

1. The Scottish Justice System

Is built on a distinct legal framework that separates investigation, prosecution and decision-making to ensure fairness and independence. Police Scotland investigate alleged offences, while the Crown Office and Procurator Fiscal Service (COPFS) decides whether there is sufficient evidence and whether prosecution is in the public interest. The Scottish Children's Reporter Administration (SCRA) considers the needs and protection of children through the Children's Hearings System, which is unique to Scotland. The Scottish Courts and Tribunals Service (SCTS) support the judiciary to conduct court proceedings efficiently and safely. Together, these independent bodies ensure that justice is delivered in a way that protects the rights, safety and wellbeing of children and young people.

2. Introduction

The Scottish justice system is made up of several independent organisations with distinct roles, all of which have important points of connection with the developing Bairns' Hoose model. Understanding these roles helps us anticipate how children and young people may experience the system and how Bairns' Hoose can offer a more coordinated, trauma-informed response.

3. Cases – The Justice System

The process begins when Police Scotland investigate an alleged offence and gather information that may involve children either as witnesses, victims or, in some cases, as the subject of concern.

Their initial actions set the tone for how a child experiences the justice pathway, and this is often where the first opportunities arise for Bairns' Hoose involvement, particularly around providing a safe environment for joint investigative interviews and early support.

7. Bairns' Hoose

Bairns' Hoose brings these justice partners together under one coordinated, child-centred approach. It aims to minimise the number of times a child tells their story, reduce exposure to traditional court environments, and ensure access to advocacy, therapeutic support and consistent communication. By working closely with COPFS, SCRA and SCTS, Bairns' Hoose will help provide pathways where decisions, evidence-gathering and support all occur in a trauma-informed setting tailored to the child's needs.



6. Role of SCTS

The Scottish Courts and Tribunals Service (SCTS) provide the facilities, staff and technology required for judicial processes. They oversee special measures, live-link rooms and dedicated evidence-by-commissioner suites, all designed to reduce trauma for child witnesses. With the development of Bairns' Hoose, children are now able to give their evidence via a secure video link directly from the Bairns' Hoose, offering a safe, child-centred environment that removes the need to attend a court building. This approach ensures that justice processes can take place while placing far less stress on the young person.

Strengthening Professional Understanding of the Scottish Justice System



7 Minute Briefing

Resources

[Bairns' Hoose Aberdeenshire | Child-Centred Support](#)

[Crown Office Procurator Fiscal Service](#)

[The Scottish Courts and Tribunals Service](#)

[Scottish Children's Reporter Administrator](#)

4. Role COPFS

The Crown Office and Procurator Fiscal Service (COPFS) independently assesses whether there is enough evidence for a criminal case and whether prosecution is in the public interest. Their decisions influence whether a child may later need to give evidence and what protective measures will be put in place. COPFS already relies on trauma-informed approaches, such as special measures and evidence-by-commissioner, which align closely with the core principles of Bairns' Hoose.

5. Role of SCRA

For many children, the Scottish Children's Reporter Administration (SCRA) is the primary decision-maker. SCRA considers referrals about children who may require compulsory measures of supervision. Where a child's safety, wellbeing or behaviour is of concern, SCRA's processes may intersect with criminal investigations.

SCRA's longstanding commitment to avoiding calling children to court and using recorded evidence is strongly aligned with Bairns' Hoose values, placing children's welfare and rights at the centre.