

SCRA Consultation Response FULL VERSION 2021

SCOTTISH CRIME & JUSTICE SURVEY CONSULTATION



The Scottish Children's Reporter Administration (SCRA) welcomes the opportunity to respond to this consultation.

The Children's Hearing is Scotland's distinct statutory approach, in which concerns about a child's circumstances (whether about the care or treatment of the child by adults or the behaviour of the child) are considered by Children's Reporters and then by panel members in a Children's Hearing, who make a decision about whether there needs to be compulsory professional involvement with the child and family.

In the Children's Hearings System:

- the needs of children or young people are addressed through one holistic and integrated approach which considers all the circumstances of the child and the child's welfare
- the welfare of the child remains at the centre of all decision making and the child's best interests are paramount throughout
- the child's engagement and participation is crucial to good decision making
- the rights of children and families are respected

The role and purpose of SCRA is:

1. Receiving referrals for children/young people who may be at risk.
2. Ensuring that other public agencies carry out enquiries and assessments into children/ young people's circumstances so we can make informed decisions about children/young people referred to us.
3. Making decisions on whether to refer a child/young person to a Children's Hearing if they need compulsory measures of supervision.
4. Drafting the grounds for the Hearing.
5. Arranging for Children's Hearings to take place when we decide that compulsory measures of supervision are warranted and where there is sufficient evidence to prove the grounds.
6. Ensuring fair process takes place within the Hearing, including the rights of those in attendance being met.
7. Having a key role in establishing grounds of referral in court, where these are contested, and in defending decisions of Children's Hearings which are subject to appeal.

Our Vision: Children and young people will be listened to, protected and supported to realise a positive future where they are safe, valued and respected.

Our Mission: We protect and support Scotland's children and young people, by making high quality decisions, upholding their rights and working collaboratively as compassionate, inclusive corporate parents to enable the most positive and personalised experience of the Children's Hearing.

Our Values: Our values are the shared motivations, beliefs and behaviours that underpin all that we do.

S upportive	We work with kindness to support children, young people and families, our Partners and each other.
C hild Centred	Children and young people are at the heart of everything we do.
R espectful	Everyone is respected and treated fairly, inclusively and lawfully.
A ccountable	We are responsible for our decisions, our ethics and our learning.

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SCRA would be happy to provide additional information or to provide further explanation if that is required.



We welcome comments on this definition of 'all SCJS Crime'.

It may be more accurate to describe this as 'all SCJS Violent and Property Crime'.

We welcome views and comments on the comparisons made between the SCJS and CSEW.

We agree that the victimisation rates are roughly comparable and that there is benefit in demonstrating this.

Or, in other words, if any aspects of the SCJS might be adapted to better enable you to undertake further research in your area.

It might be really helpful if it were possible to look at specific subsets of the data – eg: the responses of 16-18yr olds by gender / responses in relation to the offending / perceived offending of u12's / u16's / u18's & any attitudes coming from or prevalent in the subsets.

we are keenly aware of the need to 'future proof' the SCJS. We welcome views and comments on how this might be achieved.

A mixed collection methodology would help – with online elements as well as face to face elements – which could include telephone and also in person meeting (which could be used just for people who report having been badly affected – for example – so that links into victim support could be made, if relevant / desired).

We also think that attitudes towards offending are absolutely critical in changing approaches to people in conflict with the law across society – from the tabloid newspapers to individuals affected or impacted by the behaviour of others. Determining what attitudes towards offending and towards punishment as well would be really useful in informing policy makers about the messaging and influencing they need to do. There is also an opportunity to test the impact of strategic approaches in the understanding of the wider public – in relation to community justice approaches (for example) or restorative justice. There is an opportunity to understand how aspects of the disclosure regime are understood as well – and to see whether the principles underpinning the approach we have are resonating with the general public.

For our specific work with u18 year olds it would be incredibly helpful to get information on attitudes towards children in conflict with the law and attitudes towards the 'system' treatment of them. It would also be really helpful to get information from u18's who have been victims or perpetrators of serious, harmful or offending behaviour and see what their view of that is / discern how they understand their behaviour and the impact it has on other people.

SCRA Policy - 2021