



**Children's Hearings Improvement Partnership Meeting
Thursday 17th November 2022**

Note of Meeting

Attendees:

Gita Sharkey, SG, Chair (TM)	Gordon Main, OHOV, (GM)
Stephen Bermingham, CHS (SB)	Craig Milne, SG (CM)
Liz Cuschieri, SLAB (LC)	Louise Piaskowski, SG (LP)
Fiona Dyer, CYCJ (FD)	Hazel Robertson, SWS (HR)
Helen Etchells, SCRA (HE)	Brendan Rooney, SG (BR)
Bryan Evans, Children 1st (BE)	Nick Rougvie, SG (NR)
Stephen Ferguson, COPFS (SF)	Pam Semple, SG (PS)
Alistair Hogg, SCRA (AH)	Kenzy Thomson, SG (KT)
Elliot Jackson, CHS (EJ)	Alison Todd, Angus CPC (AT)
Janine McCullough, Education Scotland (JM)	John Urquhart, COSLA (JU)
Fi MacFarlane, The Promise (FMc)	Carol Wassell, CHS (CW)
Caren McLean, CELCIS (CMc)	Emma Wilson, SG (EW)

Apologies:

Tom McNamara, SG
 Neil McIntosh, NSPCC
 Lynne McNiven, NHS
 Neil Hunter, SCRA
 Selwyn McCausland, National Advocacy Provider Network
 CI Ian McKinnon, Police Scotland
 Susan Orr, Social Work Scotland
 Elaine Adams, CHIP L&D Lead

Agenda Item	Action Points
<p>1. Welcome and apologies</p> <p>GS welcomed CHIP partners to the group, apologies were noted</p>	
<p>2. Minutes of Previous Meeting and Action Points</p> <p>Minutes of previous meeting were agreed and the actions from the previous meeting were reviewed with the following items requiring further action:</p> <p>1. Action 1 – Tom to provide further update on the Lady Dorrian Report work – CM advised that he is working with</p>	

colleagues in Justice, and will be taking this work forward.

2. Action 2 – SG/CHS/SCRA to discuss a workshop with Scottish Children’s Rights Officers’ Network (SCRON) - the Scottish Government, SCRA and CHS have a meeting arranged to discuss potential workshops and crossover with the SCRON.

3. Action 3 – feed back to The Promise that broader stakeholder engagement is required, in particular with Social Work and Local Authorities - This has been complete, and we understand that there has been more engagement with Social Work representatives from the Hearings System Working Group.

FMc gave further advice, there’s been further engagement, and more welcome so members should contact her directly to arrange.

4. Action 4 – A joint CHIP and YJIB meeting is being planned - Scottish Government officials are currently looking at dates and logistics, and it will likely be around February.

5. Action 5 – members were to sign up to the principles of the Language work, and identify a champion to be the main contact on this - Anyone who has not done so, please can they advise the Scottish Government as soon as they can after the meeting.

6. Action 6 – Elaine Adams and Fiona Dyer to connect on Language work. And Action 7 – Elaine Adams to map what work is going on across the board – These actions are both for Elaine Adams to take forward, and sadly Elaine is unwell. **FD** advised that she met with Elaine to discuss, and CYCJ are supporting the work. **GM** advised he will provide further relevant info under Agenda item 4.

Action 1: CM to report on progress at next meeting.

<p>3. Hearings System Recovery</p> <p>AH advised that the reconstituted group was to focus on current challenges, the pressure in the system and on the wider environment in which it sits. The Hearings System has effectively recovered from the pandemic, but we are running into challenges around delays in court, long waits for court hearings due to pressure in the court system. Virtual hearings and blended hearings remain a fixture of the system, which creates complexity when arranging and operating hearings. It would be helpful to hear from other partners in terms of the pressures they're under, but what SCRA is hearing is there is huge pressure on social work, pressure which manifests itself in the production of reports and attendance at hearings. It's not universal, but there are hotspots and would like to hear from partners about this.</p> <p>SCRA are also conscious of the impact on what's happening in other agencies, particularly in terms of pay and industrial action. The Teachers' strike next week will have an impact on SCRA and panel members. Recognising that those challenges are likely to increase in number given the ongoing unrest across many professional sectors. The next meeting is next week, where this will be considered.</p> <p>SB agreed, and advised the group is looking at capacity issues in general. This remains an issue for CHS who have just completed the most recent recruitment campaign, and are hopeful that it will provide enough successful candidates to ensure business continuity. He expressed many thanks for the contributions of partners and the sponsor team in assisting.</p> <p>BE raised the continuing issue of numbers of Safeguarders as, like in other professions, there seems to have been a reassessment of priorities and there has been an increase in Safeguarder resignations. Time in court is also having an impact because it is making Safeguarders assess their capacity differently if they have cases waiting to go to court. It highlights the model that we have in terms of Safeguarders, and whether this is sustainable. As they're not paid staff, it can create challenges to try and recruit and retain people. A different model may give greater security to the system, that's been highlighted to Sheriff Mackie, but this is an issue to be borne in mind.</p>	
<p>4. Our Hearings, Our Voice and Language in the Hearings System</p> <p>GM advised the group has been involved in the reform work with Sheriff Mackie and Christina Spicer. They've spent time with Sheriff Mackie and built a great relationship. The young people being involved in working with the leads of the design teams and the work on</p>	

preparing young people for hearings, may be of interest to the group at a later date. The young people undertook design work on a magazine for children and young people in hearings centre waiting areas, one that wasn't about their rights or their hearings, but designed to be relaxing and entertaining. Every hearings centre now has copies of the magazines, and the group commended them for this outstanding work. FMc – great that this work has been so valued by the HSWG, and how great it is to have such a ready-made engagement group. ACTION – Share digital copy of the magazine if possible.

