

Panel Members views regarding the current system.

Collated by Angela McGroarty, Vice Chair, Scottish Association of Children's Panels.

Good points about the current system

“Jewel in Scotland’s Crown” – may require some ‘tweaking’ but could be done without legislation.

Support and guidance from others in the system.

The continued training to ensure PMs are as up to date as possible.

The chances the system gives children to improve their lifestyle.

Held within local authority – dealing with local children.

Majority of PM’s come from the local area- knowledge of local environment, resources.

Child focussed system –should and must remain so.

Ethos of Kilbrandon – keeping child at the centre

Non adversarial

Looks primarily at needs whilst taking deeds into account.

Child and family are free and encouraged to have their say at whatever point they wish during the hearing.

Good relationships with local Reporters office (vital for efficient operation of system), CPAC and LA staff supporting system.

Served by committed, trained volunteers who are there for the child – not self interest or influenced or subjected to funding issues or political influence.

Full consideration given separately to child’s rights and needs.

Children who offend and/or are offended against (often the same child) are treated in the same system- emphasis on help not punishment.

Children offended against have best possible system of speedy protection anyone could wish for.

System gives PM’s absolute authority to protect, guide, treat or control in any situation.

Hearings held in private.

Everything discussed in open at hearing with all present having their say with any decisions taken explained fully.

No ‘one gender’ panels.

All decisions appealable by child and relevant persons.

Having an organisation (SACP) to speak out for PMs.

Independent arbitration in cases of dispute.

What's bad or doesn't work about the current system?

Late reports – Hearings having to be continued causing stress and more time off work for all involved and taking a hearing slot that could have been used by another child.

Delay in getting child to hearing (from referral) and then to actual action following decisions e.g. insufficient numbers of social workers, lack of time to devote to each child, insufficient funding for children's services.

Too much 'red tape' in the way of speedy resolution of some situations e.g. allocation to groupwork or identifying an educational place outwith mainstream.

System still seems 'invisible' to general public and more worryingly, MSPs, MPs and Scottish Government staff.

Recent increase in turnover of PMs – need to retain experience.

Insufficient time allocated (especially in 'heavier' cases) for both the hearing and the writing up of decisions and reasons.

No guarantee that decisions for secure placement (not a decision ever taken lightly and with the child having met very strict criteria) will be implemented – should and must be like all other decisions.

Hearing rooms should be more welcoming – not modern or furnished enough in some areas. Should have books, quiet toys, paper and crayons.

Delay in doing first Hearing after completion of Induction Training for new PMs.

Legislation taking us away from Kilbrandon principles.

Conditions of Supervision Requirement are on child and not the parents where often the problems lie-? Maybe PMs could refer parents on to the court/PF to make further decisions re parents' performance/lack of it.

CPAC monitoring of PMs is not as robust as it should be – should be far more highlighting (positive criticism) of training needs – very little at present.

Local Authorities being driven by financial aims rather than children's needs in cases where residential placements (short or long term) are required. More accessibility should be made for beds in other areas especially for children with psychological needs.

Main problem is lack of access to adequate resources – too often problems are compounded by little or no action being taken following Hearings. Utterly no point in everything else being perfect if nothing changes for the child.

Possible Changes

Grounds to be written in user-friendly English to allow for clearer understanding.

Standardisation of expenses and training – should be centralisation of expenses for travel and for training.

Grounds for very young minors going for proof prior to coming to a hearing.

3 working days for papers – allows more time not just for PMs, but for families to read, digest and get advice.

Advocacy workers for children.

Compulsory to chair Hearings – too many opt outs.

Sharing of chairing amongst the 3 PMs at the hearing (i.e. 1 per case)

Reduction of current stipulation to do 12 or more Hearings in a year (for example). PMs finding it harder to get time off work.

Make it mandatory for PMs to get time off work to do a set number of hearings (e.g. 1 or 2 per month). Make it like jury duty.

Introduction of ‘Award for Civic Service’ for employers (like Investors in People certificates).

Due to only the most ‘severe’ cases actually coming to Hearings now, allocate a maximum of two cases per session to allow sufficient time for discussion and also writing decision and reasons afterwards.

Fast track grounds.

Proven resources funded appropriately and not always caught up in fears of funding being withdrawn – losing staff and momentum.

Truancy cases – fast track referral needed for this major problem. Child automatically must be referred after 3 months of truancy. (Before situation becomes a habit and time away affects child’s confidence and ability to ease back in).

Blank Canvas

Leave system alone.

Return to mindset where Reporters, PMs and CPAC were all regarded as part of the same system working for the best interests of local children – based on good, local knowledge and teamwork.

Letter of thanks from Government (not from CPAC in local authority) at end of current period of appointment.

Recognition of exactly the time and emotional commitments PMs devote to the system. Although volunteers, their contribution is far more. They do not want paid, just more acknowledgement occasionally of the tremendous effort put in, not just at Hearings but in the hours of preparation beforehand. They sometimes feel like ‘second class citizens’ not listened to enough because they are volunteers and not employees.

Some would like Reporters and/or Social Work to pass on any information regarding local requirements and to determine if relevant persons require legal representation.

Some would like the Government, Local Authorities, SCRA, etc to consult and listen to PMs instead of putting their own changes in place which are of limited benefit to children and only serve to meet their own agenda – this frustrates PMs and can affect retention.

More use of Inclusion Zones with specialist staff from a variety of agencies to allow for more effective, meaningful and all round education not only for these young people (some of whom may be in the system) but for the children who do/can behave in class – they deserve an education and attention also. They are not being given equality in this because currently the teacher has to devote so much time to the others.

Make it compulsory in primary schools (by secondary it is too late as the main children you need to target are truanting etc) to have lessons in citizenship, parenting skills etc. We need to have this very early intervention to improve the next generation. (Even nursery children can learn ‘how to bath the dolly’ for example)

Compulsory refresher training when due for re-appointment (not optional with only a few places available).

Payment of expenses for PMs on day of hearing if wished as with families.

More people on low income could become/stay PMs. Some cannot wait for the (often) long office processing.

Blank canvas not required. Don’t throw the baby out with the bathwater.

Look properly at what’s working and why. Where appropriate expand or amend to local needs.

Perhaps create an independent body offering support and counselling for children attending hearings. Their responsibility would be to prepare them prior to Hearings, explaining fully what to expect, what PMs may ask and why. If not the above create a DVD explaining the above to children and families and sent out to them with Grounds.

Appropriate publicity on what the hearing system is about. Dispel the myths. Movable boundaries for PMs to travel and assist in other areas.

More available for children who are not (yet) involved in the system but find themselves put out or move out of home – there is not much for them by way of accommodation, funding for day to day living etc - and follow up especially if bed not found. Often in reality young people may be offered a very temporary bed in unsuitable adult homeless shelters. These children often end up on the street and get involved in drugs, crime and prostitution. Earlier and better intervention is needed here to prevent this. Perhaps hostels for teenagers. Annual meetings/workshops with young people who have been through the system – learn from their experiences by really listening and acting on their insights not just paying lip service.

Faster access to Psychological (Educational and Clinical) Services for assessment purposes to allow children's needs to be truly identified so that some work can be started whilst waiting for proper treatment. Presently children can wait 18 months for assessment and Hearings may make inappropriate decisions in the interim – chronic shortage of these appointments.