

Statistical Analysis 2013-14



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION



About this report

This report covers the period 1 April 2013 to 31 March 2014. It presents our full statistical analysis on children and young people involved in the Children's Hearings System in the year 2013/14.

SCRA transitioned to its new Case Management System during late 2012 and early 2013, in addition, the Children's Hearings (Scotland) Act 2011 was implemented during June 2013. These changes have impacted the types of information that we are able to gather and have affected the ability to provide historical comparisons in some cases.

Where valid data or historical comparisons are not available, this will be noted in the report. The changes have also led to issues around the quality of the data SCRA have available. As a result of this, error margins within this report are noted on page 25. Any errors noted through this report do not impact the overall trends.

All terminology within this report references the 2011 Act unless otherwise stated.

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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

Key facts in 2013/14

19,077

children and young people were referred.

2.1%¹

of all children and young people in Scotland were referred.

734

children and young people had Child Protection Orders received.

1,384

children and young people had joint reports to the Reporter and Procurator Fiscal.

74.8%

of all referrals were from the Police.

‘Lack of parental care’

‘close connection with a person who has carried out domestic abuse’ and ‘victim of a Schedule 1 offence’ were the most common grounds of referral.

20.4%

of children and young people with cases decided had a Reporter decision to arrange a Hearing on at least one referral in the year.

5,601

Pre-Hearing Panels/Business Meetings were held.

36,200

Children’s Hearings were held.

2,903

applications to the Sheriff for proof were concluded.

2,418

children and young people had interim orders/Place of Safety Warrants.

11,420

children and young people had Compulsory Supervision Orders in place at the 31st March 2014.

1.3%²

of all children and young people in Scotland had a Compulsory Supervision Order in place at the 31st March 2014.

805

children and young people had one or more appeals against decisions made by Children’s Hearings concluded.

¹ % of population aged under 16 years, based on mid-year estimates for 2013 from the General Register Office for Scotland.

² % of population aged under 16 years, based on mid-year estimates for 2013 from the General Register Office for Scotland.

Children and young people referred to the Reporter

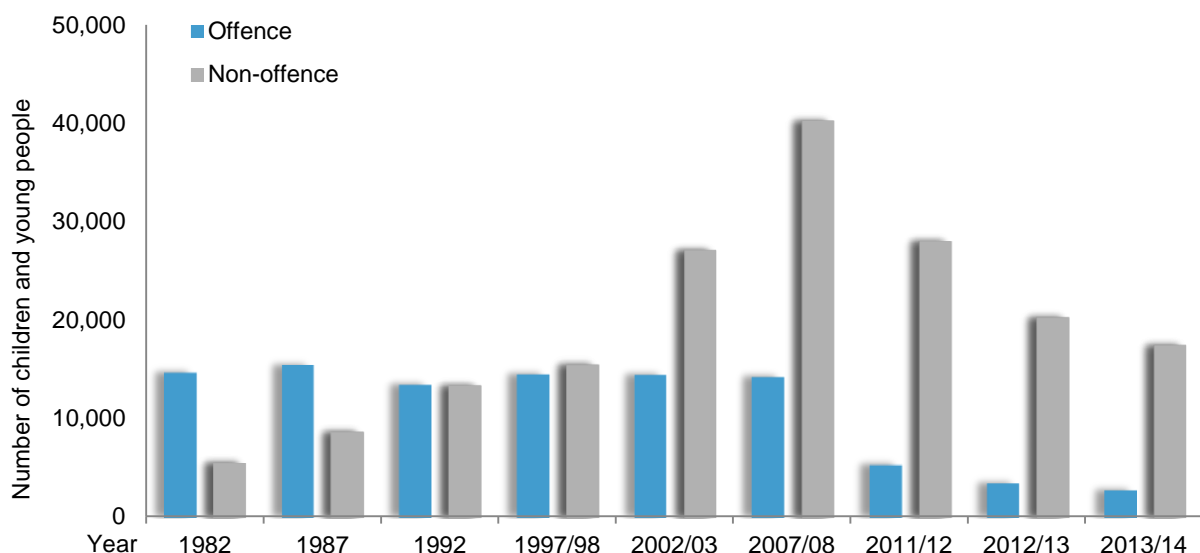
In 2013/14, 19,077 children and young people in Scotland were referred³ to the Reporter:

- 17,476 on non-offence (care and protection) grounds.
- 2,764 on offence grounds⁴.

The figure of 19,077 children and young people referred to the Reporter in 2013/14 represents 2.1% of all children and young people in Scotland⁵. Within this, 1.9% of all children and young people were referred on care and protection grounds and 0.6% of all children and young people aged between eight⁶ and 16 years were referred on offence grounds.

The number of children and young people referred to the Reporter has decreased for the seventh consecutive year and is at its lowest level since 1982 (year-on-year figures from 2003/04 onwards can be seen on the [Online Statistical Dashboard](#)). The 14.8% decrease from 2012/13 levels was due to reductions in the numbers of both children and young people referred on care and protection grounds (down 13.9%) and children and young people referred on offence grounds (down 20.4%). Figure 1 illustrates the changes over this period (broken down into five year grouping prior to 2011/12).

Figure 1. Children and young people referred by year



Increasing referral rates were seen in the years leading up to 2006/07. One of the most significant factors in this increase was police referrals for children and young people from families where there had been an incident of domestic violence. The volume of such referrals created massive demands within the system and led to concerted efforts by partner agencies to reduce referrals where there was no need for compulsory measures of supervision. It is important to note that there was no suggestion that these children and young people did not require help or support, simply that there was no need for it to be provided on a compulsory basis. Increasingly, recent years have seen a focus on early and effective intervention, through the prism of the GIRFEC and the Whole Systems approaches. The impact of this is highlighted through the reducing numbers of children and young people referred.

In most cases, the child or young person was not subject to a Compulsory Supervision Order (CSO) at the point of referral, see figure 2. Overall, 16% of children and young people referred were subject to a CSO at the point of referral on at least one referral during the year. This was the case for 14.2% of children and young people with care and protection referrals and 41.8% of children and young people with offence referrals (see page 19 for more information about CSOs).

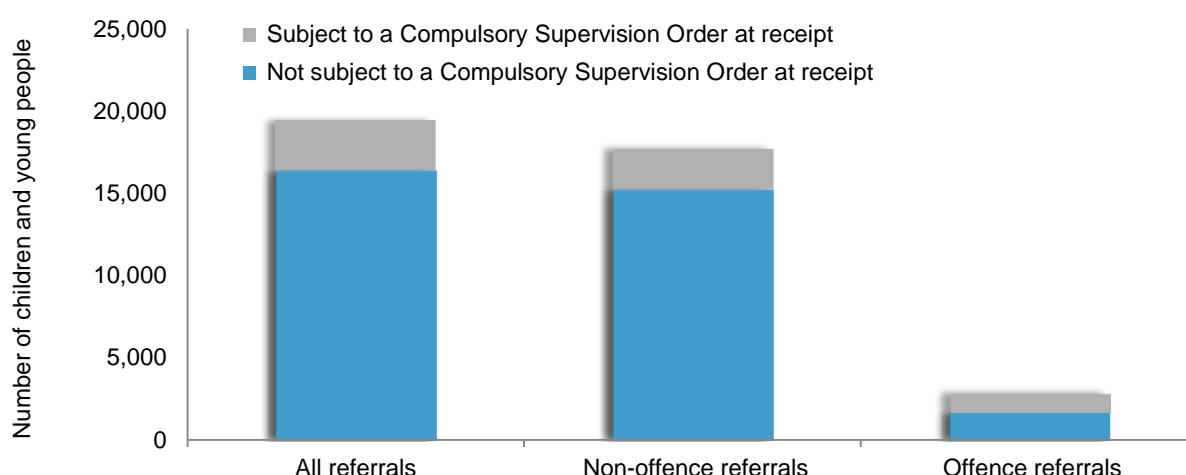
³ Reporters decide the category and the grounds of referral at the time of receipt based on information contained within the referral.

⁴ These figures include 1,163 children and young people who were referred on both types of grounds (care and protection and offence).

⁵ % of population aged under 16 years, based on mid-year estimates for 2013 from the General Register Office for Scotland.

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

Figure 2. Children and young people referred in 2013/14*



* Some children and young people may be referred on more than one category during the year (offence or non-offence grounds and on supervision, not on supervision).

