

Improving Scotland's collective response to child victims

First step in developing national Barnahus standards for Scotland.



Earlier this year, the Scottish Government commissioned Healthcare Improvement Scotland (HIS) and the Care Inspectorate to develop a set of standards to introduce the Barnahus concept to Scotland as part of our commitment to improving how the criminal justice system serves children, young people and their families.

The original Icelandic Barnahus – or ‘Children’s House’ – is a child-friendly, interdisciplinary and multiagency centre that allows different professionals to work under one roof in investigating suspected child sexual abuse cases and providing appropriate support for child victims.

The concept was later adopted by more than 10 European countries and takes a variety of forms, depending on each country’s unique legal and healthcare systems. Despite their differences, all are united by a shared aim of improving recovery and reducing re-traumatisation by the justice process.

Scoping recommendations

Following an initial workshop with 50 participants from across health, social work, justice, police and child-protection in June 2019, HIS and the Care Inspectorate have published their [scoping report](#), providing a roadmap for the development of national Barnahus standards for Scotland.

Informed by the workshop discussions, the report recommends that the standards should cover:

- Inter-agency working and collaboration
- Child and family-centred design
- Information and supported decision-making
- Evidence collection
- Staff training, role and responsibilities, and
- Follow-up treatment, support and advocacy
- Leadership and governance

The report also includes testimony from victims, including eight-year-old Rowan who said her abuser’s conviction “was on Facebook before I heard about it. I found out at school. It was confusing and weird not to be told properly. It was scary too because I didn’t know what had happened... It would have helped if there had just been one person I could have talked to the

whole time and who could support me before, during and after court.”

Introducing Scotland-specific standards provides an opportunity to tackle such experiences head-on and design a genuinely child-centred approach to delivering justice, care and recovery for children who have experienced abuse.

They will help Scotland to balance a child’s right to recovery from the point at which they disclose abuse with their right to access justice in a child-centred way, in line with the principles of the UN Convention on the Rights of the Child and GIRFEC.

Based on the European PROMISE quality standards which outline best practice for countries who wish to develop the model, these standards will form a framework for health, justice and local authorities to understand what is required to improve our collective response to child victims.

Next steps

Work to develop standards is currently at the scoping stage. A standards development group will be recruited this summer, co-chaired by leads from health and social care respectively.

The working group will include clinical expertise, representatives from health boards, children’s services, the third sector, statutory justice partners and will be informed by children and young people’s lived experience.

The post [Improving Scotland’s collective response to child victims](#) appeared first on [Justice and Safety](#).

Scottish Government response to review of legal services regulation

Minister for Community Safety Ash Denham has outlined the Scottish Government’s response to Esther Robertson’s review of legal services regulation in Scotland.



Ms Denham said:

“I’m grateful to Esther Robertson and her team for their work to consider what changes may be needed to the regulation of legal services in Scotland. We will also give full consideration to the Competition and Market Authority’s (CMA) response to the review

published last week.

“Following engagement with key stakeholders we have identified differing views within the sector on the recommendation that there should be a single independent regulator for all providers of legal services.

“To build consensus on the way forward we will launch a public consultation later in the year. We want to hear from stakeholders and the public on how the proposed reforms within Esther’s review can support professionals with a regulatory system that is proportionate and flexible.

“I strongly encourage all those involved in the legal profession to make their views known and look forward to a robust and constructive debate on the future of legal services regulation in Scotland.”

The Scottish Government’s full response to the independent review by Esther A Robertson is available below:

<https://www.gov.scot/publications/scottish-government-response-fit-future-report-independent-review-legal-services-regulation-scotland/>

The post [Scottish Government response to review of legal services regulation](#) appeared first on [Justice and Safety](#).

[Review of police stop and search](#)

Justice Secretary Humza Yousaf has welcomed an independent report into the use of police stop and search powers.

[The report on the Stop and Search Code of Practice](#), carried out by the Independent Advisory Group covers the first 12 months of the code’s operation up to 31 May 2018.

Mr Yousaf said:

“I am grateful to the independent advisory group, whose work has provided police, Parliament and the public with a much clearer picture of the use and circumstances of stop and search powers which we can see are now less

frequently used than when concerns were first expressed.

“I welcome the significant increase in the proportion of searches which have resulted in a positive outcome, suggesting that stop and search is being used in a more appropriate and targeted way, resulting in a more effective use of police time and resources.

“This is testament to the professionalism and responsiveness of the police service, which has delivered significant improvements to the stop and search process over the last few years. We will continue to work with Police Scotland and others to consider how best the recommendations in the report might best be met.”

The research report marks the conclusion of work commenced in 2015 with the publication of the final report of the Independent Advisory Group on Stop and Search. This new research covers the first 12 months of operation of the Code of Practice for Stop and Search in Scotland which came into force in May 2017.

The Scottish Government has accepted the recommendations of the report insofar as they relate to the suggested gaps in legislation, and government officials will continue to work with Police Scotland, along with other relevant stakeholders, to consider how these recommendations might best be met, taking into account all the evidence gathered to date and possible future legislative options.

