

The Children's Tribunal System Annual Report 2023



Annual Report 2023

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This report covers the period 1 January 2023 to 31 December 2023. It summarises the activities and performance of the Office of the Children’s Convenor during that period as well as the activities of the President of the Child, Youth and Community Tribunal. It presents statistical information about children and young people referred and notified to the Children’s Convenor and statistical information about the membership of the Tribunal.

Foreword by the Board

The Children's Convenor and Tribunal Board is pleased to present the Annual Reports of the Children's Convenor and the President of the Child, Youth and Community Tribunal (CYCT) for 2023.

There is no doubt that, compared with the tumult of the pandemic years and an intensive period of some 18 months engaging in consultation and constructive discussion during the development of the policy paper for the amendments to the Children Law in 2021 and 2022, 2023 was, by contrast, characterised by something approaching a welcome degree of normality allowing for a period of reflection and development.

At the beginning of this year, the Children's Tribunal System (CTS) took a deep breath and refocused its attention on ensuring our core service operates at its very best for our clients, partners, staff, and Tribunal members. Many of the values, principles, aims and ways of working are reaffirmed in the Annual Report every year and this year is no different. The need to intervene earlier in the lives of troubled children and young people, hearing their cases in the right forum and working with others to avoid crisis-driven decisions remain important priorities for the service. We know we must continue to ensure that the CTS is child centred and focused on the best possible outcomes and experience for the children and their families who come into contact with it. We know too, that if the CTS is to maximise its potential, both its own constituent parts, and the work of our key partners need to be better understood and aligned. Partnership, inclusion and cooperation therefore remain central to the ethos of the CTS. We are committed to working with our partners, fostering mutual respect for each other's role and contribution and working together to share ideas for the future.

By the end of 2024, the service will have been in operation for 15 years. We have had many successes and challenges throughout this time and now have a substantial body of data and experience to learn from and build on to inform the next phase of our development. With our 15th anniversary very much on our minds, we are conscious of the need to ensure that we have the right systems and structures in place within the service to build resilience and enhance our effectiveness in a rapidly changing context.

As a small team, working in an increasingly complex business environment, we are constantly seeking efficiencies and prioritising where we use our limited resources. We have begun looking for a better IT solution to replace outdated and inefficient ways of storing our data and communicating both internally and externally. Transforming the way we use information technology will not only increase our efficiency and ensure we are compliant with data protection law and regulations, but will also improve our reporting and accountability as well as our ability to collaborate.

Perhaps the most significant work stream in 2023 has been our review of the organisational structure to support the work of the Convenor, President and CYCT. With some assistance from an external provider and input from the team we have identified that some changes to our structure could have the potential to enhance our efficiencies and provide more cohesion and aligned purpose with due regard for the well-being and emotional health of the team.

The Board has also given a great deal of thought to ensuring we have the appropriate expertise and skill sets in all three elements of the CTS and that they are supported and developed. We were pleased to be able to introduce a programme of restorative supervision for the Children's Convenor and her team this year and to note the on-going programme of in-service training for Tribunal Members organised by the President. As several Board Members and the President are nearing the end of their terms of Office, succession planning discussions were opened towards the end of the year. An open recruitment process for new Board members in 2024 creates the opportunity to make appointments which reflect the complexity and variety of issues the Board needs to consider.

Organisations like ours are about people. They are our most important resource. The Board offers its sincere thanks to the Convenor, her team, the President and her Deputy and Tribunal Members, and the tireless administrative team that supports them all for their loyalty, dedication, commitment and sheer hard work throughout 2023.

About The Children's Tribunal System

The Children's Tribunal system is made up of three independent parts: the Child, Youth and Community Tribunal, the Office of the Children's Convenor and the Convenor and Tribunal Board.

The purpose of the Tribunal is to make decisions that protect children from harm and promote their proper and adequate health, welfare and development. The Tribunal is a legal forum and the decisions that it makes are legally binding. The Tribunal deals with the majority of children where some compulsory State intervention may be needed. The President of the Tribunal's main responsibilities are to manage the work of the Tribunal and monitor and develop the performance of the members of the Tribunal.

The Children's Convenor's main responsibility is to decide when a child or young person is referred to the Tribunal. The Children's Convenor also has many other legal responsibilities relating to children and young people and the Tribunal process.

The Board sets the overall strategic direction for both services and provides support and challenge to both the President and the Children's Convenor. The Board is responsible for securing the resources required to ensure that the Children's Convenor, the President and the Tribunal are able to carry out their respective duties.

The CTS relies on a number of highly inter-dependent roles that extend beyond the roles of the Board, Children's Convenor and Tribunal Members. This wider community includes the Committee *for* Health and Social Care which is responsible for giving effect to the legal orders made by the Tribunal, Social Workers, Safeguarders, Teachers, Advocates, Jurats and a range of other professionals and volunteers.

The members of the Convenor and Tribunal Board in 2023 were:

Mrs Jane St Pier (Chair)

Mr Nigel Lewis

Dr Beverley Workman

Mr Alan Miller

Mrs Gill Couch

Advocate Peter Atkinson

Mrs Angharad Lewis-Jones

How the Children's Tribunal System works

- An incident occurs or a concern arises that may require compulsory intervention and a child or young person is referred to the Children's Convenor.
- The Convenor investigates the incident or concern by requesting information from different sources. This can include information on the child's attendance and behaviour at school, their health and development, family background and involvement with other agencies.
- The Convenor evaluates the information and decides whether there may be a need for compulsory intervention (intervention in family life irrespective of the consent of the child and their parents). If so, the child is referred to a hearing of the Tribunal.
- If the Convenor decides that a hearing is needed, the child or young person and their family will attend a meeting arranged by the Convenor to consider the Children's Convenor Statement (legal reasons for the Hearing).
- A Hearing will take place once the grounds of referral are accepted or, if necessary, once the Juvenile Court has decided that they have been established on the basis of evidence presented by the Convenor.
- Each Hearing comprises of three Tribunal members, all trained volunteers from the local community. The child or young person and their family or carers are central participants in the hearing.
- At the Hearing the Tribunal members will hear from the child or young person and their parents or carers and from the professionals involved in their lives – for instance teachers and social workers.
- Having heard from everyone the Tribunal makes a decision on whether or not a legal order called a care requirement is necessary.
- If a care requirement is made, the Tribunal can attach conditions to this such as where the child shall live, who they will have contact with or that they will attend a programme to address their behaviour.
- Once made the Tribunal can review a care requirement and it can be cancelled, continued or changed.
- The Committee *for* Health and Social Care has a legal obligation to implement the decisions made by the Tribunal.

