

049996

CASE NO. 9700011530

LANARK SHERIFF CLERK'S OFFICE, HOPE STREET LANARK ML11 7NE Tel:
01555 661531

*Dr Campbell,
Gairwood Hospital
Hawthorn
Shotts*

DATE: 03-NOV-97

ACCUSED: ANDREW MARTIN SHAW
DATE OF BIRTH: 21-APR-67

ADDRESS: 52 KENNILWORTH CRESCENT
UDSTON
HAMILTON

STATUS: Released on Bail

DEAR SIR / MADAM

The Sheriff has directed that enquiry be made into the mental condition of the above named, the case being adjourned for that purpose. I shall be grateful if you would arrange to examine this person on the Court's behalf and to furnish me with 3 copies of your report before 24-NOV-97 at 10:00 a.m.

The Court's reasons for seeking the report and other relevant information are given in the Appendix to this letter or in the enclosures listed there.

If you require further information, then please let me know.

Yours faithfully

[Signature]

Sheriff Clerk Depute

7130 - 11/11/97
ad Ar/As Ad . Cont/...

ACCUSED: ANDREW MARTIN SHAW
DATE OF BIRTH: 21-APR-67

The Accused;
pleaded GUILTY in respect of charge no. 1 pleaded GUILTY in
respect of charge no. 10

THE COURT'S REASONS FOR SEEKING THE REPORT;
TICK

- [] 1. Behaviour in Court.
- [✓] 2. Previous Psychiatric treatment received at
- [✓] 3. Persistent offending.
- [] 4. History of drug / alcohol abuse.
- [✓] 5. Degree of responsibility for his actions.
- [✓] 6. Potential danger to the public or himself.
- [✓] 7. Likelihood of re-offending
- [] 8. Failure to provide an explanation of his actions.
- [] 9. Willingness to seek Psychiatric help.
- [] 10. Treatability.
- [] 11. Other reasons.

A SECOND REPORT HAS BEEN SOUGHT FROM

ENCLOSURES

Report form (3 copies)
Copy complaint/indictment
Copy schedule of previous convictions
Copy Social Enquiry Report

ADDITIONAL COMMENTS BY SHERIFF

LANARK SHERIFF CLERK'S OFFICE, HOPE STREET LANARK ML11 7NE Tel:
01555 661531

Dr Campbell

DATE: 03-NOV-97

ACCUSED: ANDREW MARTIN SHAW
DATE OF BIRTH: 21-APR-67

ADDRESS: 52 KENNILWORTH CRESCENT
UDSTON
HAMILTON

STATUS: Released on Bail

DEAR SIR / MADAM

The Sheriff has directed that enquiry be made into the mental condition of the above named, the case being adjourned for that purpose. I shall be grateful if you would arrange to examine this person on the Court's behalf and to furnish me with 3 copies of your report before 24-NOV-97 at 10:00 a.m.

The Court's reasons for seeking the report and other relevant information are given in the Appendix to this letter or in the enclosures listed there.

If you require further information, then please let me know.

Yours faithfully

S. D. Donnan

Sheriff Clerk Depute

Cont/...

ACCUSED: ANDREW MARTIN SHAW
DATE OF BIRTH: 21-APR-67

The Accused;
pleaded GUILTY in respect of charge no. 1 pleaded GUILTY in
respect of charge no. 2 pleaded GUILTY in respect of charge no.
3

THE COURT'S REASONS FOR SEEKING THE REPORT;
TICK

- [] 1. Behaviour in Court.
- [✓] 2. Previous Psychiatric treatment received at
- [✓] 3. Persistent offending.
- [] 4. History of drug / alcohol abuse.
- [] 5. Degree of responsibility for his actions.
- [✓] 6. Potential danger to the public or himself.
- [✓] 7. Likelihood of re-offending
- [] 8. Failure to provide an explanation of his actions.
- [] 9. Willingness to seek Psychiatric help.
- [] 10. Treatability.
- [] 11. Other reasons.

A SECOND REPORT HAS BEEN SOUGHT FROM

ENCLOSURES

Report form (3 copies)
Copy complaint/indictment
Copy schedule of previous convictions
Copy Social Enquiry Report

ADDITIONAL COMMENTS BY SHERIFF

94/11520

PE No 96403351

60

SHERIFF AND JURY

FIRST DIET: 2 OCTOBER 1997

TRIAL DIET: 14 OCTOBER 1997

ANDREW MARTIN SHAW, born 21.4.67, whose domicile of citation has been specified as 52 Kennilworth Crescent, Udston, Hamilton,

you are Indicted at the instance of The Right Honourable THE LORD HARDIE, Her Majesty's Advocate, and the charges against you are that

(001) being a person disqualified from holding or obtaining a driving licence to drive a motor vehicle did (while so disqualified) on 25 October 1996 on Farm Road, Newhouse Mill Road, Udston Road, Russell Street and High Blantyre Road, all in Hamilton, and on Calderside Road, East Kilbride, and on other roads in the District of Hamilton and East Kilbride, you ANDREW MARTIN SHAW did drive said motor vehicle, registered number N-973-NGA;

CONTRARY to the Road Traffic Act 1988, Section 103(1)(b);

you ANDREW MARTIN SHAW did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court.

