

Citizen Participation and Public Petitions Committee
Wednesday 25 June 2025
12th Meeting, 2025 (Session 6)

Youth Crime Petitions

Introduction

1. [At its meeting on 11 December 2024, the Committee agreed to take evidence on petitions relating to youth crime.](#) The Committee subsequently agreed that it would take evidence from the Cabinet Secretary for Justice and Home Affairs, the Lord Advocate and the Children's Reporter. It also agreed the evidence session would cover themes arising from the following petitions:
 - [PE1947: Address Scotland's culture of youth violence](#)
 - [PE2064: Ensure that under 16s charged with rape are treated as adults in the criminal justice system](#)
2. Petition summaries for each petition are included in **Annexe A** and the Official Report of the Committee's last consideration of each petition is included at **Annexe B**.
3. The Committee has received a new written submission from the Minister for Victims and Community Safety on petition PE1947 and new written submissions from the Lord Advocate on petition PE2064, which are set out in **Annexe C**.

Today's Meeting

4. At today's meeting the Committee will hear evidence from:
 - Rt Hon. Dorothy Bain KC, Lord Advocate
 - Alistair Hogg, Head of Practice and Policy, Scottish Children's Reporter Administration
 - Stephanie Ross, Principal Procurator Fiscal Depute, Policy Unit, Crown Office and Procurator Fiscal Serviceand then from –
 - Angela Constance MSP, Cabinet Secretary for Justice and Home Affairs
 - Clare Collin, Violence Reduction Team Leader, Scottish Government
 - Tom McNamara, Head of Youth Justice and Children's Hearings

Action

5. The Committee is invited to consider what action it wishes to take.
- Clerks to the Committee**

CPPP/S6/25/12/1

June 2025

Annexe A: Summary of petitions

PE1947: Address Scotland's culture of youth violence

Petitioner

Alex O'Kane

Date Lodged

11 August 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to address the disturbing culture of youth violence in Scotland.

Previous action

I have contacted Glasgow politicians, including Paul Sweeney MSP to express my concerns. I have started an awareness campaign on the No1seems2care social media page to try to warn parents about the dangers which currently exist on the streets of Glasgow city centre, its also important to let the youth know about the dangers they may face. I have written to the Chief Constable of Police Scotland and have received a response from the relevant Area Commander.

Background information

I am the founder of the No1seems2care help group which is based in Glasgow. In recent months I have received dozens of videos, images and first-hand accounts which describe a disturbing culture of youth violence in Glasgow city centre. Children as young as 13 years old have been kicked unconscious and left in pools of blood whilst the incidents are videoed and circulated on social media. Children should be safe in our city.

There are several posts on the No1seems2care Facebook page which show images of some of these violent incidents. The videos are too graphic to show on a public platform. There are also first accounts from people in Glasgow city centre.

Webpage: <https://petitions.parliament.scot/petitions/PE1947>

Committee Consideration

6. The Committee has received a new written submission from the Minister for Victims and Community Safety, which is set out in **Annexe C**.
7. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
8. [Further background information about this petition can be found in the SPiCe briefing](#) for this petition.

9. [The Scottish Government gave its initial position on this petition on 4 August 2022.](#)

10. Every petition collects signatures while it remains under consideration. At the time of writing, 2,828 signatures have been received on this petition.

PE2064: Ensure that under 16s charged with rape are treated as adults in the criminal justice system

Petitioner

Julie Mitchell

Date Lodged

9 November 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to ensure that under 16s charged with rape are treated as adults in the criminal justice system.

Previous action

I've reached out to the Scottish Crown Office and Procurator Fiscal Service and the Lord Advocate.

I've bombarded the Ministry of Defense for 3 years.

Background information

Under 16s charged with rape or sexual assault are protected and treated as children. Where are the human rights of child victims? Rape is an adult crime and should be treated as such. I believe that such individuals should be added to the sex offenders register.

Webpage: <https://petitions.parliament.scot/petitions/PE2064>

Committee Consideration

11. The Committee has received new written submissions from the Lord Advocate, which are set out in **Annexe C**.

12. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)

13. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.

14. [The Scottish Government gave its initial position on this petition on 7 December 2023.](#)

15. Every petition collects signatures while it remains under consideration. At the time of writing, 432 signatures have been received on this petition.

