

**Children's Hearings Improvement Partnership Meeting  
Thursday 27 February 2020**

**Note of Meeting**

<p><b>Attendees:</b>          Lesley Sheppard (SG) Chair – <b>LS</b>          Tom McNamara (SG) – <b>TM</b>          Liz Murdoch (SG Youth Justice) - <b>LM</b>          Jackie Reid (ADES) - <b>JR</b>          Alison Gordon (SWS) – <b>AC</b>          John Urquhart (COSLA) – <b>JU</b>          Rod Finan (CSWOs Office) – <b>RF</b>          Elaine Adams (CHIP L&amp;D lead) – <b>EA</b>          Janine McCullough (Education Scotland)– <b>JMcC</b>          Jacqui Dunbar (OHOV) – <b>JD</b>          Elliot Jackson (CHS) – <b>EJ</b>          Jackie McRae (CHS) – <b>JMcR</b>          Bryan Evans (Children 1<sup>st</sup>) – <b>BE</b>          Joanne McMeeking (CELCIS) <b>JMcM</b>          Lisa Bennett (SCRA) <b>LB</b>          Gordon Brechin (SCRA) <b>GB</b>          Kate Rocks (Social Work Scotland) <b>KR</b>          Melissa Hunt (SCRA) <b>MH</b>          Helen Ettles - <b>HE</b>          Lynne Harrison (CHS) - <b>LH</b>          Ross Gibson, (CYCJ) – <b>RG</b>          Paul Mulvanny, (SCRA) - <b>PM</b>          Alan Mullholland (Police Scotland) - <b>AM</b>          Norma Corlette, (STAF) - <b>NC</b>          Liz Cuschieri (SLAB) – <b>LC</b></p>	<p><b>Apologies:</b>          Iain Fitheridge (SG)          Shona Spence (SG)          Steve Collins (Glasgow HSCP)          Lynsey Smith (Includem)          Kirsten Hogg (Barnardo's)          Colin Convery (Police Scotland)          Fiona Dyer (CYCJ)          Kyrsten Buist (COPFS)          Eddie Follan, (CYP Chief Officer)          Mark Allison (The Law Society of Scotland)          Matte Forde (CCPS)          Marie-Louise Fox (SLAB)          Lauren Sorrell (SG)          Neil Hunter (SCRA)          Craig Milne (SG)          Suzanne Orr (SWS)          Alistair Hogg (SCRA)</p>
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Agenda Item	Action
<p><b>1. Welcome and apologies</b></p> <p><b>LS</b> welcomed everyone to the meeting.</p>	
<p><b>2. Minutes of 2 December 2019 and Action Points (Paper 1)</b></p> <p><b>LC</b> advised that she was at the meeting of 2 December. The minutes should be amended to reflect her attendance.</p>	<p><b>AP1. Secretariat</b> to update the minutes from December to reflect that <b>LC</b> was at the meeting.</p>

<p><b>3. General Updates</b></p> <p>Agreement was given to continuing the approach of providing email updates in advance of the meeting. This is to allow more time for discussion on other matters during the meeting.</p> <p><b>16/17 year olds in the Hearings system</b>  <b>TM</b> advised members that work was progressing towards a consultation in spring and that meetings had taken place with Rape Crisis Scotland, Victim Support Scotland and Children 1<sup>st</sup> to seek their views around the changes being proposed and measures to improve the experience of victims.</p> <p><b>Other updates</b>  <b>BE</b> advised the group that Children 1<sup>st</sup> had been successful in re-tendering for operational management of the national safeguarders panel and had been awarded a 2 year contract.</p> <p><b>JM</b> provided an update on the managing attendance within hearings pilot which is running until April. Managing the number of people within hearings requires a change in practice and there have been some initial issues which have been addressed, however, the results so far have been positive. Feedback will be gathered through panel members, professionals and the young people involved in the hearings – the feedback from young people will be gathered through feedback buttons, similar to those found in airports.</p> <p><b>JD</b> explained that an email regarding the evaluation of OHOV had been sent to the Children's Hearings team for circulating to members. Feedback is required as soon as possible due to the tight timescales involved with the evaluation taking place between May and November. It was agreed the email would be circulated to members with the note of the meeting.</p>	<p><b>AP2. Secretariat</b> to circulate JDs email regarding the evaluation of OHOV</p>
<p><b>4. Independent Care Review - Workshop</b></p> <p><b>LS</b> reflected that the Care Review had been much anticipated and the product of meticulous work. The presentation of the recommendations as a set of Promises is a particularly helpful way to reflect the findings.</p> <p>The response to the findings has been universally positive with commitment across Scotland at a local and national level. The ICR proposal for implementation is 10 years - culture and legislative change takes time. Planning needs to start now, including consideration around who should be involved.</p> <p>There are specifics around oversight, design and implementation, to be considered which the Scottish Government would welcome views on.</p>	

The purpose of the workshop is to concentrate on the hearings system's contribution to making change and to gather thoughts around implementation, challenges and collective experience on what works.