(002) on date and loci above libelled, you ANDREW MARTIN SHAW did use said motor vehicle, registered number N-973-NGA, without there being in force in relation to the use of said motor vehicle by you such a policy of insurance or such a security in respect of third party risks as complied with the requirements of Part VI of the aftermentioned Act:

CONTRARY to the Road Traffic Act 1988, Section 143(1) & (2).

you ANDREW MARTIN SHAW did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court

[Signature]

Procurator Fiscal

2.10.97

PP/ McCluskey

NG

ODM, No obj

Contd. 1st Diet 9/10/97
(preparation)

2 (003) you ANDREW MARTIN SHAW being an accused person and having been granted bail on 3 July 1995 at Hamilton Sheriff Court in terms of the Criminal Procedure (Scotland) Act 1975 and the Bail Etc (Scotland) Act 1980 and being subject to the condition inter alia that you would not commit an offence while on bail, did on date and place libelled in charges one and two above fail without reasonable excuse to comply with said condition, in respect that you committed the offence libelled in charges one and two above;

CONTRARY to the Bail Etc (Scotland) Act 1980, Section 3(1)(b)

BY AUTHORITY OF HER MAJESTY'S ADVOCATE



PROCURATOR FISCAL

94/11530.

PF NO

764 03251

61

SHERIFF AND JURY

FIRST DIET: 2 OCTOBER 1997

TRIAL DIET: 14 OCTOBER 1997

① ANDREW MARTIN SHAW, born 21.4.67, whose domicile of citation has been specified as 52 Kennilworth Crescent, Udston, Hamilton, ② THOMAS CLARK DYET, born 2.1.79, whose domicile of citation has been specified as 4 Bent View, Netherburn, ③ RICHARD GOURLEY, born 1.3.79, whose domicile of citation has been specified as 4 Dormiston Place, Kirkmuirhill,

you are Indicted at the instance of The Right Honourable THE LORD HARDIE, Her Majesty's Advocate, and the charges against you are that

(001) on 24 or 25 October 1996, from Windyridge, Auchenneath, you ANDREW MARTIN SHAW, THOMAS CLARK DYET AND RICHARD GOURLEY did steal motor vehicle, registered number N-973-MGA;
you ANDREW MARTIN SHAW did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court
you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court

(002) on 21 or 22 October 1996, at Glenorchy, Brownrigg, Slamannan, you THOMAS CLARK DYET force open the front passenger door of motor vehicle, registered number K-640-BTM, remove the ignition barrel and cowling and did attempt to steal said motor vehicle;
you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court

(003) on 22 or 23 October 1996, in Camnethan Street, Stonehouse, you THOMAS CLARK DYET did steal motor vehicle, registered number MBK-81-R,
you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court



PROCURATOR FISCAL

(004) on 22 or 23 October 1996, in 3 Dukes Road, Bargeddie, you THOMAS CLARK DYET did steal motor vehicle, registered number E-950-DSS; you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court

(005) on 21 October 1996, from outside 138 McGregor Road, Cumbernauld, you THOMAS CLARK DYET did steal motor vehicle, registered number H-529-XSU; you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court

(006) on 24 or 25 October 1996, in Waterloo road, Lanark, you THOMAS CLARK DYET did steal motor vehicle, registered number H-47-YPN, containing camera equipment to the value of £10,000; you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court;

(007) on 24 or 25 October 1996, in Mossgiel, Auchenheath; you THOMAS CLARK DYET did steal motor vehicle, registered number J-962-KGA; you THOMAS CLARK DYET did commit this offence while on bail, having been granted bail on 21 October 1996 at Hamilton Sheriff Court

(008) on 5 October 1996, in Dundee Court, Falkirk, you THOMAS CLARK DYET did steal motor vehicle, registered number H-348-WMA;



PROCURATOR FISCAL

(009) on 25 October 1996 on Farm Road, Newhouse Mill Road, Udston Road, Russell Street and High Blantyre Road, all in Hamilton, and on Calderside Road, East Kilbride, and on other roads in the District of Hamilton and East Kilbride, you ANDREW MARTIN SHAW did drive said motor vehicle, registered number N-973-MGA dangerously whereby it was driven at excessive speed on the wrong side of the carriageway and in Calderside Road aforesaid did drive said motor vehicle registered number N-973-MGA in the direction of a police vehicle then being driven by David Robson, Constable, Strathclyde then in the execution of his duty whereby said David Robson required to take evasive action to avoid a collision with said vehicle driven by you;

CONTRARY to the Road Traffic Act, 1988, Section 2;

you ANDREW MARTIN SHAW did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court

(010) you ANDREW MARTIN SHAW being an accused person and having been granted bail on 3 July 1995 at Hamilton Sheriff Court in terms of the Criminal Procedure (Scotland) Act 1975 and the Bail Etc (Scotland) Act 1980 and being subject to the condition inter alia that you would not commit an offence while on bail, did on date and place libelled in charges one and eight above fail without reasonable excuse to comply with said condition, in respect that you committed the offence libelled in charges one and eight above;

CONTRARY to the Bail Etc (Scotland) Act 1980, Section 3(1)(b)

BY AUTHORITY OF HER MAJESTY'S ADVOCATE



PROCURATOR FISCAL

ANDREW MARTIN SHAW TAKE NOTICE that in the event of your being convicted under the indictment to which this notice is attached, it is intended to place before the Court the following previous conviction(s) applying to you.