The reports are available below:

[Twelve month review of the Code of Practice for Stop and Search in Scotland by the Independent Advisory Group on Stop and Search](#)

[Twelve Month Review of the Code of Practice for Stop and Search in Scotland – Quantitative Report](#)

[Twelve Month Review of the Code of Practice for Stop and Search in Scotland – Qualitative Report](#)

[Stop and Search Improvement Progress Report for the Cabinet Secretary for Justice Update by Police Scotland](#)

The post [Review of police stop and search](#) appeared first on [Justice and Safety](#).

[Justice Secretary responds to Home Detention Curfew reports](#)

Justice Secretary Humza Yousaf has welcomed the publication of progress reviews by HM Inspectorate of Prisons for Scotland (HMIPS) and HM Inspectorate of Constabulary in Scotland (HMICS) into the arrangements for home detention curfew (HDC) in Scotland.

Both independent reviews identify good progress against the recommendations made by the Inspectorates in October last year. The majority of actions have been completed, with the others well underway, and the Inspectorates found clear evidence of improvement to operational processes.

Mr Yousaf said:

“HDC is an important part of the justice system, preparing prisoners for release and enabling monitored reintegration, with most observing their curfew conditions. It is not an entitlement, however, and any decision must prioritise public safety.

“I welcome the findings of these reports which show real and demonstrable progress in improving the management of prisoners serving the end of their custodial sentence in the community. In particular, Police Scotland and the Scottish Prison Service have worked hard to improve information sharing between justice agencies and to ensure all staff involved in HDC decisions are fully trained and supported.

“The Scottish Government is committed to tightening the law further to protect the public. That is why we are legislating to give police new powers of entry and search to apprehend a person unlawfully at large from HDC or temporary release.

“We will continue to work with Police Scotland and SPS to ensure the HDC regime is operating as effectively as possible and that it remains an effective tool in providing structured monitoring on prison release.

“My thoughts remain with the family and friends of Craig McClelland, whose tragic murder led to last year’s review of HDC.”

The Cabinet Secretary has written to the convener of the Justice Committee to make Parliament aware of the publications, which are a follow-up to the independent reviews of HDC published in October 2018. The Scottish Government, the Scottish Prison Service and Police Scotland accepted all 37 recommendations contained within those reports and requested that both Inspectorates continue to monitor progress.

In April, the Justice Committee accepted an amendment to the Management of Offenders (Scotland) Bill which will create a specific statutory offence of remaining unlawfully at large. A final vote on the bill is due to take place before summer recess.

HDC is overwhelmingly used with short-term prisoners (those sentenced to less than four years) and the proportion of all those currently on HDC serving short-term sentences is 100%.

HDC is not an entitlement and certain categories of prisoner – including sex offenders, anyone serving an extended sentence and those subject to

supervised release order – are automatically barred from being considered.

The post [Justice Secretary responds to Home Detention Curfew reports](#) appeared first on [Justice and Safety](#).

[Expert Review of Mental Health and Wellbeing Support for Young People in Custody](#)

Responding to the findings of the [Expert Review of the Provision of Mental Health Services, for young people entering and in custody at HMP YOI Polmont](#), Justice Secretary Humza Yousaf said:

“I am grateful to HM Chief Inspector of Prisons for Scotland and Dr Helen Smith for the breadth and depth of work on this detailed report. I would also like to thank staff and young people at HMP YOI Polmont for engaging openly and constructively with Dr Smith and the wider review team to inform their recommendations.

“We take the mental wellbeing of people in prison very seriously and while the numbers of suicides by young people in custody are small, no death should be regarded as inevitable. Any suicide in custody is a tragedy that has a profound effect on family and friends, as well as prison staff, and my thoughts are with all those who have lost loved ones to suicide.

“Both the mental health review and routine inspection report highlight the hard work, compassion and dedication of frontline prison and healthcare staff who provide opportunities and support to young people in custody every single day. That dedication is clearly evidenced in the Chief Inspector’s finding that Polmont is a “leading edge” prison where there are respectful relationships between staff and the people in its care and an impressive range of support offered to young people.

“The report contains 80 recommendations, and we are clear that improvements can and should be made. We will give the report and recommendations full and detailed consideration.

“The Scottish Prison Service and NHS partners have undertaken a range of actions in recent months to improve support and it remains a priority for me to work with other Government ministers and responsible agencies to agree detailed actions in response to this independent review.

“The review recommendations are comprehensive and wide-ranging. We will consider with the SPS, NHS and other partners further immediate actions in light of the review to improve the support and care for young people in custody as well as reflecting fully on the wider strategic recommendations in the report. We will provide an update to Parliament before recess.”

Action already underway in mental health provision and support, suicide prevention and in youth justice, includes the work of the National Suicide Prevention Leadership Group and the joint Scottish Government and COSLA Taskforce on Children and Young People’s Mental Health. Links will also be made to the current independent Care Review, which is working to deliver lasting change to the care system.

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