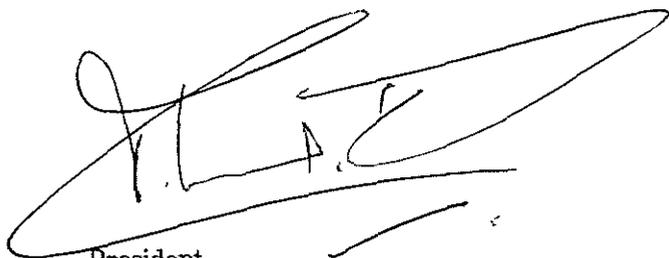
3. (1) In this Order, except where the context otherwise requires the expression "the Law" means that the Criminal Justice (Attendance Centre) (Guernsey) Law, 1982, and any other expressions have the same meanings as in the Law.

(2) Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of this Order as it applies to the interpretation of an enactment.

(3) Any reference in this Order to any other enactment shall, except where the context otherwise requires, be construed as including a reference to that enactment as amended, repealed or replaced, extended or applied by or under any enactment including this Order.

4. This Order may be cited as The Criminal Justice (Attendance Centre)
(Occupation and Instruction) Order, 1997.

Dated this 12th day of May 1997.

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke.

President

of the Committee for Home Affairs
for and on behalf of the Committee

SCHEDULE

**Scheme Regulating the Occupation and Instruction
of Persons Attending at an Attendance Centre**

1. Members of Staff

The Officer in Charge must ensure

- (a) that the character and background of the prospective members of staff does not render them unsuitable for work in the Attendance Centre; and
- (b) that members of staff have the qualifications and experience necessary for the activities for which they will be involved.

2. Travelling Costs

Offenders ordered to attend the Centre shall not receive any contribution towards travelling expenses.

3. Period of Attendance

The normal period of attendance on one day is to be two hours.

4. Completion of Attendance Centre Order

Ordinarily, arrangements are to be made by the Officer in Charge for a person to complete his period of attendance within six months from the date on which he first attends the Centre.

5. Information to be given to persons given an Attendance Centre Order

The Officer in Charge shall arrange for persons given an Attendance Centre Order to be provided with a leaflet which -

- (a) explains the purpose of the Attendance Centre Order;
- (b) gives information about the Centre the offender is attending;
- (c) provides directions to the Centre;
- (d) explains what is expected of the offender;
- (e) outlines the Attendance Centre rules by which a standard of behaviour is set; and
- (f) explains how any complaints may be made.

The leaflet must give certain guidelines as to what kind of behaviour is expected of the person attending in the form of rules. These rules must require the offender to

- (a) notify the Officer in Charge of any change of address;
- (b) attend the Centre punctually and regularly or risk being returned to Court;
- (c) notify the Officer in Charge in advance if he expects to be absent for legitimate reason. It must be clear that any absence does not count towards the completion of the Order;
- (d) participate fully in the Centre's activities unless suffering ill-health;
- (e) note that at any attendance under the influence of alcohol or drugs will result in the person being sent home from the Centre; and
- (f) maintain a high standard of behaviour and obey instructions given by the Officer in Charge or other member of staff.

6. Separation of Age Groups

Persons who are ordered to attend the Centre are to be divided where numbers are sufficient, into two groups in relation to each sex, junior and senior. Those aged 12 years or under are to be assigned to the junior groups and those aged 15 or over to the senior. Young persons who are 13 or 14 years of age are each to be assigned to whichever group the Officer in Charge thinks most suitable, having regard to their maturity or to the desirability of separating associates.

If the junior and senior groups attend on the same day, they are to start and finish at different times and, as far as possible, are to be given occupation and instruction out of sight of each other.

The staff are to take care to prevent children in the junior group from falling under the influence of young persons in the senior group.

7. Inspection on Arrival

All persons required to attend the Centre are to be inspected on arrival in relation to their general tidiness and cleanliness of appearance.