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
17/11/81	HAMILTON SHERIFF SUMMARY	01 THEFT	CHG(S) 1 SUPERVISION REQUIREMENT S.44(1)(A) (NON-RESIDENT)	

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
24/11/81	HAMILTON SHERIFF SUMMARY	01 CONTEMPT OF COURT	CHG(S) 1 ADMONISHED	SPA310511/81

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
16/06/82	HAMILTON SHERIFF SUMMARY	01 THEFT BY HOUSEBREAKING AND OPENING LOCKFAST PLACES 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)	CHG(S) 1-2 RESIDENTIAL TRAINING 2 YEARS	SQB025005/82

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
23/08/82	HAMILTON SHERIFF SUMMARY	01 TAKE AWAY MOTOR VEHICLE (2 CHGS) 02 THEFT 03 ATTEMPTED THEFT	CHG(S) 1 SENTENCE DEFERRED, TO 18/10/83, THEN, ADMONISHED, DISQUALIFIED 4 YEARS, EACH CHARGE CHG(S) 2-3 SENTENCE DEFERRED, TO 18/10/83, THEN, BORSTAL TRAINING	SQA002904/82

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
23/08/82	HAMILTON SHERIFF SUMMARY	01 TAKE AWAY MOTOR VEHICLE 02 THEFT	CHG(S) 1 SENTENCE DEFERRED, TO 18/10/83, THEN, BORSTAL TRAINING, DISQUALIFIED 4 YEARS CHG(S) 2 SENTENCE DEFERRED, TO 18/10/83, THEN, BORSTAL TRAINING	SQB105410/82

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
23/08/82	HAMILTON SHERIFF SUMMARY	01 TAKE AWAY MOTOR VEHICLE 02 ROAD TRAFFIC ACT 1972 SECTION 99(B) 03 ROAD TRAFFIC ACT 1972 SECTION 143(1) 04 TAKE AWAY MOTOR VEHICLE 05 ROAD TRAFFIC ACT 1972 SECTION 99(B) 06 ROAD TRAFFIC ACT 1972 SECTION 143(1) 07 THEFT BY HOUSEBREAKING (2 CHGS)	CHG(S) 1-3 SENTENCE DEFERRED, TO 18/10/83, THEN, BORSTAL TRAINING, LICENCE ENDORSED, DISQUALIFIED 4 YEARS, EACH CHARGE CHG(S) 4-6 SENTENCE DEFERRED, TO 18/10/83, THEN, BORSTAL TRAINING, LICENCE ENDORSED, DISQUALIFIED 4 YEARS, EACH CHARGE CHG(S) 7 SENTENCE DEFERRED, TO 18/10/83, THEN, BORSTAL TRAINING, EACH CHARGE	SQB016005/82

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
10/11/82	KILMARNOCK SHERIFF SUMMARY	01 ATTEMPTED OPENING LOCKFAST PLACES WITH INTENT 02 ROAD TRAFFIC ACT 1972 SECTION 175	CHG(S) 1-2 ADMONISHED	SUA0263410/82

Date

Procurator Fiscal



DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
12/08/83	KILMARNOCK SHER.INDICT.S.102	01 THEFT OF MOTOR VEHICLE	CHG(S) 1 ADMONISHED	
DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
21/01/85	GLASGOW SHERIFF AND JURY	01 ROAD TRAFFIC ACT 1972 SECTION 175 (2 CHGS) 02 ASSAULT	CHG(S) 1 SENTENCE DEFERRED, TO 27/02/85, THEN, DETENTION YOUNG OFFENDERS INSTITUTE 3 MONTHS, EACH CHARGE, DISQUALIFIED 1 YEAR, EACH CHARGE, LICENCE ENDORSED, EACH CHARGE CHG(S) 2 SENTENCE DEFERRED, TO 27/02/85, THEN, IMPRISONMENT 3 MONTHS	SFA024908/84 SFA028908/84
DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
26/04/85	HAMILTON SHERIFF SUMMARY	01 RESET 02 VEHICLES (EXCISE) ACT 1971 SECTION 26(1) 03 THEFT OF MOTOR VEHICLE	CHG(S) 1-2 SENTENCE DEFERRED, TO 02/05/85, THEN, ADMONISHED CHG(S) 3 SENTENCE DEFERRED, TO 02/05/85, THEN, ADMONISHED, LICENCE ENDORSED, DISQUALIFIED 3 YEARS	SQB040311/84
DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
02/05/85	HAMILTON SHERIFF SUMMARY	01 THEFT OF MOTOR VEHICLE (5 CHGS)	CHG(S) 1 ADMONISHED, DISQUALIFIED 3 YEARS, EACH CHARGE, LICENCE ENDORSED, EACH CHARGE	SQB028706/84
DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
02/05/85	HAMILTON SHERIFF SUMMARY	01 ROAD TRAFFIC ACT 1972 SECTION 99(B) 02 ROAD TRAFFIC ACT 1972 SECTION 143(1) 03 ROAD TRAFFIC ACT 1972 SECTION 175 (2 CHGS) 04 THEFT	CHG(S) 1-3 ADMONISHED, LICENCE ENDORSED, DISQUALIFIED 3 YEARS, EACH CHARGE CHG(S) 4 ADMONISHED	SQB010411/84
DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
02/05/85	HAMILTON SHER.INDICT.S.102	01 THEFT OF MOTOR VEHICLE 02 THEFT OF MOTOR VEHICLE 03 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)	CHG(S) 1 DETENTION CENTRE 3 MONTHS, LICENCE ENDORSED, DISQUALIFIED 5 YEARS CHG(S) 2 DETENTION CENTRE 6 MONTHS, LICENCE ENDORSED, DISQUALIFIED 5 YEARS CHG(S) 3 DETENTION CENTRE 3 MONTHS	SQB013002/85
DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
02/05/85	HAMILTON SHERIFF SUMMARY	01 THEFT OF MOTOR VEHICLE	CHG(S) 1 ADMONISHED, DISQUALIFIED 3 YEARS, LICENCE ENDORSED	SQB004809/84