Members shared concerns around making changes too quickly without proper consideration and evaluation of where we are. The biggest issue will be a culture change around taking less people in to care. There is a need to strengthen the workforce to support families to care for their children. A balance is required around allowing developments and improvements to continue whilst pausing to consider the sequencing of what needs to change. Children's rights and language are key areas.

The Care review are due to hold a closure meeting in March with key players.

### **Workshop session Feedback**

**Table 1: Voice** – There is a wealth of evidence around young people's views on whether they feel they are heard or not.

Gathering voices – and responding to them - is unsatisfactory at the moment. There are challenges around language used along with different approaches taken. The focus needs to be about the child - before, during and after a hearing. Work to date has looked at this from an adult perspective, rather than what a child wants.

Understanding of language is key. Digital platform enables voices to be captured.

What information do we give to young people, what changes could be made? A rights based framework should be at the centre of what we do.

**Scaffolding** – How do we support advocacy workers? The ability to understand the child's views changes all the time, as may the child's views. This is a challenge as there is not a set process to be undertaken. Assessment is a key priority.

We need to create settings to allow views to be better considered. Family group decision making is one option for consideration. The use of this approach would require additional support to practitioners as this is a skilled piece of work. It should also be incorporated much earlier in the process in order to be effective – the child protection stage it is often too late. Capturing voices should be part of the engagement process at an earlier stage.

**Table 2: Family** – We need to go back and see current policy and practice through the lens of young people. The voice of the child has to be noticeable at all stages and they should be involved in developing strategies and practice models. Workforce is key.

Family group decision making and intensive family supports are options, upscaling needs to be based on evidence.

Cultural shift - what are the reasons why things have not progressed? Health visitors, teachers and other professionals need better support to use the systems we already have, for example how do we expand early intervention, diversion from prosecution rather than up-tariffing. Community Justice Scotland Act offers more alternatives rather than criminalising families. This has a knock on effect for the children of those adults affected.

Policy and legislation should promote personalisation.

Poverty is a key issue to be addressed. Maximising and stabilising income for families would help. Families need to be empowered to make the best use of income.

**Table 3: Care** - Family support needs to be effective at the right time. It is hard to break the cycle of care. Poverty is key to this –local authorities can make a real difference. Need to simplify processes to allow this to happen.

The concept of relationships is important – Children need stable relationships and love. We need to change perceptions. Sustaining support is important and withdrawal of this support must be at a reasonable pace.

Resource driven model is expensive and complex. Removing young people from risk, rather than reducing the risk. This links to hearing from young people and the need to design this with young people. The whole environment, family should be looked at.

Need to think about language – move towards harm rather than risk. What is the longer term impact on the decisions we make? If look at harm then we would be having different discussions.

It is a complex landscape, which requires a multi-agency response. Wider discussion is required around the needs of communities. Systems and frameworks are rigid but need to be brave to take a different response.

**Table 4: People** – Listening is key. Focus on 3 areas of listening – language, relationships and learning.

<p>Language – in order to listen better, then our language needs to be better in the first place – in all stages.</p> <p>Relationships - how do we listen to children and families. Who should come to hearings, who is important? Who is relevant in the young person's life. This should be consistent, but how do we support the system to enable this.</p> <p>Learning – This should be from young people and each other. Example of the work of Elaine Adams to bring professionals together.</p> <p>Listening is central but also accountability, for example how hearings present the recording of views and participation of family members in discussions.</p> <p><b>Scaffolding</b> The legal promise has been a key area of work for CHIP over the years. Children's rights should be protected, yet people are opposed to legal reps being in the hearings. We need to work together with law society. This should not be a side issue. Panel members are sometimes uncomfortable over the challenge legal reps give. Work been done to support this, through Elaine Adam's work.</p> <p>It is important to think about what a child needs in the hearings process, without it being a hindrance. This should be through either representing the young person's views or supporting them to give their own views. Legal reps are often in hearings to support the adult rather than the young person.</p> <p>A high proportion of legal aid applications from young people (approx. 99%) are granted, if they want to instruct a solicitor. However, does the young person even know that they can instruct a solicitor?</p> <p><b>Implementation</b> It was agreed that due to timescales, members would be given time over the next few weeks to consider implementation.</p>	<p><b>AP3. All members</b> to consider implementation.</p>
<p><b>5. Any other business</b> <b>None notified.</b></p>	
<p><b>6. Future Meetings</b> Members are asked to hold the following dates in diaries: Tuesday 26 May Tuesday 18 August Thursday 19 November</p>	