

Evidence to Education Committee, 28 January 2004

The Convener: I welcome to the meeting our third panel of witnesses. They are Detective Sergeant Gail McClymont, who is the child protection officer with Strathclyde police, and Jackie Robeson, who is head of practice at the Scottish Children's Reporter Administration. Jackie Robeson will kick off with a few words about her perspective on our inquiry.

Jackie Robeson (Scottish Children's Reporter Administration): It might help the committee if I explain that, as head of practice within the Scottish Children's Reporter Administration, I am involved in practice direction and development. As a result, I try to be involved in key multi-agency developments. For example, the field of child protection requires me to work with other key agencies and to consider national initiatives. I also examine local initiatives that might be worth further development.

My organisation's interests centre on child protection, and we are very much involved in, and follow with great interest, current developments. At the moment, we are particularly interested in defining outcomes and standards in relation to child protection and linking them to on-going work

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with young people who offend. Indeed, given the holistic nature of our work with children, we must ensure that all the work that is being done links up. We are also interested in the relationship between child protection and statutory processes, which include not only the children's hearings system but the criminal justice system, and in prevention, support and protection, which are the focus of "It's everyone's job to make sure I'm alright". We are opening further lines of investigation into those three areas.

Detective Sergeant Gail McClymont (Strathclyde Police): I am based in the child protection unit at Strathclyde police force headquarters. Although the unit was set up two years ago to bring consistency to the force's approach to child protection, our role has increased since then and we now deal with domestic abuse issues as well. Our main objectives are to monitor, review and produce force policy on child protection and domestic abuse; to support our divisional family protection units; and to advise the force executive on child protection and domestic abuse issues.

Strathclyde police recently restructured its approach to child protection and has introduced family protection units in each of our nine territorial divisions. The units bring under one umbrella what was previously called the female and child unit, which dealt with child protection issues and sexual offences involving adults; domestic abuse officers, who monitor and deal with domestic abuse issues; and the assessment of sex offenders in the community. They seek to provide a more cohesive approach to child protection issues and to offer a better service to victims of such crimes.

The Convener: That was very helpful.

My first question, which is for Jackie Robeson, concerns the level of follow-through at children's hearings. It was clear that there were problems in that respect when I visited the Glasgow hearings about 18 months ago. For example, the panels were quite often bringing people back three months into a supervision order to find out whether anyone had seen them in that time. Does that issue still need to be addressed or have there been improvements since that snapshot was taken?

Jackie Robeson: Work is being done in Glasgow, particularly in the area of social work, to recruit more staff and to find out how workers are employed and deployed. Previous witnesses have mentioned that this morning. As I understand it, the situation is slightly, but not significantly, better. Quite significant work has been done on a bi-agency basis, which means that the social work department and the local reporters have examined how those issues can be addressed. Children's hearings representatives and the local authority

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are also involved in finding out how implementation can be taken forward.

I know from recent reporting that there are still concerns that decisions by hearings are not being implemented or that there are gaps in implementation. However, as far as our organisation is concerned, the issue has been given a priority and we are dedicating a lot of work to examining different ways of taking the matter forward and ensuring that we have an impact. For example, our Glasgow office—which is our largest office—has six managers on a patch basis with one further reporter who is dedicated to what we call support work, but which is more like developmental liaison work on those issues. This area is a priority for us, because the process needs to guarantee an outcome that delivers for children's needs. Things are moving, but the situation is still very difficult for everyone involved,

Dr Murray: Recommendation 3 of "It's everyone's job to make sure I'm alright" suggests that the Executive should consult service providers to

"draw up standards of practice that reflect children's rights to be protected and to receive appropriate help."

My impression was that police boards, local authorities and the Scottish Children's Reporter Administration should be involved in that consultation on drawing up standards of practice. Have you been involved in any such consultation?

Jackie Robeson: We have been involved in general consultation, partly through child protection committees and partly through a point of contact in our office with the action team that is working on the standards. We offered to second a reporter to the action team when work was on-going. That approach has not been taken, but we have dedicated people in our headquarters who are available to work on developing the standards. We want to be, and are, involved in that work.

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Detective Sergeant McClymont: We have been consulted on the standards through area child protection committees and the Association of Chief Police Officers in Scotland.

Lord James Douglas-Hamilton: My question is on an issue arising from the Soham tragedy. Do you think that information on individuals who should not be working with children is a legitimate interest that should come within the scope of our inquiry, as it relates to prevention of abuse and crime and to the protection of children?

