



## Scenario



# Category of iVPD is child concern

## Police Scotland staff on making a referral to the reporter



### Reporter:

You wanted to discuss a situation you were made aware of. This one relates to a child, Sharon, aged 14.

### Police:

**Yes,** Sharon is a resident of a local children's unit. She was reported missing last night as she had failed to return at 23-00 as she had said she would. The call came in at 01-30. The children's home staff reported that she is the subject of a compulsory supervision order with a measure requiring her to reside at the unit. They gave us information which suggested where she might be – friends' addresses, that kind of thing.

Officers made efforts to find her, but she returned to the children's home herself at around 03-00. Officers attended at the unit immediately and were able to speak to her before she went to bed.



She wasn't very co-operative. She wouldn't say where she was and didn't appear apologetic about staying out so late. Staff said this was out of character and they would speak to her in the morning. They advised that Sharon was looked after as a result of her parents being unable to look after her and that was why she was placed on a CSO.

I wasn't sure, having received a report about Sharon, of the approach to take. I know that the statutory test is about whether a child needs, protection, guidance, treatment or control, and whether a CSO might be necessary – but Sharon is already on a CSO. How should we approach the decision about making a referral?

### Reporter:

It might still be appropriate to make a referral even though Sharon's already on a CSO. The Guidance does provide some questions to ask yourself in the case of a child already on a CSO.

The 2 key ones are:

1. does the new information indicate that a children's hearing needs to consider new grounds (i.e. that a new type of concern has arisen that the hearing did not take into account), or
2. does it indicate that the current CSO needs to be varied (i.e. it's not being effective)?

Now those are quite high level questions, and it assumes that you already have access to information about why a CSO was made. However the guidance talks about some things that will be relevant to the reporter's decision AND which are helpful things for a referrer to think about.



Remember that in a situation like this, a range of people will be getting information about any concern. Not just you but unit staff and the local authority will be advised about what happened. It's likely that there will be further discussion about what the response to Sharon's absconding should be.

However, put that aside for now, and think about only the information we have. First thing to consider - how serious is the incident or are the concerns about Sharon?

### **Police:**

Not too serious, I think. This is the first time this has happened, there were no concerns about Sharon's presentation when she returned.

### **Reporter:**

Does your assessment of how serious the incident was lean you towards or against making a referral?

### **Police:**

Probably against – in the absence of anything indicating a higher level of concern such as intoxication, repeated episodes of absconding, there is nothing suggesting a referral is needed.

### **Reporter:**

Now what about the fact that this seems to be a new concern? This isn't the type of thing the CSO was put in place for.

### **Police:**

That's true. So maybe a referral is a little bit more likely... but not much – it's the first time this has happened and we don't know whether it's likely to happen again.



Hang on though - what would we do if we weren't aware of the reasons for the CSO?

### **Reporter:**

Well in that case it probably makes sense to talk to the local authority – which you may be doing anyway – to get a bit more information. For the sake of this chat let's say you've done that....

What about Sharon's attitude to the incident and to the concerns that were no doubt expressed on the night by others?

### **Police:**

We don't have much information. She was certainly not remorseful or apologetic, but I'm not sure we can take much from that. We could contact the unit to see what they were able to ascertain the following day. But at the moment we don't have anything beyond her attitude on the night.

### **Reporter:**

Let's return to the 2 factors that might merit a referral. Firstly, do you think, based on the information you have, that the circumstances suggest that a new specific statement of grounds should be considered by a hearing?

### **Police:**

No. It raises a concern that doesn't seem connected with the reasons why she is on a CSO, but that concern's not high enough to justify referring to the reporter at this time.



## Reporter:

Okay, what about the second reason why referring might be appropriate – should the CSO be varied because of the new information we have? (We can assume that the CSO simply requires that Sharon reside at the unit).

## Police:

Again, no. There's nothing to suggest the CSO needs to be varied whether that is about where Sharon lives or whether a different measure needs to be included to address the concern raised by her absconding on one occasion. Although there is very limited information about the terms of her CSO, there is nothing to suggest that one incident of absconding means her CSO should be varied.

So, on the basis of what we know, I would not be referring Sharon.

It might be different if this was the 15<sup>th</sup> time the home has reported Sharon as missing in the last month – that might suggest that her CSO is not meeting her needs and needs to be varied.

## Reporter:

That makes perfect sense.

How would your assessment of these 2 factors change if the situation is different. For example, this is the 4<sup>th</sup> time in 2 weeks that Sharon has absconded. On the previous 3 occasions she has returned to the unit and presented as under the influence of alcohol or substances. Instead of returning home on the 4<sup>th</sup> occasion, Sharon is found in a house with another 14 year old girl and a 12 year old girl.



The house is owned by a 28 year old man. Also in the house are 2 other men aged 32 and 37.

In this situation, do you think that there is a new specific concern that should be considered by a hearing?

### **Police:**

Possibly. If Sharon was accommodated because of her parents' conduct the recent behaviour indicates that there's a new – and serious – concern for her welfare. She is clearly at risk of being sexually exploited.

### **Reporter:**

What about the second question – does the CSO need to be varied to address the new concerns that have arisen?

### **Police:**

Difficult to say. It's clear that the concerns flow from those who are exploiting, or may exploit, Sharon and the other girls. However, it's not clear that the CSO needs varied either by varying the measure requiring her to stay at the current unit, or to include a new measure designed to protect her from exploitation by others.

### **Reporter:**

Should you refer Sharon?

### **Police:**

If this were a real situation I would seek additional information from unit staff and the social work department.



But on the basis of what information we have I consider the concerns to be very serious and very different from the concerns that led to Sharon being placed on a CSO in the first place. I would make a referral to the reporter.

Reporter: I think that's justified