There are other ongoing pieces of work, with CHS on animations that will influence future Panel Members, and also involving Panel Member training. They have helped to design virtual hearings research, and they're continuing to support each other through peer mentoring within the group, in particular supporting new members as they come on board. Coming up is a good practice guide for solicitors in the hearings system, a partnership approach involving the young people writing it.

Group members asked about this work on the good practice guide for solicitors – the HSWG, CYCJ, and SLAB in particular expressed their interest in being involved. SLAB were keen to ensure that the guide was consistent with the SLAB code of practice for solicitors on the CLAS.

Partners raised the need for enforcement in relation to the code of practice as there are situations where the standards are not perceived to have been met. Difficult to challenge when things aren't working. That's something the HSWG is looking at.

GM gave a further update on the Language in the Hearings System work. There are two groups – an oversight group which evolved from CHIP, and a “word busting” group involving children and young people, and professionals from within the sector. They plan to work to produce resources to support adults in changing the behaviour and culture reflected in the language in the hearings system. CHIP have endorsed the principles and the work and the members commended the great work on looking at what needs to change in the future to make sure the language meets the needs of children. There is a word-busting tool in development to influence the language used in hearings and reports. This will show what to avoid, suggest alternatives, give options, provide a glossary, and encourage individualised language.

There was a discussion about the necessary use of language, including legally required terms, and how this would be approached. Members agreed that while it is unavoidable to use certain terms, the context and object of those terms was important. The work is not only about the words used, but the relationship between the language and the culture of the hearings system.

Action 2 – GM to share slides and a digital copy of the Magazine if possible.

AH advised he was encouraged by the different perspectives that will input into this work. The care review highlighted language, and it's also a central theme to the HSWG. It is crucial that this work has CHIP backing and oversight.

5. Hearings System Working Group Emerging Themes

FMc talked the group through the Emerging Themes report. It tries to outline the key themes and the direction of travel, but does not make recommendations at the moment. It has a professional focus, and sets out the level of engagement with children and young people with lived experience.

The HSWG has taken some deep dives into specific issues, such as the role of Social Workers and their experiences. It's been a great listening exercise. Alongside that there is a legislative and case law mapping against the issues list, and a research and evidence mapping against the issues list. The collaborative redesign project has broadly come to an end and the final outputs are being produced now. The group will be deliberating on these in the winter and approaching the Scottish Government to conduct a CRWIA on the output of the collaborative redesign.

One of the clear things that has been decided at this stage is that the broad administration of the hearings system will remain where it is. The group is looking at the role and powers of the reporter to encourage more work to be done at the referral stage. They are also looking at the role of professionals, the impact 16-17 will have on the structure, and also the issue of accountability when an order is made. They will also be considering the likely costs once we have recommendations. For any partners who would like to be engaged, FMc can arrange conversations with Sheriff Mackie.

AH thanked FMc for her summary and reinforced the grateful thanks to all partners involved in the codesign groups. The involvement of CHIP partners has brought a perspective and flavour and strength. Setting the context, the hearings system is an important part, but only one small part of the whole environment, and the investment needed for the cultural change.

There was a discussion relating to the likely need for primary legislation, the complexities of other associated legislation relating to the National Care Service and the Children's Care and Justice Bill, and the need for simplification of the legislative landscape.

<p>6. The Children's Care and Justice Bill</p> <p>BR gave an update on the Bill timeline and the progress to date. He expressed many thanks to all those who have helped with considerations, looking at consultation, implementation elements etc. which has been a huge help. The involvement of key partners in the development to date has been essential.</p> <p>We are moving towards introduction, expected around the 13th or 14th of December. Parliament then decide which committee will lead and may come out with a call for evidence before Christmas. The Scottish Government will update partners in due course. BR advised the lead committee will likely be the Education ETC committee, but there will be a Justice interest and they may look at it as well.</p> <p>AH asked when partners will have the opportunity to see the detail within the Bill, final provisions if possible. Some aspects regarding expectations on victims, MRCs, these are issues will directly affect SCRA and others. BR advised that we want to be open and transparent as much as we can, so will see what I can share at this stage.</p>	<p>Action 3 – BR to share draft Bill with key partners as soon as possible.</p>
<p>7. SG Updates</p> <p>JU raised concerns from Local Authorities regarding the uncertainty around the NCS Bill, and noted the criticisms it had received in Parliament.</p>	
<p>8. AOB</p> <p>No further business raised by members.</p>	
<p>9. Date of Next Meeting</p> <p>Joint CHIP and YJIB meeting TBC early 2023.</p>	