Key Features of the Children's Tribunal System

Welfare-based – the welfare of the child is the paramount consideration for all decisions and actions, irrespective of the reasons for concern.

Holistic – the Tribunal considers the child's whole circumstances, including their family and wider community. Compulsory intervention encompasses care, protection, guidance and control.

Integrated – concerns about children's behaviour and welfare are dealt with in one place at the same time, ensuring a co-ordinated approach is taken to the needs of young people.

Community based – the Members of the Tribunal are trained lay people who represent a diverse cross section of the local community. They receive professional and procedural advice to inform their decisions.

Rights respecting – the principles and ethos of the Children's Tribunal System resonate with a number of the rights enshrined in the United Nations Convention on the Rights of the Child. Children, parents and carers have rights throughout the process; these include the right to accept or deny the reasons for concern, the right to appeal decisions and the right to ask for a review of compulsory intervention.

Non-adversarial – whilst still observing legal procedures, the style and setting of Tribunal Hearings are relatively informal with participants sitting around a table to encourage full and frank discussions. Legalese and court language is set aside in favour of more straight-forward terminology, which contributes to a supportive atmosphere, encouraging children, families and professionals to participate.

Inquisitorial – the Tribunal's approach allows a full enquiry into the circumstances of a child or young person in a way that a court cannot, resulting in an enhanced understanding of the child's world.

Participative – the child or young person is at the centre of Children's Tribunal proceedings. It is in effect "their Hearing"; a place where their voice is heard and their views taken into account. Two-way communication and active participation is encouraged. This increases ownership of the presenting concerns and the solutions to these and therefore increases the prospect of successful intervention.

Transparent - Tribunal Members reach their decisions in the presence of the child, family and professionals and explain the reasoning for the decisions made.

Flexible – the Tribunal has the ability to change or alter the measures initially put in place for a child when this is necessary.

Confidential – all Hearings are conducted in private to ensure protection for the privacy of the child and their family.

The President's Annual Report to the Convenor & Tribunal Board for 2023

This report covers the period 1st January 2023 to 31st December 2023. It summarises the activities of the President of the CYCT during that period and presents statistical information about the membership of the CYCT.

The welfare of children is at the heart of the Children Law that we operate within, and the Tribunal provides the opportunity for children in need or in trouble to be heard outside a Court environment. The atmosphere in the Tribunal is non-adversarial, where the circumstances of the child or young person are considered holistically. The whole process is child-centered and children, young people and their families are treated respectfully and fairly. It was these values that I was able to share with the Children and Young People's Board to ensure that they were not overlooked in any changes to the law, which is ongoing.

2023 was my fifth year as President and during that time I was ably assisted by Deputies, Tim Bush, Richard Hamilton, and Steve Melbourne. I am immensely grateful to them all for their support and wise counsel. My role also encompasses a close working relationship with members of the Convenor and Tribunal Board, the Children's Convenor and the staff at the OCC and I consider it to be a privilege to be part of the Children's Tribunal System working in conjunction with such a dedicated team.

Finally, I consider it an honour to represent, as President, a group of such committed individuals as my fellow Tribunal Members, who give their time so selflessly to preparing for and sitting on Hearings. Given the importance of what the Children's Tribunal System does, every year brings new challenges, and this year has been no different in that respect. The nature of the work of the Children's Tribunal System can be very demanding and it is credit to every Tribunal member that they do not shy away from their decision-making responsibilities. As a result, the children and young people of the Bailiwick have continued to be afforded the care and protection of the Children's Tribunal System.

Here is some further information on the Tribunal Members over the last year:

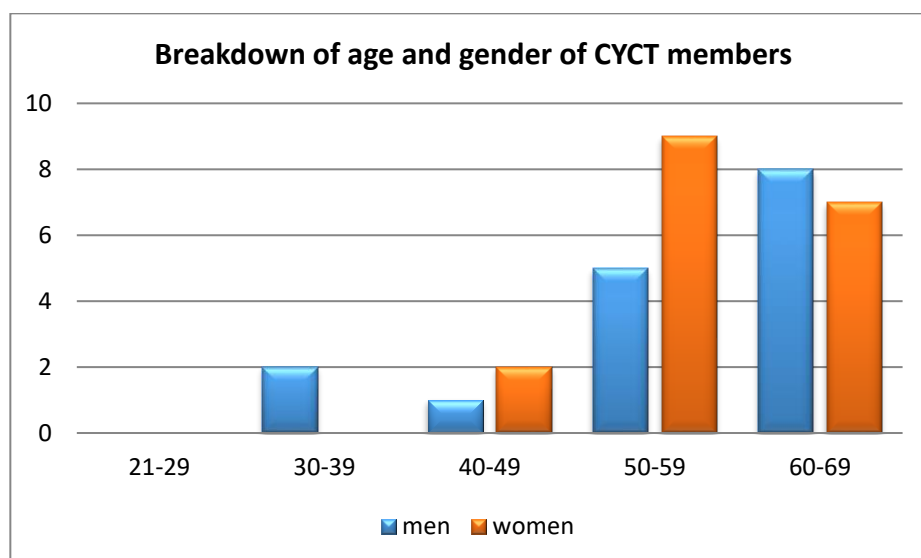
Membership

At the start of 2023 there were forty-one (41) members of the CYCT. Seven (7) members resigned during the year, therefore, at the end of 2023 the CYCT had thirty-four (34) members.

Tribunal members are appointed by the Royal Court and commit to serve a 3-year term of office when, at the end of that period, they can re-apply to continue in the role. Many do continue, but some take the opportunity the re-appointment process provides to reflect on their commitment to the Children's Tribunal System and they may decide to move on to other

things. Very few members resign during their 3-year term and if they do so it is often due to changes in personal circumstances. Currently 22% of the membership have served the Children’s Tribunal System for more than 12 years and their knowledge and experience are a valuable asset for the service.

