

Criminal Justice Service



DIVERSION FROM PROSECUTION

Services to the Criminal Justice System



WHAT IS DIVERSION FROM PROSECUTION?

'Diversion from Prosecution' is a scheme which the Procurator Fiscal may use instead of a court prosecution.

This leaflet explains how the scheme works and how it will affect you.

- Under the Diversion from Prosecution scheme, the Procurator Fiscal can refer an accused person to us at Angus Council Criminal Justice Services instead of going to court.
- After receiving your details from the Procurator Fiscal, a social worker from our Criminal Justice Services will meet you and assess whether or not you are suitable for the scheme.
- If you agree to go on the scheme, you must attend placements. At those placements you will get help with issues which may have contributed to your offending.
- The placement may last for up to three months, or more if appropriate. If you successfully complete your placement, your social worker will recommend to the Procurator Fiscal that you are not prosecuted. Most people who successfully complete their placements are not prosecuted. However, the Procurator Fiscal will decide whether or not to prosecute.

Placements

After we have assessed your needs, we will give you a placement that you must attend for the period of the scheme.

We will take your alleged offence into account when considering a placement so we can be sure it meets your needs.

A number of groups have agreed to be involved in the scheme. Examples of the areas they can provide help with are listed below.

- Employment
- Education
- Mental health
- Using time positively
- Alcohol issues
- Drug issues
- Benefits and welfare rights
- Issues related to the offence
- Awareness of how crime affects victims

Taking part in the scheme

You can decide whether or not you want to take part in the scheme. However, if you do take part, but do not co-operate with your placement, your case could be returned to the Procurator Fiscal.

You must co-operate with the placement by:

- attending appointments on time;
- following instructions given by your social worker and any agency working on behalf of the scheme;
- letting your social worker or the relevant agency know if you cannot keep an appointment; and
- contacting your Criminal Justice Services' social worker or the contact office (as shown on the back page) if you have any questions about the scheme or this leaflet.

You can get this leaflet in large print, in Braille or on cassette by contacting us on 01307 473194.

We can provide this information in other languages if you need it.

Contact Office

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ACCESS Angus, 08452 777 778,
your direct line for council services.

