

The Children's Hearings System

Focused on children 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 for Children's Hearings
- disseminate information and data to inform and influence improved outcomes for children and young people

Background and history

The Children's Hearings System stems from the recommendations of the Kilbrandon Committee in 1964. Recognising that Scotland's existing model of juvenile courts was inadequate, the Committee's conclusions led to the establishment of a system which is still recognised internationally today as an example of best practice.

Guiding principles

- Decision making by a lay panel
- Primacy of the needs of the child
- Vital role of the family
- Preventive and educational approach

One of the System's most important aspects is the recognition that children who offend, are often the same children who require care and protection.

Current challenges

The number of referrals to the Reporter has risen steadily in recent years, perhaps reflecting society's greater awareness of child welfare issues. However, since the end of 2007 there are indications that the numbers of children referred have started to decline. Despite the recent decline in numbers of children being referred to the Reporter, the numbers of children



referred to Children's Hearings by the Reporter and the numbers of children subject to compulsory measures of supervision, continues to increase. This suggests that there is a growing number of children who are at risk and need statutory interventions to protect them and address their needs.

Looking to the future

In January 2008, the Scottish Government announced plans to strengthen the Children's Hearings System, which was followed by a nationwide consultation process throughout 2008 and into 2009. Then in May 2009, the Scottish Government published the draft Children's Hearings (Scotland) Bill. Following further consultation, the Children's Hearings (Scotland) Bill was published on 24 February 2010. The Bill includes some significant reforms to the Hearings System, including the creation of a National Convener who will take on responsibility for recruitment, training and support of Panel Members, as well as setting standards and performance monitoring. The Convener will be supported by a new Non Departmental Public Body – Children's Hearings Scotland. The Bill also includes provisions for modernising the grounds for referral and to create a "feedback loop" allowing the National Convener to monitor implementation of Hearings' decisions. Parliamentary scrutiny is expected to last until late 2010.

Getting it Right

The Scottish Government introduced its 'Getting it Right for Every Child' (GIRFEC) agenda which aims to improve outcomes for all children and young people in Scotland; getting them the help they need, when they need it; listening to them and their families, keeping them involved and at the centre at all times; and ensuring that all services work together effectively towards fully integrated solutions. This agenda is still the foundation for work with all children and young people, and is embedded in the developing early years and youth frameworks.

The opinion that counts

"I was expecting it to be like court. I was surprised that it was just really ordinary people at the other side of the table. They really do care about young people."

*David, a young person
who has been through the
Children's Hearings System*



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