The breakdown of age and gender of the current membership is represented in the following chart:



Members continue to come from diverse backgrounds. Some work full-time, some part-time and some are retired. Members are or have been teachers, accountants, HR staff and sports coaches, to name but a few. The expectation is that Tribunal members will commit to, on average, 2 hearings each month and this can be a morning or afternoon session. There is also the time they must spend preparing for each hearing and for this level of commitment Tribunal members receive a small allowance.

Number of hearings

During 2023, the Tribunal sat on 184 occasions, and during these sittings 205 hearings were held to consider children’s cases. These hearings related to 106 individual children, with some children appearing before the Tribunal on more than one occasion. Whilst the number of occasions the Tribunal sat, and the number of hearings was on a par with 2022, there was a 20% increase in the number of individual children served by the Children’s Tribunal System.

Monitoring of members

The monitoring of the performance of CYCT members is an important process to ensure Tribunal members continue to demonstrate the behaviours and attitudes expected of them and that they continue to meet the competencies required of the role. My thanks go to the monitoring team who ensured that Tribunal members were monitored, and feedback provided so that I can attest that the standards we set our members are being maintained.

Training

In addition to sitting on hearings, Tribunal members are mandated to attend two training sessions each calendar year. These were held in May and November and both sessions were received well by everyone in attendance. Attendance at both sessions was 65% and 68% of the sitting members. These training sessions are vital to ensure that Tribunal members continue to reinforce and develop the skills that are necessary for their role as well as keep up to date with all the services that are available to help and support children, young people, and families in the Bailiwick. Any member not able to attend the training must provide a valid reason for not being there and wherever possible the training resources are made available after the session.

Ashley Rawles

President of the Child, Youth and Community Tribunal

The Children's Convenor's Annual Report to the Convenor & Tribunal Board for 2023

This report covers the period 1 January 2023 to 31 December 2023. It summarises the activities and performance of the Office of the Children's Convenor during that period. It presents statistical information about children and young people referred and notified to the Children's Convenor.

As you will see from this Annual Report, we had another busy year delivering the core statutory functions of the Children's Convenor and undertaking activity against our strategic aims for the Children's Tribunal System.

I would not be able to carry out the full extent of the statutory functions of the Children's Convenor without the support and assistance of the team of people who work with me. This includes the Members of the Convenor and Tribunal Board, who provide me with invaluable advice and support, the President of the Tribunal with whom I work closely to ensure a coordinated service for children and young people, and the team of individuals who undertake many of these functions under delegated authority.

When it comes to delivering services that have a significant impact on people's lives, it is not just what we do that is important, it is also how we do it. We are recognised as a welcoming, helpful and respectful service, and I am confident that our values of child centred, fair, respectful and creative are demonstrated in what we do each and every day.

Achieving this consistently requires a resilient, dedicated team that are able to assess risk and needs and make informed judgements on often complex and highly sensitive information. I am very lucky to work alongside people who are committed, caring and deeply connected to the work that they do. Relationships are the cornerstone of our practice, and it is often these relationships that make the difference. We know from numerous studies that children, young people and families need supportive, empowering and non-judgemental relationships, and that those who support them need time and space for reflection, learning and supervision. In 2023 we commenced a programme of restorative supervision alongside our professional supervision to ensure that the team have a safe and supportive space to explore and process their workplace experiences and the impact of this on them. This will help ensure that they can maintain their energy and focus to do what they do best - making effective decisions that help children and their families.

Most of our resources each year are taken up by two of the statutory functions of the Convenor - making decisions on referrals and supporting and administering Hearings of the Tribunal. During 2023, the number of individual children whose circumstances were considered at a hearing of the Tribunal increased to its highest level in five years. A significant amount of our resource is required to support and administer Tribunal Hearings, therefore this increase was not insignificant. This activity includes preparing the written notifications for all of those attending the hearing; obtaining, reviewing and collating the documents and reports; keeping a record of the proceedings; and supporting the Tribunal Members to ensure that the written reasons for the decisions made for each child on each occasion meet the necessary legal requirements. This increase reflects the increasing complexity of family life

that we are seeing within our work where risks presented by adults can impact on a number of children within a family group.

One of the key features of the Children's Tribunal System is that it is designed to enable children to take part and give them a voice in decisions made about their lives. I am pleased to report that a significant number of children attended one or more of the Hearings arranged to consider their circumstances and feedback received from the professionals who support them indicates that the Tribunal is a place where children and young people feel listened to and included. There is however always more we can do to ensure that all children are able to exercise their right to express their views in decisions made about them. This includes younger children and those who need information and materials tailored to their specific needs and there is much for us to learn from developments in other jurisdictions in this area. We will be giving further consideration to this throughout 2024 to identify how we can further increase participation.

As demonstrated in the statistics section of this report, there are very few trends evident from the data on referrals to the Convenor and referral numbers fluctuate each year. This is something that would perhaps benefit from some research to better understand the referral practices of those agencies that make referrals to the Convenor. While reduction in the number of children referred on offence grounds is to be welcomed, the number of children referred on non-offence concerns is still lower than expected. We will be working with our colleagues in Health and Social Care during 2024 to develop a new Threshold Framework and supporting guidance that will hopefully address this and make clearer when referral to the Convenor should be considered.

Looking forward, 2024 will see the start of some significant changes for us as we embark on the process of consultation and embedding a new organisational structure for the service, along with revised job roles, and refreshed governance arrangements and relationships with the States of Guernsey. We are fast approaching 15 years of operating and some significant changes that will be introduced as part of the review of the Children (Guernsey and Alderney) Law, 2008. It is therefore a timely opportunity to ensure that we have the right structure, systems and process in place to deliver the statutory and delegated functions of the Convenor for the next chapter of the Children's Tribunal System. It has been a privilege to be part of the story so far and although there will inevitably be challenges ahead, I will continue to perform the functions of the Convenor in the spirit of collaboration, co-operation and respect that reflect my tenure in this role to date.

