

SCRA Statistical Analysis 2009/10



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION

Changing for Children



About this report

This report covers the period 1 April 2009 to 31 March 2010. It presents our full statistical analysis on children and young people referred to the Reporter in the year 2009/10.

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This statistical analysis is supported by our online statistical service which provides more in-depth information about individual local authority areas. All the information is available on our website www.scra.gov.uk



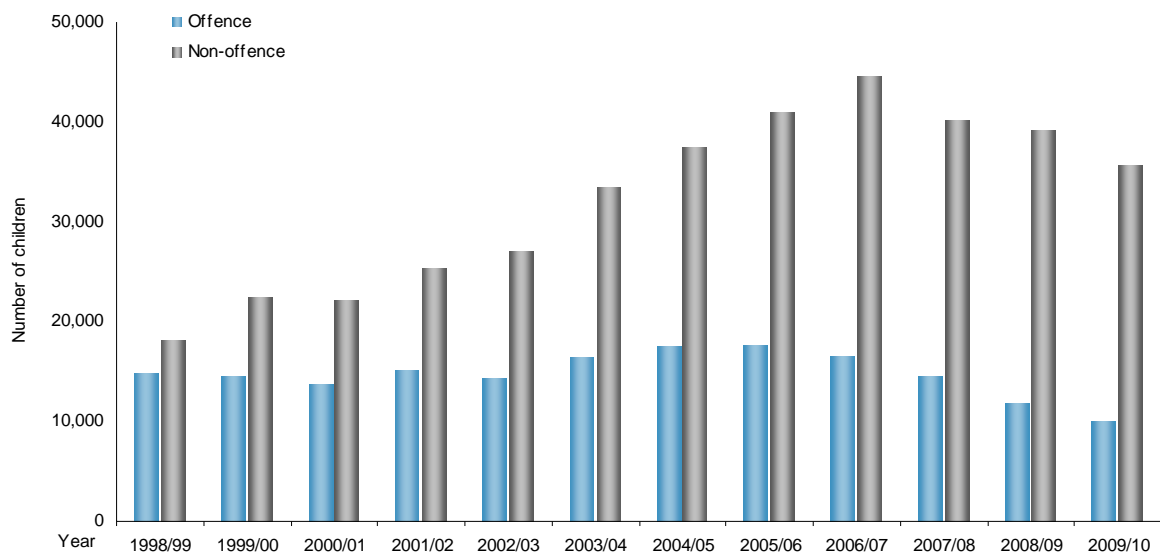
Children referred to the Reporter

In 2009/10, 42,532 children in Scotland were referred¹ to the Children's Reporter:

- 35,735 on non-offence (care and protection) grounds.
- 10,012 on offence grounds².

The figure of 42,532 children referred to the Reporter in 2009/10 represents 4.7% of all children in Scotland³. Within this, 3.9% of all children were referred on care and protection grounds and 2.2% of all children aged between eight⁴ and 16 years were referred on offence grounds.

Figure 1. Children referred 1998/99 to 2009/10



The number of children referred to the Reporter has decreased for the third consecutive year and is at its lowest level since 2002/03. The 9.8% decrease from 2008/09 levels was due to reductions in the numbers of both children referred on care and protection grounds (down 8.6%) and children referred on offence grounds (down 15.2%). Figure 1 illustrates the changing pattern of referrals. In 2002/03, 72% of children referred had at least one care and protection referral. This has risen to 84% in 2009/10.

Within the 42,532 children referred to the Reporter in 2009/10, there are certain types of referrals that indicate greater concern about the child's safety or behaviour. These include Child Protection Orders (CPOs) and Joint Reports to the Reporter and Procurator Fiscal.

¹ Reporters decide the category and the grounds of referral at the time of receipt based on information contained within the referral.

² These figures include 3,215 children who were referred on both types of grounds (care and protection and offence).

³ % of population aged under 16 years, based on mid-year estimates for 2009 from the General Register Office for Scotland.

⁴ Eight years is the age of criminal responsibility in Scotland. Children under eight years cannot be referred for offending.



Child Protection Orders

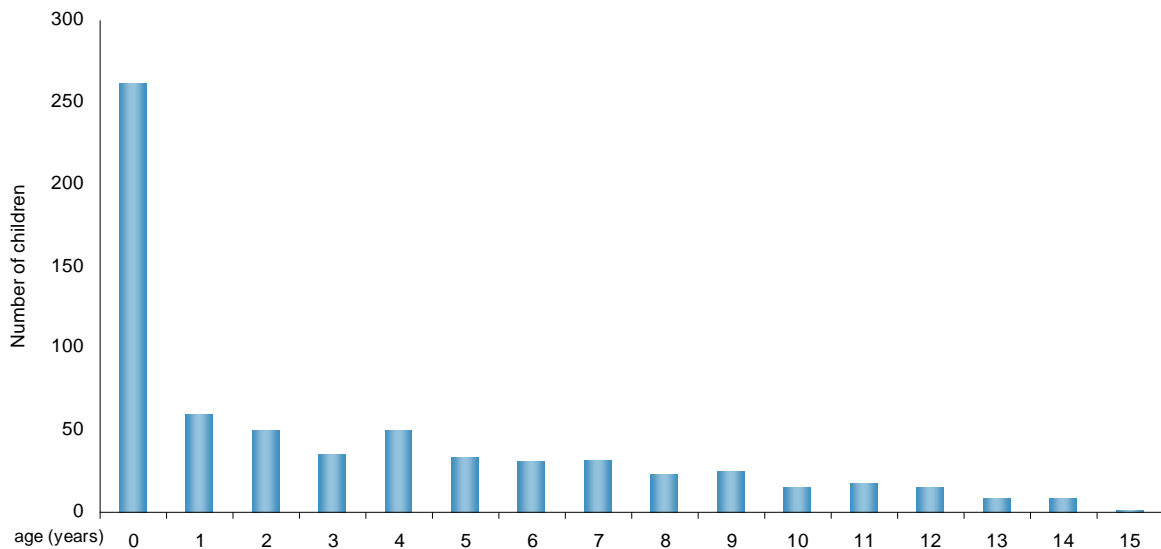
A Sheriff may grant a CPO to address emergency and/or high risk situations where measures need to be put in place immediately to protect a child. The granting of a CPO requires the child to be removed to (or kept in) a place of safety away from home. For this measure to be considered, a child must be at risk of significant harm.

Table 1. Child Protection Orders

	Number of children			
	2006/07	2007/08	2008/09	2009/10
Children with CPOs	617	504	661	665

Proportionately, more CPOs are granted for very young children (especially newborn babies), than any other age, reflecting their high risk and vulnerability and requirement for immediate protection.

Figure 2. Children with Child Protection Orders received in 2009/10



Of the 665 children with CPO referrals to Children’s Hearings in 2009/10, 320 (48.1%) were aged under two years.

Joint reports to the Reporter and Procurator Fiscal

Where a child is alleged to have committed an offence described in the Lord Advocate's Guidelines (*To Chief Constables: Reporting to Procurator Fiscals of Offences Alleged to have been Committed by Children*), the police will make a joint report to the Procurator Fiscal and the Reporter. Following discussion with the Reporter, the Procurator Fiscal will decide whether to prosecute or refer the case to the Reporter.

Table 2. Joint reports to the Reporter and Procurator Fiscal

	Number of children			
	2006/07	2007/08	2008/09	2009/10
Joint reports to the Reporter and Procurator Fiscal	2,279	2,044	2,024	2,009

In 2009/10, 2,009 children were jointly reported on 3,506 referrals. Of those joint reports where the Procurator Fiscal had made a decision, two-thirds of cases were subsequently referred to the Reporter. The number of children jointly reported has decreased for the last five years.



Gender of children referred

The number of girls referred to the Reporter fell by 9.3% (from 20,826 to 18,879) while the number of boys referred fell by 11.3% (from 26,258 to 23,280). There was an almost equal number of boys and girls referred on care and protection grounds, whereas boys made up 75% of children referred on offence grounds.

