



Centre for excellence
for Children's Care and Protection



Experiences of virtual Children's Hearings: A rapid consultation

Report for young people

Robert Porter, Fiona Mitchell, Fern Gillon, Emma Young, Nina Vaswani

July 2020



building brighter futures

About the research

Coronavirus has caused a lot of disruption in people's lives. It has also caused disruption to Children's Hearings. Because of restrictions on meeting with people you don't live with during the coronavirus pandemic, Children's Hearings have been held online since April. This was a big change for everyone involved, and we wanted to find out about how people had experienced it. We hope that this will help us to think about ways to make virtual Hearings better.

We asked anyone who had experience of online virtual Hearings to tell us about them. We only had a short time to collect information, so we created an online questionnaire, and gave people two weeks when they could fill it in. Five young people, who were aged 12 years old and above, told us about their views and experiences of virtual Hearings.

In total, 276 people told us about their experiences. Alongside young people, we heard from parents, other family members, carers, panel members, social workers, reporters, advocates, solicitors and many other people. In the next sections we report on what young people said, followed by what other people said about their experiences.

What young people said

Young people told us that that they received some support before a virtual Hearing from social workers or carers, but that during the Hearing they felt there was less support.

"My social worker explained the procedure and my foster carer sat beside me"

One young person told us that they had a plan for support during the Hearing, but that it did not work once the Hearing started, and this made them feel uncomfortable.

"My Social Worker and I had a signal for when I needed her to speak for me but I still felt that I was asked to share my views and be part of discussions that I would usually have been protected from...and I did not want to be in this position"

This young person also told us that it was important to make sure that they had an opportunity to speak with the panel alone beforehand, to make sure that they were able to say what they wanted.

"For us to have a chance to speak to the panel beforehand with our social worker to make sure that these things don't happen"

Three young people who had not experienced a virtual Hearing told us about their previous experiences of face-to-face Hearings. Two of these young people reported receiving support prior to the Hearing, and one of these also received support during and after the Hearing. The experience of the actual Hearing was described as confusing and difficult.

"I was confused because of the language used, it was also hard to share thoughts on such issues because it was in front of my parent"

"It was only till my last Hearing that I was told I got speak to the panel alone. It was a joke honestly"

Young people said that it was important that they felt safe, comfortable, and prepared for a virtual Hearing. They also said that it is important to listen to young people, and understand their needs and background.

"They need someone there that they trust and also someone to explain their rights because I think that goes amiss a lot in person and over the phone/computer"

"Someone to explain the process in detail in a child friendly way. Also someone to be honest about the likelihood of your situation. You have very little knowledge and understanding due to terms used"

"A wider understanding of cultural factors of family breakdowns, as some BME young people face cultural stigma once in care, the push to put children back at home with support can be difficult due to a lack of cultural understanding. More BME training to deal with these cases."

What other people said

Lots of different people told us about their experiences. These included parents, other family members, carers, panel members, social workers, reporters, advocates, solicitors and many other people. They told us that there were some good things and some bad things about virtual Hearings.

The good things were that the Hearings were able to go ahead during the coronavirus, making sure that children and young people were kept safe and protected. Some of these people also said that they thought young people were more comfortable taking part in virtual Hearings, and that it was better for people to take part in their own homes. Others thought that having a Hearing online helped to make sure it ran well.

"Being able to continue during lockdown" (foster carer)

"I think young people might be less overwhelmed by the experience"
(safeguarder)

"Young person was more relaxed due to being in their own environment"
(throughcare aftercare worker)

"Virtual Hearings appear to help everyone maintain a calm turn-based approach to having their views heard" (social worker)

Other people who completed the survey said that virtual Hearings had difficulties too. Many people said that they had difficulty with the technology, either not being able to join a Hearing, or not hearing or seeing the other participants well.

"There were times that relevant persons were unable to connect to Hearings and this led to deferrals and delays in decisions being made for children" (reporter)

"That some people you would want to participate could not because they did not have the technology or knowledge to do so" (panel member)

They also said that not being able to see the reports and papers during the Hearing made things more difficult.

"...being unable to flip between papers for clarification - frustrating and highly unsatisfactory" (panel member)

During the Hearing, many people mentioned it was difficult not being able to see everyone at once or their reactions. They also found it hard to know who was in the Hearing, as well as worrying about the privacy of the Hearing, and how children, young people, parents and families were helped if they became upset.

"As a chairing panel member it is far more difficult to manage and ensure Hearing is fully inclusive" (panel member)

"Being able to see only a head shot of half of those "in the Hearing" made me feel I was more of an observer than a participant, even though I was asked for my views" (safeguarder)

"at one of the Hearings someone else was in the room and we didn't know until the person started shouting while the social worker was speaking" (panel member)

"The hardest thing, in my opinion, was the distress the mum was in and she was alone in front of her phone" (panel member)

Many people said that they were worried about whether it was possible for children, young people, parents, families, and others to take part in the virtual Hearing as they would face-to-face. Some people worried that this meant that the Hearings might not be as fair as they should be, and might not have all the information necessary to make a good decision.

"my opinion is the decision should not have been made during a virtual Hearing as it was unfair I feel like the Hearing should have been deferred until a face to face Hearing could take place." (parent)

What we did

We read what everybody told us about their experiences of virtual Hearings, and wrote about the things we learned from them. We also recommended a few ideas that people told us to make virtual Hearings better.

Things we learnt:

- We learnt that people had different opinions on whether virtual Hearings are a good idea or not.
- We learnt that many of the things that people found difficult about virtual Hearings were linked together. This means that to make the Hearings better, we probably have to think about all of these things together when coming up with solutions.
- We learnt that virtual Hearings affect participation in lots of ways. Some people thought virtual Hearings were better, but others thought they made it harder for people to take part in the discussion.
- We also learnt that some people were worried about the fairness of virtual Hearings, because of difficulty taking part, and the way information and reports were shared.
- Finally, we noticed that many of the things people raised when they talked about virtual Hearing are just as important in face-to-face Hearings, although some of them may be more noticeable in virtual Hearings.

Things we recommended should change:

1. Children and young people should be able to speak to the panel on their own if they or the panel want.
2. Everyone should be helped to take part in the Hearing equally.
3. There should be support if people get upset during a Hearing, especially if they are on their own.
4. Panel members need to be extra clear in how they run a Hearing.
5. Everyone should be able to see a list of who is at the virtual Hearing at any time.
6. Papers should be given to everyone who needs them in enough time for them to read and understand them.
7. People in virtual Hearings should be able to speak privately with their solicitor, advocacy worker or other representative during the Hearing.

About CELCIS

CELCIS is a leading improvement and innovation centre in Scotland. We improve children's lives by supporting people and organisations to drive long-lasting change in the services they need, and the practices used by people responsible for their care.

For more information

Visit: www.celcis.org **Email:** celcis@strath.ac.uk **Tel:** 0141 444 8500

About CYCJ

The Centre for Youth & Criminal Justice is dedicated to supporting improvements in youth justice, contributing to better lives for individuals, families and communities.

For more information

Visit: www.cycj.org.uk **Email:** cycj@strath.ac.uk **Tel:** 0141 444 8622