

7 January 2010

### Background

The Children's Hearings System is Scotland's distinct system of child protection and youth justice. Among its fundamental principles are:

- That children who offend and children who are in need of care and protection are dealt with in the same system
- That the welfare of the child remains at the centre of all decision making

SCRA operates the Reporter service which sits at the heart of the system. SCRA employs Children's Reporters who operate throughout Scotland in every local authority area and who work in close partnership with other professionals in service areas such as social work, education, the police, the health service and the courts system.

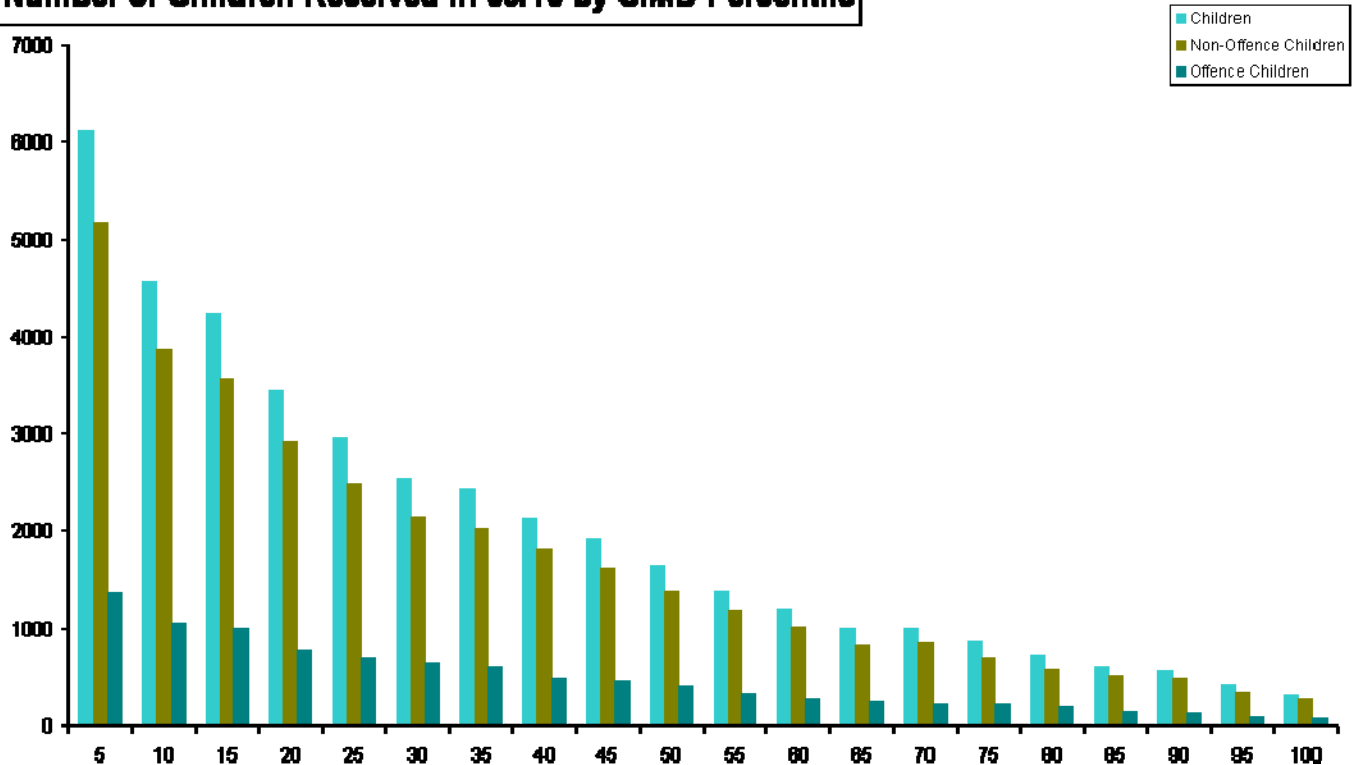
Children are referred to the Reporter from a number of sources and for a variety of reasons. The Reporter investigates each referral to decide if compulsory measures of supervision are needed to protect the child and/or address their behaviour. If these measures are necessary, and if evidence is available to support one or more of the grounds for referral, the child is then referred to a Children's Hearing.

Each Hearing is made up of three Panel Members, who are all trained volunteers from the local community. The Hearing makes a decision about whether the child needs compulsory supervision and if so, makes an order called a Supervision Requirement which will most commonly provide that the child should be supervised at home by a social worker. In other cases, a child could be required to live away from home, for example, with foster carers, in a local authority home or in a residential school. It is the statutory responsibility of local authorities to implement Supervision Requirements.

### SCRA data and research

SCRA holds extensive data on children referred to the Reporter, including postcode information which can be used to link referrals to the Scottish Index of Multiple Deprivation (SIMD). We have produced a graph that shows the correlation between numbers of children referred and the SIMD. As can be clearly seen, the highest numbers of children referred are in the most deprived areas. This is true of both offence and non-offence referrals, though the offence graph looks to be slightly flatter.

