

Progressing Children's Rights Report

1 April 2023 to 31 March 2026



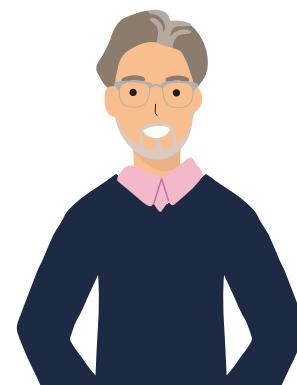
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Foreword

by Elliot Jackson

National Convener and Chief Executive Officer



Elliot Jackson

National Convener & Chief Executive

Scotland has an ambition to be the best place in the world to grow up. Following the reports from the Independent Care Review in February 2020¹, Scotland made a promise that our unique Children's Hearings System would become best placed to truly listen to and uphold the legal rights of children and their families². To achieve this, children's rights need to be at the heart of every decision made for every child in our country.

This is Children's Hearings Scotland's first Progressing Children's Rights Report since the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024. This Act brought the United Nations Convention on the Rights of the Child (UNCRC) into Scottish domestic law and was a significant moment in the strengthening of children's rights in Scotland. CHS has always been children's rights respecting, and we have been reporting on our actions since 2017. This report specifically demonstrates the progress we've made from 1 April 2023 to 31 March 2026.

Our previous Progressing Rights at Children's Hearings Scotland³ report committed to embedding the UNCRC through staff and Panel Member training, ambitious work on participation including involving lived experience in our recruitment, collaborating with partners through Hearings for Children, and continuing

to champion children's rights at a policy level.

I am delighted to share the significant progress we have made in protecting the rights of children.

As well as the UNCRC Act, this reporting period has seen the passing of the Children (Care and Justice) (Scotland) Act 2024 and the highly anticipated Children (Care, Care Experience and Services Planning) (Scotland) Act 2026. This landmark legislation will ensure that Scotland is closer than ever to fulfilling the Promise by 2030 and CHS is at the forefront of championing the rights of children in the hearings system.

In May 2024, CHS completed a transition to a new Area Support Team structure. Nine regional Area Support Teams are now in place, with each region having a dedicated Tribunal Delivery Manager, Partnership Coordinator and Wellbeing Coordinator. They work alongside local teams of volunteer Panel Engagement Leads, Panel Practice Advisers and Learning Champions to support around 2,500 volunteers across Scotland, who champion children's rights at a regional level.

We have successfully implemented a restructured Pre-Service Training, with 30% of our newly

¹ 'Care Review Reports' (2020), Independent Care Review

² 'The Promise Scotland's response to the Education, Children and Young People Committee's call for views on the Children (Care and Justice) (Scotland) Bill' (2023), The Promise Scotland

³ 'Progressing Rights at Children's Hearings Scotland 2020-23' (2023), CHS

recruited volunteers appointed as Chair qualified. And in looking to future needs of the hearings system, and our ambitions for our learning provision, we brought learning in-house at the end of Autumn 2025.

Our Experts by Experience group continue to play a crucial role of being the voice and gatekeeper of children's rights within CHS and their invaluable input is celebrated throughout this report.

We are proud of our volunteer community for their continued hard work to ensure children's rights are, and continue to be, at the heart of their practice. With this clear focus, and the legislative changes, we will collectively make sure that children's rights are respected, upheld and truly felt. Crucially when they are not we will make sure that children have a right to remedy and are supported to exercise this right.

A handwritten signature in black ink, appearing to read 'M. Jackson', with a stylized flourish at the end.

About Children's Hearings Scotland (CHS)

Children's Hearings Scotland (CHS) has statutory responsibility for recruiting, training and supporting Panel Members, who make legally binding decisions to protect the rights of children in the Children's Hearings System. CHS is made up of around 2,500 volunteers supported by a team of around 110 colleagues operating on a national level, all led by the National Convener.

The Children's Hearings System is Scotland's unique care and justice system that exists to protect the rights and safety of infants, children and young people in Scotland. We work to a set of National Standards, and we are focused on ensuring that children's rights are upheld and visible in everything we do.

The National Convener is responsible for the recruitment, training, retention and support of Panel Members. The whole CHS Community's primary focus is to provide high-quality hearings and deliver positive outcomes for all infants, children and young people who experience the hearings system.

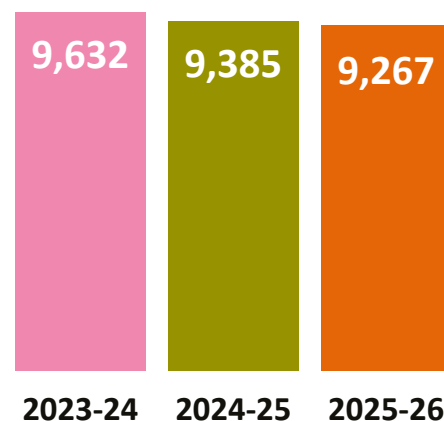
CHS is a non-departmental public body (NDPB) supported by an independent Board, appointed by Ministers, whose membership is drawn from a broad range of experience, including lived experience of the hearings and care systems. Our Board sets the strategic direction for the organisation and is focused on ensuring that all children are protected and have the best possible start in life.



We are driven by our Strategic Themes:

- Delivering Positive Outcomes
- Valuing Our People
- Driving Transformation

Between April 2023 and March 2026, our Panel Members sat on hearings as follows⁴:



- In 2023-24, hearings were held for 9,632 children.
- In 2024-25, hearings were held for 9,385 children.
- In 2025-26, hearings were held for 9,267 children.

Although a large number of children are involved with the hearings system, this has been decreasing consistently over recent years as we seek to achieve our shared ambition of shrinking and specialising in order to meet the Promise by 2030.

⁴ 21,613 in 2023-24; 21,313 in 2024-25; 21,369 in 2025-26.

Children's Participation and Rights Strategy

In 2023, CHS conducted a strategic participation review. This provided an opportunity to take stock and explore how to refocus, invest in and improve the way in which we meaningfully involve those with lived experience in our work.

The result of this work was our Children's Participation and Rights Strategy⁵, which was co-designed with children with lived experience of the Children's Hearings System. This strategy reinforces our purpose, ensuring that Panel Members make child-centred decisions which respect and protect children's rights and support them to thrive. Four aims were developed as part of this strategy: Respect, Inclusion, Empowerment and Accountability and these combined support our strategic theme of Delivering Positive Outcomes in an evolving children's hearings system.

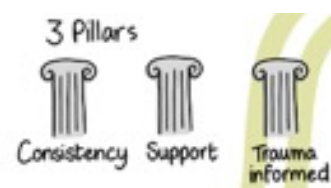


This strategy is underpinned by the UNCRC, Standard 1 of the National Standards for the Children's Panel and the principles of the internationally respected Lundy Model of Participation. A huge milestone of this strategy has been the creation of our Experts

by Experience group who are a group of young people aged 14 to 25 with lived experience of hearings.

Building on previous work at CHS, the voices of lived experience have supported an ambitious programme of participatory work. Our Experts have been instrumental in driving improvements in practice and standards across the organisation and influencing wider discussions about children's rights and care with partners and decision makers. Examples of this work are included in the main body of this report.

Our Experts undertake work that aligns with their three pillars:



- **Consistency:** By improving the consistency of panels, all young people will have a fairer experience, making them feel respected and valued.
- **Support:** Young people can thrive if provided with clear and consistent information and support throughout their hearing journey and beyond.
- **Trauma-informed:** When hearings are trauma-informed, it puts the child at the centre. This makes them feel safe, supported and included.

Continuing to build on our successes and support meaningful participation of children is an essential part of fulfilling our commitment to children's rights.

⁵ 'Children's Participation and Rights Strategy' (2024), CHS

Our approach to completing this report

Why this report is important

“This report needs to be done right”

Expert by Experience

At CHS, we not only wanted this report to showcase the progress we have made in progressing children’s rights, but for the process of gathering the evidence itself to be a learning journey for us as an organisation. Writing this report is not a tick-box exercise; it is an opportunity to recognise and celebrate our strengths and to identify where we can improve and further embed a children’s rights approach.

The voices and experiences of children with lived experience of the Children’s Hearings System are a central focus of our work to ensure children’s rights are recognised, respected and upheld. That is why we decided to engage with our Experts as the first part of our journey in producing this report. We were keen to provide a meaningful opportunity for them to assess our progress and feed into what should happen next.

How we engaged with our people

We used a variety of methods to gather the information and supported people across the organisation to think critically about their children’s rights practice. This included:

- delivering creative engagement with our Experts by Experience, supporting them to learn about this report and complete

report cards for the organisation based on the four general principles of the UNCRC

- using the Improvement Service’s UNCRC Implementation Framework⁶ to gather evidence from staff teams across the organisation
- awareness-raising activity with staff focusing on adopting a children’s rights approach and our reporting duties
- engaging with the CHS volunteer community (including Panel Members and Panel Practice Advisers) through our Practice and Policy Bank to gather their insights about how children’s rights guide their decision making
- delivering a session on progressing children’s rights with our bank of Independent Report Writers

Group engaged with	Method(s) of engagement	Number of people
Young People	Group activities at 3 events	9 Experts by Experience
CHS Staff	Group activities	13 staff
	UNCRC Framework	Offered to National Team
	Awareness-raising activity	34 staff
CHS volunteers	Survey	28 responses
Independent Report Writers	Group discussion and poll	11 IRWs

⁶ ‘UNCRC Implementation Framework’ (2025), Improvement Service

“Thank you for giving me the opportunity to contribute – it has posed challenging questions to ‘how do we know we do this?’ in my own head.”

Panel Member

The UNCRC cluster approach

To help us show the actions we have taken to ensure compatibility with the UNCRC and embed children’s rights across the organisation, we have adopted the cluster approach⁷ to our reporting. This approach helps us to align our reporting with our duties under Section 18 of the UNCRC Act. We have also taken the concluding observations from the Committee on the Rights of the Child into account.

Throughout the clusters, we have presented a range of quantitative and qualitative evidence that demonstrate how we have addressed the following four areas, as stipulated in the statutory guidance⁸:

1. action taken during the reporting period to ensure compatibility with the UNCRC requirements as defined by the Act
2. action taken to secure better or further effect of the rights of children’s
3. actions it intends to take in the next three-year reporting period to ensure compatibility with the UNCRC requirements as defined by the Act
4. actions it intends to take to secure better or further effect of children’s rights.

Cluster number	Area
(i)	Definition of the child
(ii)	General measures of implementation
(iii)	General principles of the UNCRC
(iv)	Civil rights and freedoms
(v)	Violence against children
(vi)	Family environment and alternative care
(vii)	Basic health and welfare
(viii)	Education, leisure and culture
(ix)	Special protection measures

⁷ ‘UNCRC Clusters’ (2019), UNICEF

⁸ ‘Statutory guidance on Part 3 of the UNCRC (Incorporation)(Scotland) Act 2024’ (2024), Scottish Government

Our progress

In our 2020-2023 Progressing Children's Rights Report, we made a series of commitments about how we would progress children's rights. We've produced the following report card, so you can see our progress at a glance.

