CASE NO. 9700019549

HAMILTON SHERIFF CLERK'S OFFICE, PO BOX 29 4 BECKFORD ST HAMILTON ML3 6AA Tel: 01698 282957

Dr Isobel Campbell
Hartwood Hospital
Hartwood
Shotts

DATE: 28-APR-97

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

ADDRESS: HARTWOOD HOSPITAL
HARTWOOD
SHOTTS

STATUS: Ordained to appear

DEAR SIR / MADAM

The Sheriff has directed that a Supplementary 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 31-JUL-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

Sheriff Clerk Depute

Cont/...

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

The Accused;
was found GUILTY in respect of charge no. 1 was found GUILTY in respect of charge no. 2 was found GUILTY in respect of charge no. 3 was found GUILTY in respect of charge no. 4 was found GUILTY in respect of charge no. 5

THE COURT'S REASONS FOR SEEKING THE REPORT;
TICK
[ ] 1. Behaviour in Court.
[✓] 2. Previous Psychiatric treatment received at Hartwood
[✓] 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

I67/97

9700019579

SHERIFF AND JURY

First Diet: 15 APRIL 1997

Trial Diet: 28 APRIL 1997

ANDREW MARTIN SHAW, born 21.4.67, presently an inmate in Hartwood Hospital, Hartwood, Shotts,

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

(1) ~~you~~ That **ANDREW MARTIN SHAW** being a person disqualified for holding or obtaining a licence to drive a motor vehicle did, while so disqualified, on 6 January 1997 on a road, namely at Farm Road, Hamilton, drive a motor vehicle, namely a motor vehicle registered number D40 NSU;
CONTRARY to the Road Traffic Act 1988, Section 103(1)(b)

~~you~~ That **ANDREW MARTIN SHAW** did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court and on 5 November 1996 at Lanark Sheriff Court

(sgd) W A Barr

PROCURATOR FISCAL DEPUTE

(2) on 6 January 1997 on a road, namely at Farm Road, Hamilton, ~~you~~ **ANDREW MARTIN SHAW** did use a motor vehicle, namely said motor vehicle registered number D40 NSU without there being in force in relation to the use of said motor vehicle by ~~you~~ him 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 Road Traffic Act 1988;
CONTRARY to the Road Traffic Act 1988, Section 143(1) and (2)

That ~~you~~ **ANDREW MARTIN SHAW** did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court and on 5 November 1996 at Lanark Sheriff Court

(3) That ~~you~~ **ANDREW MARTIN SHAW** being a person disqualified for holding or obtaining a licence to drive a motor vehicle did, while so disqualified, on 6 January 1997 on a road, namely at Glasgow Road, Blantyre, drive a motor vehicle, namely said motor vehicle registered number D40 NSU;
CONTRARY to the Road Traffic Act 1988, Section 103(1)(b)

That ~~you~~ **ANDREW MARTIN SHAW** did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court and on 5 November 1996 at Lanark Sheriff Court

(sgd) W A Barr

PROCURATOR FISCAL DEPUTE

(4) on 6 January 1997 on a road, namely at Glasgow Road, Blantyre, ~~you~~ **ANDREW MARTIN SHAW** did use a motor vehicle, namely said motor vehicle registered number D40 NSU without there being in force in relation to the use of said motor vehicle by ~~you~~ him 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 Road Traffic Act 1988;

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

That ~~You~~ **ANDREW MARTIN SHAW** did commit this offence while on bail, having been granted bail on 17 October 1996 at Greenock Sheriff Court and on 5 November 1996 at Lanark Sheriff Court

(5) That ~~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~~ he would not commit an offence while on bail, did on date and places libelled in charges (001) to (004) above fail without reasonable excuse to comply with said condition, in respect that ~~you~~ he committed the offences libelled in charges (001) to (004) above;

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

BY AUTHORITY OF HER MAJESTY'S ADVOCATE

(sgd) W A Barr

PROCURATOR FISCAL DEPUTE

CASE NO. 9700022079

ΔTON SHERIFF CLERK'S OFFICE, PO BOX 29 4 BECKFORD ST HAMILTON
6AA Tel: 01698 282957

ANDREW MARTIN SHAW
52 KENILWORTH CRESCENT
BURNBANK
HAMILTON

DATE: 14-APR-97

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

I refer to the order which was imposed on you in GREENOCK , and advise you that it is now enforceable at this Court.

The name of your new supervising officer shall be intimated to you by the local Social Work Department.

