



**Children's Hearings Improvement Partnership Meeting
Thursday 2 March 2023**

Note of Meeting

Attendees:

Ian Donaldson, SG, Chair (ID)	PI Juliet Henderson, Police Scotland
Stephen Bermingham, CHS (SB)	Selwyn McCausland, National Advocacy Provider Network (SM)
Liz Cuschieri, SLAB (LC)	Hazel Robertson, SWS (HR)
Fiona Dyer, CYCJ (FD)	Brendan Rooney, SG (BR)
Helen Etchells, SCRA (HE)	Nick Rougvie, SG (NR)
Bryan Evans, Children 1st (BE)	Pam Semple, SG (PS)
Stephen Ferguson, COPFS (SF)	Paul Mulvanny, SCRA (PM)
Alistair Hogg, SCRA (AH)	Alison Todd, Angus CPC (AT)
Janine McCullough, Education Scotland (JM)	John Urquhart, COSLA (JU)
Chloe Riddell, The Promise (CR)	Carol Wassell, CHS (CW)
Caren McLean, CELCIS (CMc)	Emma Wilson, SG (EW)
Joanne Smith, NSPCC	

Apologies:

Tom McNamara, SG (attended in part)
 Craig Milne, SG
 Gordon Main, OHOV,
 Elliot Jackson, CHS National Convener
 Elaine Adams, CHIP L&D Lead

Agenda Item	Action Points
<p>1. Welcome and apologies</p> <p>ID welcomed CHIP partners to the group, Apologies from Elliot Jackson (CHS), Elaine Adams (L &D) and Gordon Main (OHOV) were noted.</p>	
<p>2. Minutes of Previous Meeting and Action Points</p> <p>The minutes of the 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 – Lady Dorrian work - Craig Milne was unable to attend but Tom McNamara provided a short update. Craig has been undertaking a piece of mapping work but does not wish to pre-empt Sheriff Mackie's redesign work. Dorrian-driven issues</p>	<p>Action 1 – written update on Lady Dorrian work to be provided to the group.</p>

<p>will be reflected in the government's response to the HSWG recommendations. ID indicated that a written update on this point will be issued to the group.</p> <p>2. Action 2 – On OHOV and language relating to hearings, a set of slides were due to be shared. Action will be carried over to the next meeting.</p> <p>3. Action 3 – Draft CCJ Bill to be shared with the group.</p>	<p>Action 2 – slides to be shared.</p> <p>Action 3 – draft Bill to be circulated when available. Complete</p>
<p>3. Hearings System Recovery</p> <p>SB and AH provided an update on the work of the group, which continues to meet monthly. Thanks to Elaine Adams recorded for all her work that she does in relation to this group. The last meeting focussed the potential impact of the CCJ Bill and the HSWG recommendations. BE also provided an update for the group on the new round of recruitment of Safeguarders .</p> <p>Updates on other matters included details on the blend and formats of hearings.. Half of hearings are hybrid or virtual, and half are face to face – this has been really helpful in terms of building capacity. The offering of alternatives more based on choice rather than necessity – a good outcome from the pandemic.</p> <p>SB outlined one of the key recent legislative changes – the mixed gender hearings requirement has been removed. 4.5% of hearings have used the provision..</p> <p>SCRA and CHS not routinely holding pre-hearing panels - relieving children under 5 from having to attend. They have had some quite positive feedback from social work and early years practitioners .</p> <p>Children under 6 still retain the right to attend.</p>	

<p>Updated practice guidance for panel members not having to repeat the same reasons if they are in agreement. This is to prevent children and families from having to hear the same things over again.</p> <p>SB highlighted capacity issues with volunteers across the country – the cost of living squeeze and high level of employment across the country were having an impact. There is a perennial issue also around the capacity of other services – court delays and the level of social workers to provide information to hearings remained as challenges. .</p> <p>On court delays – they have had really good dialogue with Elaine Walker at SCTS. .</p> <p>SB further noted the acute shortage of social workers in some area. Continuing dialogue with SWS on that issue.</p> <p>SB also raised issue around persons with a right to attend, but currently held in prison. Real issues with transportation, but good dialogue with SPS. .</p>	
<p>4. Our Hearings, Our Voice and Language in the Hearings System</p> <p>ID stated that papers have been tabled for these issues but both of the authors unable to attend . He highlighted some areas for discussion.</p> <p>BE has been involved in this work, and offered to take back comments to the paper authors..</p> <p>ID – awareness – not everyone understands the impact that language has on young people – a question of resources and commitment.</p> <p>Consistency – need for local authorities and other bodies to reach agreement. There is an opportunity to bring partners together to learn and work together on this issue.</p> <p>Legal language – deeper legal sector involvement is needed particularly around language used in court.</p> <p>Questions about evolution and whether oversight group should become a standing subgroup that reports into CHIP.</p> <p>FD – during their evaluation of Glasgow Youth Court they observed some Sheriffs trying to adapt their language, but not all did so. CYCJ considering developing guidance or a crib sheet and will link into the work of the group.</p>	