Within the 19,077 children and young people referred to the Reporter in 2013/14, 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.

Child Protection Orders

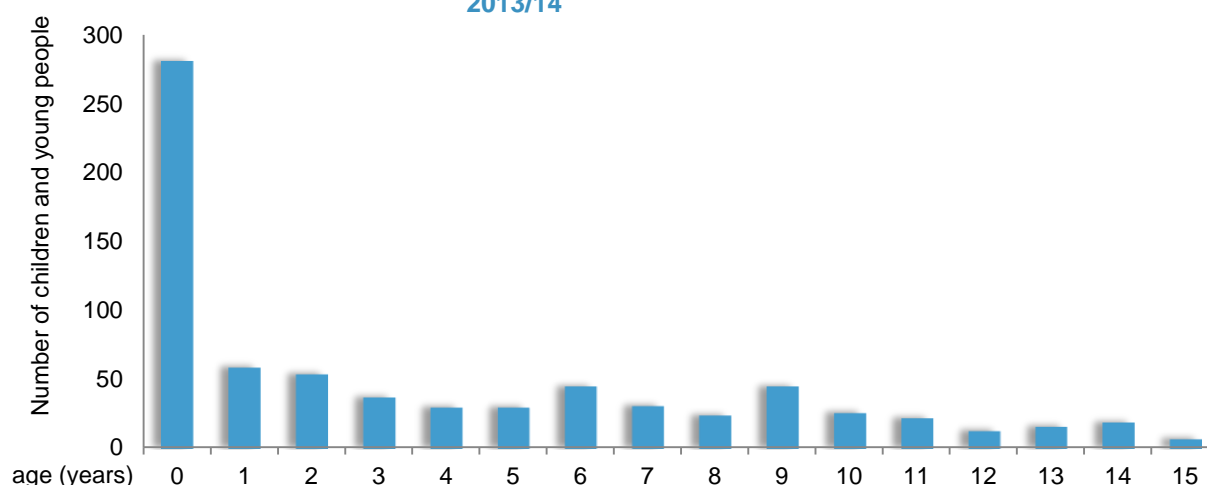
A Sheriff may grant a CPO to address emergency and/or high risk situations where measures need to be put in place immediately to protect a child or young person. The granting of a CPO requires the child or young person to be removed to (or kept in) a place of safety away from home. For this measure to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

Table 1. Child Protection Orders

	Number of children and young people			
	2010/11	2011/12	2012/13	2013/14
Children and young people with CPOs	678	781	743	734

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 3. Children and young people with Child Protection Orders received in 2013/14



Of the 734 children and young people with CPO referrals to Children's Hearings in 2013/14, 155 (21.1%) were aged under 20 days at the date of receipt and 339 (46.2%) were aged under two years.

Joint reports to the Reporter and Procurator Fiscal

Where a child or young person 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 and young people			
	2010/11	2011/12	2012/13	2013/14
Joint reports to the Reporter and Procurator Fiscal	1,695	1,335	1,210	1,384

In 2013/14, 1,384 children and young people were jointly reported on 2,954 referrals. The number of children and young people jointly reported has increased for the first time in the past nine years. Of those joint reports where the Procurator Fiscal had made a decision, 41.7% of cases were subsequently referred to the Reporter. Over half of children and young people (53.7%) with joint reports were subject to a CSO at the point of receipt for at least one joint report during the year.

Gender of children and young people referred

The number of girls referred to the Reporter fell by 14.7% (from 10,108 to 8,621) while the number of boys referred fell by 13.2% (from 11,854 to 10,292). This was an expected outcome in light of the overall drop of 14.8% in children and young people referred.

There was an almost equal number of boys and girls referred on care and protection grounds, whereas boys continued to make up the majority (75%) of children and young people referred on offence grounds. Boys were slightly more likely to be subject to a CSO at the point of receipt (17.2%) than girls (14.8%). Girls were however more likely though to be subject to a CSO at the point of receipt of offence referrals (48.8%) than boys (39.4%).

Table 3. Gender of children and young people referred in 2013/14

		Number of children and young people	%	Change from 2012/13
All grounds	Girls	8,621	45%	-14.7%
	Boys	10,292	54%	-13.1%
	Total	19,077⁷		-14.8%
Non-offence*	Girls	8,332	48%	-13.8%
	Boys	8,985	51%	-11.9%
	Total	17,476		-13.9%
Offence* (8 years and over) ⁸	Girls	683	25%	-24.7%
	Boys	2,077	75%	-18.5%
	Total	2,764		-20.4%

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

⁷ The total of 19,077 children and young people includes 164 whose gender was not recorded - this is broken down to 159 in the non-offence category and 4 in the offence category

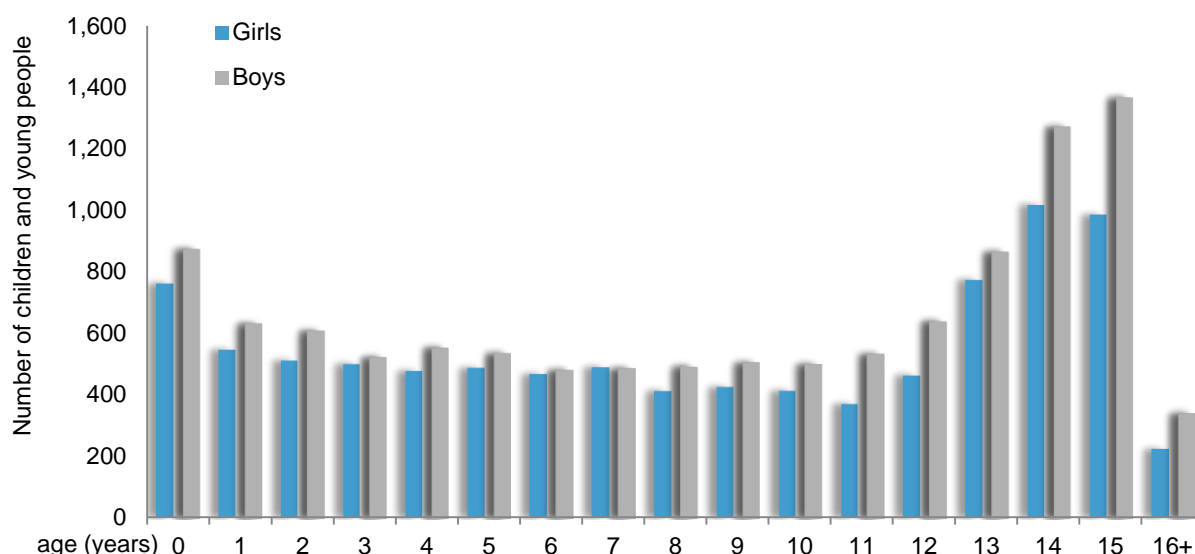
⁸ Eight years is the age of criminal responsibility in Scotland. Children and young people under eight years cannot be referred for offending.

Gender and age of children and young people referred

The most common ages for children and young people to be referred to the Reporter continue to be 14 and 15 years. This applies to both boys and girls.

Young people aged 16 and 17 years can be referred to the Reporter if they are still subject to Compulsory Supervision Orders or are remitted by a court. They can also be referred at that age if they had an open case which started prior to their sixteenth birthday. 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+ years⁹.

Figure 4. Age of children and young people referred by gender in 2013/14



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, lack of parental care or having close connection with a person who has carried out domestic abuse. 14.5% of all children and young people referred in 2013/14 were aged under two years.

Living arrangements of children and young people referred

Information around living arrangements of children and young people referred has been removed from this report due to the increased prevalence of other/not recorded living arrangements, this has led to the data not being of sufficient quality for inclusion in this report.

Referrals received

In 2013/14, 32,315 referrals were received by the Reporter, this was a 9.0% decrease from 2012/13 levels. Care and protection referrals decreased by 7.1% to 25,497 while offence referrals decreased by 15.5% to 6,818.

