

Age of Criminal Responsibility (Scotland) Act 2019 Data Collection

Memorandum of Understanding

Anonymity and Confidentiality

In order to comply with Data Protection, it is requested that when filling out the ACR Data form, no information is provided which could disclose the identity of the child in question - this includes their name, DOB, or any specific details such as name of school etc.

ACR Data forms will be received via the secure email address provided and will be stored securely within restricted folders on University of Strathclyde servers.

The Purpose of the ACR Data Form

Data captured through the ACR Data form will allow for:

- An accurate understanding of the numbers of children impacted by the *Age of Criminal Responsibility (Scotland) Act 2019 (ACRA) legislation* and the types of behaviour they were involved in. This will help inform an evidence-base which can assist in future ACR developments (e.g., raising the age to 14 years old or higher).
- Learning to be captured from Local Authority Social Work as to how they have utilised ACRA 2019 legislation and any challenges experienced. Subject to there being sufficient data, this learning can be collated, and a national picture developed, helping to identify issues (affecting a number of local areas) which require national action to help resolve.
- Insights to be gained concerning the serious harmful behaviour of children in Scotland under 12 years old and any additional requirements to support the social work workforce.
- The Age of Criminal Responsibility Ministerial Advisory Group to be updated quarterly and the production of a report (subject to there being sufficient data).

The data shared through the ACR Data form will be used only for these stated purposes, If additional or alternative purposes are identified, local authorities will be consulted before any change is made.

In no circumstances will individual ACR Data forms be shared or made public. The only parties who will have sight of individual ACR Data forms will be the sending local authority and the University of Strathclyde's Children and Young People's Centre for Justice (the recipient).

ACR Data Sharing

It is anticipated that collated data from ACR Data forms will be shared by the Children and Young People's Centre for Justice (CYCJ) with the following organisations and individuals:

- Local Authority Social Work Chief Social Work Officers, ACR Leads and Practitioners (to inform ongoing implementation, training, and related developments)
- The Scottish Government (including Government Ministers)
- Social Work Scotland
- Police Scotland

Age of Criminal Responsibility (Scotland) Act 2019 (ACRA): Data Collection Form

The Age of Criminal Responsibility (Scotland) Act 2019 (ACRA) legislation commenced on the 17th December 2021. CYCJ is gathering data to understand the impact that the legislation has for children under 12 years old who have been involved in serious harmful behaviour and to inform the future direction of ACR in Scotland.¹

To assist with this, we are asking Local Authority Social Work to fill out the data collection form below, to the best of their knowledge, where ACRA legislation (as of the 17th December 2021) has been used (or was considered) in relation to a child under 12 years old engaged in serious harmful behaviour. **In order to comply with Data Protection, please ensure that no information is provided which could disclose the identity of the child in question. This includes name, DOB, or any specific details such as name of school etc.**

Please email completed forms – as timely as possible following on from the incident - to the secure email address set up specifically for this purpose which is **ACRMailbox@protonmail.com**

Part 1 (A):

Please provide the following information where ACRA legislation has been used in relation to a child aged under 12 engaged in serious harmful behaviour.

Date Reported	
Date of Referral	
What is the Legal Status of the Child?	Choose an item.
Does the Child Have a Disability?	Choose an item.

¹ Definitions and criteria are outlined in Operational Guidance [Age of Criminal Responsibility \(Scotland\) Act 2019 \(ACRA\) Operational Guidance for Social Work and Police - Social Work Scotland](#)

What is the Gender of the Child?	Choose an item.
What is the Current Age of the Child?	Choose an item.
What was the Age of the Child at the Time of the Incident?	Choose an item.
Please Identify the Local Authority that the Child Resides in	Choose an item.
Has There Been Previous Social Work Involvement with the Child?	Choose an item.

Part 1 (B):

<p>Please Provide a Brief Description of the Incident</p> <p><i>To comply with Data Protection laws, you must not share with us any identifiable information such as name, DOB, or any location information such as name of school or the specific location of incident, etc</i></p>	
<p>Were there any others Involved in the Incident?</p> <p><i>If 'yes', please specify if they were:</i></p>	Choose an item.
<p>If yes, what was their Age(s) at the Time of the Incident?</p>	

Part 2:

Please identify what 'action' was taken in line with ACRA legislation following on from the incident? Please place a ✓ in the appropriate columns and provide additional details where required.

Action	Tick if yes ✓	Date of Commencement	Additional details	
<p>Child Taken to 'Place of Safety' provided by Social Work <i>If 'yes', please provide details on the type and location of the place of safety, along with the length of time at the place of safety</i></p>	<input type="checkbox"/>			
<p>ACRA Inter-Agency Referral Discussion (IRD) <i>If 'yes', please provide details on timing of the this and the agencies attending the meeting and the 'decision' agreed at the conclusion of the ACRA IRD (e.g., ACRA Police-Social Work Investigative Interview, social work or other service support and intervention, referral to the Children's Reporter, reasoned decision to take no further immediate action, etc.)</i></p>	<input type="checkbox"/>		<p>Date of Any Subsequent Meetings</p>	
			<p>Agencies Attending</p>	<p>Choose an item.</p> <p>Choose an item.</p> <p>Choose an item.</p> <p>Choose an item.</p>
			<p>'Decision' Agreed</p>	

Was a decision made to have an ACRA Joint (Police-Social Work) Investigative Interview?	<input type="checkbox"/>		
Was the Investigative interview by Agreement?	<input type="checkbox"/>		
Was the investigative interview by Sheriff's Child Interview Order (CIO)? <i>(Please state reasons)</i>	<input type="checkbox"/>		
<i>Please provide details of any 'action' undertaken that is not listed above</i>	<input type="checkbox"/>		

Part 3:

Please identify the 'outcome' for the child following the use of **any** ACRA duties. Please place a ✓ in all the appropriate columns and provide additional details where required.

Outcome	Tick if yes ✓	Additional details
Referral to Early and Effective Intervention	<input type="checkbox"/>	

CYCJ is primarily funded by the Scottish Government and based at the University of Strathclyde.



GIRFEC child planning meeting (e.g., team around the child) and plan developed or updated.	<input type="checkbox"/>	
Referral to the Children's Reporter	<input type="checkbox"/>	
Child protection procedures instigated	<input type="checkbox"/>	
Referral for Specialist Support <i>(e.g., CAHMS, third sector services, etc.)</i>	<input type="checkbox"/>	
Secure Care Placement	<input type="checkbox"/>	
<i>Please provide details of any 'outcome' undertaken that is not listed above</i>	<input type="checkbox"/>	

Part 4:

We would like to reflect on how the legislation is working in practice.

Please provide any additional comments in the text box relating to how ACRA legislation was used, or any relevant practice/process issues that emerged that may assist learning in future.

Date Form Completed: / /

If you have any queries regarding this form, please contact:

Aaron.Brown@strath.ac.uk (CYCJ) or Sharon.Glasgow@gov.scot (Scottish Government)