

What happens at a hearing and who is present?

The purpose of a hearing is to decide what needs to be done in the best interests of the child. There are a total of three panel members at each hearing with representatives of each sex. The child, his or her parents, the social worker and the Reporter are also present.

Several days before the hearing, each panel member will receive reports on the children they will see. These reports have to be carefully studied. In order to make a helpful decision, the hearing has to use the reports to find out more about the child and his or her family and discuss with all those present, how the child can be helped. Panel members then make a decision as to what should happen to the child. Open, informal discussion is encouraged at the hearing, with issues discussed confidentially.

The hearing may decide that compulsory measures are not required, that supervision is required at home or away from home or that specialist reports are needed. Whatever they decide, panel members must give their reasons. Thereafter, supervision is the responsibility of the Social Work Department.

Who decides a child comes to a hearing?

The Children's Panel has the backing of a full-time professional service provided by Reporters from the Scottish Children's Reporter Administration. The Reporter, an essential official of the Children's Hearings System, decides if a child should come to a hearing. Anyone who feels that a child needs help can refer that child to the Reporter. Most of the referrals come from the police or the social work department, but referrals can come from other sources, including schools and members of the public. The Reporter, having considered reports on the child, then decides whether a hearing is required.

Where do hearings take place?

The Scottish Children's Reporter Administration is responsible for providing premises for hearings within a convenient travelling distance of panel members. At present, hearings take place at the East Renfrewshire Resource Centre, Carlibar Road, Barrhead. Occasionally hearings are held at the Reporter's office in Glen Lane, Paisley.

What kind of children come to hearings?

All ages of children from new born babies to 16 year olds, and in some cases 17 and 18 year olds, come to hearings. They come because, for example, they have offended, because they have been neglected or abused, because they are out of the control of their parents or because they have been absent from school without a reasonable excuse.

Do children ever go to court?

Children may go to court in special situations. Even if they do go to court, this is in private and in most cases they are referred back to the hearing for disposal of their case.

Do children come back to hearings?

Yes, if they have been placed on supervision they must come back within a year to have their case reviewed. Earlier reviews may also be necessary for various reasons.

What if the child and his or her parents do not agree with the decision of the hearing?

The child and his or her parents have the right of appeal to the Sheriff.

Further information

You can also access information on the Children's Hearings System website, which is part of the Scottish Government and this can be accessed from the external website site.