Table 4. Numbers of offence and non-offence referrals

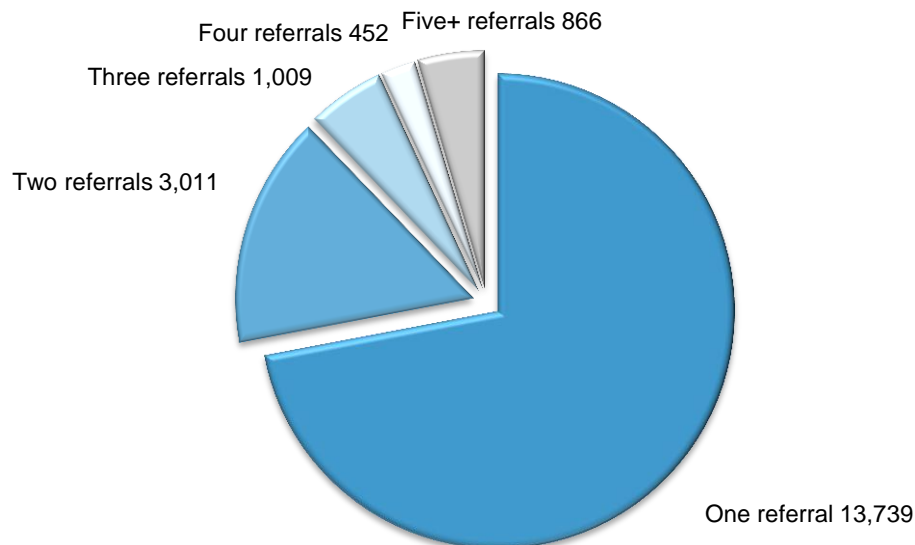
Type of referral	2010/11	2011/12	2012/13	2013/14
Offence	16,443	11,690	8,066	6,818
Non-offence	48,323	39,756	27,454	25,497
Total referrals ¹⁰	64,713	51,403	35,492	32,315

⁹ Young people aged 16 and 17 years are combined to provide an age group of 16+ years in this report.

¹⁰ 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.

Most children and young people (72.0%) were referred only once in the year, with 4.5% referred five or more times. For 27.2% of referrals, the child or young person was on CSO at the point of receipt, this was the case for 20.2% of care and protection referrals and 53.6% of offence referrals.

Figure 5. Referrals per child or young person 2013/14

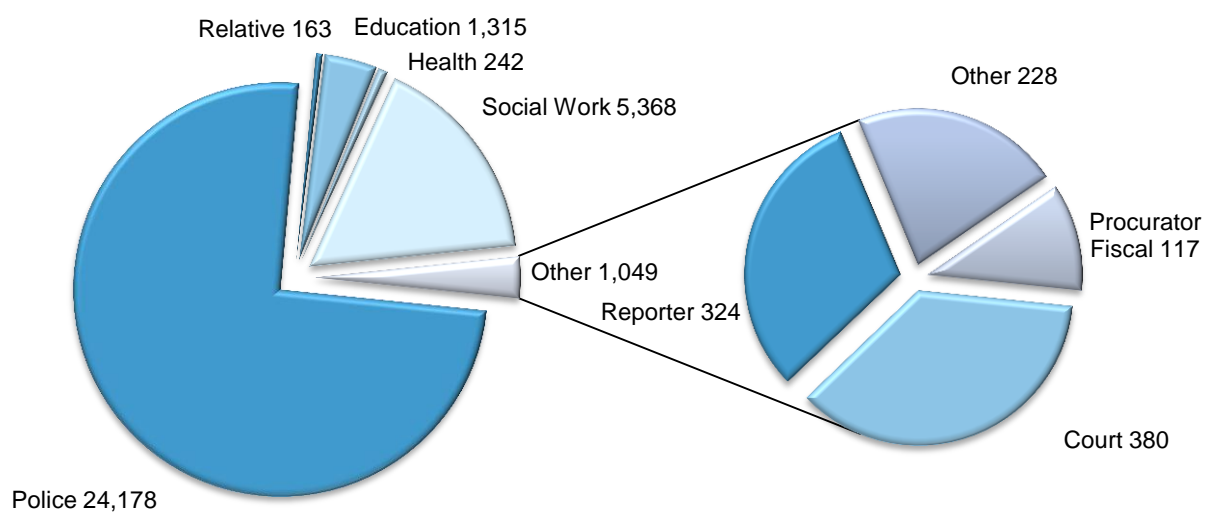


Three-quarters of children and young people had a single care and protection referral in the year. For offence referrals, 57.4% of children and young people referred had a single referral in the year. Girls (61.3%) were more likely than boys (56.0%) to be referred on a single occasion in the year on offence grounds.

Source of referrals

The police are the main source of referrals, comprising 74.8% of all referrals to the Reporter in 2013/14 - 99.1% of all offence referrals and 68.3% of all care and protection referrals.

Figure 6. Source of referrals in 2013/14



Grounds on which children and young people were referred to the Reporter

Due to the transition to the Children's Hearings (Scotland) Act 2011 during 2013/14, children and young people have been referred under this Act and the previous Act (Children (Scotland) Act 1995) during 2013/14.

Grounds of referral and number of children and young people referred – 1995 Act

The reasons (grounds) on which children and young people were referred to the Reporter prior to the 2011 Act are those set out in section 52(2) of the Children (Scotland) Act 1995, and are summarised in Table 5. The table also includes splits to show whether children were subject to Compulsory Supervision Orders (CSO) at the point of referral.

Table 5. Grounds of referral and number of children and young people referred – 1995 Act

Grounds of referral in 2013/14 – children referred under 1995 Act		On CSO	Not on CSO	Total
(a)	Beyond control of any relevant person	232	319	548
(b)	Bad associations or moral danger	65	177	242
(c)	Lack of parental care	201	1,418	1,618
(d)	Victim of a Schedule 1 offence *	119	947	1,065
(e)	Member of the same household as a victim of a Schedule 1 offence	14	149	163
(f)	Member of the same household as a Schedule 1 offender	7	72	79
(g)	Member of the same household as an incest victim and perpetrator	0	<5	<5
(h)	Not attending school	11	215	226
(i)	Allegedly committed an offence	413	429	834
(j)	Misused alcohol or drugs	24	40	64
(k)	Misused solvents	<5	<5	<5
(l)	In the care of the local authority, and special measures are necessary	6	10	16
Total children and young people referred**		933	3,237	4,154

*Any of the offences mentioned in Schedule 1 of the Criminal Procedure (Scotland) Act 1995 (offences against children to which special provisions apply).

**A child or young person may be referred to the Reporter more than once in the year on the same and/or different grounds and may be on CSO at the point of referral at one time and not on CSO at another. These totals count every child or young person referred to the Reporter during the year once.

Under the 1995 Act, 'lack of parental care' was the most common ground of referral followed by 'victim of a Schedule 1 offence' and 'offence'.

Grounds of referral and number of children and young people referred – 2011 Act

The reasons (grounds) on which children and young people are referred to the Reporter are those set out in section 67(2) of the Children's Hearings (Scotland) Act 2011, and are summarised in Table 6. The table also includes splits to show whether children were subject to a CSO at the point of referral.

Table 6. Grounds of referral and number of children and young people referred – 2011 Act

