

Definitions of Terms

DEFINITIONS OF CHILD AND VULNERABLE ADULT

Child

The law in Scotland can be ambiguous when it comes to stating who is, or is not, a child. Generally, a child is defined as anyone less than 16 years of age.

Young people aged 16 to 18 years are sometimes classified as children in Scotland. In terms of the Children (Scotland) Act 1995, a 16 to 18 year old will be regarded as a child if they are subject to a supervision requirement made by a Children's Hearing.

For the purposes of Part V of the Police Act 1997, a child is defined as anyone under the age of 18 years.

The United Nations Convention on the Rights of the Child considers everyone under 18 to be a child. SDS recognises that a child is defined as being under the age of 18 years.

Vulnerable Adult

A person aged 18 years or over may be considered to be a vulnerable adult if he / she receives one, or all of the following:

- Accommodation and nursing or personal care in a care home;
- Personal care, nursing, or support to live independently in his / her own home;
- Health or social care services;
- Services provided by an establishment catering for a person with a learning disability.

And in consequence of one, or a combination of the following:

- A substantial learning or physical disability;
- A reduction in physical or mental capacity due to advanced age, illness or injury.

A person is also considered to be vulnerable if he / she is either:

- Dependent on others in performing or assisting himself / herself in the performance of basic physical functions; or
- His / her ability to communicate with those providing services, or to communicate with others is severely impaired.