Table 3. Gender of children referred in 2009/10

	Number of children	%	Change from 2008/09
All grounds			
Girls	18,879	44%	-9.3%
Boys	23,280	55%	-11.3%
Total	42,532 ⁵		
Non-offence*			
Girls	17,447	49%	-9.3%
Boys	17,939	50%	-9.3%
Total	35,735		
Offence* (8 years and over)⁶			
Girls	2,516	25%	-11.5%
Boys	7,469	75%	-16.6%
Total	10,012		

* Some children were referred on both offence and non-offence grounds.

Gender and age of children referred

The most common ages for children to be referred to the Reporter continue to be 14 and 15 years. This applies to both offence and care and protection referrals and to both boys and girls.

Young people aged 16 and 17 years can be referred to the Reporter if they are still subject to Supervision Requirements or are remitted by a court. This only applies to a small number of young people, thereby accounting for the drop in referrals seen between the ages of 15 and 16+ years⁷.

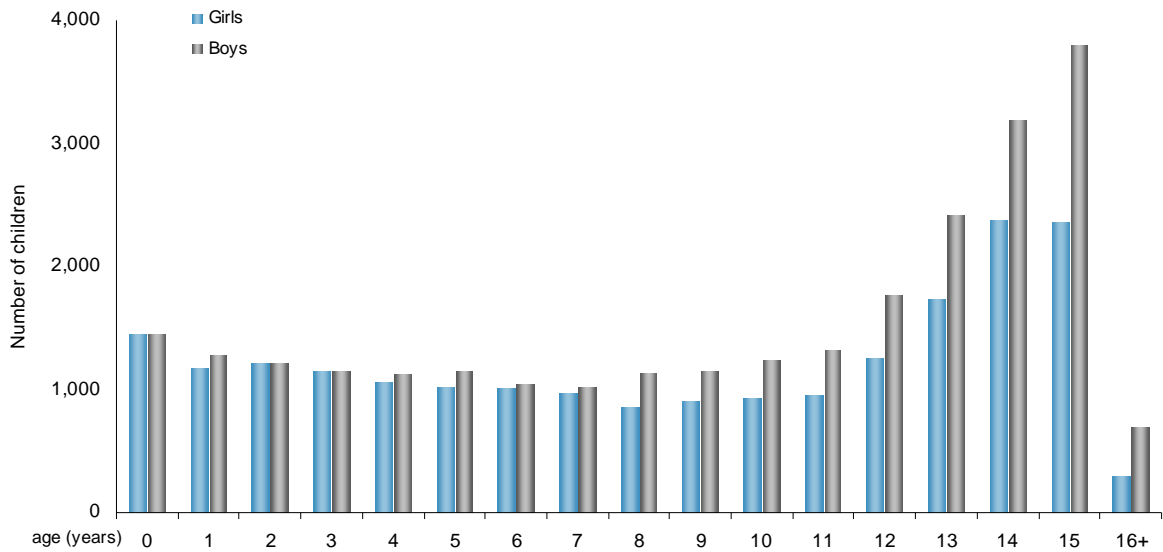
⁵ The total of 42,532 children includes 373 whose gender was not recorded - this is broken down to 349 in the non-offence category and 27 in the offence category (three children whose gender were not recorded were referred on both non-offence and offence grounds in the year).

⁶ Eight years is the age of criminal responsibility in Scotland. Children under eight years cannot be referred for offending.

⁷ Young people aged 16 and 17 years are combined to provide an age group of 16+ years in this report.



Figure 3. Age of children referred by gender in 2009/10



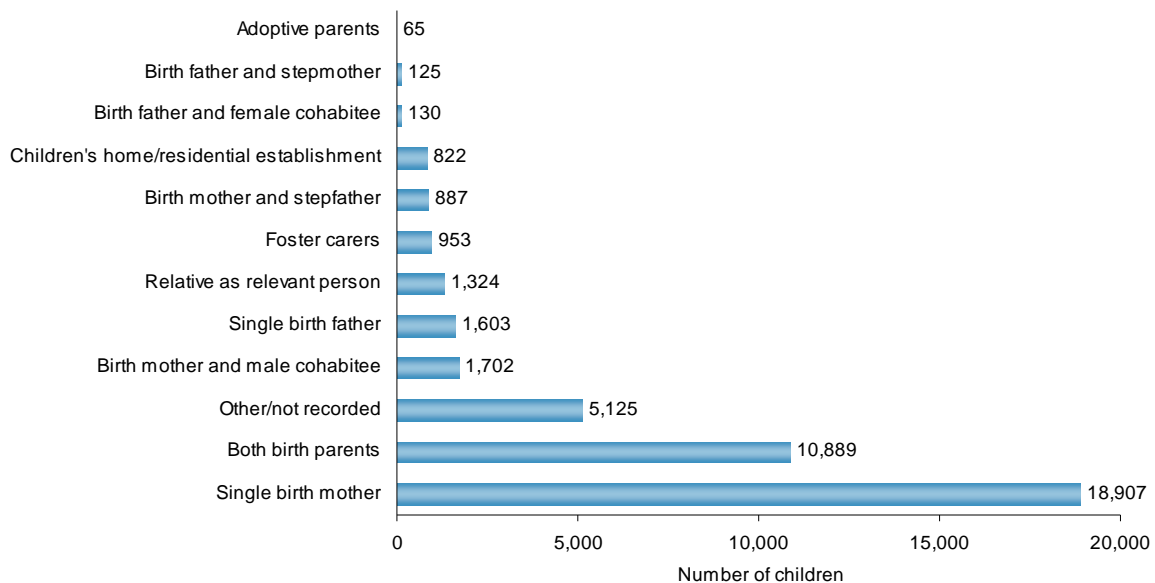
Recent years have seen proportional increases in the number of very young children being referred to the Reporter. For the majority of children who were aged under two years, the referral was on grounds of being victims of offences or lack of parental care.

5,164 children aged under two years were referred in 2009/10, this amounts to 12.1% of all children referred.

Living arrangements of children referred

The most common living arrangement of children referred to the Reporter in 2009/10 was with a single birth mother. Similarly to previous years, almost half (48.2%) of the children referred lived in a single parent household either with their mother or father. The second most common living arrangement was with both birth parents (25.6% of children referred).

Figure 4. Living arrangements of children referred in 2009/10



Referrals received

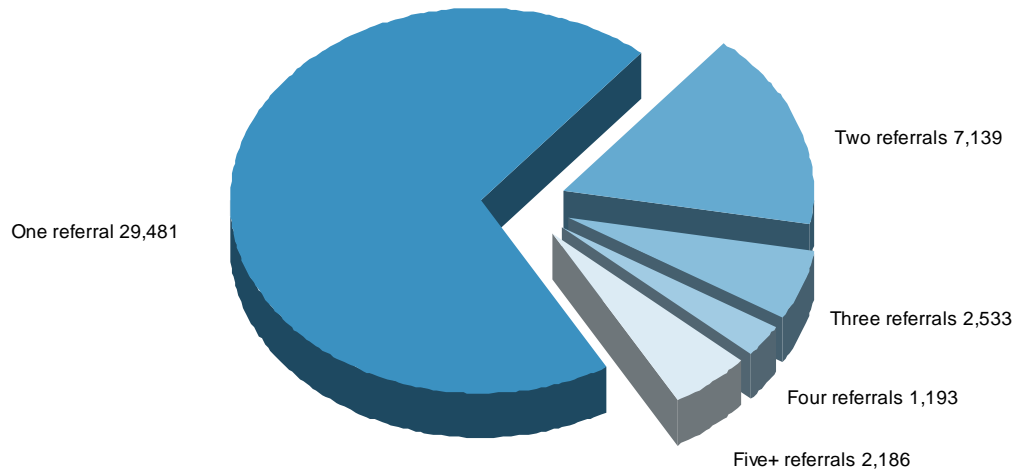
In 2009/10, 73,783 referrals were received by the Reporter, an 11.9% decrease from 2008/09 levels. Care and protection referrals decreased by 10.9% to 51,276 while offence referrals decreased by 14% to 22,585.