Annexe B: Extract from Official Reports

Extract from Official Report of last consideration of PE1947 on 11 December 2024

The Convener: PE1947, which was lodged by Alex O’Kane, is another petition with which the committee has been extensively involved. It urges the Scottish Government to address the disturbing culture of youth violence in Scotland.

We last considered the petition on 6 March, following our site visits, and we agreed to write to the Minister for Victims and Community Safety, seeking her response to a number of points. In particular, we requested clear information on what a whole-system approach to youth offending looks like when addressing repeated incidences of violence perpetrated by a young person.

The minister’s response recognises that, although the aim is to keep children out of the criminal justice system, in some cases that will not be possible or appropriate. The minister highlights that the United Nations Convention on the Rights of the Child states

“The arrest, detention or imprisonment of a child ... shall be used only as a measure of last resort and for the shortest ... period of time”.

The severity of a crime will influence whether it is proportionate to arrest a child and present them at a police custody centre.

The Scottish Sentencing Council’s guidelines on the sentencing of young people are also highlighted. The guidelines focus on rehabilitation but note that other factors, such as protection of the public, punishment and expressing disapproval of the offending behaviour, can be taken into account. That is very consistent with the experience of those of us who heard evidence. The submission explains that young people aged 12 to 17 who have committed a serious sexual offence or are considered to be a serious risk of harm can be managed in various ways. That includes care and risk management or multi-agency public protection arrangements, if they have been convicted of the offence in a criminal court.

On victim support, the minister points to the “Standards of Service for Victims and Witnesses” document that is published by key criminal justice agencies. The document seeks to explain what happens at each stage of the criminal justice process, the standards of service that can be expected and who can be contacted for help or advice.

The petitioner has provided a new submission, in which he once again expresses his concerns about the justice system and reiterates his view that youth violence is aggravated by a lack of consequences, deterrence and punishment. I have to say that that is very much what those of us on the committee at the time who met and took evidence from people felt was being very clearly and strongly expressed.

The petitioner also raises concerns about funding, arguing that

“a lack of funding was inevitably going to lower the bar in every field of service”

and that it would put young people
“at risk and the public in more danger.”

David, were you on the committee when we took this evidence

David Torrance: I think so, yes.

The Convener: So you and I are the only two who are left from that time. If you are happy to support it, I am quite happy to propose that, in the first instance, we write to the Minister for Victims and Community Safety to ask what actions the Scottish Government will take following the summit on youth violence in January 2025; to seek an update on the development of a collaborative plan for harm reduction and violence prevention; and to ask how victims are made aware of the “Standards of Service for Victims and Witnesses” document when reporting a crime.

More particularly, having taken evidence, gone on site visits and heard from a number of people, we are at the point at which it is time to invite the Cabinet Secretary for Justice and Home Affairs, the Minister for Victims and Community Safety and the Lord Advocate to give evidence. From experience, I know that, if we take one or the other, one will say that it is the other’s responsibility. Having them all here might facilitate the discussion. Anyway, we will ask them to come and give evidence on this and other petitions relating to serious crime committed by young people, although I think that we will want to get the update first, to inform that discussion.

Fergus Ewing: I agree with all of that. Having read the submission from Siobhian Brown, the community safety minister, I think that although it is one of the longest submissions that I have seen—it is more than seven or eight pages—and although, to be fair to the minister, it covers a lot of ground, it is still very general.

I remember from those distant days when I was community safety minister that specific bodies sought to play a variety of specific roles. We had Medics Against Violence; there was the use of naloxone; there were various diversionary schemes; and there was the cashback for communities funding. Although that funding is mentioned in the last paragraph of the minister’s submission, there is no specific statement about how much money is involved. The idea is to confiscate drug dealers’ takings and use that money to help to solve the problems that they have partly created in society.

I should also mention the violence reduction unit: John Carnochan and his successor played very active parts in helping to turn around the lives of youngsters who were on the verge or cusp of criminal careers.

This is a very difficult area, convener, and I know that there are no simple solutions. Like you, I have sympathy with the petitioner’s comment in his supplementary submission that for the victim, in particular, and the accused, the experience of going through the criminal justice system, where you might give a precognition, wait a year and still nothing happens, is in some ways almost as bad as the original problem, if it was a relatively minor one.

I think that we should hear from the minister, but we should also ask for more specific information on each of the policy strands that are designed to help young people who are on the cusp of becoming a serious problem to themselves and society, and how effective those strands are. After all, at the end of the day, it comes down to these programmes.