Key: Completed, In Progress, Not Completed

Area	Our commitment:	Our progress:	Our rating:
Staff training	UNCRC training for all staff.	Mandatory UNCRC training is required of all staff.	
	Bespoke workshops for staff to explore how children's rights can be further embedded and progressed across CHS.		
Panel Member training	UNCRC training for all volunteers.	UNCRC training is available to volunteers.	
	We will develop a quality assurance framework to assess the extent which decisions are taken through a children's rights lens.	Our Quality Team are progressing quality assurances frameworks and improvement plans.	
Children's Rights and Wellbeing Impact Assessments (CRWIAs)	We will continue to monitor CRWIAs to ensure children's rights are considered at every level in the organisation.	We need to strengthen the skills and knowledge of our staff team to be able to carry these out effectively.	
	We will review and publish the changes made to better protect children's rights and help improve their outcomes.	We produce annual reports to evidence how we will better protect children's rights and improve their outcomes.	
	We will continue to map out children's rights in the organisation to assess which areas we need to improve.	We have engaged creatively and meaningfully with our people.	

Feedback and complaints	Embed a new child-friendly feedback and complaints process.	We have started this important work but still in the process to ensuring this is embedded.	
	Look for interactive ways of engaging children through online platforms and apps.	We are still in the process of developing our digital platforms to support engagement with children.	
	Have the staffing capacity to speak directly to children.	We have recruited a Feedback and Complaints officer with this remit.	
Participation	Deliver the Children's Rights and Participation Strategy.	The Children's Participation and Rights Strategy has been updated and embedded.	
	Continue to involve children and young people over 18 with experience of the Children's Hearings System.	We have created and recruited members of our Experts by Experience Group.	
	Review current participation opportunities with a view to offering structured development opportunities.	There has been a busy programme of participation activities over 2025-26.	
Staffing resources	Continue to invest in staffing to work directly with children to gather feedback and better protect children's rights.	We have recruited a Feedback and Complaints officer with this remit.	
	We will invest in new roles and development opportunities.	Several new roles have been filled.	
Lived Experience Recruitment	We will continue to involve young people with lived experience in the recruitment of staff and Panel Members.	Our Experts have been actively involved in recruitment, in a multitude of ways.	

Legislative Influence	We will continue to support the incorporation of the UNCRC into Scots Law.	We have supported this incorporation so far but there is still progress to be made as the right to recourse has yet to be defined and we will continue to push for this through our national influencing work.	
	We will continue to influence the design and implementation of the Children (Care and Justice) (Scotland) Bill.	We have been an active voice in supporting this legislation, collaborating with partners and developing learning.	
Hearings for Children	We will continue to work with partners to implement the recommendations of the 2023 Hearings for Children Report.	We have successfully implemented a number of change projects aligned to this.	
Collaboration	We will improve how we collaborate with key partners in the hearings system.	We have strengthened our relationships with our key partners.	
	We will develop new partnerships, platforms and audiences to promote the rights of children.	We have increased the number of meaningful external relationships that we have.	

Cluster (ii): general measures of implementation



Cluster (ii) focuses on knowledge of children's rights and ensuring systems and structures are in place to respect and realise these rights. It includes activities such as the promotion of children's rights, raising awareness, training, capacity building, resourcing and service planning.

Strategic Outlook

Our Strategic Outlook⁹ was published in 2024 and covers our organisational priorities until April 2027. CHS has clear a purpose, vision and strategic themes that support us to embed a children's rights approach across our work.

Our purpose is to ensure our hearings make child-centred decisions which respect and protect children's rights and support them to thrive.

Our vision is for all infants, children, young people and their families to be safe, loved, and supported to realise their full potential.

Everything we do is underpinned by **our values**: Challenging, Creative, Child Centred, Respectful, Fair and Open.

Our **strategic themes** cover three areas:

- Delivering Positive Outcomes
- Valuing Our People
- Driving Transformation

Internal Policies, Procedures and Practices

CHS has undergone considerable organisational change in the past three years focused on delivering an enhanced, quality-led and efficiency-driven Children's Hearings System with children at the heart of our work. Over this reporting period, we have developed key organisational strategies that help to support and progress children's rights. These include our Children's Rights and Participation Strategy (highlighted in the previous chapter), our Learning Strategy¹⁰ and our Quality Strategy¹¹. Each of these strategies recognises the key principles of respect, inclusion, and empowerment of and accountability to people with lived experience of the hearings system.

Our Learning Strategy focuses on effective learning incorporating the voices and experiences of children, leading to improved outcomes. It will be reviewed at regular intervals to assess:

- how well our in-house learning provision has been integrated
- the positive engagement and increased uptake of learning
- successful implementation and engagement with new digital solutions
- the effectiveness of learning leading to evidenced impact on the delivery of improved hearings and positive outcomes for children.

⁹ 'Strategic Outlook 2024-27' (2024), CHS

¹⁰ 'Transforming Learning to Transform Lives 2024-29' (2024), CHS

¹¹ 'Stepping up, Stepping Forward 2024-27' (2024), CHS

As a whole, this strategy will ensure that children's rights are integrated throughout each process of developing, implementing and assessing the learning available to volunteers.

Our Quality Strategy directly aligns to the objective that 'quality will be the cornerstone of our hearings system'. It sits alongside our Children's Participation and Rights Strategy and our Learning Strategy, adding another planning lens as we work together to our theme of Delivering Positive Outcomes for children.

Regardless of where they take place in Scotland, children's hearings must be consistent and reliable. Our people are active partners, delivering quality with a holistic, systems approach. Our new Quality Team and Quality Strategy will help bring clarity to our agreed operational standards, ensuring there are ways to test these with monitoring and feedback systems to ensure quality is sustained.

The Joint Impact Assessment Screening Tool used at CHS when a new project or work plan is implemented asks four key questions to determine whether there may be a potential impact, positive or negative, across four areas:

- Children's wellbeing and their rights
- People from protected characteristics groups (equality)
- People within island communities
- The gathering, handling and processing of personal data (data protection)

All staff undertake training on the use of impact assessments, although ongoing work is required to build staff confidence in this process. Our Experts have also stated that they would like the opportunity to be involved in completing CRWIAs.

Influencing policy and legislation

We champion children's rights at a policy level. We speak out when we feel children's rights are not being protected and we are unapologetic in challenging legislation and policy that does not fully respect the rights of children.

In 2024, CHS helped shape the children's hearings redesign policy, which included a range of policy proposals that looked at strengthening the hearings system. As part of this process, we listened to the views of staff, volunteers and children on their priority areas in the hearings system.

Over the reporting period, we have also influenced and helped shape the Scottish Government policy areas:

- A Human Rights Bill for Scotland
- UNCRC (Incorporation) (Scotland) Act 2024: Statutory Guidance on Part 2 and 3 (section 18)
- 'Moving on' from care into adulthood
- Future of foster care
- Developing a universal definition of 'care experience'
- Age of Criminal Responsibility Review
- UNCRC Compatibility Questions Rules
- Children (Care, Care Experience and Services Planning) (Scotland) Bill

Many of the policy proposals were included in the scope of the Children (Care, Care Experience and Services Planning) (Scotland) Bill, which was introduced to the Scottish Parliament in June 2025.

Since the introduction of this Bill, CHS has worked to ensure the views and experiences of children are central to the decision making

process. A member of staff from our Practice and Policy Team has been on placement with the Scottish Government to inform the development of the legislation as it passes through Parliament. CHS has also responded to the Call for Views and presented formal evidence at the Scottish Parliament's Education, Children and Young People Committee.

The Bill passed its final stage in the Parliament with unanimous support in March 2026. CHS welcomes the introduction of the legislation: it represents a significant step in meeting the aspirations of the Independent Care Review and improving the experiences and outcomes for children and families in the Children's Hearings System. CHS has a pivotal role to play in the effective implementation of this Act and the redesign of the hearings system.

Collaborative working

CHS is one of a number of dedicated organisations that form part of the Children's Hearings System, and it is crucial that we are able to build solid relationships and work closely with the other stakeholders to ensure that children's rights are respected and embedded across a child's hearings journey.

Children's rights are not just upheld through our direct work with children, but also through the conversations, collaboration and partnership working that takes places daily. This often translates into CHS colleagues working with partners, professionals and organisations on collaborative projects, with the aim of protecting the rights of children involved in the hearings system. We do this by working with a range of multi-agency groups. During 2023-2026, these included:

- **Advancing the Whole System Approach Implementation Group (WSAIG):** the Whole System Approach (WSA) is the Scottish Government's programme for addressing the needs of young people involved in offending. Regular topics reviewed include: early and effective intervention, diversion from prosecution, legislation affecting young people in conflict with the law, and risk assessments.
- **Advocacy Expert Reference Group:** advising Scottish Ministers on how to establish and develop a sustainable model of advocacy support services being offered to children.
- **Age of Criminal Responsibility Ministerial Advisory Group:** this group and its four subgroups led on the review of the current legislation to assist Scottish Ministers to understand the implications of any change to the age.
- **Children (Care and Justice) (Scotland) Act 2024 Implementation and Resourcing Group:** supporting and overseeing the implementation of this legislation.
- **Children's Hearings Improvement Partnership (CHIP):** working with partner agencies to share ideas and co-ordinate efforts to improve experiences of the hearings system for children.
- **Children's Rights Implementation Group:** working to identify and address human rights issues affecting children in conflict with the law.
- **Communities of practice – lived experience:** collaborate with partners who work with lived experience workstreams to share practice.
- **Communities of practice – siblings:** network of connections with any

organisation working with sibling and sibling-like relationships, promoting their rights.

- **Learning Disabilities, Autism and Neurodivergence (LDAN) Bill Justice Working Group:** this was a small, focused, time-limited working group to assist in progressing further work on the justice proposals contained in the LDAN Bill consultation paper.
- **Management and Scheduling of Hearings Group:** working together to create guidance around scheduling and management of hearings, supporting a child-friendly experience.
- **Participation Practitioners' Forum:** exchange between practitioners involved in supporting young people with lived experience participate in their work.
- **UNCRC Embedding in Public Services Reference Group:** providing advice and sharing practice exploring how public bodies with an obligation under the UNCRC (Incorporation) (Scotland) Act 2024 can measure compatibility and demonstrate that they are fulfilling their duties.
- **Youth Justice Improvement Board:** collaboration to drive a rights-respecting approach to youth justice at a national level.

CHS is a key partner in the Hearings Redesign Group that meets regularly to focus on areas where improvements could be made to children's and their families' experiences of hearings.

Current workstreams include:

- culture
- the referral process
- preparation and planning
- data

This collaborative work ensures children's rights are represented throughout any change process.

Alongside national groups, there are regional partnerships which were established during this reporting period and remain ongoing. A series of 'knowledge exchanges' take place, bringing together Panel Members, regional CHS staff and partners such as Social Work, to build shared understanding of roles and strengthen a culture where children's rights guide all professional interactions throughout the hearings system.

In addition, we collaborate effectively with our partners to develop topic focused tools for Panel Members which all include a focus on children's rights. During this reporting period, these included resources on:

- language in the hearing room
- independent reports, breaches and National Convener advice
- responding to the needs of older children
- responding to the needs of infants, babies and very young children
- virtual hearings top tips



Besides these resources, volunteers have access to practice and policy advice which is relevant and current and embeds the relevant articles of the UNCRC. This often helps to inform monthly practice spotlights in each regional community newsletter based on local feedback or trends.