Date

Procurator Fiscal 

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
26/06/86	HAMILTON SHERIFF AND JURY	01 THEFT OF MOTOR VEHICLE (2 CHGS)	CHG(S) 1 SENTENCE DEFERRED, TO 30/06/86, THEN, DETENTION YOUNG OFFENDERS INSTITUTE 2 YEARS	SQB020203/86

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
27/04/88	PERTH SHERIFF SUMMARY	01 ROAD TRAFFIC ACT 1972 SECTION 175(1)(A) 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B)	CHG(S) 1 PLED GUILTY, FINE £200, DISQUALIFIED 5 YEARS, LICENCE ENDORSED CHG(S) 2 PLED GUILTY, FINE £50	TW41339/88FP

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
11/01/89	HAMILTON SHERIFF SUMMARY	01 THEFT BY OPENING LOCKFAST PLACES	CHG(S) 1 IMPRISONMENT 6 MONTHS	SQB047208/88FP

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
11/01/89	HAMILTON SHERIFF SUMMARY	01 ROAD TRAFFIC ACT 1972 SECTION 3 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B) 03 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B) 04 ROAD TRAFFIC ACT 1972 SECTION 99(B) 05 ROAD TRAFFIC ACT 1972 SECTION 143(1)	CHG(S) 1 FINE £150, DISQUALIFIED 3 MONTHS CHG(S) 2 IMPRISONMENT 3 MONTHS CHG(S) 3 IMPRISONMENT 3 MONTHS, CONCURRENT CHG(S) 4 IMPRISONMENT 3 MONTHS, DISQUALIFIED 5 YEARS CHG(S) 5 FINE £100, DISQUALIFIED 1 YEAR	SQB053812/88

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
11/01/89	HAMILTON SHERIFF SUMMARY	01 ROAD TRAFFIC ACT 1972 SECTION 175	CHG(S) 1 IMPRISONMENT 3, MONTHS, DISQUALIFIED 6 MONTHS	SQB011109/88

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
28/06/89	GLASGOW SHERIFF SUMMARY	01 THEFT OF MOTOR VEHICLE 02 VEHICLES (EXCISE) ACT 1971 SECTION 26(1)(C) (2 CHGS) 03 ROAD TRAFFIC ACT 1972 SECTION 143(1) & (2) 04 OPENING LOCKFAST PLACES WITH INTENT	CHG(S) 1 IMPRISONMENT 6 MONTHS, DISQUALIFIED 5 YEARS, LICENCE ENDORSED CHG(S) 2 ADMONISHED, EACH CHARGE CHG(S) 3 ADMONISHED, DISQUALIFIED 2 YEARS, LICENCE ENDORSED CHG(S) 4 IMPRISONMENT 6 MONTHS	SFB071106/89FP SFC019406/89

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
04/07/89	HAMILTON SHERIFF SUMMARY	01 THEFT OF MOTOR VEHICLE	CHG(S) 1 IMPRISONMENT 3 MONTHS	SQB104904/88F SQB108002/88F

Date

Procurator Fiscal 

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
14/02/90	HAMILTON SHERIFF AND JURY	01 RESET 02 THEFT OF MOTOR VEHICLE 03 ROAD TRAFFIC ACT 1988 SECTION 2 04 ROAD TRAFFIC ACT 1988 SECTION 103(1)(B) 05 ROAD TRAFFIC ACT 1988 SECTION 143(1) AND (2)	CHG(S) 1-5 PROBATION 18 MONTHS, CHG 2, LICENCE ENDORSED, CHG 3, DISQUALIFIED 4 YEARS, LICENCE ENDORSED, CHG 4, LICENCE ENDORSED, CHG 5, LICENCE ENDORSED	SQB209511/89

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
12/09/90	HAMILTON SHERIFF AND JURY	01 THEFT OF MOTOR VEHICLE (4 CHGS) 02 THEFT BY OPENING LOCKFAST PLACES (2 CHGS) 03 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B)	CHG(S) 1-3 SENTENCE DEFERRED, TO 17/09/90, THEN, IMPRISONMENT 18 MONTHS, TO DATE FROM 15/05/90 CHG(S) 1 DISQUALIFIED 2 YEARS	SDC014805/90FP SQA019005/90FP SQB016803/90 SQB047403/90 SQB041403/90 SQB020405/90 SPB029404/90 SDC207305/90 SPC018903/90

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
23/10/90	HAMILTON SHERIFF AND JURY	01 BREACH OF PROBATION - CONVICTED OF ORIGINAL OFFENCE	CHG(S) 1 IMPRISONMENT 6 MONTHS CHG(S) 2,4 IMPRISONMENT 12 MONTHS, EACH CHARGE, CONCURRENT, CONSECUTIVE TO CURRENT, APPEAL LODGED ON 06/11/90 CHG(S) 2,4 APPEAL DISMISSED ON 01/02/91 CHG(S) 3,5 ADMONISHED, EACH CHARGE	SQB209511/89

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
02/10/91	AYR SHERIFF AND JURY	01 THEFT OF MOTOR VEHICLE 02 ROAD TRAFFIC ACT 1988 SECTION 103(1)(B) 03 ROAD TRAFFIC ACT 1988 SECTION 143(1) & (2) 04 ATTEMPT TO PERVERT THE COURSE OF JUSTICE	CHG(S) 1-4 SENTENCE DEFERRED, TO 28/10/92, THEN CHG(S) 1-2 IMPRISONMENT 1 YEAR, EACH CHARGE, DISQUALIFIED 10 YEARS, EACH CHARGE CHG(S) 3 ADMONISHED, LICENCE ENDORSED CHG(S) 4 IMPRISONMENT 1 YEAR	SRA043608/91FP