I was struck by how very general the response from the minister was. I could not go and explain it to a constituent—some of the abbreviations and acronyms passed me by, so goodness knows how the public are expected to understand any of it. There is a risk of descending into jargon.

The Convener: That is very much the petitioner's concern, too.

Certainly, that particular visit was one of the most harrowing that I have made. We respected the anonymity of the victims of violence and their parents, but the way in which they had been targeted and their lives ruined with the perpetrators carrying on regardless was really very difficult to hear about.

It was a long response from the minister. I felt that I was almost being given a manual, against which I would like to test the actual life experience of people who have been subjected to such violence, because the minister's response seems almost to be floating above practical experience in its otherworldliness. It could do with a little bit of worldliness.

I am quite happy to pursue some detail, but it would be good to test with the minister the experiences as we heard them, as they are very much still being represented by the petitioner. Are we agreed, colleagues?

Members *indicated agreement.*

Extract from Official Report of last consideration of PE2064 on 11 December 2024

The Convener: Our next petition, PE2064, which was lodged by Julie Mitchell, calls on the Scottish Parliament to urge the Scottish Government to ensure that under-16s charged with rape are treated as adults in the criminal justice system.

We last considered the petition at our meeting on 6 March, when we agreed to write to the Lord Advocate, seeking an update on her review of diversion from prosecution as it relates to sexual offences and requesting figures on cases of rape by under-16s. The committee also made reference to the petition in its letter to the Minister for Victims and Community Safety on PE1947, as the issue of serious crimes committed by young people cuts across both petitions. We considered PE1947 just a short while ago.

The Lord Advocate's response states that the review is making good progress. At the time of her submission, a review of the existing prosecution policies and round-table discussion events had taken place. That included contributions from stakeholders who represent children in conflict with the law.

The response also states that a senior advocate depute has been appointed to conduct an examination of all cases of rape that were diverted or referred to the

reporter in the past five years. That examination will inform the revised prosecution policies, which were due for publication by mid-summer.

On the number of cases, the response states that there were 266 cases reported of rape or attempted rape between 1 January 2018 and 31 December 2023 for children aged 12 to 15. Those cases were reported jointly to the children's reporter and the procurator fiscal. The Lord Advocate goes on to say that there were 462 cases reported of serious sexual assault between 1 January 2018 and 31 December 2023—the same time period—by children aged between 12 and 15, which were reported jointly to the children's reporter and the procurator fiscal.

I think that the issues here persist and are of concern. Do members have any comments or suggestions for action?

David Torrance: I wonder whether we could write to the Lord Advocate to seek an update on the review of diversion from prosecution in cases of serious sexual offences, and, following on from the suggested action for PE1947, on Scotland's culture of youth violence. Could we also invite the Cabinet Secretary for Justice and Home Affairs, the Minister for Victims and Community Safety and the Lord Advocate to give evidence on the petition and on other petitions relating to serious crime committed by young people, at a future meeting?

The Convener: We have two petitions for which we would seek to bring together our respective ministers and the Lord Advocate. Are members content with that proposal, on the back of seeking further information in the first instance in both cases?

Members *indicated agreement.*

The Convener: The petition will be kept open, along with the petition in the name of Alex O'Kane, and we will speak to the minister in respect of both.

Annexe C: Written submissions

Minister for Victims and Community Safety written submission, 30 January 2025

PE1947/H: Address Scotland's culture of youth violence

Thank you for your letter of 16 December 2024 to request information following my previous response to the Committee dated 2 April 2024.

Please find below information requested by the Committee.

Update on the development of a collaborative plan for harm reduction and violence prevention.

Through the Violence Prevention Framework, we continue to work with partners to reduce harm and prevent violence, which include targeting the effects of social media on violence. This was a specific action we committed to undertake in the Framework's action plan.

On 11 September 2024, I launched the campaign [Quit Fighting For Likes](#) during a visit to Craigmount High School in Edinburgh. The campaign aims to start conversations among young people on attitudes and behaviours around the filming and sharing of violent incidents across social media.

Developed by the Scottish Violence Reduction Unit (SVRU), YouthLink Scotland and Medics Against Violence (MAV), the campaign includes a range of messages to help young people explore why the filming and sharing of violent images is harmful.

