

DETAILS	
Local Authority area	Shetland Islands Council
Primary Courts of relevance	Lerwick Sheriff Court
All information provided by	Shetland Community Justice Partnership

INFORMATION ACCURATE AS AT 18/03/2022

OVERVIEW
<p>The information contained within this document is provided to assist in judicial awareness of local area disposal options.</p> <p>Please note: All information contained within this document has been provided to Community Justice Scotland (CJS) by the relevant Community Justice Partnership, or similar; this information has not been generated by CJS. However, any feedback or queries should be directed to CJS using the following email address: info@communityjustice.scot where all enquiries will be dealt with in collaboration with the relevant Community Justice Partnership, or similar.</p>

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BAIL SUPERVISION

Interventions suitable for	Individuals aged 16+ who have been charged with a criminal offence. Bail supervision combines the provision of verified information to the Court with a package of monitoring and support, aimed at providing the opportunity for bail to an individual who would otherwise be remanded.
Programme Title and Provider	Bail supervision
Details of all Specific national or local scheme/intervention(s) available	A Bail Supervision scheme has been in place for many years, though it has not yet been used by the local Court.
Possible Outcomes	If used by the Court, this disposal at first appearance would help avoid unnecessary remands, and assist those accused to address any issues which have been identified, such as substance misuse or mental health difficulties. It can also prevent loss of or disruption to employment and family life as a consequence of remand.
Process for Assessment and/or inclusion in scheme/intervention	The Court would request an assessment for the Bail Supervision scheme from Criminal Justice Social Work when the individual appears in court at first calling of the case.

COMMUNITY PAYBACK ORDER: UNPAID WORK

Interventions suitable for	All offenders age 16 and up
Programme Title and Provider	Unpaid work
Details of all Specific national or local scheme/intervention(s) available	An Unpaid Work scheme is available to all offenders age 16 and up, and individual placements may be available, e.g. in the local Community Bike Project, and local Charity Shops.
Possible Outcomes	Skills and self-esteem can be developed and improved, leading to increased employability prospects. The 'Other Activities' element of the Requirement allows for individuals to address/receive support with other areas of need, e.g. literacy/numeracy, housing, substance awareness education, employment etc.
Process for Assessment and/or inclusion in scheme/intervention	For an Unpaid Work Requirement of over 100 hours, offenders will have been subject of a referral from Court to Criminal Justice for a CJ Social Work Report. For Unpaid Work Requirement of less than 100 hours, the offender may or may not have been the subject of such a Report. In addition, individuals may be made subject to a Fiscal Work Order, of up to 50 hours. The FWO is made directly from the Procurator Fiscal's service without any assessment by CJSW, if the individual is in agreement with the FWO.

COMMUNITY PAYBACK ORDER: SUPERVISION

Interventions suitable for	All offenders age 16 and up
Programme Title and Provider	Supervision
Details of all Specific national or local scheme/intervention(s) available	Supervision via CPO is available to all offenders age 16 and up.
Possible Outcomes	Reduced likelihood of reoffending, due to successful completion of work such as victim empathy, better understanding of their own offending behaviour, and also possible increased self-esteem and positive outlook, may lead to an enhancement of employability. Other areas of an offender's life which can be improved via the supervision process are housing, financial situation (e.g. dealing with debt), mental and physical health, addictions/substance misuse.
Process for Assessment and/or inclusion in scheme/intervention	At the CJSWR stage individuals who may benefit from a Supervision Requirement will be identified. Their offence related and other needs which can be addressed within this Requirement will be highlighted to the Court in the CJSWR.

COMMUNITY PAYBACK ORDER: PROGRAMME

Interventions suitable for	Male individuals convicted of domestic abuse offences
Programme Title and Provider	Respect Programme
Details of all Specific national or local scheme/intervention(s) available	Respect Programme for male individuals convicted of domestic abuse offences.
Possible Outcomes	Increased awareness of unacceptable behaviour, and reduction in risk of reoffending.
Process for Assessment and/or inclusion in scheme/intervention	Suitable individuals will be identified at the CJSWR stage.

Interventions suitable for	Adult males convicted of sexual offences
Programme Title and Provider	MFMC
Details of all Specific national or local scheme/intervention(s) available	MFMC Programme for adult males convicted of sexual offences.
Possible Outcomes	Increased awareness of unacceptable behaviour, and reduction in risk of reoffending.
Process for Assessment and/or inclusion in scheme/intervention	Suitable individuals will be identified at the CJSWR stage.