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
05/12/91	FORFAR SHER.INDICT.S.102	01 ATTEMPT TO PERVERT THE COURSE OF JUSTICE	CHG(S) 1 PLED GUILTY, SENTENCE DEFERRED, TO 12/12/91, THEN CHG(S) 1 IMPRISONMENT 3 MONTHS, CONSECUTIVE TO CURRENT	TE71338/91

Date

Procurator Fiscal 

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
06/05/92	AIRDRIE SHER.INDICT.S.102	01 ROAD TRAFFIC ACT 1988 SECTION 103(1)(B) 02 ATTEMPT TO PERVERT THE COURSE OF JUSTICE 03 ROAD TRAFFIC ACT 1988 SECTION 143(1) & (2)	CHG(S) 1 IMPRISONMENT 15 MONTHS, DISQUALIFIED LIFE, LICENCE ENDORSED CHG(S) 2 IMPRISONMENT 3 MONTHS, CONSECUTIVE, TO DATE FROM 15/04/92 CHG(S) 3 ADMONISHED, LICENCE ENDORSED CHG(S) 1 APPEAL LODGED ON 20/07/92, THEN, ON 10/11/92, SENTENCE VARIED ON APPEAL TO, IMPRISONMENT 12 MONTHS	SNA026104/92FP

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
03/08/92	HAMILTON SHERIFF AND JURY	01 THEFT OF MOTOR VEHICLE (4 CHGS) 02 RESET	CHG(S) 1 IMPRISONMENT 3 YEARS CHG(S) 2 IMPRISONMENT 12 MONTHS, CONCURRENT CHG(S) 1-2 TO DATE FROM 30/04/92 CHG(S) 1-2 APPEAL LODGED ON 14/08/92, THEN, APPEAL DISMISSED ON 10/11/92	SQB071203/92FP SKB044803/92 SQB025504/92 SQA008804/92 SQB102804/92

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
19/06/95	LANARK SHERIFF SUMMARY	01 THEFT OF MOTOR VEHICLE 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B)	CHG(S) 1-2 SENTENCE DEFERRED TO 11/07/95, THEN, COMMUNITY SERVICE ORDER 100 HOURS, EACH CHARGE	SQC021002/95FP

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
13/11/95	PAISLEY SHERIFF SUMMARY	01 RESET 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(A)	CHG(S) 1 FINE £1500 CHG(S) 2 ADMONISHED	SKB027107/94

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
13/11/95	PAISLEY SHERIFF SUMMARY	01 RESET 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B)	CHG(S) 1 FINE £1500 CHG(S) 2 ADMONISHED	SKB017705/95FP

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
06/12/95	HAMILTON SHERIFF AND JURY	01 THEFT OF MOTOR VEHICLE 02 ROAD TRAFFIC ACT 1988 SECTION 103(1)(B) 03 ROAD TRAFFIC ACT 1988 SECTION 143(1) & (2)	CHG(S) 1 PROBATION 2 YEARS, CONDITION OF PROBATION 2 YEARS TO ATTEND FOR TREATMENT AS ADVISED CHG(S) 2-3 SENTENCE DEFERRED TO 04/12/96	SQA017106/95FP

Date

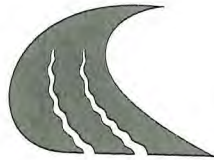
Procurator Fiscal 

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
16/01/96	GLASGOW SHERIFF AND JURY	01 ROAD TRAFFIC ACT 1988 SECTION 103(1)(B) 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B) 03 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B) (2 CHGS) 04 ROAD TRAFFIC ACT 1988 SECTION 143(1) AND (2)	CHG(S) 1-4 SENTENCE DEFERRED TO 22/02/96, THEN CHG(S) 1 IMPRISONMENT 12 MONTHS, DISQUALIFIED 10 YEARS, LICENCE ENDORSED CHG(S) 2 IMPRISONMENT 2 MONTHS CHG(S) 3 IMPRISONMENT 1 MONTH, EACH CHARGE, CONCURRENT CHG(S) 1-3 CONSECUTIVE CHG(S) 4 ADMONISHED, DISQUALIFIED 10 YEARS, LICENCE ENDORSED	SFB704207/95

DATE	COURT - PLACE & TYPE	CRIME/OFFENCE	DISPOSAL	CASE REF.NO.
15/02/96	HAMILTON SHERIFF SUMMARY	01 THEFT BY HOUSEBREAKING 02 BAIL ETC (SCOTLAND) ACT 1980 SECTION 3(1)(B) (3 CHGS)	CHG(S) 1 IMPRISONMENT 4 MONTHS CHG(S) 2 IMPRISONMENT 1 MONTH, CUMULO, TO DATE FROM 10/01/96 CHG(S) 1-2 APPEAL LODGED ON 22/02/96	SQB020401/96

Date

Procurator Fiscal 



LANARKSHIRE
HEALTHCARE

NHS TRUST

* This patient was not registered with a G.P. on discharge. He was not at his parent's address either. This letter to be sent to GP when one is allocated.

HK/SW/049996.

Dr. Hasina Kasem.

3rd October 1997.

Dr.

Dear Dr.

Andrew Martin Shaw - D.O.B: 21/04/1967.

Parent's - **52, Kenilworth Crescent, Burnbank, Hamilton.** (Parent's home).