Detective Sergeant McClymont: Yes. Obviously, anything that can be put in place and any reviews that will assist us to protect children in the future would be worth while. We need to
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ensure that what happened in the Soham case does not happen again.

Lord James Douglas-Hamilton: I presume that if an individual who was totally unsuitable, as Ian Huntley was, had applied for a job in Scotland he would not necessarily have been picked up under the previous information system.

Detective Sergeant McClymont: Without knowing the full circumstances in the Soham case it is difficult to answer that.

Lord James Douglas-Hamilton: I think that that makes a case for considering the issue.

Mr Adam Ingram (South of Scotland) (SNP): The figures show that there has been an increase in the number of children coming into the system as referrals to local authorities or to children's reporters. Will you give us your reflections on that increase? Is it a result of the system working better in picking up cases or has there been an increase in the problems out there?

Detective Sergeant McClymont: That is a very difficult question to answer. Over the past few years, there has been a great rise in public awareness of issues around child protection and domestic abuse. Whether that rise in awareness is responsible for the rise in the number of referrals is open to debate. Without the results of proper research into the increase in the number of referrals, it is difficult to answer that question.

Mr Ingram: We heard evidence from Children 1st to the effect that it would like the community to be involved much more proactively in child protection. Are you picking up a sense that neighbours, friends, family and the community in general are more aware of child protection issues?

Detective Sergeant McClymont: Recent cases that have come to light, such as the Soham case, are raising public awareness of child protection issues. We in Strathclyde police are encouraging people to share concerns that they have about a child in the community and we are informing them about the correct way of reporting those concerns. We still need to improve the public's perception of reporting concerns about child protection and make it easier for them to do so.

Jackie Robeson: I echo what Gail McClymont said: there is a need to improve the accessibility of systems that can offer protection. A lot is being done locally on a multi-agency basis to ensure that information, such as the work that is being done by the police or individual social work departments, is not just located within each agency and is accessible. I know that, following the recent reports, such work is being advanced nationally, but in some local areas a big effort is being made, particularly through the child protection committees, to examine how people

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can access the services to which they are entitled, which can offer protection and, in many cases, prevention before protection is needed.

Fiona Hyslop: It was interesting to hear about the changes on the police side that have happened over recent years. It is obvious that much is intended to happen through reports and recommendations. From your perspectives, will you give a judgment on the pace of that change? Is it too fast to be effective, is it too slow to be meaningful or is it about right? Although there seem to be many good initiatives, intentions and reports, there is concern and frustration about whether we are getting it right. I am interested to find out whether we are moving too quickly or too slowly on implementation and where the stresses and strains in multi-agency working lie.

Jackie Robeson: That is a difficult question to answer. In a sense, it is true that there is a lot of frustration around, particularly among people working in the area of child protection, about their ability, or that of agencies, to progress matters. That said, making progress on some of the issues in question takes time. We are talking about getting things right. If we want to improve people's understanding of how to access different parts of a system, for example, it is important that agencies work together on that and that the elements of co-operation come together to get things right. The nature of the process means that it is slower than people want it to be. I would not say that it is moving at too slow a pace; it is moving as quickly as is possible in the present climate.

Detective Sergeant McClymont: Most people who are involved in the field of child protection recognise that changes have to be made as quickly as possible. In addition, they are aware that we need to ensure that we get those changes right and that any measures that are introduced meet the needs that are there.

The Convener: I want to ask Jackie Robeson about research. I mentioned recommendation 8 of "It's everyone's job to make sure I'm alright", which talks about long-term research. On a visit to the Glasgow children's reporter that I made about 18 months ago, I was conscious that there were deficiencies in the research potential, as well as information technology limitations—although that perhaps relates more to the criminal element later on. Is there a need to develop research within your department or, more broadly, to get a handle on what works and what does not work in influencing levels of parental competence and matters that come to panels?

Jackie Robeson: We have had increased funding recently, which has allowed us to focus on areas such as research and information and to get the benefit from the database that we brought in. It is still early days, but at the moment we are

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considering all those issues and are very keen to assess outcomes and effectiveness. In relation to our headquarters staff, we have put a great deal of money into our research and information unit, which links in with other areas.

One of the benefits of the creation of that unit has been that we have been able to examine the study on offending in Glasgow, which was conducted by a reporter in the field. It is very exciting for us to have the capacity to find out about, and to comment on, what is happening in areas such as offending and child protection, in which we hope to be able to influence the debate.

The Convener: Can you give us any detail on the areas of concern that you are looking into, as that might be helpful in informing what we are going to consider? I do not know whether you have on-going projects or a longer-term research programme.