Table 4. Numbers of offence and non-offence referrals

Type of referral	2006/07	2007/08	2008/09	2009/10
Offence	36,148	31,355	26,251	22,585
Non-offence	66,785	58,914	57,573	51,276
Total referrals ⁸	102,787	90,167	83,742	73,783

Most children (69.3%) were referred only once in the year, with 5.1% referred five or more times.

Figure 5. Referrals per child in 2009/10



Referral patterns were similar for girls and boys referred on care and protection grounds, with almost three-quarters of those referred being referred once in the year. For offence referrals, 60% of children referred had a single referral in the year. Girls (67.9%) were more likely than boys (57.3%) to be referred on a single occasion in the year.

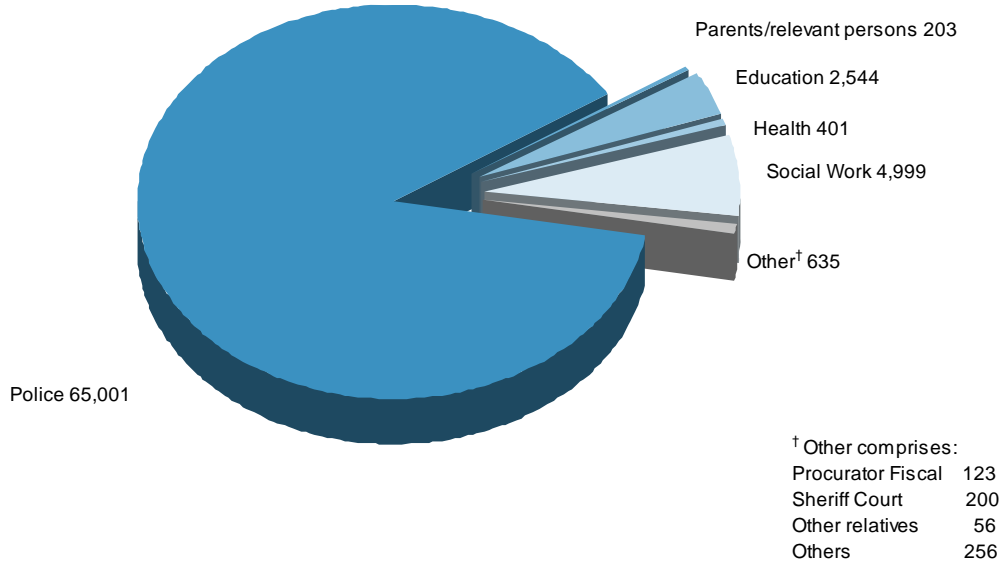
⁸ The totals are not the sum of referrals on offence and care and protection grounds as a single referral can contain both types of grounds.



Source of referrals

Referrals of children to the Reporter come from five main sources - the police, social work, education, health and parents/relevant persons. The police are the main source of referrals, comprising 88.1% of all referrals to the Reporter in 2009/10 - 99.5% of all offence referrals and 83.1% of all care and protection referrals.

Figure 6. Source of referrals in 2009/10



Grounds on which children were referred to the Reporter

The reasons (grounds) on which children are referred to the Reporter are those set out in section 52(2) of the Children (Scotland) Act 1995, and are summarised in Table 5.

Table 5. Grounds of referral and number of children referred

Grounds of referral		Number of children			
		2006/07	2007/08	2008/09	2009/10
(a)	Beyond control of any relevant person	5,603	4,856	4,433	3,920
(b)	Bad associations or moral danger	3,020	2,482	2,380	2,383
(c)	Lack of parental care	19,086	15,143	15,320	14,430
(d)	Victim of a Schedule 1 offence *	19,485	19,212	18,621	16,660
(e)	Member of the same household as a victim of a Schedule 1 offence	1,495	1,323	1,375	1,167
(f)	Member of the same household as a Schedule 1 offender	625	515	615	534
(g)	Member of the same household as an incest victim and perpetrator	29	20	15	14
(h)	Not attending school	2,999	2,766	2,669	2,033
(i)	Allegedly committed an offence	16,490	14,506	11,805	10,012
(j)	Misused alcohol or drugs	1,609	1,462	1,199	1,114
(k)	Misused solvents	37	23	23	18
(l)	In the care of the local authority, and special measures are necessary	50	38	32	30
Total children referred**		56,199	50,314	47,178	42,532

*Any of the offences mentioned in Schedule 1 of the Criminal Procedure (Scotland) Act 1995 (offences against children to which special provisions apply). For a breakdown of these offences see Table 6.

**A child may be referred to the Reporter more than once in the year on the same and/or different grounds. These totals count every child referred to the Reporter during the year once.

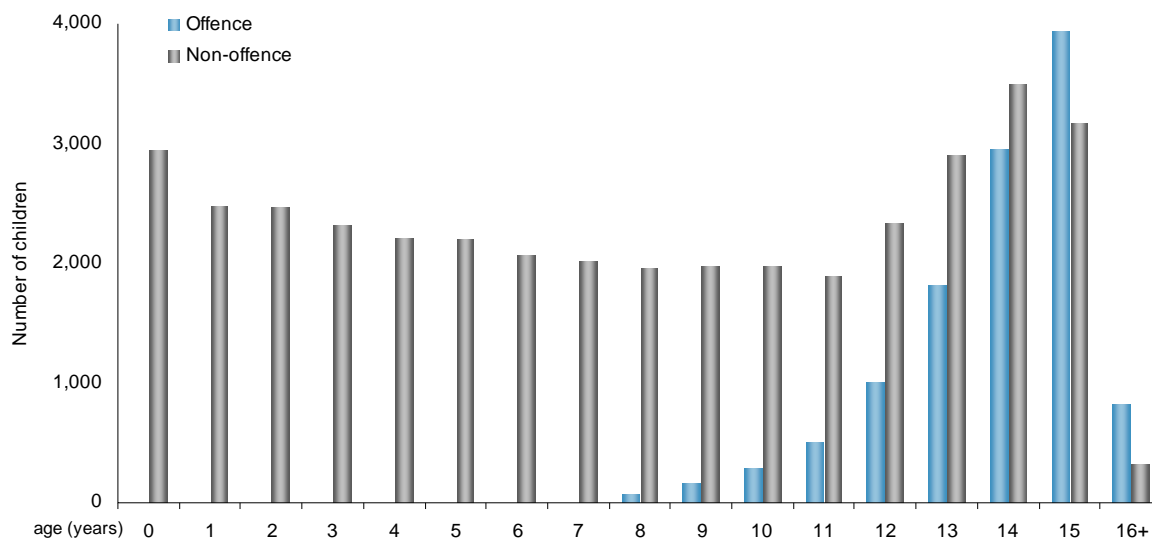
With the exception of the number of children referred for 'bad associations or moral danger' (which increased by 3), children referred on each ground decreased compared to 2008/09.

The number of children referred on offence grounds decreased for the fourth consecutive year while the number of children referred on care and protection grounds decreased for the third consecutive year.

The age breakdown of children referred on both offence and care and protection grounds is shown in Figure 7.



Figure 7. Age of children referred on offence* and non-offence grounds in 2009/10



* Eight years is the age of criminal responsibility in Scotland. Children under eight years cannot be referred to the Reporter for having committed an offence. Such behaviour in a child aged under eight years may be referred under another ground (e.g. 'beyond control of any relevant person').