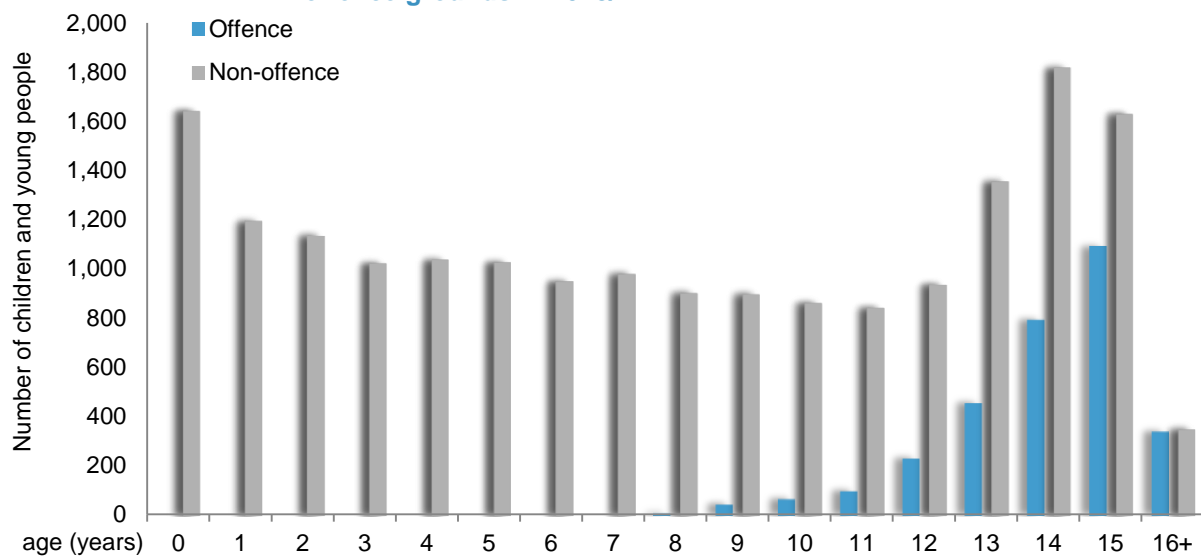
Grounds of referral – children referred under 2011 Act	On CSO	Not on CSO	Total
(a) Lack of parental care	577	5,522	6,060
(b) Victim of a Schedule 1 offence	334	2,349	2,680
(c) Close connection with a Schedule 1 offender	37	426	463
(d) Same household as a child victim of Schedule 1 offender	31	403	434
(e) Exposure to persons whose conduct likely to be harmful to child	166	922	1,084
(f) Close connection with a person who has carried out domestic abuse	315	2,978	3,275
(g) Close connection with Sexual Offences Act offender - Parts 1, 4 & 5	10	146	156
(h) Accommodated and special measures needed	31	39	70
(i) Permanence order and special measures needed	<5	<5	5
(j) Offence	999	1,402	2,324
(k) Misuse of alcohol	68	153	221
(l) Misuse of a drug	28	79	107
(m) Child's conduct harmful to self or others	401	755	1,143
(n) Beyond control of a relevant person	501	1,095	1,569
(o) Failure to attend school without reasonable excuse	48	847	893
(p) Pressure to enter into civil partnership (or same household as such a child)	0	0	0
(q) Force to marry (or same household as such a child)	0	8	8
Total children and young people referred*	2,553	13,489	15,823

*A child or young person may be referred to the Reporter more than once in the year on the same and/or different grounds and may be on CSO at the point of referral at one time and not on CSO at another. These totals count every child or young person referred to the Reporter during the year once.

Under the 2011 Act, 'lack of parental care' was the most common ground of referral followed by 'close connection with person who has carried out domestic abuse', 'victim of a Schedule 1 offence' and 'offence'.

The age breakdown of children and young people referred on both offence and care and protection grounds and under the 1995 Act and 2011 Act is shown in Figure 7. The most common ages for children and young people to be referred to the Reporter on care and protection and offence grounds was 14 and 15 years.

Figure 7. Age of children and young people referred on offence* and non-offence grounds in 2013/14

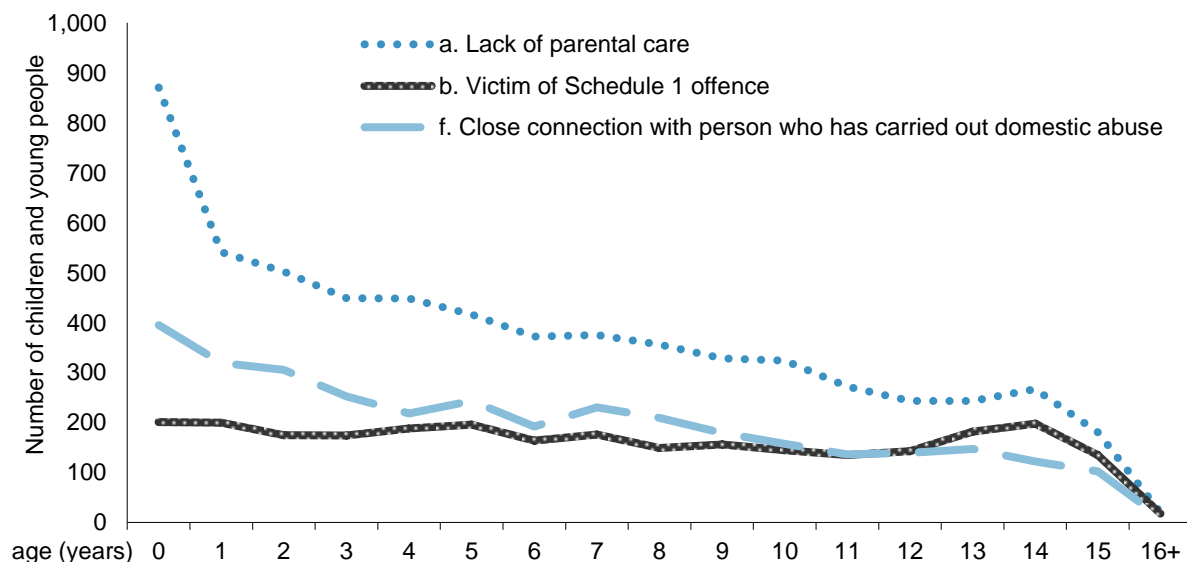


* Eight years is the age of criminal responsibility in Scotland. Children and young people under eight years cannot be referred to the Reporter for having committed an offence. Such behaviour in a child or young person aged under eight years may be referred under another ground (e.g. 'beyond control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

Children and young people referred on care and protection grounds under the 2011 Act

The main care and protection grounds of referral under the 2011 Act are outlined in figure 8 below.

Figure 8. Non-offence grounds of referral in 2013/14 - 2011 Act



Children and young people of all ages were referred because of lack of parental care, but numbers generally decreased with age. Very young children were more likely to be referred on this ground, with more referred in the first year of their life than any other age (870). 23.0% of the children and young people referred on this ground were aged between birth and two years (1,391).

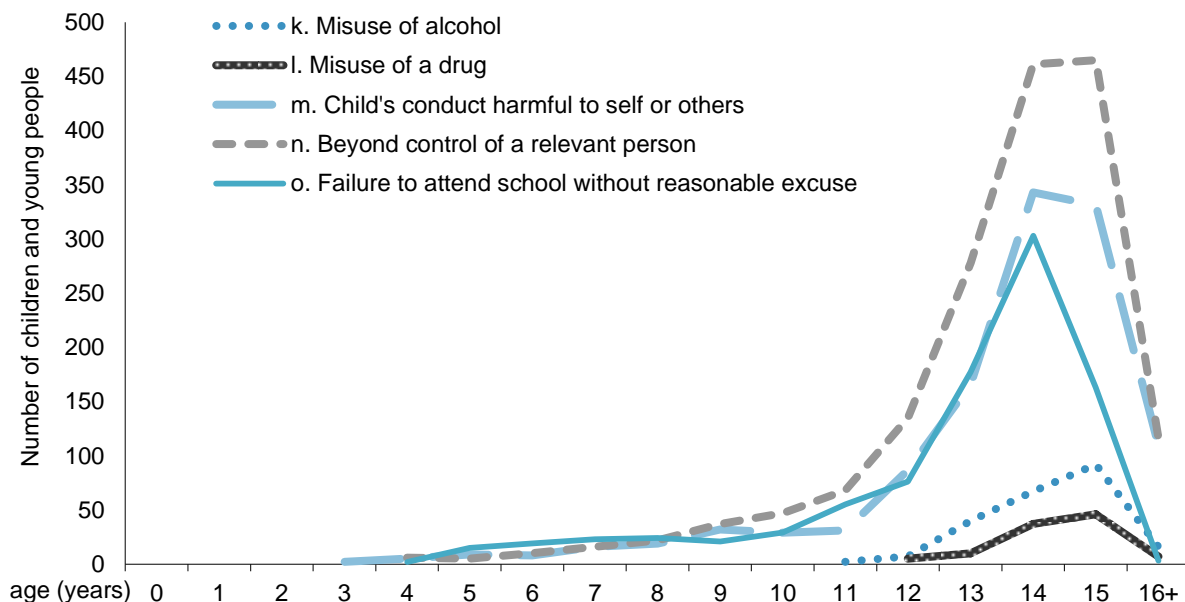
As with lack of parental care, numbers of children referred under 'close connection with person who has carried out domestic abuse' generally decrease with age, with very young children more likely to be referred on this ground, with more referred in the first year of their life than any other age (395). 21.5% of the children and young people referred on this ground were aged between birth and two years (705).

The numbers of children and young people referred as victims of Schedule 1 offences remained relatively constant throughout the childhood years, but girls become more likely to be referred as victims of Schedule 1 offences than boys from ages 13 to 15.