Karen Brady
Children's Convenor

Strategic Aims and Targets for the Children’s Tribunal System

The strategic aims for the Children’s Tribunal System are:

<p>Care</p> <p>Delivering our services in an environment that is supportive, trauma-informed and non-adversarial.</p> <p>Ensuring our staff and Tribunal Members are valued and supported.</p>	<p>Connect</p> <p>Increasing participation and engagement of children and young people.</p> <p>Nurturing our relationships with children, young people and their families, our partners, the community and the environment.</p>
<p>Collaborate</p> <p>Working effectively with our partners to improve outcomes for children and young people and ensure they get the right help at the right time.</p> <p>Share information and data to inform understanding and raise awareness of the roles of the Tribunal and Convenor and the issues faced by children.</p>	<p>Change</p> <p>Continue to develop effective services in imaginative and innovative ways.</p> <p>Increase our use of technology.</p>

Presented below is our activity on these strategic aims during 2023:

Care

During 2023 we focused on reviewing and reflecting on our practice and decision-making. We held a number of reflective practice sessions with the Convenor team throughout the year as part of our continuous learning and professional development and undertook an audit of Convenor decision making. The audit highlighted that the assessment and decision making on referrals was of high quality and in line with practice expectations however identified some areas for improvement in relation to the recording of decisions. This led to us making some adaptations to our decision recording forms to support this area of our practice. A further audit carried out later in the year identified significant improvements in the recording of decisions. As part of our focus on learning and development the Convenor Team attended a number of training and learning events throughout the year.

We have continued to invest in and develop our wellbeing support for staff and have worked in partnership with Boo Coaching and Consulting to introduce a programme of restorative supervision sessions for the team in recognition of the impact of the work that they do. We also undertook a team development session where we explored our individual and team

strengths and values. We introduced a new appraisal framework based on the values of the Children's Tribunal System.

As part of our transformational change agenda we continued the review commenced in 2022 into our structure and governance to ensure that our organisation is able to support all of the statutory functions of the Children's Tribunal System now and in the future. Our focus during 2023 was on developing a proposal for a new structure and job roles and consulting on this with the employer (States of Guernsey) and the Trade Union. Consultation with our staff group commenced in 2024. We also commenced a review of our governance arrangements and the Memorandum of Understanding with the Committee for Health and Social Care.

Connect and Collaborate

In preparation for the amendments to the Children (Guernsey & Alderney) Law, 2008 throughout 2023 we have contributed to a number of pieces of work as a partner of the Children Law and Outcomes Report Implementation Group. This has included contributing to the development of secondary legislation and guidance and to the development of a core data set for the family care and justice system.

One of the outcomes sought from the Children Law review is to improve the interface between the different part of the family care and justice system and to remove duplication wherever possible. In support of this, during 2023, we established closer operational links with our key partners within Children and Families Social Services. We have now set up regular meetings to discuss matters of shared interest and to find solutions to issue that get in the way of achieving best outcomes and experiences for children and young people.

The Islands Safeguarding Children Partnership (ISCP) is one of the key partnerships in the Bailiwick that coordinates the work of persons and organisations that have a responsibility for the safeguarding and welfare of children and young people. As a member of this partnership, we were involved in a number of activities during 2023. These included participating in the annual conference and a leadership session as well as a learning event following a serious case review. We also contributed to rapid reviews undertaken throughout the year and an audit on child neglect. We provided input to review of the Care and Support Framework and the development of a Thresholds Framework.

Our family care and justice system in the Bailiwick is unique and it can therefore appear complex and complicated to those professionals who are new to the islands or new to the Children's Tribunal System. During 2023 we continued to deliver training on the role of the Children's Convenor and the Tribunal and provided support and information to a range of professionals to help with their understanding. We are committed to helping professionals to be better informed and in turn better able to support children and families understanding of and engagement in the Tribunal process.

Partnership and relationships are central to our work and are a key part of securing good outcomes for children. In 2023 we also:

- Met with the Jersey Children's Commissioner to hear about their work supporting the rights of children and young people
- Attended a stakeholder event on the Functional Family Therapy model
- Delivered a further session for the Safeguarding Learning Network, in partnership with the ISCP, focused on learning from serious case reviews

- Continued to develop our links with the Scottish Children’s Reporter Administration (SCRA) to keep abreast of developments of the system in Scotland
- Contributed to the review of legal aid
- Contributed to the development of a Child Exploitation Framework and attended relevant training
- Attended and contributed to a number of other partner forums and strategic groups

We were only able to undertake much of our non-casework activity due to the fact that we were able to welcome a children’s reporter from SCRA on secondment for a period of three months during the summer. This was a very positive and nourishing experience for the team who welcomed the opportunity to learn from the experience in another jurisdiction and embraced the energy and enthusiasm that a new experience and team dynamic can bring.

Change

A significant amount of our activity was focused on preparation for the transition to OneDrive and SharePoint as part of the States of Guernsey digital transformation programme. Key activity included cleansing our data in readiness for the transition and ensuring that it complied with our data retention policies and developing the SharePoint infrastructure for our service areas. A significant proportion of our work is carried out using technology and this is likely to continue to increase in the future. As our use of technology increases, we need to ensure that our staff team are trained and equipped to make best use of the efficiency that it can provide. With this in mind a number of the team attended or accessed online training sessions on SharePoint, Teams and OneDrive throughout the year.

Performance and Targets 2023

The Children’s Tribunal System had four key performance targets for 2023 relating to our operational activity:

Performance Measure	Target 2023
% of Convenor decisions made within 50 working days	70%
% of Hearings concluded within 90 minutes	75%
% of appeals upheld as a result of a procedural error	0%
% of children who are able to participate who attend one or more dispositive Hearing within the year	40%

The percentage of Convenor decisions made within 50 working days during 2023 was 68%. We therefore did not meet our target of 70%. Our performance was significantly impacted once again by the fact that we continue to experience challenges receiving information to inform these decisions with only 44% of information and report requests received on time. The Convenors are often reliant on partner agencies for reports and information to ensure that they make the right decisions for children and young people. The reduction in the percentage of reports received on time perhaps reflects the resource pressures on other agencies as well as our own.