Children referred on non-offence grounds

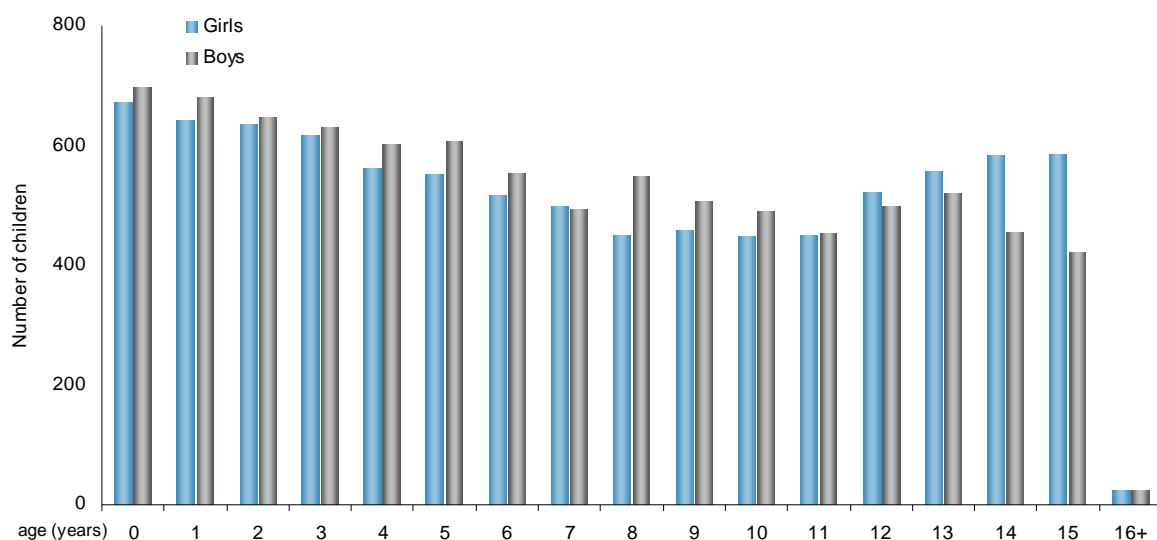
The most common grounds of referral in 2009/10 (as in the previous three years) were 'victim of a schedule 1 offence' (16,660 children) and 'lack of parental care' (14,430 children). The number of children referred as a 'victim of a Schedule 1 offence' fell by 10.5% when compared to 2008/09 while children referred for 'lack of parental care' decreased by 5.8%.

Children referred as victims of Schedule 1 offences

Children referred under section 52(2)(d) of the Children (Scotland) Act 1995 have been referred as victims of Schedule 1 offences. The referral rate remained relatively constant throughout the childhood years, but young children (three years and under) were slightly more likely to be referred as victims of Schedule 1 offences.



Figure 8. Age of children referred as victims of Schedule 1 offences by gender in 2009/10



The most common offences committed against children within section 52(2)(d) are under section 12 of the Children and Young Persons (Scotland) Act 1937. This section covers offences including ill-treatment, neglect, abandonment and exposure. 15,506 children were referred to the Reporter for this reason in 2009/10 (Table 6).

Table 6. Children referred under section 52(2)(d) (victim of a Schedule 1 offence) in 2009/10

Ground 'd' (victim of a Schedule 1 offence)	Number of children		
	Girls	Boys	Total
Child victim - incest, sexual offences or homosexual offences	238	66	307 ⁹
Child victim of begging, burning, performing, etc., 1937 Act	10	11	21
Child victim of bodily injury	244	308	557 ¹⁰
Child victim of lewd, indecent or libidinous practice or behaviour	328	102	433 ¹¹
Child victim (ill treatment, abandonment, neglect and exposure) - section 12 1937 Act	7,521	7,852	15,506 ¹²
Total¹³	8,249	8,268	16,660

Within referrals under section 52(2)(d), there were several noticeable splits by gender. Girls were more than three times more likely than boys to be referred as a victim of incest, sexual offences or homosexual offences and as victims of lewd, indecent or libidinous practice or behaviour. In contrast, boys were more likely to be referred as victims of bodily injury and slightly more likely to be referred as a victim of ill treatment, abandonment, neglect and exposure.

⁹ Three children – gender not recorded

¹⁰ Five children - gender not recorded

¹¹ Three children – gender not recorded

¹² 133 children - gender not recorded

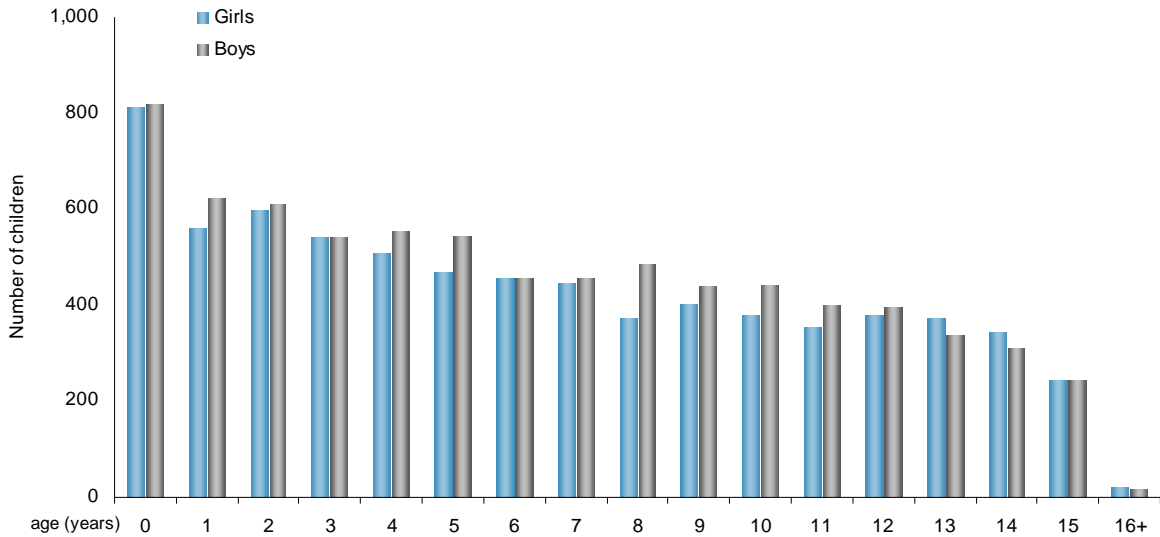
¹³ Totals do not equal the sums as children can be referred more than once in the year and/or a referral can contain more than one ground. Totals count each child once.



Children referred for lack of parental care

Children of all ages were referred because of lack of parental care, but numbers generally decreased with age (Figure 9). Very young children were more likely to be referred for lack of parental care, with more children being referred in the first year of their life than any other age (1,661). 19.2% of the children referred on this ground were aged between birth and two years (2,775).

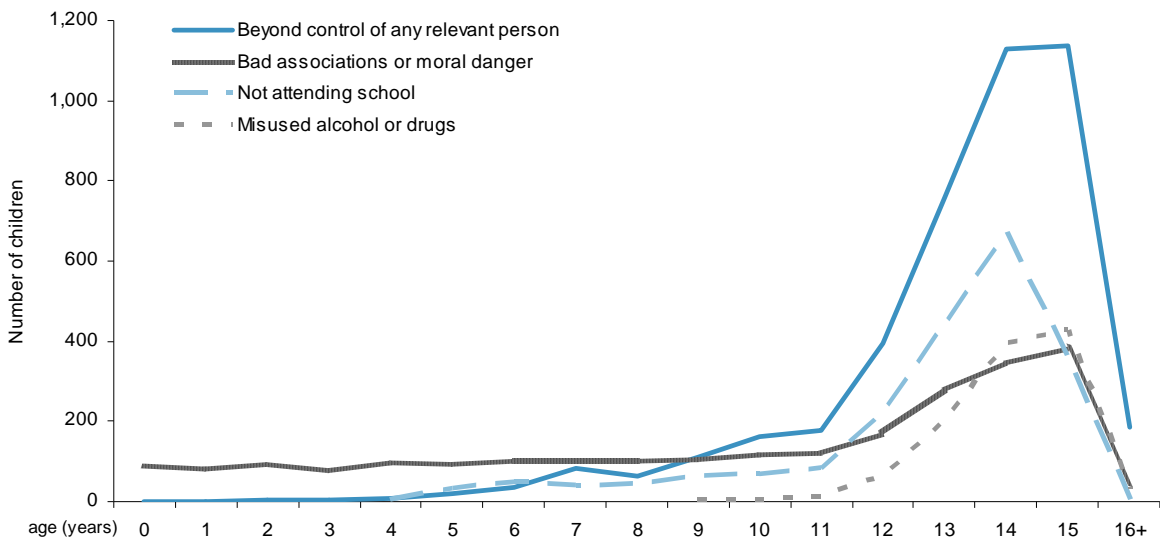
Figure 9. Age of children referred for lack of parental care by gender in 2009/10



Other non-offence grounds of referral

There were notable differences in the ages of children referred to the Reporter on several other care and protection grounds. Older children were more likely to be referred on the grounds of 'beyond control of any relevant person', 'bad associations or moral danger', 'not attending school' and 'misused alcohol or drugs'. The most common ages for referral on these grounds were 14 and 15 years.