Date of Admission: 10/01/97.

Date of Discharge: 13/09/97.

Diagnosis: Personality Disorder.

The above named patient was admitted to Ward 28, Hartwoodhill Hospital on the 10th January 1997 under Section 70 of the Criminal Procedures (Scotland) 1995 following transfer from Barlinnie Prison where he had been remanded on the 7th January 1997 as a result of car offences.

While in prison he became depressed and distressed and refused to eat or drink, stating that the food had been poisoned. He also complained of auditory hallucinations. He was assessed by Dr. Campbell, Consultant Forensic Psychiatrist from Hartwoodhill Hospital who had previous contact with Mr Shaw through Out Patient attendance. At that time Dr. Campbell recommended his transfer to Hartwoodhill Hospital. Mr Shaw was then further detained under Section 52 of the Criminal Procedures (Scotland) Act 1995 on the 15th January 1997.

Following his transfer to Hartwoodhill Hospital, Dr. Campbell felt that he did not suffer from Schizophrenic Illness and that he probably suffered from Psychogenic Psychosis and that his auditory hallucinations were in fact pseudo hallucinations in nature. While in hospital Mr Shaw was offered escorted parole and he attended Occupational Therapy Department. He was placed on a Probation Order to receive hospital treatment.

Cont/...

Hartwoodhill Hospital
Mental Health/Learning Disabilities Division,
Hartwood, Shotts, ML7 4LA.
TEL: 01501 823366 FAX: 01501 821754.

Andrew Shaw - 3/10/97.

He was allowed home on a day pass as Dr. Campbell felt that he was doing well. He re-offended while on pass by driving while banned. He was transferred back to Hartwoodhill Hospital under Section 52 of the Criminal Procedures (Scotland) Act 1995 on the 13th May 1997. While at Hartwoodhill Hospital he received regular counselling from Dr. Campbell. 

Mr Shaw is a recidivist car offender with innumerable car offences since primary school age. He was placed in List D School, Young Offenders Institutions and Adult Prisons and has spent most of his adult life in prison. He has had no stable relationships and no periods of stable employment. His offending behaviour has a compulsive nature. Whenever he is distressed, depressed or upset he has an intense urge to drive a car, which he associates with a place of solace and comfort.

He had a traumatic childhood. His mother died when he was only 8 years old. His father subsequently developed alcohol problems which have persisted to the present time. He is the youngest in a family of sons. His 3 brothers are much older than him and were unable to provide him with any support. He was also abused by one of his brothers. He said that one of his brothers was recently treated in a psychiatric hospital following an attempted suicide and has been placed on anti-depressant medication.

During his stay at Hartwoodhill Hospital Mr Shaw did not show any evidence of mental illness and he was on no medication. He remained obsessed with cars and driving. He was allowed only one day pass, at which time he re-offended (as stated above). He was allowed only escorted parole thereafter so as it would be difficult for him to re-offend. Hospital admissions and previous periods incarceration have not deterred his offending behaviour. However, he claims that he was benefitting from weekly psychotherapy sessions with Dr. Campbell but had no chance to prove himself while in hospital. He felt let down when Dr. Campbell left Hartwoodhill Hospital to take a new post in Paisley in August 1997. 

When Dr. Jaigirdar took over Andrew's care, he was mentally alert and accessible. He was reluctant to talk about personal details but was otherwise attentive with good concentration and appropriate mood. There were no psychotic features present. No obsessive compulsive features apart from his offending behaviour. He had good insight about his problems and the consequences of his behaviour. Following his Court appearance on the 12th September 1997, where he was given a deferred sentence, Mr Shaw was discharged from hospital. He was on no medication at the time of discharge.

Yours sincerely,

Dr. Hasina Kasem,
Clinical Assistant.

MEETING IONA WARD 28

ATTENDING: D Nolan (F), J Donnelly (E)
D Johnston (D), E Gault (C2)
J Moore (A), T Downes (CNM)
M MacDougall (E2), Dr Jaigirdar ✓
Dr Kasem

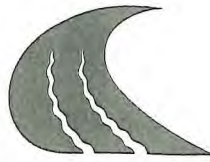
1. FEEDBACK TO INVESTIGATION re: A SHAW

- i) Mr Shaw interview is now complete. A report has been made to Mrs F Gairns by Mr Downes.
- ii) A discussion centred around how best systems and mechanisms can be put in place to prevent unwarranted allegations being made about staff. Mr Downes also emphasised the supply of provisions to patient (coffee, rolls, juice etc) has to be transparent.
- iii) Dr Jaigirdar stated that the report on the allegations has been requested by the Mental Welfare Commission.
- iv) Nurses to use Call system should they feel vulnerable, and report same to Nurse-in-Charge. Nurses should perceive themselves to be in a difficult situation when this may arise and extract themselves from. It is good practice to record the event accurately at the time.
- v) Plans to be put forward re splitting PICU/Forensic beds. Staff will be involved in these discussions, in the planning and Mr Downes emphasised he would facilitate visits to other PIC/FSU units.
- vi) Dr Jaigirdar asked about the door alarm system, what actual purpose it served and how necessary was such a system. Feedback from ward meeting.
- vii) M.D.T.s: Psychology, O.T., Social Work input to M.D.T.s.



2. AS A WARD ... re-INTRODUCE:

Community meetings. Look at structured days; Use of the Recreation facilities; ward-based O.T.s. Improving facilities on the ward and raising ward funds.