The percentage of Tribunal Hearings that concluded within 90 minutes was higher than in 2022 with 67% concluded within this timescale. Our performance target for 2023 was 70%. We have seen an increasing complexity within the issues and concerns referred to the Tribunal in recent years and this has had an impact on the length of time required during a Hearing to give this appropriate consideration.

There were no appeals against the decision of a hearing of the Tribunal during 2023 therefore our target of no appeals upheld due to procedural errors was met.

57% of children and young people aged 6 or over actively participated in one or more dispositive hearing held during 2023 to consider their circumstances. This exceeded our target of 40% and reflects the growing participation of children and young people in the decisions made about them.

We received no complaints from children, young people or their carers about our service during 2023.

Our expenditure was within our budgetary allocation for 2023. Our expenditure is reported by the Committee for Health and Social Care and forms part of the State of Guernsey accounts.

Summary of the data for 2023

Throughout the year we gathered information to inform our practice and to share with our partners. Here is a summary of our data for 2023. Further information can be found in the Statistics section of the report.

232 referrals relating to 196 individual children & young people were made to the Convenor

- There was a decrease in the total number of referrals received by the Convenor during 2023. Non-offence referrals decreased by 37% and offence referrals decreased by 22%.

69% of non-offence referrals related to care and protection concerns

- A high percentage of the of non-offence referrals received included concerns about the care and protection being given to children and young people by their parents or carers, up 5% from 2022. 29% of the children referred on non-offence reasons were aged five or under.

15 years the most common age of referral

- The most common reason for referral to the Convenor remains that the young person had committed an offence (63%). Traffic offences made up 33% of the total offence referrals received, with 53% of these relating to young people who were under the age of 17.

261 reports requested by the Convenor

- 44% of the reports and information requested by the Convenor to inform decisions were received on or before the due date.

279 decisions made

- A final decision was made by or on behalf of the Convenor on 279 referrals. The Convenor referred 59 of these referrals to the Tribunal. 68% of Convenor decisions were made within 50 working days (54% of the decisions made on care and protection concerns, 74% of the decisions made on behaviour related concerns and 58% of the decisions made on school attendance concerns).

84 Convenor Meetings held

- The grounds for referral were accepted by young people and their parents or carers in 80% of the cases considered at a Children's Convenor Meeting.

205 Hearings of the Tribunal held

- The number of hearings of the Tribunal held in 2023 decreased by 2%, however the number of children or young people who attended them increased by 20%. The most common reason for referral to the Tribunal was that the child or young person had suffered or was likely to suffer significant impairment to their health or development.

33 Care Requirements made

- There was an increase in both the number of children who were made subject to a care requirement in 2023 (32%) and those who were subject to a care requirement at the end of 2023 (7%).

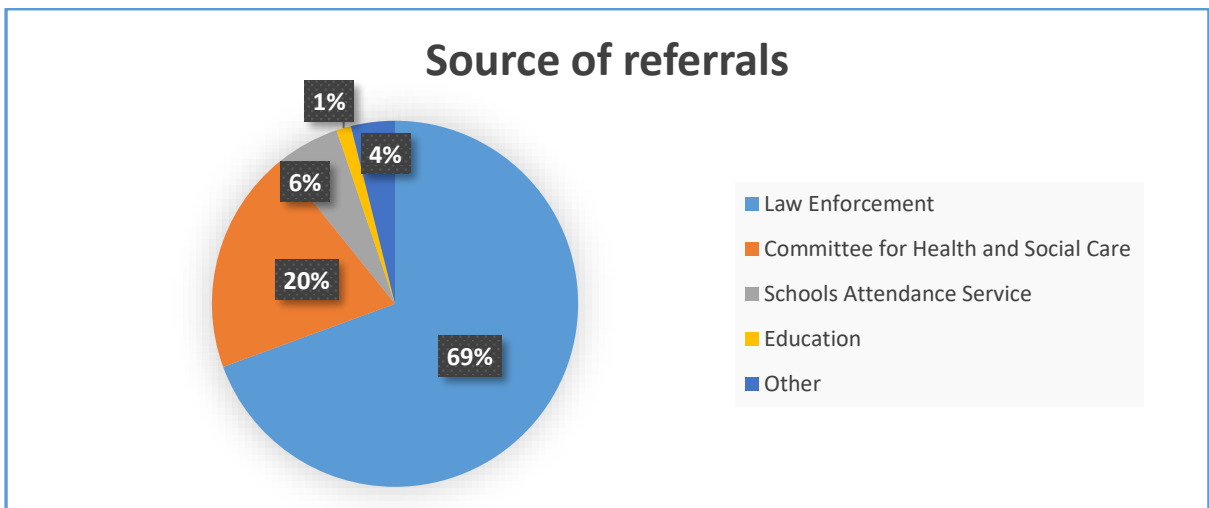
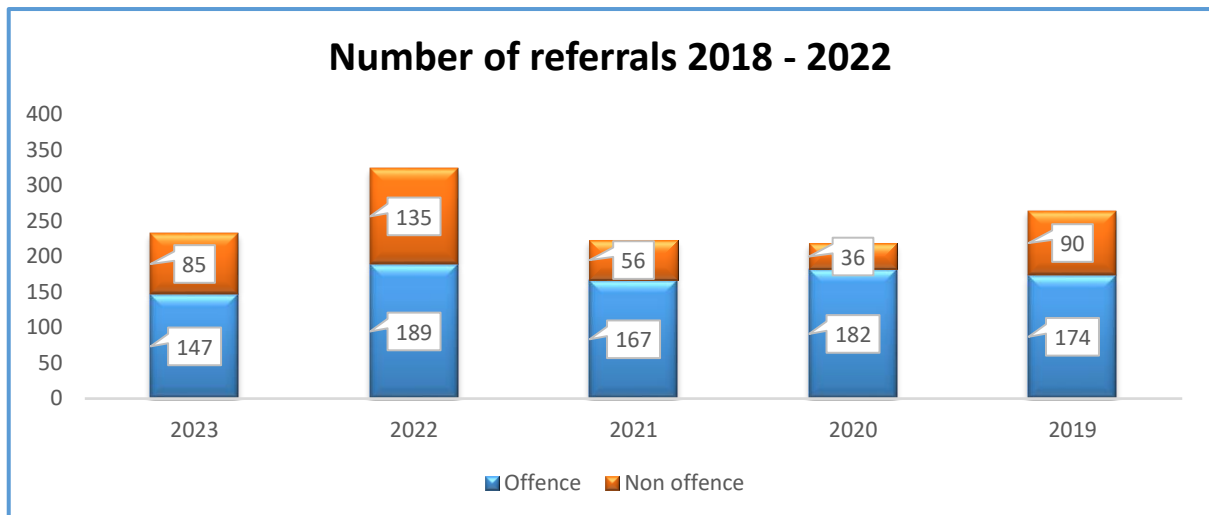
Statistics in 2023

This section of the report includes the key statistics for 2023.

