

EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE : 24 MARCH 2005

BAIL PILOT PROJECT, KILMARNOCK SHERIFF COURT

Report by the Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 To inform Committee of progress being made towards implementing the Bail Pilot Project.

2. BACKGROUND

- 2.1 Section 17 Criminal Procedure (Amendment) (Scotland) Act 2004 provides for the imposition of a remote monitoring requirement subject to a movement restriction condition in a bail order. A private company contracted to the Scottish Executive will electronically monitor compliance with the condition.
- 2.2 This measure is being piloted at Kilmarnock Sheriff Court, Stirling Sheriff Court, Glasgow Sheriff Court and the High Court when it sits in Glasgow.
- 2.3 The legislation provides the Court with an additional condition of bail and as such the pilot model has been drafted to fit within the existing bail process and within the roles of the agencies involved in the process.

3. INFORMATION

- 3.1 The introduction of the above measures will enable Sheriffs sitting at Kilmarnock Sheriff Court to “tag” offenders who had been refused bail in the first instance. The “tag” would either restrict the offender’s movements to a particular location or restrict their movement from a particular location. It is envisaged that the former will be more frequently used than the latter.
- 3.2 Approximately 20 persons per week are refused bail at Kilmarnock Sheriff Court and although technically all of these could be referred for electronic monitoring assessment, Sheriffs are required to make a decision about whether or not to ask for a suitability assessment. It is unlikely therefore that all such cases will be referred. Initial estimate on the workload implications of the new measures would be approximately 2/3 referrals per day.
- 3.3 Should a case be referred to assess for suitability, the offender will be remanded for a period of 72 hours to enable this report to be completed.

- 3.4 The assessment interview, home visit and assessment report will be prepared by the Scottish Association for Care and Resettlement of Offenders (SACRO) on behalf of the Ayrshire Criminal Justice Partnership. Court administrative staff will undertake a record check of every case and appropriate information will be included as part of the suitability assessment as required.
- 3.5 Managers have been working with the Scottish Executive and the other Pilot sites to establish procedures and criteria for these reports and have agreed a report format, which will be used consistently across all Pilot sites.
- 3.6 SACRO will employ two part-time unqualified staff who will be initially based within the Court and supported by a part-time clerical worker.
- 3.7 The total amount of funding for the Pilot Scheme is £71,032. It will start on the 18 April 2005 and run for the period of two years.

4. LEGAL IMPLICATIONS

- 4.1 There are no legal implications arising from the report.

5 FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from the pilot programme as the costs are being fully met by the Scottish Executive

6. RECOMMENDATION

- 6.1 The Committee has been asked to:
- (i) note the progress in developing the Bail Pilot Project;
 - (ii) note the funding which has been approved for this purpose; and
 - (iii) otherwise note the contents of the report.

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Executive Director of Educational and Social Services
7 March 2005
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LIST OF BACKGROUND PAPERS

Nil

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