## Number of Children Received In 09/10 by SIMD Percentile



SCRA has also conducted research on deprivation and children on Supervision Requirements. SCRA's study looked at all wards across Edinburgh, which was chosen due to the differences between areas of high and low levels of deprivation within the city. The study found that areas with the highest multiple deprivation had the highest numbers of children on Supervision Requirements.

Children with Supervision Requirements average 1% of the national child population. The ward with the highest multiple deprivation in Edinburgh had 7% of its children subject to Supervision Requirements.

- 49% of children in this ward lived in a house with no adult working
- 60% lived in socially rented housing
- 51% lived with a single parent
- 59% of these children were entitled to free school meals

In the ward with the lowest multiple deprivation, the situation was very different. No children were subject to Supervision Requirements.

- 3% lived in a house with no adult working
- 7% lived with a single parent
- 2.5% were entitled to free school meals

The majority of children with Supervision Requirements in Edinburgh (72%) had been referred to the Reporter on care and protection grounds. Whilst 26% of these children were referred on both offence and non-offence grounds, only 1.7% had been referred for offending only.

Taken together, these findings suggest that experience of poverty and deprivation can impact on important aspects of children's lives, including their welfare and also on offending behaviour. While it would be inaccurate to suggest that deprivation is a failsafe predictor of future involvement with the Children's Hearings System, it may be a contributing factor.

## Further comments

### Children and families at risk

As shown in the previous graphs, there is a strong relationship between the number of children referred to the Reporter and areas of high multiple deprivation. SCRA research into the backgrounds of children referred supports the discussion paper's view that these children are likely to experience a range of vulnerabilities. For example in a sample of 100 children referred in 2004:

- Almost a half of the children had physical and/or mental health problems
- 58% had social, behavioural or emotional difficulties
- 33% had experienced physical, sexual or emotional abuse
- 37% had been neglected or diagnosed with failure to thrive
- 36% of their parents/carers had mental health problems
- 43% of children had experience of domestic abuse in their homes
- 39% of parents/carers abused alcohol
- 35% of parents/carers misused drugs

### Early Intervention

SCRA agrees with the focus on early intervention as set out in the discussion paper. It is crucial that interventions be made during these formative years. An SCRA research report published in 2009 looked specifically at children referred to the Reporter aged between 0-2 years.

The report found that the number of children under the age of two who need compulsory or emergency measures to protect them is increasing – over the past four years there has been:

- a 16% increase in children under the age of two subject to Supervision Requirements
- a 25% increase in children under the age of two with Child Protection Orders (CPOs)
- a 17% increase in children under the age of two with Place of Safety Warrants.

Looking in more detail at the backgrounds of those children, the report identified that they tended to have difficult family backgrounds, characterised by:

- Unemployment and housing problems
- Parents with drug and/or alcohol addictions
- Parents with histories of offending and prison
- Parents with mental health problems
- Violence and domestic abuse

However, there were also positive factors, and these support the potential for developing and building an asset based approach as suggested in the discussion paper. In particular, our research identified family support networks (particularly grandparents) and strong attachments between mothers and their children as strengths that were present in the backgrounds and circumstances of these children. We caution however, that child protection should be the overriding priority here.

While we agree with the importance of early intervention, we consider that making interventions effective is as important as making them early. For example, the Principal Reporter recently expressed a concern about the numbers of children who have been on Supervision for more than five years, which suggests that they may not have received a fully effective intervention. As at 31 March 2010, there were 2,145 children in Scotland who had been on Supervision for more than five years. This was from a total of 13,829 children on Supervision at that time in Scotland. Supervision should be a short to medium-term measure to improve a child's situation, not a long-term solution where they require compulsory intervention for several years.

We are aware that the Scottish Government's Looked After Children Strategic Implementation Group (LACSIG) will be considering these issues and we would suggest that their conclusions be taken into consideration in the further development of this strategy. It will also be important to make use of the new provisions contained in the Children's Hearings (Scotland) Bill (soon to become an Act) which provide for a feedback loop in relation to children on supervision. This will, we hope, provide additional information on the effectiveness of interventions within the Hearings System.

**Conclusion**

SCRA is fully supportive of the Scottish Government's endeavours to tackle poverty and deprivation, noting particularly the correlation between areas of high multiple deprivation and referrals to the Reporter. We agree with the focus on early intervention and with the identification of the important role that can be played by GIRFEC. Our data and research clearly demonstrates the extremely challenging circumstances that children and young people living in areas of multiple deprivation experience.

Targeting children and young people offers an opportunity to break the cycle of poverty which too often leads those who have grown up amid poverty and deprivation to have to raise their own children in similar circumstances.

**SCRA**  
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