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**Improving inclusion for LGBT Children and Young
People attending Hearings – December 2019**





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Introduction:

As part of their journey towards gaining the LGBT Charter Foundation Award, The Scottish Children's Reporter Administration (SCRA)'s Equalities LGBT Sub Group approached Our Hearings, Our Voice (OHOV) asking for support. The Sub-Group wanted OHOV to help them identify what SCRA could do to make the Hearings Centres more inclusive for LGBT children and young people.

The OHOV Project Worker alongside staff from SCRA, held two consultation workshops in Aberdeen and Stirling to explore some of the key issues for young people and their ideas for improvement. The workshops were held in November and December 2019 and were attended by four Board Members between 14-18 years of age from Aberdeenshire and Stirlingshire – all who have an interest in this area.

The workshops were split into three sections:

- An Introduction to the LGBT Charter of Rights and why SCRA is working towards it.
- An introduction to the Equality Act 2010 and exploring the Protected Characteristics.
- Activities to explore how to improve the experiences of children and young people who attend Hearings Centres and who identify as LGBT.

This report gives an overview of the consultation activities, discussions and recommendations that the young people made.

Please note this report is drawn purely from the young people's views.



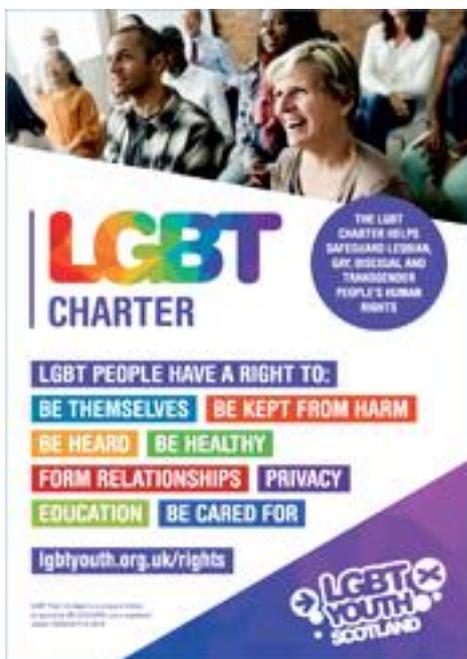


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Section 1:

An Introduction to the LGBT Charter of Rights

To help set the context for the consultation, SCRA's Participation Officer Jennifer began by facilitating some training around the Equalities Act. Jennifer gave the young people an overview of SCRA's Equalities Network which is made up of staff from across Scotland. This group meets together to make sure they are working in ways that include everyone (infants, children, young people, adults, staff and volunteers) in all of their work.



Within the Equalities Group they have an LGBT sub-group. One of their jobs is to make sure they are being as inclusive of children, young people and adults who identify as LGBT. Jennifer explained that one way of doing this was to work towards the LGBT Youth Charter of Rights. Jennifer gave an overview of the different levels of Awards that Organisations could work towards.

SCRA is working towards getting the Foundation Award to begin with. The young people's views and suggestions from the two consultation workshops would be put into a report and this would make up part of their evidence/portfolio towards the Award.

In addition the Equalities LGBT sub-group would look at all the young people's suggestions and would develop an Action Plan to take forward as many of the suggestions/recommendations as possible.

The young people were asked if they had any questions. One young person asked:

“When a young person who identifies as LGBT goes to their Hearing and it's in their report that they identify as LGBT. What if a Panel Member was potentially homophobic...could that not make the young person feel very uncomfortable and awkward within their Hearing?”

[OHOV Board Member]





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In response to this, it was highlighted that there is **always a clear expectation that children and young people are never discriminated against by either Panel Members or Reporter/SCRA staff**. If this were to happen, the young person would always be encouraged and supported to report it and make a complaint. The young people said they were pleased to know this would be the case.

Section 2:

The Equality Act 2010 and Protected Characteristics

Young people were asked if they have heard of the Equality Act 2010 and if they could name any of the protected characteristics? They were able to name:

- *Gender reassignment*
- *Sexual Orientation*
- *Disability*

The group had a short discussion about the nine protected characteristics:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

At this point, two of the young people said they felt that **Gender Identity** should replace the protected characteristics of **Gender Reassignment and Sex** as they felt this was a more inclusive, appropriate and respectful term/characteristic.

Care Experience - Whilst these are the nine characteristics stated within the Act, Who Cares? Scotland has been campaigning to have **Care Experience** added to the Equality Act 2010 as a further Protected Characteristic. This hasn't happened yet, but SCRA supports this and has made a commitment to include this as a 10th Protected Characteristic in their work.





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In response to this information about Care Experience becoming/being a 10th Protected Characteristic, one young person said this could be “perceived as intrusive” - For example:

“Say a young person never spoke about the fact they are care experienced and this information was shared, it could infringe their rights. It is a good thing in the right circumstances.”