Jackie Robeson: I can certainly undertake to write to the committee with our research plan.

Mr Macintosh: This a slightly tricky question, which is in a similar vein to what Fiona Hyslop was saying. We are trying to scope our inquiry and to find out what issues we should consider. The difficulty is that you are telling us about great things that you are already doing. In some ways, you are describing what we do not need to consider. You might not be able to identify the matters that need attention. DS McClymont described the situation in Strathclyde police. Have all those changes happened in other police forces? The need to keep the parliamentary profile of child protection issues high continues. In the police, are those issues receiving the attention and the resources that they require, or would you welcome further parliamentary scrutiny?

Detective Sergeant McClymont: In other forces throughout the country, the structure of forces in relation to child protection is being addressed. Suggestions are being made about how units should be structured.

Obviously, the structure depends on the procedures that are in place in each area. The answer to your first question is that the situation is being reviewed.

On police resources to deal with child protection, I can speak only for my force. Our recent restructuring of family protection units has helped to address resource questions to an extent, but the officers in the family protection units who deal with child protection daily have a high work load and carry a heavy responsibility.

Our family protection units are undergoing an evaluation process as they were introduced only in January last year. That process might identify a need to change the resource allocation to

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departments in our force. As we do not know the outcome of that process, it is difficult to comment.

Mr Macintosh: Would you welcome a parliamentary inquiry or would you feel threatened by it?

Detective Sergeant McClymont: We would not feel threatened.

Mr Macintosh: When I say "threatened", I refer to a feeling of being under scrutiny or of needing to defend yourself, rather than of welcoming an inquiry that might further our aims in joint partnership.

Detective Sergeant McClymont: We strive continually to improve the service that we provide to victims of such crimes. We would welcome anything that could improve that service.

The Convener: We cannot threaten Strathclyde police officers.

Mr Macintosh: The word "threaten" was not quite right.

I ask Jackie Robeson the same questions. Children's hearings are enjoying a relatively high profile because of the pressures that the hearings system has been under. Social work departments tend to get the greatest scrutiny. Which areas do you think we should include in our inquiry? Should we be precise and specific in our range of questions and objectives?

Jackie Robeson: A lot of activity is going on in child protection and much of it is noted in the committee's papers. A lot of work is being done on standards and on the role of child protection committees. We are keen to contribute to those processes and to influence the direction that is taken in those areas. If there were to be a parliamentary inquiry to consider the issues, we would want to co-operate with it. There is a lot of activity already, but that does not mean that we would not welcome an inquiry. Some of the issues that I mentioned earlier have been thrown up as possible issues for the inquiry to consider, including the question where the children's hearings system, the criminal justice system and the statutory bodies sit in the child protection system. We would like that to be pursued and addressed—that might happen in the work that is already being done, but it could be included in a parliamentary inquiry. We would like the wider protection issues of prevention and support that have been thrown up by "It's everyone's job to make sure I'm alright" to be developed. If that is happening in the work that is already going on, we are happy with that.

I do not know whether that answers your question, but we are not threatened by the possibility of an inquiry.

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11:45

The Convener: Thank you for your help this morning. We have given you some homework to come back to us with. We are grateful for any help that you can give us in that connection.

We should spend a little while considering the evidence that we have heard this morning with a view to deciding what we will do with the child protection inquiry. We should be conscious of the Executive's intention to review the children's hearings system and of the need to add value to anything that is going on at the moment. It is a bit like the debate we had a week or two back about early-years education. A lot of reviews are on-going and the question is how we fit in. I confess that I have qualms about what we should home in on in the child protection inquiry. What do members think the issues should be?

Rhona Brankin: Clearly, there is a lot of on-going work in the area and a lot of information. Major reports have come out in the past few years. We need to be focused. I would find it useful to examine the recommendations that have been made in recent years and to find out what is happening to them and what action has been taken. Extensive recommendations have resulted from inquiries. We do not want to reinvent the wheel. We might want to go into some areas in more detail once we find out what stage things are at. I suggest that we examine the recommendations in the 2002 report "It's everyone's job to

make sure I'm alright" and decide which areas we want to examine further when we have received feedback from the Executive about what is happening.

The Convener: It might be helpful if SPICe was asked to go through the *Official Report* of today's meeting and to produce a list of what has taken place, because quite a number of reviews and reports at various levels were noted. That would be a simple way to start.

Ms Byrne: It would be interesting to develop further the evidence from the nursing representative on early intervention. She talked about the old system, in which health visitors used to visit people regularly. That connects with family support workers and the people who link to families that have problems. She also made a point about focusing on adults and where that leaves the child. Joined-up working is important, because one of the biggest concerns in all the investigations so far is how well people are working towards interagency working. I am interested in examining that.