Referrals & children and young people referred

Referrals received by the Convenor

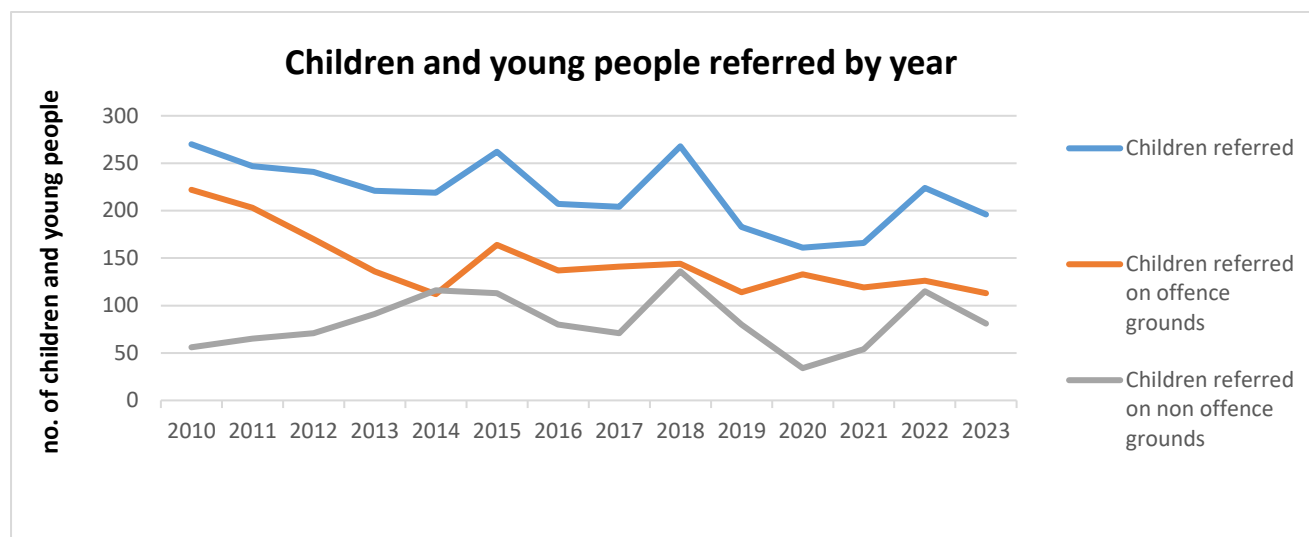
In 2023, 232 referrals were received by the Convenor; 147 offence related referrals and 85 non-offence referrals. Law Enforcement continued to be the main source of referrals comprising 69% of all referrals.



The referrals received in 2023 related to 196 individual children. Most children and young people were referred only once, with 4% referred three or more times. Some children were referred on both offence and non-offence grounds.

- 147 offence grounds (113 individual children)
- 85 non-offence grounds (81 individual children)

There were more males than females referred on both offence and non-offence grounds.



	Non-offence*		Offence*	
	F	M	F	M
F=Female M=Male				
No of children	38	43	27	86
Proportion	47%	63%	24%	76%

*some children were referred on both offence and non-offence grounds

Types of Concern

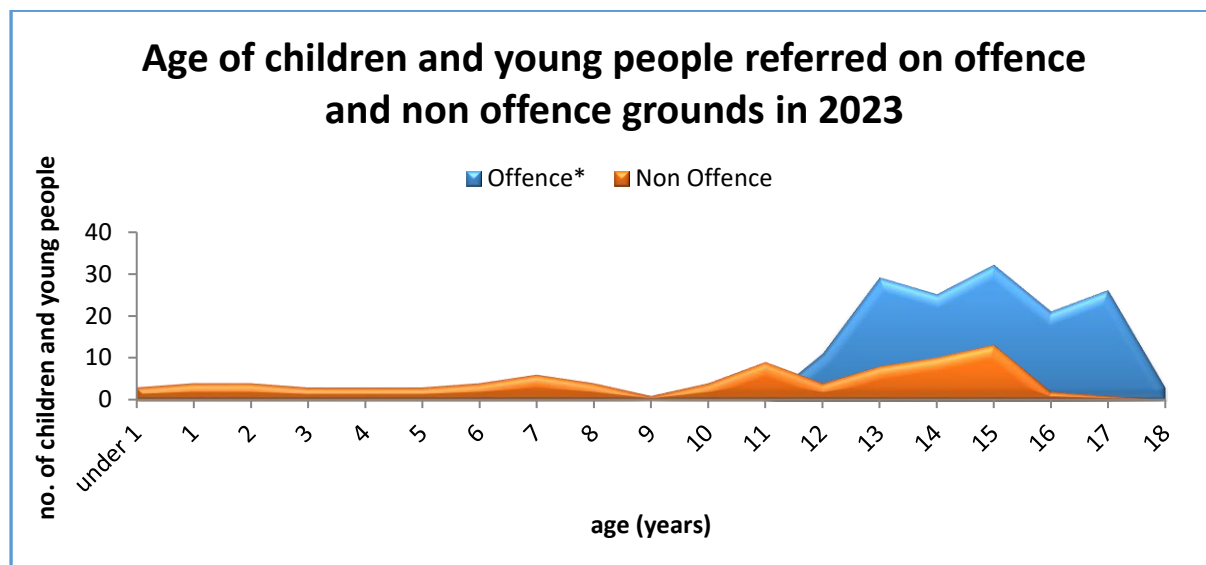
The grounds or reasons on which children can be referred to the Convenor are set out in section 35(2) of the Children (Guernsey and Alderney) Law, 2008 and are summarised in the chart below. These reflect the range of concerns identified by those referring children and young people to the Convenor. Some children were referred on more than one ground hence the number of grounds for referral in the chart being greater than the total number of referrals received.

