

Option 3 – Not to arrange a Children’s Hearing

This does not mean that the problems the young person has are not being dealt with. Reporters may try to use other methods to help them rather than referring the case to a Hearing. The Reporter may decide not to arrange a Hearing where one or more of the following apply:

- There is not enough evidence to justify taking any further action.
- The young person is already under supervision and adequate measures are in place.
- The family and young person has already dealt with, or will satisfactorily deal with the issues.
- It is enough for the Reporter to let the young person and parent know about the serious implications of the referral.

More information

For more information visit our website www.scra.gov.uk where there is a section with useful victim information. You can also contact your Victim Information Co-ordinator whose contact details will be on the letter sent with this leaflet.

Crime at any level can affect victims in many ways – emotionally, financially, practically and physically. You may wish to contact the Victim Support Service who may be able to provide you with practical help after the crime, listen to your concerns and talk to you confidentially. The national helpline number is 0800 160 1985 and website is www.victimsupport.scot

Victims of Youth Crime – Information for victims relating to the Children’s Hearings System

If you have been affected by a crime committed by a young person this leaflet will:

- Help you understand what happens following the investigation of the crime.
- Provide helpful information on how to get support.
- Help you understand how the Children’s Hearings System works.

*produced by the
Scottish Children's Reporter Administration*

After a crime

In Scotland, young people involved in offending are dealt with by the Children's Hearings System who work with young people under 16 (or up to 18 in some circumstances).

The Children's Hearings System aims to protect the safety and welfare of children and young people, who may need help for a number of reasons. For example:

- If they are a victim of neglect or abuse.
- Their behaviour is causing serious concern or they are not attending school.
- For drug and alcohol misuse.
- They have committed an offence.

The Children's Hearings System looks at the young person's general circumstances and needs, as well as the offence committed. Decisions are not based on punishing the young person, but on looking at measures which are in the young person's best interests and where relevant, address their behaviour.

Role of the Reporter

The Scottish Children's Reporter Administration (SCRA) employs Children's Reporters to assess and investigate cases referred to them by the police and other organisations. The Reporter will then consider what further action is needed.

The Reporter's role is to:

- Receive referrals for young people who are believed to require compulsory measures of supervision.
- Decide whether the young person needs to be referred to a Hearing.
- Provide administration to Children's Hearings and keep a record of proceedings at Hearings.
- Maintain the independence of Hearings and support fair process.
- Conduct Children's Hearings court proceedings.

To help them reach a decision, the Reporter will gather information about the young person and their background. They will get this from:

- The young person and their family.
- The police.
- The education department.
- Social work.
- Other organisations who may have involvement.

Decisions that a Reporter can make

When deciding what to do about a young person, the Reporter has three options to choose from:

Option 1 - Arrange a Children's Hearing

If the Reporter considers that a Compulsory Supervision Order is needed, they will arrange a Hearing.

What is involved in a Hearing?

The Reporter is present at the Hearing to keep a record and can only express a view on points of law or procedure. The Reporter does not take part in the outcome. The Panel Members have sole responsibility for making the decision.

- A Hearing will discuss the circumstances of the young person with the relevant people who have the right to be there.
- The decisions made at a Hearing are legally binding.

What happens at a Hearing?

Three Panel Members will begin by asking the young person and their parents/carers if they agree with the reasons for the statement of grounds i.e. offence.

If they do not agree with the statement of grounds, the Hearing has two options:

- The case may be referred to a Sheriff who will decide if the statement of grounds is correct. If the Sheriff says that an offence has happened, he or she will ask a Hearing to deal with the case and decide what is best. In some cases victims may need to be called as a witness in court.
- They can discharge the referral and this would be the end of the matter.

A victim is not invited to attend a Hearing as Hearings are held in private.

What happens when the statement of grounds is accepted?

If the young person and their parent/carer agree and understand the statement of grounds, the Panel Members can then discuss the reports, listen to everyone and reach a decision in the young person's best interests.

A Hearing has to decide if a young person is in need of compulsory measures of supervision.

A Compulsory Supervision Order means that the young person and their family have to work with the local authority.

Option 2 – Referral for voluntary measures

The Reporter may refer the case to the local authority to:

- Work voluntarily with the young person to deal with their offending behaviour.
- Offer advice, guidance and support to the young person and their family.