Other non-offence grounds of referral

There were notable differences in the ages of children and young people referred to the Reporter on several other care and protection grounds. Older children and young persons were more likely to be referred on the grounds of 'failure to attend school without reasonable excuse', 'beyond control of a relevant person', 'child's conduct harmful to self or others', 'misuse of alcohol' and 'misuse of a drug'. The most common ages for referral on these grounds were 14 and 15 years. The exception to this was 'failure to attend school without reasonable excuse' where 13 and 14 years were the most common ages.

Figure 9. Other non-offence grounds of referral in 2013/14 - 2011 Act

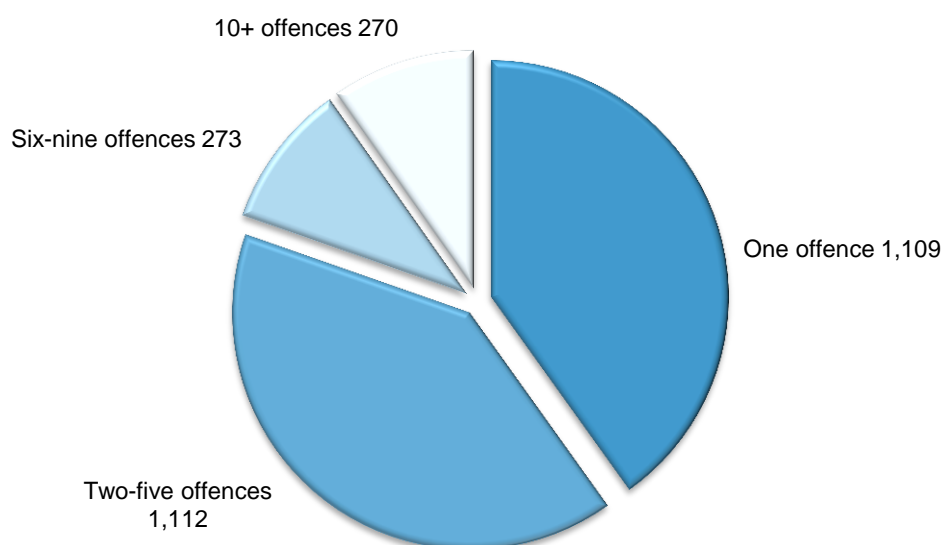


Children and young people referred on offence grounds

In 2013/14, 2,764 children and young people aged between eight and 17 years were referred to the Reporter on offence grounds under both Acts. These children and young people were referred for 11,593 alleged offences on 6,818 referrals. The most common types of alleged offences were threatening or abusive behaviour, assault and vandalism.

Figure 10 shows that there was almost an equal split between children and young people with a single alleged offence in the year (40.1%) and those with two-five offences (40.2%) in 2013/14. Similarly, there was an almost equal split between children and young people with six-nine offences (9.9%) and 10+ offences (9.8%).

Figure 10. Number of offences per child or young person referred on offence grounds in 2013/14



Custody referrals to the Procurator Fiscal and the Reporter

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

Table 7. Custody referrals

	Number of children and young people			
	2010/11	2011/12	2012/13	2013/14
Custody referrals received	166	192	122	81

The number of children and young people with custody referrals fell by 33.6% in 2013/14. 69.1% of children were on a CSO at the point of the receipt of the custody referral for at least one custody referral during the year.

Reporter decisions on children and young people referred

Reporters investigate where necessary when a referral is received to assist them in considering the likely need for compulsory measures. They do so by obtaining information on the child or young person and their circumstances from relevant agencies. Some of this information may now be provided at the point of referral rather than requiring to be requested.

There is a wide network of partner agencies that Reporters can ask for advice, with the main agencies outlined in Table 8.

Table 8. Communications requested by the Reporter, by receiving agency

	2010/11	2011/12	2012/13	2013/14**
Social Work	53,078	49,127	44,464	31,895
Education	26,718	23,630	22,956	12,405
Health	2,417	2,025	1,791	3,009
Restorative Justice	731	283	44	53
Other	73	20	64	879
Total requests*	83,017	75,085	69,499	48,241

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

** Please note that the 2013/14 data has been significantly impacted by the change in systems, information on the error margins can be found on page 25

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 or young person 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 or young person'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 young person or family of particular health issues. The information that health visitors provide is especially important as it can indicate if the child or young person is failing to thrive (through growth centiles and developmental measures).

If the child or young person 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 or young person from the local authority.

Reporters have other options available to them to find the right help for children and young people. The other decisions that a Reporter may make in relation to a referred child or young person 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 9. Reporter decisions in 2013/14*

Reporter decision	Number of children and young people		
	Non-offence	Offence	Total
Arrange Children's Hearing (on new grounds)	3,739	272	3,915
No indication of a need for compulsory measures	6,855	1,145	7,786
No Hearing - measures already in place	2,962	1,264	3,630
No Hearing - refer to local authority	3,363	372	3,603
No Hearing - insufficient evidence to proceed	1,777	197	1,959
No Hearing - family have taken action	1,134	75	1,194
No Hearing - diversion to other measures	25	84	96
Total**	17,521	2,843	19,153

* Data in this table relates to cases decided in 2013/14 as opposed to referrals received in 2013/14.

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

In 2013/14, 20.4% of children and young people (3,915) with cases decided had a Reporter decision to arrange a Children's Hearing on at least one referral. For 40.7% of children and young people (7,786), Reporters decided that there was no indication of a need for compulsory measures on at least one of their referrals.

Number of Pre-Hearing Panels held

A new feature of the 2011 Act is the introduction of Pre-Hearing Panels (PHPs). These are convened before some Hearings to consider any special arrangements needed for the Hearing. These are:

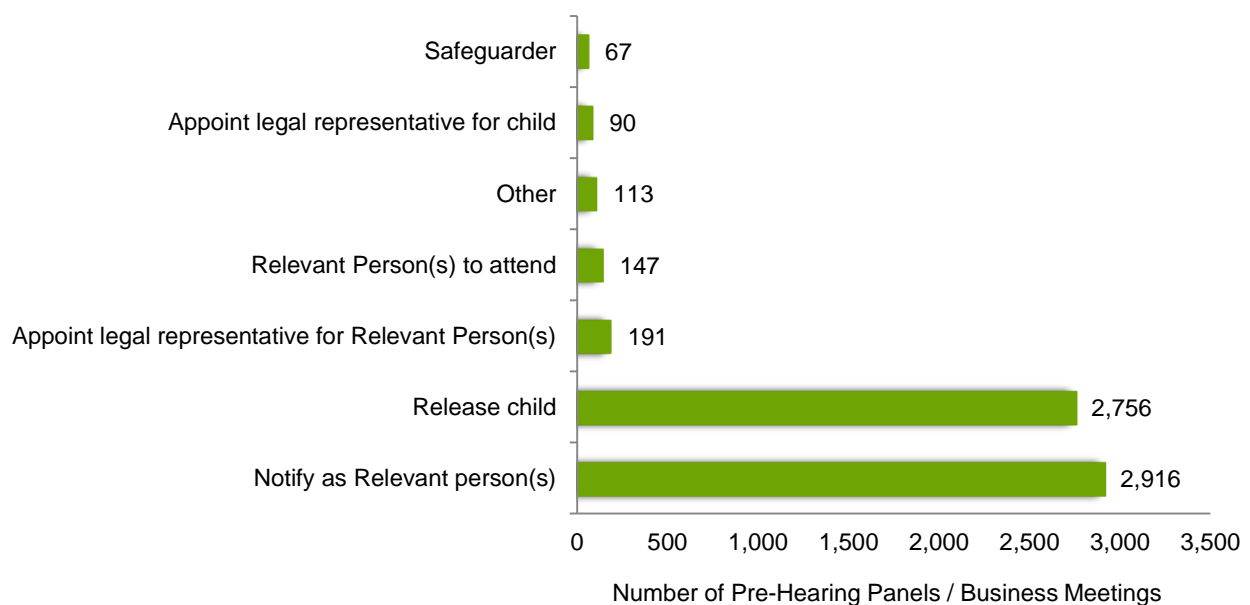
- whether to deem someone to be a relevant person;
- whether to excuse a child or young person or relevant person from the obligation to attend the Children's Hearing; and
- whether it is likely the Children's Hearing will consider making a CSO with secure accommodation authorisation.

To allow 2013/14 information to be provided, Pre-Hearing Panels have been combined with Business Meetings (BMs) from the 1995 Act to provide an overall figure. Prior years are calculated using BM volumes.

