



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION

29 June 2009

David Stewart MSP
Scottish Parliament
Room M1.05
Holyrood
Edinburgh
EH99 1SP

Principal Reporter/Chief Executive:
Netta Maciver OBE

If calling please ask for:
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Dear Mr Stewart,

A VICTIMS' COMMISSIONER FOR SCOTLAND

Thank you for contacting the Scottish Children's Reporter Administration (SCRA) in relation to your consultation on a Scottish Victims Commissioner.

We were interested to read the consultation document and recognise that people can suffer greatly in the aftermath of crime, regardless of the age of the perpetrator. SCRA is committed to working with our partner agencies to ensure victims of youth crime receive the most appropriate support and advice. We hope that the information provided below on the steps currently taken within the Children's Hearings System to ensure victims of youth crime receive the help and support to which they are entitled is of interest to you.

Victims Strategy

This Strategy, containing SCRA's Implementation Plan, aims to complement the Scottish Victims Strategy and clearly define SCRA action to ensure that victims of youth crime who are involved in the Hearings System receive the support to which they are entitled.

There are five broad principles which underpin the strategy:

- Recognition of the importance of the victim of crime and the need to provide practical and emotional support to assist recovery and the prevention of further crime or secondary victimisation.
- Recognition that victims have a legitimate interest in the cases within which they are involved.
- Commitment to provide explanations for victims about the Children's Hearings System and other processes with which they are involved.
- Commitment to offer victims information on the outcome of their case.
- Recognition that victims should be enabled to have a voice throughout stages of the Children's Hearings System.

Victim Information Service

Historically in the Children's Hearings System, victims of youth crime were legally not able to be provided with information about the outcome of the offences committed against them. However, section 53 of the Criminal Justice (Scotland) Act 2003 gave powers to the Principal Reporter to give victims of youth crime the opportunity to receive information about the outcome of offence(s) against them by a child or young person, whilst also protecting the child's right to confidentiality.

Since February 2006, in Central, Tayside, Grampian, Dumfries & Galloway and Fife police force areas, SCRA has routinely provided victims with information regarding the outcome of their cases. SCRA has set up a Victim Information Team to help deliver this service to victims. Funding has now been secured to roll the service out across Scotland from September 2009.

The principles of SCRA's Victim Information Service are:

- to provide victims of youth crime with access to routine information about the Children's Hearings System,
- to provide specific information to victims (and others specified, such as insurance companies) about what has happened to the referral to the Reporter, of the child or young person responsible for the offence,
- to protect the right of the child or young person to confidentiality.

The process involves the victim of an offence being identified from the police report when the child or young person is referred to the Reporter. Reporters then write to victims at key stages of their investigation and decision-making. Victims can opt out of this service if they do not want to receive this information.

Any subsequent contact from the victim will be responded to by an SCRA "Victim Information Co-ordinator". Victim Information Co-ordinators also provide the point of contact for requests for information from the Criminal Injuries Compensation Authority and insurance companies and can provide links to other organisations, for example Victim Support Scotland.

Information Leaflets

SCRA provides two information leaflets on the operation of the Children's Hearings System which are specifically written with victims of youth crime in mind. These are available in different formats on request. We endeavour to ensure that any communication sent to victims about Children's Hearings proceedings is straightforward and easily understandable.

We remain open to engagement with groups that experience particular challenges in participating in the Children's Hearings System process and would encourage you to get in touch with us about any specific issues you might like to raise.

Yours sincerely



Nick Hobbs
Policy Officer

Enc:

- SCRA Victim Strategy

http://www.scra.gov.uk/cms_resources/SCRA%20Victim%20Strategy.pdf

- Information for Victims of Youth Crime leaflet

http://www.scra.gov.uk/cms_resources/Information%20for%20Victims%20of%20Youth%20Crime.pdf

- A Victim's Guide to the Children's Hearings System leaflet

http://www.scra.gov.uk/cms_resources/Printers%20proof%20-%20signed%20off%20version%2016.10.08.pdf