

Hearing System Working Group Meeting TWO – 4TH October 2021 (10:00am-12:00pm)

MINUTE

Attendees:

David Mackie	HSWG Chair
Alistair Hogg	Head of Practice and Policy, Scottish Children's Reporter Administration
Beth-Ann Logan	Board Member, Children's Hearings Scotland
Carol Wassell	Head of Area Support and Community Improvement, Children's Hearings Scotland
Suzie Vestri	Board Member, Scottish Children's Reporter Administration
Tom McNamara	Youth Justice & Children's Hearings Unit, Scottish Government

In attendance from The Promise:

Fi McFarlane	Head of Oversight
Christina Spicer	Senior Legislative Manager

Apologies:

None	
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Minute of Meeting:	
Item ONE	<p>Welcome and Introductions</p> <ul style="list-style-type: none"> • David recapped the previous meeting. Agreement among group that there is an appetite for serious change. • The group's work will move further and faster - and this is within our remit. Important that we do not redo work that has already been done.
Item TWO	<p>Service Design</p> <ul style="list-style-type: none"> • Rachel Dowle from Office of Chief Designer has now met with all members. Rachel and her team are considering the specific support they can provide and are aware that we are in the process of finalising the issues list. • An update will be provided once there is a firmer 'support offer', however, their support should feed into our overall work on how to address each of these issues in the list.
Item THREE	<p>Programme Planning</p> <ul style="list-style-type: none"> • Discussion and development of a process. The following was suggested: <ul style="list-style-type: none"> ○ 1 – Agree on list of issues. ○ 2 – Map all improvement activity to the issues list. ○ 3 – Map all previous work. ○ 4 – Agree a way of approaching the items on the issues list. <p>Issues List</p> <ul style="list-style-type: none"> • The current version of the issues list was discussed and expanded. Items discussed include: <ul style="list-style-type: none"> ○ Role of Reporter in the pre referral stage –<i>Could they be more involved, in last few years have withdrawn into a very statutory role. There a potential role pre referral, with some benefit from their independent analysis and support. At what point should they have authority and power. Expanding role of Reporter may need legislation.</i> ○ Entry points of babies born under child protection order – <i>Issue around families/workers that anticipate the child is going to be referred.</i> ○ Supporting young people to tell their story only once – <i>Issue of how children and young people express their views; how to tell their story only once. There may be something that can be done early on. Acknowledgment of tradeoff between continuity and timeframe.</i>

	<ul style="list-style-type: none"> ○ Models of decision making – <i>What is the best model of decision-making? Possible need to commission research; look at the other models out there.</i> ○ Should the hearing system be administered within the tribunal service? <i>That would mean there were frameworks for decisions and potentially reduce number of appeals for inadequate reasons. There can be appeal judges who are family and child law specialists. This question was looked at around a decade ago when SCTS was set up. What aspects would be diluted if the route is followed?</i> ○ Compulsion – <i>Should compulsion be on the child or should it be on the statutory decision makers or other family members? How does a family group decision process fit in with a statutory process? Where is the optimum place for this offer to be made? Once a referral has been made, is that the point to include family group decision making.</i>
Item FOUR	<p>Improvement Work</p> <ul style="list-style-type: none"> • The programme planning and issues list discussion (Item 3) identified the need to capture the progress and improvements that have taken place or are currently taking place. <ul style="list-style-type: none"> ○ Agreement that SCRA, CHS and Scottish Government are best placed to do this work. ○ Examples of ongoing work from CHS include: <ul style="list-style-type: none"> ▪ Improving decision making around brothers and sisters. ▪ Multi agency project on child friendly language in hearings. ▪ Children and young people voice and participation. ▪ Inclusion of where voice of siblings who don't want to attend. • Collective sense of improvement activities is needed to be able to amalgamate change and identify improvement gaps. • Members agreed there will need to be (a) a summary of improvement work, (b) a need to understand the system, and (c) an acknowledgement of the human side of change and the variation in data available. • Next steps include: <ul style="list-style-type: none"> ○ Agreement on the 'issues list' ○ Mapping of all current improvement work that relates to that list ○ Linking of all the work of The Promise Scotland work that relates to the issues list ○ Mapping of all previous policy and research around the issues list. • Then clear programme management and agreement of an approach around each of the issues area.

Item FIVE	<p>Communicating</p> <ul style="list-style-type: none"> • Brief discussion regarding language. The group needs to be cognisant when speaking about 'systems being broken'.
Action Items	<p>Engagement</p> <ul style="list-style-type: none"> • Schedule conversation with Lord Woolman, President of Scottish Tribunals, to discuss the question of whether the Children's Hearing should be administered by SCTS and be added to the other specialist tribunals that fall within his responsibility (<i>David/Christina</i>). <ul style="list-style-type: none"> ◦ Update: Meeting is scheduled for Wednesday 1 December. • Reach out to Alan Small, Chair of Child Protection Committees across Scotland as the group may want to receive advice and guidance (<i>David/Christina</i>). • Check-in meeting to be arranged between Fiona Duncan, David Mackie, Michelle Miller, and Garry Coutts following HSWG Meeting THREE (<i>Christina</i>). <p>Issues list</p> <ul style="list-style-type: none"> • The issues list to be amended and circulated (<i>Fi/Christina</i>). <p>Improvement work</p> <ul style="list-style-type: none"> • Map all improvement activity that relates to the issues list (all members). • Collate all relatively recent research and inquiries that have covered the issues list (<i>The Promise Scotland [to support literature searches] & Tom/Scottish Government</i>). <p>Service Design</p> <ul style="list-style-type: none"> • Update to be provided once there is a firmer 'support offer' from Rachel.

Next Meeting: Monday 29 November 2021 (10:00am-12:00pm)