Table 10. Number of Business Meetings / Pre-Hearing Panels held

	2010/11	2011/12	2012/13	2013/14
Number of PHPs/BMs	3,555	3,576	3,683	5,601

Figure 11. Pre-Hearing Panels / Business Meetings by reason in 2013/14*



* The totals do not equal the sums as children and young people can have more than one reason considered at a single Pre-Hearing Panel / Business Meeting. The totals in table 10 count each Pre-Hearing Panel / Business Meeting once.

In 2013/14, the 5,601 PHPs/BMs were held for 4,772 children and young people. This increase from the number of BMs in the previous year was largely as a result of the need for Pre-Hearing Panels to transfer significant numbers of individuals who had been treated as Relevant Persons under the 1995 Act to deemed Relevant Persons under the 2011 Act.

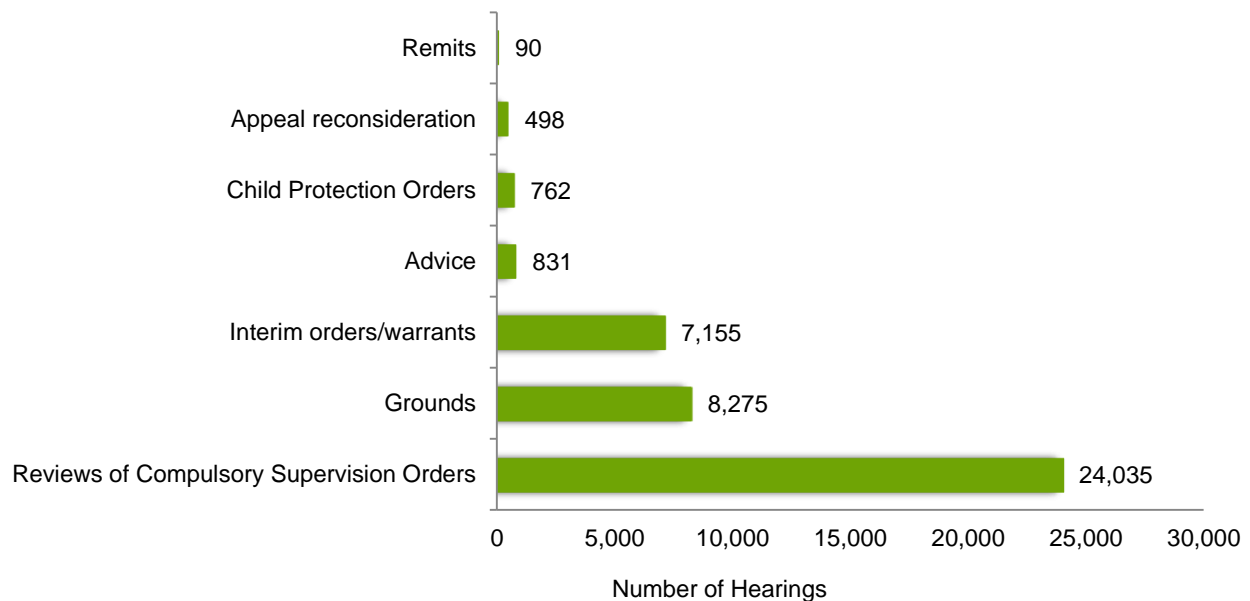
Number of Children's Hearings held

In 2013/14, 36,200 Children's Hearings were held for 16,758 children and young people. This was the lowest annual number of Hearings since 2003/04 and a 5.5% drop from 2012/13. Of the children and young people with Hearings in the year, 45.8% had a single Hearing, with 9.2% having five or more Hearings.

Table 11. Number of Children's Hearings held

	2010/11	2011/12	2012/13	2013/14
Number of Children's Hearings	41,825	40,708	38,316	36,200

Figure 12. Hearings by reason in 2013/14*



* Children and young people can have more than one reason considered at a single Hearing. The totals in table 11 count each Hearing once.

Of the 36,200 Hearings in 2013/14, 11.0% (3,965) related to new grounds.

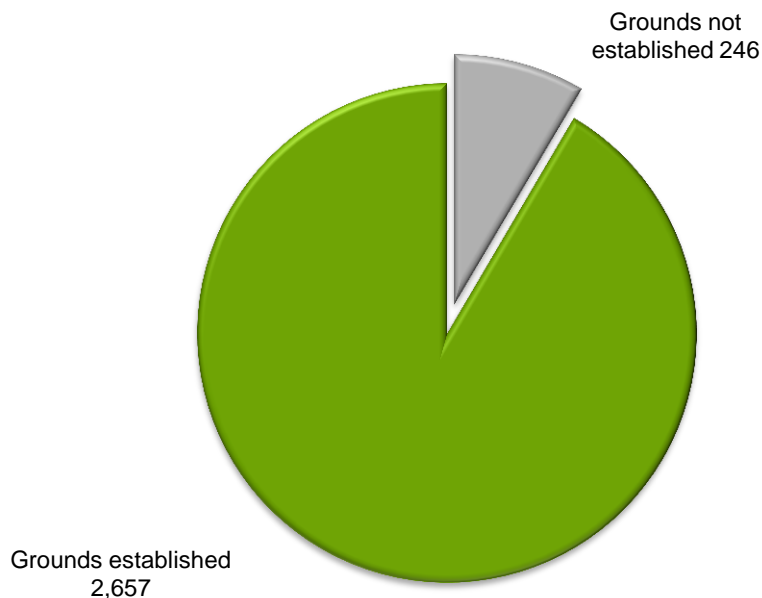
24,035 (66.4%) Hearings were linked to review Hearings for Compulsory Supervision Orders (CSO). Initial review Hearings made up 79.3% of this number with the remainder (20.7%) continued review Hearings. A CSO must be reviewed at least once annually.

4,310 Hearings (11.9%) related to grounds that were not disposed at the initial Hearing stage, the majority of these were due to applications to the Sheriff to establish the grounds for referral. Of the remaining Hearing types, interim orders/warrants were the most common (7,155) followed by advice Hearings (831) and Child Protection Order Hearings (762).

Applications to the Sheriff for proof

If the child or young person 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 or young person does not or cannot understand the grounds, the Children's Hearing may direct the Reporter to apply to the Sheriff to establish the grounds for referral (sections 93 and 94 of the Children's Hearings (Scotland) Act 2011)¹¹. Overall, 2,903 applications were concluded in 2013/14 and 91.5% were held to be established by the Sheriff.

Figure 13. Applications to the Sheriff for proof in 2013/14



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.

Table 12. Number of applications to the Sheriff for proof concluded

	2010/11	2011/12	2012/13	2013/14
Applications to the Sheriff for proof concluded	4,039	3,795	3,655	2,903

The number of concluded applications for proof has decreased for the past four years.

¹¹ Some applications under section 68 of the Children (Scotland) Act 1995.

Compulsory measures of intervention

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

Child Protection Orders and interim orders/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 and young people or address their behaviour. This may include Hearings arranged as a result of the Sheriff granting a CPO.

In 2013/14, Children's Hearings:

- Considered¹² the cases of 734 children and young people with CPOs under sections 45 or 46 of the Children's Hearings (Scotland) Act 2011¹³; and
- Made 2,418 children and young people subject Place of Safety Warrants under sections 66(1) and 69(7) of the Children (Scotland) Act 1995 or interim orders as defined under sections 86 and 140 of the Children's Hearings (Scotland) Act 2011.