ANN BODYS
Sheriff Clerk Depute

/18

UNDER THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1995 SECTION 228

GREENOCK SHERIFF COURT

DATE OF ORDER 03-APR-97

SHERIFF JOHN P HERALD, ESQUIRE

OFFENDER ANDREW MARTIN SHAW

ADDRESS 52 KENILWORTH CRESCENT
BURNBANK
HAMILTON

DATE OF BIRTH: 21-APR-67

OFFENCE(S)

CON. ROAD TRAFFIC ACT 1988 SEC 103(1)(B) - IN CUMULO SENTENCE
CON ROAD TRAFFIC ACT 1988 SEC 143(1) AND (2) - IN CUMULO SENTENCE

THE COURT *IN VIEW OF THE CONVICTION OF THE OFFENDER / *being satisfied that the offender has committed the offence(s) with which he is charged, and being of the opinion that having regard to the circumstances including the nature of the offence(s) and the character of the offender it is expedient to make a Probation Order containing the undernoted requirements;and THE COURT having explained to the Offender the effect of the Order (including the requirement set out below), and that if he fails to comply with the Order, he may be brought before the Court by his supervising officer for a breach of probation and may be dealt with for the original offence, and that, if he commits another offence during the period of the Probation Order, he may be dealt with likewise:

And the Offender having expressed his willingness to comply with the requirements of the Order:

THE COURT therefore orders that for a period of 3 YEARS from the date hereof the Offender who resides in the Local Authority area of NORTH LANARKSHIRE/SOUTH LANARKSHIRE
shall be under the supervision of an officer allocated for the purpose as required by the Court at HAMILTON in the said local authority area; that the offender shall be notified in writing by the clerk of court of the name and official address of the officer who is to supervise him and similarly if at any time such supervision is to be undertaken by another officer of the local authority allocated for the purpose; and that the offender shall comply with the following requirements namely :-

1. to be of good behaviour;
2. to conform to the directions of Supervising Officer;
3. to inform the Supervising Officer at once if he changes his residence or place of employment;
4. that the accused attends for psychiatric treatment as required

CLERK OF COURT.

* Delete as appropriate

11/4/97

WARD 28

Case No.

Date. 28-4-97.

Accused ANDREW SHAW.

~~Released on Bail~~ - ~~Bail Order Made~~

~~Refused Bail~~ - Returned to Custody (Reason)

ON PROBATION ORDER SECTION 230.
(SISTER CREELMAN, HARLWOOD HOSPITAL)

Signed By James Lang

Cons. P274 Courts HAMILTON

SHERIFF.

PROCURATOR FISCAL'S OFFICE
Cameronian House, 3/5 Almada Street, HAMILTON ML3 OHG

Rutland Exchange Box No. HA7

Tel 01698 284000 Fax 01698 422929

Procurator Fiscal: Frank R Crowe

Messrs Jim Friel and Co
Solicitors
44 Carlton Place
GLASGOW
G5 9TW

Your reference 13p/011114

Our reference WAB/LCB/97700051

Date 27 March 1997

Dear Sirs

CASE OF ANDREW MARTIN SHAW

I have to inform you that Crown Counsel have instructed Sheriff and Jury proceedings in respect of the above case. I enclose for your attention a copy of the Indictment and Notices together with a copy extract conviction and copy Statement of Uncontroversial Evidence which has been served for a first diet at 2.00 pm on 15 April 1997 and a trial diet at 10.00 am on 28 April 1997 in the Sheriff Court at Hamilton.

If on consideration of the Crown case you are of the view that evidence is not in dispute I should be pleased if you would advise as soon as possible in order that a Minute of Agreement may be prepared. Similarly if you are instructed to intimate witnesses of a formal nature it would be helpful if when giving notice of the witnesses or earlier if possible you would provide copies of their respective statements and again consideration will be given to the possibility of agreement.

I enclose copies of the documentary productions as available.

Yours faithfully

Procurator Fiscal Depute

Encs

Court the following previous convictions 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 27 March 1997 ..... Procurator Fiscal Depute (sgd) W A Barr .....

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	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 27 March 1997 ..... Procurator Fiscal Depute (sgd) W A Barr .....

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	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 27 March 1997 ..... Procurator Fiscal Depute (sgd) W A Barr .....

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	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 27 March 1997 ..... Procurator Fiscal Depute (sgd) W A Barr .....

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 27 March 1997 ..... Procurator Fiscal Depute (sgd) W A Barr .....

IC/SW/

9700001718.

Dr. Isobel Campbell.

26th March 1997.

Sheriff Clerk's Office
Sheriff Court House,
1, Nelson Street,
GREENOCK,
PA15 1TR.

Dear Sir/Madam,

Andrew Shaw - D.O.B: 21/04/1967.
Case Ref No: 9700001718.

I herewith enclose a Psychiatric Report on the above named patient with regard to the case calling on the 3rd April 1997.