The most common ground for referral remains that the young person had committed an offence. In total, 113 young people were referred on this ground across 147 referrals. 33% of the offence referrals received related to traffic offences.

Reasons for referral	2023	2022	2021	2020	2019
(a) Significant impairment to health or development	63	91	46	29	67
(b) Physical or sexual abuse	7	13	8	6	22
(c) Misuse alcohol, drugs or volatile substance	2	3	1	2	2
(d) Exposed to moral danger	4	6	5	4	2
(e) Violent or destructive behaviour/beyond parental control	14	29	3	6	21
(f) Allegedly committed a criminal offence	147	189	167	182	174
(g) Failure to attend school without good reason	23	19	11	3	18

Age of children and young people referred

The most common age for children and young people to be referred on both offence and non-offence grounds was 15.



*the age of criminal responsibility in the Bailiwick is 12 years.

Children's Convenor Decisions

During 2023, a final decision was made on 279 referrals received by the Convenor. The chart below shows a breakdown of the decisions made. 21% were referred by the Convenor to the Tribunal. The most common reason for referral to the Tribunal continued to be on the grounds that the child or young person has suffered or was likely to suffer significant impairment to their health or development.

	No. of final decisions (279)
Arrange a Hearing of Tribunal	59
No indication of a need for compulsory measures	22
Retained by or referred to HM Procureur	18
Refer to Committee for Health and Social Care	17
Refer to other Committee or Agency	1
No Hearing required as measures already in place	41
No Hearing required as child referred to the Tribunal for other reasons	17
Diversion to Road Traffic Awareness Programme	24
No Hearing required as action taken by family	10
Diversion to Restorative Justice	21
Convenor interview	32
Insufficient evidence to proceed	17
Duplicate referral	0

Children's Convenor Meetings

84 Children's Convenor Meetings were held during 2023. These related to 51 individual children.

The Convenor's Statement (the reasons for concern) was accepted by the young person and their parents or carers in 80% of the referrals considered at Convenor Meetings during 2023.

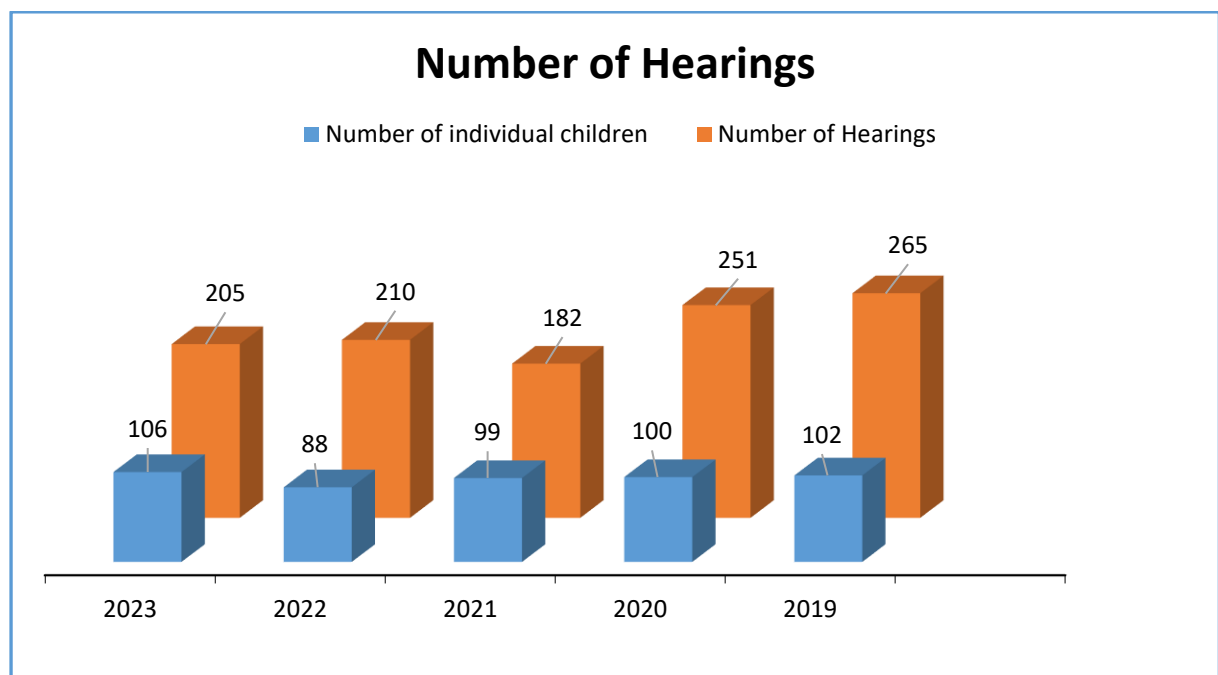
Applications to the Juvenile Court

Three applications made by the Convenor for a finding on disputed facts were concluded by the Juvenile Court in 2023 with the conditions for referral being established in all. One application was withdrawn by the Convenor during 2023. The average time taken to conclude these Court applications was 18 weeks with all applications concluding within 26 weeks.

Hearings of the Child, Youth & Community Tribunal

Number of Hearings

During 2023, there were 205 Hearings of the Tribunal held. These related to 106 individual children (some children appeared before the Tribunal more than once). Hearings took on average two hours and 31 minutes to reach a decision during 2023.