8. Physical Education

During a session of two hours those attending the Centre are to spend not more than one hour, (including in each case changing time), in physical exercise.

9. Other Activities

When those attending the Centre are not engaged in physical exercise, they should engage in the following type of activity -

- (a) useful skills such as first aid, basic do-it-yourself techniques, keyboard skills and cookery;
- (b) practical skills in the production of useful articles such as woodwork and pottery;
- (c) activities in which those attending the centre work as a team towards a specific objective;
- (d) activities which help those attending the centre with practical problems of daily life, for example, guidance on seeking jobs or accommodation and the management of personal finances;
- (e) tasks which benefit the local community such as clearing litter from the premises being used by the Centre;
- (f) health and drug education through group discussions.

Those attending the Centre should normally spend no more than half of any session on any particular activity. The Officer in Charge shall ensure that there are sufficient number of activities available over a number of weeks so that a varied programme can be produced which is capable of sustaining interest and active participation of those attending.

Subject to the restrictions contained in paragraph (8) above the Officer in Charge may, if he thinks fit on any particular occasion, extend or reduce the time normally allocated to any of the activities specified in paragraph (8) and (9) of the scheme, or omit any of them that it is impracticable to carry out.

10. Effect of the Scheme on the Officer in Charge

Nothing in this scheme shall effect -

- (a) the duty of the Officer in Charge to fix the date and time of a person's next attendance in accordance with his circumstances;
- (b) the discretion of the Officer in Charge to extend up to three hours or to reduce to one hour a period of a person's attendance on any one day in accordance with his conduct or other circumstances; and

- (c) the power of the Officer in Charge to deal with a breach of the Criminal Justice (Attendance Centre) Ordinance, 1983(b) in accordance with the provisions of section 7 of the Ordinance.

11. Modification of the Scheme

The Officer in Charge may for any sufficient reason other than a breach of the Ordinance modify the provisions of the scheme in their application to a particular person. Every such modification shall be notified to the Committee on the return of attendance.

12. Monitoring the progress of persons attending the centre

Progress of each person attending the centre shall be monitored throughout the period of attendance. In addition to the record of attendance required to be maintained, the Officer in Charge shall maintain a personal file for each offender attending the centre. This file shall contain the Court Order requiring attendance at the centre, any pre-sentence reports and reports on the offender's conduct and progress at the centre should be included in the record.

13. Records

All records made by the Officer in Charge are private and confidential. Access to them is limited to the Officer in Charge, his staff, the Committee and such other persons as might from time to time be granted access to them by the Committee. Access should also be granted to the Magistrate during any visits he may make to the Centre.

14. Authorised absence

Permission to be absent from the centre shall only be granted by the Officer in Charge if the offender provides a legitimate and reasonable excuse.

15. Employment

If the Officer in Charge is satisfied that a person required to attend the Centre has obtained and is regularly engaged in employment which requires him to work when the centre is open, he should apply to the court for the discharge of the order.

16. Final Interview

On the occasion of his final attendance, the person attending the Centre shall be interviewed in private by the Officer in Charge or by a member of staff nominated by him. The Officer conducting the interview shall review the progress made by the person attending the Centre and give advice about future behaviour. Encouragement shall be given to pursue and develop outside the Centre interests and skills introduced during the period of attendance.

(b)Receuil d'Ordonnances Tome XXII,p.550.

17. Activities only to be on premises used by the Attendance Centre

The Attendance Centre activities may only take place on the premises occupied by the Centre.

18. Complaints

Where an offender wishes to complain about his treatment by a member of staff or by another offender at the Centre, the offender, his parents, or another person acting on his behalf may raise the matter with the Officer in Charge. The Officer in Charge shall deal with the complaint expeditiously.

In the event of the Officer in Charge not being able to resolve the matter, the offender, his parents or another person acting on his behalf may write to the Committee For Home Affairs.

Where an offender does not wish to approach the Officer in Charge, the offender, his parents or another person acting on his behalf may write to the Committee for Home Affairs.