COMMUNITY PAYBACK ORDER: TREATMENT: MENTAL HEALTH

Interventions suitable for	Any offender age 16+ who is assessed as suffering from a mental health condition and who consents to this CPO Requirement. However, the mental health condition must be one which falls short of meeting the criteria for compulsory measures contained within the Mental Health (Care & Treatment) (Scotland) Act 2003 or a Compulsion Order under the 1995 Act.
Programme Title and Provider	Treatment: mental health
Details of all Specific national or local scheme/intervention(s) available	Any Mental Health Treatment Requirement would be initially assessed at the CJSWR stage, and if the Requirement is made, the Supervising Officer will liaise with the Community Mental Health Team and GP in relation to treatment and assessment of effectiveness.
Possible Outcomes	Increased awareness of mental health needs and that complying with treatment is likely to improve life quality and reduce likelihood of reoffending.
Process for Assessment and/or inclusion in scheme/intervention	Suitable individuals will be identified at the CJSWR stage.

COMMUNITY PAYBACK ORDER: TREATMENT: DRUGS

Interventions suitable for	This Requirement is suitable for individuals with identified drugs issues, and provides the Courts with an alternative to the Drugs Treatment & Testing Order (DTTO) where the offending history of the individuals is not of a sufficiently high tariff to meet the criteria for a DTTO.
Programme Title and Provider	Treatment: drugs
Details of all Specific national or local scheme/intervention(s) available	In addition to the Drugs Treatment & Testing Order (detailed below), a Drugs Treatment Requirement is available, and would involve close liaison between the individual's Supervising Officer, and the local Substance Misuse Recovery Team to monitor progress and assess effectiveness.
Possible Outcomes	Reduction in use of substances with consequent improvement in life quality and health, and reduction in risk of reoffending.
Process for Assessment and/or inclusion in scheme/intervention	Suitable individuals will be identified at the CJSWR stage.

COMMUNITY PAYBACK ORDER: TREATMENT: ALCOHOL

Interventions suitable for	An Alcohol Treatment Requirement can be considered by Justice Social Workers when an individual's dependence on alcohol contributes to their offending. This Requirement can be targeted at individuals who require treatment at a residential institution, or other place; or can be treated as a non-resident at a place and at intervals as specified in the Treatment Requirement. The Court must be satisfied that the individual is dependent on alcohol, and that the dependency require and may be susceptible to treatment; and arrangements can be made for the proposed treatment to take place.
Programme Title and Provider	Treatment: alcohol
Details of all Specific national or local scheme/intervention(s) available	An Alcohol Treatment Requirement is available, and would involve close liaison between the individual's Supervising Officer and the local Substance Misuse Recovery Team to monitor progress and assess effectiveness.
Possible Outcomes	Improved health, better life quality, reduction in community nuisance, and reduction in reoffending risk.
Process for Assessment and/or inclusion in scheme/intervention	Suitable individuals will be identified at the CJSWR stage.

DRUG TREATMENT AND TESTING ORDER (DTTO)

Interventions suitable for	A DTTO is suitable for individuals aged 16+ and who are dependent on or have propensity to misuse drugs; the dependency or propensity requires and may be susceptible to treatment; and the offender is a suitable person to be subject to an order. The offender should also be facing the likelihood of custody due to the seriousness of the offence, and pattern or frequency of offending.
Programme Title and Provider	Drug Treatment and Testing Order (DTTO)
Details of all Specific national or local scheme/intervention(s) available	A Drug Treatment and Testing Order is available locally, and following an initial assessment of suitability, any DTTO made would involve the CJ Social Worker liaising closely with the local Substance Misuse Recovery Team, who will provide treatment as defined in the guidance; and CJSW will report back to Court at intervals as requested by the Court.
Possible Outcomes	Successful compliance and completion of a DTTO can lead to individuals experiencing improved quality of life, and their risk of reoffending linked to drugs use is reduced.
Process for Assessment and/or inclusion in scheme/intervention	Suitable individuals will be identified at the CJSWR stage in consultation with the local Substance Misuse Recovery Service, and a deferment requested from Court to allow an assessment of suitability to be completed.

