

## Who else may be at the Hearing?

A range of different people may attend:

- a social worker
- a teacher
- a safeguarder (a person appointed to look after the interests of the child)
- a legal representative
- a foster carer
- other relevant professionals (e.g. educational psychologist)
- voluntary agencies
- children's reporter
- an observer (e.g. trainee Panel member)
- the press.

The press have a right to attend, but rarely do. They are not permitted to report anything which may lead to the identification of the child or family.

The Hearing Chairman has a duty to keep the number of participants to a minimum in order to promote informal discussion.

## What will happen at the Hearing?

Parents and Panel members will receive copies of the various reports at least three days in advance of the Hearing. These reports are considered in a full and frank discussion with everyone present.

The Children's Hearing will want to obtain the views of the child and relevant person(s), as well as information and advice from the professionals present.

Finally a decision is made in front of the family. This can be either a unanimous or a majority decision.

## What options are available to the Hearing?

- to discharge the referral, because the Hearing decide that compulsory measures of supervision are not required for the child. (This may happen if the Social Work Department has made an agreement to work with the family on a voluntary basis, or because the situation has been resolved).
- to continue the hearing to a later date. This happens to enable further reports to be obtained or to gain information which is required to help make a decision, e.g. a safeguarder's report.
- to impose a compulsory supervision requirement on a child, which may or may not have conditions regulating, for instance, where the child is to live, with whom the child may have contact etc.
- a Children's Hearing is a tribunal. If a child or parent does not accept the grounds of referral, or the child is unable to understand them due to age or ability, then the grounds of referral are sent to the Sheriff for evidence to be heard in court, unless the Hearing decides to discharge them.

## Who are the Panel members?

Panel members are members of the local community appointed by Scottish ministers after going through a rigorous selection procedure.

They must:

- be familiar with their local authority area
- have good communication skills, including listening
- have a knowledge and understanding of children
- have the ability to discuss sensitive issues
- have the ability to make impartial and balanced decisions
- be able to treat all matters with absolute confidentiality.

Panel members:

- come from all walks of life and have different jobs and experiences
- are of varying ages
- undergo intensive, continuing training.

Finally, it is important to conclude by highlighting the strengths of the Hearings System in Scotland.

It is:

- a child-centred system where the child's view must be considered
- a welfare-based system where the needs of the child are paramount
- a system based upon collaboration between lay members of the Panel and professionals.

In Angus, usually four sessions of Children's Hearings are held in Arbroath each week.

The address of the Reporter's office in Angus is:

**Children's Reporter**  
SCRA (Angus)  
50 East Abbey Street  
Arbroath DD11 1EN  
Telephone No: 01241 873194

Another source of information is the website:

[www.childrens-hearings.co.uk](http://www.childrens-hearings.co.uk)

# Angus Children's Panel

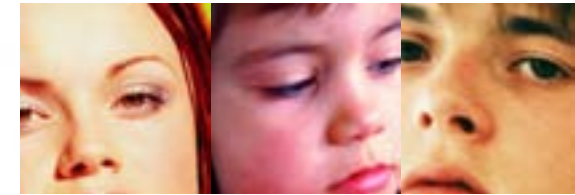


*"The level of civilisation attained by any society will be determined by the attention it has paid to the welfare of its children."*

Billy Andrews M.D. 1968.



# Angus Children's Panel



As the Children's Panel has recently been receiving quite a lot of media attention, it seemed appropriate to make available a short leaflet on how it functions.

It is hoped that this information will be of interest to many and will raise awareness of how the Angus Children's Panel operates on a week-to-week basis throughout the year.

## If you are worried, how do you refer a child to the Hearings System?

Referrals are generally made to the Children's Reporter in writing, but telephone referrals are also accepted. The Children's Reporter is a member of SCRA (the Scottish Children's Reporter Administration), an independent agency of the government.

## Who can refer a child to the Children's Reporter?

Children are most commonly referred to the Children's Reporter by the Police, the Social Work Department and the school. Actually any person is able to pass on a referral if that person is concerned about a child's welfare.

"Any person" could be

- a health visitor
- a relative
- a concerned neighbour
- a voluntary agency e.g. Children 1st
- or any other person, including the child him/herself.

## Why are children referred?

Children are referred for many reasons. Grounds for referral (as listed at Section 52 of The Children [Scotland] Act 1995) can include:

- a child who is beyond the control of a relevant person e.g. a parent
- a child who is falling into bad associations or is exposed to moral danger
- a child who is suffering unnecessarily, or whose health or development is being seriously impaired, due to lack of parental care
- a child who has been a victim of a Schedule 1 Offence (physical, sexual abuse etc) or who is in a household where this has happened, or could happen
- a child who has failed to attend school regularly without reasonable excuse
- a child involved with alcohol, drug or solvent abuse
- a child who has committed an offence.

## What happens next?

The Reporter's duty is to consider all referrals, and to investigate where necessary. The reporter can obtain reports from other agencies such as the Social Work department, Health Service and school. These will help inform the reporter's decision about how to proceed.

The Reporter has several options. These are:

- to take no further formal action, although informal action may include a Police Warning, a Reporter Warning, or the involvement of the Social Work department or another agency for a short period of time
- to refer the child and family for voluntary support from the local authority, usually, but not always, via the Social Work department, or
- to arrange a children's hearing if it appears that the child may be in need of compulsory measures of supervision.

## What principles underpin the Children's Hearings System?

The overarching principles are that:

- the welfare of the child is paramount, except where serious harm to the public is an issue
- the child's views must be taken into account
- no order should be made in relation to a child unless it is **better** to make an order than not to.

## Who are involved in the Hearing?

The three main participants are:

- the child
- the relevant person(s) e.g. usually parents
- the three Panel members who make up the Hearing. (This group of three must be made up of both men and women, one of whom will act as Chairman at the Hearing.)