Training and development

The importance of children's rights is highlighted throughout all Panel Member training. However, there has been specific UNCRC training available for all staff and volunteers at CHS since 2023. This training covers our responsibilities within the UNCRC (Incorporation) Scotland Act 2024.

"During my recent training as a relatively new Panel Member, the UNCRC formed a significant part of our learning, with a lot of coursework dedicated to understanding these rights and how they apply in a hearing scenario."

Panel Member

To help measure effectiveness and impact, we undertook a survey with a sample of the panel community in March 2026. They recognised the importance of training and development in this area and highlighted that Panel Members feel confident in their knowledge and understanding of children's rights. Most Panel Members who responded also believed that their role as a CHS volunteer helps to support and progress children's rights, although some did highlight the challenges and limitations of their role within a wider, complex system.

Our survey highlighted how existing training could be strengthened further to help Panel Members frame their reasons and decisions with reference to children's rights. There was a recognition that training continually needs to be refreshed and updated, with a focus on practice examples and how this can be applied to children's hearings. Training in relation to

trauma-informed practice was also mentioned within this context, as something that helps Panel Members recognise and uphold children's rights. The feedback gathered from Panel Members will be used to inform future training and learning opportunities.

We strive to support our staff in each of their roles, to acknowledge the part they can play in recognising, promoting and embedding children's rights across our organisation and beyond. The process of gathering evidence for this report has supported valuable conversations that have helped shift culture, realising the importance of children's rights in all areas of our work.

"Collecting evidence for our UNCRC report has prompted a meaningful review of how we create childfriendly content and where we can improve. This work has led to exciting plans to redesign our webpages so they speak directly to children in clear and engaging ways. Contributing to the report has opened up discussions within our team that have brought all colleagues to a shared understanding of the importance of childfriendly and easyread content. We're excited to better support children and young people to understand CHS's role in their children's hearings."

CHS staff member

Involving our Experts in recruitment

CHS has worked hard to bring the voices of lived experience into our Panel Member recruitment. Young people with experience of hearings have been involved in the creative development of our marketing campaigns and are feeding into our interview processes, including reviewing questions and sitting on interview panels.

Recruitment of volunteers

Our Experts effected real change by co-designing the questions and scenario section of the interview process. As part of their interview, Panel Member candidates were asked to prepare a five-minute response to the scenario set by our Experts (homelessness and insecure housing).

Interviewees thought the video was brilliant, with our Experts engaging and confidently presenting in their own words, and they appreciated how our Experts were involved at the very start of the selection process. Candidates were asked to provide their feedback on the scenario question. It was clear that they valued young people's involvement in their interview:

“Nice to see young people at the centre. It was clear it was their own words and very authentic. Liked that they were involved at this stage.”

Candidate

Our Experts have enjoyed their work to support Panel Member recruitment, and their involvement has brought to life real issues that many care experienced young people face. Our Experts have always been keen to emphasise the

importance of Panel Members' personal qualities and the gravitas of this decision-making role.

Recruitment of CHS Board members

Our Experts also had the opportunity to interview new CHS Board members as an ask from the Scottish Government Public Appointment Team. Two Experts formed and led a young person's interview panel, interviewing 12 prospective Board members. Our Experts met with the technical interview panel afterwards to inform the decision making.

Recruitment of CHS staff

Our Experts have also worked closely with CHS to develop a recruitment guide for CHS to use when involving young people with lived experience in recruitment. The young person's panel questions were set by our Experts and focused on values, relationship building and questions on how the candidate will ensure young people will be included in their workstream if they are successful.

“Being able to help on the update of the recruitment guide was a great privilege.”

Expert by Experience

Our Experts have been involved in the hiring of a number of roles, including the Quality Manager and Feedback and Complaints Officer.

The recruitment for our Quality Manager role also included a video clip from young people to encourage applications. The majority of applicants watched the video and 92% of those said that it positively or very positively impacted their decision to apply for the post. Most significantly, the video helped CHS attract

candidates who were passionate about ensuring that children's rights and needs are at the heart of all that we do.

"It was refreshing to hear from people with experience of the service and what they were looking for. A creative refreshing angle for recruitment!"

Candidate

Feedback from our Experts is that they enjoy being part of the decision-making process for new staff and feel that their views are listened to and taken seriously.

"When I was sitting on interview boards, deciding who got the job, my views were taken equally as everyone else's. When I was asking questions, some people, (candidates) instead of looking at me, were looking at older people in the room – this wasn't a good sign and wasn't respectful, particularly where a big part of the job is to listen to children and young people."

Expert by Experience

developing our new Strategic Outlook which will have an even greater focus on the rights of children in the hearings system. This will cement our commitment to children's rights, underpinned by strong leadership and values.

We will continue to train and upskill our staff and volunteers to support with legislative developments, incorporation and implementation. Most notably further embedding our responsibilities within the UNCRC (Incorporation) Scotland Act 2024, ensuring our staff feel confident in undertaking CRWIAs.

The remaining provisions within the Children (Care and Justice) (Scotland) Act 2024 are due to be implemented in 2027. This will have a significant impact on children's hearings and we will ensure that all Panel Members understand these changes and feel equipped to uphold the rights of 16- and 17-year-olds in the hearings system.

CHS will influence and inform the next steps of the Children (Care, Care Experience and Services Planning) (Scotland) Act 2026, including the development of secondary legislation and processes. We will ensure that the voices of children are at the forefront of the decision-making process.

When we spoke to our Experts about this report, the group told us that it was hard to see what has changed since the introduction of UNCRC legislation, and what impact this is having on the lives of children. Based on this feedback we need to get better at communicating how children's rights are positively impacting our work and improving experiences for children in the hearings system.

Looking ahead



As we move ahead, our focus will be on leadership and planning.

In the financial year 2026-27, we will be

Cluster (iii): general principles of the UNCRC

This section covers Articles 2, 3, 6 and 12.

Article 2 - All children have these rights no matter what their differences are

At CHS, we are committed to fostering a culture where equality, diversity and inclusion are central to everything we do.

As a public body, CHS complies with the Equality Act 2010, including its protected characteristics and the general equality duty. Since 2020, CHS has recognised care experience as a protected characteristic, and we will continue to review our practice, policies and procedures to embed this across our work.

However, if our goal is to ensure that we fully reflect the community that we serve – children in the children’s hearings – we must build a culture that recognises and tackles the systemic barriers that impact children’s rights. This includes wider issues children and families experience such as poverty, homelessness and addiction as well as considering intersectional disadvantage.

In our work on equality, diversity and inclusion, it is important that we remain mindful that people are individuals with their own backgrounds, experiences and needs. People often have more than one protected



characteristic meaning that their experiences of intersectionality will be very different to others with one of the same characteristics. While we strive for a diverse community, we must continue to treat everyone as individuals, providing the support that they need when they require it, as identified by them. This also applies to the children and families that Panel Members meet in the hearing room, who have unique circumstances, experiences, strengths and needs.

“... treating all who come into a hearing with respect using language that is understandable, use of an interpreter, ensuring that children and young people are comfortable, so that a neurodiverse child can wear ear defenders, have low lighting or whatever is needed.”

Panel Member

Our Equality, Diversity and Inclusion Work Group was relaunched in late 2024, and worked to

refresh the previous strategy, developing the updated Equality, Diversity and Inclusion (EDI) Strategy¹². Key areas of this strategy that reflect our commitment to non-discrimination and the protection and promotion children's rights are as follows:

- We will implement appropriate training and development for our people in line with their responsibilities to ensure they are able to conduct their duties to a high standard in supporting children, families and our people.
- We will build an inclusive culture based on respect by increasing awareness of EDI across our community through engagement with youth-led advisory groups and the establishment of EDI networks.
- We will review our recruitment and selection processes for volunteers and National Team colleagues, aligning these processes with best practice in order to tackle barriers and promote inclusivity.

We know that the support and care children receive through the Children's Hearings System needs to be consistent. Our approach to supporting Panel Members through their Area Support Team and the CHS National Team is designed to ensure that children are receiving a consistently high quality of hearings, which will help to protect their rights.

Our Quality Strategy¹³, published in October 2024, is helping to steer a series of focused activities, ensuring that we know what good looks like and we share this practice, identify when things are not going well, and drive improvement where needed.

National Standards and Panel Member Core Competencies are reflected in our process of observing Panel Member practice to ensure that equal treatment and the protection of rights are embedded in our hearings system. The 'Quality Conversations' that took place throughout 2025 will be used to shape updated guidance and to promote a more cohesive and consistent approach to observation feedback. Continued development is needed in this area to evaluate effective practice in the hearing room and further strengthen the protection of children's rights.

Article 3 - Adults must do what's best for me

"It is the main purpose of the hearings system to ensure the best interests of the child are put at the heart of these discussions and decisions. When surrounded by parents, carers and various professionals, it is often the CHS volunteer who brings the discussion back to this instead of other priorities and agendas."

Panel Member

We continue to apply our three overarching principles to every decision in every hearing. The first of these principles is the need to safeguard and promote the welfare of the child throughout childhood. This is the paramount consideration that Panel Members must apply when making decisions about a child.

¹² 'Equality, Diversity and Inclusion Strategy 2024-2027' (2024), CHS

¹³ 'Stepping up, Stepping Forward 2024-27' (2024), CHS

For a child, the first contact with the Panel Members will influence if children feel like they can trust the adults making decisions for them, and trust that they will seek their views about matters that affect them to determine what is in their best interest.

The Chair Greeting the Child was introduced across Scotland between May and November 2025. This change in practice was driven by young people in Moray who wanted to meet their Chair before their hearing, to prevent them from walking into the hearing room to be met by three seated strangers.

A full project evaluation took place with the findings published in February 2026. The project has achieved its objective of rolling out the Chair Greeting the Child across all 32 Local Authorities. The evaluation confirmed that Chairs feel confident undertaking this new role consistently, helping hearings to be more relaxed and child centred.

“It was good for the young person to see the panel Chair before the hearing started. They were very friendly and it helped put the young person at ease. After the hearing they shared that they liked the Chair.”

Children’s Hearings Advocacy
Worker

The response from children, advocacy, social work and Panel Members has been largely positive which provides a high level of comfort that this project has improved children’s experience attending hearings.

“A 17-year-old young person with additional needs was very upset and anxious when in the waiting room. I had chaired their previous hearing and when I went to greet them, they remembered me, smiled and settled. They were able to fully participate in the hearing and was relaxed throughout.”

Panel Chair

The best interests of the child and the paramountcy principle continue to be a key theme of pre-service training and Panel Member ongoing learning and development, including the practice resources. We asked Panel Members to reflect on the importance of Article 3 in their role. Panel Members made it clear this consideration was firmly embedded in their practice and they outlined the important role they play in focusing the hearing on the child’s best interests.

“Panel Members have to take decisions that reflect the best interests and the wishes of the child. Implicitly this means we shouldn’t go against the UNCRC rights.”

Panel Member

A project in Ayrshire will help children feel less worried and more prepared when attending their children’s hearing. CHS staff, volunteers, and one of our Experts along with Barnardo’s Advocacy Service, and SCRA have been working together since May 2025 to create avatars. Avatar videos

will be created to help children understand who is in their hearing and what each person does. There will be a Panel Member avatar explaining their role and how they listen to children and a Children's Reporter avatar explaining why hearings happen and what decisions are made.