LANARKSHIRE
HEALTHCARE
— NHS TRUST —

KEA/JP

DEPARTMENT OF CLINICAL PSYCHOLOGY

Date: 15 September 1997

Dr Hasina Kasem
Clinical Assistant
Hartwoodhill Hospital
Hartwood
Shotts

Dear Dr Kasem

Re: Andrew Martin Shaw - Ward 28 Hartwoodhill Hospital - DOB 21.04.67

Thank you for referring the above named patient to our Department.

Unfortunately, it is not within our formal remit to accept specialised referrals related to forensic problems and attendant complications. We are therefore unable to accept this patient for assessment or treatment.

We could, however, suggest that you forward the referral to either of the below:

- 1) Douglas Inch Centre
Forensic Psychiatric Clinic
2 Woodside Terrace
Glasgow G3
Attention: Dr David Cooke - Head of Department
- 2) Mr Ian Stephen
Consultant Forensic Psychologist
6 Lodge Park
BIGGAR ML12 6ER
Tel: 02899 20800

who specialise in this work.

We hope that this will be of help.

Yours sincerely

Kirsty Anderson

Dr K E Anderson
Principal Clinical Psychologist
Coordinator of Out-Patient Services

Hartwood Hospital
Mental Health/Learning Disabilities Division
Hartwood Shotts ML7 4LA

049996
DE SAIGARD

JIM FRIEL
& COMPANY
SOLICITORS
Tel. 0141 420 1234

Our Ref: BCP2/011114

10 September, 1997

The Governor,
Hartwood Hospital
Hartwood Road
SHOTTS
Lanarkshire
ML7 4LA

Dear Sir,

Client in prison - arrange to be brought to court

Our Client: Andrew Martin Shaw

Date of Birth: 21/04/1967

Court: Hamilton Sheriff Court

Date of Court Appearance: 12 September 1997

Procurator Fiscal's Ref: 97700051

Prison: Heartwood Hospital

Prison No.: McNair Ward

We act on behalf of the above named client and enclose herewith a copy of a letter which we have forwarded to the Procurator Fiscal's offices on today's date.

We trust that said enclosure is self-explanatory.

Yours faithfully,



c.c. Procurator Fiscal

Ad. file in the case note

[Signature] 18/9/97

JAMES FRIEL L.L.B.

44 CARLTON PLACE GLASGOW G5 9TW

Our Ref: BCP1/011114
Your Ref: 97700051

JIM FRIEL
& COMPANY
SOLICITORS
Tel. 0141 420 1234

10 September, 1997

The Procurator Fiscal,
The Procurator Fiscal's Office,
SUMMARY TEAM,
10 Ballater Street,
GLASGOW
G5 9PS

Dear Sir,

Client in prison - arrange to be brought to court

Our Client: Andrew Martin Shaw

Date of Birth: 21/04/1967

Court: Hamilton Sheriff Court

Date of Court Appearance: 12 September 1997

Procurator Fiscal's Ref: 97700051

Prison: Hartwood Hospital

Prison No.: McNair Ward

We act on behalf of the above named client who is being detained in Prison and who is due to appear in the following Court

Hamilton Sheriff Court on 12 September 1997

Perhaps arrangements could be made for our client to be brought from prison to court for this court appearance.

If you have any difficulty, perhaps you could telephone our offices.

As a matter of courtesy, a copy of this letter has been forwarded to the Governor at the above Prison.

Yours faithfully,

c.c. The Governor

44 CARLTON PLACE GLASGOW G5 9TW

CASE NO. 9700040328
PF REF NO. .
POLICE REF NO.

UNDER THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1995

HAMILTON SHERIFF COURT

DATE OF ORDER 08-SEP-97

ACCUSED ANDREW MARTIN SHAW

ADDRESS C/O HARTWOOD HOSPITAL
SHOTTS

DATE OF BIRTH 21-APR-67

OFFENCE(S)

CON. ROAD TRAFFIC ACT 1988 SEC 103(1)(B) (COMMITTED ON BAIL)
CONTRARY TO THE ROAD TRAFFIC ACT 1988 SECTION 143(1) AND (2)
(COMMITTED ON BAIL)
CON. BAIL ETC.(SCOTLAND)ACT 1980 SEC.3(1)(b)

In respect that the Court is satisfied that the accused committed the offences or made the omissions charged(punishable by imprisonment);and

The Court being satisfied on the written/~~oral~~ evidence of medical practitioner that the accused appears to be suffering from a mental disorder, and that HARTWOOD Hospital can admit the accused and the said Hospital is suitable for his detention, Deferred sentence until 12-SEP-97 at 10:00 a.m. for his agent to provide a supplementary note from Dr. Campbell ;

Granted Warrant to Officers of Law to convey the accused to said Hospital to be detained until said diet.



CLERK OF COURT

~~Copy medical report(s) attached~~

Relevant statutory provisions:

Sec 200 - Remand for inquiry into ~~physical~~/mental condition

CHARGE CODES:

- 1 - X1103.1B
- 2 - X1143.1&2
- 3 - BA3.1B

HK/SW/

Dr. Hasina Kasem.

3rd September 1997.

Clinical Psychologist,
Bute Villa,
Hartwoodhill Hospital,
SHOTTS.

Dear Colleague,

Andrew Martin Shaw - D.O.B: 21/04/1967.
Ward 28, Hartwoodhill Hospital.

