

NUMBERS OF CHILDREN IN CONFLICT WITH THE LAW AND GOING TO CHILDREN'S HEARINGS OR A COURT

In one year in Scotland there were 4,836 children in conflict with the law. When a child is in conflict with the law they can go to a Children's Hearing or to an adult Court.

3,060 (63%) children in conflict with the law had their offences dealt with at a Children's Hearing.

The most common types of alleged offences were threatening or abusive behaviour, assault and vandalism. In 2019, 212 children were placed in secure care (this could be for care or protection reasons, not just offending).

1,776 (37%) of children in conflict with the law were prosecuted in an adult Court. Nearly all of those prosecuted in an adult Court were 16 or 17 years old (99%) but there was one 13 year old, one 14 year old and nine 15 year olds who were prosecuted in an adult Court. Article 1 of the UNCRC says "a child means every human being below the age of eighteen years" yet our justice system seems not to recognise that this is the case. It is clear from the UNCRC that 16 and 17 year olds are not adults.

The crimes of the 1,776 children who went to an adult Court were reported as follows:

- 689 were offences like breach of the peace, common assault, drunkenness
- 206 were motor vehicle offences
- 437 were 'other crimes'
- 195 were crimes of dishonesty
- 115 were non-sexual crimes of violence
- 91 were fire-raising or vandalism
- 43 were sexual crimes



The most common decisions made by the adult Courts when dealing with a child were:

- 459 (26%) were given a **Community Payback Order**. This can be any one or more of these things: unpaid work, supervision from a criminal justice social worker, paying compensation to a victim, attending a programme arranged by a social worker, an order that the child must stay at a certain address (like with their parent), an order not to do certain things like go where a crime was committed, or have treatment to do with mental health, drugs or alcohol.
- 371 (21%) were **admonished** - this means a firm warning
- 285 (16%) were **found not guilty**
- 283 (16%) were **fined**
- 124 (7%) were sent to a **Young Offenders' Institution**
- 95 (5%) of these 1,776 cases were **remitted to the Children's Hearing System**, this means a child was found guilty and then sent back to the Children's Hearing so they could decide what the best action to take was.



63%

OF CHILDREN IN CONFLICT WITH THE LAW HAD THEIR OFFENCES DEALT WITH AT A

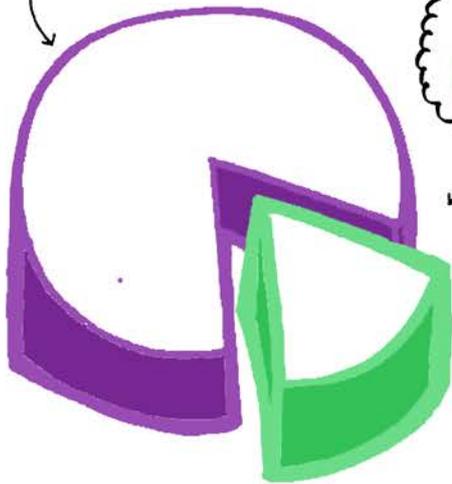
CHILDREN'S HEARING



37%

OF CHILDREN IN CONFLICT WITH THE LAW WERE PROSECUTED IN

ADULT COURT

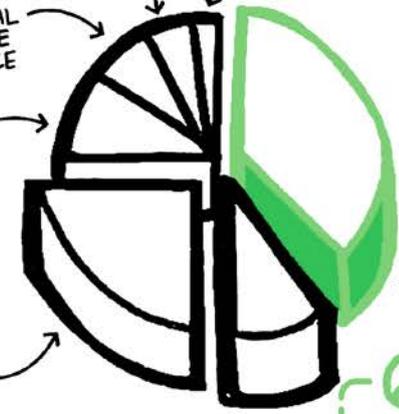


CRIMES OF CHILDREN WHO WENT TO ADULT COURT

91 FIRE-RAISING + VANDALISM
43 SEXUAL CRIMES

115 NON-SEXUAL CRIME OF VIOLENCE

195 DISHONESTY



437 'OTHER CRIMES'

206 MOTOR VEHICLES

689 BREACH OF THE PEACE, COMMON ASSAULTS, DRUNKENNESS
* most common decision made

MOST COMMON DECISION MADE IN ADULT COURT

195 REMITTED TO CHILDREN'S HEARING SYSTEM

459 COMMUNITY PAYBACK ORDER
* most common decision made

124 YOUNG OFFENDERS INSTITUTION

283 FINED

285 FOUND NOT GUILTY

371 ADMONISHED