Yours faithfully,

Dr. Isobel Campbell,
Consultant Forensic Psychiatrist.

enc...

26th March 1997.

PSYCHIATRIC REPORT

Re: Andrew Shaw.
21/04/1967.

Our Ref. No:
Case Ref. No: 9700001718.

At the request of the Sheriff Clerk Depute, Greenock, I Doctor Isobel Campbell, Consultant Forensic Psychiatrist from Hartwoodhill Hospital examined Andrew Shaw at Ward 28 (Iona), Hartwoodhill Hospital on the 26th March 1997 for the purpose of preparing a Psychiatric Report. I have been the Responsible Medical Officer for Andrew Shaw since his transfer to Hartwoodhill Hospital from H.M.P. Barlinnie on the 10th January 1997. He is currently detained in terms of Section 70 of the Mental Health (Scotland) Act 1984. I have been able to peruse a copy of the charges to which Mr Shaw has pled guilty. I am recognised in terms of Section 20 of the Mental Health (Scotland) Act 1984 as having special experience in the diagnosis and treatment of mental disorder.

The Charges: Andrew Shaw is charged with driving a car without a licence and driving without insurance.

Circumstances of Transfer from H.M.P. Barlinnie: I was contacted by Dr. Louise Ramsay, Senior Registrar from the Douglas Inch Centre regarding Mr Shaw who had caused great concern in the prison system. While on remand he was weepy, preoccupied and appeared to be responding to hallucinations and rocking backwards and forwards. He expressed paranoid ideation regarding food which he was convinced had been contaminated by prison staff. He described auditory hallucinations. He was reluctant to comply with medication in prison and it was felt that he should be transferred to hospital immediately for his own safety.

Past Psychiatric History: I have previous knowledge of Andrew Shaw having examined him in 1995 for the purpose if preparing a Psychiatric Report. I saw him on 2 occasions and recommend that he attend my Out Patient Clinic as a condition of Probation, however he failed to do so.

Cont/...

Andrew Shaw.
Psychiatric Report - 26/3/97.

Circumstances of the Alleged Offences: Andrew Shaw has a long history of driving convictions. He first stole and crashed a car when he was still of primary school age. He was placed in List D School as a result of repeated taking and driving away offences. He subsequently graduated to Young Offenders and then adult prison. Much of his adult life has been spent in custody as a result of car convictions. His car offending has a compulsive quality and serves for him the purpose of relieving feelings of emotional discomfort. When distressed, upset, depressed on angry he will take a car. He also uses cars as a place of solace and comfort and he has frequently slept in cars.

Family History: His family history is significant in that his mother died when he was aged 8 years. His father subsequently developed alcohol problems which continue to the present time. Andrew Shaw was much younger than his 3 older brothers and as a result there was no support available from them. There is no family history of formal mental illness although his brother has recently been treated in psychiatric hospital following a suicide attempt.

Personal History: He is the youngest of 4 brothers. There is no history of abnormality of pregnancy or delivery so far as he is aware. He describes a happy upbringing until his mother's sudden death. He appears to have spent a good deal of time in her company and with members of her family and was understandably devastated by her loss. He describes persistently grieving for her and going on a regular basis to visit her grave where he would talk to her. He appears from his account to have been virtually left to fend for himself following his mother's death. His father failed to provide for him either emotional or physical protection.

He stole and crashed a car belonging to one of his brothers and subsequent to this was sent to List D School. The family do not appear to have maintained much contact with him while he was in List D School and as previously indicated he graduated from there to serving repeated sentences in initially Young Offenders and then adult prison. He is now aged 29 years and indicates to me that he has spent 14 years in custody in a variety of institutions. All his offences have been car offences with one exception which he is presently appealing. From his own account he has not offended other than with regard to cars.

Social History: As a result of his tragic early life he has had great difficulty maintaining adult relationships. He finds it difficult to tolerate closeness and difficult to establish trust. He has never married and has found it difficult to be involved in long term relationships, finding it difficult to cope with the emotional demands.

Drug and Alcohol History: He has no history of excessive use of alcohol nor of use of illicit substances. He is on no prescribed medication at the present time.

Progress in Psychiatric Hospital: At the time of his initial transfer from H.M.P. Barlinnie, Andrew Shaw was felt to be suffering from psychotic illness, in particular Schizophrenia.

Cont/...

Andrew Shaw.
Psychiatric Report - 26/3/97.

Following transfer it became apparent that he was not suffering from a process Schizophrenic Illness, although it would appear likely that he had developed a Psychogenic Psychosis in the prison. Psychogenic Psychosis is a stress induced psychotic breakdown which resolves rapidly when a person is removed from the stressful situation.