A number of resources and training sessions have been developed for practitioners to help support the delivery of the campaign messages to young people. Partners are being encouraged to share the campaign over their own social media over 10th – 14th February, to coincide with Safer Internet Day on 11th February. This will look to raise further awareness of the Quit Fighting for Likes campaign, encouraging more practitioners in and out with schools to run activities using the campaign resources directly with young people.

A [progress report](#) outlining progress achieved over the first year of implementation of the Violence Prevention Framework was published on 11 September 2024. The progress report highlights some of the partnership progress achieved so far. For example:

- Extending the support of the SVRU, to reach more individuals and communities across Scotland, including North and South Lanarkshire, Fife, Highlands, Glasgow and Edinburgh.
- Using the learning from the MAV Hospital Navigator Programme to deliver the service to reach young people at an earlier stage of their lives. This is being delivered in two Children's Hospitals Aberdeen and Glasgow.
- MAV engaging with young people highlighting the consequences of knife carrying and knife injuries in primary schools, youth clubs and secondary schools.

- The SVRU has been working to develop a community of practice for over 100 police School Liaison Officers across Scotland, working directly in schools to engage early with young people.
- YouthLink Scotland has delivered various online and face to face No Knives, Better Lives training sessions to hundreds of practitioners working with young people, whilst also reaching out to deliver No Knives Better Lives messaging directly with young people.

This is in addition to the funding and support we provide through our Cashback programme partners, with up to £20 million to support the current phase (2023-26), awarded to 29 organisations delivering a range of diversionary activities, youth work, family support, enabling positive destinations for young people aged 10 – 25. A [Report](#) into the first year of the programme's three-year funding phase highlights the positive contribution the programme has had on over 15,000 young people.

Information on what action the Scottish Government will take following the summit on youth violence in January 2025, when this information is available.

The First Minister committed to holding a cross-party summit, which took place on 13th January 2025, to hear first-hand from a number of young people and their parents/trusted adults, who have been affected by violence involving other young people. This was an opportunity for those young people to tell us what they feel is needed to address youth violence and required to support those who have been harmed.

A report of the summit is being prepared, which will capture the key issues the participants raised. This report will be published and shared across Scottish Government to help inform policy development and decision making. I would be happy to provide the Committee with a copy of this report when published.

The First Minister has committed to hold a further cross-party meeting with the MSPs who attended the summit and COSLA, to continue the discussion on this important topic. A date for this will be arranged as soon as possible.

Standards of Service for Victims and Witnesses document when reporting a crime.

The Committee was also keen to understand how victims are made aware of the Standards of Service for Victims and Witnesses document when reporting a crime.

Police Scotland has provided the following information in relation to how victims are made aware of the standards of service:

“Officers will give a victim of crime a ‘Your Care Card’. This has been recently updated (formally Victim Care Card). This contains information on rights and also a link and QR code which accesses the service standards. Officers can now also email the care card direct from their hand-held devices.”

I attach a care card for reference, which Police Scotland has provided. Police Scotland would be best placed to answer any further questions the Committee may have about this

I hope this information is helpful.

Yours sincerely,

SIOBHIAN BROWN

Annexe A: Your Care Card

Supporting you

Being affected by a crime can be difficult and upsetting. This is to let you know what support you can get.

You can have someone with you

Just ask a friend, someone from your family or your legal representative to come with you when you give your statement.

How to get support

Victim Support Scotland is an independent charity who are not part of the police or courts. They help anyone affected by crime, no matter who they are or what's happened. Their service is free, confidential and they won't judge you. They will listen to you and offer practical and emotional support.

To get support or more information from Victim Support Scotland, you can;

- Agree for the police to make a referral on your behalf,
- Call them on 0800 160 1985 or
- Fill in the form at www.victimsupport.scot/self-referral

If you need help getting support

Ask anyone in the police or at the courts and they will contact a provider of support services for you. You can do this in person or over the phone.

Your rights

The Victims' Code for Scotland sets out your rights. It also has contacts for our partners and support organisations. Please ask us for a copy or read about them here: www.mygov.scot/victims-code-scotland

Our care standards

We set high standards for the way we care for people who have been affected by crime. Please ask us for a copy or read about them here: www.scotland.police.uk/victimsandwitnesses



About Your Report

Here are the details for your report, in case you need them.

