



The Children's Hearings System -

an information resource for
foster carers



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION

Contents

Page 3

What is the Children's Hearings System?

Page 4

The Children's Hearing

Page 5

People at the Hearing

Page 6

The foster carer's rights at a Children's Hearing

Page 7

How to support the child or young person at the Children's Hearing

Page 8

Need more information?

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 can 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.

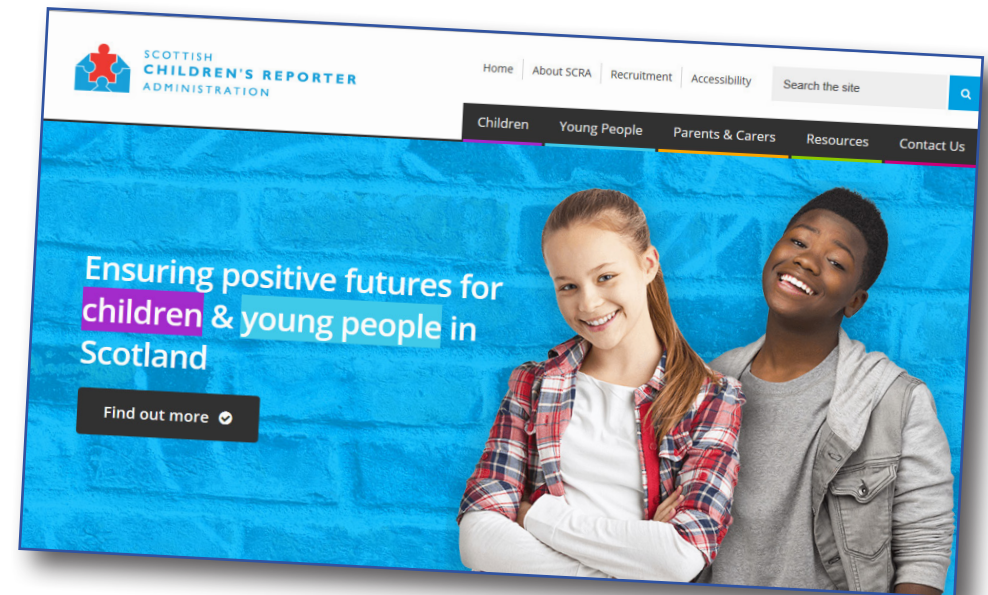
The Children's Hearing

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.



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.

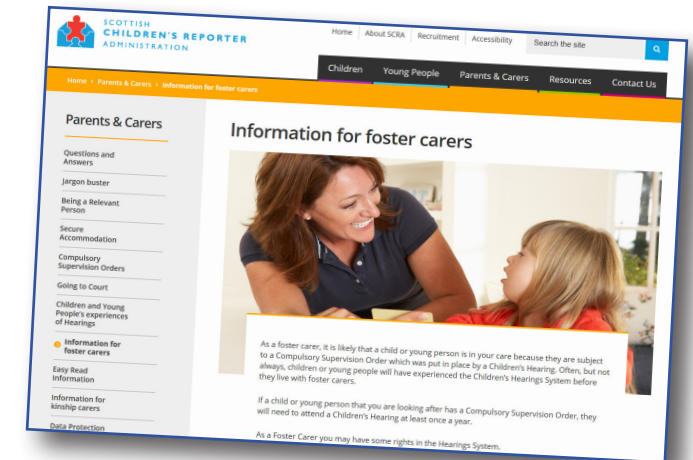
A Social Worker should be in attendance and often a teacher attends as well.

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, visit our [Relevant Person section on our website](#).

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:

- To give their views to the Panel Members – and have them taken into account.
- To provide information that they want the Hearing to consider.
- If they are able to understand it, they have the right to be given all the information that the Hearing has.
- They can bring someone with them to help them discuss things in their Hearing. This can be anyone – for example, a friend, relative, or any trusted person.
- They can bring a lawyer (solicitor) as well if they wish.
- To have the number of people attending the Hearing (at the same time) to be kept to as few as possible.
- To appeal against the decision made by the Hearing within 21 days from the date of the Hearing.
- To request another Hearing which can take place 3 months after their last Hearing (if your Hearing made or kept a Compulsory Supervision Order in place).

At the Hearing, children and young people may also:

- Ask the Hearing to stop for a while if they would like to take a break.
- Ask the Hearing to stop until another day (sometimes called 'continuing the Hearing') if they feel that the Hearing should not make a decision yet (for example, if they need to get more information to give the Panel Members).

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.

