



Child Youth &
Community Tribunal



A guide to the
Child, Youth
& Community
Tribunal (CYCT)

What is the CYCT?

The CYCT system was brought in as part of the measures in the Children (Guernsey & Alderney) Law, 2008. This Law came about following a fundamental and far-reaching review of children law within the Bailiwick.

The system is based on the Children's Hearing system which has been successfully operating in Scotland for over 40 years. This system followed a report by Lord Kilbrandon and his committee in 1964 which found that children and young people who appeared before courts, whether they had committed an offence or were in need of care and protection, had common needs. Some basic principles behind the system are:

- The local community is in the best position to decide what should happen to children;
- Children who offend almost always have the same needs and background as children in need of care and protection;
- Children's needs and deeds must be tackled together if they are to be dealt with effectively;
- Disputed facts (e.g. whether the children are guilty of the alleged offence) should be dealt with by a court, but once the facts have been established, a court, with its emphasis on formal procedures, is not the most appropriate place to look in detail at how best to deal with troubled children.
- Children and young people in Guernsey and Alderney in need and in trouble have the opportunity to have their case heard by the Child, Youth and Community Tribunal (CYCT) rather than in a court environment.

How does the CYCT work?

As part of the Children (Guernsey & Alderney) Law, 2008 a Children's Convenor was appointed and is responsible for investigating referrals where there is concern about a child under the age of eighteen. The Children's Convenor is assisted by two Deputy Convenor and three Assistant Convenors. Their titles are often shortened to Convenor. If the Convenor decides that grounds set out in the Law may be met, the case can be referred to a hearing of the CYCT.

Based on factual reports and information presented, CYCT members will decide what action is required in the best interests of the child. They will be required to make an informed and unbiased decision on whether or not the child needs to be protected, guided or controlled.

The grounds (legal reasons) for bringing a child or young person before the CYCT are set down in Section 35 of the Children (Guernsey & Alderney) Law, 2008 which states the circumstances under which compulsory measures may be needed in respect of a child. These include:

There is no-one able and willing to exercise parental responsibility in such a manner as to provide the child with adequate care, protection, guidance or control.

In addition one of the following conditions must be met:

- The child has suffered or is likely to suffer significant impairment to his health or development
- The child has suffered, or is likely to suffer, sexual or physical abuse
- The child has misused drugs or alcohol, or deliberately inhaled a volatile substance
- The child is exposed, or is likely to be exposed, to moral danger
- The child has displayed violent or destructive behaviour or is likely to become a danger to himself or others, or is otherwise beyond parental control
- The child has committed a criminal offence
- The child is failing to attend school without good reason.

The decision as to whether or not a child or young person is prosecuted in court or dealt with by the Convenor is made by HM Procureur. The Court may then in some cases remit the case to the CYCT if it feels the CYCT is the best way of dealing with the child.



Getting involved

CYCT members do not need formal qualifications, but will be team players with a real interest in improving the lives of children and young people. They will have excellent life skills and the ability to listen, learn and work open-mindedly with children, young people and their families. Their appointment is initially for three years and can be renewed following satisfactory monitoring of performance. CYCT members are also required to undergo a further two days of refresher training every year.

CYCT members sit on hearings of the Tribunal on a rota basis. It is a lay tribunal of three members, must not be wholly male or female and aims to have a balance of age and experience. The CYCT members consider and make decisions about the welfare of the child or young person before them, taking into account all the circumstances including any offending behaviour.

The CYCT considers cases only where the child or young person and their parent or carer have accepted the grounds for referral at a pre-meeting with the Children's Convenor.

Making an application

CYCT trainees are required to undertake 55 hours of pre-service training, provide two referees and undergo an enhanced police check. If you are aged between 21 and 70 and feel that you could make a difference to children in our Bailiwick, then please complete an application form and return it to

CYCT Recruitment, Briarwood, La Grande Rue, St Martins, GY4 6RX

What happens next?

From the applications received, we will endeavour to select a balance of men and women from diverse backgrounds and of differing ages who are able to make the commitment to undertake the required **55 hours of pre-service training**

Following successful completion of the training, trainees will be considered for appointment by the Royal Court.