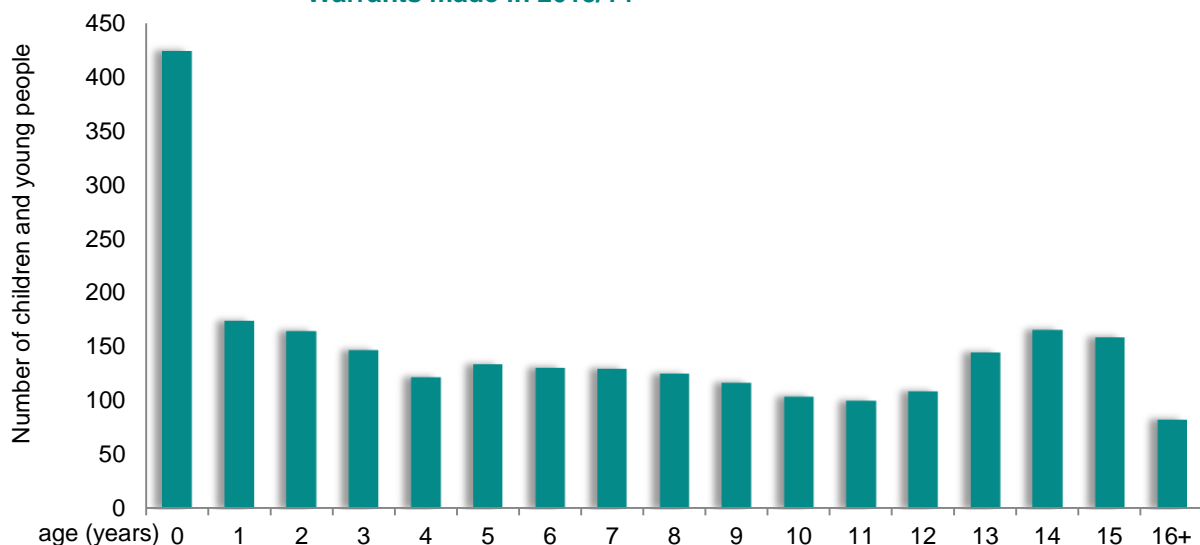
Interim orders in the form of Interim Compulsory Supervision Orders can be used to protect the child or young person whilst grounds for referral are in the process of being established at proof. Interim Variations of Compulsory Supervision Orders can also be made which can change the measures attached to a current Compulsory Supervision Order. Interim Compulsory Supervision Orders and Interim Variations of Compulsory Supervision Orders are more flexible in their application than Place of Safety Warrants, which at least partly accounts for the differences in numbers between current and prior years.

Table 13. Interim orders/Place of Safety Warrants made

	Number of children and young people			
	2010/11	2011/12	2012/13	2013/14
Interim orders/Place of Safety Warrants made	1,922	1,994	1,968	2,418

Interim orders/Place of Safety Warrant numbers are highest for children aged under one, but are also common for older age groups.

Figure 14. Children and young people with interim orders/Place of Safety Warrants made in 2013/14



¹² 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.

¹³ Some considered under section 59(2) of the Children (Scotland) Act 1995.

Compulsory Supervision Orders

Compulsory Supervision Orders (CSOs) 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 CSOs.

At Children's Hearings in 2013/14, 3,100 children and young people had a new CSO made on grounds referred, see Table 14.

Table 14. Hearings' decisions in 2013/14

Hearing decision	Number of children and young people		
	Non-offence	Offence	Total
Grounds accepted/established and new Compulsory Supervision Order made	3,016	140	3,100
Grounds accepted/established and considered in review of existing Compulsory Supervision Order	128	89	210
Grounds discharged	279	88	362
Total*	3,369	265	3,558

* The totals do not equal the sums as children and young people 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 or young person once.

At 31 March 2014, 11,420 children and young people were subject to CSOs. This is 1.3%¹⁴ of all children and young people in Scotland.

Table 15. Compulsory Supervision Orders in place at 31 March

	Number of children and young people			
	2011	2012	2013	2014
Compulsory Supervision Orders in place at 31 March	13,474	13,093	12,514	11,420

The number of children and young people subject to CSOs has decreased for a fourth consecutive year. Children and young people aged under eight subject to CSOs in 2013/14 decreased by 9.4% to 4,664, while children and young people aged eight and over decreased by 8.3% (to 6,756).

¹⁴ % of population aged under 16 years, based on mid-year estimates for 2013 from the General Register Office for Scotland.

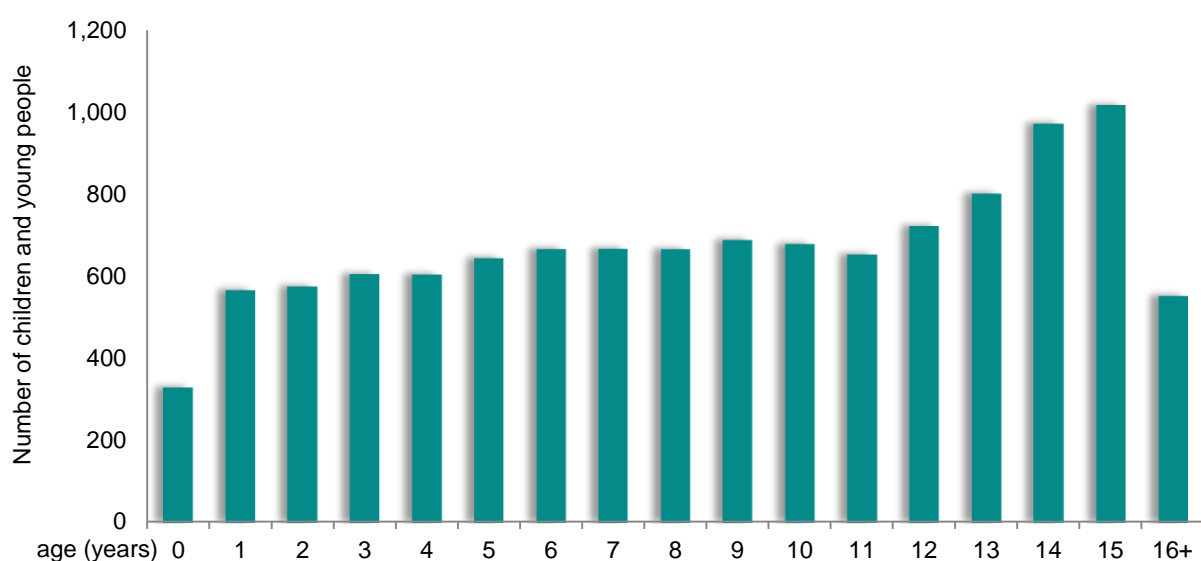
The types of CSOs in place at 31 March 2014 are shown in Table 16.

Table 16. Compulsory Supervision Orders in place at 31 March 2014

Types of Compulsory Supervision Orders	Number of children and young people
With parent/relevant person	5,163
With other approved foster parent	3,264
With relative/friend - other	1,355
With relative/friend - approved foster parent	681
Children's unit	342
Residential school	255
Other residential placement	203
Other	50
Other non-residential placement	11
None recorded	96
Total	11,420

The most common ages of children and young people subject to CSOs continue to be 14 and 15 years. Figure 15 shows the number of CSOs by age at CSO made.

Figure 15. Compulsory Supervision Orders in place at 31 March 2014



Secure Authorisations made by Children's Hearings

Secure Authorisations can be included in interim orders or CSOs. The criteria by which they can be made are set out in sections 83(5) and 83(6) of the Children's Hearings (Scotland) Act 2011¹⁵.

Table 17. Secure Authorisations made by Children's Hearings

	Number of children and young people			
	2010/11	2011/12	2012/13	2013/14
As a condition of Interim Orders	146	146	135	n/a
As a condition of Compulsory Supervision Orders	117	119	112	124

Children and young people with Secure Authorisations included in CSOs increased by 10.7%. Numbers of children and young people with Secure Authorisations included in interim orders is not available due to a system recording issue. This issue has been resolved and data will be available from 2014/15 onwards.

Non-disclosure Measures

A non-disclosure measure is a special provision attached to a child or young person's order in instances when it is considered necessary to protect the address at which a child is required to reside by virtue of the order, due to significant concerns about their safety.

As at the 31 March 2014, 1,188 children and young people had non-disclosure measures attached to CSOs and 125 children and young people had non-disclosure measures attached to interim orders (some children had both CSOs and interim orders in place at the year-end with non-disclosure measures attached to both).

Appeals

Children and young people and/or their relevant persons can appeal to the Sheriff against decisions made by Children's Hearings. In 2013/14, 805 children and young people had appeals concluded. At appeal, 62% had Hearings' decisions upheld by the Sheriff on at least one appeal in the year.

