

## What it is

Partnership members play a key role by working together to reduce re-offending. One of the strands of this work involves Diversion From Prosecution (DfP).

DfP means that the accused is offered the opportunity, as an alternative to prosecution, to work with an agency (usually through the local authority justice social work (JSW) team) to address the cause of the underlying problems or needs that have contributed to their offending.

## Why it matters

DfP reduces the risk of reoffending by addressing underlying problems, reducing the harm caused to individuals and communities in the longer term. Individuals can work on areas like addiction, mental health, money management, housing and employment, alongside offence focussed work to understand the impact of their actions and support to avoid future offending.

Benefits for the person include the opportunity to get help and support with needs that have contributed to the offending behaviour and avoid receiving a criminal conviction which could harm future life chances.

## Who is eligible

Diversion should be considered for all individuals reported to the Procurator Fiscal (COPFS) where there is an identifiable need which has contributed to the offending which can best be met through a diversion programme.

## How it works

Police have a crucial role as the first point of contact in the community, as this is where the potential for DfP can be first considered, when their report goes to COPFS. COPFS notify the individual and JSW who then arrange a suitability assessment.

Participation is the persons own choice and is not seen as an admission of guilt.

The accused meets with JSW to discuss and agree a plan. They must engage and go to appointments.

If the accused refuses or fails to engage with the diversion programme or does not successfully complete it, then the case is returned to COPFS and they will likely go to court and possibly be prosecuted.

## Your role

For wider partners, you may be involved if an individual open to your service becomes subject to a DfP, or if someone on DfP would benefit from linking in with your service.

Your role as a professional is to:

**Be aware:** Diversion participants might be referred to third sector, housing, addiction, or employability services for example.

**Collaborate:** Share relevant information (with consent) and coordinate support.

**Encourage engagement:** Explain benefits and reassure individuals about confidentiality and choice.

## Resources

For more info see the [National Guidelines on Diversion](#).

Or contact the CJAP support team at [communityjusticeayrshire@north-ayrshire.gov.uk](mailto:communityjusticeayrshire@north-ayrshire.gov.uk)

## Key Facts

There is a duty for community justice partners to increase and strengthen DfP under priority one of the [National Strategy](#).

Early intervention can help address the underlying causes of offending, avoid the person being drawn further into the criminal justice system and reduce or prevent further offending, to the benefit of the person, victims, and communities.

By successfully completing DfP a person can avoid going to court and instead get help and support. This means they can avoid a criminal record which can make life harder for jobs and travel.

