

SEJD Circular 18/2003 – Court

PROTECTING CHILDREN: GUIDANCE ON THE IMPRISONMENT AND PREPARATION FOR RELEASE OF SCHEDULE 1 OFFENDERS

2. IDENTIFYING CASES

2.1 Arrangements have been made for procurators fiscal staff to include the victim's age on the complaint or indictment in all relevant offences involving a victim aged under 16 years and to draw the attention of sheriff clerks to other cases which currently constitute Schedule 1 offences. Where a Schedule 1 conviction occurs, court staff mark the warrant of committal in all such cases which result in a remand or custodial sentence with the phrase “**NOTE TO SOCIAL WORK UNIT - OFFENCE(S) AGAINST CHILD(REN)**”. The warrant and a copy of any social enquiry report must be sent with the offender to the receiving prison. Within 5 working days the sheriff clerk or clerk of judiciary must also forward additional information where this has not been sent with the warrant. This will include, in every case, a copy of the relevant parts of the complaint or indictment and, where available, psychiatric or other reports. These documents should be sent, marked clearly for the attention of the prison social work unit. This information will inform the assessment of risk and should only be shared with others on a need to know basis. It will help the prison-based social worker make initial contact with a convicted prisoner with the fullest available information about the precise nature of the offence and the prisoner's circumstances.

2.2 Crown Office and the Scottish Court Service continue to examine the case reporting and registration process with a view to examining the viability of automating the identification and “flagging” of such offences/charges within the respective databases. Whilst there is no compatible electronic solution available at this time, future IT developments should increase the ability to monitor and improve information flows in cases such as those detailed in Schedule 1.