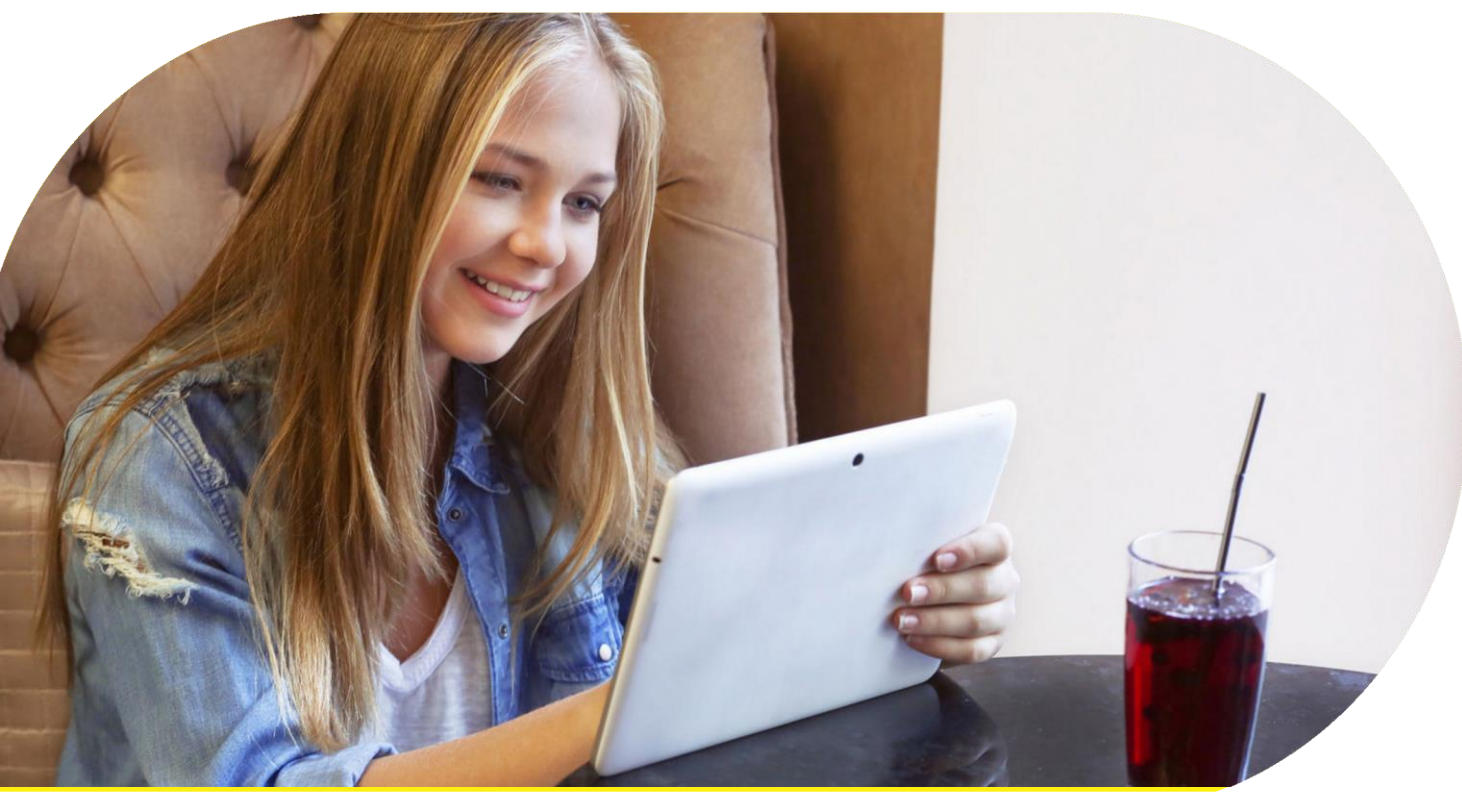
Pre-service training programme

All of the training sessions are mandatory. A brief summary of the training is as follows:

- ▶ Duties of the States to children in need
- ▶ Youth Justice
- ▶ The emotional well-being of children
- ▶ Child abuse and neglect
- ▶ Child protection in Guernsey
- ▶ Managing anger and aggression
- ▶ The role of the Tribunal — practice and procedure
- ▶ The role of the Convenor
- ▶ Using reports
- ▶ Communication
- ▶ Decision making - the role of the Tribunal in making decisions about compulsory intervention

Simulated Hearings

Each trainee will be expected to attend a simulated hearing session which will comprise of three case studies.



You could make a
difference

www.convenor.org.gg



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