Figure 10. Other non-offence grounds of referral in 2009/10



Children referred on offence grounds

In 2009/10, 10,012 children aged between eight and 17 years were referred to the Reporter on offence grounds. These children were referred for 35,239 alleged offences on 22,585 referrals. The most common types of alleged offences remain assault, breach of the peace and vandalism. These categories comprise over 60% of all alleged offences referred.

Table 7. Offences referred

Offence type	Number of alleged offences referred			
	2006/07	2007/08	2008/09	2009/10
Breach of the peace	11,812	10,699	8,963	7,642
Assault	10,084	8,724	7,582	7,245
Vandalism/malicious mischief	13,212	10,262	8,864	6,593
Theft - other	2,977	2,386	2,445	1,938
Theft - shoplifting	2,633	2,329	2,178	1,766
Road Traffic Act offence	3,173	2,004	1,570	1,332
Carrying an offensive weapon	1,832	1,507	1,119	938
Theft by housebreaking	1,087	957	773	597
Resisting arrest	910	836	655	580
Wilful or malicious fire raising	1,089	825	683	532
Possession of drugs	704	669	677	514
Theft of motor vehicle	708	611	280	253
All other offences	9,227	8,080	6,357	5,309
Total alleged offences*	59,448	49,889	42,146	35,239

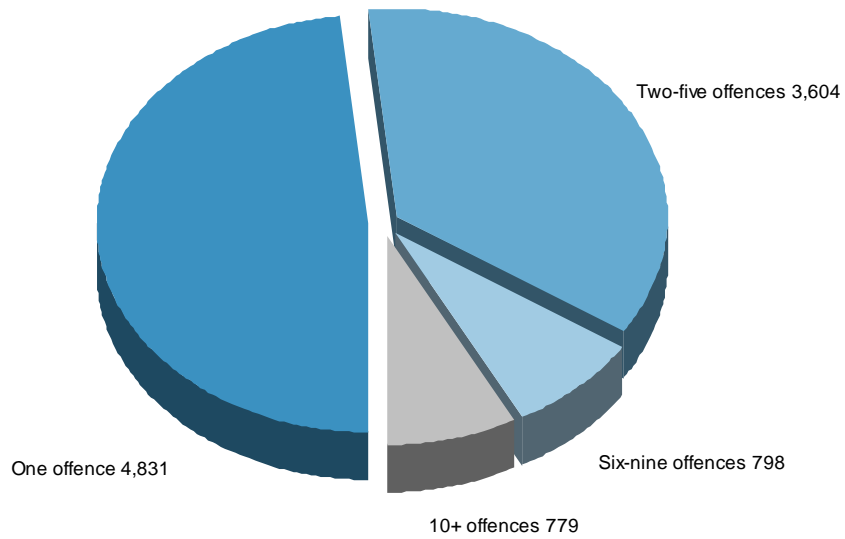
*The total figures above include offences dealt with by the Procurator Fiscal in the Criminal Justice System, but which were originally jointly reported to the Reporter. This applies to very serious offences.

All offence types named in Table 7 decreased between 2008/09 and 2009/10. The largest drop was for 'vandalism/malicious mischief' which fell by 25.6%. The overall number of alleged offences fell by 16.4%.

Figure 11 shows that nearly half of all children referred on offence grounds (48.3%), committed only one alleged offence in 2009/10.



Figure 11. Number of alleged offences per child referred on offence grounds in 2009/10



Custody referrals to the Procurator Fiscal and the Reporter

Where a child has been taken into custody, a decision will be taken as to whether to refer the child either to the Procurator Fiscal or the Reporter (following a discussion between the Procurator Fiscal and the Reporter).

Table 8. Custody referrals

	Number of children			
	2006/07	2007/08	2008/09	2009/10
Custody referral to the Reporter	477	408	86	76
Custody referral to the Procurator Fiscal	307	292	183	181

The number of children with custody referrals to the Reporter decreased by 11.6% in 2009/10, while the number of children referred to the Procurator Fiscal was largely in line with the 2008/09 statistics.



Reporter decisions on children referred

Reporters investigate as necessary when a referral is received. They do so by obtaining information on the child and their circumstances from relevant agencies.

There is a wide network of partner agencies that Reporters can ask for advice, with the main agencies outlined in Table 9.

Table 9. Communications requested by the Reporter, by receiving agency

	2006/07	2007/08	2008/09	2009/10
Social Work	65,485	62,005	60,727	57,621
Education	32,316	31,321	31,377	29,674
Health	2,255	2,240	2,710	2,564
Restorative Justice	2,175	2,060	1,527	1,039
Other	235	77	41	74
Total requests*	102,466	97,703	96,382	90,972

* A large proportion of these requests are for information not relating to referrals such as Supervision Requirement reviews. A small percentage of requests are also cancelled before being sent.

The level of information required in each report can vary significantly. For social work requests, depending on the report type, the Reporter can request anything from background information about the child referred, to a comprehensive assessment of the child's situation that would involve social work contacting the family as well as any other agencies involved in the child's upbringing.

Education authorities can be asked by the Reporter to provide information about a child's attendance at school or about their behaviour.

Health (utilising information from health visitors, community psychiatric nurses and Children and Adolescent Mental Health Services) can provide relevant information on the impact on the child or family of particular health issues. The information that health visitors provide is especially important as it can indicate if the child is failing to thrive (through growth centiles and developmental measures).

If the child has committed an offence, restorative justice reports can be used to assess the suitability and willingness of the young person to engage with the Restorative Justice Service.

The family may also be asked to provide any relevant information when they are notified that a referral has been received by the Reporter. This allows the family to inform the Reporter of any factors that may affect a Reporter decision on the referral i.e. any changes in circumstances or any measures the family have taken as a result of the referral.

Once any required information has been received, the Reporter will analyse the situation and make a decision about whether to arrange a Children's Hearing based on their assessment of the need for compulsory intervention in the child's life. At this stage they also decide the category and grounds of the referral, ensuring that if the case is to go to a Children's Hearing, there is sufficient evidence for the grounds to be proven in court, if necessary.

Where the Reporter has arranged a Children's Hearing, they are obliged, if they have not previously done so, to request a report for information about the child from the local authority.



Reporters have other options available to them to find the right help for children. The other decisions that a Reporter may make in relation to a referred child include asking the local authority to provide voluntary advice, guidance and assistance to the child, to take no action because there is insufficient evidence, or to take no formal action because other intervention is more appropriate (e.g. family support or diversion).

Table 10. Reporter decisions in 2009/10*

Reporter decision	Number of children		
	Non-offence	Offence	Total
Arrange Children's Hearing (on new grounds)	5,162	1,397	6,184
No indication of a need for compulsory measures	15,743	4,538	19,601
No Hearing - insufficient evidence to proceed	9,755	1,122	10,771
No Hearing - measures already in place	4,366	2,811	6,052
No Hearing - refer to local authority	5,022	1,160	5,777
No Hearing - family have taken action	2,384	383	2,729
No Hearing - diversion to other measures	74	1,404	1,448
Total**	36,264	9,949	42,860

* Data in this table relates to cases decided in 2009/10 as opposed to referrals received in 2009/10.

** The totals do not equal the sums as children can be referred more than once in the year and may have multiple Reporter decisions. The totals count each child once.

In 2009/10, 14.4% of children (6,184) with cases decided had a Reporter decision to arrange a Children's Hearing on at least one referral. For 45.7% of children (19,601), Reporters decided that there was no indication of a need for compulsory measures on at least one of their referrals.