The above named patient was admitted to Ward 28, Hartwoodhill Hospital on the 13th May 1997 under Section 52 of the Criminal Procedures (Scotland) Act 1995. He is a recidivist car offender with innumerable car offences since primary school age. He was placed in List D School, Young Offenders and then adult prison. Much of his adult life has been spent in custody as a result of car convictions. His offending behaviour has a compulsive nature. Whenever he is distressed, upset, depressed or angry he would take a car, which is a place of solace and comfort for him.

His family history is significant in that his mother died when he was only 8 years old. His father subsequently developed alcohol problems, which have persisted until now. He is the youngest in a family of 4 sons. His 3 other brothers are much older than him and he states that there was no support available for him. He was abused by one of his brothers. One of his brothers has recently been treated in a psychiatric hospital following a suicide attempt and he has been placed on anti-depressant medication.

His only happy memory when he was young, was to sit on his father's knee in the car and when his father would allow him to play with the car keys. He sees the car as an area of protection from the outside world, where nobody has control over him. On the other hand he can control the car.

Cont/...

Andrew Shaw - 3/9/97.

While in hospital he was allowed home for a few hours on a day pass. He re-offended by taking his step-mother's car while still banned from driving.

He was having one to one psychotherapy with Dr. Campbell, which has been stopped since she left. Dr. Jaigirdar suggested a referral to Psychology for Behavioural Therapy. I would appreciate it if you would arrange to see this gentleman as soon as possible.

Yours sincerely,

Dr. Hasina Kasem,
Clinical Assistant.

SK/SW/049996

Dr. Sonia Keith.

5th September 1997.

Sheriff Clerk's Office
4, Beckford Street,
HAMILTON,
ML3 6AA.

Dear Sir/Madam,

Andrew Shaw - D.O.B: 21/04/1967.
Case Ref No: GWK/LJS.

I herewith enclose a Psychiatric Report on the above named patient with regard to the above case.

Yours faithfully,

Dr. Sonia Keith,
Consultant Psychiatrist..

enc...

5th September 1997.

PSYCHIATRIC REPORT

To: Sheriff Clerk, Hamilton

Re: Andrew Shaw - 21/04/1967.
c/o Ward 28, Hartwoodhill Hospital, Shotts.

Our Ref. No: 049996.

Case Ref. No: GWK/LJS.

This report should be considered an addendum to a previous report that I prepared on this man on 27 February 1997, and it should be read in conjunction with it.

For the purpose of preparing this report, I interviewed Andrew Shaw at Hartwoodhill Hospital on 3 September 1997. His current admission to hospital began 7 months ago. He was admitted then for the purpose of psychiatric treatment as a condition of Probation, and was then under the care of Dr. Isobel Campbell, Consultant Forensic Psychiatrist. Unfortunately, Dr. Campbell left the service a month ago. Mr. Shaw is now under the care of Dr. S. Jaigirdar.

Background: As outlined in my previous report, and I shall not repeat it here.

Current Situation: Mr. Shaw is detained under Section 228 of the Criminal Justice Act. He suffers from a compulsive desire to drive motor vehicles despite many previous offences under the road traffic act which have caused him to be banned from driving. Dr. Campbell had been treating Mr. Shaw by means of weekly psychotherapy sessions, with the aim of reducing his offending behaviour. Rather unusually, these sessions were, at Mr. Shaw's request, strictly confidential. It is, of course, every patient's right to have this degree of confidentiality, but, in practice, most patients agree to some sharing of clinical information with other doctors and nurses involved in their care, and to recording to be made in the case record system. Mr. Shaw did not

Cont/...

Andrew Shaw.
Psychiatric Report - 5/9/97.

agree to either of these practices. The consequence is that I do not have access to any information about what was discussed during this psychotherapy and it is therefore difficult to assess how effective it has been. At this interview, Mr. Shaw continued to refuse to discuss it, claiming that the issues he had told Dr. Campbell about were too emotionally painful to tell anyone else. I can only speculate that he is probably referring to some kind of childhood abuse.

During his hospital admission, Mr. Shaw had initially displayed considerable anxiety but for the last five months has shown no sign of mental illness whatever and has not been requesting any kind of treatment other than his weekly sessions with Dr. Campbell.

He has only once been allowed out on pass from the hospital. He had been granted a pass by Dr. Campbell because he had appeared to be doing well. He had shown no signs of any tension or distress that day prior to leaving the ward, yet, while out for a half day, he offended again by driving while banned. The only explanation he could give for this was that he had promised Dr. Campbell he would sell the car so he had to drive it one last time. Of course, because he got arrested, he did not actually sell the car. He claims he has since, but there has to be doubt about the truth of this statement.

Since this most recent offence, he has only had one escorted pass, so it is difficult to judge his motivation not to offend.

Mr. Shaw says that his psychotherapy is unfinished. Ideally he would have liked to continue with Dr. Campbell, but, in her absence, would like to try with another therapist. Unfortunately, I have to say that I have reservations as to whether he would be able to make good use of it.

It is, of course, often the case that adult survivors of childhood abuse suffer from intermittent overwhelmingly painful memories of their abuse, and, at these times often try to distract themselves from the pain by indulging in some kind of immediate gratification in a compulsive way. I have no doubt that Mr. Shaw's car driving compulsion might serve this function for him. In theory such compulsive behaviour can be controlled by psychotherapy. The patient can learn to accept the memories by discussing them in the safety of the therapeutic setting so that they are no longer overwhelmed, and then no longer require their compulsions. This change can only occur if the patient is courageous enough to be open about the abuse and sincerely wants to change his compulsive behaviour. The therapeutic process could take much longer than 7 months to complete, but, if the courage and the good motivation is present, I would have expected some behavioural improvement to have begun by that

Cont/...