<p>A number of comments were raised during the discussion about the need for consistency and a strategic approach and the issue of accountability. It was noted that there are some good examples from the drug and alcohol sphere on changing language and culture to reduce stigma and prejudice. It was also noted that UNCRC Incorporation will also have a significant impact on accessible language. .</p> <p>SB - For info re legal language: Collette at SCRA has pulled together a group looking at a good practice guide for solicitors in hearings. Gordon Main is on this group.</p> <p>JH - Police Scotland would be supportive of any work to improve language. This is a priority in our CP Plan and we are working across our business areas to raise awareness and make changes.</p> <p>NH – There are things we can do in the near and immediate future – thinking about lexicon, thinking about organisational change and work with government on the scope to change legislation, without losing meaning and precision.</p> <p>HR – from a social work perspective, it is important to consider how we achieve balance in the language when we need to demonstrate risk and what is happening in the child’s life.</p> <p>ID – noted very significant support for this work despite significant challenges. Urged individual partners to get in touch with Gordon and Elaine with specific offers of support.</p> <p>On the specific question of whether CHIP are willing to endorse data work at this point, it was agreed that the group should make recommendations later in the year.</p> <p>On the question about whether the group should become a standing sub group it was agreed That the issue should be added to the next CHIP agenda.</p>	<p>Action 4 – item on next meeting’s agenda to discuss commitment and input into this work and position of the working group.</p>
<p>5. Hearings System Working Group</p> <p>CR – provided an overview of progress picking up from the summary given in November.</p>	

- The collaborative redesign project has now been shared with group members. This was produced by three working groups made up of professionals from across the system.
- That report along with engagement work has fed into a number of early 2023 deliberation days for the HSWG group.
- Sheriff Mackie has now been working on drafting up his thinking. They are currently undertaking a simultaneous drafting process alongside testing and engagement with system partners in early spring.
- The final report will not ignore the vast amount of improvement work already in place, but build on that instead.
- Very alert to the reality that the system can't grind to a halt, and a new system won't be implemented overnight.
- The emerging themes report from autumn 2022 gave a good indication of Sheriff Mackie's thinking.
- The report is moving towards further emphasising a non-adversarial, inquisitorial approach.
- It suggests that this links much more closely to the child protection system and the ongoing processes that children are involved in - with consistent decision makers.
- There are parts of the report that could lead to shorter and longer term improvement and change as well as longer term legislative impact.
- The Promise Scotland are taking legal advice on recommendations, to ensure that they are in line with rights requirements.
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- They will be looking for a strategic overview of the approach to the recommendations from Scottish Government.
- The report is long and so they don't expect rapid responses.
- The draft report will go to HSWG for comment and then hoping for mid – May 2023 for final publication.

Discussion points included:

- suggested approaches to planning how to respond, and the time required to do so adequately ;
- some organisations indicated that they felt less close to the HSWG work than others, despite core responsibilities;
- individual organisations with a stake in the hearings system need to understand the impact on their own individual responsibilities and legal duties;
- the need to understand the impact on organisations beyond the hearings system;
- the need to understand sequencing and timescales for assessment, acceptance and implementation particularly around any required resources and legislation;

- the need for organisations to come together to plan how to move forward – the joint CHIP / YJIB meeting in May represents one opportunity, but may come too soon.

ID – any strategic overview should not just come from SG alone - but from SG and partners - once time has been taken to adequately consider the report.

6. The Children's Care and Justice Bill

BR – the last update to the group was pre-introduction. The call for views from the committees is open until 17 March. Lots of detailed material in the Bill's accompanying documents. BR thanked the group for their input.

The Education, Children and Young People Committee taking the lead but Criminal Justice will also undertake some short life scrutiny – they have an interest in ending young people in YOIs and other legacy work.

The Education Committee is due to start formal evidence sessions on 22 March, and the Justice committee on the 29th – the latter will have one or two sessions before presenting evidence to the lead committee. The Education Committee sessions are running until mid May – BR has not seen formal invites yet.

The Bill team had led an informal session on 1 March with the lead Education Committee – this focussed on the structure of the Bill and the thinking behind elements, also giving technical detail on how the Bill works and the wider systems around it. The meeting also noted how the Bill relates to , but differs from, the chronology of the HSWG .

The Bill Team are giving thought to implementation and resourcing questions. They aim to gather partners together in June to help co-design that work. Would welcome feedback on how they best approach and structure that given other ongoing demands on partners.

7. SG Updates

ID – range of policy updates covered in the papers. Group encouraged to catch up with those materials and raise any questions which can be passed on to the authors.

<p>8. AOB</p> <p>No points raised.</p>	
<p>9. Date of Next Meeting</p> <p>Joint CHIP and YJIB meeting in late May – pending receipt of the final HSWG report.</p>	