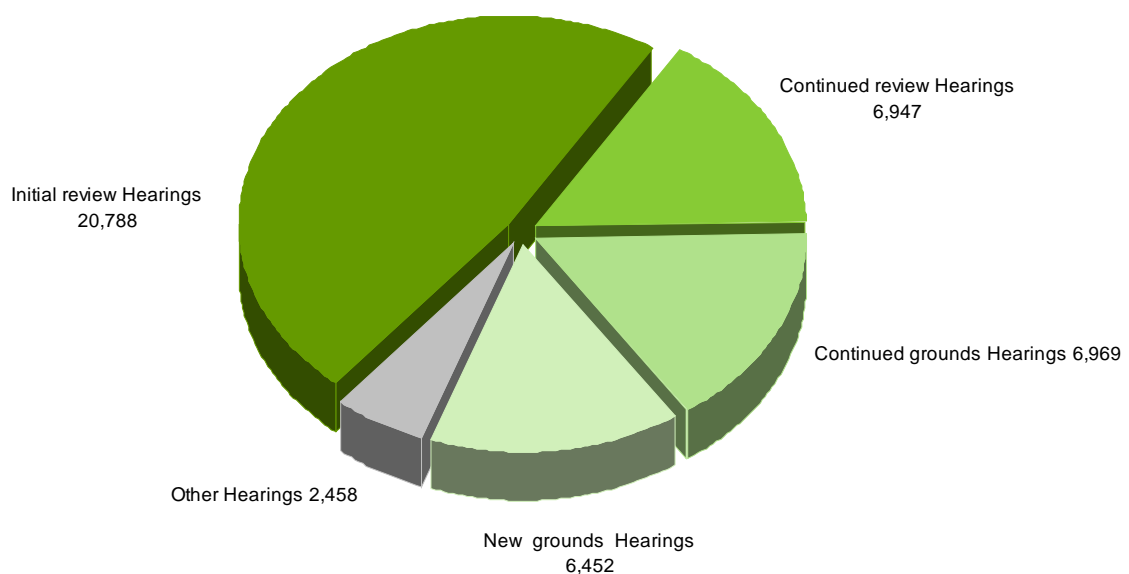
Number of Children's Hearings held

Despite the decreases seen in the number of children referred in the last three years, the number of Children's Hearings continues to rise. In 2009/10, 43,614 Children's Hearings were held for 19,843 children. This was a 1.7% increase in Hearings compared to 2008/09.

Table 11. Number of Children's Hearings held

	2006/07	2007/08	2008/09	2009/10
Number of Children's Hearings	41,891	42,302	42,866	43,614

Figure 12. Breakdown of types of Hearings held in 2009/10



Of the 43,614 Hearings in 2009/10, 14.8% (6,452) related to new grounds.

Almost 64% (27,735) of Hearings were linked to initial review or continued review Hearings for Supervision Requirements. A Supervision Requirement must be reviewed at least once annually. A review will take place earlier than this if required by the family/relevant person, the child, the social worker or the Hearing. These Hearings exclude initial review Hearings and continued review Hearings which contained new grounds.

For the remaining Hearings, 16% (6,969) related to grounds that were continued at the initial Hearing stage and 5.6% (2,458) were due to other Hearing types such as Place of Safety Warrants, considerations of CPOs or to provide advice to court (excluding those Hearings that contained new grounds).



Applications to the Sheriff for proof

If the child and/or their relevant persons do not accept some or all of the grounds for referral which form the basis of the Children's Hearing, or the child does not understand the grounds, the Children's Hearing may direct the Reporter to apply to the Sheriff to establish the grounds for referral (section 68 of the Children (Scotland) Act 1995). This was the case for 59.9% of initial ground Hearings and 5.5% of continued ground Hearings in 2009/10. Overall, 4,289 applications were concluded for 4,137 children in 2009/10 and 89.4% were held to be established by the Sheriff.

Figure 13. Applications to the Sheriff for proof in 2009/10

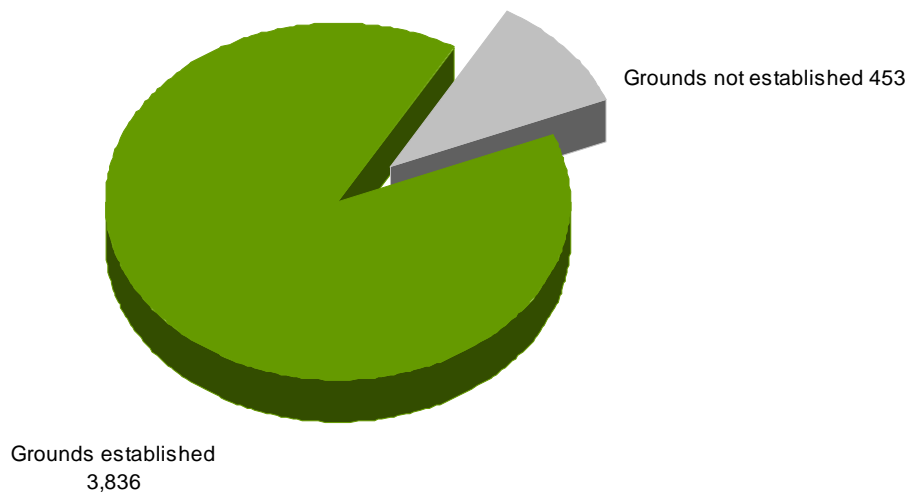


Table 12. Applications to the Sheriff for proof in 2009/10

Applications by type	Applications
Grounds not understood by child (or child not capable of understanding grounds) and denied by relevant persons	2,843
Grounds denied by child and relevant persons	638
Grounds not understood by child (or child not capable of understanding grounds) and accepted by relevant persons	610
Grounds accepted by child and denied by relevant persons	80
Grounds denied by child and accepted by relevant persons	40
Other	78
Total	4,289

When an application to the Sheriff for proof has been established, the grounds are referred back to a Children's Hearing to decide what/if compulsory measures are necessary.



Compulsory measures of intervention

Children's Hearings decide whether compulsory measures of intervention are necessary (in respect of the child) to protect the child and/or address their behaviour.

Child Protection Orders and Place of Safety Warrants

Children's Hearings can make short-term decisions to address emergency and/or high risk situations where measures have to be put in place immediately to protect children or address their behaviour. This may include Hearings arranged as a result of the Sheriff granting a CPO.

In 2009/10, Children's Hearings:

- Considered¹⁴ the cases of 665 children with CPOs under section 59(2) of the Children (Scotland) Act 1995; and
- Made 2,044 children subject to Place of Safety Warrants under sections 66(1) and 69(7) of the Children (Scotland) Act 1995.

There is a significant link between CPOs and Place of Safety Warrants. CPOs will be continued at a second working day Hearing if it is felt that the child is still at significant risk and can only be in place for eight working days in total, when the grounds will be referred to a Hearing (if required). At this point, one of the options open to a Hearing is to make a Place of Safety Warrant which requires the child to be kept in a place of safety away from home (a child must be at significant risk for this measure to be considered).

Place of Safety Warrants can therefore be used to protect the child while the grounds of the referral are established at proof or where the Hearing is continued to allow the Reporter to gather evidence about the grounds of referral. Of the CPOs that proceeded to an eighth working day Hearing in 2009/10, 95% had a Place of Safety Warrant issued and 97% were sent to the Sheriff to establish the grounds for referral¹⁵.