In the ward he has continued to display distress in one to one interviews. He frequently rocks backwards and forwards in a fairly regressed way. His facial expression is predominantly sad and his conversation is often sparse. He is deeply pessimistic about the future.

For the first time in his contact with Psychiatric Services he has started to talk in detail about his traumatic childhood experiences. Because of his great difficulties trusting others, it has until the present time been impossible for Mr Shaw to avail himself of any counselling offered. He is very clear that 2 years ago he was unable to undertake any therapeutic work because he feared it would be overwhelming for him. Being so unwell during his remand period has brought home to him the need to address issues from his past of which there are many.

Mental State Examination: He is a well built young man whose self care is adequate. Eye contact is variable and at times he conspicuously avoids eye contact. He continues to display regressed behaviour, rocking backwards and forwards when distressed.

Thought Content: He describes auditory hallucinations which do not have the characteristics of true hallucinations but which nonetheless are distressing. In particular he hears the voice of his deceased mother and this voice will sometimes take the form of weeping. He describes another voice which is also of emotional significance for him and which he recognises. He has no delusions of reference, no delusions of thought control and no delusions of passivity. He has marked suspiciousness regarding others but although these ideas were of delusional intensity while he was in prison, he does not have delusions of persecution regarding nursing staff in hospital. As indicated he has used the time in hospital productively to discuss events and major trauma which occurred during his childhood. He has found it difficult to confront these issues in the past. He has worked very productively with me during the period in hospital.

Conclusions and Recommendations:

1. Andrew Shaw has a cluster of psychiatric symptoms which fit the recognised pattern of those who have been subjected to severe trauma in childhood.

2. His mental condition is such that he requires and is likely to benefit from prolonged counselling. He has shown great willingness to work in therapy and I am convinced that he will continue to co-operate if given the opportunity to do so.

Cont/...

3. I respectfully recommend to the Court that if convicted he be dealt with by means of a Probation Order with psychiatric treatment initially on an In-Patient basis followed by Out Patient supervision. He himself is keen that he be returned to the locked work and he derives a degree of security from being in that controlled but also protected environment. I confirm that a bed will be made available in Ward 28, Hartwoodhill Hospital.

4. Repeated custodial disposals have been entirely unsuccessful in preventing further offending and in my professional opinion resolving the underlying psychological issues is the best way of preventing further offending.

I declare on Soul and Conscience that this Report is a true Report. I am not related to the Defendant nor do I have any pecuniary interest in his disposal.

Dr. Isobel Campbell,
Consultant Forensic Psychiatrist.

CASE NO. 9700001718

GREENOCK SHERIFF CLERK'S OFFICE, Sheriff Court House, 1 Nelson Street Greenock PA15 1TR Tel: 01475 787073

Physician Superintendant
Hartlill Hospital
Shotts
Glasgow

DATE: 12-MAR-97

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

ADDRESS: 52 KENILWORTH CRESCENT
BURNBANK
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 03-APR-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

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

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

Advised by agent for accused that he is at present held on remand at [illegible] Hospital, Slotto. The accused exhibits signs of mental illness - seeking bail & remand - the court etc.

SHERIFF AND JURY

Trial Diet: Tuesday 4 MARCH 1997

Adj
3.4.97
SER Psy

ANDREW MARTIN SHAW, born 21 April 1967, whose domicile of citation has been specified as 52 Kenilworth Crescent, Burnbank, Hamilton Presently: Iona Ward, Hartthill Hospital, Shotts you are Indicted at the instance of The Right Honourable THE LORD MACKAY OF DRUMADOON, Her Majesty's Advocate, and the charges against you are that

(001) you being a person disqualified for holding or obtaining a licence to drive a motor vehicle did (while so disqualified) on 3 October 1996 on a road, namely East Hamilton Street, Greenock drive a motor vehicle, namely motor car registered number C804 JSU; CONTRARY to the Road Traffic Act 1988, Section 103(1)(b)

G

(002) on 3 October 1996 on a road, namely East Hamilton Street, Greenock you did use a motor vehicle, namely said motor car registered number C804 JSU 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 Road Traffic Act 1988; CONTRARY to the Road Traffic Act 1988, Section 143(1) and (2)

G

(003)/...

S. CARNEGIE

PROCURATOR FISCAL

(003) you 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 charge 1 above fail without reasonable excuse to comply with said condition, in respect that you committed the offences libelled in charges 1 and 2 above;
CONTRARY to the Bail Etc (Scotland) Act 1980, Section 3(1)(b)

not guilty

BY AUTHORITY OF HER MAJESTY'S ADVOCATE

S. CARNEGIE

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.
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 21 JAN 1997 ..... Procurator Fiscal S. CARNEGIE .....

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 21 JAN 1997 ..... Procurator Fiscal S. CARNEGIE .....