

# Who Cares? Scotland

[www.whocaresscotland.org](http://www.whocaresscotland.org)

**Briefing:** Education and Skills Committee- 21/09/2016



## Care in Scotland

In 2015 local authorities in Scotland were looking after **15,404 children and young people**; around 36% were in foster care, 27% in kinship, 25% looked after at home and 10% in residential homes or schools.<sup>i</sup> Most children and young people become looked after following abuse, neglect, parental alcohol and substance misuse or due to having a severe disability that requires specialist care. No journey through the care system is the same but the resounding effects of pre-care experiences, separation from birth families and being looked after makes them among the **most vulnerable group in our society**. This is in terms of their risk of a range of poor outcomes including mental health, educational attainment and social wellbeing.

Unfortunately, our care system can perpetuate rather than solve problems. When a child or young person is removed from danger, they are also removed from everything they have ever known; family, friends, pets, teachers. **“My world was turned upside down”**. Research tells us the importance of strong attachments and young people tell us the importance of relationships, yet we know that in 2012 68% of looked after children and young people experienced at least 3 placement moves.<sup>ii</sup> **“I don’t feel loved”**. Many care experienced children and young people struggle with their identity as a looked after child or young person. A recent Ofsted report found that half of care experienced young people were fearful of others finding out they have been in care, in anticipation of negative treatment.<sup>iii</sup> **“I am judged”**. Most care experienced children and young people are regularly expected to take part in meetings about their lives. We estimate that fewer than 10% have access to independent advocacy support in Scotland.<sup>iv</sup> **“No one listens”**.



Only 4% of looked after young people went straight on to higher education, compared to 39% of their non-looked after peers.

Scottish Government, 2016



Chance of becoming homeless for care experienced young people is disproportionately high.

Scottish Government, 2016



A third of young offenders identified as having been in care at some point in their life. Nearly a third of adult prisoners, 31% also self-reported being in care as a child.

Scottish Prison Service, 2016



45% of care experienced young people have a diagnosable mental disorder compared to 10% of the general population.

ONS, 2004

Unsurprisingly, the outcomes for this group remain bleak. Care leavers are more likely than their peers to experience significant problems later in life such as homelessness, long term illness, unemployment and are

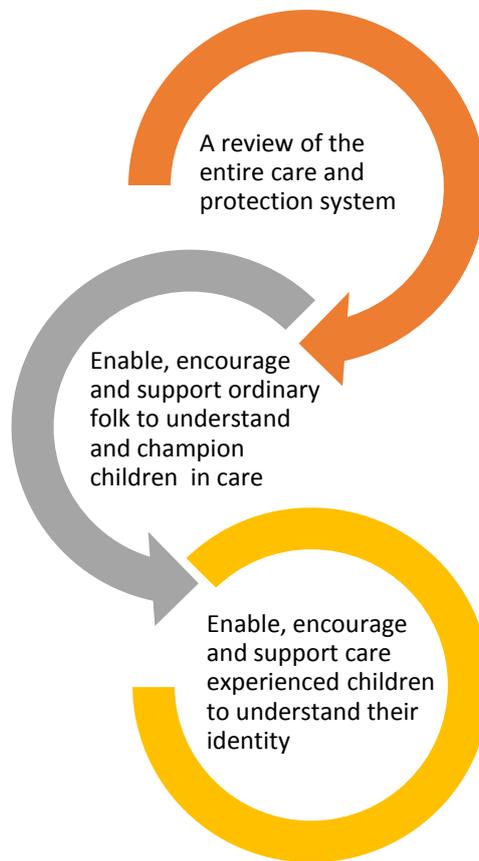
less likely to be in education or settled in a community, compared to 8.4% of 16-19 year olds in the general population.<sup>v</sup> This can all have a wider social impact and lead to higher costs to the public purse.

## What needs to be done?

Following devolution in 1999, the Scottish Government has had responsibility for key aspects of child protection in Scotland with the potential for Scotland to pursue policies distinct from the rest of the UK. Practitioners across Scotland have informed many developments of care and protection in Scotland. We have continually tweaked and reviewed parts of the care system and yet still it is not delivering the best for those it cares for. The outcomes are testament to this.