This project supports Article 12 (right to be heard) by reducing fear and helping children feel prepared to share their views, Article 13 (right to information) and Article 42 (right to know your rights). Short, calm, childfriendly videos help remove communication and emotional barriers, ensuring children can participate meaningfully and feel safe, all in line with Article 3 (best interests).

Article 6 - I have the right to live and grow as a person

The role of a Panel Member is to listen to children and to make decisions with and for them to ensure their needs are met. Panel Members aim to ensure that children can achieve their full potential and have a happy and fulfilling childhood. Children's hearings help children to access the help and support they need to thrive.

Back in 2020, the Promise report challenged us to listen to and understand the 'quieter voices' involved in the Children's Hearings System, including infant, babies and very young children. The number of infants and babies involved in the Children's Hearings System is significant. According to SCRA statistical analysis for 2024-25, 32% of children referred to the hearings system due to lack of parental care were aged 0-3¹⁴. Infants and babies have unique needs and vulnerabilities, which is why we decided to develop new guidance¹⁵ within this reporting



period focusing on their needs. We know the importance of safe, nurturing and stable relationships for children's crucial early years development, and the challenges of drift and delay that exist within the hearings system. The youngest children in our society are also a group whose rights are most at risk. Babies and infants are completely dependent on adults to realise their rights and meet their needs, so it's essential that CHS supports Panel Members to uphold and progress babies' rights and champion their 'voices' within the hearings system.

"It provided an in-depth understanding from a baby/very young person's perspective and reminded me that although they can't verbalise how they feel there are other ways of finding that out."

Feedback from Panel Member about the 'Responding to the needs of infants, babies and very young children' guidance

¹⁴ 'Statistical Analysis 2024-25' (2025), SCRA

¹⁵ 'Responding to the Needs of Infants, Babies and Young Children' (2025), CHS

Article 12 - I have the right to be listened to and taken seriously

Children are encouraged to actively participate in their hearing, with this being clearly laid out in the Children's Hearings (Scotland) Act 2011¹⁶. This informs our second overarching principle: 'the child must be given the opportunity to express a view and this view must be taken into account in line with the child's age and maturity'.

CHS is committed to providing opportunities for children and young people with lived experience of the hearings system to have their voice heard and make a difference, and to influence the work of CHS. Key steps that have been taken during this reporting period to give further effect and compatibility with Article 12 have been the recruitment of these roles:

- Participation Coordinator
- Lived Experience Advisor
- Feedback and Complaints Officer (with a focus on feedback from children)

This has seen the development and implementation of our Children's Participation and Rights Strategy and our approach to supporting child-friendly feedback mechanisms and access to independent complaints procedures.



In 2024-25, CHS developed and launched our Experts by Experience group. This is a structured, supported and remunerated CHS national participation group of young people, between the ages of 14 and 25, with lived experience of the hearings system. The group met for the first time in March 2025, and their voices are now fully embedded into the work of CHS.

"Being an Expert by Experience has given me a really valuable sense of involvement in the process – working directly with the system which I always wanted to see change in has been really beneficial to me."

Expert by Experience

"I'm very happy and proud to be part of the Experts by Experience group. With the commitment given it will be an integral part of the organisation with the full backing of the Board and the staff team."

Expert by Experience

"My experience with CHS has been absolutely amazing. CHS is like one big family."

Expert by Experience

¹⁶ Children's Hearings (Scotland) Act 2011



Over the course of a year, our Experts have:

- created a logo, pledge and group agreement
- worked with our People and Culture Team to create a new recruitment guide to include those with lived experience
- consulted on the new Volunteering Strategy
- interviewed new members for the CHS Board
- supported the University of Edinburgh's Children's Rights Unit review a research proposal
- presented at the CHS All Staff Team Day
- delivered a Q&A session with Panel Members in Glasgow
- attended workshop sessions with members of the Practice and Standards function
- helped influence and shape future Panel Member pre-service training
- worked collaboratively with OHOV, including a visit to the Scottish Parliament to meet with the Minister for Children, Young People and The Promise in October 2025. They also jointly enjoyed a residential weekend at Lochgoilhead Scout Centre in March 2026.

Our Experts have a strong relationship with and collaborate closely with Our Hearings Our Voice (OHOV) to jointly influence and improve children's hearings. CHS also supports and encourages the development of regional participation networks and groups to ensure our reach is even greater. There are established links in all regions, and plans for this to continue.

A joint project has been underway since October 2025 in Ayrshire, giving children with lived experience an opportunity to share their experiences. Each child will create a piece of art inspired by UNCRC Articles 12 and 13 that reflects their voice and supports peers, which will be displayed in the Kilmarnock Hearing Centre. This will help influence others, create something meaningful, and encourage other children who attend the hearing centre to feel listened to, valued and less anxious while waiting to go into their hearing.

"What an unbelievable journey it has been so far. It has been inspiring to work alongside our Experts and start the process for them to influence the work of CHS. As a team we are looking forward to our next steps and want to thank everyone at CHS for welcoming our Experts and providing meaningful opportunities for them to get to know the organisation's individuals, teams and workstreams. We cannot wait to see what opportunities 2026 brings."

Participation Team at CHS

Engagement with our Experts for the rights report

The opportunity

In December 2025, an engagement session took place with our Experts to allow them to input into the CHS Progressing Children's Rights Report. Although our Experts have not been in post for the full three-year reporting period, their input into the report has helped frame what we are doing well and areas for improvement.



We decided to focus on four areas of the UNCRC implementation framework:

- Participation of Children and Young People (linked to Article 12 - I have the right to be listened to and taken seriously)
- Publishing Child Friendly/Easy Read Information (linked to Article 6 - I have the right to live and grow as a person)
- Accountability and Reporting on Children's Rights (linked to Article 3 - Adults must do what's best for me)
- Non-Discrimination/Rights at Risk (linked to Article 2 - All children have these rights no matter what their differences are)

Our Experts had the opportunity to comment on different CHS workstreams and projects under each of these areas in the form of a school report card. They marked each piece of work as either achieved, working towards, or not on track and provided comments on what needed to happen next.

Lessons learned

The feedback and suggestions that our Experts shared during the session included developing clearer processes and justification for engaging with children and young people and making sure this includes providing them with feedback

about the impact of their involvement. There were some areas of work that our Experts did not know much about, for example Children's Rights and Wellbeing Impact Assessments. However, they showed a level of interest and desire to be involved with these in the future.

Our Experts shared enthusiasm for expanding their group, making sure to include 'quieter' voices and necessary adjustments to allow others to attend in person, and meet individual needs. They were particularly keen on ensuring that 'child-friendly' and 'easy read' versions of documents are created as standard at CHS, to ensure children have easy access to information about their rights.

Overall, our Experts' voices have helped steer the focus of our Progressing Children's Rights Report. They have rightly highlighted the areas of work that need to be celebrated but also identified where learning can be taken from these examples and translated into future and ongoing improvement over the next reporting period. This report will be a tool that we can use to continue the conversation about how we are upholding children's rights at CHS, making sure we are accountable to our Experts and those with lived experience.

Looking ahead



The General Principles of the UNCRC will continue to remain key to our work, ensuring fairness and non-discrimination, and that children's needs and best interests are central to everything we do. We will continue to listen to children's voices, both inside and outside the hearing room, ensuring that their views influence individual decisions about their care but also wider changes to Scotland's care and protection system.

Areas of development over the next three years will include:

- ensuring children's voices are represented in discussions around hearings redesign and legislative change
- expanding our work with children through regional outreach work and growing the membership of our Experts by Experience
- utilising a self-evaluation framework to review the support available through the regional support structure

"Drawing on the Promise, 'What Matters Cards', and National Standards, our new self-evaluation framework helps us review how we are working, gather evidence and improve how best we support child-centred, rights-based hearings."

Quality Partner at CHS

Cluster (iv): civil rights and freedoms



This section covers Articles 7, 8, 13, 16, 17 and 39¹⁷:

Article 7 - I have a right to a name, to belong to a country and be cared for by my parents

Every child has the right to be registered at birth, have a name and nationality and, as far as possible, to know and be cared for by their parents. This is supported by CHS activity and one of the fundamental principles of the hearings system is that 'parents are usually the best people to bring up their own children and should be encouraged and enabled to do so wherever possible'.

Where it is not possible for a child to stay with their parents, the hearing will make decisions that support them to have a fulfilling and positive childhood. Hearings must listen to and take account of the views of both children and their parents when making decisions about who should care for them.

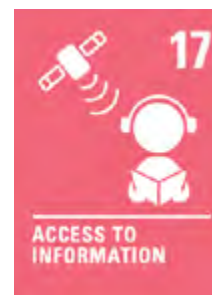
Article 8 - I have a right to an identity

Contact decisions that Panel Members make about brothers, sisters and sibling-like relationships can have a lifelong impact. They are guided by the legislation that promotes and enhances the rights of siblings when families live

apart, the Children (Scotland) Act 2020. Since its introduction in 2021, CHS has continued to engage with the Communities of Practice for Siblings multi-agency group.

As well as the information and training given to Panel Members before they sit on hearings and in the Practice and Procedure Manual (PPM), CHS worked alongside CELCIS and professionals working in NHS Infant Mental Health Teams across Scotland to produce guidance specific for infants, babies and very young children. This guidance, published in October 2025¹⁸, has a dedicated section on ensuring that contact decisions support young children's rights and wellbeing.

CHS delivers a diverse calendar of learning to support Panel Members' understanding of their role in protecting the rights of children through a variety of ways: face-to-face, individual e-learning, Microsoft Teams, videos and Townhall webinars.



¹⁷ How CHS contributes to Article 28 (right to education) is set out in Cluster (viii) - education, leisure and culture and Article 37 in presented in Cluster (ix). Articles 14 (freedom of thought, conscience and religion) and 15 (freedom of association) do not directly apply to our duties.

¹⁸ 'Responding to the Needs of Infants, Babies and Very Young Children' (2025), CHS

Relevant research within the children's sector and the Children's Hearings System is crucial to help inform our approaches, training and resources for Panel Members. In December 2025, we hosted Dr Helen Whincup to discuss the Permanently Progressing? Building Secure Futures for Children in Scotland research¹⁹ through a live webinar that was recorded and shared with the National Team and the whole Panel Community. Similar to other studies looking at data in Scotland²⁰, the Permanently Progressing study found that there was a gap between legislation and policy that prioritises sibling connections, and the experiences of many children. By highlighting some of the key findings of this research, this will help Panel Members to remember children's rights and the impact of their decisions on their identity.

Article 13 - I have the right to freely express my opinions and access information

Access to clear, child-friendly information has been a key focus of our work in the reporting period, with a new role created in our Feedback and Complaints Team focusing on creating child-friendly information and feedback mechanisms.

The feedback we received from children across 2025-26 highlighted variability in the quality of children's experiences in hearings. While many hearings demonstrate strong, trauma-informed, child centred practice, a few fall short in ways that can unintentionally undermine children's participation in their hearing. Consistency, curiosity and compassion were key themes emerging from the feedback. Any concerns raised can be addressed on an individual, regional or national basis through training and reinforcement

of standards with Panel Members, to ensure that every child receives a respectful, fair and meaningful hearing experience.