[OHOV Board Member]

Section 3:

Exploring ways to improve inclusion for LGBT children, young people and adults.

This section started with the young people coming up with examples of **good practice** and **discrimination** in relation to inclusion.

One young person explained that their school had an LGBT policy where young people’s rights are upheld. Some of the things the policy included were:

- Zero tolerance towards the use of the inappropriate language.
- Inappropriate behaviour is challenged.
- There is a shared and open safe space for students.

A young person cited a piece of research around discrimination that they had been reading about. They said:

“One Academic had completed quite a significant piece of research on how staff and other professionals approach LGBT. He found through his research that there were many examples of discriminatory practice including:

- A culture of staff not speaking about it
- Staff inappropriately mocking LGBT
- No training and a lack of awareness

The young people were asked what would help to remove discrimination. Their suggestions were:





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- Having someone who is accepting and in a position of power that you could report the discrimination to.
- Clear information displayed on how to make a complaint when you experience or see discrimination.
- Online or 'in person' training for all staff.

“Stigma needs to be removed as people have made fun of others for identifying as LGBT and making comments like “Can you not just be normal?”

[OHOV Board Member]

The next activity was designed to gather young people's views about what would improve experiences for children and young people who attend Hearings and who identify as LGBT.

Activity: The Elephant in the Room



We introduced the idea of “the elephant in the room” by explaining that it means - there is an issue that needs to be talked about but is often ignored or not spoken about openly.

We asked the young people to think about their experiences of Children's Hearings and what could be done to make children and young people who identify as LGBT feel more comfortable coming to their Hearings. They put all their ideas and suggestions onto a post it notes and stuck them to the elephant picture.

The young people came up with the following suggestions which fit into two key themes – **Property/Facilities and Communication:**

- Have LGBT Flags on the leaflets
- Gender neutral / Accessible toilets in the building
- Equality / Acceptance and Inclusion Posters on display
- LGBT Flag/Signage on display in the waiting / meeting rooms
- Have as many Equality symbols on display as possible
- Social Media – more information on LGBT on display





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Of course these suggestions come with a warning that you don't overdo it!

“Show support but don't overdo it with the rainbows and flags etc. as it becomes too corporate.”

“If an LGBT flag was on a prominent big display it would feel tokenistic.”

- Have a screen in the waiting rooms with advice sites – scrolling on the screen including LGBT Support services / Trans youth hotline LGBT+ Youth Scotland groups, Helplines and sites for advice.
- Have information about local LGBT support services in Hearings Centres.

“Have LGBT Information beside the other information section (where leaflets are in the waiting rooms). Information shouldn't be separated and should be kept together.”

- Don't assume gender from reports – ask if unsure.
- Pronouns – “ask our preference.”
- Include our pronouns in paperwork.
- Introduce children and young people by their preferred pronoun.

“Panel Members and Reporters need Training / Information and Research on LGBT such as - Understanding Gender Identity.”

- More personalised introduction to the Reporter – before the Hearing.
- Choice to meet the Panel members by yourself before the Hearing.
- LGBT representation - have Panel members that are part of the LGBT community.

Whilst the young people felt it was important that Reporters and Panel Members required training in terms of awareness and sensitivity, there was a strong sense that LGBTI+ issues should not be discussed within Hearings unless specifically desired by the young person.

“They don't need to know our sexuality and we don't need to know theirs – everyone has a right to privacy.”

“Sexuality should never be discussed in a hearing. I have had experiences of this and found it very intrusive and hurtful.”





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Fundamentally the young people wanted to know that they would be treated with dignity and respect and that the adults making decisions about them have an awareness of the issues they face.

When you get to know them (Panel Members / Reporters) they should let you know that they are not homophobic.

“Normalise conversations for young people” - They should already be doing this.”

The activity ended with the young people expressing how they would feel, and the difference they hoped it would make, if their suggestions were put into place.



- Welcomed seeing a Pride flag
- Supported and accepted
- Included
- More confident
- Welcome
- Respected
- Not Judged
- Included
- More relaxed, calm and at ease, less anxious
- Happy
- Proud to be themselves
- Safe
- Not judged
- Empathised with

- Reduce stigma in underprivileged families
- Make young people feel seen and comfortable going to hearings
- It would normalise queer conversations
- Help young people understand different pronouns
- No pressure to come out
- Don't feel oppressed against





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“Safe environment for those who choose to outwardly declare themselves at LGBT and for those who won’t.”

“I would feel more confident being there and feel supported as would other young people.”

“Being accepted would make them feel safe and not judged.”

“Feel like home as it would make them feel safe and shows the Hearing room is not a scary place and everyone would feel safe and relaxed.”

“It would make coming to Hearings hopefully smoother and as comfortable as they can be.”

The workshop ended with a big thanks and a reminder that their work will be pulled together into a report which they will check and approve.

The report will be shared with the LGBT sub-group to help with their work towards the LGBT Charter of Rights and in improving inclusion within the work of SCRA.