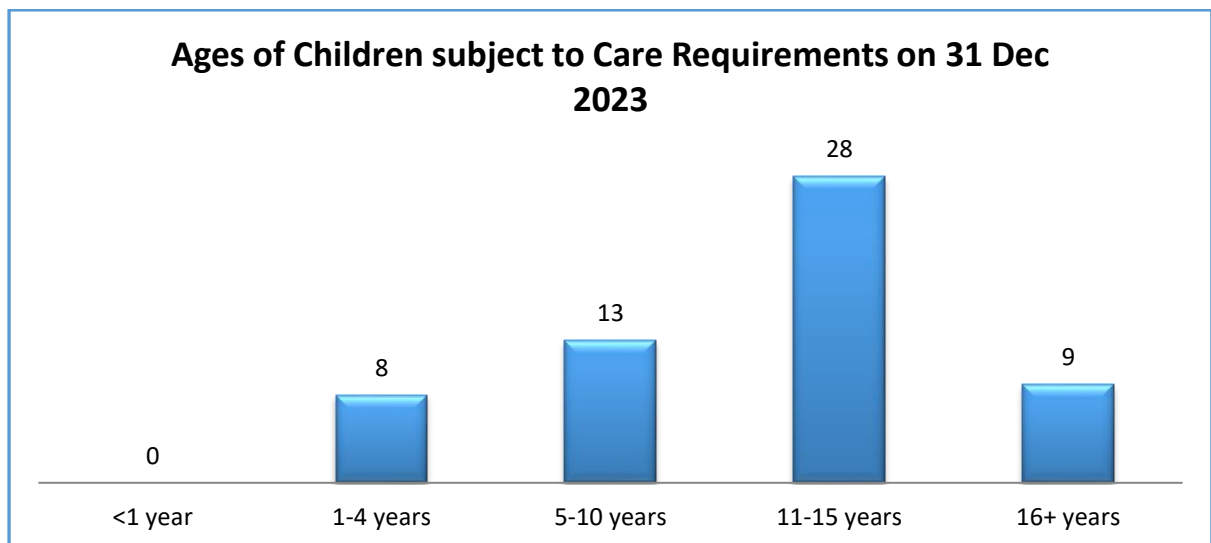
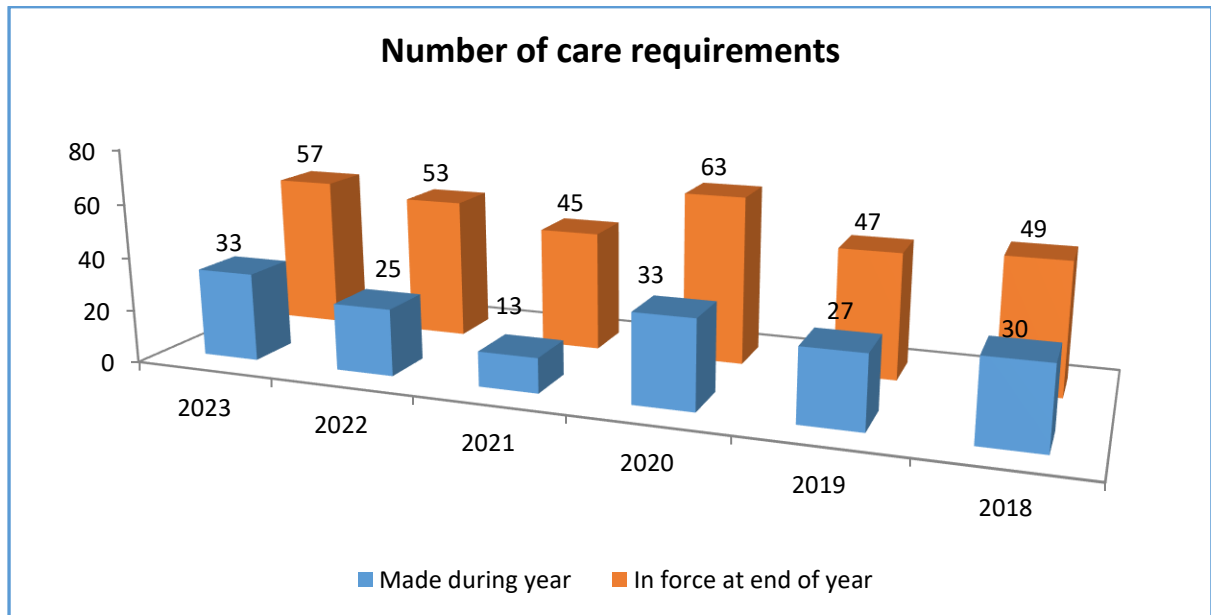


Outcomes

Hearing Decisions

A care requirement is the legal order that can be made by the Tribunal when it is considered that compulsory intervention is needed for a child or young person. In 2023, 33 care requirements were made. 57 care requirements were in force at the end of 2023.

A final decision was made by the Tribunal for 47 children in 2023. The average time from the Convenor's decision to refer the child to the Tribunal to the final decision of the Tribunal was 31 weeks with 44% concluding within 26 weeks.



Appeals

Children, their parents or carers and the Committee for Health and Social Care can appeal to the Juvenile Court against the decision of a hearing of the Tribunal. In 2023, there were no appeals made against the decision of the Tribunal.

Rereferrals

Children are included in the rereferral count if a final decision was made during 2022 by either the Tribunal, the Convenor or the Law Officers on one or more referral to the Convenor and they were subsequently rereferred to the Convenor within a period of 12 months of the date of the decision (referrals where there was insufficient evidence to support one or more condition for referral have not been included within the calculation). 177 children had a final decision made in 2022 on one or more referral. 37 children were rereferred within a period of 12 months (21%). This re-referral count includes all categories of referral and therefore includes both offence and non-offence related referrals. The majority of children were referred on offence grounds (19%).

Notification to the Children's Convenor

Section 36 of the Law and section 2 of the Children (Children's Convenor) (Guernsey and Alderney) Regulations, 2010 set out a number of matters (15) relating to children and young people that must be notified to the Convenor. In 2023, 18 notifications were received relating to 14 individual children.

	No. of notifications
Application for secure accommodation order	<5
Secure accommodation	<5
Secure accommodation order made	<5
Application for a community parenting order	12
Application for adoption order	<5
Youth detention	<5
Section 17 application	<5
Emergency child protection order made	<5

Karen Brady
Children's Convenor
July 2024