CHS continues to work closely with SCRA to improve hearings delivery processes to better uphold children's rights. Following engagement with children, families and Panel Members, a new Decisions and Reasons Chronology was introduced in March 2026. This presents clearer information about decisions and reasons made at previous hearings, supporting children to access the information they need in advance of their hearing.

In 2025, we recruited an additional member of staff to the Feedback and Complaints Team with a dedicated focus on creating child-friendly mechanisms to gather feedback from children. Alongside this has been the establishment of a CHS Participation and Feedback Delivery Group, accountable for the upscaling of existing national and regional participation workstreams to develop a framework that works for children to tell us what they think about hearings.

This work is in early development and will take place in three phases, working with older children in year one, younger children in year two and adult advocacy workers in year three. Each phase has four distinct stages: research and consultation, collaborative design, implementation and review. The golden thread through each phase will be consideration of inclusion, transparency, accessibility and trauma-informed principles.

It is important to us that the feedback we receive is used by those with the influence to change practice. An active feedback tracker will be used

¹⁹ **Permanently Progressing? Building secure futures for children in Scotland** (no date), University of Stirling

²⁰ **'Born into care in Scotland: Circumstances, recurrence and pathways'** (2022), Cusworth et al.

to monitor how we are using feedback. We are committed to improving internal communication between teams as part of this project. We will direct feedback to relevant teams so that appropriate learning and development can be prepared or practice guidance updated. Close monitoring of the tracker will increase internal accountability and enable us to better tell children what impact their feedback has had on practice in the community through our website, annual reporting and social media.

Article 16 - I have the right to keep some things private

CHS takes children's right to privacy seriously and has legal responsibility to comply with Information Governance legislation and regulations.

Children have shared their views about privacy in the Better Hearings report²¹ produced by the Children's Hearings Improvement Partnership (CHIP), which was discussed within the context of the need for professional continuity. This was also a topic of the 'Seeing Beyond the Surface'²² guide, published in 2025 by OHOV.

In addition, a clear recommendation throughout the Hearings System Working Group (HSWG) Redesign Report²³, which has since been acknowledged within upcoming legislation, is the need for continuity within a panel for children. Within every hearing the chairing Panel Member has a legal duty to ensure the number of persons present in a hearing at any one time is kept to a minimum. CHS continues to provide training, guidance and support to our volunteer community about how to manage hearing

attendance effectively. Children and families also have the right to request Panel Member continuity which helps to ensure fewer people are involved in their family life. Over the past year, Panel Member continuity requests have continued to increase, with more of these being able to be fulfilled for children.

The introduction of the enhanced role of the Chair in the Children (Care, Care Experience and Services Planning) (Scotland) Act 2026 will signal an important step forward and recognise the significant demands, responsibilities and expectations of the Chair's role. This will result in greater levels of consistency and continuity, and ultimately fewer people involved in a child's life and having access to their sensitive information. Building on evidence from children, this is something that CHS has advocated for as part of wider Children's Hearings System redesign.

Article 17 - I have the right to get information in lots of ways, as long as it's safe

During our engagement sessions with our Experts as part of this report, they told us that there was more that CHS should be doing to ensure we are producing child-friendly and plain language versions of information. They acknowledged that there was already positive work underway in this area – this included them being involved in shaping website content and navigation as well as the creation of animations to encourage children to provide feedback about their hearings.

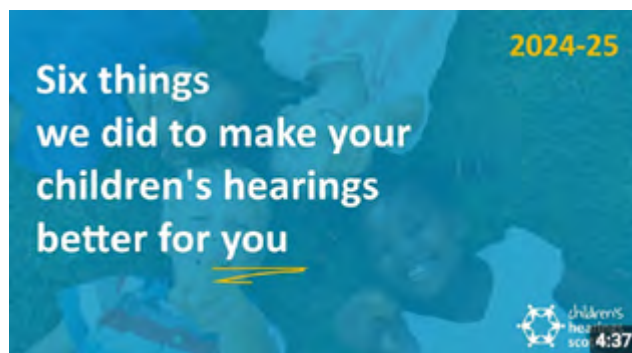
Our Communications and Engagement Team have engaged with partners, explored research and attended training to increase their knowledge

²¹ 'The Next Steps Towards Better Hearings' (2016), CHIP

²² 'Seeing Beyond the Surface - Children's Stories and Personal Information' (2026), OHOV

²³ 'Hearings for Children' (2023), The Promise Scotland

and skills in producing child-friendly and plain language versions of the information we share publicly.



At the end of March 2026, we published a child-friendly version of our Impact Report 2024-25²⁴ which highlighted key improvements that were made across the year.

“It’s been a privilege to create this video for children and young people. We’ve designed it to be clear, engaging, and child-friendly so it’s easy for them to follow and feel included. It’s important that children and young people understand the changes we make that affect them and, more importantly, how their voices continue to shape improvements within the Children’s Hearings System. I hope every child who watches it feels heard and respected.”

CHS staff member

In addition, our Experts supported and encouraged the completion of Panel Member profiles which have been introduced to some

hearing centres. When a child and their family attend a hearing, they will be able to see colourful posters displaying a photo and the name of the CHS volunteers who will be in the hearing room. This is another way for the child to know who the people making decisions about them will be before their hearing in an accessible way, appealing to children at various ages.

“You have all my information from my panel papers so it would be good to know if there’s any common interests. Panel Member profiles would make a child feel more at ease/ more comfortable knowing who’s in the room they’re about to walk into”

Expert by Experience

“During hearings, my thought process has often been wondering about Panel Members as people (behind their role). I often observe to see if I can learn a bit about them. It would be good if they provided a bit of information to me”

Expert by Experience

“What kid wouldn’t want to know who was going to be on their panel?”

Expert by Experience

²⁴ ‘Impact Report 2024-25’ (2025), CHS

Article 39 – I have the right to have help to recover if I have been hurt or treated badly

Our volunteer community and staff are trained to recognise signs of harm, abuse, or neglect, understand the impact on children, and how they can make the best decisions to meet their needs. In our previous report, we highlighted the roll-out of Trauma Training. Volunteers and staff now complete both trauma-informed and trauma-skilled training which helps to embed trauma-informed approaches. Our target was for 80% of the volunteer community to complete these training modules by July 2023. Our completion rates are below:

Training	Volunteers	Staff
Trauma-informed training	99.5%	96%
Trauma-skilled training	84%	94%

When consulting with our volunteers as part of the engagement for this report, there was clear recognition that the trauma training undertaken had helped to embed children’s rights-respecting practice within the hearings system. This was often referenced in relation to the skills that Panel Members demonstrated:

“I am also aware of the language I use to reduce any further trauma to the child”

Panel Member

“Treat them with respect, patience and empathy”

Panel Member

“...addressing them from the outset in age appropriate ways (verbal and nonverbal), keeping discussions future focused...”

Panel Member

Panel Members need to ensure that when they are participating in hearings, they are not adding to the harm or trauma that a child may already have experienced. To address this, a group of young people with lived experience, and key professionals from across the hearings system called Language Leaders²⁵ published a guide for Panel Members in April 2024. This helps Panel Members consider the language they use in a hearing room, and is based on four principles. Language should:

- be personalised
- be balanced
- be non-stigmatising
- make children feel involved in their hearing²⁶.



As a result, the ‘Articulate’ animation, commissioned by CHS and SCRA, was developed and won a gold award at the 2025 Scottish Design Awards²⁷.

²⁵ ‘Language Leaders’ (no date), CHIP

²⁶ ‘Language in the Hearing Room’ (2024), CHS

²⁷ ‘Articulate’ (2025), Scottish Design Awards

“I could not believe the talent of the young people ... and cannot thank them enough for their dedication to improve language in the hearing room. From the initial workshop, to the first script read, right through to the film premiere, the whole process has been truly inspirational.”

Participation Coordinator at CHS

Across the South East region in January 2026, four training sessions were delivered on the use of Language and Trauma in hearings. Children should be able to understand all discussions in a children’s hearing to be able to participate effectively. Panel Members were encouraged to explain complex concepts, remove all system language and stop using acronyms.

Although we already place a lot of focus on trauma-informed approaches in hearings, Section 2²⁸ of the Children (Care and Justice) Act 2024 places a duty on children’s hearings to have due regard to the effects of trauma on children, meaning that Panel Members must treat children in a way that:

- takes account of the effects of trauma which the child may have experienced
- seeks to avoid, or minimise the risk of, exposing the child to
 - any recurrence of past trauma
 - further trauma

The recognition of trauma within the legislation is a positive step forward and will help to

underpin our efforts to ensure CHS is a trauma-skilled organisation.

Looking ahead



Our Experts and teams across the organisation were consulted on what needs to happen in future in order to further embed children’s right within this cluster. Key feedback included:

- further work to embed trauma-informed practice and skills within hearing rooms
- produce more child-friendly and plain language versions of information
- continue to enhance child-friendly feedback and complaints mechanisms
- launch the voicebank, a proactive approach to gathering anonymous feedback from children aged 12 and over
- further work with SCRA to simplify hearing information and improve the Decisions and Reasons Chronology so that children have clear information about decisions and reasons and their related rights.

²⁸ Children (Care and Justice) (Scotland) Act 2024

Cluster (v): violence against children



This section covers Article 19²⁹.

Article 19 – I have the right to be protected from being hurt or treated badly

Panel Members are required to make decisions for children that directly protect them from harm. They will take into account the views of those experiencing violence, abuse and neglect and if it is in the best interests to do so, Panel Members may decide to:

- continue a Child Protection Order that is in place to protect a child from actual or potential harm and neglect
- limit or prohibit contact with individuals who place them at risk of abuse, violence or neglect
- move a child to a safer home environment
- prohibit the disclosure of an address if they think disclosing this is likely to cause significant harm to the child

Threats to safety should be considered in terms of physical safety and mental or emotional safety. Emphasis is placed on a hearing being for the child and therefore should be attended by the child to ensure their views are heard. If, however, attendance at a hearing may risk the mental, moral or physical welfare of that child, a panel can decide to excuse them of their duty to



attend. A child can also be excused if they have been the victim of an assault or Schedule One offence at the hands of someone who has a right to, and is likely to, attend the hearing.

In the period of 2025-26, 79.3% of pre-hearing panels were convened to consider whether to excuse a child³⁰. This was a decrease from the previous year (2024-25), when the proportion was 82.7%³¹.

CHS has supported Panel Members to increase their knowledge, confidence and understanding, in terms of the harm and risks that could be posed to children. Our guidance on 'Responding to the Needs of Older Children' has dedicated chapters on interpersonal violence, trafficking and criminal exploitation. Young people who may have caused harm to others also require individual support and the recognition that they have likely been harmed themselves. The guidance helps Panel Members to understand this.

CHS has developed training and resources in partnership with the Children and Young People's Centre for Justice (CYCJ) to prepare Panel

²⁹ Article 37 (no child subject to cruel, inhumane and degrading treatment) is covered in Cluster (ix) – Special protection measures and Article 39 (recovery and rehabilitation) is covered in Cluster (iv) - Civil rights and freedoms. Article 28(2) (school approaches to managing behaviour and discipline) does not apply to CHS activity.