Table 13. Place of Safety Warrants made

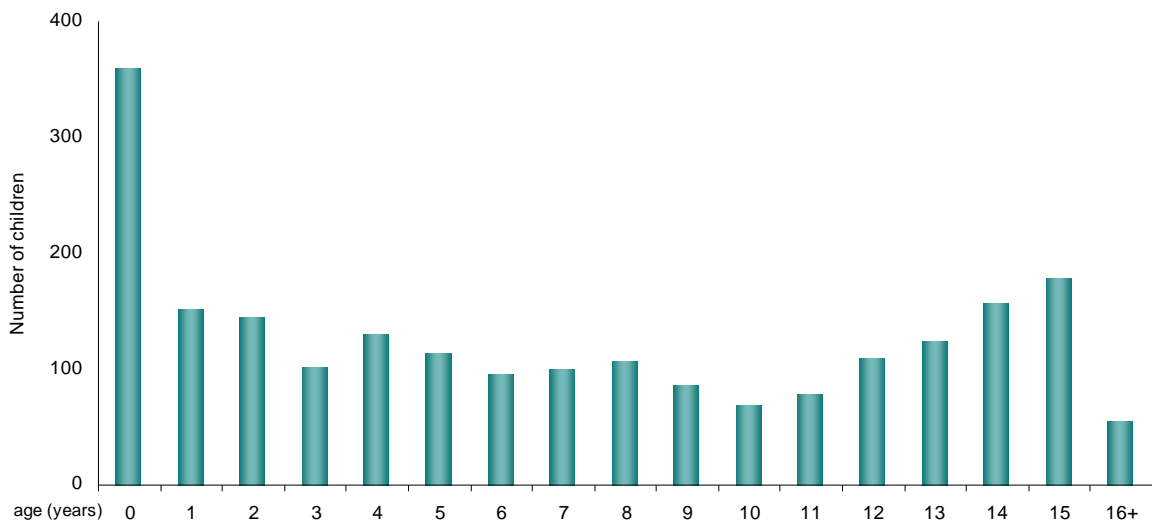
	Number of children			
	2006/07	2007/08	2008/09	2009/10
Place of Safety Warrants made	2,016	1,917	2,078	2,044

¹⁴ The Hearing may continue a CPO, which has already been approved by a Sheriff, with or without a variation to the condition(s). The Hearing may also decide not to continue a CPO.

¹⁵ A Place of Safety Warrant may also be issued and referrals may be sent for proof at subsequent Hearings.



Figure 14. Children with Place of Safety Warrants made in 2009/10



Place of Safety Warrant numbers are highest for children aged under one, but are also common for older children.

Supervision Requirements

Supervision Requirements are the most common form of compulsory intervention made by Children's Hearings. They are also the only longer-term option available to Hearings. It is the statutory responsibility of local authorities to implement Supervision Requirements.

At Children's Hearings in 2009/10, 4,580 children had a new Supervision Requirement made on grounds referred, see Table 14.

Table 14. Hearings' decisions in 2009/10

Hearing decision	Number of children		
	Non-offence	Offence	Total
Grounds accepted/established and new Supervision Requirement made	4,274	549	4,580
Grounds accepted/established and considered in review of existing Supervision Requirement	275	687	921
Grounds discharged	541	551	1,040
Total*	5,007	1,384	6,015

* The totals do not equal the sums as children can have more than one Hearing decision on different grounds contained within a referral or may have more than one referral on new grounds sent to a Hearing during the year. The totals count each child once.

At 31 March 2010, 13,829 children were subject to Supervision Requirements. This is 1.5%¹⁶ of all children in Scotland.

Table 15. Supervision Requirements in place at 31 March

	Number of children			
	2007	2008	2009	2010
Supervision Requirements in place at 31 March	12,644	13,219	13,523	13,829

¹⁶ 16 % of population aged under 16 years, based on mid-year estimates for 2009 from the General Register Office for Scotland.



As with Children’s Hearings, the number of children subject to Supervision Requirements has risen year on year, and was higher in 2009/10 than any previous year.

Children aged under eight subject to Supervision Requirements increased by 341 in 2009/10 while there was a decrease of 35 for children aged eight and over.

The types of Supervision Requirements in place at 31 March 2010 are shown in Table 16.

Table 16. Supervision Requirements in place at 31 March 2010

Types of Supervision Requirement	Number of children
With parent/relevant person	7,136
With other approved foster parent	3,094
With relative/friend - other	1,399
With relative/friend - approved foster parent	810
Local authority home	429
Residential school	379
Other residential placement	163
Other	91
Independent living	28
Special School	9
Voluntary home	7
Assessment centre	6
Other non-residential placement	5
In hospital	<5
None recorded	271
Total	13,829

Children can be subject to Supervision Requirements for varying lengths of time depending on their requirement for ongoing compulsory measures. Almost a third of children (4,419) subject to Supervision Requirements at 31 March 2010 have been on supervision for under a year, while 15.5% (2,145) have been on supervision for five or more years.

The lengths of Supervision Requirements in place at 31 March 2010 are shown in table 17.

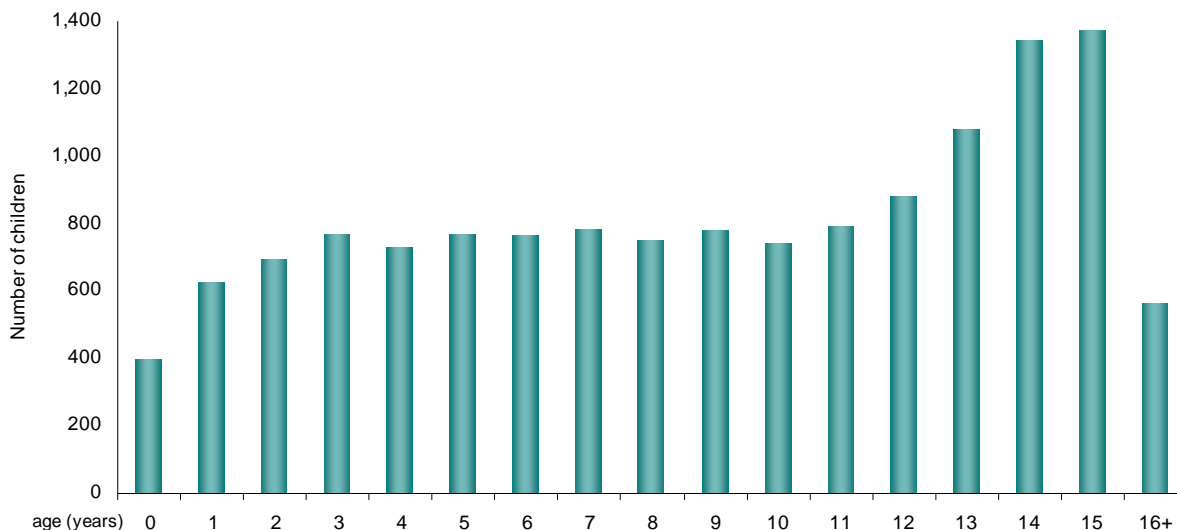
Table 17. Supervision Requirements in place at 31 March 2010

Length of Supervision Requirement	Number of children
Under 1 year	4,419
1 – 2 years	3,015
2 – 3 years	2,067
3 – 4 years	1,309
4 – 5 years	874
5+ years	2,145
Total	13,829



The most common ages of children subject to Supervision Requirements continue to be 14 and 15 years. Figure 15 shows the number of Supervision Requirements by age.

Figure 15. Supervision Requirements in place at 31 March 2010



Secure Authorisations made by Children's Hearings

Secure Authorisations can be made as conditions of Warrants or Supervision Requirements. The criteria by which they can be made are set out in section 70(10) of the Children (Scotland) Act 1995:

"(a) that the child, having previously absconded, is likely to abscond and, if he absconds, it is likely that his physical, mental or moral welfare will be at risk: and

(b) that the child is likely to injure himself or some other person."

Table 18. Secure Authorisations made by Children's Hearings

	Number of children			
	2006/07	2007/08	2008/09	2009/10
As a condition of Warrants	207	197	183	180
As a condition of Supervision Requirements	174	173	164	141

Children with Secure Authorisations as a condition of Warrants remained similar to 2008/09 levels while Secure Authorisations as a condition of Supervision Requirements decreased by 14%.

Appeals

Children and/or their relevant persons can appeal to the Sheriff against decisions made by Children's Hearings. In 2009/10, 775 appeals were made about 619 children. At appeal, 64% of the Hearings' decisions were upheld by the Sheriff.

