



The Children's Hearings System -

an information resource for foster carers



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION

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Introduction

As a foster carer, it is likely that a child or young person is in your care because they are subject to a Compulsory Supervision Order which was put in place by a Children's Hearing.

Often, but not always, children or young people will have experienced the Children's Hearings System before they live with foster carers.

If a child or young person that you are looking after has a Compulsory Supervision Order, he or she will need to attend a Children's Hearing at least once a year.

This booklet tells you a bit more about the Children's Hearings System, and how to prepare and support children and young people in your care who are required to attend a Children's Hearing.

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What is the Children's Hearings System?

The Children's Hearings System is the care and justice system for Scotland's children and young people up until the age of 16 (for some children, until 18).

Children and young people are referred to the Children's Reporter because some aspect of their life is causing concern. This could be for a variety of reasons, including not attending school or committing offences, but it is generally because there are significant concerns about the child's safety, health and welfare.

Typically, referrals to the Reporter are made by social work, the police, health or education, however, anyone may make a referral to the Reporter. If the Reporter receives a referral about a child or young person, they investigate it and determine whether or not compulsory measures of supervision are required. If they are required, the case is referred to a Children's Hearing.

Role of the Reporter

The Reporter's role is to:

- Receive referrals for children and young people who are believed to require compulsory measures of supervision.
- Draft a statement of grounds and decide whether the child needs to be referred to a Hearing.
- Provide administration to Children's Hearings and keep a record of proceedings at Hearings.
- Maintain the independence of Hearings and support fair process.
- Conduct Children's Hearings court proceedings.

The Children's Hearing

The Hearing listens to a child or young person's circumstances and then decides whether a compulsory supervision order is required and if so, whether any particular measures, such as contact arrangements, should be included in the order.

Being on a Compulsory Supervision Order means that the child or young person living with you will have to see a Social Worker for support and guidance.

The Hearing may decide that the child or young person should remain at home with support from other agencies, such as social work, or, if there are concerns about the child or young person's safety, they may decide that the child or young person should live somewhere else, such as in a foster care placement.

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

For more details on how the system works and the processes that tend to occur prior to a child or young person being placed in foster care, please see our [website](#) or contact SCRA's Participation Officer or your local Reporter for more details.



People at the Hearing

The Hearing consists of three members of the local community who act as lay tribunal members, called Panel Members. They give their time freely to sit on Hearings. The Panel listens to the child's circumstances and then decides whether compulsory measures of supervision are needed for the child and, if so, what they should be.

There are some people who are required by law to attend the Hearing. The child or young person, and 'Relevant Persons' (generally the child or young person's parents and sometimes their carers, dependent upon the circumstances of the case) must attend unless their presence has been dispensed with at a Pre-Hearing Panel or by the Children's Hearing.

The Reporter must be there to administer the Children's Hearing and support fair process.

A Social Worker should be in attendance and often a teacher attends as well.

The child or young person has a right to bring a lawyer or an advocate, and so do their parents or other Relevant Persons involved in the case.

Foster Carer's rights at a Children's Hearing

As a Foster Carer you can also submit a report to a Pre-Hearing Panel if you have information which is relevant to what the Pre-Hearing Panel is deciding.

If you attend the Hearing, you can express your views there and let the Panel Members know if you have any concerns or worries about the child or young person in your care.

If you have been deemed in law to be a Relevant Person, you may appeal against the decision of the Children's Hearing within 21 days of the Hearing.

For more information about being a Relevant Person, please click [here](#) to read a briefing sheet.



How to support the child or young person at the Hearing

It is important that foster carers are aware of children and young people's rights before, during and after a Children's Hearing. This will help children and young people feel more secure and prepared for their Hearing. At their Hearing, children and young people have the right to:

- Bring a representative, a lawyer, an advocate or friend in to the Hearing with them;
- Ask to speak to the Panel Members on their own;
- Ask for the Hearing to stop for a while so they can have a break to speak to their representative;
- Ask for the Hearing to be continued/deferred to another date if they need more information or time to prepare;
- Appeal against the decision of the Children's Hearing within 21 days from the date of the Hearing;
- Request another Hearing which can take place three months after the last Hearing;
- Ask the Hearing to see them separately from their parents if they do not wish to have contact with them;
- Complain if they are not happy with how they have been treated.

If you have any questions about how best to support a child or young person attending a Hearing, you may contact the Children's Reporter and he or she will be happy to help. Remember, you can also ask the Reporter for a Pre-Hearing visit.

Need more information ...

The Scottish Children's Reporter Administration has a suite of information materials for children, young people and parents/carers. We have age-specific leaflets, as well as short films about going to a hearing and going to court. We also have detailed information on our website, including an easy read section.

Here is a selection of our information leaflets for children ...

All About Me form – this is aimed at children 11 years and under. They should receive a printed copy with their panel papers and an electronic version is also available on SCRA's website.

Leaflet for children - this leaflet is aimed at children aged 11 and under going to a Hearing.

Chloe and Billy storybook – This is aimed at children aged 4 to 7 years and tells the story of a sister and brother, Chloe and Billy, going to a Hearing.

Colouring in book – the storybook is also available as a colouring in book.



Here's what's available for young people...

All About Me form – this is aimed at children aged 12 years and over. This is also available in electronic format on SCRA's website.

Leaflet for young people - This leaflet is for young people aged 12 years and over going to a Hearing.

Your Rights flyer - This provides information about children's rights, how to appeal etc.

All about Compulsory Supervision Orders - When a Compulsory Supervision Order has been made.

Secure Accommodation flyer - When a Hearing decides to place a child or young person in secure accommodation.

Going to Court flyer - When the statement of grounds are sent to court.



For more information, please visit our website - www.scra.gov.uk – there is a special section for parents/carers.

If you have an inquiry, you can email communications@scra.gsi.gov.uk or you can contact your local office. An A-Z of offices is available in the contact us section of our website.

You can also contact the Fostering Network – visit www.fostering.net/scotland



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