³⁰ 'Statistical Analysis 2025-26' (2025), SCRA

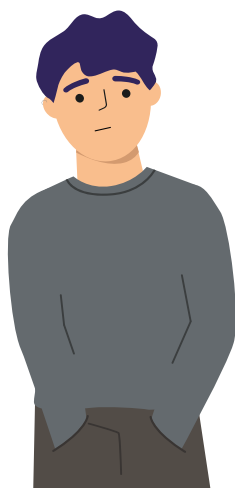
³¹ 'Statistical Analysis 2024-25' (2024), SCRA

Members for the full implementation of the Children (Care and Justice) (Scotland) Act 2024. Our eLearning module includes a focus on Child Sexual Exploitation told through the lens of a young person, Ethan.

Ethan is 16 and has been asked to attend a hearing because has been exposed to a person whose conduct is (or has been) such that is likely that:

- i. the child will be abused or harmed or
- ii. the child's health, safety or development will be seriously adversely affected

Ethan is a victim of Child Sexual Exploitation and the training supports Panel Members to consider the relevant background information, Ethan's views, the protective and risk factors present and how a panel could help keep him safe.



Over the past three years, we have strengthened our understanding of the impact of domestic abuse for children involved in the hearings system. This includes physical abuse, psychological abuse, emotional abuse and controlling and coercive behaviour. In 2023-24, the third most common reason for referral to the Children's Reporter was a child having a close connection with a person who has carried out domestic abuse, so it is vital that CHS staff and our volunteers have a strong awareness of this topic, and Panel Members understand the tools at their disposal to manage hearings where domestic abuse is a factor.

Courses including the NSPCC's Abuse and Neglect training is mandatory for staff and volunteers. In addition, a new training course, The Domestic Abuse Awareness Raising Tool (DAART), which was developed by SafeLives for professionals working in the public sector in Scotland, was launched on our CHS Learning Academy Online for all staff and volunteers in November 2024.

The course became part of Panel Members' pre-service training in 2025 and helps increase their awareness and understanding of the dynamics of domestic abuse. This will support Panel Members in the hearing room making decisions, recognising the importance of trauma informed practice, making the hearing room feel like a safe place and supporting children's rights to be protected from all forms of harm and violence.

Training	NSPCC Course
Panel Members	85% 1,355 completed; 237 still to complete.
Panel Practice Advisers	88% 91 competed; 13 still to complete.
CHS Staff	89% 109 completed; 13 still to complete.
Board Members	57% 4 completed; 3 still to complete.

Looking ahead



It is crucial that we recognise the needs of children at different stages of development, the impact that decisions can have and the support needed to ensure their rights are upheld and respected.

Further work and development in this area will include:

- focusing on supporting Panel Members to understand more about infants and babies at risk of violence, and the impact of non-accidental injury
- work to update and strengthen our Managing Complex Hearings Guidance

Cluster (vi): family environment and alternative care



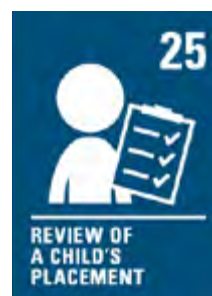
This section covers Articles 9, 20, 21 and 25³²:

Article 9 - I have a right to live with my family if they can keep me safe

If Panel Members decide that it is in the child's best interests to be separated from their parents, they have a legal duty to consider what arrangements should be put in place to help maintain relationships that are important to the child.

All Panel Members receive training about the importance of having legal arrangements in place to enable children separated from their parents to be able to communicate with them, either through meeting them face-to-face, speaking over the phone, maintaining contact online or through letters and photographs. This communication plays a critical role in maintaining relationships, promoting a sense of identity, and providing reassurance about others' wellbeing, health or safety.

Our new 'Responding to the needs of infants, babies and very young children' practice guidance explores the impact of contact decision making and supports Panel Members to ensure that decisions around contact are made in the best interests of the child.



Article 20 - I have the right to be looked after if I can't live with my own family

CHS responded to the Scottish Government's consultation on the 'Future of Foster Care', echoing the needs for the government to ensure there are enough foster carers to meet demand with the necessary skills, knowledge, and support to provide high-quality care to children when they need it. We support the position that there must be safeguards in place to avoid the monetisation of the care of children and prevent the marketisation of care. Foster care provision must be designed and delivered with the primary focus being the best interests of the child.

Children's hearings respect, protect and uphold the rights of children to maintain relationships with those who are important to them and CHS fully supports any work to address the availability of stable, foster placements in a child's local community so they can maintain friendships and key relationships which lead to better outcomes,

³² Article 19 (protection from all forms of violence) is presented in Cluster (v) - Violence against children, Article 39 (recovery and rehabilitation) is presented in Cluster (iv) - Civil rights and freedoms and Article 27 (adequate standard of living) is presented in Cluster (vii) - Basic health and welfare. This section does not reference Articles 5 (parental guidance and a child's evolving capacity), 10 (family reunification), 11 (abduction and non-return of children) and 18 (parental responsibilities and state assistance) as they do not directly apply to CHS' duties.

as well as enabling brothers and sisters to be cared for together.

The rights of siblings is a key feature of any children's hearing where children are living away from their own family.



In October 2024, CHS was proud to become accredited as a Fostering Friendly employer in a programme run by the Fostering Network to help organisations actively support fostering and foster carer employees.

Article 21 - I have the right to have the best care if I am adopted

Any recommendation for adoption coming before a hearing will have been based on a comprehensive social work assessment that has already been presented to the local authority Adoption and Permanence Panel. The hearing's role is to provide advice to the Sheriff and Local Authority on whether it supports this course of action for a child. Support for adoption will only be given if it is considered best for the child not to live with one or both parents for the rest of their childhood.

In 2025, CHS responded to the Scottish Government's 'Universal Definition of Care Experience' consultation. In our response, we highlighted the importance of including adoption within any universal definition. We also highlighted the need for lifelong support for those with care experience recognising that they often face disproportionate levels of adversity and poverty when transitioning to adult life.

Article 25 - If I am not living with my family, people should keep checking I am safe and happy

Panel Members can impose a duty on Local Authorities to implement the terms of a Compulsory Supervision Order (CSO). It may become clear at a review hearing that the implementation authority has failed to carry out a specific measure on a child's CSO. In these circumstances, section 146 of the 2011 Act allows a hearing to direct the National Convener to take action to enforce the authority's duty as a 'breach' proceeding.

During the period 2023-2026, 10 requests to serve notice were made. All of these breaches were resolved at Stage 1 and did not require an application to the Sheriff Principal for enforcement. These processes ensure that children on orders have access to the crucial supports that have been identified. CHS also issued further guidance to the panel community in relation to breach proceedings in 2025.

In August 2023, CHS staff visited Harmeny Residential School to spend time with the children and staff, getting to know them and listening to feedback they had about hearings.

This visit helped inform the way in which CHS gathers feedback from children about their hearings. CHS worked with SCRA to pilot the use of a QR-coded postcard at hearing centres in Stirling, Elgin, Alloa, Falkirk and Livingston. It was launched in October 2023 and ran until March 2024. At the end of each hearing, Panel Members offered children a feedback postcard and the QR code was linked to our child-friendly feedback page where children were able to directly give views about their hearings to CHS and SCRA.

Although initially it was hard to gather feedback CHS continue to work with SCRA and young people to improve this process.



During the pilot, the QR code was scanned more than 150 times with more than 10 pieces of feedback received. This included reports of really positive experiences and useful feedback on how hearings can be improved.

“This is all invaluable feedback that I believe we would not have received without the postcards in the hearing room. We always want to hear more about the hearings experience directly from the children and young people involved, and getting it can prove difficult. So this additional feedback is really significant.”

Complaints Management
Officer at CHS

Looking ahead



In the next reporting period, CHS will strive to ensure that children, young people and their families have access to meaningful channels to provide feedback in relation to their experiences of children’s hearings. This is incredibly important for those who are unable to remain living with their family. Our Experts have already worked with a creative company, Braw Talent, to produce a feedback animation that will be rolled out in the next reporting period and will encourage children to provide their feedback in a child-friendly way, addressing some of the barriers to participation.

This will ensure that they can provide information about how their views were taken into account and the impact of the interactions throughout the process of being referred to, participating in and reflecting on a children’s hearing. Panel Members make decisions that significantly impact children’s lives and those involved need to have a way to share their views even further. This can help shape learning and development, especially concentrating on trauma informed practice.

Cluster (vii): basic health and welfare



This section covers Articles 23, 24, 27 and 33³³:

Article 23 - If I am disabled, I have the right to special care and education

Many of the reasonable adjustments for children's hearings fall under the remit of SCRA and the Children's Reporter's responsibilities, such as ease of access to the hearing centre and ensuring that hearing papers are sent in an accessible format. However, there are important considerations for Panel Members to make both before and during the hearing. Disability may affect children, parents, relevant persons or professionals involved in a hearing. Panel Members' communication style, language and attitudes can positively impact on someone with a disability's ability to participate effectively.

The CHS Communication Champions Programme builds a culture of communication inclusion across the Children's Hearings System. It



strengthens children's participation, confidence and trust in the hearing process by ensuring Panel Members have the skills to recognise and respond to diverse communication needs from the very beginning of a hearing.

Sessions took place with Panel Members to help Communication Champions to:

- promote awareness of different communication needs
- use basic BSL, visual aids and inclusive approaches
- greet children in ways that reflect their communication needs
- support hearings to be child-centred, inclusive and accessible
- model best practice and encourage a culture of communication inclusion

Evaluation of the programme will take place and a communication toolkit will be developed for each hearing centre in Ayrshire. This may highlight future development and further learning needs.

³³ Article 6 (life, survival and development) is covered in Cluster (iii) – General Principles. Articles 18 (parental responsibilities and state assistance) and 26 (social security) do not apply to CHS activity.

Promoting inclusive, accessible communication within hearings supports the right of children with disabilities to be an equal participant in their hearings. This supports them to feel safe, respected and heard. By supporting Panel Members' confidence in basic BSL, deaf awareness and inclusive greetings, this strengthens children's right to participation and the quality of decision making. CHS continues to build on the resources highlighted in our last report that focus on minimising barriers for children and families that require additional support.

Our 'Responding to the needs of older children' practice guide for Panel Members highlights a range of issues relevant to children including Autism Spectrum Disorder (ASD), Attention Deficit (Hyperactivity) Disorder (ADHD) and mental health conditions including anxiety and depression, as well as the need to ensure advocacy services have been offered and are available to all children.

This has been complemented by local learning, with sessions taking place during this reporting period focusing on Neurodiversity Awareness for Panel Members. Those who have attended reflected on how engaging and worthwhile the session was, and learning that was taken from it included:

"... that where one aspect of a neurodiverse child's life is going well it may be to the detriment of other aspects of their life. Solutions need to look at across the whole."

Panel Member

In 2024, CHS staff, volunteers and hearings-experienced young people worked in collaboration with SCRA to support them with an extensive refurbishment of the Glasgow Hearings Centre. The refurbished hearings centre was opened in November 2025, offering a calm and child-friendly space, supporting a range of sensory needs. It is hoped that these redesigned spaces will support all children, including those with disabilities, to have their rights met when attending their hearings.

