

This order can include measures that affect your child, such as where they live or the level of contact they have with a certain individual.

The Panel Members will give reasons for their decision and any measures they make at the end of the Hearing. You will be sent a copy of these reasons and the Compulsory Supervision Order.

Your Rights

You, your child and any other Relevant Person have the following rights:

- To request a Pre-Hearing Panel.
- To bring a representative to the Hearing. This could be for example, a lawyer, advocate or friend.
- To send in a report to be considered by the Panel Members. This should be sent to the Reporter's office at least four days before the Hearing if possible.
- To appeal the decision to put in place an Interim Compulsory Supervision Order, or a Compulsory Supervision Order, or the decision of a Pre-Hearing Panel about an individual being a Relevant Person.

More information?

For more information visit our website www.scra.gov.uk. There is a section for parents/carers including frequently asked questions. There are also leaflets available specifically for children and young people.

The Scottish Child Law Centre provides free legal advice to children, young people and their parents/carers. For more information, email enquiries@sclc.org.uk or visit their website at www.sclc.org.uk.

If you think you might need a lawyer to help you, you should speak to one as soon as possible. You can check the Scottish Legal Aid Board website www.slab.org.uk to get the name of a lawyer in your area.

You can also speak to the Reporter. Their name and contact details will be in the letter sent to let you know the date of the Hearing.



Produced by SCRA



Children's Hearings - information for parents/carers

This leaflet explains what happens if your child has to go to a Children's Hearing.

A Hearing is held if there are concerns about your child's welfare or if they have committed an offence.



Do I have to attend the Hearing?

Yes, you as a Relevant Person and your child must attend the Hearing. In some circumstances, the Panel Members can decide that you and/or your child do not have to attend unless you want to.

This is usually at a Pre-Hearing Panel, which you do not have to attend. However, this can also be decided at the start of the Hearing. You can ask for a Pre-Hearing Panel to decide this by contacting the Reporter.

Being a Relevant Person

Some individuals other than parents can also be known as a Relevant Person and must attend the Hearing. An individual can ask to be considered a Relevant Person. If you or your child think there is someone that should be a Relevant Person you can also ask. This would be decided at a Pre-Hearing Panel by the Panel Members.

If the Panel Members think that the person has, or has recently had significant involvement in the upbringing of your child, they will make that person 'relevant'.

If you do not agree with the decision the Panel Members make about this, you can appeal it.

Who else will be there?

As well as you and your child and any other Relevant Persons, there will be other people at the Hearing. There will be three Panel Members who are specially trained volunteers from the local community.

The Panel Members make the final decision about what should happen. They receive reports from the local authority and listen to the views of everyone at the Hearing before making a decision. One of the Panel Members will chair the Hearing.

The Children's Reporter is present at the Hearing. Their role is to ensure fair process is followed and to record the decision the Panel Members make.

A social worker and other professionals involved in your child's life, for example, a teacher, may also be invited to attend the Hearing.

What happens at a Hearing?

At the first Hearing, the reasons for your child being referred to the Hearing (the statement of grounds) will be read out by the Panel Member who is chairing the Hearing. You, your child and any other Relevant Persons will be asked if you agree or disagree with them.

If anyone does not agree or cannot understand the statement of grounds, the Panel Members cannot make a final decision.

They then have the option to discharge the referral (this would be the end of the matter) or send it to the Sheriff Court for a Sheriff to decide if the statement of grounds is correct. In the meantime if they think it is necessary, they can put in place an Interim Compulsory Supervision Order.

This order lasts for a short time before it needs to be renewed and means that the local authority must be involved in your child's life on a temporary basis. If the Hearing makes one and/or sends the statement of grounds to court, the Panel Members will explain what this means for you and your child.

What decisions can be made?

If everyone agrees and understands the statement of grounds, then the Panel Members can go on to discuss the reports, listen to everyone at the Hearing and reach a decision in the best interests of your child. They must take into account the views of your child, you and any other Relevant Person before making this decision.

If the Panel Members feel that legal intervention is needed on a formal basis, they will make your child subject to a Compulsory Supervision Order.