Table 18. Children and young people with appeals to the Sheriff

	2010/11	2011/12	2012/13	2013/14
Total children and young people with appeals	670	714	792	805*
% with Hearings' decisions upheld	65%	70%	67%	62%

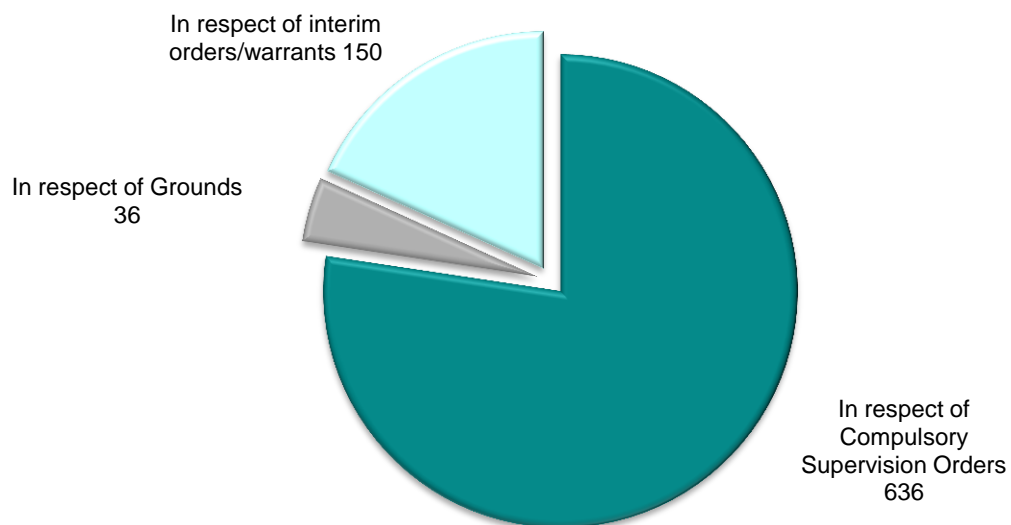
* Please note that appeal volumes have been under-recorded in 2013/14 due to issues around recording some appeal types under the 2011 Act.

Where a Children's Hearing decision wasn't upheld, the most common outcome was for the Sheriff to remit the case back to a Hearing for reconsideration (under the 2011 Act, the equivalent disposal is for the Sheriff to require the reporter to arrange a Hearing for any purpose for which a Hearing can be arranged).

The types of appeals against Children's Hearings' decisions are displayed in Figure 16. The most common type of appeal is in respect of CSOs, whether made, varied or continued. This is expected in the context of CSOs being the most common outcome of Hearings. Several children and young people have had more than one appeal type in the year.

¹⁵ Some authorisations in the year were made under section 70(10) of the Children (Scotland) Act 1995.

Figure 16. Children and young people with appeals against Hearings' decisions in 2013/14*



* Children and young people can have more than one appeal or appeal type in the year. The totals in table 18 count each child once.

In addition, applications can be made to the Sheriff to terminate (or recall under the 1995 Act) or vary the conditions on a CPO. 23 children and young people had applications to recall/terminate or vary CPOs in the year.

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 2001¹⁶. 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 19. Performance against Time Interval Standard targets in 2013/14

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%	32,204 referrals	19,120 referrals	59%
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%	n/a	n/a	n/a
Standard TI6 – Hearings will be scheduled to take place within a maximum of 20 working days of the Reporter's decision	90%	5,025 referrals	3,667 referrals	73%
Standard TI8 – All relevant people, information and resources will be available to Hearings to ensure that continuations are kept to a minimum	75%	20,852 Hearings	16,674 Hearings	80%
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%	33,628 Hearings	23,385 Hearings	70%

Due to a combination of the introduction of SCRA's new Case Management System and the Children's Hearings (Scotland) Act 2011, performance against the Time Interval Standards in 2013/14 has been challenging. Two of the five relevant targets have been exceeded (TI8 and TI14). TI5 is not reportable due to system issues.

Table 20. Performance against Time Interval Standard targets

Time Interval (TI) Standard	National target	2010/11	2011/12	2012/13	2013/14
TI4	60%	78%	75%	74%	59%
TI5	60%	78%	65%	68%	n/a
TI6	90%	79%	79%	73%	73%
TI8	75%	76%	76%	77%	80%
TI14	60%	93%	87%	90%	70%

Table 20 shows that SCRA reached its highest performance in recent years for TI8. TI4 and TI14 have shown considerable decreases as a result of the factors noted above.

¹⁶ Scottish Executive (2001) Blueprint for the Processing of Children's Hearings Cases. Inter-agency Code of Practice and National Standards.

SCRA's performance against targets in 2013/14

Performance against the Key Performance Indicators (KPIs) contained in the 2011-14 Corporate Plan has been challenging, with four of the nine reportable indicators met for the year (notifications of referral outcomes is not reportable). Improvements have been seen against initial Hearings proceeding to disposal and property standards.

Fuller information around performance will be included in SCRA's 2013/14 Annual Report which will be published on 30th October.

Table 21. SCRA's performance against targets in 2013/14

Outcomes for Children, Young People and Families	Target 2013/14	Performance 2013/14	Change from 2012/13
The percentage of Hearings scheduled to take place within 20 working days.	74%	73%	down 0.2%
The percentage of written notifications of referral outcomes sent to children and families from the Reporter within 5 working days	75%	n/a	n/a
The percentage of written notifications of Hearing decisions sent to children and families from the Reporter within 5 working days	90%	70%	down 20.6%
The percentage of decisions on referrals made within 50 working days of receipt	75%	59%	down 14.2%
Outcomes for Stakeholders and Partners	Target 2013/14	Performance 2013/14	Change from 2012/13
The degree to which SCRA core properties comply with SCRA property standards	86%	85%	up 0.5%
The percentage of initial Hearings proceeding to disposal	77%	80%	up 3.3%
Organisational Efficiency Outcomes	Target 2013/14	Performance 2013/14	Change from 2012/13
Variance in annual revenue spends as a percentage of the available revenue budget	Within 5%	0.6%	n/a
Variance in annual capital spends as a percentage of the available capital budget	Within 10%	33.6%	n/a
The Scottish Government efficiency savings target will be met	3%	Target met	n/a
The percentage of revenue savings achieved in the year	4%	2.8%	n/a

Key

Target met

Within 1% of target

Target not met

Counting convention changes and error margins

Counting convention changes

Historically, SCRA has counted all Joint Reports as offence referrals received, regardless of whether they ended up as retained by the Reporter or Procurator Fiscal. To improve the accuracy of our reporting, a change has been made to our counting rules where we now only count Joint Reports once the discussion has taken place between the Reporter and Procurator Fiscal and the decision has been taken for the referrals to be retained by the Reporter. This change has been implemented for 2013/14 and referral data has been re-calculated for previous years to allow comparisons.

Error margins

Due to the changes seen with the introduction of the Case Management System (CMS) and the Children's Hearings (Scotland) Act 2011, providing definitive counts in a number of areas has proved problematic. To counter this, and in line with Official Statistical guidance, error margins around the key areas within this report are included below.

Referral data

Referral receipt based data has been impacted by two key factors, the use of non-standard grounds within a referral and also the processing to decision of cases which are not categorised as standard referrals. This has led to a maximum error margin of **±7.6%**, but in reality, this is more likely to be **±3%**.

Communications

Communications are known to be an undercount due to some communication work being done off-system while CMS was bedding in. Based on historical ratios, an error margin of **33.1%** has been calculated. Information around communications should therefore not be used for statistical purposes.

Reporter decisions

Similarly to referral receipt data, reporter decision data has been impacted by the use of non-standard grounds within a referral and also the processing to decision of cases which are not categorised as standard referrals. Reporter decisions count all referrals with a valid decision. If non-standard referral categories were excluded, an anticipated error margin of **1.3%** is expected.

Pre-Hearing Panels and Children's Hearings

For Pre-Hearing Panels, there are issues with multiple Pre-Hearing Panels for a child or young person recorded on the same day. At a data level, it is difficult to tell whether these are valid meetings or recording issues. For Hearings, there have been issues around the removal of cancelled Hearings from the system, in addition there are some cases where children have multiple Hearings on the same day. Removing multiple meetings leads to an error margin of **0.5%**.

Compulsory Supervision Orders

Some Compulsory Supervision Orders (CSOs) are still awaiting the updating of the Hearing decision, this will lead to an undercount as the new CSO start and end dates are not on the system. The error margin for this is minimal (**0.1%**).

Appeals

As a result of the new Act, not all appeals have been able to be recorded on the CMS. Therefore appeal volumes will appear lower than they actually were. It is impossible to estimate the extent of this issue.

Please note that all error margins calculated above have been done so using national data, data at a local level may be affected to a greater or lesser extent, also, within different categories of data, such as joint referrals or specific care and protection grounds, the error margin level may deviate from the overall referral value.

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