"It's such a change, it's great. If I was a wean again, I would much rather not have any hearings but if I did, I would be more than happy to have them in here. It was very corporate beforehand and was like a maze, so I was always worried where my sister was when we were here. Now I wouldn't worry as its much more open and feels safer."

Expert by Experience

"If I had the choice between the hearing centre I went to and here, I know which one I would choose – this one. This one is a lot more comforting, especially for a younger kid. I would like the idea of the tents as I know some people feel safe in a small space."

Expert by Experience

Article 24 - I have the right to be as healthy as possible

When a panel is deciding whether or not to defer making a decision, Panel Members must consider the need for any additional information from any other person which the panel consider relevant to any matter to be determined. One option for the panel is to consider asking for an independent report to be commissioned if they have questions in relation to a child's needs or the support required that could be answered by an expert in a particular field, and without that information, the panel could not reach a substantive decision.

CHS administers the Independent Report Writers function and currently has a bank of 25 Independent Report Writers with expertise including:

- Social Workers (child and family, and criminal justice)
- clinical psychologists
- forensic psychologists
- educational psychologists
- psychiatrists

"I would definitely consider asking for a report of this kind in future. [Their] expertise enabled [them] to engage with the young person in a manner and for a length of time that surprised their family and other professionals. Having the time and ability to do this and do this in a home setting was extremely beneficial."

Panel Member

To assist Panel Members when they are considering a request for an independent report, our Practice and Policy Team issued a detailed guidance note in August 2025. This resource built upon the details already included in the PPM.

In this reporting period, the number of independent reports requested by Panel Members has increased year by year.

Requests for Independent Reports

Year	Number requested	Health	Social Work
2023-24	27	20	7
2024-25	32	20	12
2025-26	37	30	7

Given that the majority of reports are health focused, it is appropriate to discuss independent reports within Article 24. Panel Members are often concerned about:

- children's emotional wellbeing
- a lack of support
- a limited understanding of the child's needs, or parenting capacity
- the children's views being unknown
- a missing risk assessment

Panel Members will decide that an assessment is required to help them make a substantive decision. Requests for these reports are driven by children's rights and when we engaged with our bank of report writers in February 2026, they undertook a self-assessment on how they apply children's rights in their practice when completing these requests.

We asked them to rate each statement from 1

(not at all) to 5 (all the time):

Statement	Average score
You can confidently speak about the importance of children's human rights and can convey this message to others in a way that is meaningful.	4.2
You demonstrate a range of ways for all children to meaningfully participate and barriers to participation are identified and removed.	4.1
You build relationships with children in ways that allow them to feel comfortable sharing their views and ideas.	4.3
You support children who need additional support to overcome barriers or difficulties – these are proactively identified and support accessed, including inclusive communication practice.	4.2
You make recommendations based on protecting and advancing children's rights.	4.7
You publish child-friendly information.	2.9

In the discussion that followed this exercise, our report writers reflected on their knowledge and confidence in discussing children's rights but also reflected on the challenges of presenting detailed reports in a child-friendly way. CHS is committed to ensuring that there is a

robust quality assurance process for this function and a new process was introduced in 2024. Feedback is requested from Panel Members following the presentation of an independent report at a hearing. Across 2025-26, out of the 37 requests, 19³⁴ supported a substantive decision to be made for a child.

"The family was very emotional at the end of the hearing. At last they felt understood. This was their life experience. The anxiety they felt around hearings was lifted. They could see a way forward."

Panel Member feedback in relation to an independent report

Commissioning independent reports furthers children's right to be as healthy as possible; they provide expert assessment and recommendations to assist Panel Members in making substantive decisions for children, who might otherwise be lacking this support.

Article 27 - I have the right to have a proper home, food and clothing

If a hearing considers including a measure naming a place of residence other than with a relevant person, the hearing must have a report from the implementation authority which provides information about the needs of the child, the suitability of the home to meet the needs of the child and the suitability of the person who is to have care for the child to meet the child's needs. This is to ensure that

³⁴ At the time of writing, not all requests were completed so the number of reports which have supported a substantive decision could be greater.

within this home, children's needs and rights are being met and fulfilled.

In our response to the Scottish Government's 'Moving on' from Care in Adulthood consultation, we highlighted that all young people leaving care should be entitled to a secure tenancy, support to gain access to employment, training or education, access to therapeutic services and additional support to connect with their communities.³⁵

For the autumn 2025 Panel Member recruitment campaign, our Experts wanted to ask potential Panel Members to consider the impact of homelessness before their interview. This really brought to life what is faced by so many children attending children's hearings – and makes sure that we keep children at the heart of everything we do.

At interview, candidates presented:

- their understanding of how this happens
- their empathy
- the impact it has on children
- feelings of anxiety, isolation and loss
- the impact on their peers and schooling

Many of our interviewees shared their views openly, either from their own personal experiences or having undertaken research. They understood the rights of children to have a safe place to live so they can develop in the best possible way. Security and stability are so important for many of our children attending hearings.

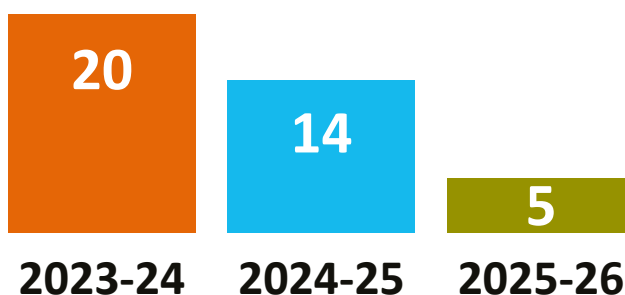
"Including our children and young people with experience of the hearings system in our selection processes is such a relevant and powerful way to bring to life the rights of children."

Volunteer Recruitment and Retention Manager at CHS

Article 33 - I have the right to be protected from dangerous drugs

Under Section 67 of the Children's Hearings (Scotland) Act 2011, children can be referred to a hearing for a number of reasons related to drug misuse. They can be referred because:

- they, or the adults responsible for caring for them, are involved in, or at risk of, substance misuse
- they are likely to suffer unnecessarily, or the health or development of the child is likely to be seriously impaired, due to lack of parental care which may result from their parents' addiction to drugs, as well as other factors
- a Schedule One offence has been committed in respect of the child, including harmful behaviours, such as giving a child drugs



³⁵ 'Response to the 'Moving On' from Care into Adulthood consultation' (2024), CHS

In 2023-24, 20 children were referred to SCRA due to misuse of drugs³⁶.

In 2024-25, 14 children were referred to SCRA due to misuse of drugs³⁷.

In 2025-26, 5 children were referred to SCRA due to misuse of drugs³⁸.

CHS has worked closely with the Children and Young People's Centre for Justice (CYCJ) and jointly produced practice guidance and eLearning for Panel Members on the topic of Responding to the Needs of Older Children³⁹. Our practice guide has a dedicated chapter on 'Alcohol, Drugs and Substance Use' which helps Panel Members to consider these issues within the context of child development, peer pressure, children in care, poor mental health and the culture around this. It offers suggestions for how Panel Members can support children experiencing these issues and does this within a trauma-informed lens, recognising that children have the right to recovery (Article 39) and the right to rest, relax and play (Article 31).

Looking ahead



To ensure that we are upholding children's rights within this cluster, our activity over the next reporting period will focus on:

- increasing the number of report writers on our bank
- continuing to ensure that the voice of children and young people is impacting the recruitment and selection of Panel Members
- developing resources aimed at minimising barriers to effective participation in hearings

³⁶ 'Statistical Analysis 2023-24' (2024), SCRA

³⁷ 'Statistical Analysis 2024-25' (2025), SCRA

³⁸ 'Statistical Analysis 2025-26' (2026), SCRA

³⁹ 'Responding to the Needs of Older Children' (2025), CYCJ/CHS

Cluster (viii): education, leisure and culture



This section covers Article 28⁴⁰.

Article 28 – I have the right to an education

Panel Members' decisions can help children to access their right to education, allowing them to develop to their fullest potential and achieve their aspirations. Hearing decisions can include measures to support school attendance or access alternative education provision.

In 2023-24, 783 children were referred to the Children's Reporter for failure to attend school without reasonable excuse. The average age of these children was 12.7 years.⁴¹ In 2024-25, 753 children were referred for this reason, with an average age of 12.9 years.⁴² In 2025-26, 716 children were referred for this reason, with an average age of 12.6 years.⁴³

Within some of the requests received for independent reports, Panel Members acknowledge children's right to education and strive for it to be upheld. This includes requesting specialised, expert knowledge to make an assessment and give Panel Members a recommendation which aligns with the child's best interests. Our feedback from Panel Members in relation to these requests reflect that this function supports them to make a

substantive decision for children, which would otherwise not have been possible. There are several education psychologists in our bank of report writers who often complete these assessments, ensuring their recommendations relate to children's rights.

We recognise that hearings can have a negative impact on a child's education. We continue to work with partners to support children to choose how they attend their hearing, with many children preferring to attend virtually, often from a private room in the school. This results in a reduction in lesson time missed and can help to reduce stigma for children.

Virtual hearings can sometimes be challenging for Panel Members to manage. In 2026, we issued a top tips for virtual hearings resource. This guide helps to emphasise the importance of choice and highlights the benefits a virtual hearing can bring for children, while offering simple, practical tips for Panel Members.

As a Corporate Parent, CHS strives to enhance the skills of our Experts. In June 2025, our Experts were involved in the development of new recruitment campaign materials. This was a multi-stage opportunity which ran over several months. Our young people worked with

⁴⁰ Article 30 (children of minority or Indigenous groups) is discussed in Cluster (viii) – Special protection measures. Articles 29 (goals of education) and 31 (leisure, play and culture) do not directly apply to CHS activity.

⁴¹ 'Statistical Analysis 2023-24' (2024), SCRA

⁴² 'Statistical Analysis 2024-25' (2025), SCRA

⁴³ 'Statistical Analysis 2025-26' (2026), SCRA

a creative agency and focused on the following questions:

- what makes a good Panel Member?
- what do you think makes people want to be a Panel Member?
- what do people misunderstand about children's hearings?
- what are the most important things for us to tell people about being a Panel Member?
- what do you worry about that we could get wrong?

Our Experts had multiple opportunities to review the materials and provide feedback. One Expert was invited to the production and filming day, and was supported and listened to by the production team. They were able to make changes to the hearing 'set' ensuring it was realistic, and directly influenced how it looked on camera.

"Children's panels are an eye opener experience for some people! This campaign needs to open up eyes to reality."

Young person's feedback on the campaign

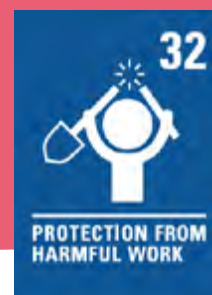
Looking ahead



We will continue to work closely with SCRA and partner organisations to consider how we can reduce any negative impact on children caused by the way hearings operate. This includes supporting and contributing to pilot projects and improvement activity like the child-friendly scheduling pilot and the family-centred scheduling.



Cluster (ix): special protection measures



This section covers Articles 22, 30, 32, 34, 36, 37 and 40 ⁴⁴.