Reference number	Crime reported	Date reported
Police Officer's email		@scotland.police.uk

Call **101** to speak to the police

Always call **999** in an emergency

Lord Advocate written submission, 15 January 2025

PE2064/F: Ensure that under 16s charges with rape are treated as adults in the criminal justice system

I refer to your letter dated 16 December 2024 seeking an update on the review of diversion from prosecution for sexual offences.

I would like to reiterate that sexual offences, including rape, are among the most difficult cases prosecutors deal with. I am acutely aware of the trauma experienced by victims and their loved ones because of these abhorrent crimes.

These cases are particularly difficult when the victim and accused person are both children. As public prosecutors, we are trusted to make appropriate decisions considering the rights of all children involved.

The review, on the use of diversion from prosecution and referral to the Scottish Children's Reporter Administration (SCRA) in cases of serious sexual offences, is in recognition of the profound impact of such crimes upon victims and my determination to improve their experience of the criminal justice system.

The review has made good progress and is near conclusion.

To date, there has been a review of the existing Crown Office and Procurator Fiscal Service (COPFS) prosecution policies and roundtable discussion events have been held with key stakeholders, who provided comments from the perspective of victims and witnesses of rape and other serious sexual offences, including views from those with lived experience, and stakeholders who represent children in conflict with the law, to hear their views on how prosecutors should deal with diversion from prosecution and referral to the SCRA in rape cases.

In addition, I appointed a Senior Advocate Depute to conduct an examination of all cases of rape which were diverted or referred to the SCRA in the last five years to identify the factors which will be relevant to decisions to divert or prosecute accused

persons in these cases and any other issues considered to be important to the operation of diversion and referral to SCRA. The review of these cases has been completed and the Advocate Depute has reported on her findings.

Policy Officials within COPFS have developed a new statement of prosecution policy on the use of diversion and referral to SCRA in solemn level sexual offences cases involving children, which has been informed by the feedback obtained from the consultations with key stakeholders and the outcome of the Advocate Deputes review of past cases.

I will take time to carefully consider the outcome and recommendations of the review and approve the revised prosecution policies prior to their publication. I expect that the revised prosecution policies will be published by Spring.

I note that I will receive an invitation to give evidence to the Committee in due course and look forward to receiving same.

Yours sincerely,

**THE RIGHT HONOURABLE DOROTHY BAIN KC
LORD ADVOCATE**

Lord Advocate written submission, 28 April 2025

PE2064/G: Ensure that under 16s charged with rape are treated as adults in the criminal justice system

I refer to the above and previous correspondence whereby the Committee have sought updates on the review I instructed on the use of diversion from prosecution and referral to the Scottish Children's Reporter Administration (SCRA) in cases of serious sexual offences.

I am delighted to advise that the review has now concluded and as a result, I have approved a new Statement of Prosecution Policy which focuses on cases involving children.

The Statement of Prosecution Policy has been directly informed by the invaluable discussions and feedback received during the roundtable discussion events that were held with key stakeholders who provided comments from the perspective of victims and witnesses of rape and other serious sexual offences, including views from those with lived experience, and stakeholders who represent children in conflict with the law.

The new policy has also been informed by the outcome of the examination of all cases of rape which were diverted or referred to SCRA in the last five years, which was conducted by a Senior Advocate Depute.

From Monday 28th April 2025, all decision making in rape and other solemn level sexual offences cases involving child accused (including where the accused is now an adult, but was a child at the time the offence was reported to COPFS) will follow the new policy.

Such a bespoke policy is required to recognise the seriousness of sexual offending and ensure there is a clear and detailed framework for prosecutors to work within when making decisions as to the appropriate prosecutorial response in these cases to ensure the appropriate use of diversion and referral to the Reporter.

Communication with victims around decisions on cases involving children and sexual offending is central to the new policy. Decisions relating to the offences of rape and attempted rape will also now be taken by Senior Crown Counsel appointed by the Lord Advocate to exercise her authority on her behalf. These moves recognise the seriousness of these cases, the profound impact they have on victims, and the need to ensure that diversion and referral to the Reporter are being used appropriately.

The new Statement of Prosecution Policy will be published externally on COPFS' website on Monday 28th April 2025.

These cases are particularly difficult when the victim and accused person are both children. As public prosecutors, we are trusted to make appropriate decisions considering the rights of all children involved. I hope that the publication of the policy will assist members of the public in understanding how decisions are reached and ensure confidence in the approach.

Yours sincerely,

**THE RIGHT HONOURABLE DOROTHY BAIN KC
LORD ADVOCATE**