

The Edinburgh and Midlothian Bail Scheme provides bail services to the Edinburgh Sheriff Court for people living in the Edinburgh and Midlothian area. The Scheme is a partnership between the City of Edinburgh Council, Midlothian Council and Sacro.

Priority is given to those:

- Between the ages of 16 – 25
- Single parents
- Vulnerable people

The Scheme incorporates the service of bail information, bail accommodation and supervised bail, to enable the Courts to maximise the appropriate use of bail.

The aims of the scheme are to:

- Restrict custodial remands to the minimum necessary
- Constructively address the risk of potential offending by people on bail.

Supervised Bail

The service of 'supervised bail' has been available to the Sheriff Court in Edinburgh since March 1994 and is a well-established service.

Supervised Bail may be suitable for accused persons who prior to their trial are likely to be remanded in custody or who have already been remanded in custody.

Supervised Bail has three main components:

- **Monitoring**
monitoring the individual through prescribed contact with their bail worker.
- **Support**
support and advice in relation to issues that could result in further court appearances.
- **Reporting**
Reporting back to the court on the level of adherence to their bail condition and their progress during the supervision period.

Contact **Sheriff Court Social Work Office**
Telephone: 0131 247 2853 Fax: 0131 220 2105

Sacro Bail Team
Telephone: 0131 622 7500 Fax: 0131 622 7525



Edinburgh and Midlothian Bail Scheme

Supervised Bail



Assessment

■ Fast Track

If the Sheriff or Procurator Fiscal wishes to oppose straight bail but would consider the accused person for Supervised Bail, the assessment is completed within time constraints in the cells, usually within the Court.

There is liaison with Sacro staff and a decision regarding suitability for the service is reached.

■ Standard Track

Once a referral has been received by the scheme, if regarded as suitable to proceed for assessment, the accused person will be interviewed and assessed in custody by a social worker.

If assessed as being suitable for the scheme contact will be made with the Defence Agent to arrange for a Bail Review in the Sheriff Court (the preferred method) or a review of bail in the High Court if the case has already been appealed.

If an accused person is not regarded as suitable for the scheme the defence agent will be informed as soon as possible.

In order to proceed with an assessment, a copy of the complaint/petition is required along with any details of criminal record that are available. Referral forms are available from the Social Work Office in the court.

■ The Assessment

In all cases the court-based social worker carrying out the assessment tries to find out about the current circumstances of the individual being considered. There is a particular emphasis on their proposed bail accommodation, employment and any childcare or dependent commitments. Any offending history is examined, as are any current or recent responses to supervised orders (e.g. probation or community service). Problem areas in a person's life are discussed, with a particular emphasis on drug and/or alcohol use.

As much information as possible is verified. If, after taking their circumstances into account, the accused person has a realistic prospect of staying out of trouble and is able to undertake the monitoring conditions of the scheme with the support offered, they are likely to be assessed as suitable. Public safety is always paramount in any decisions.

The court will make the decision as to whether or not the individual is granted supervised bail.

Supervision

The maximum period of supervision for those on summary charges is three months. Those who are dealt with under solemn procedure can be subject to supervision for up to one year.

Prior to release, the bailee agrees to controls during the bail period. These controls are laid out in the conditions of the scheme.

The main controls are:

- (a) That the supervised person lives at the address stated in the bail order or such other address as may be approved by the supervising worker. If the bailee loses his or her original or subsequent accommodation, they must then co-operate with their worker to find suitable alternative accommodation;
- (b) That the supervised person reports in to their supervising worker at the Sacro office, at least three times per week;
- (c) That the supervising worker visits the supervised person at the approved address. If the address is a hostel then adherence to the house rules will be checked.

The supervising worker offers support during the supervision to assist in identified areas of difficulty and to help reduce the likelihood of further Court appearances. Support may take the form of an agreed specific package, assistance with individual issues as they arise, or referral to other suitable agencies. Areas worked on typically include: alcohol or drug use, housing, employment, benefits and training.

The supervising worker will provide progress reports to the Court at the stage of any Court appearance during the supervision and a completion report will always be submitted to the Court in time for the supervised person's trial. The report will refer to adherence to conditions and progress made on identified issues.

Any serious or substantial failure to comply with the bail conditions is reported by the supervising worker to the police, who will arrest the bailee and arrange for him or her to be brought back before the Court.

Referrals

Referrals to the scheme can be made by Sheriffs, Procurators Fiscal, Defence Agents and Social Workers.

Referrals received from Procurators Fiscal and Sheriffs are dealt with on the day of the Custody Court on a 'Fast-Track' procedure. This process mainly relates to cases on Summary Procedure.

Other referrals relate to cases in which bail has been refused and the accused person has been remanded in custody.