

## Child Protection (contd.)

The granting of a CPO requires the child to be removed to (or kept in) a place of safety away from home. For this measure to be considered, a child must be at risk of significant harm. Children's Hearings may continue a CPO which has already been approved by a Sheriff, with or without a variation to the condition(s). The Hearing may also decide not to continue the CPO.

Proportionately, more CPOs are granted for very young children, reflecting their greater vulnerability and requirement for immediate protection.

Hearings can also make Place of Safety Warrants which require a child to be kept in a place of safety away from home. Again, for this measure to be considered, a child must be at significant risk.

## More information

For more information about SCRA and the Children's Hearings System, please visit [www.scra.gov.uk](http://www.scra.gov.uk).

Our website also contains detailed statistics, including SCRA's online statistical service, which provides in-depth information about individual local authority areas.

We also provide a number of information leaflets for children and families on topics including Going to a Hearing, Supervision Requirements and Secure Accommodation. These are all available on the website.

### Alternatively, please contact:

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SCOTTISH  
CHILDREN'S REPORTER  
ADMINISTRATION

The Children's Hearings System

# How it Works

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updated June 2010



## Background information

The Children's Hearings System is the care and justice system for Scotland's children and young people. A fundamental principle is that children who commit offences, and children who need care and protection, are dealt with in the same system – as these are often the same children.

At the heart of the system are Children's Reporters, who are based in our local communities. Children and young people are referred to the Reporter from a number of sources, including police, social work, education and health. They are referred because some aspect of their life is giving cause for concern.

The Reporter investigates each referral and determines whether compulsory measures of intervention are required. If compulsory measures of intervention are required, a Children's Hearing will be held.

The Hearing consists of three Panel Members, all trained volunteers from the local community. The Hearing listens to the child's circumstances and then decides what measures are required. The child may require a particular type of treatment or intervention, they may be placed with foster carers, a residential unit or in secure accommodation. The Hearing may decide that the child should remain at home with support from other agencies, such as social work.

*The Hearings System aims to ensure that the best interests of the child are met and that they receive the most appropriate intervention and support.*

## SCRA's role

The Scottish Children's Reporter Administration (SCRA), along with other agencies has a responsibility for how the Children's Hearings System operates.

SCRA's vision is to transform the life chances of vulnerable children and young people in Scotland - they are at the centre of everything we do.

Focused on children and young people most at risk, SCRA's role and purpose is to:

- Make effective decisions about a need to refer a child to a Children's Hearing.
- Enable children and families to participate in Hearings.
- Provide suitable accommodation and facilities for Hearings.
- Disseminate information and data to inform and influence improved outcomes for children and young people.

## How the Children's Hearings System Works

### Incident

An incident occurs – for example, a child's welfare may be at risk, they may have suffered abuse or neglect, or the child may have committed an offence.

### Referral to the Reporter

A child\* should be referred to the Reporter by partner agencies (such as police and social work) because there is a need to intervene on a compulsory basis.

*\*Children up to the age of 16 can be referred, while 16 and 17 year-olds can be referred if they are already on Supervision or remitted by the court.*

### Investigation

The Reporter investigates the child's case by requesting information from different sources such as social work, education, health, police and voluntary organisations.

### Reporter Decision

The Reporter decides whether there is a need for compulsory intervention. If there is, the child is referred to a Hearing.

If there is no need for compulsory measures, Reporters have other options available. They can ask the local authority to provide voluntary advice and assistance, or take no formal action because other intervention is more appropriate.

### The Hearing\*

Each Hearing comprises of three Panel Members, all trained volunteers from the local community.

The child and their family or carers are central participants in the Hearing.

The Reporter records the decision of the Hearing, but takes no part in the Panel Members' deliberations and decision making.

Decisions are made openly during the Hearing by the Panel.

*\*Hearings will only go ahead once the grounds for referral are accepted by the child or young person and their parent(s), or if necessary, once the Sheriff Court has decided they have been established on the basis of evidence presented by the Reporter.*

### Outcome

The most common outcome from a Hearing is for a Supervision Requirement to be made.

This ranges from supervision at home to being placed in secure accommodation, depending on the needs of the child or young person.

Local authorities have a statutory obligation to implement the decisions made by a Hearing.

Hearings may also decide that formal supervision measures are not required and discharge the case.

## Key facts

A total of 47,178 children were referred to the Reporter in 2008/09, which represents 5.2% of all children in Scotland.

Referrals are split into two broad categories – care and protection, where the welfare of the child is causing concern, and offence, where the child is believed to have committed an offence.

The majority of children are referred on care and protection grounds. The most common grounds of referral in 2008/09 were 'victim of a Schedule 1 offence' and 'lack of parental care'.

The number of children referred on offence grounds\* has decreased in recent years, however the most common types of alleged offences remain; breach of the peace, vandalism and assault.

*\* Eight years is the criminal age of responsibility in Scotland – children aged under eight years cannot be referred to the Reporter for offending.*

The number of referrals to the Reporter has decreased in recent years, however the number of Children's Hearings being held, continues to rise. In 2008/09, 42,866 Hearings were held.

Supervision Requirements are the most common form of compulsory intervention made by Hearings as they are the only longer-term option available. As at 31 March 2009, 13,523 children were subject to Supervision Requirements.

## Child protection

Hearings can make short-term decisions to address emergency and/or high risk situations where measures have to be put in place immediately to protect children or address their behaviour. This may include Hearings arranged as a result of the Sheriff granting a Child Protection Order (CPO).