

SOCIAL ENQUIRY REPORT

For: A Scottish Sheriff Court

On: Any Date

Concerning: **Jamie Smith**
DOB xx/xx/xx Age 21years
14, Noble Street
Downtown
Edinburgh
Presently NFA

Offence(s): Shoplifting x 12

Report Writer: A Social worker

Date of Report: Any Date

Basis of Report

This report is based on one interview with Mr Smith at HM Prison Downtown where he is remanded in custody. I also had access to a list of previous convictions provided by the Procurator Fiscal, Scottish Criminal Record Office Information and Departmental Records. Attempts were made to interview Mr Smith's mother who telephoned to explain that she wishes no contact with her son. There has also been discussion with Drug and Accommodation Service Providers.

Background

Mr Smith is one of a family of three having two younger brothers. His father left the family when Mr Smith was 6 years old and there has been no further contact. Mrs Smith has been co-habiting with a new partner for ten years and he is the father of both of Mr Smith's brothers. Mr Smith claims he had a poor relationship with his mother's co-habitee and left the family home when he was 15years because of persistent and escalating violence from him. I spoke with Mr Smith's mother by telephone and she explained that she wishes no further contact with her son due to the problems his drug use has caused the family. On leaving the family home Mr Smith initially lived with his maternal grandmother who has always been supportive of him. He claims however that she asked him to leave because she was so distressed by frequent visits to her home by the police as a consequence of Mr Smith's persistent offending behaviour. Mr Smith's grandmother remains supportive of him and provides him with occasional meals and financial assistance.

Current Circumstances

Prior to his remand in custody Mr Smith was living with various friends, usually sleeping on a sofa or on the floor. He did have a council tenancy a few years ago, but accrued considerable arrears of rent during numerous periods of custody in a Young Offenders Institution. He failed to respond to opportunities to resolve this with the housing dept and was subsequently evicted from his tenancy.

Finances

Mr Smith was unemployed prior to his remand in custody. He had no income and was suspended from receiving state benefits due to his failure to co-operate with the job search programme.

Education

Mr Smith was educated locally. He enjoyed his time at primary school where he enjoyed most subjects. Mr Smith says that he disliked secondary school and was suspended on numerous occasions for disruptive behaviour. He says he stopped going to school when he left home aged 15years.

Health

Mr Smith states that he is in good health. He recently approached his GP for assistance with his drug dependency and was referred to the CDPS. He had however not received an appointment prior to his remand in custody. Mr Smith's GP Dr Spock has confirmed this information.

Alcohol/Drug Use

Mr Smith began smoking cannabis when he was 15 and has experimented with various drugs since then. He began smoking heroin over a year ago and has now developed a dependency. Mr Smith advises that he will use any drugs available and uses alcohol as a substitute when there is nothing else available.

Offending Behaviour

SCRO information indicates that since the age of 16 Mr Smith has 17 previous convictions for offences of theft, shoplifting and breach of the peace. He has been fined, sentenced to probation, community service and 4 custodial sentences in a YOI. Mr Smith failed to co-operate with probation and was breached. He did however respond positively to community service and his supervisor reported that although his attendance was sporadic, he worked well when he attended and did complete his order.

Attitude to Current Offence

Mr Smith claims that he has no memory of his offending behaviour although he does not deny that he is responsible. He appears ambivalent about his offending feeling that he has no choice about shoplifting because of his drug dependency.

Conclusion

Mr Smith is assessed as a high risk of re-offending on the basis of his drug dependency, number of previous convictions, lack of reliable family support, unemployment and, lack of suitable accommodation or any means of financial support. In view of this it is my opinion that Mr Smith would benefit from intensive support. In the light of his drug dependency and consequent chaotic behaviour I believe would benefit from a Drug Treatment and Testing Order. The DTTO scheme can only assess people in the community. I respectfully request that the Court further defer sentence for a period of three weeks to allow such an assessment to take place. This timescale would also enable the Homeless Assessment Team to find suitable supported accommodation for Mr Smith.

Social Worker

Social Worker

Mr Smith failed to co-operate with the DTTO Assessment and refused to consider supported accommodation even in the short term.

The Court sentenced Mr Smith to 9 months custody.