STRUCTURED DEFERRED SENTENCE

Interventions suitable for	A Structured Deferred Sentence is available for individuals 16+ to provide structured intervention for people post-conviction but pre-sentence. It is generally reserved for young people, although can be applied to all ages, who have complex needs, which may be address through social work or multi-agency interventions. It provides the opportunities for people to address their needs out with the confines of a Court order prior to a final sentencing appearance at a future date.
Programme Title and Provider	Structured Deferred Sentence
Details of all Specific national or local scheme/intervention(s) available	This scheme is available locally but has been rarely used. Following an assessment and recommendation the Court may wish to place an individual on a structured deferred sentence to establish a tailored multi-agency plan and subsequent interventions. A report is provided to the Court in preparation for the final sentencing.
Possible Outcomes	Improved health and wellbeing, reduction of risk of offending, needs met through accessing community based services and perhaps a more favorable sentence upon successful completion.
Process for Assessment and/or inclusion in scheme/intervention	Identified within the CJSWR stage although referrals for a Structured Deferred Sentence has been received direct from the Court.
Where no specific scheme/intervention is available, is there capacity to provide a bespoke service based on judicial request? Please provide details	N/A

THIRD SECTOR PROGRAMMES

Interventions suitable for	Individuals aged 16+ who are referred under the Diversion from Prosecution Scheme, or who are subject to Community Payback Order.
Programme Title and Provider	Restorative Justice programme; Space2face
Details of all Specific national or local scheme/intervention(s) available	Space2face is a restorative justice arts charity and a confidential and independent service which works with people have been harmed by crime and conflict as well as offenders.
Possible Outcomes	Increased awareness of the effects of offending on victims, and reduction in risk of reoffending.
Process for Assessment and/or inclusion in scheme/intervention	Identification of suitable individuals at the CJSWR stage and discussions between the individual, CJ Supervising Officer and Space2Face, followed by Referral once CPO made.

Relevant information re. funding for the programme	[No information specified]
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Interventions suitable for	Individuals aged 16+ who have been convicted of an offence and made subject to a Community Payback Order with Supervision Requirement.
Programme Title and Provider	Bridgehead Programme from Scottish Fire & Rescue Service
Details of all Specific national or local scheme/intervention(s) available	This programme has been devised by the local Scottish Fire & Rescue Service, and offers a four day course for offenders and others the opportunity to work as part of a team to learn new skills, increase self-esteem and achieve their full potential, and benefit the community by increasing employability through acquiring new skills.
Possible Outcomes	Increased self-esteem, reduction in risk of reoffending.
Process for Assessment and/or inclusion in scheme/intervention	Identification of suitable individuals at the CJSWR stage and discussions between the individual, CJ Supervising Officer and Scottish Fire & Rescue Service, followed by Referral once CPO made.
Relevant information re. funding for the programme	[No information specified]

Interventions suitable for	Individuals subject to a Community Payback Order with Unpaid Work Requirement.
Programme Title and Provider	Shetland Community Bike Project
Details of all Specific national or local scheme/intervention(s) available	The Shetland Community Bike Project provides placements for individuals who are subject to an Unpaid Work Requirement as part of a CPO, and who are assessed as suitable for this placement. The Community Bike Project also offers limited paid placements for individuals who are seeking to build on their employability skills, and this can include for those who have completed their unpaid work requirement.
Possible Outcomes	This agency offers the opportunity for suitable individuals to complete their unpaid work whilst learning skills in restoring bicycles, which in turn benefits the community in general. It also offers the opportunity of paid placements to those seeking employment but who feel that they need to build on their existing skills in order to maximise their employability.
Process for Assessment and/or inclusion in scheme/intervention	Individuals who are suitable are referred by Criminal Justice Social Work, and a joint assessment then takes place.

ANY OTHER RELEVANT INFORMATION

Interventions suitable for	Those whom the Fiscal Service deem suitable for referral.
Programme Title and Provider	Diversion from Prosecution
Details of all Specific national or local scheme/intervention(s) available	The Diversion from Prosecution scheme offers supervision to those whom the Fiscal Service deem suitable for referral. Individuals will agree to take part in the scheme on a voluntary basis, and normally the period of voluntary supervision is up to 12 weeks, though extension of this is possible.
Possible Outcomes	Completion of a piece of work within this scheme allows individuals to address areas of their lives which are problematic, e.g. family relationships, alcohol use, etc. and to avoid a criminal conviction if the Procurator Fiscal decides no further action is necessary. This can lead to improved family functioning, reduction in alcohol/substances, and improved employment prospects given the lack of criminal conviction.
Process for Assessment and/or inclusion in scheme/intervention	The Procurator Fiscal informs CJSW of individuals they consider appropriate to take part in this scheme. CJSW then does an initial assessment of suitability, and informs the PF of the outcome of this. The PF then offers the individual the opportunity to engage with CJSW as part of Diversion from Prosecution scheme.