The Convener: A little while back, I visited a family centre in Cambuslang that involves social work, health and, possibly, education services.
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However, the bureaucracy involved in setting it up was substantial. It would be interesting to get information on places like that and how they are working.

Ms Alexander: We need to think about the time that is available and about how we can add the most value. Clearly, the risk is that we write another aspirational report that will join the other aspirational reports that Rhona Brankin mentioned. The difference between us and anybody else who has been commissioned to examine child protection is that we, uniquely, have the right to scrutinise the Executive. Nobody else who writes on this area can scrutinise what the Executive is doing. That is the function of the committee.

The Executive published "It's everyone's job to make sure I'm alright" in November 2002 and it has said that it is implementing the recommendations. Our starting point should be the fact that that, although the Executive has had the report, which took 18 months to write, for 15 months, as we heard today, nothing has happened with at least one recommendation, a report is being published today on two other recommendations and a proposal will be produced on another recommendation 16 months after the report was published.

We have two or three evidence sessions. If our objective is really to make a difference, we should take the 17 recommendations and scrutinise the Executive to see whether it is acting on them. That is how we can deliver for people in the field, who will see that someone is holding the Executive to account for what it said it would do. The Executive might not be perfect in every respect, but we should not write about what a perfect world would look like. The unique contribution that we can make is to say to the Executive that it took 18 months to come up with the 17 recommendations and to ask it where it stands on them. That would be a report that was sufficiently hard hitting to make a difference and which would add considerable value, rather than our going back to square one, given what we have heard about constraints on resources. The proper question is about holding the Executive to account for what it committed itself to 18 months ago.

Frankly, that approach would require the committee to have self-discipline. Instead of having witnesses turn up to talk about their preoccupations, we should focus on the recommendations, from number 1 to number 17, to see where the Executive has reached in implementing them. That would add considerable value to an area that is, as we all know, of public concern.

Lord James Douglas-Hamilton: I support Wendy Alexander's comments, which follow on
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from what Rhona Brankin said. In addition, we should be prepared to consider the recommendations in the report on the Caleb Ness case, some of which relate to actions to be taken by the Executive. That is a more up-to-date issue.

The Soham issue is almost certainly in hand, but it might be worth checking that too. I think that it comes within the scope of the inquiry and there is a lot of public concern that people who are not suitable to work with children should not be given the opportunity to do so.

The role of the children's commissioner is a new area. There is a question about the extent to which the commissioner should be proactive, and we have a pioneering role in that connection. It might be useful to consider that.

The Convener: We might have a children's commissioner to ask about that.

Lord James Douglas-Hamilton: We hope so.

My final point is that research often points the way to the correct facts and solutions. We should consider what research would be helpful in the future.

The Convener: I suspect that Soham is a self-contained issue that relates to the extent to which information is moved around the system and to the data protection limitations that exist on that. The issue might be dealt with through a relatively straightforward inquiry to the Executive about the particular issues, although I might be wrong about that.

Lord James Douglas-Hamilton: The issue could be dealt with in written evidence.

Mr Macintosh: I add my voice to the suggestions that have already been made. Today's evidence session confirmed my view that a great deal of work is already going on. We must be careful about treading with size 10 boots all over that good work. Our inquiry must be focused and structured—it should focus on the Executive's activity and particularly on the recommendations that are contained in "It's everyone's job to make sure I'm alright". The recommendations are so wide that we will be able to hear from most areas of child protection and will therefore hear any concerns that need to be flagged up. However, I would like to broaden the inquiry slightly. In effect, we are assessing the effect of current policy and initiatives. Much policy and many initiatives that the Executive has put in place, and many of the resources that it has made available are working effectively, but some might not be having the intended effect. A good example of that—to which Fiona Hyslop alluded earlier—is SCRO checking and the checking of volunteers in general, which was initially introduced in response to events in Dunblane. That has the potential to

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add a layer of bureaucracy that is out of all proportion to the risk that is involved and to the intention of the policy. Parent volunteers in schools are being checked who will never work with children by themselves or unsupervised. In some cases it has the—

The Convener: Opposite effect.

Mr Macintosh: Yes. It has the opposite effect and puts off the sort of people and the sort of citizenship and community involvement that we want to encourage. I would welcome the opportunity to consider such matters in order to find out how policies are working in practice. With that addition, I totally agree with what Wendy Alexander outlined as the focus of the inquiry.

