

Information for Victims of Youth Crime



Victim Support

***Do you want  
to know...***



**About Children's Hearings**

# How the law treats young people who commit crime

Young people who break the law are treated differently from adults. For instance, they don't go to court to be dealt with or to prison. However, what they have done is taken very seriously, and they are expected to learn from their mistakes and change how they behave.

They are dealt with by the **Children's Hearings System**. This means that people look at everything that's going on in their lives as well as what they have done. It's about making things better for everybody by trying to stop behaviour that causes problems.

First of all, if the police think a young person has committed a crime, they usually pass the details to the **Children's Reporter**.

The Children's Reporter will gather all the information they can about a young person and their background. They will then decide one of three things:

**1. Decide not to take any formal legal proceedings.**

This may mean that because the young person is already working through the issues with other professionals, the Reporter may decide further proceedings are not needed.

**2. Refer the young person to the social work department.**

This may mean that the social work department will work with the young person and their family to look at their behaviour.

**3. Organise a Children's Hearing.**

In some circumstances the Reporter may decide to organise a Children's Hearing.

# How Children's Hearings work

If a Children's Hearing is arranged the people who usually attend it are three Children's Panel Members, the young person who did this to you, their parents/ carers, the Children's Reporter, and maybe a social worker or teacher.

The Children's Panel Members are trained volunteers from various backgrounds.

The Children's Hearing will ask the young person if they agree with why they have been sent to a Hearing.

If they do agree, there will be a discussion about what happened and the Hearing will make a decision about what to do.

If they don't agree the Children's Hearing asks a Sheriff in the Sheriff Court to help with their decision. If this happens you might have to tell the court what you saw (give evidence) but this is very unusual. Victim Support can give you more information and help you with this.

The Children's Hearing can decide two things:

- 1) That compulsory measures are needed
- 2) That compulsory measures are not needed

Compulsory measures mean that the young person will **have to** work with a social worker, or someone else who helps young people and their families in these circumstances.

## START

Police pass young person's details to the Children's Reporter

Children's Reporter gathers information about the young person and their circumstances

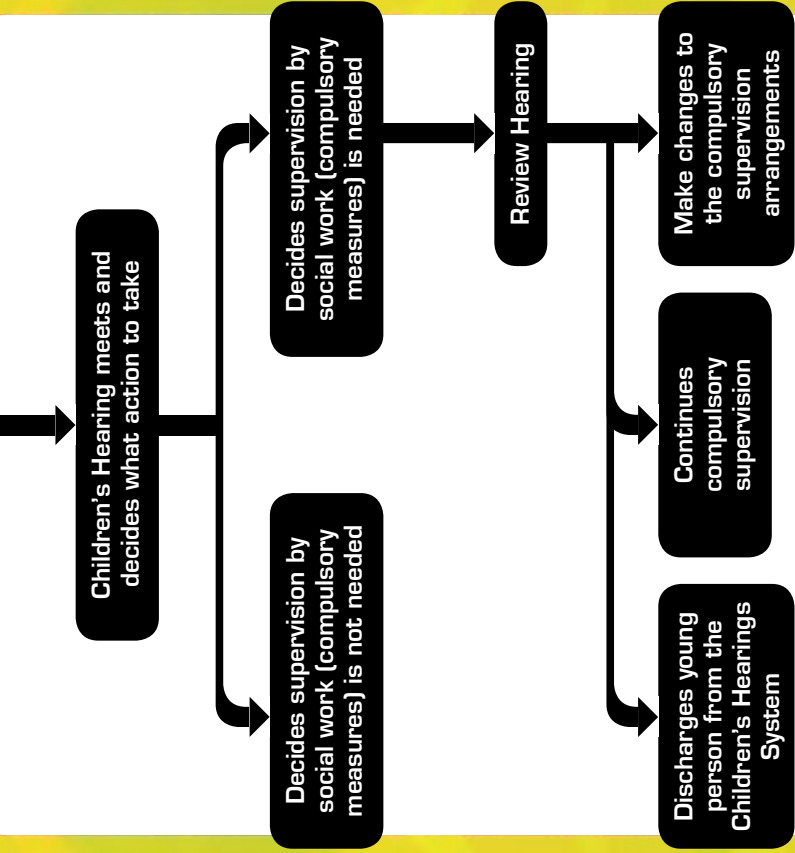
Children's Reporter decides what action to take

No formal legal proceedings

Refers to Children's Hearing

Refers to social work to provide support/help to the young person and their family

This section of the leaflet explains the main stages in the Children's Hearings System



# More about how Children's Hearings work

If the Hearing decides that compulsory measures are needed, they can make the young person attend a project to look at why they act the way they do. This is in addition to any work they have to do with a social worker. The Hearing may also tell the young person that they have to go and live somewhere else other than their home while they do this work. Most young people do stay at home though.

If the Hearing decides that compulsory measures are not needed the young person may still have to work with a project to look at their behaviour.

The Hearing will also set a date for another Hearing to look at what's been happening with the young person while they were under compulsory measures. This is called a Review Hearing. At this they will decide whether to keep the young person working with a social worker or a project, or to let them stop doing this work.

The decisions made by a Children's Hearing are law. The young person must do what is decided. If they don't agree with what the Hearing has said, they can appeal (question) the decision. To do this they would have to tell the Sheriff at the Sheriff Court. The Sheriff will then decide whether the decision made by the Children's Hearing is reasonable under the circumstances.

# How the law treats you as a victim

**Y**ou have no part in what happens under the law. This doesn't mean that no one cares about you or what happened to you. It's just the way that the law works.

You do not go to the Children's Hearing. This is because the hearing discusses private information about the young person who did this.

You won't be told automatically what the police, Children's Reporter or Children's Hearing decide, however, you can ask Victim Support Scotland how to help you find out.

You can phone us on: **0845 603 9213**  
**Monday to Friday 9am-4.30pm.**

Outwith these times you can phone UK Victim Support on 0845 303 0900 Monday to Friday 9am-9pm; weekends 9am-7pm and public holidays 9am-5pm.

This publication is supported by



SCOTTISH EXECUTIVE



CHILDREN'S REPORTER



Central Scotland Police  
Together for public protection

Victim Support Scotland values diversity and is committed to working towards equality in all aspects of the service.

We welcome feedback from service users.

Please contact us if you would like this document in Braille, large print, audiotape, computer format or a community language.

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You can contact us using Typetalk

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Scottish charity number: SCO02138

Patron HRH The Princess Royal

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March 2004