

Youth Offending

Focused on children most at risk, our fundamental purpose is to:

- make effective decisions about a need to refer a child to a Children's Hearing
- enable children and families to participate in Hearings
- provide suitable accommodation for Children's Hearings
- disseminate information and data to inform and influence improved outcomes for children and young people

Background and context

'Preventing Offending by Young People – A Framework for Action' was published in June 2008. The multi-agency Framework outlines a shared vision of what should be done by national and local agencies working with children and young people who offend, or are at risk of offending, to prevent, divert, manage and change that behaviour. SCRA is fully supportive of the Scottish Government's approach to tackle youth offending.



Research and data

In 2008/09, 11,805 children were referred to the Reporter on offence grounds. This was a reduction of 18.6% on the previous year (14,506). 76% of the children referred were boys. Children can be referred to the Reporter on offence grounds from the age of 8 years. The most common ages for children to be referred are 14 and 15 years.

Offence types

The most common offence types referred to the Reporter are as follows:

- Breach of the Peace (4,726 children)
- Assault (4,086 children)
- Vandalism / Malicious Mischief (3,891 children)



Jointly reported cases

The Lord Advocate's Guidelines direct the police when cases involving children need to be reported both to the Procurator Fiscal and to the Reporter. Where a case is jointly reported, the Procurator Fiscal will make a decision on the most appropriate route for dealing with the offence.

Various factors will be taken into account in reaching this decision - the seriousness of the offence, the child's current situation and an assessment of the evidence required to support the alleged offence.

In 2008/09, of those children who were jointly reported, 738 were retained by the Procurator Fiscal and 1,456 were dealt with by the Reporter.

Age of criminal responsibility

Currently the Lord Advocate's Guidelines apply to all children over the age of 8 years. The Criminal Justice and Licensing (Scotland) Bill (which is currently going through the Parliamentary process) contains proposals to make changes to the age at which children can be prosecuted.

Under the proposals, no child under the age of 12 could be prosecuted, instead their offending behaviour would be dealt with in the Children's Hearings System. Many of these children also come to the attention of the Reporter due to concerns about their welfare and the Hearings System is able to ensure they get the most appropriate form of intervention and support, while addressing concerning behaviour.