It is time for Scotland to look at the whole care and protection system and find a Scottish Solution for a Scottish problem. This would build on the success of listening to care experienced young people in the last Scottish Parliament <https://whocaresscotland.org/who-we-are/blog/last-scottish-parliament/>.

We believe that the **Scottish Solution** has three elements:



## How this can happen

We bring children into care, into a system which intends to nurture, look after them and give them their childhood back. Yet by design it is also a system which introduces children to formal interventions and adult processes. We strive hard to ensure young people are physically present at Children's Hearings, yet we do not always ensure their views are meaningfully taken into account. We can change this. We can do this by ensuring that young people's voices are heard and that they experience the love and stability they deserve.

## Independent Advocacy

Who Cares? Scotland(WC?S) believes that all care experienced children and young people in Scotland should be able to access independent advocacy. Throughout their care journey, the independent advocate acts as a companion who listens, helps them say what they want to or shares their views on their behalf. We think the ‘independent’ part of this is really important because it means that the advocate does not have any contending interests, as they are ‘structurally, financially and psychologically’ separate from service providers and other services.<sup>vi</sup> Importantly, this means the independent advocate does not make decisions for children or young people and they do not help influence their decisions either.

Following the delay of the commencement of **Section 122 of the Children’s Hearings (Scotland) Act 2011**, the Scottish Government began a process of developing knowledge of advocacy provision. In 2014 the Scottish Government commissioned several action research projects in order to explore the current arrangements for advocacy support, as well as seeking an understanding of children and young people’s current experiences. WC?S’ action research explored the advocacy experiences of care experienced children and young people and the professionals supporting them.

The intention is that this information will inform the Scottish Government how to effectively deliver on the policy intention of Section 122 of Children’s Hearings (Scotland) Act 2011;

- To ensure that children have **access to high quality independent advocacy provision** so that their voices may be more effectively heard and critical decisions about their lives are better informed and understood.
- Advocacy support would **be available to children if they want it prior to, during and after a hearing** so that they are supported throughout the whole process, should they choose to accept it.

We urge the Scottish Government to take its commitment to children’s rights<sup>vii</sup> seriously and ensure that the child’s voice is always put at the centre of any decision made about their life.

## Commitment to 1000 Voices

WC?S’ **1000 Voices manifesto** was informed and supported by care experienced young people. It received support from all parties represented in parliament and party leaders personally signed the manifesto. Commitment to improving for care experienced children and young people was reiterated in every 2016 party manifesto. WC?S are currently working with the Scottish Government to realise this commitment.

The voice of care experienced children and young people needs to remain central. We invite you to meet our **Care Council**, a passionate group of young people who represent care experienced children and young people from every Local Authority in Scotland. Listen to them speak about the issues that affect care experienced children and young people across Scotland.

This committee has the power to hold Minister’s **corporate parenting** duties to account. In 2018 the Scottish Ministers will lay before the Scottish Parliament a report on how they have exercised their corporate parenting responsibilities during their first three-year period as corporate parents. We must ensure that the Scottish Ministers are doing everything within their power to improve the wellbeing, interests and opportunities available to care experienced children and young people.

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<sup>i</sup> Scottish Government, 2016. Children’s Social Work Statistics Scotland, 2014-15.

<sup>ii</sup> SCRA. 2012. Children on Supervision Requirements for Five or More Years: Decisions and Outcomes.

<sup>iii</sup> Children's Rights Director for England (2014). *Care and Prejudice*. (London) Ofsted.

<sup>iv</sup> WC?S, 2014.

<sup>v</sup> Scottish Government, 2015. Labour Market Statistics, 2013-2015.

<sup>vi</sup> Scottish Independent Advocacy Alliance. What is Independent Advocacy?

<sup>vii</sup> Children and Young People (Scotland) Act 2014. (P1)

## Further information

For information on the **manifesto work** of Who Cares? Scotland in 2016 please click [here](#).

**Full party leader support** for this manifesto was secured. Click [here](#) for information. Or go to [goo.gl/WoAHDk](http://goo.gl/WoAHDk)

Click [here](#) to view the **manifesto online**. Or go to [goo.gl/G2lzEU](http://goo.gl/G2lzEU)

Click [here](#) to view **summary of what parties committed to** for care experienced young people in their manifestos as a result of our lobbying work. Or go to [goo.gl/O8RH8t](http://goo.gl/O8RH8t)

## Contact

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