

Better Hearings in Aberdeenshire

Guidelines on preparing children and young people for attending a Children's Hearing

These guidelines are for all professionals supporting children and young people who are going to a Children's Hearing. This could include, social workers, teachers, school nurses, children's rights officers, community learning and development workers etc.

It is very important that children and young people come to a hearing as well prepared as possible. This checklist provides a framework for any professional working with a child to undertake this task and it is the responsibility of the lead professional to ensure that the work has been done.

Understanding what a Children's Hearing is

Ensure that the child/young person has access to the Scottish Children's Reporter Administration leaflets which can be accessed on the "Children" or "Young People" pages on the SCRA website <https://www.scra.gov.uk/>

There are also two Information Packs, one for younger and one for older children, available from the Reporters' Office. (Contact no: **0131 244 8720**) Copies of the leaflets are in the packs.

Go over the leaflet with the child/young person explaining what it means and give them a chance to ask any questions. Make sure they know:

- Who will be at their Hearing and why they have been invited
- What type of Hearing it is for example initial hearing, Review Hearing, advice to sheriff etc.

- Why the Hearing is being held
- What decisions might be made e.g. Compulsory Supervision Order (CSO), Interim CSO, appointment of Safeguarder
- That they have a right to take along a friend or representative such as a Children's Rights Officer.

Explain the physical set up of the Hearing Centre, who will be in the waiting room with them, that the Hearing is a tribunal and may be more or less formal than they are expecting. Help them think through what it might feel like for them both entering the Hearing and being expected to participate. The links below show the Hearing Centres in Aberdeen and Fraserburgh

Aberdeen: <https://www.scra.gov.uk/contact-us/office-locations/aberdeen/>

Fraserburgh: <https://www.scra.gov.uk/contact-us/office-locations/fraserburgh/>

Ensure the child knows that a Children's Hearing will have a Panel of three people who have been trained to make decisions in the best interests of the child. These decisions can last up to a year.

The Panel will hear from everyone there including the child/young person and consider all the reports. Then they will decide things like: where the child will live, if away from home whether there needs to be measures about contact with family members, if there is a need for an early Hearing. They will also decide if a Safeguarder is needed. This is a person who is independent who will speak to everyone concerned and make a recommendation that they consider to be in the child's best interests.

Explain that decisions should be clearly explained and the child/young person can ask any questions.

If it is the first time the child/young person has attended a Hearing, make sure they know that they can visit the Hearing centre beforehand. You can arrange this by contacting the Reporter on **0131 244 8720**.

Understanding the grounds of referral

If there are grounds of referral, make sure you go over these with the child/young person and help them to understand what they mean.

Explain:

- Who the relevant persons are i.e. (the parent/s and/or person/s who have or have recently had significant involvement in the upbringing of the child or young person). If you are unsure who the relevant people are, please contact the Reporter or the social worker for clarification.
- That the child/young person and the relevant persons will need to either accept or deny the grounds at the Hearing. If the child/young person feels that any of the facts are incorrect this will be discussed at the Hearing.
- Amendments can be made with the agreement of the family and the Reporter following discussion of the statement of facts. This will only occur when everyone is in agreement and it does not undermine the grounds for referral.
- That if the child or relevant persons deny the grounds and the Hearing feels that compulsory measures of supervision may be required, they will send the case to the sheriff for proof. Very occasionally if compulsory measures of supervision are not felt to be necessary, the Hearing will discharge the case.

Make sure that the child/young person knows that the grounds can be put to them separate from the relevant person(s) if the presence of the relevant person(s) would make it harder for them to accept or deny the grounds. They would need to ask for this at the start of the Hearing.

If there are offence grounds, it is very important that the child/young person understands the implications for them under the Rehabilitation of Offenders' Act. For example, if they accept the grounds, there are certain jobs for which they will always have to declare their offence, namely jobs working with children, the armed forces etc.

This is a complex area and Reporters and Hearings have been advised not to attempt to explain the Act. If a child or young person requires further information on the implications for them, it would be better if they made arrangements to see a solicitor or if an appointment were made for them to see a solicitor.

Understanding a Pre-Hearing Panel

A Pre-Hearing Panel (PHP) will usually be held either to consider if a child/young person can be excused from attendance or to decide whether certain adults can be deemed a relevant person.

Children and young people can call a PHP and have a right to attend, though they do not have to. These are normally held a few weeks before but can be held right up to the day before the actual Hearing if it is to excuse attendance.

These meetings take the form of a Children's Hearing with Panel Members and the Reporter but are usually shorter with fewer people there. The social worker is the only professional invited though relevant people and the child are also notified.

Understanding the importance of making their views known and how they can be helped to achieve this

Make sure that the child/young person knows that they have a right to take a friend or a representative with them to support them at the Hearing. Help them to think about who that might be. They can receive support from the Children's Rights Officer who can help them write and share their views. Contact telephone number for the Children's Rights Service is **01467 532775** or the freephone number for children and young people is **0800 9178275**.

Explain that their views are important and will be listened to. It is also important to explain that the Hearing is obliged to make a decision that is in the best interests of the child/young person, which isn't

necessarily the same thing that the child/young person wants.

The child/young person should be encouraged to fill in the 'All About Me' form. Links to the forms are below.

12 and over

<http://www.scra.gov.uk/wp-content/uploads/2018/05/All-about-Me-form-for-young-people.pdf>

11 and under

<http://www.scra.gov.uk/wp-content/uploads/2018/05/Children-All-about-Me.pdf>

and for giving views for a Pre-Hearing panel:

<https://www.scra.gov.uk/wp-content/uploads/2017/07/Your-Views-sheet.pdf>



Let them know that there are many ways to give their views other than by speaking at the Hearing, for example writing down what they want to say beforehand, getting someone else to write down what they want to say, drawing pictures etc. Help them to work out what is best for them. It is helpful if the views of a child/young person can be included in their own words.

It is very important to remind them that they can ask to speak to the panel members on their own or with their friend/representative or another trusted person if this would be helpful. Remind them that the gist of anything discussed will still need to be shared with the larger group.

In certain circumstances it may be possible for young people to participate in their Hearing through videolink if available. There must be a good reason not to attend in person eg distance, and the child requests it.

Understanding reports

All children should be aware of and helped to understand what is in their reports.

Children over 12 have a right to see their reports. It is important that they are supported in reading and understanding the content of reports.

Children under 12 also need to know what their reports are saying and what is being recommended to the hearing.

Normally the person who has written the report should go over it with the child/young person.

Understanding their appeal and review rights

Make sure the child/young person knows that they will be sent the decisions and reasons in writing and that if they have any questions they can ask their social worker or contact the Reporter.

Make sure they are aware of their rights of appeal and how they can do this and that, if an order is made, continued or varied they can call a review Hearing to take place after 3 months.

Explain that the child/young person can speak to their social worker after the Hearing if there's anything they don't understand or they need any clarification of how the decisions will be put in place.

It is very important that the child/young person understands that the Hearing is an opportunity for them to get changes made that will improve their lives. They need to be supported to be able to take part in the decisions that will be taken about them.

No child should attend their Children's Hearing without an understanding of what may happen.

Finally, if you are preparing a child/young person for a Children's Hearing and you have any queries, please contact the reporter or the child's social worker.

The Standards for Better Hearings on which this Guidance is based can be accessed on the link below.

<https://www.chip-partnership.co.uk/wp-content/uploads/2016/10/Better-Hearings-Research-Report-2016.pdf>

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