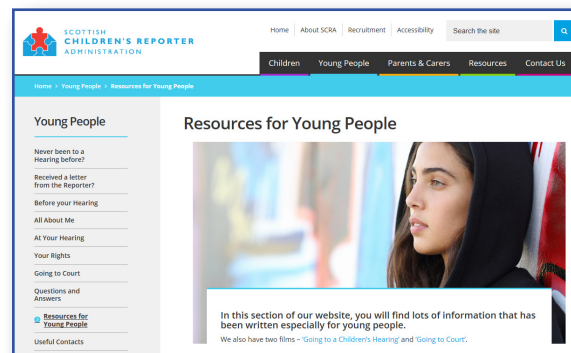
Here's what's available for children

All About Me form – this is aimed at children 11 years and under. They should receive a printed copy with their panel papers.

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.

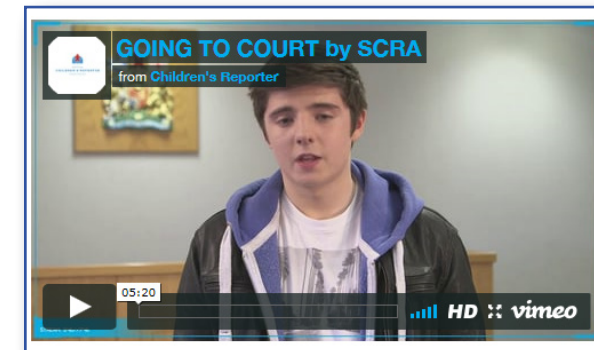
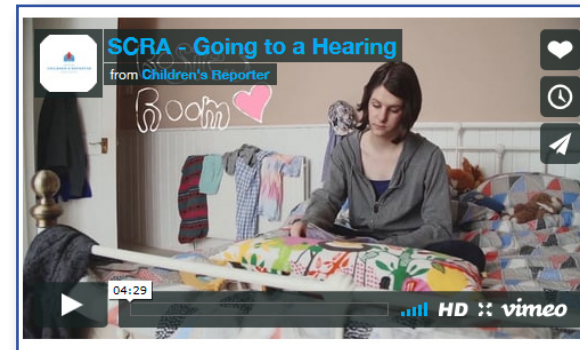
Leaflet for young people - This leaflet is for young people aged 12 years and over going to a Hearing.

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.

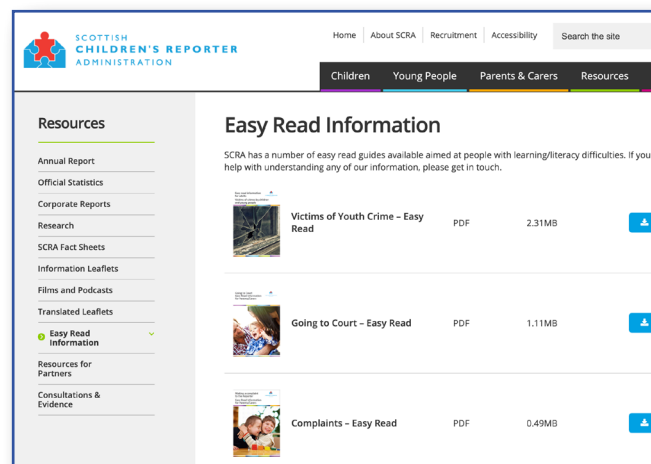
Secure Accommodation flyer - When a Hearing decides to place a child or young person in secure accommodation.

We have a number of films for young people and their families, and we also have a set podcasts on our website aimed at young people.

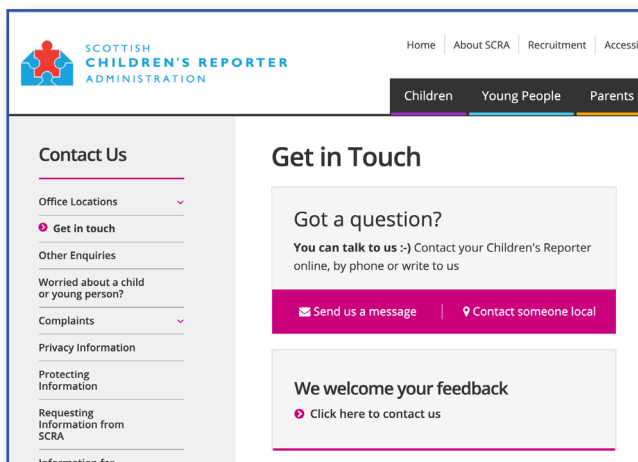




For more information, please visit our website - www.scra.gov.uk – there is a special section for parents/carers.



We also have an easy read section and a set of easy read guides.



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