

The Children's Hearings System

Focused on children and young people most at risk, SCRA's fundamental purpose is to:

- Make effective decisions about a need to refer a child/young person to a Children's Hearing
- Prepare for and participate in court proceedings where Statement of Grounds or Hearings findings are appealed, and ensure the wellbeing of children and young people – particularly vulnerable witnesses – are protected throughout the court process
- Support Panel Members (though we are not involved in making Hearing decisions) and ensure fair process in Hearings
- Enable children, young people and families to participate in Hearings
- Disseminate information and data to influence and inform the wider Children's Services community
- Provide premises for Hearings to take place
- Work collaboratively with partners to support and facilitate the Getting It Right For Every Child (GIRFEC) agenda

Background and history

The Children's Hearings System is Scotland's distinct statutory child protection and youth justice system. It began with the recommendations of the Kilbrandon Committee in 1964. The Committee recognised that the existing model of juvenile courts was inadequate and they developed the principles and structure of our unique system which is still worthy of international recognition.

Guiding principles

- Decision making by volunteer Panel Members.
- The child/young person is at the centre of the Hearing.
- The child/young person's family have a vital role.
- Prevention and education are crucial.

The Children's Hearings System has always recognised that the children and young people who offend are often the same children and young people who require care and protection.

Children's Reporters are the first key part in the Hearings System. Children and young people are referred to the Reporter from a number of sources, including police, social work, education and health. They are referred because some aspect of their life is giving cause for concern.

The Reporter investigates each referral and determines whether a compulsory supervision order may be required. If the Reporter determines that a Compulsory Supervision Order is required, they will arrange a Children's Hearing.

There are three Panel Members at a Hearing – they are all trained volunteers from the local community. The Hearing listens to the child or young person's circumstances and then decides what measures are required, if any. The child or young person may require a particular type of intervention whilst they remain at home, or they may be required to live somewhere else - with foster carers, in a residential unit or, in exceptional situations, in secure accommodation. The Children's Hearing is focused on the best interests of the child or young person to ensure that they receive the most appropriate intervention and support.

Strengthening the System

Like every service, the Children's Hearings System has been impacted upon by the Coronavirus pandemic. As we recover from the pandemic, we are committed to ensuring that children and young people in the greatest need of legal protections will be able to have access to them.

There are positives that we will hold on to, e.g. we are developing new ways of working which build on the skills, experience and professionalism of our SCRA workforce. The public health measures of physical distancing challenge our existing infrastructure and require us to look at new solutions and approaches. Some solutions will be challenging and temporary – but others modernise how we work, where we work and how we deliver safe, effective Children's Hearings with Children's Hearings Scotland, Local Authorities and other partners.

Collective dialogue and strong partnership work will be key to this – alongside our willingness to change, adapt and improve. SCRA has launched a new and ambitious Corporate Plan for 2020-23 which was recently approved by Ministers and sets out SCRA's ambitious plans over the next period. SCRA is committed to care, connect and protect the children and young people who enter the Children's Hearings System.

We are enormously privileged to be able to work with local Champions Boards and with groups like Our Hearings, Our Voice to begin to transform the Children's Hearings System. We recognise the importance of young people's lived experience of Children's Hearings and we share a common desire to move forward together to improve and transform what we do.

We will work with The Promise to implement the Independent Care Review's recommendations for change within the Care System. The Promise sets out an innovative and energising programme of work – both short and medium term. This work should refresh and update the ethos of Kilbrandon; should promote our collective response to incorporating the UNCRC and should offer new ways of ensuring that the views and opinions of children and young people are clearly explained and well understood by decision makers.

SCRA remains committed to delivering and improving the Children's Hearings System for children, young people and families across Scotland.



Ensuring positive futures for children
and young people in Scotland

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