Table 19. Appeals to the Sheriff

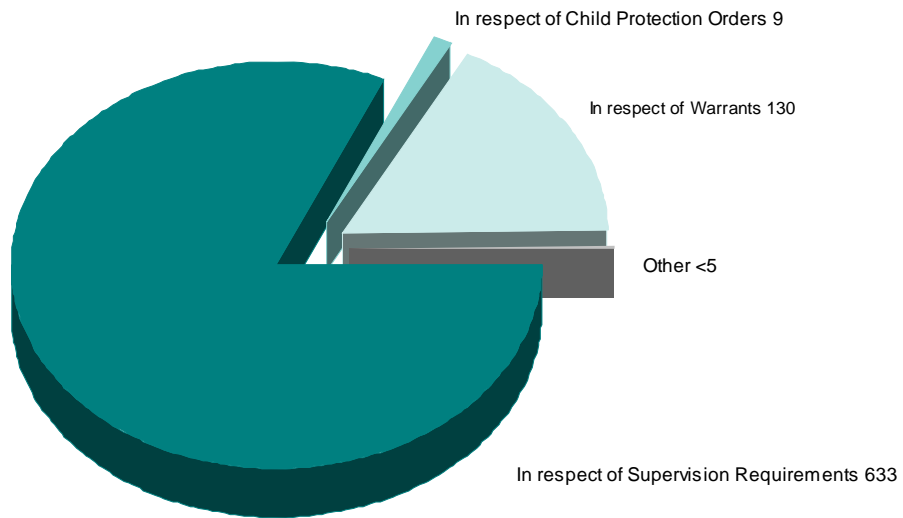
	2006/07	2007/08	2008/09	2009/10
Total appeals	435	582	592	775
% Hearings' decisions upheld	64%	71%	65%	64%



In three-quarters of the cases where a Hearing decision wasn't upheld, the Sheriff remitted the case back to a Children's Hearing for a decision on compulsory measures.

The types of appeals against Children's Hearings' decisions are displayed below. The most common type of appeal is in respect of Supervision Requirements, whether made, varied or continued. This is expected in the context of Supervision Requirements being the most common outcome of Hearings.

Figure 16. Appeals against Hearings' decisions in 2009/10



Time taken to progress referrals through the Children’s Hearings System

The Time Interval (TI) Standards for the Children’s Hearings System were published in 2001¹⁷. There are 14 standards covering various aspects of the process within the Hearings System and the different agencies involved. Those of most relevance to SCRA are shown below.

Table 20. Performance against Time Interval Standard targets in 2009/10

Time Interval (TI) Standard	National target	Total number	Number on time	% on time
Standard TI4 – The Reporter will make a decision about a referral within 50 working days of receipt	60%	74,702 referrals	57,124 referrals	76%
Standard TI5 – The Reporter will inform the child and family of the outcome of a referral within 5 working days of making a decision	60%	59,747 tasks	49,214 tasks	82%
Standard TI6 – Hearings will be scheduled to take place within a maximum of 20 working days of the Reporter’s decision	90%	10,046 referrals	7,500 referrals	75%
Standard TI8 – All relevant people, information and resources will be available to Hearings to ensure that continuations are kept to a minimum	75%	23,374 Hearings	17,510 Hearings	75%
Standard TI14 – The child and family will be sent written notification of the outcome of a Hearing within 5 working days of the Hearing	60%	44,563 tasks	42,149 tasks	95%

SCRA continued its good performance against the Time Interval Standards in 2009/10, despite the levels of complex casework experienced.

SCRA’s performance met or exceeded four of the five relevant targets (TI4, TI5, TI8 and TI14).

Table 21. Performance against Time Interval Standard targets

Time Interval (TI) Standard	National target	2006/07	2007/08	2008/09	2009/10
TI4	60%	66%	70%	77%	76%
TI5	60%	60%	75%	85%	82%
TI6	90%	69%	69%	75%	75%
TI8	75%	73%	74%	75%	75%
TI14	60%	88%	91%	95%	95%

Table 21 shows that SCRA equalled its highest performance in recent years in three measures, with the other two just slightly below the levels set in 2008/09, illustrating the good performance achieved during 2009/10.

¹⁷ Scottish Executive (2001) Blueprint for the Processing of Children’s Hearings Cases. Inter-agency Code of Practice and National Standards.



Working days from referral receipt to Hearing decision

The average times taken from receipt of referral to Hearing decision have improved considerably in 2009/10. This improvement is especially notable against a background of complex casework and increasing numbers of Children’s Hearings held.

Of the 5,007 children with care and protection based Hearing decisions and the 1,384 children with offence based Hearing decisions (Table 14), the average working days from referral receipt to Hearing decision is shown in Table 22.

Table 22. Average working days from referral receipt to Hearing decision

	2006/07	2007/08	2008/09	2009/10
Offence cases	71	68	64	64
Non-offence cases	130	129	120	124

The median for offence referrals was 51 days against an average of 64 days, while the median for care and protection referrals was 112 days against an average of 124 days.

The difference between the average and the median (13 days for offence referrals and 12 days for care and protection referrals) illustrates the effect that prolonged cases have on the overall performance on this measure.

There are four distinct processes within which referrals with Hearing decisions can be profiled. The average working days for each process in 2009/10 are contained in Figure 17. The differences in profiles between care and protection and offence referrals reflect the added complexities that can occur in making Reporter decisions and establishing grounds for care and protection referrals.

Figure 17. Average working days profiles from referral receipt to Hearing decision in 2009/10

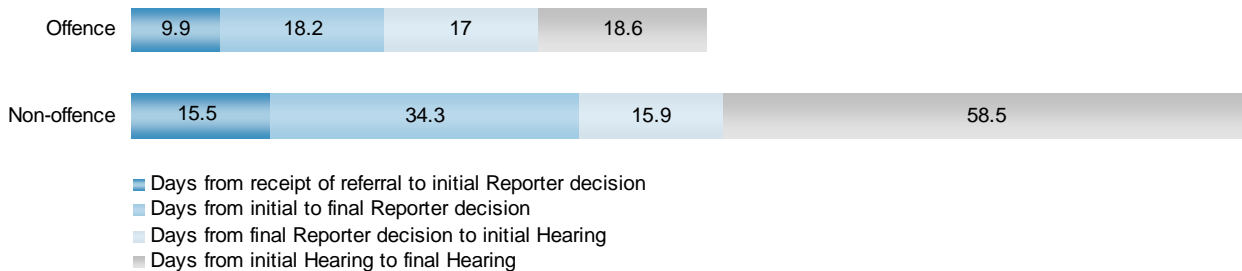


Table 23. SCRA's performance against targets in 2009/10

Performance against the Key Performance Indicators (KPIs) contained in the 2008-11 Corporate Plan has been good, with 11 of the 15 reportable indicators met for the year, despite the increase in targets seen from 2008/09.

Outcomes for Children and Families	Target 2009/10	Performance 2009/10	Change from 2008/09
The percentage of Hearings scheduled to take place within 20 working days from Reporter decision	71%	75%	down 0.2%
The percentage of Hearings scheduled to take place within 30 working days from Reporter decision	92%	92%	up 0.5%
The percentage of written notifications of referral outcomes sent to children and families from the Reporter within 5 working days	85%	82%	down 2.8%
The percentage of written notifications of Hearing decisions sent to children and families from the Reporter within 5 working days	90%	95%	down 0.5%
The percentage of decisions on referrals made within 50 working days of receipt	68%	76%	down 0.1%
The average number of days for referrals on offence grounds from date of receipt of referral to Hearing decision	67	64	none
The average number of days for referrals on non-offence grounds from date of receipt of referral to Hearing decision	123	124	increased by 4 days
Outcomes for Panel Members, Partners and Staff	Target 2009/10	Performance 2009/10	Change from 2008/09
The percentage of non-offence applications established at court	94%	92%	down 0.9%
The degree to which SCRA core properties comply with SCRA property standards	79%	80%	up 1.0%
The percentage of initial Hearings proceeding to disposal	75%	75%	down 0.1%
Organisational Efficiency Outcomes	Target 2009/10	Performance 2009/10	Change from 2008/09
Variance in annual revenue spends as a percentage of the available revenue budget	Within 5%	1.8%	n/a
Variance in annual capital spends as a percentage of the available capital budget	Within 10%	5.1%	n/a
The percentage of efficiency savings achieved in the year and re-invested in frontline services	1.5%	Target met	n/a
The percentage of staff turnover savings achieved in the year – Regions	4.25%	2.6%	n/a
The percentage of staff turnover savings achieved in the year – Head Office	4.25%	7.8%	n/a

Key

Target met

Within 1 day of target

Target not met



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