The Convener: We should address an issue that the child protection nurse raised and which Rosemary Byrne touched on, which is how well the process of getting in at the beginning to give support and prevent things from going wrong is working. I am not sure whether that issue is addressed by one of the recommendations, but it seems to me that that matter is perhaps less publicised than some of the others, which have been well gone over. There is much potential worth to be had in getting that right.

Dr Murray: I will return to suggestions by Rhona Brankin and Wendy Alexander. Until we have a response from the Executive, we do not really know where it has reached in relation to the recommendations. Some—such as recommendation 8—are recommendations for the long term, so perhaps we should not expect the Executive to have got very far by now. However, we might expect a certain amount of progress on standards of practice. It is difficult to identify where we will be able to add value until we get a reply from the Executive about where it is on the recommendations and—given that some of the recommendations impinge on the work of other bodies—how aware it is of what is being done by other agencies.

The Convener: We have had an exchange of correspondence with the minister, but I cannot recall—

Dr Murray: The correspondence has not been specifically on the recommendations, has it?

The Convener: It may be that the solution to the problem is to begin by hearing from either the minister or Executive officials about what progress the Executive has made on addressing the recommendations.

Dr Murray: It would even be helpful if the Executive could provide a written response to us so that we could determine whether we want to bring the minister and officials in to give oral evidence.

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The Convener: We are scheduled to start hearing evidence on about 10 March. There is a short time before we firm up the schedule. Will we not want more than just written evidence on the matter?

Fiona Hyslop: We must have a tight focus. Our role is one to ensure accountability and provide scrutiny. I think that from there we could then identify whether things are happening too quickly or not quickly enough, and we could identify where there are blockages in the system. Do those blockages relate to recruitment training or do they relate to data protection changes? As Elaine Murray said, we will not know until we have a response from the Executive.

We should get a response from the Executive very quickly because the public concern—we should remember that our duty is to represent public concern—is about what is happening as a result of all the reports and recommendations. We want to ensure that things are happening quickly and proficiently at national level, but we also want to see the impact through the system. The suggestion about picking some of the recommendations and tracking them through the system to find out what impact they are having at the front line was helpful.

The convener made a point about adding value. There is no point in our trying to come up with policy solutions on the matter in a very short time; plenty of experts can provide those. We must ensure that we carry out our scrutiny and accountability role in this exercise.

The Convener: Where does that leave us? The first issue is how and in what form we should get a response from the Executive. Should we get a written response by itself or should we also hear evidence from the minister or officials? I think that we should hear evidence from the minister or Executive officials.

Dr Murray: I will make a suggestion. I am not saying that we should not hear evidence from the minister or officials but, as we are about to become mired in stage 2 of the Education (Additional Support for Learning) (Scotland) Bill, that gives the Executive a bit of time to get back to us before we are in a position to take evidence. Perhaps we should write promptly to the Executive to say that we would like a written report, in the hope that we will have it by the time we come to the end of stage 2 consideration of the bill—assuming that the bill goes through at stage 1 this afternoon. That would give the Executive a window of opportunity to get the information to us in readiness for our asking it further questions.

The Convener: My only slight concern about that is that the slot that we have for looking at the matter is provisionally between 10 March and 31

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March. We want to use that time to move forward and to hear evidence and so on.

Dr Murray: That is why I suggest that we get a letter from the Executive in advance of 10 March, which would give us a basis on which to move forward.

The Convener: Okay. I think that we are moving towards a conclusion. We want first to write to the Executive for a response on the matter. I am still not sure whether in addition to a written response we will also take oral evidence. I think that we probably want to take oral evidence from either the minister or officials to kick off the inquiry.

Ms Byrne: I would prefer that.

The Convener: Is there agreement to that suggestion?

Mr Macintosh: Should we not first of all get another paper? The briefing that Kate Berry from SPICe has drawn up is fine, but a paper could be produced that expands on today's evidence session and flags up key issues.

The Convener: The suggestion is that, in light of today's discussion and evidence, SPICe and the clerks will come back on 11 February with terms of reference for the inquiry and possibly suggested witnesses. We can perhaps make final decisions then as to what approach we will take. It is questionable whether we will have received a letter from the Executive by then. Clearly, it would be helpful if the Executive could give us something as soon as possible after that. We can resume discussion of the matter at that time. Is that agreed?

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Members *indicated agreement.*

The Convener: We will move on to the long-delayed final item, which we have carried over once or twice before. The item is continued from last week's meeting; it is the question of the appointment of a financial adviser to the committee. We agreed at the previous meeting to take the item in private.

12:01

Meeting continued in private until 12:10