

# SCRA Consultation Response FULL VERSION 2021

## SCOTTISH CRIME & JUSTICE SURVEY CONSULTATION



We welcome comments on aspects of the survey we are seeking feedback on:

### Function as a crime survey

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

We think it may help place our comments in context if we explain our work. The Children's Hearing is the distinct statutory way in which Scotland responds to concerns about a child's circumstances (whether about the care or treatment of the child by adults or the behaviour of the child). Such concerns are assessed by professionals and are then considered by Children's Reporters and if required 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. This compulsory involvement takes the form of a Compulsory Supervision Order.

### In the Children's Hearing:

- the rights of children and families are respected
- the needs of children or young people are addressed through a single 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 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's circumstances so we can make informed decisions about children referred to us.
- 3.

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4. Making decisions on whether to refer a child to a Children's Hearing if they need compulsory measures of supervision.
5. Drafting the grounds for the Hearing.
6. Arranging for Hearings to take place when we decide that compulsory measures of supervision are warranted and where there is sufficient evidence to prove the grounds.
7. Ensuring fair process takes place within the Hearing, including the rights of those in attendance being met.
8. 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 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 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 their Children's Hearing.

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

In relation to the development of the survey we ask that the SCJS gathers more detailed information on victim's experiences of going through the criminal justice system. It should also include respondents who are under 16 and include respondents from a wider cross section of society who live in different types of dwelling, and don't come under the 'private dwelling' category.

We also think that it is an opportunity for the survey to seek the views of people who are victims of the offending behaviour of children under 16, or who think they are the victims of the offending behaviour of children.

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Some very valuable information about attitudes towards crime and punishment as well as towards rights and recovery and what works / doesn't work with the victims of the offending behaviour of young people could be gathered.

### **New question topics**

The survey could include new question topics about experiences associated with the timeframes for outcomes and decisions to be made for victims of crimes, and the impact this has on them. Particularly, it could include detailed information on decision making and timeframes around Police decisions but also the decisions made by the Crown Office and Procurator Fiscal Service and the Courts – and circumstances where decision making is done across different services / agencies and the impact this can have, both on timeframes but also on the communications people receive and the subsequent trust they have in the decision maker / decisions made.

### **Definition of 'all SCJS Crime'.**

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

### **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 – e.g.: the responses of 16-18yr olds by gender / responses in relation to the offending / perceived offending of u12's / u16's / u18's and any attitudes coming from or prevalent in the subsets.

Providing data breakdown by local authority area would be most helpful.

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Household and neighbourhood level data could provide avenues for future research if it was possible to compare survey responses (e.g. longitudinally), drawing on previous SCJS surveys more easily. If demographic and SIMD information is routinely collected, this could be used to produce detailed analyses for areas/neighbourhoods where high rates of crime are reported, as well as where high levels of victimisation occur, over time.

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

The survey could include new types of crime and new ways of experiencing crime – for example, on-line, cyber-crime, identity theft and also how technology can impact on other types of criminal behaviour (like the filming of an assault or the posting on-line of an incident) etc.

Perhaps 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). Including the ability for respondents to choose how they complete the survey could be beneficial.

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 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.

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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 of, 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.

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