Articles 22 and 30

Under Article 22, children with refugee status are entitled to special protection and Article 30 includes the right to learn and use the language, customs and religion of their family.

Our organisational frameworks are designed to ensure that all children receive a consistent experience in their hearings and that everybody is treated according to their individual needs. This is embedded through CHS values, ensuring staff and volunteers are child-centred, respectful and fair.

Effective participation of children is an essential component of their hearing. Panel Members can support a child with refugee status by deciding to defer proceedings to arrange for an interpreter if it is apparent they do not have adequate language skills to participate or if they would prefer to speak in their own language.

CHS works hard to ensure all children, including those with refugee status, do not experience discrimination within their hearings. Further information about this can be found in Cluster (i) - General Measures of Implementation, Article 2 (non-discrimination).



“As a chair, I work hard to ensure that everyone is heard - even when this is done through an interpreter.”

Panel Member

Articles 32, 34 and 36

Under Articles 32, 34 and 36, children have a right to be protected from child labour, and all forms of exploitation. As highlighted in previous chapters, the resources developed to support Panel Members understand the needs of older children, explore a range of topics including trafficking and exploitation. These resources are helping Panel Members to understand the

⁴⁴ CHS activity in relation to Article 33 (drug abuse) is presented in Cluster (vii) – Basic health and welfare. Article 39 (recovery and rehabilitation) are presented in Cluster (iii) - Civil rights and freedoms. Articles 35 (abduction, sale and trafficking) and 38 (war and armed conflicts) do not apply to CHS' work.

complexity of the issues and how they may impact children who are referred to a children's hearing.

Article 37 - If I break the law, I have the right not to be punished in a cruel or unnecessary way

The principle of minimum intervention – that 'an order is only to be made if it is considered better for the child than if no order were made' – is the third overarching principle in a children's hearing and is at the core of Panel Member decision making. The hearings system is welfare orientated rather than punitive in its basis. Since its inception, the hearings system has shifted to referrals being around 80% welfare based and 20% offence-based grounds.

Ensuring that the rights of all children, including those who are 16 and 17 years old, are respected and protected has been a key focus throughout the previous reporting period and this one through our national work in relation to children in conflict with the law. In 2025, our National Convener presented at the CYCJ National Youth Justice Conference to reflect on the evolution of the Children's Hearings System, including the positives changes that have been implemented and the importance of contextual safeguarding in children's hearings. CHS has been involved in significant collaborative work to prepare our organisation, and the wider sector, for the implementation of the Children (Care and Justice) (Scotland) Act 2024. This landmark legislation will bring us in line with the UNCRC, ensuring any child can be referred to the Reporter to arrange a hearing for them before their 18th birthday.

Children's hearings can make decisions that restrict the liberty of a child, but these are only made as a last resort and in a small proportion of cases. In order to implement such measures, strict legal tests must be applied and Panel Members are required to explain how these have been met. Any decision to restrict the liberty of a child must be in the child's best interest and these options are not considered punishments, but ones that address a child's need for intensive support or restrictions to keep themselves and others safe.

In total, between April 2023 and March 2024, 110 of all the interim and compulsory supervision orders made included secure care authorisation. Between April 2024 and March 2025, the total was 83.⁴⁵ This figure was 74 in the most recent statistics⁴⁶.

CHS has been vocal in supporting the provision within the Children (Care and Justice) (Scotland) Act 2024 ensuring that a child cannot be held on remand or sentenced to detention in a Young Offenders Institution (YOI) or adult prison. The use of prison for children on remand is particularly unacceptable and fails to recognise the inherent vulnerabilities of children, regardless of their actions. There is a significant body of evidence that placing children in custody deprives children of their rights, is traumatising and does not lead to positive outcomes.

This legislation also amends the legal tests for secure care authorisation and Movement Restriction Conditions (MCRs). It allows for MRCs to protect the child from harm or to protect a potential victim from the child. These changes need to ensure that we are protecting children's

⁴⁵ 'Statistical Analysis 2024-25' (2025), SCRA

⁴⁶ 'Statistical Analysis 2025-26' (2026), SCRA

privacy, as enshrined in Article 16 of the UNCRC, especially as there has been an increase in their use within the hearings system.

In 2023-24, 25 MCRs were placed on 17 children, and in 2024-25, 45 MCRs were placed on 28 children. This is an increase of 64.7%.⁴⁷ This then decreased to 40 MCRs were placed on 22 children in 2025-26⁴⁸.

Article 40 - I have the right to be treated as a child if I break the law

The Age of Criminal Responsibility (Scotland) Act 2019 requires Scottish Ministers to carry out a review within 3 years of the commencement of section 1 of the Act (from 17 December 2021). CHS was an active member of an Advisory Group, which concluded in December 2024, that provided Scottish Ministers with a report⁴⁹ detailing the findings of the review and recommendations for any future age of criminal responsibility.

The overall assessment was that the increase in the minimum age of criminal responsibility had limited impact and the collective recommendation of the Advisory Group was to further increase the age of criminal responsibility to 14 or above, in line with most progressive European countries.

The main impact for CHS of the Children (Care and Justice) (Scotland) Act 2024 is changing the definition of 'child' in a number of pieces of legislation, most notably the Children's Hearings (Scotland) Act 2011. This will mean that any

person under the age of 18 can be referred to a children's hearing on welfare or offence grounds.

We envisage that this change will bring an increase in the number of hearings overall, and that the majority of new referrals for 16- and 17-year-olds will relate to care and protection, rather than offence grounds. We have been and will continue to support Panel Members to fully understand the complex needs of older children, and what support services may be required to respond to their needs.

To prepare for the increase to the number of hearings, a strategic group was set up to explore capacity at CHS, and there have been successful recruitment campaigns over this reporting period with another one planned for Autumn 2026. In addition, our Area Support Teams have established a robust wellbeing support offer for Panel Members as they experience increasingly complex and challenging issues within hearings.

To support the panel community in anticipation of the changes that will be implemented as part of this legislation, nine focus group sessions were held in June and July 2023 to discuss the Bill, the changes it makes and the larger changes in the system that would accompany its implementation. Thirty-eight Panel Members joined the discussion groups to share their thoughts, knowledge and expertise. This helped to determine where further training and resources could be provided to support them.

As a result, we partnered with the CYCJ⁵⁰ to build a learning resource. This resulted in a

⁴⁷ 'Statistical Analysis 2024-25' (2025), SCRA

⁴⁸ 'Statistical Analysis 2025-26' (2026), SCRA

⁴⁹ 'The Age of Criminal Responsibility (Scotland) Act 2019 Learning Event' (2025), Scottish Government

⁵⁰ Children and Young People's Centre for Justice

detailed practice guide for supporting older children⁵¹, which covers a number of topics including complex mental health needs, alcohol and substance use, exploitation and effective interventions. From this practice guide, we have developed wider awareness-raising activity and training for the panel community.

The first part of our training introduces some of these topics and encourages Panel Members to consider the unique needs of older children in hearings. The second part of the training, which will launch later in 2026, will develop Panel Members' understanding and confidence of supporting older children, and provide a detailed overview of the legislative changes to be introduced by the Children (Care and Justice) (Scotland) Act 2024. Together, parts one and two will create a comprehensive learning package for our volunteers.

Under the 2011 Act, a child is entitled to engage a solicitor at any point of the hearings process, and they can also apply to the Scottish Legal Aid Board for legal assistance.

"I'm not certain that all young people who attend hearings or are in conflict with the law understand their right to legal representation at a hearing. If the benefits of legal representation were better explained to young people and their families before they attend a hearing I think this would be helpful."

Panel Member

During this reporting period, CHS has been involved with a strategic group: Promoting Solicitor Best Practice in Hearings. The group engaged with young people and solicitors to produce a guide for solicitors who appear at hearings. This guide includes the views of young people and is a useful tool for those representing children in hearings.

Looking ahead



CHS is hopeful that once the Children (Care and Justice) (Scotland) Act 2024 is fully enacted, the changes will support us to uphold the rights of all children up to the age of 18. Significant work has been delivered during this reporting period and this work will continue across the next three years.

CHS continually strives to develop effective training, resources and tools for Panel Members, that respond to legislative, policy and practice changes. The PPM⁵² is the main practice guide for Panel Members, ensuring that they are fully informed so that they can make decisions in the best interests of every child. We are in the process of completing an extensive update of this manual, incorporating key legislative changes as well as improving usability. This will be launched in December 2026 ahead of the full implementation of the Children (Care and Justice) (Scotland) Act 2024.

⁵¹ 'Responding to the Needs of Older Children' (2025), CYCJ/CHS

⁵² 'Practice and Procedure Manual' (2022), CHS

Ongoing and future improvements

In addition to what has already been referenced throughout this report, CHS is committed to ensuring that our future activity embeds children's rights even further within our organisation and the Children's Hearings System. We lay out key areas below.

Strategic Outlook

Over the next year, we will develop our new Strategic Outlook for 2027-30 which will have an even greater focus on the rights and participation of children in the hearings system. This will cement our commitment to children's rights, underpinned by strong leadership and values.

Accountability

We know that we need to remain accountable to ourselves, but most importantly to children whose rights we impact. CHS will use this report as a tool to measure the effectiveness of our commitments to future improvements.

Participation

Our Experts by Experience group will remain influential in the direct delivery of our service as well as future planning for redesign. We will expand this group and support regional participation work.

Staff Training

We will continue our commitment to ensuring CHS staff undertake training on children's rights, child protection and trauma-informed practice and are able to demonstrate learning in practice.

Panel Member training

The training and development needs of our panel community will shape the learning offer available

over the next reporting period. This will be driven by legislative change and themes emerging from observational analysis. Our training materials will ensure that rights are considered at every opportunity.

Panel Members indicated through engagement in relation to children's rights that they would like to see rights being discussed more explicitly in the Children's Hearings System. This means that Panel Members need to know about the right to recourse and the necessity to ensure that their decisions are compatible with the UNCRC. We will continue to work with the Scottish Government to refine and clarify how children can exercise these rights in children's hearings.

Children's Rights and Wellbeing Impact Assessments (CRWIAs)

We will strengthen the processes of completing and monitoring CRWIAs, by expanding the knowledge and skills of our staff through development opportunities. Our Experts by Experience group have also indicated a desire to be involved in this work.

Legislative influence

CHS will be intensively planning for hearings redesign, creating a blueprint for our future and ensuring we play a pivotal role in shaping secondary legislation and implementation plans for the Children (Care, Care Experience and Services Planning) (Scotland) Act 2026.

We will continue to play a lead role in the implementation of the Children (Care and Justice) (Scotland) Act 2024, to support our panel community with these changes, and to uphold the rights of older children in the hearings system.

As we take stock from the reflections and learning realised through the process of completing this report, we will continue to embed the UNCRC (Incorporation) (Scotland) Act 2024.

Collaboration

We will continue to be key members of the Hearings Redesign Board and other national leadership forums, driving and delivering a programme of work focused on collaborative changes that complement the legislative changes.

Feedback and Complaints

Our ambitious plan to embed a more child-friendly mechanism to gather feedback and complaints will continue with learning from each phase informing future development. We are confident that the steps we have taken already will enable us to hear from more children about their experiences of children's hearings.

A child-friendly version of this report is also available.





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